

CITY SECRETARY  
CITY HALL  
DALLAS, TEXAS 75201

**ADDENDUM  
CITY COUNCIL MEETING  
WEDNESDAY, FEBRUARY 28, 2007  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TX 75201  
9:00 A.M.**

07 FEB 23 PM 9:17

*Public Notice*

070251

POSTED CITY SECRETARY  
DALLAS, TX

**REVISED ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **MOMENT OF SILENCE AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

**CLOSED SESSION**

**MINUTES**

Item 1

**CONSENT AGENDA**

Items 2 - 71

**CONSENT ADDENDUM**

Items 1 - 17

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:30 a.m.

Items 88 - 97  
Addendum Items 19 - 22

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 72 - 87  
Addendum Item 18

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CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A.M.**

ADDITIONS:

Closed Session

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

- Legal issues regarding the Earth Day Jam 2007  
Charity Participation Agreement with Earth Day Jam 2007, LLC
- Love Terminal Partners, L.P. et al. v. Laura Miller, Cause No. 06-06358-E,  
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,  
Cause No. 06-10182-E, Love Terminal Partners, L.P. et al. v.  
City of Dallas, Texas, et al., Cause No. 06-11650-E,  
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,  
Civil Action No. 3:06-CV-1279-D

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Authorization of Contracts

1. Authorize **(1)** a contract for the renovation of the Moorland Y.M.C.A. building located at 2700 Flora Street for the Dallas Black Dance Theatre with TMV LLC dba Triune Associates, best value proposer of nine in the amount of \$3,941,766, **(2)** the receipt and deposit of \$1,576,706 in participation costs in the Dallas Black Dance Theatre Participation Fund, and **(3)** the establishment of appropriations in the amount of \$1,576,706 in the Dallas Black Dance Theatre Participation Fund - Total not to exceed \$3,941,766 - Financing: 2003 Bond Funds (\$2,365,060), Private Funds (\$1,576,706)

Contract Amendments

2. Authorize Supplemental Agreement No. 1 to the development agreement with Ervay Residential Limited Partnership, Inc. to increase the design, construction management and reimbursables for the Republic Center Tower I Project located at 300 North Ervay Street - Not to exceed \$405,677, from \$2,028,651 to \$2,434,328 - Financing: City Center TIF District Funds (to be advanced by the developer)

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)

Contract Amendments (Continued)

3. Authorize **(1)** an increase in the contract with Centex Construction, LLC for exterior exterior restoration and shell construction at 1530 and 1524 Main Street in an amount not to exceed \$137,670, from \$7,792,846 to \$7,930,516; **(2)** assignment of the contract to Dunhill 1530 Main LP for construction management; **(3)** an increase in appropriations in the amount of \$47,893 in the City Center TIF District Fund; and **(4)** a decrease in the payment to TIF Hotel, Inc. in an amount not to exceed (\$89,777) for design, reimbursables and construction management - Total not to exceed \$47,893 - Financing: City Center TIF District Funds (to be advanced by the developer)

Construction Miscellaneous

4. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on SH 289 (Preston Road) at Belt Line Road - \$12,346 - Financing: Texas Department of Transportation Grant Funds

LAND MISCELLANEOUS

5. A resolution authorizing the rejection of the only bid received from Margaux City Lights Partners, Ltd. for City-owned land containing a total of approximately 83,478 square feet located at the intersection of Live Oak and Cantegral Streets, and the re-advertisement for sale at a minimum cash bid requirement of \$3,339,120 - Financing: No cost consideration to the City

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

6. 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)

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

7. Authorize a twelve-month master agreement for automobiles, light trucks, vans, and utility trucks, with the lowest responsible bidders of fifteen - McKinney Dodge in the amount of \$1,638,800, Sam Pack's Five Star Ford in the amount of \$1,361,748, Southwest International in the amount of \$1,092,673, Sonic Lute Riley L.P. in the amount of \$863,260, Windham Motor Co. in the amount of \$721,200, B & C Body Co. in the amount of \$685,384, Planet Ford in the amount of \$333,900, Continental Equipment in the amount of \$287,780, Equipment Southwest in the amount of \$156,000, Prestige Ford in the amount of \$152,844, Landmark Equipment in the amount of \$130,197, Metro Truck Sales, Inc. in the amount of \$83,145 and Holt of Texas in the amount of \$61,158 - Total not to exceed \$7,568,089 - Financing: Current Funds (\$386,266), Water Utilities Current Funds (\$91,686), Water Utilities Capital Construction Funds (\$824,443), 2006 Equipment Acquisition Contractual Obligation Notes (\$6,265,694)

MISCELLANEOUS

8. Authorize payment to the U.S. Department of Justice as stipulated penalties for certain instances of noncompliance with the terms of the Consent Decree entered in the lawsuit styled United States of America and the State of Texas v. City of Dallas, Civil Action No. 3-06-CV-0845-B - Not to exceed \$80,000 - Financing: Current Funds
9. Authorize three-year contracts, with one two-year renewal option, with McCall, Parkhurst & Horton, L.L.P. and Escamilla & Poneck, Inc. (Team A) and Vinson & Elkins, L.L.P. and West and Associates, L.L.P. (Team B) to provide bond counsel and co-bond counsel services - Financing: Bond and co-bond counsel fees to be paid from bond proceeds and Water Utilities Current Funds, contingent upon completion of each bond sale
10. Authorize **(1)** moving expense and rental assistance payments for tenant Rocio Reyes; and **(2)** moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for homeowners Charlie Robinson and Doretha Robinson in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$69,850 - Financing: 2003 Bond Funds (\$54,850) and Deerfield Housing Funds (\$15,000)

