

AGENDA
CITY COUNCIL MEETING
APRIL 25, 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) **[07-1270]**

Agenda Item/Open Microphone Speakers **[07-1271]**

VOTING AGENDA

1. Approval of Minutes of the April 11, 2007 City Council Meeting **[07-1272; APPROVED]**

CONSENT AGENDA [07-1273]

Business Development & Procurement Services

2. Authorize a thirty-six-month master agreement for factory authorized parts and service to provided maintenance and repair of sewer inspection television camera systems - Aries Industries, Inc. in the amount of \$204,200, Pearpoint, Inc. in the amount of \$72,000, Green Equipment Company in the amount of \$120,000, and ELXSI dba Cues in the amount of \$79,500, lowest responsible bidders of four - Total not to exceed \$475,700 - Financing: Water Utilities Current Funds (\$396,200) and Current Funds (\$79,500) **[07-1274; APPROVED]**
3. Authorize participation in the U.S. Communities Government Purchasing Alliance Administrative Agreement for eighteen months, with four twelve-month renewal options, for the purchase of systems furniture, freestanding furniture, seating, filing equipment and related support services - Not to exceed \$2,600,000 - Financing: Current Funds **[07-1275; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Business Development & Procurement Services (Continued)**

4. Authorize a twenty-four-month master agreement for paint and related supplies to be used for maintaining various City facilities, equipment and projects - The Glidden Co. dba ICI Paints in the amount of \$1,042,562 and Kelly Moore Paint Co., Inc. in the amount of \$45,122, lowest responsible bidders of three - Total not to exceed \$1,087,684 - Financing: Current Funds **[07-1276; APPROVED]**
5. Authorize a twenty-four-month service contract for micro-surfacing and slurry seal - Viking Construction, Inc. in the amount of \$2,924,480 and Municipal Construction, Inc. in the amount of \$2,981,000, lowest responsible bidders of three - Total not to exceed \$5,905,480 - Financing: Current Funds **[07-1277; APPROVED]**
6. Authorize a twenty-four-month master agreement for library books and audio-visual materials for the Lochwood, Pleasant Grove, Prairie Creek, and Walnut Hill Libraries - Baker & Taylor, Inc. in the amount of \$1,857,605 and Midwest Tape, LLC in the amount of \$529,249, lowest responsible bidders of five - Total not to exceed \$2,386,854 - Financing: 2003 Bond Funds **[07-1278; APPROVED]**
7. Authorize a sixty-month service contract for cable installation for the connection of computers and phones in new and existing City facilities - AAA Data Communications, Inc., lowest responsible bidder of six - Not to exceed \$976,956 - Financing: Current Funds **[07-1279; APPROVED]**
8. Authorize an increase in the master agreement with AT&T through the Department of Information Resources, State of Texas GoDirect Program contract for Cisco telephone and computer network equipment and hardware maintenance services - \$950,000, from \$700,000 to \$1,650,000 - Financing: Current Funds **[07-1280; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

9. Authorize settlement of the lawsuit styled Liberty Mutual Insurance Company v. City of Dallas and Ronald Roberson, Cause No. 07-00798-B - Not to exceed \$14,122 - Financing: Current Funds **[07-1281; APPROVED]**
10. Authorize Supplemental Agreement No. 1 to the professional services contract with Joe C. Tooley, Attorneys and Counselors, for additional legal services necessary in the lawsuit styled Black Firefighters Association, et al. v. City of Dallas, et al., Civil Action No. 3:06-CV-1421-K - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds **[07-1282; APPROVED]**

Department of Development Services

11. An ordinance abandoning a public utilities easement and a portion of a sanitary sewer easement to Trinity Townhomes Limited Partners, the abutting owner, located near the intersection of Greenbriar Lane and Zang Boulevard - Revenue: \$5,000 plus the \$20 ordinance publication fee **[07-1283; ORDINANCE 26720; APPROVED]**

