

AGENDA
CITY COUNCIL MEETING
NOVEMBER 12, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[07-3270]**

Agenda Item/Open Microphone Speakers **[07-3271]**

VOTING AGENDA

1. Approval of Minutes of the October 24, 2007 City Council Meeting **[07-3272; APPROVED]**

CONSENT AGENDA [07-3273]

Business Development & Procurement Services

2. Authorize a forty-eight-month master agreement for hats, caps, and accessories for the Dallas Police Department - C & G Police Supply dba C & G Wholesale in the amount of \$67,500, and GST Public Safety Supply, LLC. in the amount of \$14,628, lowest responsible bidders of two - Total not to exceed \$82,128 - Financing: Current Funds **[07-3274; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize a forty-eight-month master agreement for law enforcement equipment, such as holsters, handcuffs and batons for the Dallas Police Department - C & G Police Supply dba C & G Wholesale, lowest responsible bidder of five - Not to exceed \$904,770 - Financing: Current Funds **[07-3275; APPROVED]**
4. Authorize a thirty-six-month master agreement for fasteners - D.F. Sales, lowest responsible bidder of five - Not to exceed \$584,259 - Financing: Water Utilities Current Funds (\$455,620), Current Funds (\$128,639) **[07-3276; APPROVED]**

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

5. Authorize a thirty-six-month master agreement for water meter access hatches for the Dallas Water Utilities - U.S.F. Fabrication, Inc., only bidder - Not to exceed \$556,003 - Financing: Water Utilities Current Funds **[07-3277; APPROVED]**
6. Authorize a thirty-six-month professional services contract, with three additional twelve-month renewal periods at the City's option, for the registration of City departments to the International Organization for Standardization 9001, 14001 and Occupational Health and Safety Management Systems 18001 - Bureau Veritas Certification North America, most advantageous proposer of four - Not to exceed \$999,550 - Financing: Current Funds (\$352,000), Water Utilities Current Funds (\$15,000), Current Funds (\$632,550) (subject to annual appropriations) **[07-3278; APPROVED]**
7. Authorize a twelve-month master agreement for submersible pumps - Hertz Service Pump & Compressor in the amount of \$57,800, and DXP Enterprises, Inc. in the amount of \$61,466, lowest responsible bidders of three - Total not to exceed \$119,266 - Financing: Current Funds (\$4,940), Water Utilities Current Funds (\$114,326) **[07-3279; APPROVED]**
8. Authorize the purchase of remote control terminal units and parts for Dallas Water Utilities major pump facilities and meter vaults - QEI, Inc., Sole Source - Not to exceed \$207,610 - Financing: Water Utilities Capital Construction Funds **[07-3280; APPROVED]**
9. Authorize a thirty-six-month master agreement for clamps, couplings and sleeves for the installation and repair of water mains - Municipal Water Works Supply, L.P. in the amount of \$504,257, National Water Works, Inc. dba HD Supply Waterworks, LTD, Inc. in the amount of \$95,151, and I-EUL dba Ferguson, Inc. in the amount of \$80,587, lowest responsible bidders of three - Total not to exceed \$679,995 - Financing: Water Utilities Current Funds **[07-3281; APPROVED]**
10. Authorize a thirty-six-month master agreement for electrical supplies to be used in new construction, maintenance and repairs at various City facilities - Summit Electric Supply in the amount of \$3,967,800, and Wesco Distribution in the amount of \$1,322,600, lowest responsible bidders of four - Total not to exceed \$5,290,400 - Financing: Water Utilities Current Funds (\$2,860,277), Current Funds (\$2,430,123) **[07-3282; APPROVED]**
11. Authorize a thirty-six-month master agreement for janitorial supplies to be used at various departments - Eagle Brush and Chemical, Inc., lowest responsible bidder of nine - Not to exceed \$523,142 - Financing: Current Funds (\$131,391), Water Utilities Current Funds (\$315,323), Aviation Current Funds (\$46,670), Convention and Event Services Current Funds (\$29,758) **[07-3283; APPROVED]**
12. Authorize a thirty-six-month master agreement for pump parts for existing equipment operated by the City - Master Pumps & Equipment in the amount of \$71,240, and Pierce Pump Co. LP in the amount of \$63,700, lowest responsible bidders of three - Total not to exceed \$134,940 - Financing: Water Utilities Current Funds **[07-3284; APPROVED]**

