

AGENDA
CITY COUNCIL MEETING
SEPTEMBER 14, 2005
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) [05-2580]

Agenda Item/Open Microphone Speakers [05-2581]

VOTING AGENDA

1. Approval of Minutes of the August 24, 2005 City Council Meeting [05-2582;
APPROVED AS CORRECTED ON THE ADDENDUM]

CONSENT AGENDA [05-2583]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Booziotis & Company Architects for the design of waterproofing and renovation of the lower level 1 floor at the J. Erik Jonsson Central Library located at 1515 Young Street - \$185,000 - Financing: 2003 Bond Funds [05-2584; **APPROVED**]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts

3. Authorize a contract for the construction of a pedestrian trail, drinking fountain and site furnishings at Alta Mesa Park located at 2905 Alta Mesa Park - Irri-Con, lowest responsible bidder of six - \$141,050 - Financing: 2003 Bond Funds **[05-2585; APPROVED]**
4. Authorize a contract for parking lot improvements, site furnishings, drinking fountains and an Americans with Disabilities Act portable toilet enclosure at Lake Highlands Park located at 9500 Lake Highlands Drive - Jeske Construction Company, lowest responsible bidder of four - \$113,647 - Financing: 2003 Bond Funds **[05-2586; APPROVED]**
5. Authorize a contract for a playground, Americans with Disabilities Act compliant parking spaces, barrier free ramps and sidewalks, and site furnishings at Westhaven Park located at 4600 Lynnacre Drive - Parks for Play, Inc., lowest responsible bidder of seven - \$97,902 - Financing: 2003 Bond Funds **[05-2587; APPROVED]**
6. Authorize a contract for pedestrian bridge replacement and trail at Tipton Park located at 3607 Magdeline - Henneberger Construction, Inc., lowest responsible bidder of six - \$299,355 - Financing: 2003 Bond Funds **[05-2588; APPROVED]**
7. Authorize a contract for storm water quality improvements for the woodland area, hay barn, zebra pens and the hill exhibit area at the Dallas Zoo, Phase II located at 650 South R.L. Thornton Freeway - C. Green Scaping, L.P., lowest responsible bidder of three - \$740,497 - Financing: 2004 Certificates of Obligation **[05-2589; APPROVED]**
8. Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements for Street Group 03-604 (list attached) - P & E Contractors, Inc., lowest responsible bidder of three - \$1,279,545 - Financing: 2003 Bond Funds (\$665,821), 2003-04 Community Development Grant Reprogramming Funds (\$206,237), Water Utilities Capital Improvement Funds (\$396,662), Water Utilities Capital Construction Funds (\$10,825) **[05-2590; APPROVED]**
9. Authorize a contract for alley paving and drainage improvements for the alley between Walling Lane and Edgerton Drive - VAS Engineering & Construction, lowest responsible bidder of seven - \$209,150 - Financing: 2003 Bond Funds **[05-2591; APPROVED]**
10. Authorize a contract for storm drainage improvements at 6247 Rex Drive - Artco-Goteck Joint Venture, lowest responsible bidder of six - \$99,011 - Financing: 2003 Bond Funds **[05-2592; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

11. Authorize (1) a contract for environmental remediation and selective demolition of 1200 Main Street with Certified/LVI Environmental Services, Inc., lowest responsible bidder of three, in an amount not to exceed \$3,868,400; (2) assignment of the construction contract to LB 1200 Main LP for construction management; and (3) payment to LB 1200 Main LP in an amount not to exceed \$881,600 for design, reimbursables and construction management - Total not to exceed \$4,750,000 - Financing: City Center TIF District Funds **[05-2593; DELETED]**

