

AGENDA
CITY COUNCIL MEETING
MAY 26, 1999
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) [99-1689]

Agenda Item/Open Microphone Speakers [99-1690]

VOTING AGENDA

- 1. Approval of Minutes of the May 12, 1999 City Council Meeting [APPROVED; 99-1691]**

CONSENT AGENDA [99-1692]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

- 2. Authorize a contract for community pool renovations at Glendale and Tommie M. Allen Parks - Nedderman & Associates, Inc., lowest responsible bidder of four - \$98,480 - Financing: 1985 Bond Funds [APPROVED; 99-1693]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

3. **Authorize a contract for the reconstruction of street paving and drainage improvements on Zang Boulevard from Davis Street to Beckley Avenue - Camino Construction Inc., lowest responsible bidder of four - \$2,063,222 - Financing: 1995 Bond Funds (\$1,687,251), Water Utilities Capital Improvement Funds (\$362,690), Water Utilities Capital Construction Funds (\$13,281) [APPROVED AS AN INDIVIDUAL ITEM; 99-1694]**

4. **Authorize a contract for the construction of bridge and drainage improvements on Adelaide Drive and Kingsley Drive at Lisbon Branch, and erosion control improvements at 3419 Michigan Avenue on Alice Creek - Jeske Construction Co., lowest responsible bidder of two - \$749,324 - Financing: 1994-95 Community Development Grant Funds (\$185,234), 1995-96 Community Development Grant Funds (\$56,683), 1985 Bond Funds (\$507,407) [APPROVED; 99-1695]**

Construction Miscellaneous

Timberline Drive from Community Drive to Storey Lane

5. * **Authorize sidewalk paving improvements; provide for partial payment of construction cost by assessment of abutting property owners; and authorize an estimate of the cost of improvements to be prepared as required by law [APPROVED; 99-1696]**

6. * **Authorize approval of specifications, estimate of cost and authorize advertisement for bids - Financing: No cost consideration to the City [APPROVED; 99-1697]**

LAND ACQUISITION

7. **Authorize acquisition of individual avigation easements over 3 residential properties containing approximately 1 acre of land, located in the City of Irving for the D-FW International Airport Expansion project - \$70,625 (\$33,900 in easement acquisition payments and \$36,725 in noise mitigation payments) - Financing: D-FW International Airport Joint Revenue Bonds (no cost consideration to the City) (list attached) [APPROVED; 99-1698]**

LAND MISCELLANEOUS

8. **Authorize execution of the First Amendment to the Lease agreement with Buckner & I-30, Ltd. for approximately 3,400 square feet of office space located in Towne Market Shopping Center, 3312 N. Buckner Boulevard, to be used as a WIC (Women, Infants, Children) office to extend the lease for 3 years from June 1, 1999 through May 31, 2002 - \$3,400 per month, for a total of \$40,800 annually - Financing: Texas Department of Health Grant Funds [APPROVED; 99-1699]**

CONSENT AGENDA (Continued)
LAND MISCELLANEOUS (Continued)

9. An ordinance abandoning a portion of a utility easement to Shurgard Texas Limited Partnership, the abutting owner, containing approximately 1,513 square feet of land, located near the intersection of Office Parkway and North Haskell Avenue, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee [APPROVED; 99-1700; ORDINANCE 23884]
10. An ordinance abandoning water easements to ITCR Park Central Limited Partnership, the abutting owner, containing approximately 5,494 square feet of land, located near the intersection of Coit Road and Forest Lane, and authorizing the quitclaim - Revenue: \$650 plus the \$20 ordinance publication fee [APPROVED; 99-1701; ORDINANCE 23885]
11. Authorize the quitclaim of six tracts of unneeded City-owned land to the highest bidders (list attached) - Revenue: \$9,245 [APPROVED; 99-1702]
12. An ordinance abandoning an alley to Las Lomas Associates, Ltd., the abutting owner, containing approximately 13,759 square feet of land, located near the intersection of Pemberton Hill Road and Loop 12, and authorizing the quitclaim - Revenue: \$11,695 plus the \$20 ordinance publication fee [APPROVED; 99-1703; ORDINANCE 23886]
13. An ordinance closing and vacating portions of Oak and Nussbaumer Streets, containing approximately 14,966 square feet of land, located near their intersections with Malcolm X Boulevard and Junius Street, for the purpose of consolidating this area with the adjacent City-owned property - Financing: No cost consideration to the City [APPROVED; 99-1704; ORDINANCE 23887]
14. Authorize conveyance of a gas transmission pipeline and access easement with a temporary construction and crossing easement, and a metering and measuring station easement, containing a total of approximately 255,356 square feet of land to Enserch Corporation, for the construction, installation, maintenance and use of a gas transmission pipeline on City-owned land at McCommas Bluff Landfill near the intersection of Simpson Stuart Road and Central Expressway - Revenue: \$10,665 [APPROVED; 99-1705]

