

AGENDA
CITY COUNCIL MEETING
NOVEMBER 28, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[07-3480]**

Agenda Item/Open Microphone Speakers **[07-3481]**

VOTING AGENDA

1. Approval of Minutes of the November 12, 2007 City Council Meeting and the November 14, 2007 Special Called City Council Meeting **[07-3482; APPROVED]**

CONSENT AGENDA [07-3483]

Business Development & Procurement Services

2. Authorize a twelve-month master agreement with three twelve-month renewal options for commercial wireless communications service and equipment to the City of Dallas in the Dallas Metropolitan Statistical Area (MSA) through the Department of Information Resources, State of Texas Cooperative contract - Verizon Wireless - Not to exceed \$4,800,000 - Financing: Current Funds **[07-3484; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize a thirty-six-month master agreement for ArvinMeritor brake, driveline, axle, clutch and suspension parts to be used for the maintenance and repair of the Dallas Fire-Rescue department fleet - U-Joints, Inc. dba Truck Parts Specialists in the amount of \$223,562 and E-ONE, Inc. in the amount of \$30,486, lowest responsible bidders of four - Total not to exceed \$254,048 - Financing: Current Funds **[07-3485; APPROVED]**

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

4. Authorize the purchase of one hazardous materials response vehicle to be used with Regional Urban Search and Rescue Task Force - Metro Fire Apparatus Specialists, through the Houston-Galveston Area Council of Governments - Not to exceed \$449,929 - Financing: USHS-Law Enforcement and Public Safety Equipment and Training Grant Funds **[07-3486; APPROVED]**
5. Authorize **(1)** the purchase and installation of an Integrated Library System in the amount of \$896,218, and **(2)** a twenty-four-month maintenance agreement in the amount of \$479,046 - Gaylord Information Systems, Inc. dba Polaris Library Systems, most advantageous proposer of three - Total not to exceed \$1,375,264 - Financing: Library Automation Acquisition Funds (\$1,255,503), Current Funds (\$119,761) (subject to annual appropriations) **[07-3487 APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a thirty-six-month service contract to provide temporary industrial labor for Sanitation Services - CTJ Maintenance, Inc., lowest responsible bidder of seven - Not to exceed \$8,795,266 - Financing: Current Funds **[07-3488; APPROVED AS INDIVIDUAL ITEM]**

Department of Development Services

7. Authorize acquisition, from Stacie M. Uhrim, of approximately 3 acres of land improved with a single-family residence located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$130,830 - Financing: Water Utilities Capital Construction Funds **[07-3489; APPROVED]**
8. An ordinance abandoning a portion of a utility easement to 7-Eleven, Inc. (formerly known as The Southland Corporation), the abutting owner, containing approximately 882 square feet of land located near the intersection of Harry Hines Boulevard and Walnut Hill Lane - Revenue: \$5,400 plus the \$20 ordinance publication fee **[07-3490; ORDINANCE 27010; APPROVED]**
9. An ordinance abandoning a portion of a water easement to First Operations, LP, the abutting owner, containing approximately 2,300 square feet of land located near the intersection of Eastpoint Drive and Big Town Boulevard - Revenue: \$5,400 plus the \$20 ordinance publication fee **[07-3491; ORDINANCE 27011; APPROVED]**
10. An ordinance abandoning portions of water main easements to Dallas County Community College District, the abutting owner, containing a total of approximately 18,807 square feet of land located near the intersection of Illinois Avenue and Duncanville Road - Revenue: \$5,400 plus the \$20 ordinance publication fee **[07-3492; ORDINANCE 27012; APPROVED]**
11. An ordinance abandoning portions of Parry and Gurley Avenues and an alley to Jubilee Park & Community Center Corporation, the abutting owner, containing a total of approximately 6,670 square feet of land located near their intersections with Bank Street, and authorizing the quitclaim - Revenue: \$11,339 plus the \$20 ordinance publication fee **[07-3493; ORDINANCE 27013; APPROVED]**

