

**AGENDA**  
**CITY COUNCIL MEETING**  
**AUGUST 25, 2004**  
**CITY OF DALLAS**  
**1500 MARILLA**  
**COUNCIL CHAMBERS, CITY HALL**  
**DALLAS, TEXAS 75201**  
**9:00 A. M.**

Moment of Silence and Pledge of Allegiance (Council Chambers) **[04-2400]**

Agenda Item/Open Microphone Speakers **[04-2401]**

VOTING AGENDA

1. Approval of Minutes of the August 11, 2004 City Council Meeting **[04-2402; APPROVED AS CORRECTED]**

CONSENT AGENDA **[04-2403]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize **(1)** a professional services contract with Applied Research Associates Inc. for the structural assessment phase of airfield pavement to determine structural capacity and estimated life expectancy at Dallas Love Field and at Dallas Executive Airports in an amount not to exceed \$86,239, and **(2)** the establishment of appropriations in an amount not to exceed \$86,239 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Total not to exceed \$86,239 - Financing: Aviation Capital Construction Funds (\$21,560), Federal Aviation Administration Airport Improvement Program Grant Funds (\$64,679) **[04-2404; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize **(1)** an agreement with TXU Electric Delivery to participate in the Commercial and Industrial Standard Offer Program, **(2)** an application to TXU Electric Delivery, including required deposit in the amount of \$74,100, for the diffused aeration improvements at the Southside Wastewater Treatment Plant, and **(3)** the acceptance of funds in an amount not to exceed \$1,556,100 from TXU Delivery - Total not to exceed \$74,100 - Financing: Water Utilities Current Funds **[04-2405; APPROVED]**
4. Authorize a contract for the construction of diffused aeration and process improvements at the Southside Wastewater Treatment Plant - Archer-Western Contractors, Ltd., lowest responsible bidder of four - \$22,998,000 - Financing: Water Utilities Capital Improvement Funds **[04-2406; APPROVED]**
5. Authorize a contract for the construction of water and wastewater main replacements, extensions and small service installations at various locations (list attached) - Omega Contracting, Inc., lowest responsible bidder of two - \$11,985,547 - Financing: Water Utilities Capital Improvement Funds (\$8,687,922) and Water Utilities Capital Construction Funds (\$3,297,625) **[04-2407; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a contract for the rehabilitation of existing wastewater mains and the construction of water and wastewater main replacements at various locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of three - \$5,570,666 - Financing: Water Utilities Capital Improvement Funds **[04-2408; APPROVED]**

Contract Amendments

7. Authorize **(1)** an increase in the design-build contract with AUI Contractors, L.P. for the construction of an upgrade to the children's play structure at the Thurgood Marshall Family Aquatics Center located at 5150 Mark Trail Way in the amount of \$199,942, from \$5,090,000 to \$5,289,942, and **(2)** an increase in the Guaranteed Maximum Price in an amount not to exceed \$199,942, from \$5,090,000 to \$5,289,942 - Total not to exceed \$199,942 - Financing: 2003 Bond Funds **[04-2409; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

8. Authorize **(1)** an increase in the contract with CST Environmental, Inc. for demolition and environmental remediation related to the redevelopment of the Dallas Power and Light building at 1506-1512 Commerce Street in an amount not to exceed \$103,473, from \$2,564,158 to \$2,667,631; **(2)** an increase in the contract with Andres Construction Services, LLC for excavation for a future garage, replacement of windows, sills and exterior doors, and waterproofing related to the redevelopment of the Dallas Power and Light building at 1506-1512 Commerce Street in an amount not to exceed \$64,029, from \$2,682,055 to \$2,746,084; **(3)** assignment of the contract to Hamilton DPL Development, Inc. for construction management; and **(4)** a decrease in the payment to Hamilton DPL Development, Inc. in an amount not to exceed (\$167,502), from \$1,256,946 to \$1,089,444 for design, reimbursables and construction management - Financing: No cost consideration to the City **[04-2410; APPROVED]**
9. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with the hydraulic improvements at the Central Wastewater Treatment Plant - \$257,913, from \$4,537,000 to \$4,794,913 - Financing: Water Utilities Capital Improvement Funds **[04-2411; APPROVED]**
10. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for improvements to the raw water pipeline at the Bachman Water Treatment Plant - \$152,515, from \$6,884,280 to \$7,036,795 - Financing: Water Utilities Capital Improvement Funds **[04-2412; APPROVED]**

