

AGENDA
CITY COUNCIL MEETING
DECEMBER 13, 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) **[06-3350]**

Agenda Item/Open Microphone Speakers **[06-3351]**

VOTING AGENDA

1. Approval of Minutes of the November 8, 2006 City Council Meeting **[06-3352; APPROVED]**

CONSENT AGENDA [06-3353; APPROVED]

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

2. Authorize a professional services contract with Oglesby-Greene, Inc. for schematic design, design development, construction documents, bidding, construction administration services, surveying, and stormwater pollution prevention plan for the construction of a new pavilion and new site furnishings at Umphress Park located at 7700 Umphress - \$42,500 - Financing: 2003 Bond Funds **[06-3354; APPROVED]**

CONSENT AGENDA (Continued)
AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts (Continued)

**Frankford Road from Coit Road
to East City Limits**

Note: Item Nos. 3 and 4 must be considered collectively.

3. * Authorize a professional services contract with APM & Associates, Inc. to provide engineering services for paving, drainage, and water main improvements on Frankford Road from Coit Road to the east city limits - \$218,410 - Financing: 2003 Bond Funds (\$185,470), Water Capital Improvement Funds (\$32,940) **[06-3355; APPROVED]**
4. * Authorize **(1)** an Interlocal Agreement with Collin County for design, right-of-way acquisition, and construction of paving, drainage, and water main improvements on Frankford Road from Coit Road to the east city limits in the amount of \$1,381,000; **(2)** the receipt and deposit of funds from Collin County in an amount not to exceed \$1,381,000; and **(3)** the establishment of appropriations in the amount of \$1,381,000 in the Capital Projects Reimbursement Fund - Total not to exceed \$1,381,000 - Financing: Capital Projects Reimbursement Funds **[06-3356; APPROVED]**

Authorization of Contracts

5. Authorize a contract for the construction of a skate park, skate equipment with steel skate surface, chain link fencing, a drinking fountain, landscaping, and concrete walks at Lakeland Hills Park located at 2600 St. Francis - Escamilla Construction, Inc., lowest responsible bidder of seven - \$250,043 - Financing: 2003 Bond Funds **[06-3357; APPROVED]**
6. Authorize a contract for the construction of a new pavilion, parking lot, security lighting, light tower, integral pavilion lighting, landscaping, and sidewalks at Opportunity Park located at 3105 Pine - MetalMan Design/Build Corporation, best value proposer of three - Not to exceed \$590,246 - Financing: 2003 Bond Funds **[06-3358; APPROVED]**
7. Authorize a contract for the construction of a new parking lot at Northwood Park located at 8500 Royal Lane at Ashcroft - Texas Standard Construction, Ltd., lowest responsible bidder of seven - \$124,592 - Financing: 2003 Bond Funds **[06-3359; APPROVED]**
8. Authorize a contract for the reconstruction of street paving, drainage, water and wastewater main improvements for Street Group 03-608 (list attached) - Pipeworks Construction, L.L.C., lowest responsible bidder of five - \$830,508 - Financing: 1995 Bond Funds (\$19,752), 1998 Bond Funds (\$100,737), 2003 Bond Funds (\$469,118), Water Utilities Capital Improvement Funds (\$229,382), and Water Utilities Capital Construction Funds (\$11,519) **[06-3360; APPROVED]**

CONSENT AGENDA (Continued)
AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments

9. Authorize Supplemental Agreement No. 1 to the contract with HBC/Terracon for project management services for the stormwater quality improvements, Phase III, at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$49,200, from \$96,500 to \$145,700 - Financing: 2005 Certificates of Obligation **[06-3361; APPROVED]**

Construction Miscellaneous

10. Authorize an economic development loan agreement with Hailu Ejigu for architectural and engineering drawings, predevelopment costs, demolition and partial development financing to facilitate the construction of a mixed-use building at 5203 Bexar Street, located within the Neighborhood Investment Program Bexar Street Redevelopment Project - \$305,000 - Financing: 2005-06 Community Development Grant Reprogramming Funds **[06-3362; CORRECTED ON THE ADDENDUM; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize an additional payment to Dallas County for the City's share of construction costs associated with paving, drainage, water and wastewater main improvements on Singleton Boulevard from Hampton Road to Canada Drive - \$244,201 - Financing: Water Utilities Capital Improvement Funds (\$238,951), Water Utilities Capital Construction Funds (\$5,250) **[06-3363; APPROVED]**
12. Authorize payment to Dallas County for the City's remaining share of design, right-of-way acquisition, and construction of paving and drainage improvements on Mountain Creek Parkway from IH 20 to Spur 408 - \$3,509,825 - Financing: 1998 Bond Funds (\$466,801), 2003 Bond Funds (\$3,043,024) **[06-3364; APPROVED]**
13. Authorize payment to Dallas Area Rapid Transit for additional costs associated with the reconstruction of railroad crossings at eleven locations (list attached) - \$48,863 - Financing: 1998 Bond Funds **[06-3365; APPROVED]**

**Mockingbird Plaza & Midtown/Central/
University Transit Oriented Development**

Note: Item Nos. 14 and 15 must be considered collectively.

14. * Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Mockingbird Plaza and the Midtown/Central/University Transit Oriented Development in the amount of \$1,600,000, and **(2)** the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$1,600,000 - Total not to exceed \$1,600,000 - Financing: Capital Projects Reimbursement Funds **[06-3366; APPROVED]**
15. * Authorize a Participation Agreement with Prescott Realty Group and Southern Methodist University for design and construction of the Mockingbird Plaza and the Midtown/Central/University Transit Oriented Development - \$1,600,000 - Financing: Capital Projects Reimbursement Funds **[06-3367; APPROVED]**

CONSENT AGENDA (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Construction Miscellaneous (Continued)

16. Authorize an increase in the contract with the Texas Department of Transportation for additional work on the Spring Valley Road tunnel project at U. S. Hwy. 75 - \$38,715, from \$276,314 to \$315,029 - Financing: Water Utilities Capital Improvement Funds **[06-3368; APPROVED]**