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

15. Authorize (1) the purchase of mainframe server, peripheral equipment, software, and supplies with a twelve month warranty - most advantageous proposers of five - Amdahl Corporation (\$732,514), Storage Technology Corporation (\$969,430), and EMC Corporation (\$209,055) - Not to exceed \$1,910,999; and (2) a sixty month maintenance contract with Amdahl Corporation (\$201,848), Storage Technology Corporation (\$470,640), and EMC Corporation (\$409,254) - Not to exceed \$1,081,742 - Total not to exceed \$2,992,741 - Financing: 1998 Equipment Acquisition Contractual Obligation Notes (\$1,910,999) and Current Funds (\$1,081,742) [APPROVED; 99-1706]

CONSENT AGENDA (Continued)**PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)**

16. **Authorize the purchase of three replacement boom cranes with the only bidder - Vermeer Equipment of Texas, Inc. - Not to exceed \$124,770 - Financing: 1997 Equipment Acquisition Contractual Obligation Notes [APPROVED; 99-1707]**
17. **Authorize a thirty-six month price agreement for police winter, mounted and raid jackets with the lowest responsible bidder of four - New York Clothiers & Loan, Inc. - Not to exceed \$381,295 - Financing: Current Funds [APPROVED; 99-1708]**
18. **Authorize the purchase of an Interactive Voice Response System and related services with Periphonics Corporation, a vendor authorized to sell to multiple city departments under Resolution No. 97-1177 dated April 9, 1997, including but not limited to installation, warranty, and training, not to exceed \$220,309, and a twelve month warranty and maintenance agreement with the first two months at no cost, and the remaining ten months at a cost not to exceed \$21,780 - Total not to exceed \$242,089 - Financing: Building Inspection Current Funds [APPROVED; 99-1709]**

MISCELLANEOUS

19. Authorize settlement of a lawsuit, styled Jose Martinez, II v. Edward Joseph Herbst, III, and City of Dallas, Cause No. 97-01177-H - Financing: Current Funds [APPROVED; 99-1710]
20. Authorize payment to the Employees' Retirement Fund of the City of Dallas of contributions on behalf of City of Dallas employee Judith J. Smith - Financing: Current Funds [DELETED ON THE ADDENDUM; 99-1711]
21. Authorize payment of a judgment in a lawsuit, styled Dreams, Inc., a Texas Corporation v. City of Dallas, et al., Cause No. 95-09950 - Financing: Current Funds [APPROVED; 99-1712]
22. Authorize settlement of a lawsuit, styled C.L. Carroll v. City of Dallas, Cause No. 97-08845-G - Financing: Current Funds [APPROVED; 99-1713]
23. Authorize settlement of a lawsuit, styled Sherry Roberts v. City of Dallas and Dallas Police Department, Cause No. 3-98-CV-0107-H - Financing: Current Funds [APPROVED; 99-1714]
24. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Walker, Bright & Whittenton, P.C., for additional legal services necessary in the lawsuit, styled Charles Miller, et al. v. City of Dallas, Civil Action No. 3:98-CV-2955-D, and any other proceedings relating to the subject matter of this litigation, in an amount not to exceed \$235,000, increasing the original contract and supplemental agreement total from \$15,000 to \$250,000 - Financing: Current Funds [APPROVED AS AN INDIVIDUAL ITEM; 99-1715]

