

**AGENDA**  
**CITY COUNCIL MEETING**  
**JANUARY 10, 2007**  
**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) **[07-0150]**

Agenda Item/Open Microphone Speakers **[07-0151]**

VOTING AGENDA

1. Approval of Minutes of the December 13, 2006 City Council Meeting **[07-0152; APPROVED]**

CONSENT AGENDA **[07-0153; APPROVED]**

**AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS**

Engineering and Architectural Contracts

2. Authorize a professional services contract with ArchiTexas - Architecture, Planning and Historic Preservation, Inc. for schematic design, design development, construction documents, bidding and construction administration services for the replacement of the existing playground and the existing picnic pavilion at College Park located at 3300 Highland Woods - \$88,412 - Financing: 2003 Bond Funds **[07-0154; APPROVED]**
3. Authorize a professional services contract with Jones & Boyd, Inc. for topographic survey, schematic design, design development, construction documents, bidding, and construction administration services for playground and ball field area improvements at Arcadia Park located at 5516 Arcadia Drive - \$38,700 - Financing: 2003 Bond Funds **[07-0155; APPROVED]**

CONSENT AGENDA (Continued)AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS (Continued)Authorization of Contracts

4. Authorize a contract for the installation of the motorized sun screen systems for the exterior murals at the Centennial, Food and Fiber and Embarcadero Buildings at Fair Park - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$925,000 - Financing: 1998 Bond Funds (\$288,800), 2003 Bond Funds (\$336,200) and Save America's Treasures Grant Funds (\$300,000) **[07-0156; APPROVED]**

Contract Amendments

5. Authorize **(1)** Supplemental Agreement No. 1 to the design-build contract with Heery International, Inc. to establish the Guaranteed Maximum Price for the replacement of the existing flip seating with bench seats, concrete repairs and waterproofing at the Cotton Bowl in Fair Park located at 3750 Midway Plaza in the amount of \$5,601,655, from \$3,917,250 to \$9,518,905; and, **(2)** an increase in appropriations in the amount of \$5,601,655 in the State Fair of Texas Capital Construction Funds - Total not to exceed \$5,601,655 - Financing: State Fair of Texas Capital Construction Funds **[07-0157; APPROVED AS AN INDIVIDUAL ITEM]**

## LAND ACQUISITION

6. Authorize a secured one percent forgivable Residential Development Acquisition Loan Program loan with the Dallas Neighborhood Alliance for Habitat, to provide for acquisition and demolition of improved properties that have unoccupied substandard structures and are scattered throughout the City of Dallas Neighborhood Investment Program areas for construction of single-family homes restricted for affordability at 80% or less of Area Median Family Income for resale to eligible homebuyers for a period of ten years - \$700,000 - Financing: 2005-06 Community Development Grant Funds **[07-0158; APPROVED]**

## LAND MISCELLANEOUS

7. 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-3) located near the intersection of Royal and Grissom Lanes (list attached) - Financing: No cost consideration to the City **[07-0159; APPROVED]**
8. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of 5 tracts of land for the construction of the Northwest Corridor Line Section (NW-1B) located near the intersection of Denton and Kimsey Drives (list attached) - Financing: No cost consideration to the City **[07-0160; DEFERRED UNTIL JANUARY 24, 2007]**
9. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of a tract of land from A.L. Rives for the construction of the Southeast Corridor Line Section (SE-2) located near the intersection of Scyene and Claypool Roads - Financing: No cost consideration to the City **[07-0161; APPROVED]**

CONSENT AGENDA (Continued)  
LAND MISCELLANEOUS (Continued)

10. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit for 2 tracts of land and an existing office building for the Paratransit Operations facility and revenue vehicle and employee parking lot located near the intersections of Senate Street and Dilido Road (list attached) - Financing: No cost consideration to the City **[07-0162; APPROVED]**
11. 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-2) located near the intersections of Manor Way and Owens Street, Harry Hines Boulevard and Cullum Lane and Denton Drive and Mockingbird Lane (list attached) - Financing: No cost consideration to the City **[07-0163; DEFERRED UNTIL JANUARY 24, 2007]**
12. An ordinance abandoning firelane, access and utility easements to WXIII/PWM Real Estate Limited Partnership, the abutting owner, containing approximately 92,121 square feet of land located near the intersection of Dallas North Parkway and Arapaho Road - Revenue: \$5,000 plus the \$20 ordinance publication fee **[07-0164; ORDINANCE 26538; APPROVED]**
13. An ordinance abandoning an alley to Horri Investment Corporation, the abutting owner, containing approximately 4,496 square feet of land located near the intersection of Kirby and Deere Streets, and authorizing the quitclaim - Revenue: \$30,573 plus the \$20 ordinance publication fee **[07-0165; ORDINANCE 26539; APPROVED]**
14. Authorize **(1)** a public hearing to be held on February 14, 2007 to receive comments on the proposed private sale by quitclaim deed of 2 unimproved properties acquired by the taxing authorities from the Sheriff's Sale, 4422 Baldwin to Dallas Neighborhood Alliance for Habitat and 3617 Kingsford Avenue to East Dallas Community Organization, qualified non-profit organizations; and, **(2)** at the close of the hearing, consideration of approval of the sale of these properties - Financing: No cost consideration to the City **[07-0166; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

15. Authorize a thirty-six-month service contract for plumbing services at City facilities with the lowest responsible bidder of two - Concept Facility Services - Not to exceed \$180,550 - Financing: Current Funds (\$56,650), Water Utilities Current Funds (\$123,900) **[07-0167; APPROVED AS AN INDIVIDUAL ITEM]**
16. Authorize a twenty-four-month master agreement for live and frozen rodents and rabbits used for feeding animals at the Dallas Zoo, with the lowest responsible bidders of two - The Gourmet Rodent, Inc. in the amount of \$596,694 and The Animal Works dba The Big Cheese Rodent Factory in the amount of \$100,615 - Total not to exceed \$697,309 - Financing: Current Funds **[07-0168; APPROVED]**
17. Authorize a twenty-four-month service contract for laboratory supplies for water and wastewater treatment plants with the only bidder - Fisher Scientific Company LLC - Not to exceed \$240,574 - Financing: Water Utilities Current Funds **[07-0169; APPROVED]**

CONSENT AGENDA (Continued)

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES (Continued)

18. Authorize a twenty-four-month master agreement to maintain five centrifugal air compressors at the wastewater treatment plants with the only bidder - Atlas Copco Comptec, Inc. - Not to exceed \$859,833 - Financing: Water Utilities Current Funds **[07-0170; APPROVED AS AN INDIVIDUAL ITEM]**
19. Authorize a thirty-six-month service contract for general maintenance, and repair or replacement of pumps at City facilities with the lowest responsible bidder of four - Any Time Pump Service Company dba CIE - Not to exceed \$3,407,000 - Financing: Current Funds (\$370,000), Water Utilities Current Funds (\$3,037,000) **[07-0171; APPROVED]**

MISCELLANEOUS

20. Authorize a public hearing to be held on January 24, 2007 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 67 located at property north of Interstate 20 and west of Mountain Creek Parkway; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 67; and, **(2)** a 75 percent real property tax abatement for ten years with Building No. 4, Mountain Creek, LP - Financing: No cost consideration to the City **[07-0172; APPROVED AS AN INDIVIDUAL ITEM]**
21. Authorize an amendment to the special pay schedule for sworn personnel in the Dallas Police Department for clarification of eligibility effective October 1, 2006 - Financing: No cost consideration to the City **[07-0173; APPROVED]**
22. Authorize a professional services contract with Saitas and Arenson, to provide consultant services related to environmental issues for the period February 1, 2007 through September 30, 2007 - Not to exceed \$75,000 - Financing: Current Funds **[07-0174; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES – CONSENT [07-0175]

23. An application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on the southeast side of Stutz Road, between Maple Avenue and Forest Park Road **[07-0176; ORDINANCE 26540; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant  
Z056-289(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES - CONSENT (Continued)

