

AGENDA
CITY COUNCIL MEETING
MAY 24, 2006
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) **[06-1450]**

Agenda Item/Open Microphone Speakers **[06-1451]**

VOTING AGENDA

1. Approval of Minutes of the May 10, 2006 City Council Meeting **[06-1452; APPROVED]**

CONSENT AGENDA **[06-1453]**

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Shrickel, Rollins and Associates, Inc. for design development, construction drawings, bidding and construction administration for the playground renovations and parking lot expansion at Pleasant Oaks Park located at 8700 Greenmound Avenue - \$44,401 - Financing: 2003 Bond Funds **[06-1454; APPROVED]**
3. Authorize a professional services contract with Kimley-Horn and Associates, Inc. for topographic survey, site development plan, schematic design, design development, construction documents, bidding and construction administration for a sprayground and playground at T.G. Terry Park located at 2400 Lagow - \$48,000 - Financing: 2003 Bond Funds **[06-1455; APPROVED]**

CONSENT AGENDA (Continued)

4. Authorize a professional services contract with Kimley-Horn and Associates, Inc. for topographic survey, site development plan, schematic design, design development, construction documents, bidding and construction administration for a sprayground, playground and pavilion at Ferguson Park located at 1900 Gross Road - \$86,000 - Financing: 2003 Bond Funds **[06-1456; APPROVED]**
5. Authorize **(1)** rescinding the professional services contract with Gary Cunningham Architects and Planners previously approved on June 23, 2004 by Resolution No. 04-2029 for schematic design, design development, construction documents, bidding and construction administration for connection of sprayground to sanitary sewer, redevelopment and re-pave parking area, lighting, removal of existing picnic pavilion and replace with medium pavilion at Danieldale Park; and, **(2)** a professional services contract with BCI Architects for topographic survey, schematic design, design development, construction documents, bidding and construction administration services for a new pavilion and parking lot redevelopment at Danieldale Park located at 500 West Wheatland Road - \$42,600 - Financing: 2003 Bond Funds **[06-1457; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a professional services contract with Biggs and Mathews Environmental for the design and the preparation of construction bid documents for Waste Cell No. 6 at the McCommas Bluff Landfill - Not to exceed \$53,200 - Financing: Current Funds **[06-1458; APPROVED]**

Authorization of Contracts

7. Authorize a contract for playground equipment, site furnishings, parking area and stone retaining wall at Hillview Park located at 8525 Freeport - Henneberger Construction, Inc., lowest responsible bidder of two - \$121,529 - Financing: 2003 Bond Funds **[06-1459; APPROVED AS AN INDIVIDUAL ITEM]**
8. Authorize a decrease in the contract with Turner Construction Company for adding bird anti-escape protection, repairing the existing roof penetrations at skylights and vents, storm water system modifications and re-routing the storm water connection to the Lacerte Family Children's Zoo central system for the interactive bird exhibit at the Dallas Zoo located at 650 South R. L. Thornton Freeway - (\$16,352), from \$657,534 to \$641,182 - Financing: 2003 Bond Funds **[06-1460; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

9. Authorize an increase in the contract with Riverway Contractors and Management, Inc. for the construction of concrete sidewalks for connection to the softball complex at Kiest Park located at 3080 South Hampton Road - \$61,514, from \$247,227 to \$308,741 - Financing: Current Funds **[06-1461; APPROVED]**
10. Authorize Supplemental Agreement No. 1 to the professional services contract with Alan Plummer & Associates, Inc. for design modifications to revise the alignment for the proposed Elam Creek Channel, Phase I, from Lake June Road to Seco Boulevard - \$90,548, from \$93,951 to \$184,499 - Financing: 2003 Bond Funds **[06-1462; APPROVED]**

