

**ADDENDUM  
CITY COUNCIL MEETING  
WEDNESDAY, OCTOBER 22, 2008  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TX 75201  
9:00 A.M.**

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CITY SECRETARY  
DALLAS, TEXAS

**REVISED ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.      **INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

**CLOSED SESSION**

**MINUTES**

Item 1

**CONSENT AGENDA**

Items 2 - 55

**CONSENT ADDENDUM**

Items 1 - 17

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:30 a.m.

Item 56  
Addendum Items 18 - 22

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 57 - 74  
Addendum Items 23 - 24

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1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A. M.**

ADDITIONS:

Closed Session

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

- Ashley Yarberry v. City of Dallas, Civil Action No. 3:07-CV-0893-M

CONSENT ADDENDUM

**Business Development & Procurement Services**

1. Authorize the purchase of air diffusers for the sludge basins at the Central Wastewater Treatment Plant - Siemens Water Technologies Corp., lowest responsible bidder of two - Not to exceed \$525,000 - Financing: Water Utilities Capital Construction Funds
2. Authorize a eighty-four-month service contract, with three twelve-month renewal options, for the installation and maintenance of multiple-unit news racks within the expanded central business district - The Dallas Morning News, Inc., only bidder - Not to exceed \$340,200 - Financing: Current Funds (subject to annual appropriations)

**City Attorney's Office**

3. Authorize settlement of the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$150,000 - Financing: Current Funds
4. Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Munck Carter, P.C. (formerly Munck Butrus, P.C.) for additional legal services and related expenses necessary in the lawsuit styled Dora Saucedo-Falls v. David Kunkle, Randy Hampton, and City of Dallas, Civil Action No. 3:05-CV-0730-N and any other proceeding relating to the subject matter of this lawsuit - Not to exceed \$25,000, from \$175,000 to \$200,000 - Financing: Current Funds

**City Auditor's Office**

5. Authorize the City Auditor's 2008-09 Annual Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Convention and Event Services**

6. A resolution authorizing the City of Dallas' participation, as endorsing municipality, to initiate the establishment of the Other Events Trust Fund by the State Comptroller of Public Accounts with respect to National Collegiate Athletic Association Men's Final Four - Financing: No cost consideration to the City
7. A resolution authorizing the City of Dallas' participation, as endorsing municipality, to initiate the establishment of the Other Events Trust Fund by the State Comptroller of Public Accounts with respect to the National Collegiate Athletic Association Women's Final Four - Financing: No cost consideration to the City
8. Authorize **(1)** execution of an amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's local government corporation (Dallas Convention Center Hotel Development Corporation) to provide additional pre-development design services prior to issuance of hotel revenue bonds, **(2)** an economic development grant in an amount not to exceed \$4,000,000 to the Dallas Convention Center Hotel Development Corporation for payment of specified pre-development services, in accordance with the terms of the three-party Pre-development Agreement, as amended (to be reimbursed from the sale of Hotel Revenue Bonds), and **(3)** increase appropriations in the amount of \$4,000,000 in the Convention Center Hotel Development Corporation (LGC) Fund - Not to exceed \$4,000,000 - Financing: Convention and Event Services Capital Construction Funds (to be reimbursed from the future sale of Hotel Revenue Bonds)

**Department of Development Services**

9. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the White Rock Church of Christ, of approximately 341,490 square feet of unimproved land located near the intersection of Ferguson Road and Hibiscus Street for the construction of the White Rock Creek Library - \$704,906 (\$700,000 plus closing cost not to exceed \$4,906) - Financing: 2003 Bond Funds (\$569,589) and 2006 Bond Funds (\$135,317)
10. An ordinance abandoning a portion of an alley to Janlaw Properties, Inc., the abutting owner, containing approximately 1,690 square feet of land located near the intersection of Montfort Drive and Alpha Road, authorizing the quitclaim and providing for the dedication of an easement for the passage of vehicular and pedestrian traffic - Revenue: \$43,095 plus the \$20 ordinance publication fee

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Department of Development Services** (Continued)

11. An ordinance abandoning portions of a water and sanitary sewer easement, a sanitary and storm sewer easement, and a storm sewer easement to Q Fort Worth Ave., II, L.P. and Q Fort Worth Ave., L.P., the abutting owners, containing a total of approximately 5,236 square feet of land located near the intersection of Fort Worth Avenue and Bahama Street - Revenue: \$5,400 plus the \$20 ordinance publication fee

