

AGENDA
CITY COUNCIL MEETING
SEPTEMBER 27, 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) [06-2570]

Agenda Item/Open Microphone Speakers [06-2571]

VOTING AGENDA

1. Approval of Minutes of the September 13, 2006 City Council Meeting [06-2572;
APPROVED WITH CORRECTIONS]

CONSENT AGENDA [06-2573]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

2. Authorize a contract for the renovation and upgrade of technology at the Emergency Operations Center located in City Hall - J. N. Kent Construction Company, Inc., lowest responsible bidder of four - \$474,838 - Financing: 2005 Urban Area Security Initiative Grant Funds (\$248,100), Current Funds (\$226,738) [06-2574; **APPROVED**]

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Authorization of Contracts (Continued)

3. Authorize a contract for the installation of a new electrical system for the river exhibit pump vault, plumbing and filtration systems, a pond liner, rockwork, and addition of the water quality treatment system and Occupational Safety and Health Administration compliant standards for the river exhibit within the Wilds of Africa at the Dallas Zoo located at 650 South R. L. Thornton Freeway - MetalMan Design/Build Corporation, best value proposer of two - Not to exceed \$1,386,464 - Financing: 2003 Bond Funds **[06-2575; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize a contract for the installation of playground equipment, pavilion renovation, concrete walks, landscaping and softball field improvements at Churchill Park located at 7025 Churchill Way - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$569,894 - Financing: 2003 Bond Funds **[06-2576; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize a contract for the installation of the soft surface trail at Katy Trail from Houston Street to Blackburn Street - Surface America, Inc., lowest responsible bidder of two - \$225,349 - Financing: 2003 Bond Funds **[06-2577; APPROVED]**

Contract Amendments

6. Authorize an increase in the contract with Alshall Construction Company to provide an on-site wastewater treatment system for the new Dallas Animal Shelter located at 1818 North Westmoreland Road - \$332,449, from \$11,153,388 to \$11,485,837 - Financing: 1998 Bond Funds **[06-2578; APPROVED]**
7. Authorize Supplemental Agreement No. 2 to the professional services contract with Alan Plummer Associates, Inc. for design modifications for the proposed Elam Creek Channel, Phase I, south of Lake June Road to Seco Boulevard - \$110,179, from \$184,499 to \$294,678 - Financing: 2003 Bond Funds (\$19,160), Water Utilities Capital Improvement Funds (\$91,019) **[06-2579; APPROVED]**

Construction Miscellaneous

8. A resolution adopting a special contract provision incentive on contracted City construction projects for the use of non-road diesel equipment meeting Environmental Protection Agency, Tier 1, 2, or 3 emission standards - Financing: No cost consideration to the City **[06-2580; APPROVED]**

CONSENT AGENDA (Continued)

LAND ACQUISITION

9. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 4 wastewater easements containing a total of approximately 8,058 square feet of land located near the intersection of Carroll and Gaston Avenues needed for the relocation of a wastewater main (list attached) - \$72,522 - Financing: Water Utilities Capital Construction Funds **[06-2581; APPROVED AS AN INDIVIDUAL ITEM]**
10. Authorize deposit of a Special Commissioners= Award for acquisition from Burger King Corporation of an improved tract of land containing approximately 888 square feet located near the intersection of Peterson Lane and Montfort Drive for the Montfort Drive Improvement Project - \$31,047 - Financing: 1998 Bond Funds (\$6,209) and Capital Projects Reimbursement Funds (\$24,838 to be reimbursed by the Texas Department of Transportation) **[06-2582; APPROVED]**
11. Authorize deposit of a Special Commissioners= Award for acquisition from Stuart Margol of a tract of land containing approximately 1,150 square feet located near the intersection of Hillcrest and Frankford Roads for the Hillcrest and Frankford Roads Project - \$17,000 - Financing: Capital Projects Reimbursement Funds **[06-2583; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize settlement in lieu of proceeding with condemnation with David Pinkus and Carol Pinkus for the acquisition of a water easement containing approximately 200,080 square feet of land improved with a sprinkler system located in Van Zandt County for the Lake Fork Pipe Line Project - \$143,669 - Financing: Water Utilities Capital Construction Funds **[06-2584; APPROVED]**