CONSENT AGENDA (Continued)**Department of Development Services (Continued)**

12. An ordinance abandoning a portion of a firelane and utility easement to Mid-Continent Exchange III, LLC, the abutting owners, containing a total of approximately 22,856 square feet of land located near the intersection of Noel and Alpha Roads - Revenue: \$5,000 plus the \$20 ordinance publication fee **[07-1284; ORDINANCE 26721; APPROVED]**
13. An ordinance abandoning water and utility easements to Ameriton Properties Incorporated, the abutting owner, containing approximately 11,101 square feet of land located near the intersection of Northwest Highway and Lemmon Avenue - Revenue: \$5,000 plus the \$20 ordinance publication fee **[07-1285; ORDINANCE 26722; APPROVED]**
14. An ordinance authorizing a correction to Ordinance No. 26352 for the creation of a new subdistrict within Planned Development District No. 462 for mixed residential, retail and office uses on the west line of Henderson Avenue, between Capital Avenue and Fuqua Street to correct the omission of the revised subdistrict map - Z056-193 - Financing: No cost consideration to the City **[07-1286; ORDINANCE 26723; APPROVED AS AN INDIVIDUAL ITEM]**

Environmental & Health Services

15. Authorize **(1)** the discharge of two secured, no-interest, forgivable notes with African American Men of Peace in the amount of \$165,000, and **(2)** the release of lien on real property located at 4008 Fernwood - Financing: No cost consideration to the City **[07-1287; APPROVED AS AN INDIVIDUAL ITEM]**

Equipment & Building Services

16. Authorize a professional services contract with TAC Americas, Inc. to perform an energy audit and develop energy conservation proposals for the Dallas Museum of Art located at 1717 North Harwood - \$42,960 - Financing: Capital Construction Funds **[07-1288; APPROVED]**

Office of Financial Services

17. Authorize a public hearing to be held on May 23, 2007 to receive comments in preparation of the FY 2007-08 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[07-1289; APPROVED]**

Park & Recreation

18. Authorize Supplemental Agreement No. 2 to the design-build contract with Harrison, Walker and Harper, LP to increase the Guaranteed Maximum Price for the construction of the overflow parking lot to support the DeGolyer House at the Dallas Arboretum, Phase I, located at 8525 Garland Road - Not to exceed \$597,000, from \$729,500 to \$1,326,500 - Financing: 2003 Bond Funds **[07-1290; APPROVED AS AN INDIVIDUAL ITEM]**
19. Authorize a contract for the installation of a new playground at the Audelia Branch Library located at 10045 Audelia Road - Henneberger Construction, Inc., lowest responsible bidder of eight - \$159,700 - Financing: 2003 Bond Funds **[07-1291; APPROVED]**

CONSENT AGENDA (Continued)**Police**

20. Authorize application for seventh-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period July 1, 2007 through June 30, 2008 - Not to exceed \$61,750 (local match in an amount not to exceed \$12,350 will be required if awarded) - Financing: This action has no cost consideration to the City **[07-1292; APPROVED]**
21. Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad grant to provide a specialized proactive automobile theft program from the Texas Automobile Theft Prevention Authority for the period September 1, 2007 through August 31, 2008 - Not to exceed \$511,834 (local match in the amount of \$102,363 of all expenses will be required if awarded and in-kind contributions in the amount of \$480,814 will be contributed by the Dallas Police Department) - Financing: This action has no cost consideration to the City **[07-1293; APPROVED]**