CONSENT AGENDA (Continued)**MISCELLANEOUS (Continued)**

25. Authorize a two-year extension of contracts with McCall, Parkhurst & Horton, L.L.P. and The Ronquillo Law Firm (Team A) and Vinson & Elkins, L.L.P. and Robinson, West & Gooden, P.C. (Team B) for bond counsel and co-bond counsel services to May 8, 2001 - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale; fees for additional services to be paid from Current Funds in an amount not to exceed \$50,000 annually (list attached) **[APPROVED; 99-1716]**
26. Authorize amendments to the 1999 City Calendar to recognize Rosh Hashanah on September 11, 1999 (in addition to September 10, 1999 on the current calendar), recognize Yom Kippur on September 20, 1999 (in addition to September 19, 1999 on the current calendar), recognize the beginning of Hanukkah at sundown on December 3, 1999 and cancel four committee meetings previously scheduled for September 20, 1999 - Financing: No cost consideration to the City **[APPROVED; 99-1718]**
- 27. Authorize approval of the bi-weekly tax action [APPROVED; 99-1717]**
- 28. Authorize (1) a real property tax abatement agreement with Robert Young Associates, Inc. and its lessor, RYA Investment Company, LLC for the purpose of granting a five-year abatement of 50% of taxes on added value to the real property for a retail interior design and construction management facility at 2608 Inwood Road in City of Dallas Enterprise Zone One, Dallas, Texas; and (2) a 100% development fee rebate to Robert Young Associates, Inc. and its lessor, RYA Investment Company, LLC in an amount not to exceed \$12,500 - Revenue: First year tax revenue estimated at \$5,014. Five-year tax revenue estimated at \$25,071 (Estimated revenue foregone for five-year abatement \$25,071) - Financing: Public/Private Partnership Funds [APPROVED; 99-1719]**
29. Authorize Supplemental Agreement No. 1 to the contract with Southern Dallas Development Corporation for additional funding to subsidize the costs for acquisition and rehabilitation of a building located at 1401 E. Eighth Street - \$200,000 - Financing: 1998-99 Community Development Grant Funds (Walker Contingency Funds) (\$100,000); DHA (Walker) Trust Funds (\$100,000) **[APPROVED; 99-1720]**
- 30. Authorize Contract Renewal No. 2 to the contract with Nexus Recovery Center, Inc. to provide substance abuse treatment in a residential setting for adult women for the period June 1, 1999, through May 31, 2000 - \$60,370 - Financing: Current Funds [APPROVED; 99-1721]**
- 31. Authorize Contract Renewal No. 2 to the contract with Turtle Creek Manor, Inc. to provide substance abuse treatment in a residential setting for adults for the period July 1, 1999 through June 30, 2000 - \$91,250 - Financing: Current Funds [APPROVED; 99-1722]**

CONSENT AGENDA (Continued)**MISCELLANEOUS (Continued)**

- 32. Authorize acceptance of the 1999 Shelter Plus Care 1 Grant from the U.S. Department of Housing and Urban Development and execution of the grant agreement to provide rental assistance for permanent housing to homeless persons with chronic substance abuse and/or serious mental illness for a period of five years beginning November 1, 1999 through October 30, 2004, in an amount not to exceed \$3,480,960 - Financing: U.S. Department of Housing and Urban Development Grant Funds [APPROVED; 99-1723]**
- 33. Authorize exercise of the final one year renewal option to the contract with United Way of Metropolitan Dallas, Inc. for administrative, marketing, collection, disbursement, and record keeping services for the City of Dallas' Charitable Solicitation of City Employees Program, for the period June 15, 1999 through June 14, 2000 - Not to exceed 10% annually of the funds collected from the City's annual employee charitable fund drive - Financing: No cost consideration to the City [APPROVED; 99-1724]**
- 34. Authorize revisions to the Walker Distress Fund Program Statement to clarify the amount of assistance provided on behalf of eligible tenants, to expand potential beneficiaries to include eligible homeowners paying no more than 30% of their income on mortgage and utility costs, and authorize revisions to the program budget outlined in the interlocal agreement between the City of Dallas and Dallas County Department of Health and Human Services for the continued administration of the Walker Distress Fund Program - Financing: No cost consideration to the City [APPROVED; 99-1725]**
- 35. Authorize an extension of the time frame for implementation of the Ideal Neighborhood pilot program to September 30, 2000 and revise the Ideal Homebuyer Assistance Program Statement to amend the boundaries for the pilot program - Financing: No cost consideration to the City [APPROVED; 99-1726]**
- 36. Authorize a public hearing to be held on June 23, 1999, to receive citizen comments, and authorize Council action on June 23, 1999, on the proposed use of a portion of Arapaho Park by the Public Works and Transportation Department for construction of storm drainage improvements - Financing: This action has no cost consideration to the City [APPROVED; 99-1727]**
- 37. Authorize a public hearing to be held on June 23, 1999, to receive citizen comments, and authorize Council action on June 23, 1999, on the proposed use of a portion of Samuell-New Hope Park by the Town of Sunnyvale for construction of storm drainage and erosion control improvements - Financing: No cost consideration to the City [APPROVED; 99-1728]**