LAND MISCELLANEOUS

17. A resolution authorizing the conveyance of a drainage easement and wastewater easement across City-owned land at Lake Ray Hubbard containing a total of approximately 37,066 square feet of land to the City of Rowlett located near the intersection of Liberty Grove and Merritt Roads - Financing: No cost consideration to the City **[06-3369; APPROVED]**
18. An ordinance closing a portion of Oak Lane at its intersection with the proposed Dallas Area Rapid Transit SE-1 Line Section of the Light Rail Build Out, Phase 1 - Financing: No cost consideration to the City **[06-3370; ORDINANCE 26514; APPROVED]**
19. 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 Corridor Line Section (NW-1B) located near the intersection of Denton Drive and Sadler Circle (list attached) - Financing: No cost consideration to the City **[06-3371; DEFERRED UNTIL JANUARY 24, 2007]**
20. 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 Southeast Corridor Line Section (SE-1) located near the intersections of Gaston Avenue and Good Latimer Expressway, and Hatcher and Racell Streets (list attached) - Financing: No cost consideration to the City **[06-3372; APPROVED]**
21. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 7 tracts of land for the construction of the Northwest Corridor Line Section (NW-2) located near the intersections of Wyman Street and Denton Drive, Seelcco Street and Denton Drive, Love Field and Denton Drives and Community and Denton Drives (list attached) - Financing: No cost consideration to the City **[06-3373; DEFERRED UNTIL JANUARY 24, 2007]**
22. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 8 tracts of land for the construction of the Northwest Corridor Line Section (NW-3) located near the intersections of Northwest Highway and Denton Drive, Nagle Street and Denton Drive, and Walnut Hill Lane and Denton Drive (list attached) - Financing: No cost consideration to the City **[06-3374; DEFERRED UNTIL JANUARY 24, 2007]**

CONSENT AGENDA (Continued)
LAND MISCELLANEOUS (Continued)

23. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 3 tracts of land for the construction of the Southeast Corridor Line Section (SE-2) located near the intersections of Buckner Boulevard and Kipling Drive and Jim Miller Road and Rosemont Road (list attached) - Financing: No cost consideration to the City **[06-3375; APPROVED]**
24. Authorize the rejection of the bid submitted by Frank Harris in the amount of \$15,600 for a tax foreclosure property located at 2832 Marjorie Avenue to allow the former owner and occupant an opportunity to redeem the property - Financing: No cost consideration to the City **[06-3376; APPROVED]**
25. An ordinance abandoning a portion of Cedar Springs Road to Crescent Tower Residences, L.P., the abutting owner, containing approximately 3,511 square feet of land located near the intersection of Cedar Springs Road and Pearl Street, and authorizing the quitclaim - Revenue: \$263,325 plus the \$20 ordinance publication fee **[06-3377; DELETED ON THE ADDENDUM]**
26. An ordinance abandoning a portion of a utility easement to 5345/5353 Beltline Partners, Ltd., the abutting owner, containing approximately 1,322 square feet of land located near the intersection of Beltline Road and Prestonwood Boulevard - Revenue: \$5,000 plus the \$20 ordinance publication fee **[06-3378; ORDINANCE 26515; APPROVED]**
27. An ordinance closing and vacating portions of Leonard and Jack Evans Streets containing approximately 30,616 square feet of land located near their intersections with Flora Street for the construction of the Dallas Center for the Performing Arts - Financing: No cost consideration to the City **[06-3379; ORDINANCE 26516; APPROVED]**
28. A resolution authorizing the conveyance of a wastewater easement and temporary construction easement containing a total of approximately 240,278 square feet of land to the Trinity River Authority located near the intersection of Mountain Creek Parkway and Kiest Boulevard - Revenue: \$40,965 **[06-3380; APPROVED]**
29. Authorize the rejection of the bid submitted by Dan Spike in the amount of \$8,000 for a tax foreclosure property located at 2608 Silkwood Street that is needed for the proposed Phase II Bexar Street Redevelopment Program - Financing: No cost consideration to the City **[06-3381; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

30. Authorize the purchase of software and hardware equipment for a peer-to-peer, wireless broadband network to enhance interoperable communications in emergency responses, from Packethop, Inc., through the State of Texas, Catalog Information System Vendors Cooperative Purchasing Program - Not to exceed \$105,000 - Financing: Department of Homeland Security, Urban Area Security Initiative Grant Funds **[06-3382; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

31. Authorize a sixty-month service contract to provide professional auctioneer services at the City's auctions with the only bidder - Lone Star Auctioneers, Inc. - Estimated Annual Revenue: \$4,318,588 (City will receive all revenues from auction sales, estimated at \$4,564,060, less sales tax and contractor's commission, which are estimated to be \$245,472 annually) **[06-3383; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize a sixty-month concession contract, with three twelve-month renewal options, for shoe shine concession at Dallas Love Field with the highest responsible bidder of two - Star Polish, Ltd. - Estimated Revenue: \$451,250 **[06-3384; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize a thirty-six-month service contract for grounds maintenance service at Pioneer Plaza with the lowest responsible bidder of two - Good Earth Corp. - Not to exceed \$149,247 - Financing: Convention and Event Services Current Funds **[06-3385; APPROVED]**
34. Authorize a thirty-six-month service contract for temporary information technology professionals with the best value bidder of six - CIBER, Inc. - Not to exceed \$6,822,000 - Financing: Current Funds (subject to annual appropriations) **[06-3386; DELETED ON THE ADDENDUM]**
35. Authorize a thirty-six-month service contract renewal for the maintenance of the Citizen Request Management System with Motorola, Inc. - Sole Source - Not to exceed \$483,000 - Financing: Current Funds (\$322,000 subject to annual appropriations) **[06-3387; APPROVED]**
36. Authorize an agreement for the maintenance of the existing equipment, software, and services on the phone switch serving the 9-1-1/3-1-1, and Water Customer Service Call Centers, and the existing hardware and software for the VESTA system that interfaces the phone switch to the computer aided dispatch system beginning October 1, 2005 - SBC-AT&T - Not to exceed \$252,904 - Financing: Current Funds **[06-3388; APPROVED]**
37. Authorize an eighteen-month master agreement for Capital Improvement Program construction project signs with the lowest responsible bidder of four - Industrial Design & Production - Not to exceed \$193,625 - Financing: Current Funds (\$24,522), Water Utilities Capital Construction Funds (\$92,141), 1995 Bond Funds (\$54,440), 1998 Bond Funds (\$22,522) **[06-3389; APPROVED]**
38. Authorize a twenty-four-month master agreement for a web-based internet resource database service to assist the Dallas Police Department in locating individuals involved in criminal investigations, with ChoicePoint Business and Government Services, Inc. - Sole Source - Not to exceed \$120,000 - Financing: Current Funds (subject to annual appropriations) **[06-3390; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

