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CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, JUNE 27, 2007
CITY OF DALLAS
1500 MARILLA
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 - 45

CONSENT ADDENDUM

Items 1 - 28

ITEMS FOR INDIVIDUAL CONSIDERATION

Items 46 - 47
Addendum Item 29

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 48 - 64
Addendum Items 30 - 33

**ADDENDUM
CITY COUNCIL MEETING
JUNE 27, 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.)

- Roland R. Gamez v. The City of Dallas, Texas, Civil Action No. 2:06-CV-150-TJW

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize the purchase of 5 fire pumpers, 5 brush trucks, 1 aerial ladder truck, 19 ambulances, and 2 battalion chief vehicles - Metro Fire Apparatus Specialists in the amount of \$2,449,867, Tyler Motor Company, Inc. in the amount of \$2,153,479, J & J Acquisitions dba S & S Fire Apparatus Co. in the amount of \$561,875, and Philpott Motors, Inc. in the amount of \$73,441, through the Houston-Galveston Area Council of Governments - Total not exceed \$5,238,662 - Financing: Current Funds (\$2,046,659), 2006 Equipment Acquisition Contractual Obligation Notes (\$1,361,865), 2005 Equipment Acquisition Contractual Obligation Notes (\$500,000), 2004 Equipment Acquisition Contractual Obligation Notes (\$500,000), 2003 Equipment Acquisition Contractual Obligation Notes (\$186,005), 2001 Equipment Acquisition Contractual Obligation Notes (\$193,007), 2003 Bond Funds (\$451,126)
2. Authorize the purchase of a trailer mounted vacuum excavation cleaning system for the Dallas Zoo - Vermeer Equipment of Texas, Inc., lowest responsible bidder of two - Not to exceed \$86,397 - Financing: Current Funds
3. Authorize a sixty-month concession contract, with three twelve-month renewal options, for advertising display concession services at Dallas Love Field - JCDecaux Airport, Inc., most advantageous proposer of two - Estimated Revenue: \$6,500,000

City Attorney's Office

4. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Stutzman, Bromberg, Esserman & Plifka for additional legal services necessary in connection with the Union Terminal Lease Agreement with Hunt-Woodbine Realty Corporation and related matters - Not to exceed \$30,000, from \$20,000 to \$50,000 - Financing: Convention and Event Services Current Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 27, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

City Attorney's Office (Continued)

5. Authorize settlement of a lawsuit styled Roland R. Gamez v. City of Dallas, Civil Action No. 2:06-CV-150-TJW - Not to exceed \$1,550,000 - Financing: Current Funds

City Auditor's Office

6. Authorize a perpetual use license agreement with PWC Product Sales LLC to provide TeamMate Audit Management System software for the Office of the City Auditor to be used for the preparation and review of audit workpapers - Not to exceed \$62,000 - Financing: Current Funds

Department of Development Services

7. An ordinance abandoning air and subsurface rights to Dunhill 1530 Main, L.P., the abutting owner, containing a total of approximately 458 square feet of space located over and under Main Street near its intersection with Stone Place, and authorizing the quitclaim - Revenue: \$14,004 plus the \$20 ordinance publication fee
8. An ordinance granting a private license to Dunhill 1530 Main, L.P., the abutting owner, for the use of approximately 1,052 square feet of land to construct, use and maintain a sidewalk café, entrance door and two canopies on and over portions of Main Street right-of-way located near its intersection with Stone Place - Revenue: \$4,772 plus the \$20 ordinance publication fee
9. Authorize the rejection of bids received for a tax foreclosure property located at 2621 Meyers Street that is needed for the HB 110 process of the Land Transfer Program - Financing: No cost consideration to the City
10. Authorize acquisition, including the exercise of eminent domain, if such becomes necessary, from Gail Ann Tyre, Marshall Binion Tyre III, Linda Louise Otten, Janis Tackett, and Wade Allen Tyre for a tract of land containing approximately 8,885 square feet located near the intersection of Pine Row and Western Avenue for the Dallas Eco Park Project - \$3,250 - Financing: Public/Private Partnership Funds
11. A resolution authorizing the sale of a total of approximately 83,478 square feet of unwanted and unneeded City-owned land located near the intersection of Live Oak and Cantegral Streets to the only bidder, Margaux City Lights Partners, Ltd. - Revenue: \$3,405,000