CONSENT AGENDA (Continued)**MISCELLANEOUS (Continued)**

38. Authorize a public hearing to be held on June 9, 1999, to receive citizen comments and authorize Council action on June 9, 1999, on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law - Financing: No cost consideration to the City [APPROVED; 99-1729]
39. An ordinance adopting a boundary adjustment agreement with the City of Mesquite - Financing: No cost consideration to the City [APPROVED; 99-1730; ORDINANCE 23858]

Ernst & Young, LLP and its lessor, RAK Main Place Associates LP

- 40.* Authorize (1) a tangible personal property tax abatement agreement with Ernst & Young, LLP and their lessor, RAK Main Place Associates L.P. for the purpose of granting a five-year abatement of 75% of the taxes on new business personal property for the expansion of their operations in **City of Dallas Enterprise Zone One located at 1201 Main Street, Dallas, TX 75202**; and (2) a 100% development fee rebate to Ernest & Young, LLP and their lessor, RAK Main Place Associates L.P. in an amount not to exceed \$25,000 - Revenue: First year tax revenue estimated at \$5,193. Five-year tax revenue estimated at \$25,965 (Estimated foregone for 5-year abatement \$77,892) - Financing: Public/Private Partnership Funds - \$25,000 [APPROVED; 99-1731]
- 41.* Authorize a resolution for an application to the Texas Department of Economic Development (formerly Texas Department of Commerce) nominating Ernst & Young, LLP, located in the **City of Dallas Enterprise Zone One at 1201 Main Street, Dallas, Texas, 75202**, to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City [APPROVED; 99-1732]

PUBLIC HEARINGS AND RELATED ACTIONS**ZONING CASES - CONSENT** [99-1733]

42. Application for and an ordinance granting a Planned Development District for Mixed Uses on property presently zoned an A(A) Agricultural District on the west side of Merrifield Road, south of Caseate Boulevard
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions, and approval of a development plan for Tract 1
Z989-120/10736-SW(PN) [CONTINUED UNTIL 06/23/99 WITH OPEN HEARING; 99-1734]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**ZONING CASES - CONSENT (Continued)**

- 43. Application for and an ordinance granting an amendment to the development/landscape plan and conditions for Planned Development District No. 419 for a Public School on the west side of Hampton Road, south of Wright Street**

Recommendation of Staff and CPC: Approval

Z989-154/10773-SW(ML) [CPC RECOMMENDATION FOLLOWED; 99-1735; ORDINANCE 23888]

- 44. Application for and an ordinance granting an LI Light Industrial District on property presently zoned an R-7.5(A) Single Family District, and approval of an application for and an ordinance granting the termination of Specific Use Permit No. 100 for a Children's home on the east side of Buckner Boulevard, north of Eastpoint Drive, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning**

Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant, and approval the termination of Specific Use Permit No. 100

Z989-160/10786-SE(RB) [CPC RECOMMENDATION FOLLOWED; 99-1736; ORDINANCES 23889 AND 23890]

- 45. Application for and an ordinance granting an amendment to the conditions, deletion of the existing development plan, deletion of the existing landscape plan and approval of a conceptual plan for Planned Development District No. 375 for Retail, Office and Residential Uses on the west side of Central Expressway, north of Lemmon Avenue**

Recommendation of Staff and CPC: Approval

Z989-168/8018-C(SS) [CONTINUED UNTIL 06/09/99; 99-1737]

- 46. Application for and an ordinance granting an amendment to the Subdistrict D portion of Planned Development District No. 305 for Mixed Uses on McKinney Avenue, northeast of Lemmon Avenue East**

Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and conditions

Z989-169/8018-C(SS) [CONTINUED UNTIL 06/09/99; 99-1738]

- 47. Application for and an ordinance granting a Planned Development District for a Public School and R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District at the southwest corner of Church Road and Ravensway Drive**

Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions

Z989-170/401-NE(PN/FD) [APPROVED AS AMENDED; 99-1739; ORDINANCE 23891]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**ZONING CASES - CONSENT (Continued)**

48. **Application for and an ordinance granting a Planned Development District for a Public School and R-7.5(A) Single Family District Uses on property presently zoned an R-7.5(A) Single Family District at the northeast corner of Schroeder Road and Towns Street**
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z989-171/10802-NE(PN/FD) [CPC RECOMMENDATION FOLLOWED; 99-1740; ORDINANCE 23892]
49. **Application for and an ordinance granting a CR Community Retail District on property presently zoned a D(A) Duplex District on the north side of Military Parkway, west of Tolbert Street, and a resolution authorizing acceptance of a deed restriction instrument submitted in conjunction with the change of zoning**
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z989-194/10847-SE(MB) [CPC RECOMMENDATION FOLLOWED; 99-1741; ORDINANCE 23893]
50. **Application for and an ordinance granting Planned Development District for R-7.5(A) Single Family District Uses, certain Recreation, Institutional and Community Service Uses, and a Special Institutional Use on property presently zoned an R-7.5(A) Single Family District, and an application for and an ordinance granting the termination of Specific Use Permit No. 100 for a Children's Home on the east side of Buckner Boulevard between Samuell Boulevard and Eastpoint Drive**
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions, and approval of the termination of Specific Use Permit No. 100
Z989-200/10861-SE(RB) [CPC RECOMMENDATION FOLLOWED; 99-1742; ORDINANCES 23894 AND 23895]
51. **Application for and an ordinance granting an amendment to the site plan and conditions for Specific Use permit No. 363 for a Cemetery Use with consideration also being given to converting the Specific Use Permit from Chapter 51 to Chapter 51A Code provisions on property presently zoned an R-7.5(A) Single Family District and an LO-1 Limited Office District at the southwest corner of Restland Road and Greenville Avenue**
Recommendation of Staff and CPC: Approval
Z989-176/10809-NE(BP) [CPC RECOMMENDATION FOLLOWED; 99-1743; ORDINANCE 23896]

ZONING CASES - INDIVIDUAL

52. **Application for a Planned Development District for RR Regional Retail District Uses and a Residential Hotel Use on property presently zoned an RR Regional Retail District at the southeast corner of Marsalis Avenue and Opera Street**
Recommendation of Staff and CPC: Denial
Z989-188/8736-SW(SS) [CONTINUED UNTIL 06/23/99 WITH HEARING OPEN; 99-1744]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
DEVELOPMENT CODE AMENDMENTS - CONSENT

53. Consideration of an amendment to the Dallas Development Code amending Chapters 51 and 51A to revise the Handicapped Group Dwelling Unit use regulations to limit the number of residents to a maximum of six handicapped individuals and two supervisors and to revise the off-street parking requirements to be consistent with the requirements for single family uses, and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 989-001 [CPC RECOMMENDATION FOLLOWED; 99-1745; ORDINANCE 23897]
54. Consideration of an amendment to the Dallas Development Code amending Chapter 51 and 51A to revise Article VII to amend the non-business sign rules for GO(A), GO, MO(A), MO and O-2 zoning districts in order to allow detached signs to have a maximum effective area of 150 square feet, and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 989-002 [POSTPONED UNTIL FULL COUNCIL BRIEFED; 99-1746]
55. Consideration of an amendment to the Dallas Development Code amending Chapter 51A to allow the Landmark Commission to approve Certificates of Appropriateness for proposed work that is historically accurate and consistent with the spirit and intent of the preservation criteria, and that will not adversely affect the historic character of the property or the integrity of the historic district, and an ordinance implementing the proposal
Recommendation of Staff and CPC: Approval
DCA 989-008 [CPC RECOMMENDATION FOLLOWED; 99-1747; ORDINANCE 23898]