Construction Miscellaneous

11. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of Inwood Road at the entrance to St. Paul Hospital, Medical Center Drive, IH 35E Northbound Frontage Road, IH 35E Southbound Frontage Road, Irving Boulevard, Lupo Drive and Conveyor Lane - \$195,819 - Financing: Texas Department of Transportation Grant Funds **[04-2413; APPROVED]**
12. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements on Bethpage Avenue from Elam Road to Jeane Street; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on September 22, 2004, to receive citizens' comments - Financing: No cost consideration to the City **[04-2414; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

13. Authorize **(1)** street paving, storm drainage, water and wastewater main improvements on San Jose Avenue from Morgan Drive to Plaza Boulevard; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on September 22, 2004, to receive citizens' comments - Financing: No cost consideration to the City **[04-2415; APPROVED]**
14. Authorize **(1)** street paving, storm drainage, water main and wastewater adjustments on La Barba Circle from Lawnview Avenue to Forney Road; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law, and **(2)** a benefit assessment hearing to be held on September 22, 2004, to receive citizens' comments - Financing: No cost consideration to the City **[04-2416; APPROVED]**

**Merrifield Road from Grady Niblo Road to Kiest Boulevard**

**Note:** Item Nos. 15 & 16 must be considered collectively.

15. \* Authorize a Project Specific Agreement with Dallas County for participation in the design, right-of-way acquisition, and construction of paving and storm drainage improvements on Merrifield Road from Grady Niblo Road to Kiest Boulevard - Financing: This action has no cost consideration to the City **[04-2417; APPROVED]**
16. \* Authorize a Development Participation Agreement with The Potter's House of Dallas, Inc. for the design, right-of-way acquisition, and construction of paving, storm drainage, water and wastewater improvements on Merrifield Road from Grady Niblo Road to Kiest Boulevard - Financing: This action has no cost consideration to the City **[04-2418; APPROVED]**

LAND MISCELLANEOUS

17. Authorize the quitclaim of 3 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$3,200 **[04-2419; APPROVED]**
18. A resolution declaring 2 vacant City-owned lots unwanted and unneeded and authorize their private sale to Builders of Hope Community Development Corporation through the Land Transfer Program, a program for the sale of tax-foreclosed, seized and surplus property to qualified entities for the development of low and moderate income affordable housing (list attached) - Revenue: \$2,000 **[04-2420; APPROVED]**

## CONSENT AGENDA (Continued)

### LAND MISCELLANEOUS (Continued)

19. An ordinance abandoning a portion of a sanitary sewer easement to Encino-Wisdom II, Ltd., the abutting owner, containing approximately 17,802 square feet of land located near the intersection of Chaucer Place and Kirnwood Drive and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[04-2421; ORDINANCE 25699; APPROVED]**
20. An ordinance abandoning a portion of a floodway management area to Ronald J. Threadgill and C. Susan Threadgill, the abutting owners, containing approximately 4,331 square feet of land located near the intersection of Hillcrest Road and Crestland Avenue, and authorizing the quitclaim - Revenue: \$9,204 plus the \$20 ordinance publication fee **[04-2422; ORDINANCE 25700; APPROVED]**