Contract Amendments

12. Authorize an increase in the contract with TurJac Construction, Ltd. for the interior renovation of the fifth floor including upgrade of the equipment for the audio, video, and teleconferencing capability, light controls, and mechanical system changes at the J. Erik Jonsson Central Library - \$61,446, from \$672,063 to \$733,509 - Financing: Library Gifts and Donations Funds **[05-2594; APPROVED]**
13. Authorize a decrease in the contract with Ed Bell Construction Company for deletion of pavement, street light installation and repair of the deteriorated drainage system for Phase 1 of the Central Business District Fair Park Link project from Gaston Avenue to Hall Street - (\$568,477), from \$6,268,744 to \$5,700,267 - Financing: 1998 Bond Funds (\$421,462), Wastewater Construction Funds (\$147,015) **[05-2595; APPROVED]**
14. Authorize an amendment to the contract with AUI Contractors, L.P. for site work and utility construction at the new Animal Shelter, located at 1818 N. Westmoreland Road to accept title to a tract of regraded and revegetated real property in Lone Star Park Phase 3, Block B/7226, City of Dallas, Dallas County, Texas, adjacent to the Animal Shelter project site, in lieu of a planned retaining wall - Financing: This action has no cost consideration to the City **[05-2596; APPROVED]**
15. Authorize (1) Supplemental Agreement No. 1 to the contract with DKS Associates to provide additional engineering services to design a train priority system at traffic signals in the Downtown Transitway Mall in the amount of \$345,160, from \$195,000 to \$540,160; (2) the receipt and deposit of funds from the Dallas Area Rapid Transit in an amount not to exceed \$345,160; and (3) an increase in appropriations in the amount of \$345,160 in the Capital Projects Reimbursement Funds - Total not to exceed \$345,160 - Financing: Private Funds **[05-2597; APPROVED]**
16. Authorize an increase in the contract with Archer Western Contractors, Ltd., for rough screen facility and pump header replacement at the Central Wastewater Treatment Plant - \$277,248, from \$1,396,000 to \$1,673,248 - Financing: Water Utilities Capital Improvement Funds **[05-2598; APPROVED]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous

17. Authorize an additional payment to the Texas Department of Transportation for the City's share of the cost for the construction of the IH 20 frontage roads from IH 35E to Lancaster Road - \$901,279 - Financing: 2003 Bond Funds **[05-2599; APPROVED]**
18. Authorize the rejection of bids received for Sump A dredging improvements located at the floodway levee between Houston Street and Jefferson Street Viaduct bridges and the readvertisement for bids - Financing: No cost consideration to the City **[05-2600; APPROVED]**

LAND ACQUISITION

19. Authorize settlement in lieu of proceeding further with condemnation of Stanley Mechanics Tools, Inc. for an access easement containing approximately 21,171 square feet of land and a temporary easement containing approximately 2,976 square feet of land for the Elm Fork Transmission Pipeline project located near the intersection of Valley View Lane and Valley Branch Lane in Farmers Branch - \$32,500 - Financing: Water Capital Construction Funds **[05-2601; APPROVED]**

LAND MISCELLANEOUS

20. An ordinance abandoning a portion of a sanitary sewer easement to Corrigan Investments, Inc., the abutting owner, containing approximately 1,200 square feet of land located near the intersection of Eastern Avenue and Lovers Lane, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-2602; ORDINANCE 26098; APPROVED]**
21. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 10 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersection of Harry Hines Boulevard and Cullum Lane (list attached) - Financing: No cost consideration to the City **[05-2603; APPROVED]**
22. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 27 tracts of land for the construction of the Southeast Corridor Line Section (SE-1) located near the intersections of Junius Street and Oakland Avenue, Scyene Road and Todd Street, and Gunter Street and Trunk Avenue (list attached) - Financing: No cost consideration to the City **[05-2604; APPROVED]**
23. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 2 tracts of land for the construction of the Northwest Rail Operating Facility located near the intersection of Abernathy Avenue and Lombardy Lane (list attached) - Financing: No cost consideration to the City **[05-2605; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS (Continued)