BENEFIT ASSESSMENT HEARINGS
Modella Avenue from Dennis Road to Allister Street

56. * Benefit assessment hearing for street paving, storm drainage, water and wastewater main improvements for the street listed above [DEFERRED UNTIL 06/09/99 WITH HEARING OPEN; 99-1748]
57. * Ordinance levying benefit assessments for street paving, storm drainage, water and wastewater main improvements for the street listed above - Financing: No cost consideration to the City [DEFERRED UNTIL 06/09/99; 99-1748]

Mohawk Drive from Empire Central Drive to Lovedale Avenue

58. * Benefit assessment hearing for street paving and storm drainage improvements for the street listed above [DEFERRED UNTIL 06/09/99 WITH HEARING OPEN; 99-1749]
59. * Ordinance levying benefit assessments for street paving and storm drainage, improvements for the street listed above - Financing: No cost consideration to the City [DEFERRED UNTIL 06/09/99; 99-1749]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**BENEFIT ASSESSMENT HEARINGS (Continued)****Sawmill Road west of Hillcrest Road**

60. * **Benefit assessment hearing for construction of 600 feet of wastewater main for the street listed above [HEARING CLOSED; 99-1750]**
61. * Ordinance levying benefit assessments for construction of 600 feet of wastewater main for the street listed above [APPROVED; 99-1750; ORDINANCE 23899]

ITEMS FOR INDIVIDUAL CONSIDERATION

62. **Consideration of appointments to boards and commissions (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) [APPOINTMENTS MADE TO BOARDS; 99-1751]**
63. Appointment of members to the DART Board (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) [NO APPOINTMENTS MADE TO THE DART BOARD; 99-1752]
64. Approval of the City Attorney contract with Madeleine Brinton Johnson [APPROVED; 99-1753]
65. Amend the City of Dallas *Public/Private Partnership Program* Guidelines & Criteria to provide **(1)** that tax abatement shall be offered for a percentage and duration "up to" the maximum allowable percentage and duration under the City's adopted Enterprise and Commercial Zones for projects meeting established minimum eligibility criteria; **(2)** that tax abatement for existing companies considering a relocation outside of the city will be provided on a case by case basis with flexible terms; and **(3)** that the "but for" requirement be applicable in all areas of the city - Financing: No cost consideration to the City [DEFERRED UNTIL 06/23/99; 99-1754]
66. A resolution encouraging the Federal Aviation Administration to locate their new Engineering Center to Dallas/Fort Worth International Airport - Financing: No cost consideration to the City [APPROVED; 99-1755]

ITEMS FOR FURTHER CONSIDERATION

67. An ordinance amending Chapter 17 of the Dallas City Code to provide permitting, operating, equipment, sanitation, and structural requirements and restriction for temporary food service establishments - Financing: No cost consideration to the City [DEFERRED UNTIL 06/23/99; 99-1756]
68. Authorize a professional services contract with Charles Gojer and Associates, Inc. for the design and preparation of construction documents for the removal and replacement of seven existing blast fences at Dallas Love Field Airport - \$157,030 - Financing: Aviation Capital Construction Funds [APPROVED; 99-1757]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**ITEMS FOR FURTHER CONSIDERATION** (Continued)

69. Authorize adoption of the West Dallas Comprehensive Land Use Study as a guide in the implementation of future development in the area generally bounded by the Trinity River Greenbelt to the east and north, Interstate-30 to the south, and the Dallas City limits to the west - Financing: No cost consideration to the City
[APPROVED; 99-1758]
70. Authorize the quitclaim of 4529, 4533, and 4539 Willow acquired by the taxing authorities from the Sheriff's Sale, to the highest bidder, Golden Group One Trust - Revenue: \$23,620 [DEFERRED UNTIL 06/23/99; 99-1759]

BRIEFING

Update on Texas Legislative Issues [BRIEFED BY LARRY CASTO; 99-1760]
(if necessary)

71. **Discussion and statement of Dallas' position on various 1999 state legislative issues that could possibly affect the City of Dallas or its citizens - Financing: No cost consideration to the City** [99-1760]

Closed Session [CLOSED SESSION HELD; 99-1761]