### **PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES**

21. Authorize a sixty-month service contract for maintenance of the fire alarm monitoring and control system at Dallas Love Field Airport - SimplexGrinnell - Sole Source - Not to exceed \$436,233 - Financing: Aviation Current Funds **[04-2423; APPROVED]**
22. Authorize an increase in the service contracts with K.S.C. Services, Inc. in the amount of \$713,385, from \$2,853,600 to \$3,566,985 and Tolman Building Maintenance in the amount of \$344,165, from \$1,376,622 to \$1,720,787 to provide continuation of temporary industrial labor - Total not to exceed \$1,057,550, from \$4,230,222 to \$5,287,772 - Financing: Current Funds (\$928,550) and Water Utilities Current Funds (\$129,000) **[04-2424; APPROVED]**
23. Authorize a thirty-six-month service contract to provide stagehand labor and set-up labor for the Dallas Convention Center with the lowest responsible bidders of nine - K.S.C. Services, Inc. in the amount of \$2,181,600 and Production and Rigging Resources, Inc. in the amount of \$390,300 - Total not to exceed \$2,571,900 - Financing: Convention and Event Services Current Funds **[04-2425; APPROVED AS AN INDIVIDUAL ITEM]**
24. Authorize a thirty-six-month service contract for inspection, recharging, repair and replacement of fire extinguishers, and inspection and repair of sprinkler systems with the lowest responsible bidder of three - Eagle Fire Extinguisher Company, Inc. - Not to exceed \$1,428,840 - Financing: Current Funds **[04-2426; APPROVED]**
25. Authorize the purchase of twelve months of access to an on-line, newspaper database service for Dallas Public Library patrons from NewsBank, Inc. - Sole Source - Not to exceed \$99,500 - Financing: Kahn Trust Funds **[04-2427; APPROVED]**
26. Authorize the purchase of E-Citation and Electronic Accident Report software for the Police Department from Custom Logic Design, Inc. - Sole Source - Not to exceed \$249,450 - Financing: COPS More Grant Funds **[04-2428; APPROVED]**
27. Authorize the rejection of the only bid received for liquid ferric sulfate and the re-advertisement for new bids - Financing: No cost consideration to the City **[04-2429; APPROVED AS AN INDIVIDUAL ITEM]**

## CONSENT AGENDA (Continued)

### RATIFICATION OF EMERGENCY PURCHASE

28. Ratify an emergency purchase of 1,500 roll carts for the solid waste demonstration program to provide testing of a proposed residential service of once per week garbage collection and single stream recycling from Toter Incorporated - \$30,000 - Financing: Current Funds **[04-2430; APPROVED AS AN INDIVIDUAL ITEM]**

### MISCELLANEOUS

29. Authorize a professional services contract with the law firm of Sayles Werbner for legal services and related expenses necessary in the lawsuit styled Kenneth E. Albert, et al. v. City of Dallas, Civil Action No. 199-00697-04, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$200,000 - Financing: Current Funds **[04-2431; APPROVED]**
30. Authorize a three-year contract with West, a Thomson Company (an affiliate of Thomson West) for on-line legal research using Westlaw for the City Attorney's Office from October 1, 2004 until September 30, 2007 - Not to exceed \$286,336 - Financing: Current Funds (subject to annual appropriations) **[04-2432; APPROVED AS AN INDIVIDUAL ITEM]**
31. Authorize an Interlocal Agreement with the Texas Department of Transportation for the temporary closure of all lanes of Northwest Highway from North Central Expressway to Hillcrest Avenue for the Susan G. Komen Race for the Cure to be held on October 16, 2004, from 7:30 a.m. until 9:30 a.m. - Financing: No cost consideration to the City **[04-2433; APPROVED]**
32. Authorize an amendment to the contract with Texas Commission on Environmental Quality to **(1)** accept additional grant funds to operate and maintain a continuous air monitoring station in Sunnyvale, Texas, and **(2)** extend the term of the contract through August 31, 2005 - Not to exceed \$50,000, from \$50,000 to \$100,000 - Financing: Texas Commission on Environmental Quality Grant Funds **[04-2434; APPROVED]**
33. Authorize a contract renewal with The University of Texas Southwestern Medical Center at Dallas for in-service training, re-training, and evaluation of City of Dallas paramedic personnel for the period September 1, 2004 through August 31, 2005 - Not to exceed \$375,525 - Financing: Current Funds (\$344,231 subject to appropriations) **[04-2435; APPROVED]**
34. Authorize **(1)** an amendment to the Program Statement for the Residential Development Acquisition Loan Program providing for subordination of City loans to private lender loans for acquisition, interim construction and permanent financing; and, **(2)** the subordination of the City's loan to St. Philip's Neighborhood Development Corporation, previously authorized by Resolution No. 04-1449 on April 28, 2004, to a loan from Bank One, N.A., to provide interim construction financing and permanent financing of the project - Financing: No cost consideration to the City **[04-2436; APPROVED]**