24. An ordinance abandoning a portion of Douglas Avenue to Robert Pierson and Judith Pierson, the abutting owners, containing approximately 12,100 square feet of land located at its intersection with Park Lane, and authorizing the quitclaim - Revenue: \$252,648 plus the \$20 ordinance publication fee **[05-2606; ORDINANCE 26099; APPROVED]**
25. A resolution declaring approximately 39,800 square feet of City-owned land unwanted and unneeded located at 3709 Spring Avenue near its intersection with Cross Street and authorizing its advertisement for sale by sealed bids with a minimum bid of \$71,640 - Financing: No cost consideration to the City **[05-2607; APPROVED]**
26. An ordinance abandoning easements and portions of Stevens Village Drive and Stevens Hills Lane to West Kessler Development, LP, the abutting owner, containing approximately 35,234 square feet of land located near the intersection of Stevens Village and Stevens Forest Drives, and authorizing the quitclaim - Revenue: \$58,436 plus \$20 ordinance publication fee **[05-2608; ORDINANCE 26100; APPROVED]**
27. An ordinance abandoning a drainage and floodway easement to Mariah Bay Development, Inc., the abutting owner, containing approximately 67,518 square feet of land located within an inlet along the east shoreline of Lake Ray Hubbard south of I.H. 30, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-2609; ORDINANCE 26101; APPROVED]**
28. Authorize a second amendment to the lease agreement with Larry J. Sala, for approximately 5,700 square feet of office, gallery, dance and shop space located within the Ice House Arts Plaza located at 942 West Page Street, for the continued use and development of community arts programs sponsored by the Office of Cultural Affairs, for the period of October 15, 2005 through October 14, 2008 - \$3,087 per month, for a total of \$111,132 - Financing: Current Funds (subject to annual appropriations) **[05-2610; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

29. Authorize a thirty-six-month price agreement for lumber, plywood and sheetrock for City facilities with the lowest responsible bidders of two - Craddock Lumber Company in the amount of \$2,264,068 and Universal Forest Products in the amount of \$484,865 - Total not to exceed \$2,748,933 - Financing: Current Funds (\$2,473,963), Water Utilities Current Funds (\$201,193), Convention and Event Services Current Funds (\$73,777) **[05-2611; APPROVED AS AN INDIVIDUAL ITEM;]**
30. Authorize the purchase of sets of foreign language materials for the Dallas Public Library from OCLC, Inc. - Sole Source - Not to exceed \$76,410 - Financing: Current Funds (\$70,000), Library Facilities Funds (\$5,130), Carl and Florence King Funds (\$1,280) **[05-2612; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

31. Authorize (1) rescinding the twenty-four-month service contract for non-emergency wrecker services with Taylor's Wrecker Service previously approved on April 27, 2005 by Resolution No. 05-1367; and, (2) a twenty-four-month service contract for non-emergency wrecker services with the lowest responsible bidder of six - London & Sons' Towing - Not to exceed \$637,080 - Financing: Current Funds (\$621,680) and Confiscated Monies Funds (\$15,400) **[05-2613; APPROVED]**
32. Authorize Supplemental Agreement No. 1 to the contract with Tritech Software Systems to upgrade the panels and transformers, and install wiring for the Computer Aided Dispatch consoles - \$197,660, from \$5,192,370 to \$5,390,030 - Financing: 2003 Urban Area Security Initiative II Grant Funds (\$180,249), 2004 Urban Area Security Initiative Grant Funds (\$17,411) **[05-2614; APPROVED]**
33. Authorize a thirty-six-month service contract for computer system maintenance at the Central Wastewater Treatment Plant, through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program, with Bristol Babcock, Inc. - Not to exceed \$419,991 - Financing: Water Utilities Current Funds **[05-2615; APPROVED]**
34. Authorize the purchase of a portable office trailer to be located at the Southeast Service Center at 2821 Municipal Street from the lowest responsible bidder of five - Resun Leasing, Inc. - Not to exceed \$107,001 - Financing: Water Utilities Current Funds **[05-2616; APPROVED]**
35. Authorize a twelve-month price agreement for repair parts for the auger type conveyors located at the Central Wastewater Treatment Plant with Hartwell Environmental Corp. - Sole Source - Not to exceed \$110,615 - Financing: Water Utilities Current Funds **[05-2617; APPROVED]**
36. Authorize a thirty-six-month price agreement for fire hydrants and accessory parts with the lowest responsible bidders of four - Kennedy Valve, Division of McWane Inc. in the amount of \$501,882, Mueller Company in the amount of \$8,511, Clow Valve Company in the amount of \$34,242, and Hughes Supply, Inc. in the amount of \$22,344 - Total not to exceed \$566,979 - Financing: Water Utilities Current Funds **[05-2618; APPROVED]**
37. Authorize a thirty-six-month price agreement for valves and accessory parts with the lowest responsible bidders of two - Mueller Company in the amount of \$460,427, and Clow Valve Company in the amount of \$2,615,601 - Total not to exceed \$3,076,028 - Financing: Water Utilities Current Funds **[05-2619; APPROVED]**
38. Authorize a twenty-four-month price agreement for ductile iron pipe for the transportation of water and sewage, with the lowest responsible bidders of two - Griffin Pipe Products Co., Division of Amsted Industries - Not to exceed \$172,617 - Financing: Water Utilities Current Funds **[05-2620; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