**Environmental & Health Services**

12. Authorize **(1)** an Interlocal Agreement with Dallas County for the provision of homeless assistance services at the Homeless Assistance Center through Metro Dallas Homeless Alliance through September 30, 2009, **(2)** the receipt and deposit of monthly payments from Dallas County in the amount of \$83,333 for the period October 1, 2008 through September 30, 2009 in an amount not to exceed \$1,000,000, and **(3)** the counting of Dallas County's monthly payments toward Metro Dallas Homeless Alliance's required financial contribution for the management and operation of the Homeless Assistance Center, as provided for in the Management Services Contract, Phase II with Metro Dallas Homeless Alliance - Not to exceed \$1,000,000 - Financing: Current Funds

**Equipment & Building Services**

13. Authorize three contracts for roof replacement and asbestos abatement at nineteen City-owned facilities, including: **(1)** Roof Bundle A with H E C Roofing Company, lowest responsible bidder of four in the amount of \$1,723,034, **(2)** Roof Bundle B with Castro Roofing of Texas, LP, lowest responsible bidder of four, in the amount of \$1,176,142, and **(3)** Roof Bundle C with AA Applicators, Inc., lowest responsible bidder of four in the amount of \$942,120 - Total not to exceed \$3,841,296 - Financing: Capital Construction Funds (\$701,913), 2003 Bond Funds (\$221,250), and 2006 Bond Funds (\$2,918,133)

**Office of Financial Services**

14. A resolution denying the rate filing made by Oncor Electric Delivery Company on June 27, 2008 - Financing: No cost consideration to the City
15. Authorize **(1)** the preparation of plans for the issuance of Civic Center Convention Complex Revenue Refunding and Improvement Bonds, Series 2008 in an amount not to exceed \$325,000,000, and **(2)** the establishment of appropriations in an amount not to exceed \$40,000,000 - Financing: This action has no cost consideration to the City

**ADDENDUM  
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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Park & Recreation**

16. Authorize a professional services contract with JBI Partners, Inc. for topographic survey and construction documents through construction administration services for athletic field improvements at Randall Park located at 100 South Glasgow - Not to exceed \$50,265 - Financing: 2003 Bond Funds

**Water Utilities**

17. Authorize an amendment to the Memorandum of Agreement entitled "City of Dallas-Tarrant Regional Water District Interlocal Cooperation Contract" with the Tarrant Regional Water District to add language which is specific to the acquisition of Oklahoma water - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

**Economic Development**

**Downtown Connection TIF District**

**Note:** If Addendum Item No. 18 does not pass, Council will not consider Addendum Item No. 19.

18. \* An ordinance amending the Project Plan and Reinvestment Financing Plan ("Plan") for Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311), to permit the direct lease or sale of City-owned/City-controlled property without complying with auction and bidding requirements on the condition that the property is redeveloped in accordance with the Downtown Connection TIF District Plan - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Economic Development** (Continued)

**Downtown Connection TIF District** (Continued)

**Note:** If Addendum Item No. 19 does not pass, Council will not consider Addendum Item Nos. 20 & 21.

19. \* Authorize Supplemental Agreement No. 3 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (the DDDA), and FC Merc Complex, L.P., FC Continental Complex, L.P., FC Atmos, Inc., and FC Lessee (collectively Forest City) to: **(1)** extend the due dates of each of the remaining option fee payments by 12 months; **(2)** direct the transfer of title of the Atmos Complex without auction and bidding from FC Atmos, Inc. to Hamilton Atmos LP for redevelopment in accordance with the Downtown Connection TIF Project Plan and without requiring the acceleration of payment of the unpaid portion of the \$750,000 option fee prior to the new deadline dates; **(3)** require FC Atmos, Inc. to retain maintenance obligations through October 26, 2010; and **(4)** require FC Atmos, Inc. to continue obligations for payment of option fees of \$250,000 on October 26, 2009 and an additional \$250,000 on October 26, 2010 if Hamilton Atmos LP is unable to obtain building permits by those dates - Financing: No cost consideration to the City

**Note:** Item Nos. 20 and 21 must be considered collectively.

**Hamilton Atmos LP.**

20. \* Authorize **(1)** a development agreement with Hamilton Atmos LP, for the redevelopment of 301 South Harwood Street, 1915 Wood Street, 1815 Wood Street, and 300 East St. Paul Avenue (known as the Atmos Complex), located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District), and, **(2)** the Downtown Connection TIF District Board of Directors intent to dedicate future tax increment revenue of the Downtown Connection TIF District in an amount not to exceed \$12,560,401, plus interest up to \$10,439,599, for a total incentive amount, including interest, not to exceed \$23,000,000 - Not to exceed \$23,000,000 - Financing: Downtown Connection TIF District Funds
21. \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Hamilton Atmos LP, for eligible expenditures pursuant to the development agreement with Hamilton Atmos LP - Financing: No cost consideration to the City

**ADDENDUM  
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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Public Works & Transportation**