Public Works & Transportation

22. Authorize a contract for the construction of street paving, storm drainage and wastewater main improvements on Detonte Street from Gifford Street to the dead-end east of Gifford Street - P & E Contractors, Inc., lowest responsible bidder of five - \$292,289 - Financing: 2003 Bond Funds (\$222,075), Water Utilities Capital Construction Funds (\$8,650), and Water Utilities Capital Improvement Funds (\$61,564) **[07-1294; APPROVED]**
23. Authorize a contract for street resurfacing on 2007 Asphaltic Concrete Street Resurfacing Group 2 on 30 improved streets (list attached) - Austin Bridge and Road, LP, lowest responsible bidder of two - \$8,526,213 - Financing: 2003 Bond Funds (\$8,444,578), Water Utilities Capital Construction Funds (\$81,635) **[07-1295; APPROVED AS AN INDIVIDUAL ITEM]**
24. Authorize a contract for the reconstruction of alley paving, storm drainage and wastewater main improvements on Alley Group 03-2016 (list attached) - P & E Contractors, Inc., lowest responsible bidder of three - \$916,156 - Financing: 2003 Bond Funds (\$806,856), Water Utilities Capital Improvement Funds (\$105,700), and Water Utilities Capital Construction Funds (\$3,600) **[07-1296; APPROVED]**
25. Authorize a contract for the reconstruction of alley paving, storm drainage, water and wastewater main improvements on Alley Group 03-2018 (list attached) - Admiral Construction Company, lowest responsible bidder of five - \$568,632 - Financing: 2003 Bond Funds (\$381,902), Water Utilities Capital Improvement Funds (\$2,880), and Water Utilities Capital Construction Funds (\$183,850) **[07-1297; APPROVED]**
26. Authorize payment to the Texas Department of Transportation for the City's share of design and construction costs for paving and drainage improvements on Elam Road from St. Augustine Road to Acres Drive - \$270,455 - Financing: 1995 Bond Funds **[07-1298; APPROVED]**

CONSENT AGENDA (Continued)**Public Works & Transportation** (Continued)

27. Authorize **(1)** the receipt and deposit of funds from Worthing at Motor, L.P. in an amount not to exceed \$130,503, **(2)** assignment of the contract to FirstWorthing or its affiliate Worthing at Motor, L.P., for construction management of the Cityville at Southwestern Medical District Project, Phase I, and **(3)** an increase in appropriations in the amount of \$130,503 in the Southwestern Medical TIF District Fund - Total not to exceed \$130,503 - Financing: Southwestern Medical TIF District Funds (to be advanced by the developer) **[07-1299; APPROVED]**
28. Authorize **(1)** sidewalk paving on Sidewalk Group 03-130; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 13, 2007, to receive comments (list attached) - Financing: No cost consideration to the City **[07-1300; APPROVED]**

Water Utilities

29. Authorize an increase in the contract with Archer Western Contractors, Ltd., for additional work to the primary settling basin at the Elm Fork Water Treatment Plant - \$26,700, from \$106,920 to \$133,620 - Financing: Water Utilities Capital Construction Funds **[07-1301; APPROVED]**
30. Authorize **(1)** a twenty-four-month service contract, with three twelve-month renewal options, for the implementation of the toilet voucher program and administration fees, with Niagara Conservation, Inc., most advantageous proposer of two, in the amount of \$840,000; **(2)** a twenty-four-month service contract, with three twelve-month renewal options, for the implementation of the commercial food services program and administration fees to install low volume pre-rinse spray nozzles and aerators in commercial kitchens with Niagara Conservation, Inc., most advantageous proposer of two, in the amount of \$1,306,250; and **(3)** funding for the toilet vouchers over a sixty-month period to encourage customers to replace high water-use toilets with ultra-low flow and high efficiency toilets in the amount of \$1,913,850 - Total not to exceed \$4,060,100 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[07-1302; APPROVED]**
31. Authorize Supplemental Agreement No. 1 to the professional services contract with Burson-Marsteller for continuing the advertising campaign and media placement for the promotion and reinforcement of water conservation initiatives and grease abatement program for the period of April 2007 through September 2008 - \$2,100,000, from \$3,480,000 to \$5,580,000 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[07-1303; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION**City Secretary's Office**

32. 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) **[07-1304; APPOINTMENT MADE TO BOARD]**

Mayor and Council Office

33. Authorize the City Manager to prepare definite documents for **(a)** \$14,000,000 from 1998 Bond Funds for renovations to the Old Municipal Building located at 2014 Main Street, **(b)** the joint use of the Old Municipal Building located at 2014 Main Street and 106 South Harwood Street by the University of North Texas (UNT) for its law school and the City for public purposes, and **(c)** the dedication of \$500,000 in City of Dallas Public/Private Partnership Funds in each of the next four years, beginning in FY 2007-08, for capital investment in the UNT law school, subject to state funding for the UNT law school in the current legislative session (via Mayor Miller) **[07-1305; APPROVED]**
34. A resolution to authorize the City Manager to negotiate and enter into a development agreement with The Pillar Group, the developer of the Tower Petroleum Building redevelopment project (Mayor Pro Tem Hill and Councilmembers Blaydes, Salazar, Natinsky and Thornton-Reese) **[07-1306; DELETED ON THE ADDENDUM]**