39. Authorize a professional services contract with Haston Associates to conduct a groundwater characterization study and related services for the McCommas Bluff Landfill - Not to exceed \$128,227 - Financing: 2003 Bond Funds **[05-2621; APPROVED]**

MISCELLANEOUS

40. Authorize settlement of the lawsuit styled Asteria Wofford v. City of Dallas, Cause No. 04-08062-L - \$7,500 - Financing: Current Funds **[05-2622; APPROVED]**
41. Authorize a three-year Interlocal Agreement with Dallas County to provide Dallas County with two-way radio service, equipment, antenna space, microwave service, and radio system air time for the period of October 1, 2005 through September 30, 2008 - Revenue: \$266,811 **[05-2623; APPROVED]**
42. Authorize a replacement housing payment for Jose A. Carbajal and Maria D. Carbajal who have been displaced as a direct result of the real property acquisition of 8880 square feet of land at 622 Griffith Avenue in the Ruthmeade Place Addition, to be used in conjunction with the Cedar Creek Floodway Project - Not to exceed \$72,250 - Financing: 2003 Bond Funds **[05-2624; APPROVED]**
43. Authorize a business moving expense fixed payment, in lieu of payment of actual moving and related expenses, for Roosevelt Shepherd whose business, Best Buy Cut Rate Liquor Store, was displaced as a direct result of the real property acquisition of 5504 Bexar Street in conjunction with the Bexar Street Redevelopment Project as a part of the Neighborhood Investment Program - Not to exceed \$20,000 - Financing: 2002-03 Community Development Grant Funds **[05-2625; APPROVED]**
44. Authorize a replacement housing and moving expense payment for Billy Davis in the amount of \$129,750 and Isaiah Winn, Jr. in the amount of \$76,450, who will be displaced as a direct result of the real property acquisitions of 2461 Starks Avenue and 2438 Hooper Street, to be used in conjunction with the Bexar Street Redevelopment Project as part of the Neighborhood Investment Program - Total not to exceed \$206,200 - Financing: 2004-05 Community Development Grant Funds **[05-2626; APPROVED]**
45. Authorize the acquisition of 1 property improved with a vacant commercial structure at 5309 Bexar Street at its intersection with Starks Avenue from Letha Valentine for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program - \$27,000 including estimated closing costs in the amount of \$2,000 - Financing: 2002-03 Community Development Grant Funds **[05-2627; APPROVED]**
46. An ordinance authorizing corrections to Chapter 51P, Planned Development District regulations of the Dallas City Code, as amended, to add resolution numbers to the ordinance histories, correct clerical and semantic errors and other non-substantive amendments - Financing: No cost consideration to the City **[05-2628; ORDINANCE 26102; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

47. Authorize (1) approval of the Deep Ellum Public Improvement District Service Plan for 2006; and (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual 2005 assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2629; APPROVED AS AN INDIVIDUAL ITEM]**
48. Authorize (1) approval of the Dallas Downtown Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Dallas Downtown Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2005 assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2630; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

49. Authorize (1) approval of the Prestonwood Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Prestonwood Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2631; APPROVED]**
50. Authorize (1) approval of the South Side Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the South Side Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2005 assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2632; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