39. Authorize a twenty-four-month master agreement for hot mix asphalt and cold patch material for the repair of streets, alleys, and sidewalks, with the lowest responsible bidders of three - APAC-Texas, Inc. in the amount of \$8,131,827; Austin Asphalt, L.P. in the amount of \$180,403; and Unique Paving Materials Corp. in the amount of \$95,307 - Total not to exceed \$8,407,537 - Financing: Current Funds **[06-3391; APPROVED]**
40. Authorize the purchase of electronic devices to be used at major pump stations and meter vaults to remotely start and stop pump motors, open and close discharge valves, monitor discharge pressures, monitor flow reservoir levels and provide switchgear status and bearing temperature from QEI, Inc. - Sole Source - Not to exceed \$137,704 - Financing: Water Utilities Capital Construction Funds **[06-3392; APPROVED]**

MISCELLANEOUS

41. Authorize settlement of a lawsuit, styled Michael Sears v. City of Dallas, Texas and Kim Thu Tang, Cause No. 05-10477-I - Not to exceed \$24,000 - Financing: Current Funds **[06-3393; APPROVED]**
42. Authorize settlement of a lawsuit, styled Juan Antonio Alvarez v. City of Dallas and Juan Delbosque, Cause No. 04-11318-D - Not to exceed \$25,000 - Financing: Current Funds **[06-3394; APPROVED]**
43. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services regarding the production of documents in connection with a federal grand jury subpoena and related matters - Not to exceed \$25,000, from \$50,000 to \$75,000 - Financing: Current Funds **[06-3395; APPROVED]**
44. Authorize a fixed payment in lieu of payment for actual non-residential moving and related expenses for Darlene Clayton-Deckard, dba The Deckard Law Office, which was displaced as a direct result of real property acquisition of the property at 3131 N. Stemmons Freeway, to be used in conjunction with the Trinity River Corridor Project - Not to exceed \$20,000 - Financing: 1998 Bond Funds **[06-3396; APPROVED]**
45. Authorize support for Kaufman County Municipal Utility Districts Nos. 2, 3, 4, 5, 6, and 7 in their effort to seek authorization from the Texas Legislature to issue tax exempt bonds to finance the purchase, construction, acquisition, repair, extension, and improvement of land, easements, works, and improvements of roads inside the boundaries of the municipal utility districts located in the City of Dallas' extraterritorial jurisdiction in Kaufman County south and east of Lake Ray Hubbard - Financing: No cost consideration to the City **[06-3397; APPROVED]**

CONSENT AGENDA (Continued)
MISCELLANEOUS (Continued)

46. Authorize an amendment to the City of Dallas' Public/Private Partnership Program to include Guidelines and Criteria for Residential Projects within the Central Business District governing tax abatement agreements as required by the Property Redevelopment and Tax Abatement Act (V.T.C.A., Tax Code, Chapter 312; the Act), and governing economic development grants in lieu of certain residential tax abatements pursuant to Chapter 380 of the Texas Local Government Code - Financing: No cost consideration to the City **[06-3398; APPROVED]**
47. Authorize an agreement for a ten-year economic development grant in lieu of a tax abatement based on added value to real property located at 717 Leonard Street with Sky Lofts of Dallas L.P. pursuant to Public/Private Partnership Program Guidelines and Criteria in an amount not to exceed 90 percent of actual City real property taxes collected for ten years on the added value of the residential tower only - Financing: Public/Private Partnership Funds (Estimated first-year funding is \$282,616, based on anticipated real property tax revenues of \$314,017) **[06-3399; APPROVED AS AMENDED]**

Downtown Connection
TIF District

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

48. * Authorize **(1)** a development agreement with Ervay Lofts L.P., to provide funding for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures for the redevelopment of the Butler Brothers Building located at 500 S. Ervay in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and, **(2)** the Downtown Connection TIF Board of Directors to dedicate future tax increment revenue of the Downtown Connection TIF District for TIF-eligible expenditures - Not to exceed \$15,000,000 - Financing: Downtown Connection TIF District Funds **[06-3400; APPROVED AS AMENDED]**
49. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Ervay Lofts L.P., for eligible expenditures pursuant to the development agreement with Ervay Lofts L.P., in an amount not to exceed \$15,000,000 for historic facade renovation, environmental remediation, interior and exterior demolition and other related TIF-eligible expenditures related to the redevelopment of the Butler Brothers Building located at 500 S. Ervay in the Downtown Connection TIF District - Financing: No cost consideration to the City **[06-3401; APPROVED]**
50. Authorize the reconstruction on-site of one home in accordance with the Replacement Housing Program Statement requirements for the property located at 1422 Rowan Avenue - \$70,000 - Financing: 2006-07 Community Development Grant Funds **[06-3402; APPROVED]**

CONSENT AGENDA (Continued)
MISCELLANEOUS (Continued)

51. Authorize a second amendment to the land bank contract with the Dallas Housing Acquisition and Development Corporation to **(1)** extend the term of the contract to September 30, 2007; **(2)** provide that the City may refer up to 300 parcels of real property for filing of tax lawsuits by March 31, 2007; and **(3)** provide pro bono legal services to prosecute the lawsuits during the extended term of the contract - Financing: No cost consideration to the City **[06-3403; APPROVED]**
52. Authorize the Dallas Housing Finance Corporation's 2006 Single Family Bond Program plan of financing and issuance of one or two series of Dallas Housing Finance Corporation Tax-Exempt Single Family Mortgage Revenue Bonds, Series 2006, in an aggregate principal amount not to exceed \$14,377,022 to provide home mortgages for low- to moderate-income homebuyers - Financing: No cost consideration to the City **[06-3404; APPROVED]**
53. Authorize acceptance of the FY 2006-07 Action Plan for the City of Dallas - Financing: No cost consideration to the City **[06-3405; APPROVED]**
54. Authorize the acceptance of a grant from The Meadows Foundation to purchase materials and equipment for a second bookmobile; and execution of the grant agreement - Not to exceed \$50,000 - Financing: 2006 Bookmobile Funds **[06-3406; APPROVED]**
55. An ordinance amending Chapter 2 of the Dallas City Code to authorize department heads or their designees to execute lien releases with permission of the City Manager and to provide for the recording of those releases - Financing: No cost consideration to the City **[06-3407; ORDINANCE 26517; APPROVED AS AN INDIVIDUAL ITEM]**
56. Authorize renewal of the membership with the North Central Texas Regional Certification Agency for certification services for the period of January 1, 2007 through December 31, 2007 - Not to exceed \$32,890 - Financing: Current Funds **[06-3408; APPROVED]**
57. Authorize **(1)** the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs in the amount of \$450,000 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2006 through September 30, 2009, **(2)** In-Kind contributions in the amount of \$291,031, and **(3)** execution of the grant agreement - Total not to exceed \$741,031 - Financing: U.S. Department of Justice Grant Funds (\$450,000) and In-Kind Contributions (\$291,031) (subject to annual appropriations) **[06-3409; APPROVED]**