Construction Miscellaneous

11. Authorize a Project Specific Agreement with Dallas County for the design and construction of paving and storm drainage improvements at the intersections of Inwood Road at University Boulevard and Gaston Avenue at Munger Boulevard - \$187,500 - Financing: 2003 Bond Funds **[06-1463; APPROVED]**
12. Authorize an Advanced Funding Agreement with the Texas Department of Transportation for water main improvements and water utility relocations in Preston Road from Lloyd Drive to President George Bush Turnpike - \$254,245 - Financing: Water Utilities Capital Improvement Funds (\$239,145), Water Utilities Capital Construction Funds (\$15,100) **[06-1464; APPROVED]**

LAND ACQUISITION

13. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of approximately 20,443 square feet of land improved with a single family home located near the intersection of Arturo and Lakeland Drives from Rudolph M. Salvato and Lilia I. Salvato, Trustees of the Rudolph and Lilia Salvato Living Trust, for the Ash Creek Drainage Project - \$146,000 - Financing: 2003 Bond Funds **[06-1465; APPROVED]**
14. Authorize payment of a judgment in the lawsuit styled City of Dallas v. Pacifico Partners, Ltd., et al, for acquisition of a sidewalk easement containing approximately 1,150 square feet for the Main - Commerce Pedestrian Way Project, located near the intersection of Commerce and Ervay Streets - Not to exceed \$64,500 - Financing: 2003 Bond Funds **[06-1466; APPROVED]**

CONSENT AGENDA (Continued)

LAND MISCELLANEOUS

15. An ordinance abandoning to Bristol Munger Properties, L.L.C., the abutting owner, certain air rights over approximately 1,148 square feet of Munger Avenue located near its intersection with North Akard Street, and authorizing the quitclaim - Revenue: \$56,252 plus the \$20 ordinance publication fee **[06-1467; ORDINANCE 26348; APPROVED]**
16. A resolution authorizing the conveyance of a wastewater easement containing approximately 28,072 square feet of land and a temporary working space easement containing approximately 77,150 square feet of land to the Trinity River Authority located in the Elm Fork Greenbelt near Union Bower and Proctor Roads - Revenue: \$568 **[06-1468; APPROVED]**
17. An ordinance abandoning Middlegate Road containing approximately 32,248 square feet of land and various easements containing approximately 90,399 square feet of land to Countess Diana, Ltd., the abutting owner, located near the intersection of Royal Lane and Inwood Road in exchange for the dedication of approximately 32,248 square feet of land for private streets plus easements, and authorizing the quitclaim - Revenue: \$5,000 plus the \$20 ordinance publication fee **[06-1469; DEFERRED UNTIL 6/14/06]**
18. Authorize a twenty-month extension, with one three-month renewal option, to the lease agreement with WLS-JASC Children's Partnership for approximately 4,000 square feet of office and warehouse space located at 1808 Canton Street to be used for personal property storage space for the homeless clients utilizing the Day Resource Center for the period June 1, 2006 through January 31, 2008 - Not to exceed \$46,000 - Financing: Current Funds (subject to annual appropriations) **[06-1470; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

19. Authorize a twenty-four-month master agreement for treated dome guardrail posts with the lowest responsible bidder of two - Fox-Gal Wholesale Lumber Company - Not to exceed \$105,025 - Financing: Current Funds **[06-1471; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

20. Authorize a twenty-four-month master agreement for asphalt emulsion with the lowest responsible bidder of three - Sem Material - Not to exceed \$165,036 - Financing: Current Funds **[06-1472; APPROVED]**
21. Authorize a six-month master agreement for asphalt and cold patch material with the lowest responsible bidder of three - APAC-Texas, Inc. - Not to exceed \$2,484,294 - Financing: Current Funds **[06-1473; APPROVED]**

CONSENT AGENDA (Continued)