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

13. Authorize a thirty-six-month parking concession contract, with two twelve-month renewal options, for parking services at Fair Park - Parking Company of America, most advantageous bidder of three - City will receive 82.25% of gross revenues, less sales tax - Estimated Annual Revenue: \$227,666 **[07-3285; REFER BACK TO FINANCE, AUDIT AND ACCOUNTING COMMITTEE MEETING FOR NOVEMBER 26, 2007]**
14. Authorize a thirty-six-month service contract for janitorial services at nine Park and Recreation sites - Cleaning Solutions Janitorial Service, lowest responsive bidder of seven - Not to exceed \$327,600 - Financing: Current Funds **[07-3286; APPROVED]**
15. Authorize a thirty-six-month service contract for janitorial services at ten Women, Infants and Children locations - Service Master Building Services, lowest responsible bidder of twelve - Not to exceed \$269,964 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations) **[07-3287; APPROVED]**
16. Authorize a thirty-six-month service contract for janitorial services at the Dallas Convention Center, Reunion Arena and Farmers Market - Andrew's Building Service, Inc., lowest responsive bidder of seven - Not to exceed \$13,731,475 - Financing: Convention and Event Services Current Funds (subject to annual appropriations) **[07-3288; DEFERRED BY COUNCILMEMBER SALAZAR]**
17. Authorize the purchase of two mobile emergency generators with trailers to be used by Dallas Water Utilities - National Electrical Systems, Inc., lowest responsible bidder of two - Not to exceed \$1,462,429 - Financing: USHS-Law Enforcement and Public Safety Equipment and Training Grant Funds (\$1,000,000), Water Utilities Capital Construction Funds (\$462,429) **[07-3289; APPROVED]**
18. Authorize **(1)** rescinding the sixty-month master agreement with Liberty Energy LLC, previously approved on August 22, 2007 by Resolution #07-2338, for Jet "A" fuel; and, **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City **[07-3290; APPROVED AS AN INDIVIDUAL ITEM]**

Department of Development Services

19. A resolution authorizing the rejection of a bid received from JS Funding, Ltd. for tax foreclosure property located at 4509 Luzon Street and its re-advertisement for sale - Financing: No cost consideration to the City **[07-3291; APPROVED]**
20. Authorize acquisition, from Neal & FM548-1076 (Mann 1100), LLLP, and Terrell 400 CR250, LLLP, of approximately 26 acres of land in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Financing: No cost consideration to the City **[07-3292; APPROVED]**
21. Authorize settlement in lieu of proceeding with condemnation for a tract of land containing approximately 43,560 square feet from Steven L. Robertson and B. Lynn Robertson improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$266,065 - Financing: Water Utilities Capital Construction Funds **[07-3293; APPROVED]**

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

22. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of 9 properties improved with single family homes and 2 vacant lots in the Cadillac Heights neighborhood near the intersection of Cedar Crest and Kiest Boulevards for the proposed Dallas Police Academy (list attached) - \$400,600 - Financing: 2003 Bond Funds **[07-3294; APPROVED]**
23. Authorize the quitclaim of 15 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$236,996 **[07-3295; APPROVED AS AN INDIVIDUAL ITEM]**
24. An ordinance abandoning a portion of a utility easement to Watermark Community Church, the abutting owner, containing approximately 2,570 square feet of land located near the intersection of I.H. 635 and Park Central Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee **[07-3296; ORDINANCE 26989; APPROVED]**
25. An ordinance adopting a boundary adjustment agreement with the City of University Park on property located north of Northwest Parkway between Hillcrest Road and Airline Road - Financing: No cost consideration to the City **[07-3297; ORDINANCE 26990; APPROVED]**

Economic Development

26. An ordinance amending the Project Plan and Reinvestment Financing Plan for Tax Increment Financing Reinvestment Zone Number Five ("City Center TIF District") in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to **(1)** shift funds among budget categories by decreasing Streetscape/Pedestrian Linkages/Lighting/Streetlight Upgrades in the amount of (\$160,402) and increasing the Plan Implementation/Administration category in the amount of \$160,402, and **(2)** update Exhibit F and associated text of the Project Plan and Reinvestment Financing Plan, to reflect the changes in the base year value and increment projections - Financing: No cost consideration to the City **[07-3298; ORDINANCE 26991; APPROVED AS AN INDIVIDUAL ITEM]**
27. Authorize a public hearing to be held on November 28, 2007 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 68 located at property north of Interstate 20 and east of Mountain Creek Parkway; and, at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 68; and **(2)** a 75 percent real property tax abatement for seven years with Medline Industries, Inc. - Financing: No cost consideration to the City **[07-3299; APPROVED]**