CONSENT AGENDA (Continued)
MISCELLANEOUS (Continued)

58. Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$60,000 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods, for the period December 13, 2006 through September 30, 2007; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$16,932; and **(3)** execution of the grant agreement - Total not to exceed \$76,932 - Financing: Current Funds (\$16,932) and Texas Department of Transportation Grant Funds (\$60,000) **[06-3410; APPROVED]**

59. Authorize Cooperative Working Agreements with Potter County District Attorney's Office in the amount of \$19,891, Lubbock County District Attorney's Office in the amount of \$19,891, Bowie County Sheriff's Department in the amount of \$19,891, Collin County Sheriff's Department in the amount of \$19,891, Collin County Sheriff's Department in the amount of \$19,891, Ellis County Sheriff's Department in the amount of \$19,891, and Taylor County Sheriff's Department in the amount of \$19,891, for the investigation, prosecution, education and counseling activities related to the Dallas Internet Crimes Against Children Task Force in response to the Internet related sexual exploitation of children, for the period October 1, 2006 through September 30, 2007 - Total not to exceed \$119,346 - Financing: Internet Crimes Against Children Grant Funds **[06-3411; APPROVED]**

60. Authorize a forty-year contract with TXU Generation Company, LP, for untreated water service for the period January 1, 2007 through December 31, 2046 - Estimated Annual Revenue: \$2,415,208 **[06-3412; DELETED ON THE ADDENDUM]**

61. An ordinance amending the City of Dallas' Drought Contingency Plan and Chapter 49, SEC. 49-21.1., conservation measures relating to lawn and landscape irrigation, of the Dallas City Code which authorizes the City of Dallas Water Utilities Department to establish water conservation measures for retail customers in order to promote the efficient use of the City's water resources - Financing: No cost consideration to the City **[06-3413; ORDINANCE 26518; APPROVED]**

62. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Webb & Webb for additional legal services in connection with related matters involving representation of the City of Dallas on water rights pending before the Texas Commission on Environmental Quality and for legal services related to other water rights matters - Not to exceed \$400,000, from \$400,000 to \$800,000 - Financing: Water Utilities Current Funds **[06-3414; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [06-3415]

63. An application for and an ordinance granting a Specific Use Permit for a Tattoo and Piercing Studio on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, located on the south side of Main Street, east of Good-Latimer Expressway
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z056-270 (MF) [06-3416; ORDINANCE 26519; CPC RECOMMENDATION FOLLOWED]
64. An application for and an ordinance granting an amendment to Specific Use Permit No. 910 for a public school on property zoned a TH-2(A) Townhouse District, located on the west side of Kelley Boulevard, north of Frankford Road
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan, landscape plan and conditions
Z056-321 (WE) [06-3417; ORDINANCE 26520; CPC RECOMMENDATION FOLLOWED]
65. An application for and an ordinance granting an amendment to Specific Use Permit No. 1637 for an Alcoholic Beverage Establishment use for a bar, lounge, or tavern on property zoned Planned Development District No. 619 for mixed uses with Historic Overlay No. 87, located on the northwest corner of Fourway Place and Main Street
Recommendation of Staff and CPC: Approval, subject to revised conditions
Z056-334 (WE) [06-3418; ORDINANCE 26521; APPROVED AS AMENDED]
66. An application for and an ordinance granting an Historic Overlay for the Mercantile Bank Tower on property zoned Planned Development District No. 619 at the northeast corner of Ervay Street and Commerce Street
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z067-104 (JA) [06-3419; ORDINANCE 26522; CPC RECOMMENDATION FOLLOWED]
67. An application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 281, the Lakewood Special Purpose District, on property located on the west line of Abrams Road between Belmont Avenue and Richmond Avenue]
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions
Z056-296 (JH) [06-3420; ORDINANCE 26523; CPC RECOMMENDATION FOLLOWED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

68. A City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the conditions and conceptual plan of Planned Development District No. 730 for mixed uses, located on both sides of Bexar Street, between Brigham Lane and C.F. Hawn Freeway and an ordinance granting the amendments and a resolution authorizing a variance to Dallas City Code, Section 43-62, prohibition against angled parking adjacent to public right-of-way
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and conditions
Z056-312 (WE) [06-3421; ORDINANCE 26524; CPC RECOMMENDATION FOLLOWED]

ZONING CASES - INDIVIDUAL

69. An application for a Specific Use Permit for a Commercial Vehicle Parking use on property zoned an IR Industrial Research District on the southeast corner of Vilbig Road and Seale Street **[06-3422]**
Recommendation of Staff and CPC: Denial
Z056-212 (MF) [06-3422; CPC RECOMMENDATION FOLLOWED TO DENY]
70. An application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned a CR Community Retail District located on the southeast corner of Simpson Stuart Road and South Lancaster Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation and conditions
Z056-236 (WE) [06-3423; ORDINANCE 26525; CPC RECOMMENDATION FOLLOWED]
71. An application for and an ordinance granting a Planned Development District for NO(A) Neighborhood Office District Uses on property zoned an R-10(A) Single Family District, located on the east line of Preston Road, north of Arapaho Road with consideration being given to an NO(A) Neighborhood Office District
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan, landscape plan, tree mitigation plan, and conditions
Z056-281 (RB) [06-3424; ORDINANCE 26526; APPROVED AS AMENDED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - INDIVIDUAL (Continued)