24. An application for and an ordinance granting the expansion of and amendment to Specific Use Permit No. 1548 for an open-enrollment charter school on property zoned an IR Industrial Research District on the west line of Forestgate Drive, north of Forest Lane **[07-0177; ORDINANCE 26541; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to site plan and conditions  
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to site plan and conditions  
Z056-310(OTH)
25. An application for and an ordinance granting an amendment to the site plan and landscape plan for Specific Use Permit No. 1396 for a Public or private school on property zoned a TH-1(A) Townhouse District on the northeast corner of Timberglen Road and Vail Street **[07-0178; ORDINANCE 26542; APPROVED AS AMENDED]**  
Recommendation of Staff and CPC: Approval, subject to a site plan, landscape plan, and conditions  
Z056-316(RB)
26. An application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 748 for MU-3 Mixed Use District Uses and an application for and an ordinance granting an amendment to the site plan and conditions for Specific Use Permit No. 1385 for a Pedestrian skybridge on Motor Street and Amelia Court, southwest of Harry Hines Boulevard **[07-0179; ORDINANCE 26543 AND 26544; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff and CPC: Approval, of an amendment to Planned Development District No. 748 subject to conditions, and Approval of an amendment to the site plan and conditions for Specific Use Permit No. 1385  
Z056-317(RB)
27. An application for and an ordinance granting an MF-2(A) Multifamily District on property zoned an MF-1(A) Multifamily on the west corner of Fitzhugh Avenue and Homer Street  
Recommendation of Staff and CPC: Approval **[07-0180; ORDINANCE 26545; CPC RECOMMENDATION FOLLOWED]**  
Z056-328(OTH)
28. An application for and an ordinance granting an amendment to Specific Use Permit No. 1541 for a childcare facility, community service center, and private recreation center, club or area on property zoned an R-5(A) Single Family District on Bernal Drive between Palacios Avenue and Singleton Boulevard **[07-0181; ORDINANCE 26546; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff and CPC: Approval, subject to a site plan and conditions  
Z056-330(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

ZONING CASES - CONSENT (Continued)

29. An application for and an ordinance granting a Specific Use Permit for an Alcoholic Beverage Establishment for a bar, lounge, or tavern on property within Planned Development District No. 85 for Shopping Center, Office-2 and Multiple Family-3 uses on the northeast corner of Greenville Avenue and Pineland Drive **[07-0182; CONTINUED UNTIL JANUARY 24, 2007; HEARING OPEN]**  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Z056-338(WE)
30. An application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned a TH-3(A) Townhouse District on the west line of Tyler Street, south of Page Avenue **[07-0183; ORDINANCE 26547; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff and CPC: Approval  
Z056-324(WE)

ZONING CASES - INDIVIDUAL

31. An application for and an ordinance granting a Specific Use Permit for a Tattoo Parlor and Piercing Studio within Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District on the south side of Main Street, west of Pryor Street **[07-0184; ORDINANCE 26548; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions Z056-271(MF)
32. An application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an R-7.5(A) Single Family District on the south line of Lynnacre Drive, west of Knoxville Drive **[07-0185; CONTINUED UNTIL JANUARY 24, 2007; HEARING OPEN]**  
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Recommendation of CPC: Approval for a two-year period, subject to a site plan and conditions  
Z056-320(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)ZONING CASES - INDIVIDUAL (Continued)

33. 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 **[07-0186; ORDINANCE 26549; CPC RECOMMENDATION FOLLOWED]**  
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)

ITEMS FOR INDIVIDUAL CONSIDERATION

34. 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) **[07-0187; APPOINTMENT MADE TO BOARD]**
35. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan P.C., for legal services and representation in Matters Related to the Statement of Intent of TXU Gas Company (now Atmos Energy) to Change Rates in the Company's Statewide Gas Utility System, Railroad Commission of Texas Gas Utilities Docket No. 9400 and related dockets (consolidated) including appeals, collateral litigation, and case expense litigation - Not to exceed \$50,000, from \$270,250 to \$320,250 - Financing: Current Funds **[07-0188; APPROVED]**