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Debra Walker, et al v. HUD, et al.
- City of Fort Worth, Texas and American Airlines, Inc. v. City of Dallas, et al., Cause No. 48-171109-97
- Continental Airlines, Inc. and Continental Express, Inc. v. City of Dallas, Texas and City of Fort Worth, Texas, et al., Cause No. 3:98-CV-1187-R
(consolidated with City of Dallas, Texas v. Department of Transportation, et al., Cause No. 3:97-CV-1187-R)
- U.S. Department of Transportation
Love Field Service Interpretation Proceeding,
Docket No. OST-98-4363
- AT&T Communications of the Southwest, Inc. v. City of Dallas, Cause No. 3-98-CV-003-R; GTE Southwest Incorporated v. City of Dallas, Cause No. 3-98-CV-0662-R; Southwestern Bell Telephone Company v. City of Dallas, Cause No. 3-98-0843-R; Teligent, Inc. v. City of Dallas, Cause No. 3-97-CV-3052-R

ADDENDUM

ADDITIONS:ITEMS FOR INDIVIDUAL CONSIDERATION

1. Authorize an agreement with the United States of America, (1) to control and use approximately 14 acres of federal land at the southern end of the Naval Air Station, Dallas main runway, and (2) to control and use approximately 4 acres of federal land used for the northern aircraft approach lighting system on the north side of Jefferson Boulevard - Financing: No cost consideration to the City **[APPROVED; 99-1762]**
2. An ordinance amending the Dallas Development Code Section 51A-5.101 of Chapter 51A to amend the Flood Plain Regulations to include changes and additions to meet federal criteria, new definitions, and an additional technical requirement - Financing: No cost consideration to the City **[DELETED BY THE CITY MANAGER; 99-1763]**
3. A resolution authorizing a major sports celebration in honor of the Dallas Stars between June 10 and 24, 1999, in accordance with Resolution 93-4570, "A Policy Statement for Major Sports Celebrations" and authorizing the City of Dallas to appropriate, if necessary, an amount not to exceed \$116,300 - Financing: Contingency Reserve Funds **[APPROVED; 99-1764]**
4. Authorize a development agreement with Dallas Civic Ventures (C.V.), Inc. for relocation and preservation of the two historic Pegasus panels; one panel to be relocated to the Dallas Convention Center and the other to Pegasus Plaza, which is located in **Reinvestment Zone Number Five, City of Dallas, Texas (City Center TIF District)** and establish appropriations - Not to exceed \$50,000 - Financing: City Center TIF District Funds (\$25,000); Convention Center Current Funds (\$25,000) **[APPROVED; 99-1765]**
5. Authorize a moratorium on the acceptance of applications for detached non-premise sign permits citywide; and directing the City Manager and the City Plan Commission to perform appropriate analysis, call or conduct all necessary hearings, evaluate alternatives, and prepare recommendations for the City Council regarding appropriate revisions to the sign regulations governing detached, non-premise signs citywide - Financing: No cost consideration to the City **[DEFERRED UNTIL 06/09/99; 99-1766]**

ADDENDUM

DELETION

20. Authorize payment to the Employees' Retirement Fund of the City of Dallas of contributions on behalf of City of Dallas employee Judith J. Smith - Financing: Current Funds [99-1711]

CORRECTIONS

42. Application for and an ordinance granting a Planned Development District for Mixed Uses on property presently zoned an A(A) Agricultural District on the west side of Merrifield Road, south of ~~Casate~~ Kiest Boulevard
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions, and approval of a development plan for Tract 1
Z989-120/10736-SW(PN) [99-1734]
65. **Public/Private Partnership Program**
- * Amend the City of Dallas *Public/Private Partnership Program* Guidelines & Criteria to provide **(1)** that tax abatement shall be offered for a percentage and duration "up to" the maximum allowable percentage and duration under the City's adopted Enterprise and Commercial Zones for projects meeting established minimum eligibility criteria; and (2) that tax abatement for existing companies considering a relocation outside of the city will be provided on a case by case basis with flexible terms; ~~and (3) that the "but for" requirement be applicable in all areas of the city~~ - Financing: No cost consideration to the City [99-1754]
 - * Amend the City of Dallas *Public/Private Partnership Program* Guidelines & Criteria to provide that the "but for" test be applicable in all areas of the city - Financing: No cost consideration to the City