22. Authorize a thirty-six-month master agreement for cast iron fittings with the only bidder - Hughes Supply, Inc. - Not to exceed \$556,083 - Financing: Water Utilities Current Funds **[06-1474; APPROVED]**
23. Authorize the purchase of two sewer system cleaning and internal television pipe inspection trucks from Rush Truck Center, through the Houston Galveston Area Council, a local government cooperative purchasing program - Not to exceed \$312,484 - Financing: 2005 Equipment Acquisition Contractual Obligation Notes **[06-1475; APPROVED]**
24. Authorize a thirty-six-month master agreement for quicklime to be used for water and wastewater treatment, with the only bidder - Texas Lime Company - Not to exceed \$12,481,000 - Financing: Water Utilities Current Funds **[06-1476; APPROVED]**
25. Authorize a thirty-six-month master agreement for barricades and barricade warning lights with the lowest responsible bidders of two - Hipoint Technology, LLC in the amount of \$98,500, and Dyna Engineering LTD in the amount of \$342,550 - Total not to exceed \$441,050 - Financing: Water Utilities Current Funds **[06-1477; APPROVED]**

RATIFICATION OF EMERGENCY REPAIRS

Elm Fork Water Treatment Plant

Note: Item Nos. 26 and 27 must be considered collectively.

26. * Ratify an emergency engineering services contract to investigate, analyze and design repairs for the slab failures in the primary settling basin at the Elm Fork Water Treatment Plant - Camp, Dresser & McKee, Inc. - \$195,088 - Financing: Water Utilities Capital Improvement Funds **[06-1478; APPROVED]**
27. * Ratify emergency repairs to 1,625 square feet of the floor slab in the primary settling basin at the Elm Fork Water Treatment Plant - Archer Western Contractors, Ltd. - \$106,920 - Financing: Water Utilities Capital Improvement Funds **[06-1479; APPROVED]**

MISCELLANEOUS

28. Authorize a post-judgment settlement agreement in an appeal styled J. F. Hoover v. City of Dallas, Cause No. 05-05-00945-CV, concerning the property located at 2000-2002 Leacrest Drive, which authorizes the City to accept a settlement of this appeal from J. F. Hoover, and to release the abstract of judgment and lis pendens against the property owned by J. F. Hoover - Revenue: \$6,000 **[06-1480; APPROVED]**

CONSENT AGENDA (Continued)

29. An ordinance granting an MU-2 Mixed Use District on the east corner of Maple Avenue and Fielder Court and a resolution accepting an avigation easement, release, indemnification and disclosure agreement volunteered by the applicant and a resolution accepting deed restrictions volunteered by the applicant - Z056-145 - Financing: No cost consideration to the City **[06-1481; DEFERRED INDEFINITELY]**
30. Authorize adoption of By-Laws for Tax Increment Financing Zone Number Thirteen (Grand Park South TIF District) - Financing: No cost consideration to the City **[06-1482; APPROVED AS AN INDIVIDUAL ITEM]**
31. Authorize adoption of By-Laws for Tax Increment Financing Zone Number Fourteen (Skillman Corridor TIF District) - Financing: No cost consideration to the City **[06-1483; APPROVED]**
32. Authorize **(1)** rescinding Resolution No. 05-0358, previously approved on January 26, 2005, for the redevelopment of 1608 Main Street **(2)** amendments to Resolution Nos. 03-2455 and 03-2456, previously approved on September 10, 2003, and Resolution No. 04-1714, previously approved on May 26, 2004, for the redevelopment of 1608 Main Street, to **(a)** reduce the private investment from \$3,300,000 to \$2,144,000 in order for it to be in proportion with the public investment, **(b)** modify the payment schedule to allow reimbursement of a portion of the TIF Funds upon completion of environmental remediation/demolition, a portion of upon shell completion, and the remainder upon retail tenant Certificate of Occupancy and expenditure of remainder of private funds, **(c)** add a deadline for completion of tenant improvements, and **(3)** funding for the construction of the southern portion of the pedestrian easement in an amount not to exceed \$465,500 - Total not to exceed \$465,500 - Financing: 2003 Bond Funds **[06-1484; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize **(1)** establishment of the Joppa Neighborhood Economic Development Program pursuant to Chapter 380 of the Texas Local Government Code to make loans and grants to promote local economic development and to stimulate business and commercial activity in the Joppa Neighborhood area; and **(2)** an economic development grant agreement with Half Associates, Inc. for development of the Joppa Rodeo in accordance with the Joppa Neighborhood Economic Development Program - Not to exceed \$72,168 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[06-1485; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

Note: Item Nos. 34 and 35 must be considered collectively.