Environmental & Health Services

28. Authorize a secured, no interest, forgivable loan agreement with Legacy Counseling Center, Inc., to provide for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street for the period October 1, 2007 through September 30, 2008 - Not to exceed \$6,734 - Financing: 2007-08 Housing Opportunities for Persons with AIDS Grant Funds **[07-3300 APPROVED]**

CONSENT AGENDA (Continued)**Environmental & Health Services** (Continued)

29. Authorize a secured, no interest, forgivable loan agreement with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, to provide for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue for the period October 1, 2007 through September 30, 2008 - Not to exceed \$29,706 - Financing: 2007-08 Housing Opportunities for Persons with AIDS Grant Funds **[07-3301; APPROVED]**
30. Authorize **(1)** the discharge of the secured, no-interest, forgivable note with Goodwill Industries of Dallas, Inc. in the amount of \$200,000; and **(2)** the release of lien on real property located at the corner of Singleton and Westmoreland, Lots 1-6, Part of Block 7135 - Financing: No cost consideration to the City **[07-3302; APPROVED]**

Equipment & Building Services

31. Authorize a contract for the replacement of the heating, ventilation, and air conditioning system at Jaycee Zaragoza Recreation Center located at 3114 Clymer Street - American Mechanical Services of Texas, LLC, lowest responsible bidder of two - \$106,571 - Financing: 2005-06 Community Development Grant Funds **[07-3303; APPROVED]**

Housing

32. Authorize acquisition of a vacant lot at 2444 Starks Avenue and a parcel improved with a vacant single-family residence at 2453 Starks Avenue for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$44,000 including estimated closing costs - Financing: 2002-03 Community Development Grant Funds (\$22,000); 2006-07 Community Development Grant Reprogramming Funds (\$22,000) **[07-3304; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize an economic development loan agreement with Kaminski Holdings, Inc. for partial development financing to facilitate the construction of two mixed-use buildings at 2500 Macon Street, 2506 Macon Street, 5208 Bexar Street, 5212 Bexar Street, 5216 Bexar Street, 5502 Bexar Street, and 5504 Bexar Street located within the Neighborhood Investment Program Bexar Street Redevelopment Project - \$300,000 - Financing: 2006-07 Community Development Grant Reprogramming Funds **[07-3305; APPROVED AS AN INDIVIDUAL ITEM]**
34. Authorize **(1)** approval of Major Systems Repair Program and Reconstruction/SHARE Program; and **(2)** approval of Program Statements for those programs and execution of any necessary documents to implement those housing programs - Financing: No cost consideration to the City **[07-3306; APPROVED]**

CONSENT AGENDA (Continued)
Housing (Continued)

35. Authorize **(1)** adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #1 to reprogram \$5,616,780 of Community Development Grant funds from the Basic Home Repair Program, Minor Home Repair Program and the Replacement/SHARE Program to the Major Systems Repair Program and the Reconstruction/SHARE Program and \$492,378 of HOME funds from the Replacement Program to the Reconstruction/SHARE Program; and **(2)** a public hearing to be held on December 12, 2007 to receive comments on the proposed use of funds - Financing: No cost consideration to the City **[07-3307; APPROVED]**
36. Authorize **(1)** the acceptance of a transfer of funds in the amount of \$620,566 from the City Center Tax Increment Financing District Fund to the Affordable Housing Cost Participation Program (AHCP), and **(2)** an amendment to the AHCP program statement for nonprofit developer fee incentives and green building energy incentives - \$620,566 - Financing: City Center TIF District Funds **[07-3308; APPROVED]**

Intergovernmental Services

37. Authorize **(1)** a public hearing to be held on November 28, 2007, in accordance with the provisions of House Bill 621, enacted during the 80th Session of the Texas State Legislature, to receive comments regarding whether goods-in-transit in warehouses within the Dallas City limits should remain subject to taxation by the City of Dallas; and, at the close of the hearing, **(2)** consideration of an ordinance that goods-in-transit in warehouses within the Dallas City limits should remain subject to taxation by the City of Dallas - Financing: No cost consideration to the City **[07-3309; APPROVED AS AN INDIVIDUAL ITEM]**

Library

38. Authorize the acceptance of an award from the Atmos Energy Corporation through the Friends of the Dallas Public Library, Inc. for children's programming at Bookmarks, a Dallas Public Library, NorthPark/Dallas - \$75,000 - Financing: Private Funds **[07-3310; APPROVED]**

**Children's Center
at the J. Erik Jonsson Central Library**

Note: Item Nos. 39 and 40 must be considered collectively.