LAND MISCELLANEOUS

13. An ordinance abandoning a portion of Bennett Avenue to Live Oak Residences, LP, the abutting owner, containing approximately 23,840 square feet of land located near its intersection with Live Oak Street, and authorizing the quitclaim - Revenue: \$243,168 plus the \$20 ordinance publication fee **[06-2585; ORDINANCE 26453; APPROVED]**
14. An ordinance abandoning a portion of Wichita Street to Laws Street Land, L.P., the abutting owner, containing approximately 1,670 square feet of land located near its intersection with Houston Street, and authorizing the quitclaim - Revenue: \$100,200 plus the \$20 ordinance publication fee **[06-2586; ORDINANCE 26454; APPROVED]**
15. Authorize a 10-year lease agreement with Family Gateway, Inc. for the continued use of a 22,500 square foot building known as the Family Gateway Center located at 711 St. Paul Street for the period September 27, 2006 through September 26, 2016 - Annual Revenue: \$1 **[06-2587; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

16. Authorize the purchase of software licenses, training and professional support services for the CityLaw performance-based tracking system from Cycom Data Systems, Inc., through the Texas Building and Procurement Commission for the Catalog Information Systems Vendor cooperative purchasing program - Not to exceed \$259,800 - Financing: Current Funds **[06-2588; APPROVED]**
17. Authorize a thirty-six-month service contract for carpet cleaning at Dallas Love Field with the lowest responsible bidder of three - Corporate Floors, Inc. - Not to exceed \$245,700 - Financing: Aviation Current Funds **[06-2589; APPROVED AS AN INDIVIDUAL ITEM]**
18. Authorize a thirty-six-month master agreement for clinical lab testing with the only bidder - Clinical Pathology Laboratories, Inc. - Not to exceed \$64,329 - Financing: Current Funds **[06-2590; APPROVED AS AN INDIVIDUAL ITEM]**
19. Authorize the purchase of a replacement scum concentrator for an existing clarifier basin, to separate, transfer and hold solids, with the lowest responsible bidder of two - Hartwell Environmental Corporation - Not to exceed \$56,500 - Financing: Water Utilities Current Funds **[06-2591; APPROVED]**

MISCELLANEOUS

20. Authorize settlement of the lawsuit styled Gary W. Caldwell v. City of Dallas, Cause No. 05-05919-F - Not to exceed \$8,000 - Financing: Current Funds **[06-2592; APPROVED]**
21. Authorize settlement of the lawsuit styled Tyron L. Carswell and Yolanda L. Taylor v. Stanley Reece and City of Dallas, Cause No. CC-03-11856-A - Not to exceed \$13,500 - Financing: Current Funds **[06-2593; APPROVED]**
22. Authorize settlement of the lawsuit styled Ronald Levy v. City of Dallas, Cause No. 04-12981-F - Not to exceed \$18,735 - Financing: Current Funds **[06-2594; APPROVED]**
23. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Sayles Werbner for additional legal services necessary in the lawsuit styled Kenneth E. Albert, et al. v. City of Dallas, Civil Action No. 199-00697-04 - Not to exceed \$100,000, from \$200,000 to \$300,000 - Financing: Current Funds **[06-2595; APPROVED]**
24. An ordinance **(1)** amending Chapter 27 of the Dallas City Code to eliminate the Urban Rehabilitation Standards Board and transfer certain of its powers, duties, functions, and procedures to the Municipal Court, and **(2)** amending Section 8 of Ordinance No. 25927, previously approved on March 9, 2005, to clarify the administration of the Dallas Tomorrow Fund - Financing: No cost consideration to the City **[06-2596; ORDINANCE 26455; APPROVED AS CORRECTED ON THE ADDENDUM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