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

12. An ordinance abandoning a portion of an alley to Baylor Health Care System, the abutting owner, containing approximately 6,900 square feet of land located near the intersection of Haskell Avenue and Worth Street, and authorizing the quitclaim - Revenue: \$114,000 plus the \$20 ordinance publication fee **[07-3494; ORDINANCE 27014; APPROVED AS INDIVIDUAL ITEM]**
13. An ordinance granting a CS Commercial Service District on the north side of Lawson Road, northeast of Lasater Road, and a resolution accepting deed restrictions volunteered by the applicant - Z067-269 - Financing: No cost consideration to the City **[07-3495; ORDINANCE 27015; APPROVED]**
14. An ordinance amending Article XI of the Dallas Development Code previously approved on February 25, 2004, by Ordinance No. 25509, as amended, including tax exemptions, conservation easements, and transfer of development rights - Financing: No cost consideration to the City **[07-3496; ORDINANCE 27016; APPROVED AS INDIVIDUAL ITEM]**

Equipment & Building Services

15. Authorize a contract for the replacement of underground piping for the heating, ventilation and air conditioning system at the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Boulevard with Lassiter, Inc. lowest responsible bidder of four - Not to exceed \$385,765 - Financing: Capital Construction Funds (\$140,500) and 2006 Bond Funds (\$245,265) **[07-3497; APPROVED]**

Human Resources

16. Authorize an increase in the annual base salary of City Auditor Craig Daniel Kinton in the amount of \$12,000, from \$160,000 to \$172,000 plus the associated pension contribution in the amount of \$712 and Medicare contribution in the amount of \$174, for a total annual additional cost of \$12,886 - Financing: Current Funds **[07-3498; APPROVED]**

Intergovernmental Services

17. Authorize the acceptance of the 2007 Homeland Security Grant from the Department of Homeland Security which includes the Urban Areas Security Initiative, State Homeland Security Program, Law Enforcement Terrorism Protection Program, Metropolitan Medical Response System and Citizen Corps Program for the period October 12, 2007 through February 28, 2010 - Not to exceed \$8,682,942 - Financing: U.S. Department of Homeland Security Grant Funds **[07-3499; APPROVED]**

Park & Recreation

18. Authorize a ten-year contract with the Dallas Rowing Club, with two five-year renewal options, beginning November 28, 2007 through November 28, 2017, permitting the maintenance, construction and operation of the boathouse facility at Bachman Lake Park - Annual Revenue: \$1,000 **[07-3500; APPROVED]**

CONSENT AGENDA (Continued)**Police**

19. Authorize **(1)** an application for and acceptance of the 2007 Internet Crimes Against Children Continuation Grant supplement from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period April 1, 2005 through May 31, 2008; and **(2)** execution of the grant agreement - Not to exceed \$225,000, from \$600,000 to \$825,000 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds **[07-3501; APPROVED]**
20. Authorize Internet Crimes Cooperative Working Agreements with Longview Police Department in the amount of \$10,750, Tarrant County District Attorney's Office in the amount of \$10,000, Dallas County District Attorney's Office in the amount of \$5,000, Lubbock County District Attorney's Office in the amount of \$4,500, Potter County District Attorney's Office in the amount of \$4,500, Collin County Sheriff's Office in the amount of \$4,500, Taylor County Sheriff's Office in the amount of \$4,500, and the Dallas Children's Advocacy Center in the amount of \$5,625 for the investigation, prosecution, education and counseling activities related to the Dallas Internet Crimes Against Children Task Force in response to the Internet related sexual exploitation of children, for the period October 1, 2007 through May 31, 2008 - Total not to exceed \$49,375 - Financing: Internet Crimes Against Children Grant Funds **[07-3502; APPROVED]**

Public Works & Transportation

21. Authorize a professional services contract with Lim & Associates, Inc. for the engineering design of Sidewalk Improvement Group 03-134 (list attached) - \$316,400 - Financing: 2006 Bond Funds **[07-3503; APPROVED]**
22. Authorize **(1)** an increase in the contract with Nedderman and Associates, Inc. for construction of the 1608 Main Street Pedestrianway in an amount not to exceed \$42,897, from \$476,700 to \$519,597; **(2)** assignment of the contract to Main Street Alley, Ltd. for construction administration; **(3)** the receipt and deposit of funds from Main Street Alley, Ltd. in an amount to not exceed \$42,897; and **(4)** an increase in appropriations in the amount of \$42,897 - Financing: Capital Projects Reimbursement Funds (to be advanced by the developer) **[07-3504; APPROVED AS AN INDIVIDUAL ITEM]**