ITEMS FOR FURTHER CONSIDERATION**Economic Development**

35. Authorize amendments to Resolution No. 06-2441, previously approved on September 13, 2006, for the redevelopment of the Santa Fe IV building located at 1033 Young Street in the Downtown Connection TIF District to **(a)** remove the residential requirement and increase the number of hotel rooms from 116 to 195, **(b)** define allowable expenditures for private investment, and **(c)** include Hamilton 1033 LLC, along with Santa Fe IV LP, as party to the development agreement - Financing: No cost consideration to the City **[07-1307; CORRECTED ON THE ADDENDUM; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [07-1308]

36. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment charter school on property zoned an IR Industrial Research District on the southwest corner of Hampton Road and Beckleymeade Avenue **[07-1309; ORDINANCE 26724; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to site plans and conditions
Z067-135(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Department of Development Services (Continued)**ZONING CASES - CONSENT (Continued)

37. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bank or savings and loan with drive-through windows on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast corner of Cedar Springs Road and Fairmount Street **[07-1310; ORDINANCE 26725; APPROVED AS AMENDED]**
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods subject to a site plan, a landscape plan, and conditions.
Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods subject to a site plan, a landscape plan, and conditions
Z067-150(JH)
38. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a transit passenger station or transfer center on property zoned an IR Industrial Research District on the northeast corner of Denton Drive and Walnut Hill Lane **[07-1311; ORDINANCE 26726; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan, landscape plan and conditions
Z067-155(WE)
39. A public hearing to receive comments regarding a Landmark Commission authorized hearing to consider an Historic Overlay for the Garvin Cemetery on property zoned an R-10(A) Single Family District with Specific Use Permit No. 78 for a cemetery and an MF-1(A) Multifamily District with Specific Use Permit No. 77 for a cemetery, on the south side of the 4000 block of West Northwest Highway at Thornberry Lane and an ordinance granting the Historic Overlay **[07-1312; ORDINANCE 26727; APPROVED AS AMENDED]**
Recommendation of Staff and CPC: Approval, subject to revised preservation criteria
Z067-156(JA)
40. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the conceptual plan and conditions for Lots 2A and 2B within Planned Development No. 215 for SC Shopping Center District uses and MF-3 Multiple Family District uses and the termination of the existing development plan and landscape plan on the east side of Noel Road, south of Alpha Road **[07-1313; CONTINUED UNTIL MAY 23, 2007; HEARING OPEN]**Recommendation of Staff and CPC: Approval of an amendment to the conceptual plan and conditions and approval of the termination of the existing development plan and landscape plan
Z067-157(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
Department of Development Services (Continued)

ZONING CASES - CONSENT (Continued)

41. A public hearing to receive comments regarding an application for and a resolution accepting the termination of the existing deed restrictions on property zoned MU-3(SAH) Mixed Used District and a resolution accepting new deed restrictions volunteered by the applicant on the southeast corner of Central Expressway and Park Lane **[07-1314; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval of the termination of the existing deed restrictions and approval of the deed restrictions volunteered by the applicant
Z067-162(OTH)
42. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Fire Station on property zoned an R-16(A) Single Family District on the north side of Walnut Hill Lane, west of Coppedge Lane
Recommendation of Staff and CPC: Approval for a permanent time period, subject to a site plan and conditions **[07-1315; ORDINANCE 26728; CPC RECOMMENDATION FOLLOWED]**
Z067-149(JH)
43. A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IM Industrial Manufacturing District on the northwest side of Stutz Road between Forest Park Road and Maple Avenue **[07-1316; ORDINANCE 26729; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z067-170(JH)

ZONING CASES - INDIVIDUAL

44. A public hearing to receive comments regarding an application for a Planned Development District for retail and multifamily uses on property zoned an RR Regional Retail District on the southwest corner of Ferguson Road and Valley Glen Drive, with consideration for and an ordinance granting an MU-2 Mixed Use District **[07-1317; DELETED ON THE ADDENDUM]**
Recommendation of Staff and CPC: Approval of an MU-2 Mixed Use District in lieu of a Planned Development District
Z067-151(JH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