Cityplace Area TIF District

34. * Authorize **(1)** a development agreement with FF Development, LP (Fairfield) to provide funding for the design, engineering, professional services and construction of public improvements for the Fairfield at Cityplace, a Mixed-Use High-Density project located at 3700 McKinney Avenue in Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District); and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$3,000,000 from future Cityplace Area TIF revenues in accordance with the development agreement - \$3,000,000 - Financing: To be funded by a private developer and reimbursed from the Cityplace TIF District Fund and/or Tax Increment Bond; reimbursement of private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds **[06-1486; DELETED ON THE ADDENDUM]**
35. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, (Cityplace Area TIF District) to reimburse FF Development, LP (Fairfield) up to \$3,000,000 for certain TIF eligible project costs related to the development of the Fairfield at Cityplace, a Mixed-Use High Density project located at 3700 McKinney Avenue in the Cityplace Area TIF District - Financing: No cost consideration to the City **[06-1487; DELETED ON THE ADDENDUM]**

Note: Item Nos. 36 and 37 must be considered collectively.

Retail Recruitment Program

36. * Authorize (1) additional funding and policy amendments to the City of Dallas Main Street District Initiative Loan and Grant Program, previously approved on October 22, 2003, by Resolution No. 03-2884 pursuant to Chapter 380 of the Texas Local Government Code to be administered by the City of Dallas - Economic Development Division to promote development and to stimulate business and commercial activity within the downtown retail core area, and (2) the City Manager to execute grant agreements with potential retailers in accordance with the Main Street District Loan and Grant Program's Retail Recruitment Initiative - \$669,900 - Financing: Public/Private Partnership Funds **[06-1488; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

37. * Authorize (1) an increase in the service contract with DOWNTOWN DALLAS/Central Dallas Association for leasing/marketing partner services for the Main Street District Retail Recruitment Initiative for additional marketing/leasing services and, (2) a twelve-month extension of the service contract from May 25, 2006 to May 25, 2007 - Not to exceed \$61,875, from \$247,500 to \$309,375 - Financing: Public/Private Partnership Funds **[06-1489; APPROVED AS AN INDIVIDUAL ITEM]**
38. Authorize (1) a public hearing to be held on June 14, 2006 to receive comments on re-adopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain city youth programs in compliance with State law, and at the close of the public hearing, (2) consideration of the readoption of Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City **[06-1490; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [06-1491]

39. An application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District, on the east and west sides of Manderville Lane, north of Blair Road, and south of Royal Lane
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions Z056-169(WE) **[06-1492; CONTINUED UNTIL 6/14/06; HEARING OPEN]**
40. An application for and an ordinance granting an amendment to the conditions for Specific Use Permit No. 1381 for a Group residential facility and Community service center on property zoned Planned Development District No. 539 for CR Community Retail District Uses and a Group residential facility with the Dry Liquor Control Overlay on the east corner of Graham Avenue and Philip Avenue
Recommendation of Staff and CPC: Approval of an amendment to the conditions providing for a five-year period with eligibility for automatic renewals for additional five-year periods
Z056-182(RB) **[06-1493; ORDINANCE 26349; CPC RECOMMENDATION FOLLOWED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