## CONSENT AGENDA (Continued)

### MISCELLANEOUS (Continued)

35. Authorize the third amendment to the use agreement with the Dallas Symphony Association, Inc. (DSA) to **(1)** allow DSA'S participation in the selection of a third party manager for the Morton H. Meyerson Symphony Center under certain conditions, **(2)** clarify the proportionate utility payments by City and DSA, **(3)** update insurance requirements, and **(4)** extend the term of the agreement to August 31, 2019 - Financing: No cost consideration to the City **[04-2437; APPROVED]**
36. Authorize the acceptance of the Commercial Auto Theft Interdiction Squad/12 grant from the Texas Automobile Theft Prevention Authority in the amount of \$429,000 to provide a specialized proactive automobile theft program, for the period September 1, 2004 through August 31, 2005, a local match in the amount of \$66,459, In-Kind contributions in the amount of \$478,244, and execution of the grant agreement - Total not to exceed \$973,703 - Financing: Texas Automobile Theft Prevention Authority Grant Funds (\$429,000), In-Kind Contributions (\$478,244) and Current Funds (\$66,459) (subject to appropriations) **[04-2438; APPROVED]**
37. Authorize a Cooperative Working Agreement with the Dallas County District Attorney's Office for the prosecution activities related to the Dallas Internet Crimes Against Children Task Force in response to the Internet related sexual exploitation of children, for the period July 1, 2003 through December 30, 2004 - Not to exceed \$207,666 - Financing: Internet Crimes Against Children Grant Funds **[04-2439; APPROVED AS AN INDIVIDUAL ITEM]**
38. Authorize a joint funding agreement between the City of Dallas and the United States Geological Survey for the operational costs of stream flow gages for White Rock Creek at Greenville Avenue and Prairie Creek at IH 175, from October 1, 2004 through September 30, 2005 - \$16,960 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds) **[04-2440; APPROVED]**

## PUBLIC HEARINGS AND RELATED ACTIONS

### ZONING CASES - CONSENT **[04-2441]**

39. An application for a Planned Development District for attached residential uses on property zoned an RR Regional Retail District on property north and west of the terminus of Village Fair Drive, northwest of Fairshop Drive  
Recommendation of Staff: Approval of an MF-1(A) Multifamily District in lieu of the requested Planned Development District  
Recommendation of CPC: Approval, subject to a development plan and conditions Z034-229 (RB) **[04-2442; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - CONSENT (Continued)

40. An application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an R-7.5(A) Single Family District and a D(A) Duplex District on the west line of Glover Pass between Christensen Street and Scyene Road  
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions  
Z034-232 (RB) [04-2443; ORDINANCE 25701; CPC RECOMMENDATION FOLLOWED]
41. An application for and an ordinance granting an R-5(A) Single Family District on property zoned a P(A) Parking District on the southeast corner Skillman Street and Winton Street  
Recommendation of Staff and CPC: Approval  
Z034-252 (RB) [04-2444; ORDINANCE 25702; CPC RECOMMENDATION FOLLOWED]
42. An application for and an ordinance granting an LO-1 Limited Office District on property zoned an MF-2(A) Multifamily District and the termination of Specific Use Permit for No. 13 for a Telephone Company on the northeast line of Beachview Street, north of Garland Road  
Recommendation of Staff and CPC: Approval of an LO-1 District and approval of the termination of Specific Use Permit No. 13 for a Telephone Company  
Z034-253 (RB) [04-2445; ORDINANCES 25703 AND 25704; CPC RECOMMENDATION FOLLOWED]
43. An application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District uses and a retirement housing community with related uses on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 764 for a College or University and related uses located at the southeast corner of Coit Road and Frankford Road  
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions with retention of Specific Use Permit No. 764  
Z034-259 (MM) [04-2446; APPROVED AS AMENDED; ORDINANCE TO COME BACK ON 09/08/04]
44. An application for and an ordinance granting an amendment to Planned Development District No. 485 for an assisted living facility on the northwest corner of the intersection of Hillcrest Road and LBJ Freeway  
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, tree protection and removal plan and conditions  
Z034-220 (MM) [04-2447; ORDINANCE 25705; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