Water Utilities

23. Authorize a contract for the installation of water and wastewater mains at 27 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of five - \$6,250,913 - Financing: Water Utilities Capital Improvement Funds **[07-3505; APPROVED]**

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

24. 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) **[07-3506 AND 07-3507 FULL COUNCIL; APPOINTMENT MADE TO BOARDS]**

Business Development & Procurement Services

25. Authorize a thirty-six-month master agreement for hydrated lime to be used for stabilizing soil on City levees and creek banks - Dien, Inc. or Univar USA, lowest responsible bidder of two - Not to exceed \$151,800 - Financing: Current Funds **(Tie Bids) [07-3508; APPROVED]**

Office of Financial Services

26. An ordinance authorizing the issuance and sale of City of Dallas, Texas General Obligation Refunding and Improvement Bonds, Series 2007A in an amount not to exceed \$385,000,000; accepting the bids and awarding the sale of the bonds; approving the Preliminary Official Statement; approving the execution of an Escrow Agreement; enacting other provisions in connection therewith; and approval of amendments to Resolution No. 07-3159 (as referenced in the Attachment 1) previously approved on October 24, 2007 - Not to exceed \$675,884 - Financing: 2006 Bond Funds - Interest Earnings **(To be considered before 3:00 p.m.) [07-3509; ORDINANCE 27017; APPROVED]**
27. An ordinance authorizing the issuance and sale of Combination Tax and Revenue Certificates of Obligation, Series 2007 in an amount not to exceed \$5,500,000; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$58,824 - Financing: 2007 Combination Tax and Revenue Certificates of Obligation - Interest Earnings **(To be considered before 3:00 p.m.) [07-3510; ORDINANCE 27018; APPROVED]**
28. An ordinance authorizing the issuance and sale of Equipment Acquisition Contractual Obligations, Series 2007 in an amount not to exceed \$31,475,000; accepting the bids and awarding the sale of the obligations; approving the Preliminary Official Statement; and enacting other provisions in connection therewith - Not to exceed \$103,675 - Financing: 2007 Equipment Acquisition Contractual Obligations - Interest Earnings **(To be considered before 3:00 p.m.) [07-3511; ORDINANCE 27019; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

29. 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 **[07-3512; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**Business Development & Procurement Services (Continued)**

30. 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 responsible bidder of seven - Not to exceed \$13,731,475 - Financing: Convention and Event Services Current Funds (subject to annual appropriations) **[07-3513; REFERRED TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE TO RETURN ON DECEMBER 12, 2007]**

Police

31. 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 **[07-3514; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [07-3515]

32. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a dance hall and live music venue on property zoned Planned Development District No. 269, located on the south side of Commerce Street, west of Henry Street **[07-3516; HEARING CLOSED; ORDINANCE 27020; APPROVED AS AMENDED]**
Recommendation of Staff & CPC: Approval, for a three-year period, subject to a site plan and conditions
Z067-335(JH)
33. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, located on the north side of Commerce Street, east of Good Latimer Expressway
Recommendation of Staff & CPC: Approval, for a two-year period, subject to a site plan and conditions **[07-3517; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27021 WILL COME BACK ON DECEMBER 12, 2007 FOR APPROVAL]**
Z067-342(JH)

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

ZONING CASES - INDIVIDUAL

34. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for TH-2(A) Townhouse District uses and non-residential uses on property zoned a TH-1(A) Townhouse District, located on the north side of Northwest Highway, west of Midway Road **[07-3518; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL DECEMBER 12, 2007]**

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z067-178(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

35. 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 **[07-3519; HEARING CLOSED; ORDINANCE 27022; APPROVED AS AMENDED]**

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)

Note: This item was considered by the City Council at a public hearing on November 12, 2007, and was taken under advisement until November 28, 2007, with the public hearing open.

36. 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 **[07-3520; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED TO DENY]**

Recommendation of Staff and CPC: Denial

Z067-286(OTH)

Note: This item was considered by the City Council at a public hearing on November 12, 2007, and was taken under advisement until November 28, 2007, with the public hearing open.