45. A public hearing to receive comments regarding an application for a Specific Use Permit for a bank or savings and loan with a drive-in window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the northeast corner of Oak Lawn Avenue and Maple Avenue **[07-1318; OVERRULED THE RECOMMENDATION OF CPC TO DENY; APPROVED AS AMENDED]**

Recommendation of Staff and CPC: Denial
Z067-139(WE)

Note: This item was considered by the City Council at a public hearing on April 11, 2007, and was taken under advisement until April 25, 2007, with the public hearing open.

46. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple Family Subdistrict Uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north quadrant of Kings Road and Fairmount Street **[07-1319; CONTINUE UNTIL JUNE 27, 2007; HEARING OPEN]**

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z056-284(RB)

Note: This item was considered by the City Council at public hearings on February 28 and March 28, 2007, and was taken under advisement until April 25, 2007, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

47. A public hearing to receive comments regarding the consideration of amendments to Chapter 51A of the Dallas Development Code, Sections 51A-1.102, 51A-4.219, and 51A-4.702; amending the fee, providing for notice, and amending the standards and procedures for applications for minor amendments to site plans and landscape plans for specific use permits and development plans and landscape plans for planned development districts and an ordinance granting the amendments **[07-1320; ORDINANCE 26730; CPC RECOMMENDATION FOLLOWED]**

Recommendation of Staff and CPC: Approval
DCA 045-010

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Public Works and Transportation**FLOODPLAIN APPLICATION - HELD UNDER ADVISEMENT

48. A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 15.31 acres of a 32.06 total acre tract of land, zoned Light Industrial District, currently in the 100-year floodplain of the Trinity River located on Pemberton Hill Road, south of Elam Road and north of Loop 12 at the Trinity River, Fill Permit 05-07 - Financing: No cost consideration to the City **[07-1321; DENIED; HEARING CLOSED]**

Note: This item was considered by the City Council at a public hearing on December 14, 2005, January 25, 2006, April 12, 2006, June 14, 2006, and again on September 27, 2006, and was held under advisement until April 25, 2007, with the public hearing open.

MISCELLANEOUS HEARINGS

Department of Development Services

49. A public hearing to receive comments regarding adoption of the West Kleberg Community Plan as an area plan and policy guide for future development; and, at the close of the hearing, authorize a resolution directing the City Manager to proceed with implementation of the recommendations contained in the West Kleberg Community Plan in an area generally located south of Interstate 20, and bounded on the east by Stark Road and the Dallas city limit, on the south by Dallas County, and on the west by St. Augustine and Haymarket Roads - Financing: No cost consideration to the City **[07-1322; HEARING CLOSED; APPROVED]**
50. A public hearing to receive comments regarding an application for and an ordinance changing the name of Grovedale Drive located north of Churchill Way, between Breckenridge Drive and Pecan Forest Drive, to Churchill Court - Financing: No cost consideration to the City **[07-1323; ORDINANCE 26731; HEARING CLOSED; APPROVED]**

Public Works & Transportation

51. A benefit assessment hearing to receive comments on sidewalk paving, for Sidewalk Group 03-129, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction with Ken-Do Contracting, LP, lowest responsible bidder of three (list attached) - \$124,745 - Financing: 2003 Bond Funds **[07-1324; ORDINANCE 26732; HEARING CLOSED; APPROVED]**
52. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to delete St. Augustine Road between Military Parkway and Sam Houston Road as a four-lane undivided roadway - Financing: No cost consideration to the City **[07-1325; CONTINUE UNTIL JUNE 13, 2007; HEARING OPEN]**
53. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to add Unnamed FN3, a four-lane undivided collector (S-4-U) within 60 feet of right-of-way between Frankford Road and the George Bush Tollway and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City **[07-1326; ORDINANCE 26733; HEARING CLOSED; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Public Works & Transportation (Continued)

54. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to designate Frankford Road from the proposed Unnamed FN3 Roadway to the Dallas/Richardson City Limit as a four-lane divided (S-4-D) within 80 feet of right-of-way and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City **[07-1327; ORDINANCE 26734; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS - HELD UNDER ADVISEMENT

Economic Development

55. 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 **[07-1328; APPROVED AS AMENDED]**

Note: This item was considered by the City Council at a public hearing on December 13, 2006, and was held under advisement until April 25, 2007, with the public hearing open.