41. An application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment use to be used as a bar, lounge or tavern on property zoned an RR Regional Retail District on the northeast corner of Park Lane and Central Expressway/U.S. Highway No. 75
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal of additional five-year periods, subject to site plans and conditions
Z056-185(JH) [06-1494; ORDINANCE 26350; CPC RECOMMENDATION FOLLOWED]
42. An application for and an ordinance granting an amendment to Specific Use Permit No. 1175 for a community service center and a private recreation center, club or area, on property zoned an R-7.5(A) Single Family District on the southwest corner of East Ledbetter Drive and Corrigan Avenue
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and condition
Z056-189(WE) [06-1495; CONTINUED UNTIL 6/14/06; HEARING OPEN]
43. An application for and an ordinance granting a Planned Development District for a transit passenger station and R-5(A) Single Family District uses on property zoned a CC Community Commercial Subdistrict and an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the south line of Scyene Road, west of Hatcher Street
Recommendation of Staff and CPC: Approval subject to a development plan and conditions
Z056-190(WE) [06-1496; ORDINANCE 26351; CPC RECOMMENDATION FOLLOWED]
44. An application for and an ordinance granting a new subdistrict within Planned Development No. 462, for mixed residential, retail and office uses on the west line of Henderson Avenue, between Capital Avenue and Fuqua Street
Recommendation of Staff and CPC: Approval subject to conditions
Z056-193(WE) [06-1497; ORDINANCE 26352; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

45. An application for and an ordinance granting a Specific Use Permit for single family uses on property zoned Tract 12 within Planned Development District No. 508 and an ordinance terminating Specific Use Permit No. 759 on the south side of Bickers Street, east of Westmoreland Road
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan/development plan and approval of the termination of SUP No. 759 for a community, welfare and health center
Z056-196(DW) [06-1498; ORDINANCE 26353 AND 26354; CPC RECOMMENDATION FOLLOWED]
46. A City Plan Commission authorized hearing to consider proper zoning on property zoned a CR Community Retail District, generally on the four corners of Vilbig Road and Homeland Street and an ordinance granting an R-5(A) single family district
Recommendation of Staff and CPC: Approval of an R-5(A) Single Family District
Z056-198(DW) [06-1499; ORDINANCE 26355; CPC RECOMMENDATION FOLLOWED]
47. An application for and an ordinance granting a CH Clustered Housing District on property zoned an R-7.5(A) Single Family District on the south side of Umphress Road, west of Burnet Court and an resolution accepting deed restriction volunteered by the applicant
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z056-202(JH) [06-1500; ORDINANCE 26356; CPC RECOMMENDATION FOLLOWED]
48. An application for and an ordinance granting an R-10(A) Single Family District on property zoned an A(A) Agricultural District southwest of Middlefield Road at the terminus of Bicentennial Lane
Recommendation of Staff and CPC: Approval
Z056-204(WE) [06-1501; ORDINANCE 26357; CPC RECOMMENDATION FOLLOWED]
49. An application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an NO(A) Neighborhood Office District on the east line of Westmoreland Road, south of Watership Lane
Recommendation of Staff and CPC: Approval
Z056-205(WE) [06-1502; ORDINANCE 26358; CPC RECOMMENDATION FOLLOWED]
50. An application for and an ordinance granting a Specific Use Permit for an Industrial (outside) not potentially incompatible use for a Concrete batch plant on property zoned an IR Industrial Research District on the northwest corner of Commerce Street and Manila Road
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions **Z056-208(RB) [06-1503; ORDINANCE 26359; APPROVED AS AMENDED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

51. An application for and an ordinance granting a Specific Use Permit for a Pedestrian Skybridge on property zoned CA-1A Central Area District located on Munger Avenue, between Akard Street and St. Paul Street
Recommendation of Staff and CPC: Approval, for a 40 year period, subject to a site plan and conditions
Z056-153 (WE) [06-1504; ORDINANCE 26360; CPC RECOMMENDATION FOLLOWED]

52. An application for and an ordinance granting a Planned Development Subdistrict for HC Heavy Commercial Subdistrict uses on property zoned an HC Heavy Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast corner of McKinney Avenue and Harwood Street
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z056-114(WE) [06-1505; ORDINANCE 26361; APPROVED AS AMENDED]