25. Authorize **(1)** assignment of the professional services contract with The Carter Law Firm, P.C., previously approved on February 12, 2003, by Resolution No. 03-0668, as amended, to the law firm of Munck Butrus, P.C.; and, **(2)** Supplemental Agreement No. 4 to the professional services contract with the law firm of Munck Butrus, P.C. for additional legal services necessary in the lawsuits styled James F. Hill, et al. v. City of Dallas, Cause No. 95-00975-J, Albert, et al. v. City of Dallas, Cause No. 199-697-94, Arredondo, et al. v. City of Dallas, Cause No. 199-1743-99, Barber, et al. v. City of Dallas, Cause No. 199-624-95, Willis, et al. v. City of Dallas, Cause No. 199-200-95, Martin, et al. v. City of Dallas, Cause No. 1-95-506, Saucedo-Falls, et al. v. City of Dallas, Cause No. 1-02-780, and any other proceedings relating to the subject matter of these lawsuits - Not to exceed \$50,000, from \$720,000 to \$770,000 - Financing: Current Funds **[06-2597; APPROVED]**
26. Authorize a revision to Rule XXIV of the Civil Service Code of Rules and Regulations to add a maximum age requirement for the Fire and Rescue Officer Trainee and to change the maximum age for the Fire Prevention Officer Trainee position - Financing: No cost consideration to the City **[06-2598; APPROVED]**
27. A resolution authorizing support as a secondary sponsor for the City of Hutchins concerning the South Dallas Logistics District for the Regional Transportation Council Sustainable Development Program - Financing: No cost consideration to the City **[06-2599; APPROVED]**
28. An ordinance authorizing a correction to Ordinance No. 26399, previously approved on June 28, 2006, for a Planned Development Subdistrict for mixed residential, retail and office uses in an area bounded by McKinney Avenue, Routh Street, State Street, and Fairmount Street within Planned Development District No. 193, the Oak Lawn Special Purpose District, to correct the exhibit labels - Z056-201 - Financing: No cost consideration to the City **[06-2600; ORDINANCE 26456; APPROVED AS AN INDIVIDUAL ITEM]**
29. An ordinance authorizing a correction to Ordinance No. 25710, previously approved on August 25, 2004, which amended Chapter 51P of the Dallas Development Code, Planned Development District Regulations, as amended to add two exhibits and correct two exhibits - Financing: No cost consideration to the City **[06-2601; ORDINANCE 26457; APPROVED AS AN INDIVIDUAL ITEM]**
30. An ordinance authorizing a correction to Ordinance No. 25850, previously approved on January 12, 2005, which amended Chapter 51P of the Dallas Development Code, Planned Development District Regulations, as amended to correct an exhibit - Financing: No cost consideration to the City **[06-2602; ORDINANCE 26458; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

31. Authorize a twelve-month contract, with two twelve-month renewal options, with Calumet Community Center, Inc. to provide educational, recreation and social services to youth and seniors in the West Oak Cliff area for the period October 1, 2006 through September 30, 2007 - Not to exceed \$100,000 - Financing: 2006-07 Community Development Grant Funds **[06-2603; APPROVED]**

32. Authorize an amendment to the contracts with the U.S. Department of Education, Academic Realities and Robert Hawley to extend the term of the contracts from August 1, 2006 to July 31, 2007, to provide low-performing high school students with computer-assisted instruction/training and supplementary educational instructions at the Martin Luther King Community Technology Center - Financing: No cost consideration to the City **[06-2604; APPROVED AS AN INDIVIDUAL ITEM]**

33. 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, 2006 through September 30, 2007 - Not to exceed \$83,555 - Financing: Department of State Health Services Grant Funds **[06-2605; APPROVED]**

34. 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, 2006 through September 30, 2007 - Not to exceed \$10,761,600 - Financing: Department of State Health Services Grant Funds **[06-2606; APPROVED]**

35. Authorize a secured, no interest, forgivable loan agreement with PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas, for non-substantial rehabilitation at Hillcrest House located at 834 N. Marsalis to be completed during the period October 1, 2006 through September 30, 2007 - Not to exceed \$157,000 - Financing: 2006-07 Housing Opportunities for Persons with AIDS Grant Funds **[06-2607; APPROVED]**