51. Authorize (1) approval of the Uptown Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Uptown Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving, adopting and filing with the City Secretary the assessment role; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2632; APPROVED AS AMENDED]**

52. Authorize (1) approval of the Vickery Meadow Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2633; APPROVED]**

53. Authorize the acceptance and implementation of the new "Strategic Engagement: Dallas" Economic Development Plan" for the Office of Economic Development - Financing: No cost consideration to the City **[05-2634; APPROVED]**

54. Authorize a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the creation of City of Dallas Reinvestment Zone No. 62 located at 18325 Waterview; and at the close of the public hearing (1) consideration of an ordinance creating City of Dallas Reinvestment Zone No. 62; and (2) a real property tax abatement agreement with Prime Art and Jewel, Inc. - Financing: No cost consideration to the City **[05-2635; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 55 and 56
must be considered collectively.

Cedars TIF District

55. * Authorize (1) a development agreement with Presideo Investment, Inc. to provide funding for infrastructure replacement, enhancements and design costs supporting the development of Buzz, a mixed-use condominium project located at 1101-1119 S. Akard Street in Tax Increment Financing Reinvestment Zone Four (Cedars TIF District) in an amount not to exceed \$564,462 to be advanced by Presideo Investment, Inc., and reimbursed in an amount not to exceed \$564,462 plus interest in accordance with the development agreement; and (2) the establishment of appropriations in an amount not to exceed \$564,462 in the Cedars TIF District Fund - Financing: To be advanced by a private developer and reimbursed from the Cedars TIF District Fund and/or Tax Increment Bonds; accrued interest (compounded semi-annually) on the specified private funds to be repaid solely from the Cedars TIF District Fund and/or Tax Increment Bonds **[05-2636; APPROVED]**
56. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) to reimburse Presideo Investment, Inc. for funds advanced pursuant to a development agreement with Presideo Investment, Inc. in an amount not to exceed \$564,462 plus interest, for infrastructure replacement, enhancements and design costs supporting the development of 1101-1119 S. Akard Street in the Cedars TIF District - Financing: No cost consideration to the City **[05-2637; APPROVED]**
57. Authorize (1) the application for and acceptance of grant funds from the Texas Workforce Commission in the amount of \$250,507 to provide child care subsidies for low to moderate income parents for the period October 1, 2005 through September 30, 2006, (2) a local match in an amount not to exceed \$85,172, and (3) execution of the grant agreement - Total not to exceed \$335,679 - Financing: Texas Workforce Commission Grant Funds (\$205,507) and 2005-06 Community Development Grant Funds (\$85,172) **[05-2638; APPROVED]**
58. Authorize a contract with the Department of State Health Services to continue the operations of a training center for the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2005 through September 30, 2006 - Not to exceed \$83,555 - Financing: Department of State Health Services Grant Funds **[05-2639; APPROVED]**
59. Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2005 through September 30, 2006 - Not to exceed \$9,612,000 - Financing: Department of State Health Services Grant Funds **[05-2640; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