72. A City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay with consideration given to incorporating into Conservation District No. 15, the Vickery Place Conservation District, the following areas: the 5400 and 5500 blocks of Bonita Avenue; 5100, 5200, 5500, and 5600 blocks of Goodwin Avenue; 5200 block of Vickery Boulevard; 5200 block of Richard Avenue; 5200 and 5600 blocks of Miller Avenue; 5200, 5500, and 5600 blocks of Willis Avenue and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval, subject to an amended Exhibit A, an amended Appendix A of Exhibit C, and an amended Appendix B of Exhibit C with the exception of 2815 Greenville Avenue, 2901 Greenville Avenue, and 5627, 5631, 5635, and 5639 Goodwin Avenue
Z056-292 (TC) [06-3425; DELETED ON THE ADDENDUM]
73. An application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-1/2 ac.(A) Single Family District in an area bounded by Northaven Road, Strait Lane, Melissa Lane and Welch Road
Recommendation of Staff and CPC: Approval
Z056-322 (MF) [06-3426; ORDINANCE 26527; APPROVED AS AMENDED]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

74. A City Plan Commission authorized hearing to determine proper zoning with consideration being given to amending the development plan and conditions for the Residential 2 and Residential 3 portions of Planned Development District No. 222 for Shopping Center District Uses on the north line of Frankford Road, west of Preston Road and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan and conditions
Z056-248 (RB) [06-3427; CONTINUED UNTIL FEBRUARY 14, 2007; HEARING OPEN]
Note: This item was considered by the City Council at a public hearing on November 8, 2006, and was taken under advisement until December 13, 2006, with the public hearing open.
75. An application for and an ordinance granting a Specific Use Permit for a Commercial amusement (inside) use limited to a Class A Dance hall on property zoned a CR Community Retail District located on the north line of Camp Wisdom Road, west of American Way
Recommendation of Staff and CPC: Approval, for a two-year period, subject to a site plan and conditions
Z056-234 (RB) [06-3428; ORDINANCE 26528; CPC RECOMMENDATION FOLLOWED]
Note: This item was considered by the City Council at a public hearing on November 8, 2006, and was taken under advisement until December 13, 2006, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

76. Consideration of amendments to the Plat Regulations, Article VIII, of Chapter 51A of the Dallas Development Code, delegating authority to the Subdivision Administrator to approve those plats, subdivisions, and replats of land within the corporate limits and extraterritorial jurisdiction of the city that are authorized to be delegated to city staff under Section 212.0065(a)(1) and (2) of the Texas Local Government Code with certain limitations, and amendments to the expiration date of approved plats where no progress has been made towards completion of the project as authorized by Texas Local Government Code Section 245.005 and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

DC056-014 [06-3429; **ORDINANCE 26529; CPC RECOMMENDATION FOLLOWED**]

77. Consideration of amendments to platting and zoning regulations in Chapters 51 and 51A of the Dallas Development Code, providing standards and procedures for the apportionment of municipal infrastructure costs; deleting the requirements for avigation easements and releases; amending corner clips and site easement requirements and amending city cost sharing provisions and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

DCA 056-015 [06-3430; **ORDINANCE 26530; CPC RECOMMENDATION FOLLOWED**]

78. Consideration of amendments to Chapters 51 and 51A of the Dallas Development Code, Sections 51-4.401, 51A-4.401, 51A-8.403, and 51A-8.505; removing a general provision allowing a less restrictive building line than the zoning setback; providing a requirement that a preliminary plat application show all platted building lines and providing a standard for moving or removing a platted building line greater than the zoning setback line and an ordinance granting the amendments

Recommendation of Staff and CPC: Approval

DCA 056-018 [06-3431; **ORDINANCE 26531; CPC RECOMMENDATION FOLLOWED**]

MISCELLANEOUS HEARINGS

**Municipal Setting Designation
at Lemmon Avenue East**

Note: Item Nos. 79 and 80 must be considered collectively.

79. * A public hearing to receive comments on a proposed municipal setting designation to prohibit use of groundwater beneath properties owned by Blackburn Central Holdings, L.P., Mario Messina, Jennifer Messina, and West Village 2004 PO Limited Partnership located at the intersection of McKinney Avenue and Lemmon Avenue East and adjacent street rights-of-way - Financing: No cost consideration to the City
[06-3432; HEARING CLOSED]

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

**Municipal Setting Designation
at Lemmon Avenue East** (Continued)

Note: Item Nos. 79 and 80 must be considered collectively.

80. * An ordinance authorizing support of the issuance of a municipal setting designation to Blackburn Central Holdings, L.P., Mario Messina, Jennifer Messina, and West Village 2004 PO Limited Partnership 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 **[06-3432; ORDINANCE 26532; APPROVED]**
Recommendation of Staff: Approval

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

Skillman Corridor TIF District

81. * A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to increase the geographic area of the Skillman Corridor TIF District boundary to include certain Richardson Independent School District (RISD) campuses to accommodate additional RISD programs and projects to be added to the final project and financing plan in accordance with RISD's participation in the District - Financing: No cost consideration to the City **[06-3433; HEARING CLOSED]**

82. * An ordinance amending Ordinance No. 26148 to increase the geographic area of the Skillman Corridor TIF District boundary to include certain Richardson Independent School District (RISD) campuses to accommodate additional RISD programs and projects to be added to the final project and financing plan in accordance with RISD's participation in the District - Financing: No cost consideration to the City **[06-3433; ORDINANCE 26533; APPROVED]**

83. An ordinance **(1)** approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District); and **(2)** authorizing participation agreements with Dallas County and the Richardson Independent School District for the Skillman Corridor TIF District - Financing: No cost consideration to the City **[06-3434; ORDINANCE 26534; APPROVED]**

**FY 2006-07 Consolidated Plan
Reprogramming Budget #1**

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

84. * A public hearing to receive comments on the proposed FY 2006-07 Consolidated Plan Reprogramming Budget #1 to provide Program Income for downtown condominium purchases, the acquisition and development for multi-family development, southern sector acquisition, demolition, and infrastructure and construction financing for housing, economic development and mixed-use development - Financing: No cost consideration to the City **[06-3435; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**FY 2006-07 Consolidated Plan
Reprogramming Budget #1** (Continued)

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

85. * Authorize adoption of Final 2006-07 Consolidated Plan Reprogramming Budget #1 to appropriate \$3,300,000 of Section 108 Intown Housing Program Income - Not to exceed \$3,300,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds **[06-3435; 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) **[06-3436; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR FURTHER CONSIDERATION