SPECIAL PROVISION SIGN DISTRICT

37. A public hearing to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District, to create a new Subdistrict to allow for video board signs on a tract of land generally between Main Street and Elm Street, west of Akard Street **[07-3521; HEARING OPEN; HOLD UNDER ADVISEMENT FOR 60 DAYS]**

Recommendation of Staff: Approval, subject to staff conditions

Recommendation of CPC: Denial

SPSD067-003

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Department of Development Services

- 38. A public hearing to receive comments regarding a proposal for, and an ordinance waiving certain street name change standards, and changing the name of Motor Street between Stemmons Freeway and Irving Boulevard to Medical District Drive - Financing: No cost consideration to the City **[07-3522; HEARING CLOSED; BRING THE ORDINANCE BACK ON OCTOBER 22, 2008]**

Municipal Setting Designation at 1956 Singleton Boulevard

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

- 39. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Holman Boiler Works, Inc. located near the intersection of Singleton Boulevard and Puget Street and adjacent street rights-of-way - Financing: No cost consideration to the City **[07-3523; HEARING CLOSED]**

- 40. * An ordinance authorizing support of the issuance of a municipal setting designation to Holman Boiler Works, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[07-3523; ORDINANCE 27023; APPROVED]**

Recommendation of Staff: Approval

Municipal Setting Designation at 1616 Woodall Rodgers Freeway

Note: Item Nos. 41 and 42 must be considered collectively.

- 41. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Dallas Woodall Property, LLC located near the intersection of Woodall Rodgers Freeway and Akard Street and adjacent street right-of-way - Financing: No cost consideration to the City **[07-3524; HEARING CLOSED]**

- 42. * An ordinance authorizing support of the issuance of a municipal setting designation to Dallas Woodall Property, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[07-3524; ORDINANCE 27024; APPROVED]**

Recommendation of Staff: Approval

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
MISCELLANEOUS HEARINGS (Continued)

Economic Development

Reinvestment Zone No. 68

Note: Item Nos. 43, 44 and 45 must be considered collectively.

43. * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 68, incorporating property on the north side of Interstate 20 and east of Mountain Creek Parkway, for the purpose of granting a real property tax abatement to Medline Industries, Inc. - Financing: No cost consideration to the City **[07-3525; HEARING CLOSED]**
44. * An ordinance designating property on the north side of Interstate 20 and east of Mountain Creek Parkway, as City of Dallas Reinvestment Zone No. 68, for the purpose of granting a real property tax abatement to Medline Industries, Inc. establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City **[07-3525; ORDINANCE 27025; APPROVED]**
45. * Authorize a 75 percent real property tax abatement agreement for 7 years with Medline Industries, Inc. located on the north side of Interstate 20 and east of Mountain Creek Parkway - Revenue: First year revenue estimated at \$41,882; seven-year revenue estimated at \$293,177 (Estimated revenue foregone for seven-year real property tax abatement estimated at \$879,530) **[07-3526; APPROVED]**

Intergovernmental Services

Goods-in-transit ad valorem taxation

Note: Item Nos. 46 and 47 must be considered collectively.

46. * A public hearing to receive comments regarding whether goods-in-transit that reside in warehouses within the City of Dallas while awaiting shipment to locations within the State of Texas, and that would otherwise be exempt from taxation under state law, should remain subject to ad valorem taxation by the City of Dallas - Financing: No cost consideration to the City **[07-3527; HEARING CLOSED]**
47. * An ordinance amending Chapter 44 of the Dallas City Code to provide for the continued ad valorem taxation of certain goods-in-transit that reside in warehouses in the City of Dallas while awaiting shipment to locations within the State of Texas that would otherwise be exempt from taxation under state law - Financing: No cost consideration to the City **[07-3527; ORDINANCE 27026; APPROVED]**

Public Works & Transportation

48. A public hearing to receive comments regarding the application for a fill permit and removal of the floodplain (FP) prefix from 7.509 acres of a 37.1028 acre tract of land, zoned IR, located immediately north of Mockingbird Lane between Forest Park and Maple Avenue, currently in the floodplain of West Fork of Knights Branch, Fill Permit 07-03 - Financing: No cost consideration to the City **[07-3528; HEARING CLOSED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 28, 2007
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

Department of Development Services

1. An ordinance abandoning a detention area and drainage easement to TCDFW I-20 I, LP, the abutting owner, containing approximately 4 acres of land located near the intersection of Hampton and Danieldale Roads - Revenue: \$5,400 plus the \$20 ordinance publication fee **[07-3529; ORDINANCE 27027; APPROVED]**