53. An application for and an ordinance granting an amendment to Specific Use Permit No. 1465 for a community service center on property zoned Planned Development District No. 67, on the northwest corner of University Boulevard and Roper Street
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z056-159(JH) [06-1506; CONTINUED UNTIL 6/28/06; HEARING OPEN]

54. An application for and an ordinance granting an amendment to the Tract III conditions and conceptual plan and an ordinance granting a Specific Use Permit for a financial institution with a drive-in window within Subdistrict D-1 of Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the northeast corner of Zang Boulevard and Colorado Boulevard
Recommendation of Staff and CPC: Approval, of the amendment to Tract III and approval of the Specific Use Permit for a ten-year period with eligibility for automatic renewals for additional 15 year periods, subject to a site plan and conditions
Z056-191(WE) [06-1507; APPROVED AS AMENDED; ORDINANCES AND PLAN TO COME BACK AT A LATER DATE]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

55. An application for and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District and Planned Development District No. 535 on the northeast side of C.F. Hawn Freeway, northwest of Haymarket Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, for a five-year period subject to a site plan and conditions
Z056-179(DW) [06-1508; DENIED WITH PREJUDICE]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

56. An application for and an ordinance granting an amendment to Planned Development District No. 16 for RR Regional Retail District uses, with consideration given to and a resolution accepting an amendment to the beautification easement as it applies to a portion of this property to allow for the installation of landscaping, irrigation, and drainage improvements and to provide for the ongoing maintenance and preservation of the landscaping on the east side of Preston Road, north of LBJ Freeway
Recommendation of Staff and CPC: Approval of an amendment to Planned Development District No. 16 subject to a landscape plan and conditions, and approval of an amendment to the beautification easement
Z056-162(DW) [06-1509; CONTINUED UNTIL 6/14/06; HEARING OPEN]
Note: This item was considered by the City Council at a public hearing on April 26, 2006, and was taken under advisement until May 24, 2006, with the public hearing open.

ITEMS FOR INDIVIDUAL CONSIDERATION

57. 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) **[06-1510; APPOINTMENTS MADE TO BOARDS]**
58. An ordinance appointing Staci Williams as a full-time municipal judge for the City of Dallas Municipal Property Court of Record No. 9 for a two-year term beginning on May 31, 2006, and ending May 30, 2008 - Financing: No cost consideration to the City **[06-1511; ORDINANCE 26362; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

59. Authorize a professional services contract to conduct a job analysis/test validation study for the Police Physical Abilities Test with the most advantageous proposer of two - Fitness Intervention Technologies - Not to exceed \$55,152 - Financing: Current Funds [06-1512; **DELETED BY THE CITY MANAGER**]
60. Authorize a twenty-four-month master agreement for aggregates including sandy loam, crushed limestone for flexbase, calcium carbonate, sand, and gravel with the lowest responsible bidders of six - Eagle Express Truck Services, Inc. in the amount of \$3,069,831, Hanson Aggregates in the amount of \$2,580,763, Martin Marietta Materials Southwest, Ltd. in the amount of \$2,355,629, Earth Haulers, Inc. in the amount of \$1,189,624 and Estes, Inc. in the amount of \$182,185 - Total not to exceed \$9,378,032 - Financing: Current Funds (\$4,246,747), Water Utilities Current Funds (\$5,131,285) [06-1513; **APPROVED**]

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. **Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.**
2. **The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.**
3. **A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.**
4. **Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.**
5. **The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.**
6. **Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.**

**ADDENDUM
CITY COUNCIL MEETING
MAY 24, 2006
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.)

- Legal issues involving hotel occupancy tax collections by web based hotel booking companies **[06-1514; CLOSED SESSION HELD]**