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize the purchase of one 40-ton and one 25-ton replacement articulated (pivoting frame) dump truck for hauling cover soil at the McCommas Bluff Landfill - Continental Equipment Co. L.P. in the amount of \$398,248 and Holt Texas LTD in the amount of \$250,000, lowest responsible bidders of five - Total not to exceed \$648,248 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes **[07-1329; APPROVED]**
2. Authorize a professional services contract for specialized equipment and software services to be used in the assembly of a pavement management data collection vehicle for conducting street and alley condition inventories - Enterprise Information Solutions, Inc., most advantageous proposer of four - Not to exceed \$500,000 - Financing: Current Funds **[07-1330; APPROVED]**
3. Authorize an eighteen-month service contract, with two twelve-month renewal options, to perform medical exams and fitness assessments for firefighters - MedProvider dba Health Texas, most advantageous proposer of three - Not to exceed \$1,565,954 - Financing: Current Funds (\$782,977 subject to annual appropriations) **[07-1331; APPROVED]**

City Secretary's Office

4. An ordinance amending Ordinance No. 26580 ordering the May 12, 2007 general election, in order to change some election-day and early voting locations - Financing: No cost consideration to the City **[07-1332; ORDINANCE 26735; APPROVED AS AN INDIVIDUAL ITEM]**

Code Compliance

5. Authorize moving expense and replacement housing payments for Delvin Mims 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 \$38,901 - Financing: 2003 Bond Funds **[07-1333; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Department of Development Services

6. Authorize settlement in lieu of proceeding further with condemnation in the lawsuit styled, City of Dallas v. Phillip W. Johnson et al., Cause No. cc-03-14904-c, pending in the County Court at Law No. 3, for a tract of land containing approximately 90 acres from owner Phillip W. Johnson located near Linfield Road and Interstate Highway 45 for the Trinity River Corridor Project - \$795,000 - Financing: 1998 Bond Funds **[07-1334; APPROVED]**
7. Authorize **(1)** a public hearing to be held on May 23, 2007, to receive comments on a proposed redevelopment plan for the Jules E. Muchert Reserve Center located near the intersection of Northwest Highway and Thurgood Lane; and, at the close of the hearing, **(2)** consideration of a resolution authorizing the proposed redevelopment plan - Financing: No cost consideration to the City **[07-1335; APPROVED]**
8. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Metropolitan Sand and Gravel Company, L.L.C., for approximately 32 acres of land located near the intersection of Loop 12 and Pemberton Hill Road for the Trinity River Corridor Project - \$395,000 - Financing: 1998 Bond Funds **[07-1336; APPROVED]**
9. An ordinance abandoning portions of seven various easements to PC Village Apartments Dallas, L.P., the abutting owner, containing approximately 83,286 square feet of land located near the intersection of Northwest Highway and Shadybrook Lane - Revenue: \$5,000 plus the \$20 ordinance publication fee **[07-1337; ORDINANCE 26736; APPROVED]**
10. An ordinance abandoning a portion of Turtle Creek Boulevard to Block 1500, L.P. and Tower Land and Investment Company, the abutting owners, containing approximately 49,146 square feet of land located at the intersection of Turtle Creek Boulevard and Oak Lawn Avenue, and authorizing the quitclaim in exchange for approximately 5,423 square feet of needed street right-of-way - Revenue: \$780,456 plus the \$20 ordinance publication fee **[07-1338; ORDINANCE 26737; APPROVED]**

Environmental & Health Services

11. Authorize **(1)** the acceptance of Shelter Plus Care Grant Funds from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2007 through April 30, 2008; and **(2)** execution of the grant agreement - Not to exceed \$420,360 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[07-1339; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007**

ADDITIONS: (Continued)
CONSENT ADDENDUM (Continued)

Environmental & Health Services (Continued)