87. Authorize a third amendment to the lease agreement with Maher Properties Two, Ltd. to extend the lease for approximately 48,564 square feet of land for parking and approximately 10,300 square feet of medical office space located near Ewing Avenue and Eighth Street for the continued operation of the Oak Cliff Health Clinic for the period beginning upon the leasehold completion date through no later than January 31, 2014 - Not to exceed \$484,795 - Financing: Current Funds (subject to annual appropriations) **[06-3437; CORRECTED ON THE ADDENDUM; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A.M.**

ADDITIONS:

Closed Session [06-3438; HELD]

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

- City of Coppell, Texas v. CB Parkway Business Center VI, Ltd. and Trammell Crow Company No. 43, Ltd., Cause No. 05-15940-C; City of Coppell, Texas, Coppell Independent School District v. CB Parkway Business Center VI, Ltd and Trammell Crow Company No. 43, Ltd., Cause No. 06-05249-C; Coppell Independent School District v. CB Parkway Business Center VI, Ltd., Cause No. 05-15967-E; In re City of Coppell, Texas, Cause No. 05-06-01462-CV; City of Dallas v. Doug Stover; Tim Brancheau; Jayne Peters; Briana Hinijosa-Flores; Marsha Tunnel; Billy Faugh; Thom Suhy; and Bill York; each in their respective individual capacity and official capacity as a member of the City Council of the City of Coppell, Cause No. 06-04617-J; City of Dallas v. Kathie Gautille, Cindy Warner, Bennett Ratliff, Susie Kemp, David Apple; Mike Arthur; Scott Orr; each in their respective individual capacity and official capacity as a member of the Coppell Independent School District Board of Trustees, Cause No. 05-06-01504-CV; City of Coppell v. CB Parkway Business Center, et al., Cause No. 05-06-00711-CV
- Jason Webb v. City of Dallas, Texas, Appeal No. 05-05-01621-CV
- City of Dallas v. Margaret Thompson, Supreme Court of Texas No. 05-0787
- Terrell Bolton v. City of Dallas and Teodoro Benavides, Cause No. 05-11141
- Legal issues relating to a tract or parcel of land situated in the A.J. Mannin Survey, Abstract 948, and being a part of Block 5623, City of Dallas, Dallas County, Texas, improved with a two level parking garage commonly known as the Preston Center Parking Garage
- Legal issues involving police retention pay
- Legal issues concerning professional services contract with Spiegel and McDiarmid

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)
CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Engineering and Architectural Contracts

1. Authorize a professional services contract with Walter P. Moore and Associates, Inc. for the design of street improvements for Sylvan Avenue from the IH-30 westbound frontage road to Fort Worth Avenue - \$176,195 - Financing: 2003 Bond Funds (\$158,335); Water Utilities Capital Improvement Funds (\$17,860) **[06-3439; APPROVED AS AN INDIVIDUAL ITEM]**

Contract Amendments

2. Authorize an increase in the contract with CORE Construction, Inc., to provide for the relocation of water and wastewater lines for the South Central Police Station - \$136,036, from \$10,316,949 to \$10,452,985 - Financing: 2003 Bond Funds **[06-3440; APPROVED]**
3. Authorize an increase in the contract with AUI Contractors, L.P. for the construction of pavement repair for the Dallas Center for the Performing Arts, utility infrastructure improvements, Phase 1 - Not to exceed \$217,375, from \$2,189,863 to \$2,407,238 - Financing: 2003 Bond Funds **[06-3441; APPROVED]**
4. Authorize **(1)** an increase in the contract with Satterfield & Pontikes Construction, Inc. for the construction of the baggage claim renovation at Dallas Love Field to provide additional epoxy terrazzo flooring, installation of isolation valves in the mechanical system, escalator pit modifications, steel beam in the cart drive area, additional sidewalk demolition, and new roof drains, in the amount of \$101,605, from \$8,725,588 to \$8,827,193; and, **(2)** an increase in appropriations in the amount of \$101,605 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Total not to exceed \$101,605 - Financing: Aviation Capital Construction Funds (\$25,401), Federal Aviation Administration Airport Improvement Grant Funds (\$76,204) **[06-3442; APPROVED]**
5. Authorize Supplemental Agreement No. 1 to the development agreement with Top Dog - Oak Cliff, LP to increase the design and construction management reimbursables for the Lake Cliff Tower facility - Not to exceed \$392,381, from \$395,175 to \$787,556 - Financing: Oak Cliff Gateway TIF District Funds **[06-3443; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

6. Authorize **(1)** an increase in the contract with Centex Construction, LLC for exterior restoration and shell construction at 1530 and 1524 Main Street in an amount not to exceed \$387,044, from \$7,405,802 to \$7,792,846; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; **(3)** an increase in appropriations in the amount of \$184,648 in the City Center TIF District Fund; and **(4)** a decrease in the payment to TIF Hotel, Inc. in an amount not to exceed (\$202,396) for design, reimbursables and construction management - Total not to exceed \$184,648 - Financing: City Center TIF District Funds **[06-3444; APPROVED AS AN INDIVIDUAL ITEM]**

Construction Miscellaneous

7. Authorize approval of the recommended plan for the proposed alignment of Routh Street from North Central Expressway (IH 345/US 75) to Ross Avenue, connecting the new Central Boulevard near Deep Ellum to the downtown Arts District - Financing: No cost consideration to the City **[06-3445; APPROVED]**

LAND ACQUISITION

8. Authorize the deposit of a Special Commissioners' Award for acquisition from Latour Partners, L.P. of approximately 45,656 square feet of land located near the intersection of Main and St. Paul Streets for the Main Street Gardens Project - \$5,022,160 - Financing: 2003 Bond Funds (\$2,796,000), Capital Gifts and Donation Funds (\$2,226,160) **[06-3446; APPROVED]**
9. Authorize the deposit of a Special Commissioners' Award for acquisition from D and D Tan Enterprises, Inc. of approximately 7,401 square feet of land located near the intersection of Main and Harwood Streets for the Main Street Gardens Project - \$1,750,000 - Financing: 2003 Bond Funds (\$437,968), 1998 Bond Funds (\$1,312,032) **[06-3447; APPROVED]**
10. Authorize settlement in lieu of proceeding with condemnation for acquisition from James Walker of approximately 5,000 square feet of land located near the intersection of Harwood and Main Streets for the Main Street Gardens Project - \$1,500,000 - Financing: 2003 Bond Funds **[06-3448; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)
CONSENT ADDENDUM (Continued)

LAND ACQUISITION (Continued)