**ADDENDUM
CITY COUNCIL MEETING
JUNE 27, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Economic Development

12. Authorize a professional services contract with Freese and Nichols, Inc. for the design of site improvements for the Dallas Eco Park located at Simpson Stuart Road and Locust Drive - Not to exceed \$72,488 - Financing: Public/Private Partnership Funds
13. Authorize a second amendment to the development agreement with Presideo Investment, Inc., previously approved on September 14, 2005, by Resolution No. 05-2638, for Buzz Condominiums in Tax Increment Financing District Number Four (Cedars TIF District) to add a budget category for construction management in the amount of \$28,946 and to reduce the budgeted amount for infrastructure replacement in the amount of (\$28,946), from \$178,129 to \$149,183 - Financing: No cost consideration to the City

Equipment & Building Services

14. Authorize an increase in the contract with Reeves Construction Services, Inc. for the renovation of the Police Quartermaster building located at 1600 South Lamar Street for additional improvements and repairs including the upgrade of electrical elevator wiring, waterproofing the basement walls and existing utility access box, painting, structural repairs, and the installation of light fixtures in order to comply with the City Code - \$72,141, from \$1,311,248 to \$1,383,389 - Financing: Current Funds

Housing

15. Authorize a loan to Sphinx Development Corporation, or if tax credits are granted, to SDC Fiji Senior, L.P., a single asset entity, for the acquisition, demolition, and eligible soft costs, associated with the construction of a 130-unit multi-family residential development for seniors located at 201 Fran Way - \$1,200,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds

Park & Recreation

16. Authorize an increase in the contract with Billy L. & Joan Nabors, Inc. for the demolition of additional buildings located at 1906 Main Street, 1920 Main Street, 1924 Main Street, and two buildings at 1928 Main Street, and sidewalks for the construction of the Main Street Garden Park located at 1917 Commerce Street - \$60,000, from \$251,000 to \$311,000 - Financing: 2006 Bond Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 27, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Park & Recreation (Continued)

17. Authorize Supplemental Agreement No. 5 to the contract with Brown, Reynolds and Watford Architects, Inc. for **(1)** the production of video and audio components for the orientation and exhibit areas of the Trinity River Audubon Center; and, **(2)** modification of the original scope of work to provide basic service, and special services for a master plan for a multi-phase development for the Texas Horse Park - \$130,055, from \$3,488,250 to \$3,618,305 - Financing: 1998 Bond Funds

Police

18. Authorize a second amendment to the lease agreement with 3317, Ltd. to extend the lease for an additional 3-year period for the continued use of approximately 2,679 square feet of office space and eight secured designated parking spaces located at 4515 Maple Avenue for the Police Neighborhood Assistance Center from July 1, 2007 through June 30, 2010 - \$56,412 - Financing: Current Funds (subject to annual appropriations)

Public Works & Transportation

19. Authorize **(1)** a contract for the construction of Phase VI street and streetscape improvements at Zang Boulevard and Colorado Boulevard at the Lake Cliff Tower located at 329 E. Colorado Boulevard with Allied Builders, Inc., lowest responsible bidder of three, in an amount not to exceed \$410,266; and **(2)** assignment of the contract to Top Dog - Oak Cliff, L.P. for construction management - Total not to exceed \$410,266 - Financing: 1995 Bond Funds (\$365,581) and Oak Cliff Gateway TIF District Funds (\$44,685) (to be advanced by the developer)
20. Authorize final payment to the Texas Department of Transportation for the design and construction of paving improvements at the Chalk Hill Road and Cockrell Hill Road interchange with IH 30 - \$246,796 - Financing: 2006 Bond Funds
21. Authorize payment to the North Central Texas Council of Government for the City's participation in the fifth year of the Integrated Storm Water Management process for development of a comprehensive drainage criteria and design manual for use in both municipal and private development - Not to exceed \$40,955 - Financing Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

**ADDENDUM
CITY COUNCIL MEETING
JUNE 27, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation (Continued)

22. Authorize a contract for the construction of Fire Station No. 35 to be located at 3839 Walnut Hill Lane - CME Builders & Engineers, Inc., best value proposer of three - \$3,091,971 - Financing: 2003 Bond Funds

Note: Item Nos. 23 and 24 must be considered collectively.