36. Authorize the acceptance of a grant from the U.S. Department of Justice under the Community Oriented Policing Services Law Enforcement Technology Program for the upgrade of desktop computers and printers, and the purchase of laptop computers - Not to exceed \$296,168 - Financing U.S. Department of Justice Grant Funds **[06-2608; APPROVED]**

37. Authorize the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving public access to library resources and services at the Dallas Public Library for the period September 1, 2006 through August 30, 2007; and execution of the grant agreement - \$122,249 - Financing: Loan Star Libraries Grant Funds **[06-2609; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (Continued)

38. Authorize payment to the North Central Texas Council of Governments for Dallas' participation in the fourth year development of a comprehensive drainage criteria and design manual for use in both municipal engineering and private development - Not to exceed \$40,955 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds) **[06-2610; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [06-2611]

39. An application for and an ordinance granting an amendment to Specific Use Permit No. 641 for a Private Country Club use on property zoned an R-1ac(A) Single Family District and an MF-1(A) Multifamily District in an area generally bounded by Dallas North Tollway, the Dallas County line, White Rock Creek, and Keller Springs Road
Recommendation of Staff and CPC: Approval, subject to a clubhouse plan
Z056-253(JH) [06-2612; ORDINANCE 26459; CPC RECOMMENDATION FOLLOWED]
40. An application for and an ordinance granting an R-1/2ac(A) Single Family District and an R-1ac(A) Single Family District on property zoned an A(A) Agricultural District on the southeast side of south St. Augustine Road, south of Haymarket Road
Recommendation of Staff and CPC: Approval
Z056-259(OTH) [06-2613; ORDINANCE 26460; CPC RECOMMENDATION FOLLOWED]
41. An application for and an ordinance granting an amendment to Planned Development District No. 736 on the southwest corner of Clark Road and Panavision Trail
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z056-267(JH) [06-2614; ORDINANCE 26461; APPROVED AS AMENDED]
42. An application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern on property zoned a CA-1(A) H/2 Central Area District within Historic District No. 2, the West End Historic District, on the west line of North Lamar Street between Corbin Street and Hord Street
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised site plan and conditions
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z056-275(WE) [06-2615; ORDINANCE 26462; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

43. An application for and an ordinance granting an amendment to the development plan and landscape plan for Planned Development Subdistrict No. 37 for O-2 Office Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south corner of Hall Street and Hood Street
Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan
Z056-276(OTH) [06-2616; **ORDINANCE 26463; CPC RECOMMENDATION FOLLOWED**]

ZONING CASES - INDIVIDUAL

44. An application for a Specific Use Permit for a Commercial Motor Vehicle Parking use on property zoned a CS Commercial Service District on the south side of Cedardale Drive, east of Bonnie View
Recommendation of Staff and CPC: Denial
Z056-278(OTH) [06-2617; **CPC RECOMMENDATION FOLLOWED TO DENY**]
45. An application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 451 for a Stadium and related uses on the north line of Church Road, east of White Rock Trail
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to revised site plan and conditions
Z056-279(RB) [06-2618; **ORDINANCE 26464; CPC RECOMMENDATION FOLLOWED**]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

46. An application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned as Planned Development District No. 29 for Retail and Multiple Family Uses on the northwest corner of Walnut Hill Lane and North Central Expressway
Recommendation of Staff: Approval, subject to a conceptual plan and staff's conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z045-254(RB) [06-2619; **HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL OCTOBER 11, 2006**]
Note: This item was considered by the City Council at public hearings on August 23 and September 13, 2006, and was taken under advisement until September 27, 2006, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

FLOODPLAIN APPLICATION - UNDER ADVISEMENT - INDIVIDUAL

47. A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 15.31 acres of a 32.06 total acre tract of land, zoned Light Industrial District, currently in the 100-year floodplain of the Trinity River located on Pemberton Hill Road, south of Elam Road and north of Loop 12 at the Trinity River, Fill Permit 05-07 - Financing: No cost consideration to the City
Note: This item was considered by the City Council at a public hearing on December 14, 2005, January 25, 2006, April 12, 2006, and again on June 14, 2006, and was taken under advisement until September 27, 2006, with the public hearing open.
[06-2620; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL MARCH 28, 2007]

MISCELLANEOUS HEARINGS

**Municipal Setting Designation at
Ross and North Griffin**

Note: Item Nos. 48 and 49 must be considered collectively.