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize a contract for the replacement of the heating, ventilation and air conditioning system at Science Place One located at 1300 Ranger Drive - DMI Decker Mechanical, lowest responsible bidder of three - \$87,623 - Financing: Capital Construction Funds **[06-1515; APPROVED]**
2. Authorize a contract for demolition services for structures ordered demolished by the Urban Rehabilitation Standards Board, court orders, the emergency demolition of unsafe buildings due to fire damage, and the demolition of City-owned buildings as required - F. Hall Mowing Company, lowest responsible bidder of five - \$1,000,000 - Financing: Demolition Reserve Funds **[06-1516; APPROVED AS AN INDIVIDUAL ITEM]**

LAND ACQUISITION

3. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TXU Electric Delivery Company of approximately 100,056 square feet of land located near the intersection of St. Louis Street and Park Avenue for the proposed Homeless Assistance Center - \$2,400,000 - Financing: General Capital Reserve Funds (to be reimbursed upon issuance of the 2006 Homeless Assistance Facilities Bond Funds) **[06-1517; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 24, 2006**

CONSENT ADDENDUM (Continued)

LAND MISCELLANEOUS

4. A resolution authorizing the sale of approximately 32,865 square feet of unwanted and unneeded City-owned land which was advertised jointly with the adjacent Parkland Hospital property located at the intersection of Oak Lawn Avenue and the Dallas North Tollway to the highest bidder, Broadstone Parkland, L.P. - Revenue: \$1,221,384 **[06-1518; APPROVED AS AN INDIVIDUAL ITEM]**
5. An ordinance abandoning a portion of Annex Avenue to Lift Education, the abutting owner, containing approximately 1,515 square feet of land located at its intersection with Bryan Street, authorizing the quitclaim, and providing for the dedication of approximately 497 square feet of land needed for a street turnaround - Revenue: \$12,216 plus the \$20 ordinance publication fee **[06-1519; ORDINANCE 26363; APPROVED]**

MISCELLANEOUS

6. Authorize a public hearing to be held on June 14, 2006 to receive comments regarding the proposed 2006 General Obligation Bond Program - Financing: No cost consideration to the City **[06-1520; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

7. Authorize the adoption of a policy, effective May 24, 2006, to no longer accept applications for the use of the Community Development Block Grant for the acquisition, development, rehabilitation, or improvement of real property except for City-owned property (via Mayor Miller) **[06-1521; APPROVED AS AMENDED]**
8. Authorize **(1)** adoption of the preliminary FY 2006-07 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$32,348,104 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$19,796,676, **(b)** HOME Investment Partnerships Program in the amount of \$8,460,845, **(c)** American Dream Down–Payment Initiative in the amount of \$179,338, **(d)** Emergency Shelter Grant in the amount of \$770,245, and **(e)** Housing Opportunities for Persons with AIDS in the amount of \$3,141,000; **(2)** adoption of the proposed FY 2005-06 Reprogramming Budget in the amount of \$2,128,501; and **(3)** a public hearing to be held on June 14, 2006 to receive comments on the proposed use of the funds - Financing: No cost consideration to the City **[06-1522; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 24, 2006**

DELETIONS:

Note: Item Nos. 34 and 35 must be considered collectively.

Cityplace Area TIF District

34. * Authorize **(1)** a development agreement with FF Development, LP (Fairfield) to provide funding for the design, engineering, professional services and construction of public improvements for the Fairfield at Cityplace, a Mixed-Use High-Density project located at 3700 McKinney Avenue in Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District); and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$3,000,000 from future Cityplace Area TIF revenues in accordance with the development agreement - \$3,000,000 - Financing: To be funded by a private developer and reimbursed from the Cityplace TIF District Fund and/or Tax Increment Bond; reimbursement of private funds to be repaid solely from the Cityplace Area TIF District Fund and/or Tax Increment Bonds **[06-1486]**
35. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two, (Cityplace Area TIF District) to reimburse FF Development, LP (Fairfield) up to \$3,000,000 for certain TIF eligible project costs related to the development of the Fairfield at Cityplace, a Mixed-Use High Density project located at 3700 McKinney Avenue in the Cityplace Area TIF District - Financing: No cost consideration to the City **[06-1487]**