

RECEIVED

ADDENDUM 2007 JUN -8 PM 4: 08
CITY COUNCIL MEETING
WEDNESDAY, JUNE 13, 2007
CITY OF DALLAS SECRETARY
1500 MARILLA DALLAS, TEXAS
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

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 - 64

CONSENT ADDENDUM

Items 1 - 12

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:30 a.m.

Items 65 - 67
Addendum Items 13 - 14
Addendum Items 16 - 21

To be considered before 12:00 noon

Addendum Item 15

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 68 - 101
Addendum Items 22 - 23

**ADDENDUM
CITY COUNCIL MEETING
JUNE 13, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

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

- Legal issues involving proposed newsrack ordinance

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a professional services contract for the preparation of a one-hundred-year forest management plan for the Great Trinity Forest - Gary D. Kronrad, Ph.D., only proposer - Not to exceed \$473,673 - Financing: Current Funds

City Secretary's Office

2. An ordinance amending Ordinance No. 26767 ordering the June 16, 2007 runoff election, in order to change some election-day voting locations - Financing: No cost consideration to the City

Economic Development

3. Authorize a development agreement with Allen Development of Texas, LLC for the construction of certain public improvements including street and drainage improvements in the area south of Interstate 20 near Bonnie View Road in southeast Dallas - Financing: No cost consideration to the City
4. Authorize a master development agreement with Cherokee New Transit, LLC, and/or its affiliates, to promote Transit Oriented Development pursuant to the Public/Private Partnership Program - Financing: No cost consideration to the City
5. Authorize an amendment to Resolution No. 06-0658, previously approved on February 22, 2006, for a Historic Development Program tax abatement for the Tower Petroleum Building located at 1907 Elm Street to remove the requirement that a development agreement be executed with operational and fine dining provisions for the Hart Furniture Building - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
JUNE 13, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Economic Development (Continued)

Note: Item Nos. 6 and 7 must be considered collectively.

Downtown Connection TIF District

6. * Authorize **(1)** a development agreement with Pacific 2004 Holdings, Ltd., to provide funding for TIF-eligible project costs related to the development and redevelopment of the Tower Petroleum Building located at 1907 Elm Street and 1900 Pacific Avenue in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and **(2)** the Downtown Connection TIF District Board of Directors to dedicate the subsidy from future Downtown Connection TIF District revenues in accordance with the development agreement - Not to exceed \$12,000,000 - Financing: Downtown Connection TIF District Funds
7. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Pacific 2004 Holdings, Ltd., for certain TIF-eligible project costs pursuant to the development agreement with Pacific 2004 Holdings, Ltd., for the development and redevelopment of the Tower Petroleum Building located at 1907 Elm Street and 1900 Pacific Avenue in the Downtown Connection TIF District - Financing: No cost consideration to the City
8. Authorize Supplemental Agreement No. 2 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (DDDA), FC Merc Complex, L.P., FC Continental Complex, L.P., FC Atmos, Inc., FC Lessee (collectively Forest City) to extend the completion date of the Continental Building from October 3, 2009 to June 3, 2011 and, in consideration for the extension and without affecting existing conditions and penalties of the development agreement for delaying development of the Atmos Complex, Forest City shall agree to **(1)** delay the first TIF payment from completion of environmental remediation to start of construction on the Continental Building as evidenced by execution of the construction contract; **(2)** initiate a due diligence process on the Atmos Complex and advise the City by December 31, 2007, of their future intentions regarding redevelopment of the property; **(3)** provide a timetable, including a construction schedule and completion date for the Atmos Complex if the decision is made to go forward with such redevelopment; and **(4)** make available for use by the City, at the option of the City, the ground floor of the Continental Building after Forest City vacates the premises of their temporary offices - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
JUNE 13, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Police

9. Authorize a five-year amendment to the lease agreement with Cobalt Industrial REIT, with two five-year renewal options, for the continued use of approximately 13 acres of land with approximately 31,050 square feet of office/classroom space and a vehicle obstacle course located at 5310 Red Bird Center Drive and to include approximately 15,680 square feet of additional office/classroom space located at 5610 Red Bird Center Drive for a total of approximately 46,730 square feet of office/classroom space to be used for a Police Training Academy for the period of August 1, 2007 through July 31, 2012, plus additional annual rent in the amount of \$25,000 for maintenance and ad valorem taxes in an amount not to exceed \$541,247 during the first five-year term - Total not to exceed \$3,546,349 - Financing: Current Funds (subject to annual appropriations)