45. An application for an expansion of Planned Development District No. 498, the Harry Hines Corridor Special Purpose District, and the termination of the portion of Specific Use Permit No. 97 for an Airport that encompasses the site on property zoned an IR Industrial Research District on the west line of Anaheim Drive, south of Forest Lane  
Recommendation of Staff and CPC: Denial  
**Z034-207 (RB) [04-2448; CPC RECOMMENDATION FOLLOWED]**
46. An application to amend Planned Development District No. 316, the Jefferson Area Special Purpose District, to allow the creation of a new Subarea for a restaurant with drive-in or drive-through service on the southwest corner of Jefferson Boulevard and Beckley Avenue  
Recommendation of Staff and CPC: Denial  
**Z034-227 (MJF) [04-2449; CPC RECOMMENDATION FOLLOWED]**
47. An application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 100 for single family uses to allow three air conditioning units within the 15-foot side yard setback closer than 10 feet apart on the northwest corner of Willow Lane and Elysian Court  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval  
**Z034-261 (MM) [04-2450; ORDINANCE 25706; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

48. An application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and MF-2(A) Multifamily District uses on property zoned an MF-2(A) Multifamily District with H/76 Historic District Overlay No. 76 on property bounded by Belmont Avenue, Carroll Avenue, Capitol Avenue and Peak Street  
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions with the retention of the H/76 Historic Overlay District No. 76  
**Z034-254 (DW) [04-2451; ORDINANCE 25707; APPROVED AS AMENDED]**
49. An application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned a D(A) Duplex District bounded by Buckner Boulevard, Mercer Drive, Mariposa Drive and the Gulf Colorado & Santa Fe Railroad  
Recommendation of Staff and CPC: Approval, subject to a development plan/landscape plan and conditions  
**Z034-255 (DW) [04-2452; ORDINANCE 25708; CPC RECOMMENDATION FOLLOWED]**

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT (Continued)

50. An application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-16(A) Single Family District uses on property zoned an R-16(A) Single Family District on property bounded by Ridgeside Drive, Welch Road, Rickover Drive and Crestline Avenue  
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions  
Z034-256 (DW) [04-2453; CONTINUED UNTIL 09/08/04; HEARING OPEN]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

51. An application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District and a resolution accepting deed restrictions volunteered by the applicant on the east line of Jim Miller Road, north of Lovett Street  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant  
Z034-231 (RB) [04-2454; CONTINUED UNTIL 10/13/04; HEARING OPEN]  
Note: This item was considered by the City Council at a public hearing on August 11, 2004, and was held under advisement until August 25, 2004, with the public hearing open.
52. An application for and an ordinance granting a TH-3(A) Townhouse District on property zoned a CR-D-1 Community Retail District with Dry Liquor Control Overlay on the southwest corner of intersection of Military Parkway and Sam Houston Road  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval  
Z034-240 (MM) [04-2455; APPROVED AS AMENDED; ORDINANCE TO COME BACK AT LATER DATE]  
Note: This item was considered by the City Council at a public hearing on August 11, 2004, and was held under advisement until August 25, 2004, with the public hearing open.
53. An application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and MF-1(A) Multifamily District uses on property zoned an MF-1(A) Multifamily District on the south side of Fair Oaks Avenue, east of Pineland Drive  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z034-223 (WE) [04-2456; ORDINANCE 25709; CPC RECOMMENDATION FOLLOWED]  
Note: This item was considered by the City Council at a public hearing on August 11, 2004, and was held under advisement until August 25, 2004, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS

54. An ordinance amending Chapter 51P by codifying the regulations of Planned Development District Nos. 201 through 208, 211 through 222, 224 through 236, 238 through 252, 254 through 259, 261 through 268, 270 through 286, 288 through 297, 299, and 300  
Recommendation of Staff and CPC: Approval  
DCA 034-006 [04-2457; ORDINANCE 25710; CPC RECOMMENDATION FOLLOWED]

BENEFIT ASSESSMENT HEARINGS

55. A benefit assessment hearing to receive citizens' comments for sidewalk paving improvements on Lake June Road from St. Augustine Road to Masters Drive and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with VAS Engineering & Construction, lowest responsible bidder of ten - \$83,806 - Financing: 2003 Bond Funds (\$80,956), Water Utilities Capital Construction Funds (\$2,850) **[04-2458; ORDINANCE 25711; HEARING CLOSED; APPROVED]**
56. A benefit assessment hearing to receive citizens' comments for sidewalk paving improvements for Sidewalk Group 03-124 and at the close of the hearing, authorize an ordinance levying benefit assessments (list attached) - Financing: This action has no cost consideration to the City **[04-2459; ORDINANCE 25712; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS

Private Sale of 22 Unimproved Properties

**Note:** Item Nos. 57 & 58 must be considered collectively.

57. \* A public hearing to receive citizens' comments on the proposed private sale and conveyance by quitclaim deed of 22 unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization - Financing: No cost consideration to the City **[04-2460; HEARING CLOSED]**
58. \* Authorize the private sale, as provided for by Section 253.010 of the Texas Local Government Code (Section 34.015 of the Texas Property Tax Code), and conveyance by quitclaim deed of 22 unimproved properties acquired by the taxing authorities from a Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization (list attached) - Revenue: \$23,482 **[04-2460; APPROVED 21 PROPERTIES; DID NOT APPROVE 4326 HAMILTION]**
59. A public hearing to receive citizens' comments in preparation of the FY 2004-05 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[04-2461; HEARING CLOSED]**

## ITEMS FOR INDIVIDUAL CONSIDERATION

60. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office) **[04-2462; APPOINTMENTS MADE TO BOARDS]**
61. Authorize a three-year economic development agreement with the Cotton Bowl Athletic Association to hold the Cotton Bowl Classic in the Cotton Bowl Stadium at Fair Park - \$450,000 annually - Financing: Convention and Event Services Current Funds (subject to annual appropriations) **[04-2463; APPROVED]**
62. Authorize the City's participation as a third party beneficiary to the State Fair/Texas-OU Cotton Bowl Stadium Agreement by providing \$125,000 to each University as a "game fee" subject to the annual University of Texas versus University of Oklahoma football game being played at the Cotton Bowl each October for five years beginning in 2004 and ending in 2008 - \$250,000 annually - Financing: Convention and Event Services Current Funds (subject to annual appropriations) **[04-2464; POSTPONED UNTIL 09/01/04]**
63. Authorize hardship relief for property located at 1965 Ft. Worth Avenue from the Ft. Worth Avenue moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 1,000 feet of the north or south right-of-way line of Ft. Worth Avenue, from the centerline of West Davis Street to the centerline of Beckley Avenue - Financing: No cost consideration to the City **[04-2465; APPROVED]**
64. Authorize hardship relief for property located at 2739 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City **[04-2466; APPROVED]**
65. Authorize hardship relief for property located at 2905 Webb Chapel Extension from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City **[04-2467; APPROVED]**
66. Authorize hardship relief for property located at 3050 West Northwest Highway from the West Northwest Highway moratorium on the acceptance of applications for building permits and certificates of occupancy for non-residential properties within 500 feet of the north or south right-of-way line of West Northwest Highway, from Stemmons Freeway to Mixon Drive - Financing: No cost consideration to the City **[04-2468; POSTPONED UNTIL 09/08/04]**
67. Authorize approval of the 2004-05 Dallas-Fort Worth International Airport Board annual budget - Financing: No cost consideration to the City **[04-2469; APPROVED]**

## ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

68. An ordinance adopting Dallas-Fort Worth International Airport Board Resolution No. 2004-03-68, amending Parts One, Two, and Three of the Dallas-Fort Worth International Airport Construction and Fire Prevention Standards to increase the size of the Airport's Board of Appeals by two seats to ensure diversity and provide technical amendments to the Airport's Building and Fire Codes - Financing: No cost consideration to the City **[04-2470; ORDINANCE 25713; APPROVED]**
69. An ordinance authorizing the issuance of City of Dallas, Texas Waterworks and Sewer System Series B short term obligations in an aggregate principal amount not to exceed \$200,000,000; an ordinance authorizing the issuance of City of Dallas, Texas Waterworks and Sewer System Series C short term obligations in an aggregate principal amount not to exceed \$100,000,000; authorizing such short term obligations to be issued, sold and delivered in various forms, including commercial paper notes and a bank note; making certain covenants and agreements in connection therewith; re-establishing the 10-year tenor of the program by extending the maturity date to September 30, 2014; resolving other matters related to the issuance, sale, security and delivery of such short term obligations, including **(1)** the re-appointment of U.S. Bank Trust National Association as the Issuing and Paying Agent and authorizing the execution of an Issuing and Paying Agent Agreement, **(2)** authorizing a Credit Agreement with Bank of America, N.A., and **(3)** the re-appointment of Bear Stearns & Co., Inc. and Siebert Brandford Shank & Co., L.L.C. as the co-dealers and authorizing the execution of a Dealer Agreement; approving the payment of issuance costs in connection with the issuance of the short term obligations; approving the use of an Offering Memorandum in connection with the sale of the short term obligations; and providing an effective date - Total program costs not to exceed \$4,103,040 - Financing: Water Utilities Current Funds (\$3,626,540), Water Utilities Capital Improvement Funds (\$476,500) (\$476,500 upfront closing costs plus annual fees of \$362,654 for a total 10-year cost of \$4,103,040) **[04-2471; ORDINANCES 25714 AND 25715; APPROVED]**
70. An ordinance amending the Dallas Development Code, Sections 51 and 51A-5.102(a), Designation or Removal of FP Areas, to add the current effective map date of August 4, 2004, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City **[04-2472; ORDINANCE 25716; APPROVED AS CORRECTED ON THE ADDENDUM]**