60. Authorize a contract with the Department of State Health Services for the continuation of local health services to non-Medicaid eligible clients through Title V for the period September 1, 2005 through August 31, 2006 - Not to exceed \$65,363 - Financing: Department of State Health Services Grant Funds **[05-2641; APPROVED]**
61. Authorize an Interlocal Agreement with Dallas County to provide a tenant-based rental assistance program for the homeless for the period October 1, 2005 through September 30, 2006 - Not to exceed \$300,000 - Financing: 2005-06 HOME Investment Partnership Program Grant Funds **[05-2642; APPROVED]**
62. Authorize Supplemental Agreement No. 3 to the Interlocal Agreement with Dallas County to decrease the 2003-04 Housing Opportunities for Persons with AIDS grant for facility-based and scattered site housing assistance for persons with HIV/AIDS - (\$165,378), from \$3,468,440 to \$3,303,062 - Financing: 2003-04 Housing Opportunities for Persons with AIDS Grant Funds **[05-2643; APPROVED]**
63. Authorize a public hearing under Section 214.199 of the Local Government Code to be held on October 12, 2005, to receive citizens' comments concerning an ordinance revising Chapter 15C of the Dallas City Code, to provide that the Dallas Police Department will no longer respond to any burglar alarm signal indicated by a burglar alarm system in the City of Dallas - Financing: No cost consideration to the City **[05-2644; APPROVED AS AN INDIVIDUAL ITEM]**
64. Authorize (1) the acceptance of an Economic Development Initiative-Special Project grant agreement with the U.S. Department of Housing and Urban Development in the amount of \$298,230, (2) execution of the grant agreement, and (3) a contract with Builders of Hope Community Development Corporation in the amount of \$298,230 for the provision of affordable housing for low and moderate income families in the West Dallas areas for fiscal year 2004 -Total not to exceed \$298,230 - Financing: Economic Development Initiative Grant Funds **[05-2645; APPROVED]**
65. Authorize (1) a public hearing to be held on September 28, 2005 to receive citizens' comments on an amended proposal from SouthFair Community Development Corporation, a qualified non-profit organization, to consider a change in the end use and time extension to meet the end use for development of the unimproved property located at 2614 Merlin obtained through the House Bill 110 process, and at the close of the hearing, (2) consideration of acceptance of the amended proposal - Financing: No cost consideration to the City **[05-2646; APPROVED]**
66. Authorize a personal services contract with David Dean of Dean International, Inc. to provide transportation and economic development consulting services from September 9, 2005 through September 8, 2006 - Not to exceed \$340,000 - Financing: Public/Private Partnership Funds (subject to appropriations) **[05-2647; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

67. Authorize the acceptance of a grant from the U.S. Department of Homeland Security, through its agent, Texas Governor's Division of Emergency Management, under the FY 2005 Urban Area Security Initiative to establish interoperable communications and enhance prevention and response for all hazards incidents in the City of Dallas and surrounding regions under this program for the period of January 1, 2005 through September 30, 2006 - Not to exceed \$3,490,434 - Financing: U.S. Department of Homeland Security, Texas Governor's Division of Emergency Management Grant Funds **[05-2648; APPROVED]**
68. Authorize the acceptance of a grant from the U.S. Department of Justice under the Community Oriented Policing Services Law Enforcement Technology Program to enhance public safety by providing laptop computers for mobile command vehicles - Not to exceed \$98,664 - Financing: U.S. Department of Justice Community Oriented Policing Services Grant Funds **[05-2649; APPROVED]**
69. Authorize the acceptance a grant from the U.S. Department of Justice under the Community Oriented Policing Services Law Enforcement Technology Program to enhance public safety by providing mobile video recorders - Not to exceed \$246,661 - Financing: U.S. Department of Justice Community Oriented Policing Services Grant Funds **[05-2650; APPROVED]**
70. Authorize the adoption of the National Incident Management System as the standard for managing emergency incidents in the City of Dallas - Financing: No cost consideration to the City **[05-2651; APPROVED]**
71. Authorize (1) rescinding the five-year Interlocal Agreement with Dallas County Schools Transportation previously authorized on April 7, 2005 by the Dallas Park and Recreation Board; and on April 27, 2005 by Resolution No. 05-1344 for transportation services from June 1, 2005 through May 31, 2010; and (2) a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities from June 1, 2005 through July 31, 2006 - Not to exceed \$152,041 - Financing: Current Funds (\$101,457) (\$64,536 subject to appropriations); 2004-05 Community Development Grant Funds (\$16,342); 2005-06 Community Development Grant Funds (\$34,242) **[05-2652; APPROVED]**
72. Authorize payment to the North Central Texas Council of Governments for Dallas' participation in the third year development of a comprehensive drainage criteria and design manual for use in both municipal engineering and private development - \$40,955 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds) **[05-2653; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