Public Works & Transportation

10. Authorize **(1)** a contract for roof replacement at Union Station with Supreme Systems, Inc., lowest responsible bidder of three, in an amount not to exceed \$1,227,231, **(2)** assignment of the contract to Hunt-Woodbine Realty Corporation as the construction manager for contract administration, inspection, supervision and coordination of construction work, and **(3)** the establishment of appropriations in the amount of \$1,411,316, in the Union Station Renovation Developer Advance Fund - Financing: Private Funds (to be reimbursed without interest from the proceeds of the future sale of General Obligation Bonds)
11. Authorize **(1)** an increase in the contract with TMV LLC dba Triune Associates for renovation of the Moorland YMCA building located at 2700 Flora Street for the Dallas Black Dance Theatre, in the amount of \$57,045, from \$3,941,766 to \$3,998,811; **(2)** the receipt and deposit of funds in the amount of \$22,818 in participation costs in the Dallas Black Dance Theatre Participation Fund; and **(3)** the establishment of appropriations in the amount of \$22,818 in the Dallas Black Dance Theatre Participation Fund - Total not to exceed \$57,045 - Financing: 2003 Bond Funds (\$34,227); Private Funds (\$22,818)
12. Authorize an amendment to the Elm Fork Floodplain Management Study to revise the recommended plan for flood control improvements in an area bounded by Stemmons Freeway and Walton Walker Freeway to the east, Royal Lane to the north, the Elm Fork of the Trinity River to the west and south - Financing: No cost consideration to the City

**ADDENDUM
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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

13. An ordinance amending Chapter 2 of the Dallas City Code to authorize the City Council to waive, after a review of specific circumstances, the requirement for two independent fee appraisals for real property acquisitions in which the consideration exceeds \$500,000 - Financing: No cost consideration to the City

Mayor and City Council

14. Authorize **(1)** an increase in the contract with MetalMan Design/Build Corporation to provide Tier 1 - Signature Sculpture, Tier II - Silhouette Sculpture, and Tier III - The Conversation Sculptures, and cost estimating services for the re-designed Tier IV - Recognition Sculpture and a Memorial Wall at Opportunity Park located at 3105 Pine Street; and, **(2)** approval of the list of honorees for the Walk of Fame (list attached) - \$32,420, from \$590,246 to \$622,666 - Financing: 2003 Bond Funds (Mayor Pro Tem Hill, Deputy Mayor Pro Tem Garcia, Councilmembers Chaney, Oakley, Salazar, Medrano and Hunt via Mayor Miller)

Office of Financial Services

15. An ordinance authorizing the issuance and sale of City of Dallas, Texas General Obligation Bonds, Series 2007 in an amount not to exceed \$135,350,000; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$341,406 - Financing: 2006 Bond Funds - Interest Earnings **(To be considered before 12:00 noon)**

Park & Recreation

16. Authorize a professional services contract with Quimby-McCoy Preservation Architecture, LLP for the restoration and reconstruction of the esplanade fountain and Parry Avenue gate at Fair Park - \$1,062,900 - Financing: 2006 Bond Funds

Public Works & Transportation

17. Authorize a contract for stormwater improvements to modify the stormwater collection areas at 27 fire stations, Phase II (list attached) - Texas Standard Construction, Ltd., lowest responsible bidder of two - \$1,981,000 - Financing: 2005 Certificates of Obligation (\$1,055,808), 2004 Certificates of Obligation (\$64,755), and 2006 Bond Funds (\$860,437)

**ADDENDUM
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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Public Works & Transportation (Continued)

18. Authorize an additional payment to Dallas Area Rapid Transit for the City's share of design and construction costs for the paving and drainage improvements at the intersection of U.S. 75 and Bryan Street - \$1,090,000 - Financing: 2006 Bond Funds
19. Authorize Supplemental Agreement No. 2 to the contract with Corgan Associates, Inc. for design development, construction documents, bidding and construction administration services for the Dallas Center for the Performing Arts, City Performance Hall - \$4,846,727, from \$2,223,340 to \$7,070,067 - Financing: 2006 Bond Funds
20. Authorize **(1)** a professional services contract with HNTB Corporation for program management of major flood management and storm drainage projects included in the 2006 Bond Program, in an amount not to exceed \$8,423,300; **(2)** a professional services contract with Carter & Burgess, Inc. for the design of the levee drainage system at Hampton/Oaklawn Sump and Pavaho Sump, in an amount not to exceed \$7,621,000; **(3)** a professional services contract with Halff Associates, Inc. for the design of Mill Creek, Phase I, and Middle Peaks Branch, Phases I and II, in an amount not to exceed \$8,571,100; and **(4)** a professional services contract with Nathan D. Maier Consulting Engineers, Inc. for preliminary engineering for the State-Thomas at Woodall Rodgers Storm Drainage Study, in an amount not to exceed \$231,705 - Total not to exceed \$24,847,105 - Financing: 2006 Bond Funds

Sanitation Services

21. Authorize Supplemental Agreement No. 1 to the contract with R.W. Beck, Inc. to provide an appraisal and valuation of the lease at the McCommas Landfill Gas Plant - Not to exceed \$96,000, from \$121,949 to \$217,949 - Financing: Current Funds

**ADDENDUM
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JUNE 13, 2007**

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

Department of Development Services

**Municipal Setting Designation
at 16 Properties**

Note: Item Nos. 22 and 23 must be considered collectively.

22. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath 16 properties located at 2119, 2301, 2313, 2345, 2411, 2415, 2419, 2423 and 2449 West Mockingbird Lane; 6616, 6820, 6840 and 6910 Forest Park Road; 2232 and 2328 Empire Central Drive; 6641 Maple Avenue and adjacent City rights-of-way - Financing: No cost consideration to the City
23. * An ordinance authorizing support of the issuance of a municipal setting designation to Balcones Realty Partners, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the 16 designated properties as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

DELETION:

City Attorney's Office

14. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P. for additional legal services necessary in the lawsuit styled David Pabis, Individually and as Heir to and on Behalf of the Estate of Jason Pabis, Deceased v. Michael Adrian Tayem et al., Cause No. DC-06-06446-L, and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$30,000, from \$75,000 to \$105,000 - Financing: Current Funds

List of Honorees for Walk of Fame at Opportunity Park
Addendum Item #14

Tier I

Elsie Faye Higgins

Tier II

Dr. Ceasar Toles
Leo V. Chaney, Jr.

Tier III

L.A. Bedford
Alphonso Jackson
Dr. Trudie K. Reed
Kathlyn Gilliam
Larry Johnson
Erykah Badu

Tier IV

Leo Sr. and Velma Chaney, Calvin and Johnnie Carter, Dr. C.A.W. Clark, Sheri Mixon, Jackie Mixon, Dr. Alfred Roberts, Christine Taylor, Connie Davis, Joe Atkins, Dorothy Blair, Hank Lawson, Bertha Gary, Stevon Gulley, Rev. Gerald Britt, Darlene Green, Clarine Whitaker, Ruby Golden, Apostle Lobias Murray, Pauline Williams, Betty Salter, Alice Debase, J.D. Coleman, Rev. Donald Parish, Sr., Betty Hooey, Nelvin Jackson, Diane Ragsdale, Marilyn Clark, Donald Johnson, Faye Warren, Vickie Meeks, Dr. Harry Robinson, Wendy Dixon, Chris Bosh, Wiliene Watson, Jasper Baccus, Dr. Joe Watts, Lewis Rhone, Ron Price, Verlene Houston, Tiny Hawkins, Dr. Maxine Thornton-Reese, Marvin Crenshaw, Joe Bagby, Robert Thomas, Jr., Royce West, Thomas Jones, Carolyn Davis, R.L. Griffin, Joanna Iz, Bobbi Humphrey, Abner Haynes, Dr. Hazel Partee, Dr. Leon King, David Newman, Roy Hargrove, Al Dupree, Willie Jacques, Charles Rose, William Blair, Sr., Dr. B.J. Bradford, Jr., S.E. Diggles, Mary Morgan, Rev. Lowell Brown, Johnny King, Jr., Cleophus Steele, Sr., Cleophus Steele, Jr., Gloria Hogg

Memorial Wall

Woodie Culton, Ethel Parnell, Rev. Robert Parish, Sr., Dr. Emmett J. Conrad, Dr. George Shelton, Jr., Fred and Mildred Finch, Dr. E.J. Mason, Dr. Eugene Dorsey, Alice Mitchell, Clara Miles, Rev. S.M. Wright, Sr., Dr. Frank Jordan, Othello Beck, Rev. Fred Bookman, Maurine F. Bailey, Estella Doty, Juanita Craft, Dr. Edgar Ward, T.D. Marshall, J.B. Jackson, George Allen, Charlotte Mayes, Charles Rice, Marian Dillard, Willie Mae Butler, Thelma Richardson, Judy Lott, Dallas Jackson, Alto McGowan, Anthony Davis, Sam Hudson, Jr., Dorothy Davis, Carolyn Jarrett, Dr. Thresia Johnson, and Charlotte Ragsdale.

Stormwater Drainage Modifications at 27 Fire Stations, Phase II
 Addendum Item #17

<u>Station No.</u>	<u>Address</u>	<u>Council District</u>
4	816 S. Akard Street	2
8	1904 N. Garrett Avenue	2
9	2002 Cool Mist Lane	8
13	6902 Frankford Road	12
16	2616 Chalk Hill Road	3
18	660 North Griffin Street	14
21	3210 Love Field Drive	14
22	12200 Coit Road	11
23	1660 South Corinth Street	4
25	2112 56th Street	8
26	3303 Sheldon Avenue	1
28	8701 Greenville Avenue	10
29	9830 Shadow Way	10
30	11381 Zodiac Lane	6
31	9365 Garland Road	9
34	1234 Carbona Drive	5
36	3214 N. Hampton Road	3
39	2850 Ruidosa Avenue	9
41	5920 Royal Lane	13
43	2844 Lombardy Lane	6
45	716 W. Commerce Street	6
46	331 E. Camp Wisdom Road	5
47	7161 Envoy Court	6
48	10480 E. Northwest Hwy.	9
51	200 S. St. Augustine Road	8
52	2504 Cockrell Hill Road	1
55	6600 Trammel Drive	9