22. Authorize **(1)** Supplemental Agreement No. 2 to the contract with Lea + Elliott, Inc. to provide additional study of alternative methods of connecting the new Dallas Area Rapid Transit Light Rail Station (Love Field Station) on Denton Drive to the Love Field Terminal Building, including the possible relocation of related ground transportation activities, in an amount not to exceed \$182,987, from \$773,936 to \$956,923; and **(2)** an increase in appropriations in an amount not to exceed \$182,987 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Financing: Aviation Capital Construction Funds (\$45,747) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$137,240)

PUBLIC HEARINGS AND RELATED ACTIONS

**Trinity River Corridor Project**

ZONING CASES - CONSENT

23. A public hearing to receive comments regarding authorization of a public hearing to determine the proper zoning on property zoned R-5(A) Single Family District with consideration being given to suitable zoning to allow R-5(A) Single Family District uses and a local utility use of an electrical transition station to allow the undergrounding of a portion of the West Levee-Norwood transmission line in an area generally east of Sylvan Avenue, north of Morris Street, west of Topeka Street and south of Canada Drive  
Recommendation of Staff and CPC: Approval of a Planned Development District, subject to a development/landscape plan and conditions  
Z078-310(DW)

**Department of Development Services**

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

24. A public hearing to receive comments regarding consideration of amendments to Chapter 51A of the Dallas City Code to add an Article XIII creating new "Form Districts" for walkable, mixed use developments at a range of densities and an ordinance granting the amendments  
DCA 078-011  
Recommendation of Staff: Approval of staff alternative recommendations  
Recommendation of CPC: Approval of attached ordinance

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CORRECTION:

**Business Development & Procurement Services**

9. Authorize **(1)** a twenty-four-month service contract for job order contracting services - ~~Amistad Contracting & Service Co., Inc., Centennial Contractors Enterprises, Inc., Frontier Electric, LLC, Lakeview Enterprises, LLC, Lopez Electric Co., Inc., MetalMan Design/Build Corp., Gilbert May, Inc. dba Phillips/May Corp.,~~ ReSource Flooring Group, L.P., most advantageous proposers of eight, and (2) use of job order contracting for individual jobs not to exceed \$150,000 each - Not to exceed \$2,000,000 - Financing: Current Funds (subject to annual appropriations)

DELETION:

**Trinity River Corridor Project**

ZONING CASES - INDIVIDUAL

66. A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an MU-2 Mixed Use District, CS Commercial Service District, IM Industrial Manufacturing District, with Specific Use Permit No. 1484 for Commercial Amusement (Inside) for Class A Dance Hall with consideration given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations in an area generally bounded by Interstate 35 and Interstate 30 to the northwest, the Union Pacific Railroad right-of-way to the northeast, the DART Railroad right-of-way to southeast, and the Trinity Levee to the southwest and an ordinance granting a new subarea within Planned Development District No. 784, the Trinity River Corridor Special Purpose District  
Recommendation of Staff and CPC: Approval of a new subarea and form districts within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, subject to conditions and a regulating plan for property located southeast of Interstate 35 and Interstate 30, with retention of Specific Use Permit No. 1484 and no change of zoning to property generally bounded by Cadiz Street, the existing sumps, Industrial Boulevard, and the Union Pacific Railroad  
Z067-147(SA)



**Roof Replacement and Asbestos Abatement  
at City-owned Facilities**  
Addendum Item #13

<u>Project</u>	<u>Council District</u>	<u>Address</u>
<b><u>Bundle A:</u></b>		
J.C. Turner Recreation Center	5	6400 Elam Road
Jaycee Zaragoza Recreation Center	6	3114 Clymer Street
MLK Gym and Senior Citizen Gym	7	2901 Pennsylvania Avenue
Northeast Police Substation/Skylight	10	9915 East Northeast Highway
Fretz Park Library	11	6990 Belt Line Road
<b><u>Bundle B:</u></b>		
Central Headquarters Sanitation & Code Enforcement Services	2	3112 Canton Street
Central Motorcycle Garage	2	1523 Baylor Street
Central Sanitation Collection	2	1533 Baylor Street
Central Service Center Fleet Maintenance	2	3111 Dawson Street
Central Service Center Communication Building	2	3131 Dawson Street
Central Service Center Public Works Field Operations	2	3204 Canton Street
Fire Station #57	10	10801 Audelia Road
<b><u>Bundle C:</u></b>		
Fire Station #15	1	111 East Eighth Street
Fire Station #52	1	2504 South Cockrell Hill Road
Fire Station #53	7	1407 John West Road
Fire Training Administration Building "A"	7	5000 Dolphin Road
Fire Station #54	8	6238 Bonnie View Road
Fire Station #41	13	5920 Royal Lane
Lakewood Library	14	6121 Worth Street