73. Authorize a one-year grant agreement, with two one-year renewal options, with Groundwork Dallas Inc. to assist communities impacted by brownfields and other derelict land issues to improve their quality of life and encourage economic regeneration through the development and stewardship of park land, recreation areas, nature reserves, trail systems and other environmental improvements in accordance with the requirements of the grant agreement with the U.S. Department of Interior National Park Service Groundwork USA previously approved on April 14, 2004 by Resolution No. 04-1250 - Financing: This action has no cost consideration to the City **[05-2654; APPROVED]**
74. Authorize Supplemental Agreement No. 6 to the contract with A+ Integrated Solutions, Inc. to provide on-site technical support for the implementation of the Prolog software program for management of the capital project management information system - \$90,750, from \$2,267,034 to \$2,357,784 - Financing: Current Funds (\$54,450), Aviation Capital Construction Funds (\$18,150), Wastewater Construction Funds (\$18,150) **[05-2655; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - CONSENT **[05-2656]**

75. A City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District, with consideration given to an R-1/2ac.(A) Single Family District on both sides of Barbaree Boulevard between St. Francis Avenue and Highland Road and an ordinance granting an R-1/2 ac(A) Single Family District
Recommendation of Staff and CPC: Approval of an R-1/2 ac.(A) Single Family District
Z045-245 (MF) **[05-2657; ORDINANCE 26103; CPC RECOMMENDATION FOLLOWED]**
76. An application for and an ordinance granting a Planned Development District for residential, office, and retail uses, with private streets on property zoned a CS Commercial Service District and a resolution amending the existing deed restrictions on property zoned a CS Commercial Service District and a portion of Planned Development District No. 714 on the north side of Fort Worth Avenue, west of Sylvan Avenue
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions, and approval of an amendment to the existing deed restrictions
Z045-247 (MM) **[05-2658; ORDINANCE 26104; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

77. An application for and an ordinance amending Planned Development District No. 690 to remove approximately 0.26 acres from Subarea 3 to add to Subarea 2 on the north side of Stevens Hills Drive and Stevens Village Drive, north of Davis Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z045-253 (JP) [05-2659; ORDINANCE 26105; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT

78. An application for and a ordinance granting a Specific Use Permit for a tower/antenna for cellular communication for a monopole cellular tower on property zoned an R-7.5(A) Single Family District on the west corner of Easton Road and Northcliff Drive
Recommendation of Staff and CPC: Approval for a ten-year period, with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions
Z045-219 (RB) [05-2660; ORDINANCE 26106; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - DALLAS INDEPENDENT SCHOOL DISTRICT - UNDER ADVISEMENT

79. A Landmark Commission authorized hearing to consider an Historic Overlay for the Stephen J. Hay Elementary School on property zoned Planned Development Subdistrict No. 51 for a public school other than open enrollment charter school and MF-2 Multiple-Family Subdistrict uses, in Planned Development District No. 193, Oak Lawn Special Purpose District, on the northeast side of Gilbert Avenue between Prescott Avenue and Hershel Avenue and an ordinance granting the overlay
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z045-206(JA) [05-2661; ORDINANCE 26107; CPC RECOMMENDATION FOLLOWED]
Note: This item was considered by the City Council at a public hearing on June 8, 2005, and was taken under advisement until September 14, 2005, with the public hearing open.

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

80. An application for and a ordinance granting a TH-2(A) Townhouse District on property zoned an R-10(A) Single Family District on the south side of Northwest Highway, west of Midway Road and a resolution accepting deed restrictions volunteered by the applicant
Recommendation of Staff: Approval
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z045-232 (JP) [05-2662; ORDINANCE 26108; CPC RECOMMENDATION FOLLOWED]
Note: This item was considered by the City Council at a public hearing on August 24, 2005, and was taken under advisement until September 14, 2005, with the public hearing open.

MISCELLANEOUS HEARINGS

Note: Item Nos. 81 and 82 must be considered collectively.