## ITEMS FOR FURTHER CONSIDERATION

71. Authorize a contract with TXU Electric Delivery Company to provide burial of overhead power lines adjacent to the new Animal Shelter site located at 1701 N. Westmoreland Road - \$110,060 - Financing: 1998 Bond Funds **[04-2473; APPROVED]**
72. Authorize an Historic Development Program tax abatement for James Walker, owner of property located at 1924 Main Street (Estimated revenue foregone for a fifteen-year abatement is \$134,960) - Financing: No cost consideration to the City **[04-2474; DENIED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

73. An ordinance adopting Dallas-Fort Worth International Airport Board Resolution No. 2004-02-28, to amend Chapter 4 of the Airport Board's Code of Rules and Regulations to allow a holder of shared-ride operating authority at the airport to contract with a driver on an independent basis - Financing: No cost consideration to the City **[04-2475; ORDINANCE 25717; APPROVED]**

## ADDENDUM

### ADDITIONS:

Closed Session **[04-2476; CLOSED SESSION HELD]**

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

- City of Dallas v. Redbird Development Corporation, et al.,  
Cause No. DV99-08817-K

### CONSENT ADDENDUM

#### AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

##### Authorization of Contracts

1. Authorize **(1)** a contract for historical facade restoration of the building at 1530 Main Street (Dallas National Bank Building) with Key Construction, lowest responsible bidder of three, in an amount not to exceed \$2,451,000; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; and **(3)** payment to Dunhill 1530 Main LP in an amount not to exceed \$299,000 for design, reimbursables and construction management - Total not to exceed \$2,750,000 - Financing: City Center TIF District Funds **[04-2477; APPROVED]**

##### Contract Amendments

2. Authorize **(1)** an increase in the contract with Meridian Commercial, L.P. for the construction of a new air traffic control tower, air terminal administration building and aircraft parking apron at Dallas Executive Airport to replace an existing private six-inch water line with a public eight-inch water line in an amount not to exceed \$79,305, from \$5,658,000 to \$5,737,305, and **(2)** an increase in appropriations in the amount of \$442,875 in the Airport Improvement Program Fund - Financing: Aviation Capital Construction Funds **[04-2478; APPROVED]**

## ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

### PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

3. Authorize the purchase of additional services and equipment from SBC DataComm, Inc. through the Catalog Information Systems Vendor purchasing program in accordance with the eighty-four-month agreement for telecommunications service including voice (dial tone) and data network services, network management, monitoring, maintenance, perimeter security, and related services previously authorized on June 23, 2004 by Resolution No. 04-2155 - Financing: No additional cost consideration to the City **[04-2479; APPROVED AS AN INDIVIDUAL ITEM]**