39. * Authorize the acceptance of an award from The Crystal Charity Ball through the Friends of the Dallas Public Library, Inc. for the expansion and renovation of the Children's Center at the J. Erik Jonsson Central Library - \$612,500 - Financing: Private Funds **[07-3311; APPROVED AS AN INDIVIDUAL ITEM]**
40. * Authorize the acceptance of an award from The Young Foundation through the Friends of the Dallas Public Library, Inc. for the expansion and renovation of the Children's Center at the J. Erik Jonsson Central Library - \$75,000 - Financing: Private Funds **[07-3312; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Office of Financial Services**

41. Authorize adoption of the 2008 City Calendar - Financing: No cost consideration to the City **[07-3313; APPROVED]**
42. Authorize adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City **[07-3314; APPROVED]**

Police

43. An ordinance amending Chapter 15D of the Dallas City Code to exempt certain governmental entities from the City's emergency wrecker service regulations under certain conditions - Financing: No cost consideration to the City **[07-3315; ORDINANCE 26992; APPROVED AS AN INDIVIDUAL ITEM]**
44. Authorize an Interlocal Agreement with Dallas County to allow the Dallas Sheriff's Office to assume primary responsibility for traffic enforcement and accident investigation on designated interstate highways and other roadways within the city limits of the City of Dallas for the period January 1, 2008, until this Agreement is terminated by either party - Estimated Annual Revenue Loss: \$600,000 **[07-3316; DEFERRED BY COUNCILMEMBER SALAZAR]**
45. Authorize **(1)** the acceptance of the Sexual Assault/Stalking/6 Law Enforcement Training grant from the Office of the Governor, Criminal Justice Division to provide specialized training to detectives who investigate sexual assault and stalking offenses in the amount of \$26,000, for the period September 1, 2007 through August 31, 2008, **(2)** a local match in the amount of \$14,000, and **(3)** execution of the grant agreement - Total not to exceed \$40,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds (\$26,000) and Current Funds (\$14,000) **[07-3317; APPROVED]**

Public Works & Transportation

46. Authorize a contract for the construction of sidewalk paving and barrier free ramp improvements for Sidewalk Group 03-131 (list attached) - Santos Construction, Inc., lowest responsible bidder of two - \$320,572 - Financing: 2003 Bond Funds (\$277,846), 2005-06 Community Development Grant Funds (\$17,726), Water Utilities Capital Construction Funds (\$25,000) **[07-3318; APPROVED]**
47. Authorize Supplemental Agreement No. 1 to Interlocal Agreement with the Texas Department of Transportation for the design and construction of the LBJ/Skillman DART station pedestrian bridge project - \$35,997 - Financing: 2003 Bond Funds **[07-3319; APPROVED]**

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

48. Authorize **(1)** a contract for Union Station Wall Restoration with Frontier Waterproofing, Inc., lowest responsible bidder of three, in an amount not to exceed \$1,025,049; **(2)** assignment of the construction contract to Hunt - Woodbine Realty Corporation as the construction manager for all purposes, including contract administration, inspection, supervision and coordination of construction work; and **(3)** an increase in appropriations in the amount of \$1,225,049, 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) **[07-3320; APPROVED AS AN INDIVIDUAL ITEM]**
49. Authorize **(1)** a decrease in the contract with Jennings Glass Contractors for window replacement related to the redevelopment of the Republic Center Tower I, located at 300 North Ervay Street, in an amount not to exceed (\$47,513), from \$1,360,750 to \$1,313,237, **(2)** an increase in the payment to Ervay Residential Limited Partnership, Inc. for design reimbursement in an amount not to exceed \$47,513, from, \$2,434,328 to \$2,481,841; and **(3)** assignment of the contract to Ervay Residential Limited Partnership, Inc. for construction management - Financing: No cost consideration to the City **[07-3321; APPROVED]**
50. Authorize **(1)** an increase to the contract with AUI Contractors, L.P. for additional construction work necessary for the terminal apron repairs, Phase II for storm drainage repairs and modifications at Dallas Love Field in an amount not to exceed \$71,589, from, \$3,639,102 to \$3,710,691; and **(2)** an increase in appropriations in an amount not to exceed \$71,589 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$71,589 - Financing: Aviation Capital Construction Funds (\$17,897) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$53,692) **[07-3322; APPROVED]**