11. Authorize deposit of a Special Commissioners' Award for acquisition from Malouf Ranch and Livestock Company of a permanent water easement containing approximately 14 acres and a temporary construction easement containing approximately 9 acres located in Van Zandt County for the Lake Fork Water Pipeline Project - \$80,000 - Financing: Water Utilities Capital Construction Funds **[06-3449; APPROVED]**
12. Authorize settlement in lieu of proceeding with condemnation of TXU Electric Delivery Company for a tract of land containing approximately 100,056 square feet located near the intersection of St. Louis Street and Park Avenue for the proposed Homeless Assistance Center Project - \$50,000 - Financing: Homeless Assistance Facilities Bond Funds **[06-3450; APPROVED]**

LAND MISCELLANEOUS

13. An ordinance abandoning a portion of street right-of-way and abandoning and relinquishing portions of a water and sanitary sewer easement and two utility easements to Wal-Mart Stores Texas, LP, the abutting owner, containing a total of approximately 18,710 square feet of land located near the intersection of Forest Lane and Abrams Road, and authorizing the quitclaim - Revenue: \$21,617 plus the \$20 ordinance publication fee **[06-3451; ORDINANCE 26535; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

14. Authorize a sixty-month service contract, with two twelve-month renewal options and minimum annual guarantee, for the collection of delinquent fines and fees for traffic, City ordinance and state law violations, excluding parking violations, with the highest responsible bidder of two - Linebarger Goggan Blair & Sampson, LLP - Estimated Revenue: \$48,001,926 **[06-3452; APPROVED AS AN INDIVIDUAL ITEM]**
15. Authorize a sixty-month concession contract, with two twenty-four-month renewal options, for operation of utility pay stations at the West Dallas Multipurpose Center and the Martin Luther King, Jr. Community Center with the only proposer - Cliff's Check Cashing Stores, Inc. - Estimated Revenue: \$13,139 **[06-3453; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

16. Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Guida, Slavich & Flores, P.C., for additional legal services necessary in the lawsuit styled Environmental Conservation Organization v. City of Dallas, Civil Action No. 3:03-CV-2951-M and in the administrative proceeding styled Administrative Order Docket Nos. CWA-06-2004-1911 and RCRA-06-2004-0907, issued February 6, 2004, which resulted in the entry of a Consent Decree in a subsequent lawsuit styled United States of America and the State of Texas v. City of Dallas, Civil Action No. 3:06-CV-0845-B, and any other matters relating to the subject matter of these lawsuits and administrative proceeding - Not to exceed \$350,000, from \$800,000 to \$1,150,000 - Financing: Current Funds **[06-3454; APPROVED]**
17. Authorize final payment of additional attorney fees to Daniel & Beshara, P.C., in the amount of \$92,803 and additional expert fees to Dr. Robert K. Ham, Ph.D., in the amount of \$7,538 pursuant to a Court Order Granting Plaintiffs' Motion for Attorney Fees and Expert Fees dated November 27, 2006, in the lawsuit styled Harold Cox, et al. v. City of Dallas, et al., Civil Action No. 3:98-CV-0291-H - Not to exceed \$100,341 - Financing: Current Funds **[06-3455; APPROVED]**
18. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Munsch Hardt Kopf & Harr, P.C. for additional legal services needed to prepare a second follow-up report on the City's independent investigation of the "fake drug cases" - Not to exceed \$41,000, from \$100,000 to \$141,000 - Financing: Current Funds **[06-3456; APPROVED]**
19. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Spiegel & McDiarmid for additional legal advice and counsel concerning aviation law matters including the Wright Amendment and related matters - Not to exceed \$187,939, from \$150,000 to \$337,939 - Financing: Aviation Current Funds **[06-3457; APPROVED]**
20. Authorize rescinding Resolution No. 93-4570, previously approved on December 8, 1993, which established "A Policy Statement for Major Sports Celebrations" which requires in part that the City Council authorize **(1)** the planning of the Major Sports Celebration at least 45 days prior to the event; and **(2)** the plan for a Major Sports Celebration - Financing: No cost consideration to the City **[06-3458; APPROVED]**
21. Authorize an Interlocal Agreement with Denton County for the reimbursement of costs associated with ambulance and related services within Denton County for the period of October 1, 2006 through September 30, 2007 - Revenue: \$11,923 **[06-3459; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)
CONSENT ADDENDUM (Continued)

MISCELLANEOUS (Continued)

22. A resolution authorizing support of a pre-application waiver for Texas Department of Housing and Community Affairs's 9% low income housing tax credit financing for the acquisition and rehabilitation of the Carolina Chase Apartments, a 166-unit residential development located at 5351 Peterson Lane - Financing: No cost consideration to the City **[06-3460; DENIED]**
23. A resolution authorizing support of a pre-application waiver for a Texas Department of Housing and Community Affairs's 9% low income housing tax credit financing for the acquisition and new construction of the proposed Frazier Berean 150-unit residential development for seniors located at 3326 Mingo Street - Financing: No cost consideration to the City **[06-3463; APPROVED]**
24. A resolution authorizing support of a pre-application waiver for Texas Department of Housing and Community Affairs's 9% low income housing tax credit financing for the acquisition and new construction of the proposed 130-unit Fiji residential development for seniors located at 201 Fran Way - Financing: No cost consideration to the City **[06-3464; APPROVED]**
25. Authorize post-judgment settlement of a lawsuit styled City of Dallas v. Inn at Market Center, L.P., CBP Enterprises HH, Inc., Mohamed Haque and Hira Panna Investments, Inc., Cause No. 03-07668, concerning the collection of delinquent hotel occupancy taxes, by accepting a payment of \$175,053 from defendant, Hira Panna Investments, Inc., in exchange for the City foregoing post-judgment interest and releasing the judgment lien, including the permanent injunction against Hira Panna Investments, Inc. for the hotel located at 4500 Harry Hines Boulevard - Revenue: \$175,053 **[06-3465; APPROVED AS AN INDIVIDUAL ITEM]**
26. Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for audit services of the City's financial operations and grant activities for the fiscal year ending September 30, 2005 in the amount of \$257,525, from \$460,975 to \$718,500, and **(2)** a twelve-month professional services contract with KPMG LLP to provide audit services of the City's financial operations and grant activities for the fiscal year ending September 30, 2006 in the amount of \$950,000 - Total not to exceed \$1,207,525 - Financing: Current Funds **[06-3466; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)
PUBLIC HEARINGS AND RELATED ACTIONS

