

**ADDENDUM  
CITY COUNCIL MEETING  
SEPTEMBER 28, 2005  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A.M.**

ADDITIONS:

Closed Session

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

- City of Dallas, Texas v. Hanover Insurance Company,  
Cause No. 04-11911-G
- Zereth Chaney, Individually and as Representative of the Estate of  
Dorothy Chaney, Deceased v. City of Dallas, Cause No. 02-11731-A
- City of Dallas v. Beazer Homes Texas v. Raj Sharma,  
Cause No. 04-12777-G
- Jamie L. Patterson v. Donald M. Lehman and City of Dallas,  
Cause No. 05-02936-C
- Harold Cox, et al. v. City of Dallas, et al., Civil Action No. 3:98-CV-0291-H,  
and legal issues associated with properties in Dallas near the Trinity River  
owned by Metropolitan Sand and Gravel Co., LLC
- Legal issues associated with public hearings scheduled for  
October 11 and 12, 2005 in Dallas to be conducted jointly by the  
Texas House Criminal Jurisprudence Committee and the Texas House  
Committee on General Investigating & Ethics

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize **(1)** a contract for Phase II, preservation, at Lake Cliff Tower located at 329 E. Colorado Boulevard with Mid-Continental Restoration Company, Inc., lowest responsible bidder of four, in an amount not to exceed \$1,137,500; **(2)** a contract for Phase III, roofing and flashing removal, at Lake Cliff Tower with Mid-Continental Restoration Company, Inc., only bidder, in an amount not to exceed \$248,825; **(3)** a contract for Phase IV, concrete coring and cutting and structural modifications, at Lake Cliff Tower with Mid-Continental Restoration Company, Inc., only bidder, in an amount not to exceed \$798,500; **(4)** assignment of the contracts to Top Dog - Oak Cliff, L.P. for construction management; and, **(5)** payment to Top Dog - Oak Cliff, L.P. in an amount not to exceed \$375,175 for design, reimbursables and construction management - Total not to exceed \$2,560,000 - Financing: Oak Cliff TIF District Funds

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CITY COUNCIL MEETING  
SEPTEMBER 28, 2005**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES**

2. Authorize the purchase of ten portable cardiac monitors/defibrillators for pre-hospital use to administer emergency life saving treatments to medical patients from Medtronic Physio-Control, Corp. - Sole Source - Not to exceed \$130,225 - Financing: Current Funds
3. Authorize the purchase of mobile printers, cradles, and warranties to be used in police vehicles from Dell, Inc. through the Department of Information Resources, State of Texas GoDirect Program contract - Not to exceed \$354,033 - Financing: Municipal Court Technology Funds
4. Authorize a six-month price agreement for hot mix asphalt with the lowest responsible bidder of three - APAC-Texas, Inc. - Not to exceed \$422,580 - Financing: Current Funds
5. Authorize **(1)** the continuation of a temporary unit price increase in the price agreement for liquid ferric sulfate for the period of October 1, 2005 through December 31, 2005, with General Chemical Performance Products LLC in an amount not to exceed \$91,823, from \$17,360,995 to \$17,452,818; and, **(2)** a twenty-four-month price agreement for liquid ferric sulfate with the lowest responsible bidder of two, General Chemical Performance Products LLC in an amount not to exceed \$12,500,000 - Total not to exceed \$12,591,923 - Financing: Water Utilities Current Funds
6. Authorize the purchase of two laboratory devices, an inductively coupled plasma-mass spectrometer, and a gas chromatograph, with software for the purpose of detecting and analyzing the level of contaminants in the water and soil from the lowest responsible bidder of two - Agilent Technologies - Not to exceed \$246,515 - Financing: Water Utilities Current Funds

**MISCELLANEOUS**

7. 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 veterans with disabilities for the period October 23, 2005 through October 22, 2006; and **(2)** execution of the grant agreement - Not to exceed \$85,560 - Financing: U.S. Department of Housing and Urban Development Grant Funds

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CITY COUNCIL MEETING  
SEPTEMBER 28, 2005**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

8. Authorize **(1)** a development agreement with Dallas Center for the Performing Arts Foundation, Inc., an independent non-profit foundation, for the construction and development of a first-class multi-venue performing arts complex in the Downtown Arts District, consisting of the Winspear Opera House, the Wyly Theater, the Grand Plaza, a 600-space underground parking garage, Annette Strauss Artist Square and supporting infrastructure beginning on or before December 31, 2006, in the amount of \$17,779,070, and, **(2)** a use agreement with Dallas Center for the Performing Arts Foundation, Inc., for the long-term possession, operation, maintenance and use of a first-class multi-venue performing arts complex in the Downtown Arts District, consisting of the Winspear Opera House, the Wyly Theater, the Grand Plaza, a 600-space underground parking garage, Annette Strauss Artist Square and supporting infrastructure annually beginning in September 2009 in an amount not to exceed \$2,500,000, with a limited cost escalator - Total not to exceed \$20,279,070 - Financing: 2003 Bond Funds (\$17,779,070); Current Funds (\$2,500,000) (subject to annual appropriations)
  
9. A motion to reconsider Agenda Item Nos. 81 and 82, previously approved on September 14, 2005, which authorized the creation of the Preston Hollow North Public Improvement District (PID), approved the PID Service Plan and the management contract with Preston Hollow North Homeowners Association, Inc.; and authorized the benefit assessment hearing to be held on September 28, 2005, and at the close of that hearing, consideration of the ordinance levying assessments on property in the Preston Hollow North Public Improvement District - Financing: No cost consideration to the City

**Note:** If Addendum Item No. 9 passes, Council will consider Addendum Item Nos. 10 and 11.

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Preston Hollow North  
Public Improvement District**

**Note:** Item Nos. 10 and 11 must be considered collectively.

10. \* 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
  
11. \* 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; and **(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

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SEPTEMBER 28, 2005**

CORRECTIONS:

79. An ordinance setting the tax rate for FY 2005-06 at ~~74.67¢~~ 74.17¢ per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 2005-06 - Financing: No cost consideration to the City
  
80. An ordinance amending Chapters 15C, 15D, 16, 17, 18, and 28 of the Dallas City Code to revise and establish various fees for City services - Estimated Revenue: ~~\$5,402,003~~ \$9,511,327 - General Fund