Trinity River Corridor Project

51. Authorize an increase in the contract with Sedalco, LP for a rainwater harvesting system which collects run-off from the roof and stores the water in tanks to be used for landscape irrigation at the Trinity River Audubon Center - \$100,714, from \$11,614,630 to \$11,715,344 - Financing: 1998 Bond Funds **[07-3323; APPROVED]**
52. Authorize Supplemental Agreement No. 3 to the professional services contract with Schrickel, Rollins and Associates, Inc. for the completion of Section 404, Section 408 project approval process and Section 10 applications required by the United States Army Corps of Engineers to allow for the construction of the Trinity River standing wave at Moore Park located at 1900 East Eighth Street - \$55,701, from \$166,833 to \$222,534 - Financing: 1998 Bond Funds **[07-3324; APPROVED AS AN INDIVIDUAL ITEM]**
53. Authorize a project name change and modification to the project description for a 2006 Bond Program trail development project currently listed as "Bellevue/McKee to Trinity Park" to the "Bellevue Connector Project" - Financing: No cost consideration to the City **[07-3325; APPROVED]**

CONSENT AGENDA (Continued)
Trinity River Corridor Project (Continued)

54. Authorize Supplemental Agreement No. 1 to an Interlocal Agreement with the Texas Department of Transportation for right-of-way acquisition and utility relocation for the Woodall Rodgers Extension (Spur 366) from IH 35E across the Trinity River to the intersection of Beckley Avenue and Singleton Boulevard - Financing: No cost consideration to the City **[07-3326; APPROVED]**
55. Authorize a Stream Mitigation Agreement with West Mud Reserve, LLC for the construction of an environmental mitigation project, to be constructed on 9 acres of City owned property along Lower White Rock Creek and execution of a deed restriction to dedicate the property as a stream mitigation area - Financing: No cost consideration to the City **[07-3327; APPROVED]**

Water Utilities

56. Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with the construction of settling basin improvements at the Central Wastewater Treatment Plant - \$257,300, from \$17,804,000 to \$18,061,300 - Financing: Water Utilities Capital Construction Funds **[07-3328; APPROVED AS AN INDIVIDUAL ITEM]**
57. Authorize a contract for the cleaning and rehabilitation of the Elm Fork Water Treatment Plant Sludge Ponds A, B and C - Oscar Renda Contracting, Inc., lowest responsible bidder of two - \$3,770,000 - Financing: Water Utilities Capital Construction Funds **[07-3329; APPROVED]**
58. Authorize an Advanced Funding Agreement with the Texas Department of Transportation for water and wastewater improvements and adjustments in conjunction with the Spur 366 (Woodall Rodgers Freeway) six-lane extension over the Trinity River with ramps to Industrial Boulevard and direct connect to and from Interstate Highway 35E - \$1,405,123 - Financing: Water Utilities Capital Construction Funds **[07-3330; APPROVED]**
59. Authorize Supplemental Agreement No. 2 to the professional services contract with Jericho Consulting, Inc., for specific task orders associated with the implementation of recommendations in the 311 Call Center Study - Not to exceed \$80,000, from \$3,424,500 to \$3,504,500 - Financing: Current Funds **[07-3331; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

60. 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) **[07-3332 AND 07-3333 FULLCOUNCIL; APPOINTMENT MADE TO BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**Department of Development Services**

61. Authorize a petition to the City Council of the City of McLendon-Chisholm, Texas, requesting approximately 56 acres of land owned by the City of Dallas located in Kaufman County, Texas, that is used for the construction, repair, maintenance, and operation of a Dallas water transmission line, be brought into the City of McLendon-Chisholm's extraterritorial jurisdiction - Financing: No cost consideration to the City **[07-3334; APPROVED]**
62. An ordinance waiving the extraterritorial jurisdiction of the City of Dallas on approximately 265 acres of unincorporated land generally located north and west of Neil Road, south of Mann Road, in Kaufman County, in favor of the City of McLendon- Chisholm - Financing: No cost consideration to the City **[07-3335; ORDINANCE 26993; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [07-3336]

63. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CR Community Retail District, on the west corner of Vermont Avenue and Ewing Avenue **[07-3337; HEARING OPEN; CONTINUE UNTIL NOVEMBER 28, 2007]**
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions Z067-133(OTH)
64. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property within the Subarea 12 portion of Planned Development District No. 298, the Bryan Area Special Purpose District, with consideration being given to and an ordinance granting an amendment to require a Specific Use Permit for a Financial institution with drive-in window within Subarea 12 of Planned Development District No. 298 **[07-3338; HEARING CLOSED; ORDINANCE 26994; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval of permitting a Financial institution with drive-in window by Specific Use Permit within Subarea 12 of Planned Development District No. 298 Z067-217(RB)
65. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Used District on property zoned an MO-1 Mid-range Office District, a resolution terminating the existing deed restrictions, and a resolution accepting new deed restrictions volunteered by the applicant, on the southeast corner of the LBJ Freeway and Forest Lane **[07-3339; HEARING CLOSED; ORDINANCE 26995; APPROVED AS AMENDED]**
Recommendation of Staff and CPC: Approval of the MU-3 District subject to deed restrictions volunteered by the applicant and approval of the termination of the existing deed restrictions Z067-262(OTH)

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

ZONING CASES - CONSENT (Continued)

66. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 717 for single family uses on property on Oren Street and Westrock Drive south and west from Stults Road **[07-3340; ORDINANCE 26996; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval subject to conditions
Z067-281(MF)
67. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an R-5(A) Single Family District on an internal parcel northeast of Shadow Creek Drive and Spikerush Court
Recommendation of Staff and CPC: Approval **[07-3341; ORDINANCE 26997; CPC RECOMMENDATION FOLLOWED]**
Z067-300(RB)
68. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an LO-1-D Limited Office District with a Dry Liquor Control Overlay on the north side of Garland Road, southwest of Buckner Boulevard **[07-3342; ORDINANCE 26998; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval with retention of the Dry Liquor Overlay
Z067-301(OTH)
69. A public hearing to receive comments regarding an application for and an ordinance granting an MU-1 Mixed Use District on property zoned an MF-2(A) Multifamily District located north of Garland Road, southwest of Buckner Boulevard **[07-3343; ORDINANCE 26999; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z067-303(OTH)
70. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan and landscape plan within Subdistrict D, Subzone D-1 of Planned Development District No. 305, for residential and mixed uses, on the east line of McKinney Avenue, north of Noble Avenue **[07-3344; ORDINANCE 27000; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, subject to a development plan and landscape plan
Z067-313(WE)
71. A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an LI Light Industrial District, south of President George Bush Turnpike at the terminus of Pear Ridge Drive
Recommendation of Staff and CPC: Approval **[07-3345; HEARING CLOSED; ORDINANCE 27001; APPROVED AS AMENDED]**
Z067-319(WE)

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

ZONING CASES - INDIVIDUAL

72. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Single Family uses on property zoned an R-16(A) Single Family District, Planned Development District No. 108, and an LO-3 Limited Office District, on the east side of Walton Walker Boulevard, north of Country Creek Drive **[07-3346; HEARING CLOSED; ORDINANCE 27002; APPROVED AS AMENDED]**
Recommendation of Staff: Approval, subject to a development plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a development plan and conditions
Z056-220(JH)
73. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District at the southeast corner of Midway Road and Frankford Road **[07-3347; HEARING CLOSED; ORDINANCE 27003; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, for a two-year period, subject to a site plan and conditions
Z067-251(RB)
74. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a private school use, R-7.5(A) Single Family District uses, CR Community Retail District uses with retention of the Dry Liquor Control Overlay on a portion and an ordinance granting the termination of Specific Use Permit No. 1179 on property zoned an MC-1 Multiple Commercial District, CR Community Retail District, CR-D Community Retail District with a Dry Liquor Control Overlay, an R-7.5(A) Single Family District with SUP No. 1179 for a private school use on a portion, P(A) Parking District, and a D(A) Duplex District with SUP No. 1179 for a private school use on a portion, on the south side of Lovers Lane, between Morton Street and Linwood Avenue **[07-3348; HEARING CLOSED; ORDINANCE 27004 AND 27005; APPROVED AS AMENDED]**
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan, and conditions with retention of the Dry Liquor Control Overlay on a portion of the site and approval of the termination of Specific Use Permit No. 1179
Z067-263(JH)
75. A public hearing to receive comments regarding an application for an RR Regional Retail District with deed restriction volunteered by the applicant on property zoned a CR Community Retail District, on the northeast corner of Ann Arbor Avenue and Marsalis Avenue **[07-3349; HEARING OPEN; CONTINUE UNTIL NOVEMBER 28, 2007]**
Recommendation of Staff and CPC: Denial
Z067-286(OTH)