48. * A public hearing to receive comments on a proposed municipal setting designation to prohibit use of groundwater beneath property owned by Woodall United Investors LP located at 1305 Ross Avenue and 704 North Griffin Street including the adjacent street rights-of-way - Financing: No cost consideration to the City
[06-2621; HEARING CLOSED]
49. * An ordinance authorizing support of the issuance of a municipal setting designation to Woodall United Investors LP by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[06-2621; ORDINANCE 26465; APPROVED]**

**Municipal Setting Designation at
Cobb Alley**

Note: Item Nos. 50 and 51 must be considered collectively.

50. * A public hearing to receive comments on a proposed municipal setting designation to prohibit use of groundwater beneath property owned by Baylor Health Care System, Baylor Specialty Health Centers, Baylor University Medical Center, D Swiss Hall 39, LP, Meadows Foundation, Incorporated, Volunteer Center of North Texas, Jerry A. Candy, Arvum B. Schonwald, Ignacio V. Rodriguez, and John Denning located at 3307 and 3309 Cobb Alley; 2817 and 2821 Florence Street; 1207 Floride Street; 3100, 3102 and 3103 Greenwood Street; 1008, 1111 and 1200 North Hall Street; 609 Liberty Street; 2800, 2816, 2900, 3108, 3112, 3116 and 3434 Live Oak Street; 1215 Skiles Street; 2801, 2909, 2917, 3003, 3301, 3405, 3411, 3500 and 3501 Swiss Avenue; and 613 Texas Street including the adjacent street and alley rights-of-way - Financing: No cost consideration to the City **[06-2622; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Municipal Setting Designation at Cobb Alley (Continued)

Note: Item Nos. 50 and 51 must be considered collectively.

51. * An ordinance authorizing support of the issuance of a municipal setting designation to Baylor Health Care System, Baylor Specialty Health Centers, Baylor University Medical Center, D Swiss Hall 39, LP, Meadows Foundation, Incorporated, Volunteer Center of North Texas, Jerry A. Candy, Arvum B. Schonwald, Ignacio V. Rodriguez, and John Denning by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City [06-2622; **ORDINANCE 26466; APPROVED AS AMENDED**]

Municipal Setting Designation at Singleton and Weir

Note: Item Nos. 52 and 53 must be considered collectively.

52. * A public hearing to receive comments on a proposed municipal setting designation to prohibit use of groundwater beneath property owned by 16th Ave. Holdings, LLC and Harcos Chemicals Inc. located at 4900 Singleton Boulevard and 2520 and 2627 Weir Street including the adjacent street rights-of-way - Financing: No cost consideration to the City [06-2623; **HEARING CLOSED**]
53. * An ordinance authorizing support of the issuance of a municipal setting designation to 16th Ave. Holdings, LLC and Harcos Chemicals Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City [06-2623; **ORDINANCE 26467; APPROVED**]

Dallas Downtown Improvement District

Note: Item Nos. 54 and 55 must be considered collectively.

54. * A public hearing to receive comments regarding 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 District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City [06-2624; **HEARING CLOSED**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Dallas Downtown Improvement District (Continued)

Note: Item Nos. 54 and 55 must be considered collectively.

55. * 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 Dallas Downtown Improvement District; approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; 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 - Not to exceed \$210,000 - Financing: Current Funds (subject to annual appropriations) **[06-2624; ORDINANCE 26468; APPROVED]**

Deep Ellum Public Improvement District

Note: Item Nos. 56 and 57 must be considered collectively.

56. * A public hearing to receive comments regarding the annual assessment rate for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the District for the purpose of providing supplemental services and improvements, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City **[06-2625; HEARING CLOSED]**
57. * 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 Deep Ellum Public Improvement District (District); approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; 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 **[06-2625; ORDINANCE 26469; APPROVED]**

Prestonwood Public Improvement District

Note: Item Nos. 58 and 59 must be considered collectively.