Preston Hollow North PID

81. * A public hearing to receive citizens' comments concerning the creation of the Preston Hollow North Public Improvement District, (Preston Hollow North PID), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, consideration of (1) a resolution creating the Preston Hollow North PID for a period of seven years, (2) the Preston Hollow North PID Service Plan detailing supplemental security and security related services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Preston Hollow North Homeowners Association, Inc., as the management entity for the Preston Hollow North PID - Financing: No cost consideration to the City **[05-2663; HEARING CLOSED]**
82. * Authorize (1) Preston Hollow North Public Improvement District Service Plan for 2006; (2) a public hearing to be held on September 28, 2005 to receive citizens' comments concerning the annual assessment rate for the Preston Hollow North Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Preston Hollow North Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, (3) consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services in the District, approving, adopting and filing with the City Secretary the assessment roll; closing the hearing and levying assessments for the cost of certain services to be provided in the District during 2006; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[05-2664; APPROVED AS AMENDED]**
83. A public hearing to receive citizens' comments on the proposed 74.674/\$100 property tax rate for the 2005-06 fiscal year - Financing: No cost consideration to the City **[05-2665; HEARING CLOSED]**

Note: Item nos. 84 and 85 must be considered collectively.

Municipal Setting Designation

84. * A public hearing to receive citizens' comments on a proposed municipal setting designation ordinance prohibiting the use of the groundwater beneath property owned by Fishburns BSF LLC located at 3208 - 3214 Ross Avenue and the adjacent public streets and alley - Financing: No cost consideration to the City **[05-2666; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Municipal Setting Designation (Continued)

Note: Item nos. 84 and 85 must be considered collectively.

85. * An ordinance authorizing support of the issuance of a municipal setting designation to Fishburns BSF LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Revenue: \$7,500 plus the \$20 ordinance publication fee **[05-2666; ORDINANCE 26109; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

86. 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) **[05-2667; NO APPOINTMENTS MADE TO BAORDS]**
87. An ordinance abandoning portions of 7 easements to the Dallas Independent School District, the abutting owner, containing a total of approximately 44,408 square feet of land located near the intersection of Holly Hill Drive and Ridgecrest Road, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[05-2668; ORDINANCE 26110; APPROVED]**
88. Authorize hardship relief for property located at 3006 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 **[05-2669; POSTPONE UNTIL 09/28/05]**
89. First reading of the appropriation ordinances for the proposed FY 2005-06 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City **[05-2670; APPROVED]**

ADDENDUM

ADDITIONS:

Closed Session **[05-2671; CLOSED SESSION HELD]**

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

- Legal issues involving Associate Municipal Court Judge Tiffany Lewis
- Victor Alvarado DeLeon v. City of Dallas, et al., Cause No. 3:02-CV-1097-K
- Kenneth E. Albert et al. v. City of Dallas, Cause No. CV-199-697-94
- David R. Barber et al. v. City of Dallas, Cause No. CV-199-624-95
- Anthony Arredondo et al. v. City of Dallas, Cause No. CV-199-1743-99
- David S. Martin et al. v. City of Dallas, Cause No. 1-95-506
- George G. Parker et al. v. City of Dallas, Cause No. 1-95-107
- Kevin Michael Willis et al. v. City of Dallas, Cause No. CV-199-200-95-B

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for the electrical and mechanical design and construction administration services for the Police and Fire Department computer aided dispatch consoles at City Hall located at 1500 Marilla - \$50,800, from \$18,500 to \$69,300 - Financing: 2003 Urban Area Security Initiative II Grant Funds **[05-2672; APPROVED]**

MISCELLANEOUS

2. Authorize settlement of the lawsuit styled Bernadine Thompson v. City of Dallas, Civil Action No. 3:04-CV-1147-G - \$800,000 - Financing: Current Funds **[05-2673; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

3. Authorize a two-month extension to the contract with Ward North America L.P. for workers' compensation and third party liability claims administration and related cost containment services for a period not to exceed 2 months from October 1, 2005 to November 30, 2005 - Not to exceed \$457,167, from \$13,921,812 to \$14,378,979 - Financing: Workers' Compensation Current Funds (subject to appropriations) **[05-2674; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

4. Authorize a sixty-month service contract for workers' compensation and third party liability claims administration and related cost containment services for the period of December 1, 2005 through November 30, 2010 with the most advantageous proposer of fourteen - Tristar Risk Management - Not to exceed \$11,971,853 - Financing: Workers' Compensation Current Funds (subject to annual appropriations) **[05-2675; APPROVED]**

CORRECTION:

1. Approval of Minutes of the August 24, and August 29, 2005 City Council Meetings **[05-2582]**