**ADDENDUM  
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FEBRUARY 28, 2007**

ADDITIONS: (Continued)

MISCELLANEOUS (Continued)

11. An ordinance granting an MU-2 Mixed Use District on the north side of Park Lane, east of Greenville Avenue and a resolution accepting deed restrictions volunteered by the applicant - Z067-108 - Financing: No cost consideration to the City
12. Authorize the City Manager to **(1)** evaluate the best practices of municipalities and other jurisdictions that have implemented employment re-entry programs for former offenders; and **(2)** modify policies and procedures where appropriate so that former offenders are not unreasonably denied City employment - Financing: No cost consideration to the City
13. Authorize a twelve-month time extension for Community Development Block Grant projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City
14. An ordinance amending Chapters 2, 5A, 10A, 17, 18, 24, 27, 45, and 50 of the Dallas City Code to revise and establish various fees for City services - Estimated Annual Revenue: \$742,018 - General Fund
15. Authorize the adoption of the operation and maintenance plans and manuals for the Dallas Floodway Levee System, the Rochester Park Levee System, the Central Wastewater Treatment Plant Levee System, the Southside Wastewater Treatment Plant Levee System, and the McCommas Bluff Landfill Levee System - Financing: No cost consideration to the City
16. Authorize a participation agreement with Dunhill 1530 Main, L.P. for infrastructure improvements along Main Street between Akard and Ervay Streets, in accordance with the Public/Private Partnership Guidelines and Criteria, which shall not exceed 30 percent of the total contract price - Not to exceed \$193,300 - Financing: 2003 Bond Funds
17. Authorize a public hearing to be held on March 28, 2007 to receive comments in preparation of the FY 2007-08 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

**ADDENDUM  
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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - INDIVIDUAL

18. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict Uses on property zoned an NS Neighborhood Service District, an MF-2 Multiple Family Subdistrict, a GR General Retail Subdistrict, and a P Parking Subdistrict, within Planned Development District No. 193, the Oak Lawn Special Purpose District, and a resolution terminating the existing deed restrictions on a portion of the site in an area generally bounded by Cedar Springs Road, Knight Street, Dickason Avenue, and Douglas Avenue and a resolution authorizing a variance to Dallas City Code, Section 43-62, prohibition against angled parking adjacent to the public right-of-way  
Recommendation of Staff and CPC: Approval, of a Planned Development Subdistrict for GR General Retail Subdistrict Uses, subject to a development plan and conditions, and approval of the termination of existing deed restrictions on a portion of the site  
Z067-109(RB)

ITEMS FOR INDIVIDUAL CONSIDERATION

19. A resolution directing the Judicial Nominating Commission, pursuant to Section 2-164 of the Dallas City Code, to review and evaluate the performance of each administrative law judge regarding the application of the City's personnel rules, civil service rules and procedures, the City Charter, and other regulations governing personnel matters in conducting employee disciplinary appeals - Financing: No cost consideration to the City
20. An ordinance amending Chapter 34 of the Dallas City Code to revise grievance and appeal procedures for sworn members of the police department who have been discharged - Financing: No cost consideration to the City

**ADDENDUM  
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ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Waterworks and Sewer System  
Revenue Refunding Bonds, Series 2007**

**Note:** Item Nos. 21 and 22 must be considered collectively.

21. \* Authorize the preparations of plans for issuance in an amount not to exceed \$500,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2007 - Financing: This action has no cost consideration to the City
22. \* An ordinance authorizing the issuance and sale of an amount not to exceed \$500,000,000 in City of Dallas Waterworks and Sewer System Revenue Refunding Bonds, Series 2007; establishing parameters regarding the sale of the Bonds; approving the execution of a bond purchase contract and escrow agreement; and all other matters related thereto - \$812,000 - Financing: Water Utilities Current Funds

DELETIONS:

80. A public hearing to receive comments regarding an application for a Planned Development Subdistrict for GR General Retail Subdistrict uses and other related uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on both sides of Carlisle Street, between Hall Street and Carlisle Place  
Recommendation of Staff and CPC: Denial  
Z067-101(WE)

**Dallas Morning News at South Port**

91. \* Authorize rescinding Resolution No. 05-1608, previously approved on May 25, 2005, that authorized an infrastructure cost participation agreement with Dallas Morning News, L.P. at South Port in an amount up to 50 percent of the total cost of public improvements not to exceed \$1,300,000 - Financing: No cost consideration to the City
92. \* Authorize an amendment to the tax abatement agreement previously approved on May 25, 2005, by Resolution 05-1609, reducing the ten-year tax abatement with Dallas Morning News, L.P. at South Port from 90 percent to 50 percent on added value to real property, jobs created from 152 to 80, and required investment for real property improvements from \$46,000,000 to \$23,000,000 - Revenue: First year tax revenue estimated at \$83,858; ten-year tax revenue estimated at \$838,580 (Estimated revenue foregone for ten-year abatement is \$838,580)