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

ZONING CASES - INDIVIDUAL (Continued)

76. A public hearing to receive comments regarding an application for a Planned Development District for mixed uses on property zoned an IR Industrial Research District, on the west side of Market Center Boulevard, north of Turtle Creek Boulevard with consideration being given to and an ordinance granting the expansion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District **[07-3350; HEARING CLOSED; ORDINANCE 27006; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval of expanding Planned Development District No. 621 in lieu of a Planned Development District for mixed uses
Z067-296(WE)
77. A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District, on the south side of Almazan Street between Marsh Lane and El Centro Drive **[07-3351; HEARING CLOSED; ORDINANCE 27007; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restriction volunteered by the applicant
Z067-312(WE)

MISCELLANEOUS HEARINGS

Park & Recreation

78. A public hearing to receive comments on the proposed use of a portion of Anderson-Bonner Park for roadway improvements to LBJ Freeway service road and Park Central Drive; and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City **[07-3352; HEARING CLOSED; APPROVED]**
79. A public hearing to receive comments, and Council action, on the proposed use of a portion of Valley View Park (654 square feet) for roadway improvements to LBJ Freeway service road and Park Central Drive; and, at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City **[07-3353; HEARING CLOSED; APPROVED]**

Public Works & Transportation

80. A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements, for Project Group 03-3003, and, at the close of the hearing, authorize an ordinance levying assessments (list attached) - Financing: No cost consideration to the City **[07-3354; HEARING CLOSED; ORDINANCE 27008; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 12, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session **[07-3355; HELD]**

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

- City of Dallas and Texas Historical Commission v. TCI West End, Inc. & Weir Industries, Inc., Cause No. 06-04868-H
- City of Dallas v. Lee G. Brotherton aka Lee G. Bilal aka Malik Hanzalah Bilal Rabi, Deceased, Cause No. 03-00406-L
- In Re: McCommas LFG Processing Partners, LP and McCommas Landfill Partners, LP, Cause No. 07-32219-HDH-11
- Guadalupe Diaz et al v. The City of Dallas et al., Civil Action No. 3:05-CV-2084-G Marilyn Ford v. City of Dallas, Civil Action No. 3:05-CV-1676-D

CONSENT ADDENDUM

City Attorney's Office

1. Authorize Supplemental Agreement No. 2 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-JTW - Not to exceed \$85,000, from \$400,000 to \$485,000 - Financing: Current Funds **[07-3356; APPROVED]**

Code Compliance

2. Authorize an actual reasonable moving and related expenses-nonresidential payment for Jeff Keysock, dba Key Warehousing, who will be displaced as a direct result of real property acquisition of the property at 1301 McDonald Street, Bay #3, to be used in conjunction with the Trinity River Corridor Project to be paid once City has obtained proof that Key Warehousing has vacated the premises - Not to exceed \$28,560 - Financing: 1998 Bond Funds **[07-3357; APPROVED]**

Department of Development Services

3. An ordinance abandoning a portion of a sanitary sewer easement to the Board of Regents of The University of Texas System, the abutting owner, containing approximately 1,962 square feet of land located near the intersection of Medical Center Drive and Motor Street - Revenue: \$5,400 plus the \$20 ordinance publication fee **[07-3358; ORDINANCE 27009; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 12, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Economic Development

Deep Ellum Warehouses, Ltd.

Note: Item Nos. 4 and 5 must be considered collectively.

4. * Authorize **(1)** the establishment of the Deep Ellum TIF District Grant Program (Grant Program) to implement the Project Plan and Reinvestment Zone Financing Plan (the Project Plan) for Tax Increment Financing Reinvestment Zone Number Twelve, (the Deep Ellum TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. (the Act) to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Deep Ellum TIF District; **(2)** the City Manager to execute a development agreement with Deep Ellum Warehouses, Ltd. to implement the Project Plan in an amount not to exceed \$515,000 plus interest payable as a grant in conformance with the Grant Program from future Deep Ellum TIF funds in consideration of Deep Ellum Warehouses, Ltd.'s redevelopment of the Olympia Arts Building, an office project located at 4000-4008 Eastside Avenue in the Deep Ellum TIF District; and **(3)** the Deep Ellum TIF District Board of Directors to dedicate up to \$515,000 plus interest payable as a grant from Deep Ellum TIF revenues in accordance with the development agreement - \$515,000 - Financing: To be funded solely from the Deep Ellum TIF District Funds **[07-3359; APPROVED AS AN INDIVIDUAL ITEM]**