Fiji-Compton Project

23. * Authorize an amendment to Resolution No. 06-3473, previously approved on December 13, 2006, to authorize **(1)** payment to the North Central Texas Council of Governments for the City's share of design, right-of-way acquisition, and construction of infrastructure improvements in the amount of \$702,997, **(2)** the receipt and deposit of advanced funds from the North Central Texas Council of Governments in an amount not to exceed \$702,997, and **(3)** an increase in appropriations in the amount of \$702,997 in the Capital Projects Reimbursement Fund - Total not to exceed \$702,997 - Financing: 2003 Bond Funds
24. * Authorize an amendment to Resolution No. 06-3474, previously approved on December 13, 2006, to authorize payment to Sphinx Development Corporation for the design, right-of-way acquisition, and construction of paving and drainage related infrastructure improvements - \$3,514,983 - Financing: Capital Projects Reimbursement Funds

Sanitation

25. Ratify an emergency services contract for the clean-up and removal of debris from damaged property caused by recent storms - Baldwin Tree and Disaster Relief Service - \$259,200 - Financing: Current Funds

Water Utilities

26. Authorize an increase in the service contract with AXON Solutions, Inc. to exchange the software with Veritas clustering software and third party implementation services for the Pay1 Project - \$102,329, from \$11,692,494 to \$11,794,823 - Financing: 2006 Water Revenue Bond Funds
27. Ratify an emergency purchase of a replacement pinion gear set for the water clarifier at the Elm Fork Water Treatment Plant - Siemens Water Technologies Corporation - \$61,303 - Financing: Water Utilities Capital Construction Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 27, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Water Utilities (Continued)

28. Ratify an emergency purchase of 17 ammonia/chlorine analyzers to monitor raw and treated water at all three water treatment plants and throughout the distribution system - Hach Company - \$422,792 - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

29. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Bell, Nunnally & Martin L.L.P. for additional legal services necessary to represent the City in the lawsuit styled Roland R. Gamez v. The City of Dallas, Texas, Civil Action No. 2:06-CV-150-TJW - Not to exceed \$250,000, from \$150,000 to \$400,000 - Financing: Current Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES - CONSENT

30. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the preservation criteria and additions to the uses for Historic Overlay No. 35 on property zoned an R-1ac(A) Single Family District on White Rock Road, east of Lawther Drive
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z067-240(MW)

ZONING CASES - INDIVIDUAL

31. A public hearing to receive comments regarding an application for a Planned Development District for RR Regional Retail District, IM Industrial Manufacturing District and IR Industrial Research District uses on property zoned an IM Industrial Manufacturing District and IR Industrial Research District, in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue
Recommendation of Staff and CPC: Approval of a Planned Development District for RR Regional Retail District uses, subject to a conceptual plan and conditions
Z067-188(WE)

**ADDENDUM
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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - INDIVIDUAL (Continued)

32. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for certain nonresidential uses on property zoned an MF-2(A) Multifamily District, an R-7.5(A) Single Family District, an IR Industrial Research District, an IM Industrial Manufacturing District, a CR Community Retail District, and an A(A) Agricultural District on property generally bounded by IH 20, J.J. Lemmon Road, Wintergreen Road, and Bonnie View Road and a resolution terminating existing deed restrictions on a portion of the site that prohibit certain uses as well as provide for certain development standards

Recommendation of Staff: Approval of the requested Planned Development District, to be known as the Dallas Logistics Hub Special Purpose District, subject to staff's recommended conditions, and approval of the termination of deed restrictions that encumber a portion of the site.

Recommendation of CPC: Approval of the requested Planned Development District, to be known as the Dallas Logistics Hub Special Purpose District, subject to recommended conditions, and approval of the termination of deed restrictions that encumber a portion of the site.

Z067-158(RB)

33. A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District on property zoned Planned Development District No. 673 east of Lancaster Road between Cedardale Road and Telephone Road

Recommendation of Staff and CPC: Approval

Z067-213 (JH)

**ADDENDUM
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CORRECTION:

Housing

47. Authorize a loan to Carpenter's Point, L.P., for the an amendment to Resolution No. 07-0709, previously approved on February 28, 2007, replacing HOME financing with Community Development Block Grant Funds and authorizing a loan agreement with Carpenter's Point, L.P., to be used for eligible acquisition, clearance, building removal and pre-development costs associated with the and new construction of the proposed Frazier Berean residential development for seniors located at 3326 Mingo Street, a 150-unit senior apartment complex that will provide housing for low- and to moderate-income households - \$750,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds (\$100,000); 2006-07 Community Development Grant Funds (\$650,000)

DELETION:

Department of Development Services

54. A public hearing to receive comments regarding an application for a Planned Development District for MF-2(A) Multifamily District Uses on property zoned a CR Community Retail District, on the northeast line of Emerald Isle, north of Garland Road
Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions
Recommendation of CPC: Denial
Z056-252(RB)