### MISCELLANEOUS

4. An ordinance granting a Planned Development District for MF-2(A) Multifamily District uses, TH-3(A) Townhouse District uses, and certain retail uses with retention of the D Dry Liquor Control Overlay and the MD-1 Modified Delta Overlay on property bounded by Greenville Avenue, Alta Street, Summit Avenue and Lewis Street (Z034-147) - Financing: No cost consideration to the City **[04-2480; POSTPONED UNTIL 09/08/04]**
5. Authorize a contract with Holmes Street Foundation, Inc. for residential substance abuse treatment services for low-income and uninsured adolescents for a twelve-month period with two twelve-month renewal options - Not to exceed \$76,560 - Financing: 2004-05 Community Development Grant Funds (\$65,000) (subject to appropriations) and Current Funds (\$11,560) (subject to appropriations) **[04-2481; APPROVED]**
6. Authorize **(1)** the application for and acceptance of grant funds from the Texas Commission on Environmental Quality to operate air samplers for Particulate Matter 2.5 and conduct air monitoring activities in Dallas for the period September 1, 2004 through August 31, 2006; and **(2)** execution of the grant agreement - Not to exceed \$124,000 - Financing: Texas Commission on Environmental Quality Grant Funds **[04-2482; APPROVED]**
7. Authorize **(1)** the acceptance of Transitional Housing Grant Funds in the amount of \$250,598 from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for transitional housing for single homeless persons for the period October 1, 2004 through September 30, 2005, **(2)** a local match in an amount not to exceed \$15,866, and **(3)** execution of the grant agreement - Total not to exceed \$266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$250,598) and Current Funds (\$15,866) **[04-2483; APPROVED]**

## ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

8. Authorize **(1)** the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period October 1, 2004 through September 30, 2005, and **(2)** execution of the grant agreement - Not to exceed \$836,760 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[04-2484; APPROVED]**
9. Authorize **(1)** the acceptance of Transitional Housing Grant Funds in the amount of \$149,913 from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for transitional housing for homeless families and/or single homeless persons for the period December 1, 2004 through November 30, 2005, **(2)** a local match in an amount not to exceed \$9,978, and **(3)** execution of the grant agreement - Total not to exceed \$159,891 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$149,913) and Current Funds (\$9,978) **[04-2485; APPROVED]**
10. Authorize **(1)** the application for and acceptance of grant funds from the Texas Commission on Environmental Quality to operate and maintain whole air samplers and conduct air monitoring activities in Dallas for the period September 1, 2004 through August 31, 2005; and **(2)** execution of the grant agreement - Not to exceed \$347,200 - Financing: Texas Commission on Environmental Quality Grant Funds **[04-2486; APPROVED]**
11. Authorize three contracts with the Texas Department of Health for the continuation of local health services including; **(1)** maternal and child health in the amount of \$47,520, **(2)** community and rural health services in the amount of \$215,405, and **(3)** services to non-Medicaid eligible clients through Title V in the amount of \$65,388 for the period September 1, 2004 through August 31, 2005 - Total not to exceed \$328,313 - Financing: Texas Department of Health Grant Funds **[04-2487; APPROVED]**
12. Authorize the second twelve-month renewal option to the contract with Ward North America Holding, Inc. for workers' compensation and third party liability claims service for the period of October 1, 2004 through September 30, 2005 - \$2,743,000 - Financing: Workers' Compensation Current Funds (subject to appropriations) **[04-2488; APPROVED AS AN INDIVIDUAL ITEM]**

## ADDENDUM

### ADDITIONS: (Continued)

#### ITEMS FOR INDIVIDUAL CONSIDERATION

13. An ordinance appointing 9 full-time municipal judges and 18 associate (part-time) municipal judges to preside over the City of Dallas municipal court of record for a term ending May 31, 2006; designating an administrative municipal judge for the City of Dallas municipal court of record for a two-year term ending May 31, 2006; and establishing the annual salary for the administrative municipal judge, full-time municipal judges, and associate municipal judges - Financing: No additional cost consideration to the City **[04-2489; ORDINANCE 25718; APPROVED]**
14. A resolution adopting the City Manager's Proposal For Decision (as recommended by the City Council's Transportation and Telecommunications Committee) in the matter of Gloria Foster vs. TXU Gas - Financing: No cost consideration to the City **[04-2490; APPROVED]**
15. Authorize **(1)** preparation of plans for the issuance of Pension Obligation Bonds, Series 2004, approve criteria for selection of underwriting syndicate members and designation of a senior manager; and, **(2)** a revision to the City's Financial Management Performance Criteria to accommodate the pension obligation bonds - Financing: No cost consideration to the City **[04-2491; APPROVED]**

#### CORRECTION:

70. An ordinance amending the Dallas Development Code, Sections ~~51~~ and 51A-5.102(a), Designation or Removal of FP Areas, to add the current effective map date of August 4, 2004, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City **[04-2472]**