58. * A public hearing to receive comments regarding 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 District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City **[06-2626; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Prestonwood Public Improvement District (Continued)

Note: Item Nos. 58 and 59 must be considered collectively.

59. * 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 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; 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 **[06-2626; ORDINANCE 26470; APPROVED]**

Note: Item Nos. 60 and 61 must be considered collectively.

South Side Public Improvement District

60. * A public hearing to receive comments regarding 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 District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City **[06-2627; HEARING CLOSED]**

61. * 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 South Side Public Improvement District (District); approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; 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 **[06-2627; ORDINANCE 26471; APPROVED]**

Note: Item Nos. 62 and 63 must be considered collectively.

Uptown Public Improvement District

62. * A public hearing to receive 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 District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City **[06-2628; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
MISCELLANEOUS HEARINGS (Continued)

Uptown Public Improvement District (Continued)

Note: Item Nos. 62 and 63 must be considered collectively.

63. * 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 Uptown Public Improvement District; approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; 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 **[06-2628; ORDINANCE 26472; APPROVED]**

Vickery Meadow Public Improvement District

Note: Item Nos. 64 and 65 must be considered collectively.

64. * A public hearing to receive 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 District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City **[06-2629; HEARING CLOSED]**
65. * 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 Vickery Meadow Public Improvement District; approving, adopting and filing with the City Secretary the 2006 assessment roll; closing the hearing and levying assessments for the cost of certain services and/or improvements to be provided in the District during 2007; 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 **[06-2629; ORDINANCE 26473; APPROVED]**
66. A public hearing to receive comments to amend the CBD Streets and Vehicular Circulation Plan to change the right-of-way of Routh Street from Ross Avenue to San Jacinto Street from 50 feet of pavement width and 90 feet of right-of-way to 66 feet of pavement width and 96 feet of right-of-way; and to change the designation of Routh Street from San Jacinto Street to Central Expressway from a six-lane divided roadway within 50 feet of pavement width and 100 feet of right-of-way to a five-lane divided roadway within 66 feet of pavement width and 96 feet of right-of-way, and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City **[06-2630; HEARING CLOSED; ORDINANCE 26474]**

ITEMS FOR INDIVIDUAL CONSIDERATION

67. 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) [06-2631; APPOINTMENT MADE TO BOARD AND 06-2632; FULL COUNCIL]
68. Authorize a professional services contract with Parsons Brinckerhoff Consult, Inc. for the development of a comprehensive energy management plan and implementation of an independent electric procurement process - Not to exceed \$713,900 - Financing: Current Funds (\$213,470), Aviation Current Funds (\$71,490), Convention and Event Services Current Funds (\$71,490), Water Utilities Current Funds (\$357,450) [06-2633; APPROVED]

FY 2006-07 Budget Items

69. * Final reading and adoption of the appropriation ordinances for the proposed FY 2006-07 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City [06-2634; ORDINANCES 26475 & 26476; APPROVED]
70. * An ordinance setting the tax rate at 73.924 per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 2006-07 - Financing: No cost consideration to the City [06-2635; ORDINANCE 26477; APPROVED AS CORRECTED ON THE ADDENDUM]
71. * An ordinance amending Chapters 18 and 50 of the Dallas City Code to revise and establish various fees for City services - Estimated Revenue: \$2,363,633 - General Fund [06-2636; ORDINANCE 26478; APPROVED]
72. * An ordinance amending Chapter 49 of the Dallas City Code to adjust rates and certain fees for water and wastewater services for Dallas and customer cities, effective October 1, 2006 (list attached) - Estimated Revenue: \$28,859,000 [06-2637; ORDINANCE 26479; APPROVED]
73. * An ordinance amending Chapter 18 of the Dallas City Code to revise fees for private solid waste haulers and establish a franchise fee method - Estimated Annual Revenue: \$2,200,000 [06-2638; ORDINANCE 26480; APPROVED]
74. * Authorize (1) position changes; and, (2) approval of revised salary schedules for fiscal year 2006-07 [06-2639; APPROVED]
75. * Authorize (1) adoption of the 2007 Employee and Retiree Health Benefits Plans (self-funded Preferred and Exclusive Provider Organizations), including the Flexible Benefits (Section 125) Plan; and (2) approval of the proposed health coverage premium rates - Total cost is based on the number of employee/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations) [06-2640; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