5. * A resolution declaring the intent of the Deep Ellum TIF District to reimburse Deep Ellum Warehouses, Ltd. for eligible expenditures pursuant to the development agreement with Deep Ellum Warehouses, Ltd. in an amount not to exceed \$515,000, plus interest payable as a grant, for certain TIF-eligible improvements related to the redevelopment of an office project located at 4000-4008 Eastside Avenue in the Deep Ellum TIF District - Financing: No cost consideration to the City **[07-3360; APPROVED]**

Environmental & Health Services

6. Authorize **(1)** the application for and acceptance of a grant from the Texas Department of Housing and Community Affairs, Housing Trust Fund for the provision of tenant based rental assistance for Veterans through the Homeless Services Program for the period February 1, 2008 through May 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$250,000 - Financing: Texas Department of Housing and Community Affairs Grant Funds **[07-3361; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 12, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Human Resources

7. Authorize a one-time lump sum payment to the City Manager Mary K. Suhm in the amount of \$25,000 in addition to her base pay of \$267,750, plus the associated pension contribution in the amount of \$1,483 for a total annual additional cost of \$26,483 - Financing: Current Funds **[07-3362; APPROVED AS AN INDIVIDUAL ITEM]**
8. Authorize a one-time lump sum payment to the City Attorney Thomas P. Perkins, Jr. in the amount of \$11,800, in addition to his base pay of \$236,000, plus the associated pension and Medicare contribution in the amount of \$871, for a total annual additional cost of \$12,671 - Financing: Current Funds **[07-3363; APPROVED]**
9. Authorize an increase in the annual base salary of City Secretary Deborah Watkins in the amount of \$6,840, from \$114,000 to \$120,840, plus the associated pension contribution in the amount of \$406 for a total annual additional cost of \$7,246 - Financing: Current Funds **[07-3364; APPROVED]**

Public Works & Transportation

10. Authorize **(1)** a contract for Union Station Vertical Transportation Upgrade - Elevator with A & F Elevator Company, Inc., lowest responsible bidder of three, in an amount not to exceed \$143,895; **(2)** assignment of the construction contract to Hunt - Woodbine Realty Corporation as the City's construction manager for all purposes, including contract administration, inspection, supervision and coordination of construction work; **(3)** the receipt and deposit of funds from Hunt - Woodbine Realty Corporation in an amount not to exceed \$163,895; and **(4)** an increase in appropriations in the amount of \$163,895, 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) **[07-3365; APPROVED AS AN INDIVIDUAL ITEM]**
11. Authorize **(1)** an increase in the contract with TMV LLC dba Triune Associates for the renovation of the Moorland YMCA building located at 2700 Flora Street for the Dallas Black Dance Theatre to provide furnishings in the amount of \$172,217, from \$4,250,420 to \$4,422,637; **(2)** the receipt and deposit of funds from Dallas Black Dance Theatre in an amount not to exceed \$172,217; and **(3)** an increase in appropriations in the amount of \$172,217 - Not to exceed \$172,217, from \$4,250,420 to \$4,422,637 - Financing: Private Funds **[07-3366; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 12, 2007**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Water Utilities

12. Authorize a contract with Diversity Management Strategists, LLC to perform an assessment and develop a training program to enhance workforce diversity and employee productivity - \$72,000 - Financing: Water Utilities Current Funds **[07-3367; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Department of Development Services

13. Authorize amendments to Resolution No. 03-3387, previously approved on December 8, 2003, for the Historic Development Program tax abatement for the redevelopment of the Republic Center Tower 1 located at 325 North St. Paul Street to extend the completion date from June 6, 2006 to November 3, 2007 - Financing: No cost consideration to the City **[07-3368; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

14. Authorize Supplemental Agreement No. 1 to the professional services contract with KPMG LLP for audit services of the City's financial operations and grant activities for the fiscal year ended September 30, 2006 - Not to exceed \$334,834, from \$950,000 to \$1,284,834 - Financing: Current Funds **[07-3369; APPROVED]**