**ADDENDUM  
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JANUARY 10, 2007  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A.M.**

ADDITIONS:

Closed Session [**07-0189; 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 Hinojosa-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
- James F. Hill, et al. v. City of Dallas, No. 95-00975-J, Albert, et al. v. City of Dallas, No. 199-697-94, Arredondo, et al. v. City of Dallas, No. 199-1743-99, Barber, et al. v. City of Dallas, No. 199-624-95, Willis, et al. v. City of Dallas, Cause No. 199-200-95, Martin, et al. v. City of Dallas, No. 1-95-506, Saucedo-Falls, et al. v. City of Dallas, No. 1-02-780
- Legal issues regarding the proposed Fastrill Reservoir
- Legal issues regarding a proposed 40-year contract with TXU Generation Company, LP, for untreated water service

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM

AUTHORIZATIONS RELATED TO CONSTRUCTION PROJECTS

Contract Amendments

1. Authorize an increase in the contract with SYB Construction Company, Inc. for the construction of street paving, storm drainage, water, and wastewater improvements for Street Group 98-437 (list attached) - \$164,958, from \$1,178,211 to \$1,343,169 - Financing: 1998 Bond Funds (\$127,872), Water Utilities Capital Construction Funds (\$37,086) **[07-0190; APPROVED]**

Construction Miscellaneous

2. Authorize an additional payment to the Texas Department of Transportation for the City's share of additional design and construction costs for paving, drainage, landscaping, irrigation, water and wastewater main improvements on Samuell Boulevard from IH 30 to the Mesquite city limits - \$879,497, from \$7,651,082 to \$8,530,579 - Financing: 1998 Bond Funds (\$512,517), Water Utilities Capital Improvement Funds (\$366,980) **[07-0191; APPROVED]**

PURCHASING OF EQUIPMENT, SUPPLIES AND SERVICES

3. Authorize an increase in the contract with Bearcom Operating, LP for the purchase, installation and maintenance of a video wall to monitor the video surveillance camera system in the Central Business District - Not to exceed \$123,571, from \$722,506 to \$846,077 - Financing: 2005 Urban Area Security Initiative Grant Funds **[07-0192; APPROVED]**

LAND MISCELLANEOUS

4. A resolution declaring a tract of City-owned land containing approximately 133,314 square feet located near the intersection of Wintergreen and Lancaster-Hutchins Roads in the City of Hutchins unneeded and unwanted and authorize its advertisement for sale or exchange for land of comparable value by sealed bid at a minimum bid requirement of \$96,390 - Financing: No cost consideration to the City **[07-0193; APPROVED]**
5. An ordinance abandoning a portion of a railroad track and utility easement to DLH Master Parcel #5, L.P., the abutting owner, containing approximately 144,276 square feet of land located near the intersection of Wintergreen and Lancaster-Hutchins Roads in the City of Hutchins - Revenue: \$52,290 plus the \$20 ordinance publication fee **[07-0194; ORDINANCE 26550; APPROVED]**

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

MISCELLANEOUS

6. A resolution opposing efforts by the Texas Legislature to erode municipal revenues - Financing: No cost consideration to the City **[07-0195; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

ZONING CASES - INDIVIDUAL

7. An application for and an ordinance granting a Neighborhood Stabilization Overlay on property zoned an R-7.5(A) Single Family District on either side of North Ridge Drive, Hillbrook Street, South Ridge Drive, Merrilee Lane and Alexander Drive generally between Sperry Street and the properties on the west side of Alexander Drive and Hillbrook Street **[07-0196; ORDINANCE 26551; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff and CPC: Approval  
Z056-332(MF)

SPECIAL PROVISION SIGN DISTRICT

8. An application for and an ordinance granting an amendment to the provisions of the Victory Special Provision Sign District, Subdistrict A the Entertainment Complex Subdistrict, generally located at the south corner of Houston Street and All Star Way  
Recommendation of Staff and CPC: Approval **[07-0197; ORDINANCE 26552; CPC RECOMMENDATION FOLLOWED]**  
SPSD 067-001