FY 2006-07 Budget Items (Continued)

76. * Authorize **(1)** termination of the contract with Blue Cross Blue Shield of Texas, previously approved on September 10, 2003 by Resolution No. 03-2578, which offers the fully-insured Health Maintenance Organization (HMO) plan for active employees, retirees and their eligible dependents, effective December 31, 2006; **(2)** an amendment to the contract with UnitedHealthcare Insurance Company to offer a self-insured Exclusive Provider Organization for active employees, eligible retirees and their eligible dependents to replace the fully-insured HMO plan; and **(3)** an amendment to the contract with UnitedHealthcare Insurance Company to offer fully-insured Medicare Advantage HMO, AARP Medicare Supplement and enhanced Medicare "Part D" prescription drug plans to Medicare eligible (Part A & B) retirees and their eligible spouses for the period January 1, 2007 through December 31, 2009 - Total cost is based on the number of employee/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations) **[06-2641; APPROVED]**

NOTE: The following Consent Agenda items should be considered after approval of Agenda Item No. 69.

CONSENT AGENDA (Continued)

FY 2006-07 Budget Related Items

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

77. * Authorize a twenty-four-month service contract for armed stationary and mobile security guards to patrol the Dallas Water facilities, with the lowest responsible bidder of eight - Ruiz Protective Service, Inc. - Not to exceed \$4,018,335 - Financing: Water Utilities Current Funds (subject to appropriations) **[06-2642; APPROVED]**

MISCELLANEOUS

78. * Authorize payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2006 through September 30, 2007 - \$7,076,096 - Financing: Current Funds (subject to appropriations) **[06-2643; APPROVED]**
79. * Authorize a renewal to the contract with the University of Texas Southwestern Medical Center at Dallas for the required services of a Medical Director - Not to exceed \$146,608 - Financing: Current Funds (subject to appropriations) **[06-2644; APPROVED]**

CONSENT AGENDA (Continued)

MISCELLANEOUS (**Continued**)

FY 2006-07 Budget Related Items (Continued)

80. * Authorize payment to Dallas County Community College District in the amount of \$50,000 and University of Texas Southwestern Medical Center at Dallas in the amount of \$125,380 for mandatory emergency medical services training of emergency medical technicians and paramedics for the period October 1, 2006 through September 30, 2007 - Total not to exceed \$175,380 - Financing: Current Funds (subject to appropriations) **[06-2645; APPROVED]**

ADDENDUM

ADDITIONS:

Closed Session [**06-2646; CLOSED SESSION HELD**]

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

- Legal issues involving the Wright Amendment

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

1. Authorize a professional services contract with CH2M Hill for the preparation of the Trinity Lakes design, Phase 1, for the Trinity River Corridor Project - Not to exceed \$9,617,929 - Financing: 1998 Bond Funds [**06-2647; DEFERRED UNTIL OCTOBER 25, 2006**]

MISCELLANEOUS

2. Authorize **(1)** certain amendments to the retail retention section of the City of Dallas Main Street District Initiative Loan and Grant Program previously approved on October 22, 2003, by Resolution No. 03-2884, as amended; and **(2)** a grant agreement with Urban Market, Inc. pursuant to the City of Dallas Main Street District Initiative Chapter 380 Loan and Grant program for retention of the Urban Market grocery store for twenty-four months - Not to exceed \$550,000 - Financing: Public/Private Partnership Funds [**06-2648; APPROVED AS AMENDED**]
3. Authorize **(1)** the second of two twenty-four-month renewal options to the contract with Parkland Memorial Hospital for biomedical on-line supervision to provide medical assistance and advice concerning emergency medical services, and, **(2)** Interlocal Agreements with participating local governmental entities - Not to exceed \$1,616,454 - Financing: Current Funds (\$808,227 subject to appropriations) (\$659,644 to be received from participating cities) [**06-2649; APPROVED**]