12. Authorize **(1)** the application for and acceptance of a grant from the Texas Department of Housing and Community Affairs for the provision of homebuyer assistance, housing placement, and transitional rental assistance for homeless individuals through the Homeless Services Program for the period October 1, 2007 through March 30, 2010; and **(2)** execution of the grant agreement - Not to exceed \$550,000 - Financing: Texas Department of Housing and Community Affairs Grant Funds **[07-1340; APPROVED]**

Equipment & Building Services

13. Authorize an increase in the contract with J. N. Kent Construction Company, Inc. for the replacement of the water damaged ceiling system in L2/A/North at City Hall located at 1500 Marilla Street - \$44,307, from \$487,364 to \$531,671 - Financing: Current Funds **[07-1341; APPROVED]**

Housing

14. Authorize **(1)** the acceptance of a grant from the ExxonMobil Foundation to provide funding for employment, training and basic education services to Dallas youth in the amount of \$265,000; **(2)** the implementation of the Summer Youth Program for low- to moderate-income youth ages 16 and above, and certain costs for students and supervisor wages, supplies training, and materials for the period of April 25, 2007 to August 25, 2007, in the amount of \$237,000; and **(3)** an Interlocal Agreement with the Dallas County Community College District - El Centro College to operate the basic education component in the amount of \$28,000 - Total not to exceed \$265,000 - Financing: 2007 ExxonMobil Foundation Grant Funds **[07-1342; APPROVED AS AN INDIVIDUAL ITEM]**

Office of Cultural Affairs

15. Authorize a contract for the design and fabrication of a site-specific artwork for the new Fire Station No. 33 located at the intersection of Vernon Avenue and Illinois Avenue - Graphic Content, Inc. - Not to exceed \$38,488 - Financing: 2003 Bond Funds **[07-1343; APPROVED]**
16. Authorize a contract for the fabrication and installation of a site-specific public artwork for the new Dallas Animal Shelter located at 1818 N. Westmoreland Road - Meridian Energy Systems, Inc. - Not to exceed \$123,000 - Financing: 2003 Bond Funds **[07-1344; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Office of Financial Services

17. Authorize **(1)** the preparation of plans for the issuance of \$135,350,000 in General Obligation Bonds, Series 2007; and **(2)** the establishment of appropriations in an amount not to exceed \$135,691,406 - Financing: This action has no cost consideration to the City **[07-1345; APPROVED]**

18. A resolution **(1)** authorizing a commitment to fund up to 25% of incremental cost of undergrounding approximately 0.7 miles of the proposed TXU Electric Delivery 345 kilovolt electric West Levee to Norwood transmission line from the West Levee switching station to approximately Sylvan Avenue; and **(2)** directing the City Manager to include such funding in future budgets as appropriate - Financing: This action has no cost consideration to the City **[07-1346; APPROVED AS AN INDIVIDUAL ITEM]**

Park & Recreation

19. Authorize Supplemental Agreement No. 1 to the professional services contract with Oglesby-Greene Architects, Inc. to provide for the historical regulatory reviews and approvals, construction documents, design of exhibits and interpretive graphics, cost estimating, bidding, and construction administration services for the exterior and interior areas of the butterfly house, lobby, and offices for the Texas Discovery Gardens at Fair Park, Phase III, located at 3601 Martin Luther King, Jr., Boulevard - Not to exceed \$492,490, from \$24,999 to \$517,489 - Financing: 1995 Bond Funds (\$145,895) and 1998 Bond Funds (\$346,595) **[07-1347; APPROVED]**

Police

20. Authorize a twelve-month professional services agreement with Professional Development Institute, a non-profit corporation, located on the campus of the University of North Texas in Denton, for consultant services for the development of a real-time, intelligence-based, fusion center to serve as an information and intelligence hub for the North Central Texas Urban Area for the period of December 15, 2006 through December 31, 2007 - Not to exceed \$150,000 - Financing: 2005-06 Urban Area Security Initiative Grant Funds **[07-1348; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007**

ADDITIONS: (Continued)
CONSENT ADDENDUM (Continued)

Police (Continued)

21. Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Overtime Enforcement grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period of May 21, 2007 through June 3, 2007, in the amount of \$90,000, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$25,398, and **(3)** execution of the grant agreement - Total not to exceed \$115,398 - Financing: Current Funds (\$25,398) and Texas Department of Transportation Grant Funds (\$90,000) **[07-1349; APPROVED]**

Public Works & Transportation

22. Authorize an increase in the contract with CORE Construction, Inc. to provide modifications caused by unforeseen site conditions concerning existing utility lines for the new South Central Police Station to be located at 1999 East Camp Wisdom Road - \$36,515, from \$10,516,305 to \$10,552,820 - Financing: 2003 Bond Funds **[07-1350; APPROVED]**

Trinity River Corridor Project

23. Authorize Supplemental Agreement No. 2 to the Interlocal Agreement with the North Texas Tollway Authority (NTTA) and Texas Department of Transportation to increase the escrow of City funds for disbursement to NTTA in order to continue with the next phase of work associated with the Trinity Parkway Environmental Impact Statement - \$1,500,000, from \$7,000,000 to \$8,500,000 - Financing: 1998 Bond Funds **[07-1351; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Economic Development

Fireman's Fund Insurance Company

Note: Item Nos. 24 and 25 must be considered collectively.

24. * Authorize a 75 percent new business personal property tax abatement agreement for five years with Fireman's Fund Insurance Company and California State Teachers Retirement System located at 500 North Akard - Revenue: First year revenue estimated at \$9,115; five-year revenue estimated at \$45,575 (Estimated revenue foregone for five-year abatement estimated at \$136,725) **[07-1352; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Economic Development (Continued)

Fireman's Fund Insurance Company

Note: Item Nos. 24 and 25 must be considered collectively.

25. * Authorize a four-year economic development grant agreement with Fireman's Fund Insurance Company related to the company's expansion and job creation at 500 North Akard - Not to exceed \$25,000 annually for a total not to exceed \$100,000 - Financing: Public/Private Partnership Program Funds **[07-1352; APPROVED]**
26. Authorize **(1)** a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Fort Worth Avenue area (Fort Worth Avenue TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and, at the close of the hearing, **(2)** consideration of an ordinance creating the Fort Worth Avenue TIF District - Financing: No cost consideration to the City **[07-1353; APPROVED]**
27. Authorize **(1)** a public hearing to be held on June 13, 2007, subject to valid waiver of the 60-day requirement for notice by the governing bodies of Dallas County and Dallas Independent School District, to receive comments to consider the creation of a tax increment financing reinvestment zone for the Twelve Hills area (Twelve Hills TIF District) under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311); and at the close of the hearing, **(2)** consideration of an ordinance creating the Twelve Hills TIF District - Financing: No cost consideration to the City **[07-1354; APPROVED]**

CORRECTION:

Economic Development

35. Authorize amendments to Resolution No. 06-2441, previously approved on September 13, 2006, for the redevelopment of the Santa Fe IV building located at 1033 Young Street in the Downtown Connection TIF District to **(a)** remove the residential requirement and increase the number of hotel rooms from 116 to 195, **(b)** define allowable expenditures for private investment, and **(c)** extend the date to receive Landmark Commission review from March 31, 2007 to December 31, 2007, and **(d)** include Hamilton 1033 LLC and Santa Fe IV Hotel, LP, along with Santa Fe Lofts IV LP, as party to the development agreement - Financing: No cost consideration to the City **[07-1307]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 25, 2007**

DELETIONS:

Mayor and Council Office

34. A resolution to authorize the City Manager to negotiate and enter into a development agreement with The Pillar Group, the developer of the Tower Petroleum Building redevelopment project (Mayor Pro Tem Hill and Councilmembers Blaydes, Salazar, Natinsky and Thornton-Reese) **[07-1306]**

Department of Development Services

ZONING CASES – INDIVIDUAL

44. A public hearing to receive comments regarding an application for a Planned Development District for retail and multifamily uses on property zoned an RR Regional Retail District on the southwest corner of Ferguson Road and Valley Glen Drive, with consideration for and an ordinance granting an MU-2 Mixed Use District
Recommendation of Staff and CPC: Approval of an MU-2 Mixed Use District in lieu of a Planned Development District
Z067-151(JH) [07-1317]