DEVELOPMENT CODE AMENDMENTS - CONSENT

27. Consideration of amendments to Chapter 51 and 51A, the Dallas Development Code, amending Section 51-1.104.1 to forward the application provisions to Chapter 51A, amending Section 51A-1.104.1 to exempt applications for Neighborhood Stabilization Overlays and Conservation Districts from the requirements of this section to provide proof there are no delinquent taxes, fees, fines or penalties on property within the area of request and amending Section 51A-1.105 to set the property owner notification area for applications for Neighborhood Stabilization Overlays or Conservation Districts to 200 feet and an ordinance adopting the amendments **[06-3467; ORDINANCE 26536; APPROVED]**
Recommendation of Staff: Approval
DCA 067-002

MISCELLANEOUS HEARING

28. A public hearing to receive comments on the proposed closure and possible sale of the Southern Skates Skating Rink located at 2939 E. Ledbetter, which was financed by the Department of Housing and Urban Development's Community Development Block Grant and Section 108 Funds in the amount of \$1,000,000, with no alternative use for the facility at this time - Financing: No cost consideration to the City **[06-3468; HELD UNDER ADVISEMENT UNTIL APRIL 25, 2007]**

ITEMS FOR INDIVIDUAL CONSIDERATION

29. Authorize a grant agreement with Jubilee Park and Community Center Corporation, a Texas non-profit corporation, for the purchase of seven surveillance cameras to be placed at certain locations within South Dallas/Fair Park targeted census tracts - \$96,000 - Financing: South Dallas/Fair Park Development Funds **[06-3469; APPROVED]**
30. An ordinance amending Chapter 40B of the Dallas City Code to **(1)** prohibit secondary metals recyclers from purchasing regulated metal property from intoxicated persons; **(2)** require proof of authority to sell certain items of regulated metal property; and **(3)** update references to State law - Financing: No cost consideration to the City **[06-3470; ORDINANCE 26537; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

ADDITIONS: (Continued)
ITEMS FOR INDIVIDUAL CONSIDERATION

Red Light Camera Enforcement System

Note: Item Nos. 31 and 32 must be considered collectively.

31. * Authorize a Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation to formally define the duties of each agency related to all aspects of roadway maintenance on state highways within the city limits - Financing: No cost consideration to the City **[06-3471; APPROVED]**
32. * Authorize an amendment to the Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation to authorize the City to operate red light camera enforcement systems at signals located on state highways (list attached) - Financing: No cost consideration to the City **[06-3472; APPROVED]**

Fiji-Compton Project

Note: Item Nos. 33 and 34 must be considered collectively.

33. * Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for design, right-of-way acquisition, and construction in the amount of \$2,811,986, **(2)** the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$2,811,986, and **(3)** an increase in appropriations in the amount of \$2,811,986 in the Capital Projects Reimbursement Fund - Total not to exceed \$2,811,986 - Financing: Capital Projects Reimbursement Funds **[06-3473; APPROVED]**
34. * Authorize **(1)** a Participation Agreement with Sphinx Development Corporation for design, right-of-way acquisition, and construction in the amount of \$3,514,983, and **(2)** payment to Sphinx Development Corporation for design of paving and drainage related infrastructure improvements - \$300,000 - Financing: 2003 Bond Funds (\$60,000), Capital Projects Reimbursement Funds (\$240,000) **[06-3474; APPROVED]**
35. A resolution authorizing an extension of Stage 1 of the Drought Contingency Plan for 120 days from October 11, 2006 to February 7, 2007 - Financing: No cost consideration to the City **[06-3475; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

CORRECTIONS:

10. Authorize an economic development loan agreement with ~~Hailu Ejigu~~ Hai Tak Enterprises, Inc. for architectural and engineering drawings, predevelopment costs, demolition and partial development financing to facilitate the construction of a mixed-use building at 5203 Bexar Street, located within the Neighborhood Investment Program Bexar Street Redevelopment Project - \$305,000 - Financing: 2005-06 Community Development Grant Reprogramming Funds **[06-3362]**

87. Authorize **(1)** a 2-month holdover period through March 31, 2007; and **(2)** a third amendment to the lease agreement with Maher Properties Two, Ltd. to extend the lease for approximately 48,564 square feet of land for parking and approximately 10,300 square feet of medical office space located near Ewing Avenue and Eighth Street for the continued operation of the Oak Cliff Health Clinic for the period beginning upon the leasehold completion date through no later than ~~January~~ March 31, 2014 - Not to exceed \$484,795 - Financing: Current Funds (subject to annual appropriations) **[06-3436]**

DELETIONS:

25. An ordinance abandoning a portion of Cedar Springs Road to Crescent Tower Residences, L.P., the abutting owner, containing approximately 3,511 square feet of land located near the intersection of Cedar Springs Road and Pearl Street, and authorizing the quitclaim - Revenue: \$263,325 plus the \$20 ordinance publication fee **[06-3377]**

34. Authorize a thirty-six-month service contract for temporary information technology professionals with the best value bidder of six - CIBER, Inc. - Not to exceed \$6,822,000 - Financing: Current Funds (subject to annual appropriations) **[06-3386]**

60. Authorize a forty-year contract with TXU Generation Company, LP, for untreated water service for the period January 1, 2007 through December 31, 2046 - Estimated Annual Revenue: \$2,415,208 **[06-3412]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 13, 2006**

DELETIONS: (Continued)

72. A City Plan Commission authorized hearing to determine proper zoning on property zoned an R-7.5(A) Single Family District and an R-7.5(A)-MD-1 Single Family District with a Modified Delta Overlay with consideration given to incorporating into Conservation District No. 15, the Vickery Place Conservation District, the following areas: the 5400 and 5500 blocks of Bonita Avenue; 5100, 5200, 5500, and 5600 blocks of Goodwin Avenue; 5200 block of Vickery Boulevard; 5200 block of Richard Avenue; 5200 and 5600 blocks of Miller Avenue; 5200, 5500, and 5600 blocks of Willis Avenue and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval, subject to an amended Exhibit A, an amended Appendix A of Exhibit C, and an amended Appendix B of Exhibit C with the exception of 2815 Greenville Avenue, 2901 Greenville Avenue, and 5627, 5631, 5635, and 5639 Goodwin Avenue
Z056-292 (TC) [06-3425]