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

4. Authorize a resolution in support of **(1)** a pre-application waiver for Dallas Housing Finance Corporation=s tax-exempt bonds and Texas Department of Housing and Community Affairs 4% low income housing tax credit financing for the acquisition and new construction of the Carroll @ Central Apartments located at 4030 N. Central Expressway by the Applicant; and **(2)** a proposed Limited Partnership, with the General Partner being a limited liability company that will be wholly owned by the Dallas Housing Finance Corporation (DHFC); provided that the City=s approval of the tax credit financing and tax exempt bonds for this project shall be contingent upon, among other things, future City Council approval to amend the DHFC=s Bylaws Section 1.2 of the DHFC Bylaws to allow the DHFC to create a new entity to own the residential development as a single asset entity - Financing: No cost consideration to the City **[06-2650; APPROVED]**
5. Authorize an amendment to Resolution No. 06-0963, previously approved on March 28, 2006, to extend the termination date for a \$750,000 loan under the Residential Development Acquisition Loan Program (RDALP) to the Central Dallas Community Development Corporation from September 30, 2006 to September 30, 2007, provided that **(1)** the RDALP loan is subject to the approval and award of 9% tax credits by the State for the rehabilitation of the City Walk at Akard Project to be located at 511 North Akard into 209 multifamily units; **(2)** the execution of first lien lender=s loan for construction and the initial funding of the 9% tax credit financing of the City Walk at Akard Project is completed by September 30, 2007; and **(3)** the project complies with Federal and RDALP requirements - Financing: No cost consideration to the City **[06-2651; APPROVED]**
6. Authorize acceptance of the FY 2006-07 Strategic Plan for the City of Dallas and authorize implementation of the Plan - Financing: No cost consideration to the City **[06-2652; APPROVED]**
7. Authorize the preparation of plans to issue Equipment Acquisition Contractual Obligations, Series 2006 in an amount not to exceed \$14,445,000 - Financing: This action has no cost consideration to the City **[06-2653; APPROVED]**
8. Authorize the preparation of plans to issue General Obligation Bonds, Series 2006 in an amount not to exceed \$230,145,000 - Financing: This action has no cost consideration to the City **[06-2654; APPROVED]**

ADDENDUM

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

9. Authorize adjustments to appropriations for the FY 2004-05 year-end close - Financing: No cost consideration to the City [06-2655; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

10. An ordinance establishing new residential, commercial and industrial rates for natural gas service to be charged by Atmos Energy Corporation - Financing: No cost consideration to the City [06-2656; ORDINANCE 26481; APPROVED]
11. A resolution recognizing the Metro Dallas Homeless Alliance as the lead authority on regional homeless issues - Financing: No cost consideration to the City [06-2657; APPROVED]

ITEMS FOR FURTHER CONSIDERATION

12. Authorize a renewal to the contract for on-going ~~maintenance~~ support of the Lawson Human Resources and payroll software, and end-user licenses to support the Human Resources Information System with Lawson Software, Incorporated for the period October 1, 2006 through September 30, 2007 - Sole Source - Not to exceed \$192,000 - Financing: Current Funds (subject to appropriations) [06-2658; APPROVED]

CORRECTIONS:

24. An ordinance **(1)** amending Chapter 27 of the Dallas City Code to eliminate the Urban Rehabilitation Standards Board and transfer certain of its powers, duties, functions, and procedures to the Municipal Court, ~~and~~ **(2)** amending Section 8 of Ordinance No. 25927, previously approved on March 9, 2005, to clarify the administration of the Dallas Tomorrow Fund, and **(3)** amending Chapter 27 to eliminate the requirement for a verified signature on a multi-tenant property registration application - Financing: No cost consideration to the City [06-2596]
70. An ordinance setting the tax rate at ~~73.924~~ 72.924 per \$100 valuation and levying ad valorem taxes for the City of Dallas, Texas for FY 2006-07 - Financing: No cost consideration to the City [06-2635; ORDINANCE 26477]