

AGENDA
CITY COUNCIL MEETING
MAY 14, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[08-1360]**

Agenda Item/Open Microphone Speakers **[08-1361]**

VOTING AGENDA

1. Approval of Minutes of the April 23, 2008 City Council Meeting **[08-1362; APPROVED]**

CONSENT AGENDA **[08-1363; APPROVED]**

Business Development & Procurement Services

2. Authorize a service contract for the removal and proper disposal of an underground storage tank at Southside Wastewater Treatment Plant - His and Hers, lowest responsible bidder of five - Not to exceed \$80,000 - Financing: Water Utilities Capital Construction Funds **[08-1364; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize **(1)** a twenty-four-month service contract for scrap tire removal and disposal from McCommas Bluff Landfill (Bid Group B) - Liberty Tire Recycling, LLC. in the amount of \$217,500, and **(2)** a twenty-four-month service contract for scrap tire removal and disposal from various City facilities (Bid Group A) - Tex-American Recycling, Inc. in the amount of \$127,075, lowest responsible bidders of two - Total not to exceed \$344,575 - Financing: Current Funds (subject to annual appropriations) **[08-1365; APPROVED AS AN INDIVIDUAL ITEM]**

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

4. Authorize a thirty-six-month master agreement for Carrier heating, ventilation and air conditioning equipment and parts - Carrier North Texas, Sole Source - Not to exceed \$352,389 - Financing: Current Funds **[08-1366; APPROVED]**
5. Authorize a twenty-four-month master agreement for animal food for Code Compliance - Hill's Pet Nutrition Sales, Inc., lowest responsible bidder of two - Not to exceed \$161,390 - Financing: Current Funds **[08-1367; APPROVED]**
6. Authorize a twenty-four-month master agreement for bulk cement to be used for street repairs - Holcim (US), Inc., lowest responsible bidder of two - Not to exceed \$797,340 - Financing: Current Funds **[08-1368; APPROVED]**
7. Authorize a twenty-four-month service contract, with two twelve-month renewal options, for database access for Real-Time Live Homework Support On-line Service for the Dallas Public Library - Tutor.com, Inc., lowest responsive and responsible bidder of two - Not to exceed \$285,000 - Financing: Current Funds (\$242,150) (subject to annual appropriations), Lone Star Libraries Grant Funds (\$42,850) **[08-1369; DELETED ON THE ADDENDUM]**
8. Authorize a twenty-four-month master agreement for self contained breathing apparatus and accessories for the Dallas Fire-Rescue Department - Wayest Safety, Inc., lowest responsible bidder of four - Not to exceed \$3,121,769 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes (\$3,099,269), Current Funds (\$22,500) **[08-1370; APPROVED AS AN INDIVIDUAL ITEM]**
9. Authorize the purchase of forty-five infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue Department - Metro Fire Apparatus Specialists, Inc., lowest responsible bidder of two - Not to exceed \$475,650 - Financing: Current Funds (\$25,875), Urban Area Security Initiative Grant Funds (\$449,775) **[08-1371; APPROVED]**
10. Authorize an increase in the service contract for temporary information technology professionals with CIBER, Inc. - Not to exceed \$1,705,500, from \$6,822,000 to \$8,527,500 - Financing: Current Funds (subject to annual appropriations) **[08-1372; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

11. Authorize settlement of a claim filed by GEICO Insurance Company on behalf of its insured Trudy Wafer, Claim No. 07186616 - Not to exceed \$12,810 - Financing: Current Funds **[08-1373; APPROVED]**
12. Authorize settlement of the lawsuit styled Holly Kenton v. John Hayes, et al., Cause No. 06-17923-E - Not to exceed \$10,001 - Financing: Current Funds **[08-1374; APPROVED]**
13. Authorize settlement of the lawsuit styled Julia May v. City of Dallas, Cause No. 07-10310-D - Not to exceed \$10,000 - Financing: Current Funds **[08-1375; APPROVED]**

CONSENT AGENDA (Continued)**City Attorney's Office (Continued)**

14. Authorize settlement of the lawsuit styled Richard and Peggy Sells v. The City of Dallas, Cause No. 06-02074-H - Not to exceed \$125,000 - Financing: Current Funds **[08-1376; APPROVED]**
15. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$60,000, from \$25,000 to \$85,000 - Financing: Current Funds **[08-1377; DELETED ON THE ADDENDUM]**
16. Authorize Supplemental Agreement No. 3 to the professional services contract with the law firm of Patton Boggs, L.L.P. for additional legal services regarding the production of documents in connection with a federal grand jury subpoena and related matters - Not to exceed \$50,000, from \$75,000 to \$125,000 - Financing: Current Funds **[08-1378; APPROVED]**
17. An ordinance amending Chapter 27 of the Dallas City Code to expand the definition of "urban nuisance" in accordance with state law to include a structure that, regardless of structural condition, is unoccupied and unsecured from unauthorized entry and a structure that is secured but either constitutes a danger to the public or is secured by inadequate means - Financing: No cost consideration to the City **[08-1379; ORDINANCE 27147; APPROVED AS AN INDIVIDUAL ITEM]**

Department of Development Services

18. Authorize the exercise of the right of eminent domain, if such becomes necessary, by Dallas Area Rapid Transit of eight tracts of land for the construction of the Principal Arterial Street System Project (list attached) - Financing: No cost consideration to the City **[08-1380; APPROVED]**
19. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Darius U. Camaganacan and Juanita A. Boado, of approximately 614 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$13,710 - Financing: Water Utilities Capital Construction Funds **[08-1381; APPROVED]**
20. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Charles Shelby, of approximately 102,784 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$85,800 - Financing: Water Utilities Capital Construction Funds **[08-1382; APPROVED]**
21. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estate of Kevin Ray Kvapil of approximately 82,989 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$51,435 - Financing: Water Utilities Capital Construction Funds **[08-1383; APPROVED]**

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

22. An ordinance providing for the closure and vacation of a portion of an alley, containing approximately 4,503 square feet of land located near the intersection of Garland Road and Tavaros Avenue - Financing: No cost consideration to the City **[08-1384; ORDINANCE 27148; APPROVED]**
23. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jill Ann Free Limited Partnership, LP, of approximately six acres of unimproved land located near the intersection of Manana Drive and Newkirk Street for the Elm Fork Flood Protection Project - \$1,252,896 - Financing: 1998 Bond Funds **[08-1385; APPROVED]**
24. An ordinance abandoning a portion of a water easement to the Ursuline Academy of Dallas, the abutting owner, containing approximately 4,271 square feet of land located near the intersection of Inwood Road and Walnut Hill Lane - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-1386; ORDINANCE 27149; APPROVED]**
25. An ordinance abandoning a portion of an alley to CLB Hawthorne Residences L.P., the abutting owner, containing approximately 490 square feet of land located near the intersection of Hartford and Raleigh Streets, and authorizing the quitclaim - Revenue: \$15,300 plus the \$20 ordinance publication fee **[08-1387; ORDINANCE 27150; APPROVED]**
26. An ordinance abandoning a portion of Pavillion Street to Twin Lakes Plaza, L.P., the abutting owner, containing approximately 3,179 square feet of land located near its intersection with Flora Street, and authorizing the quitclaim and providing for the dedication of a total of approximately 5,894 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-1388; CORRECTED ON THE ADDENDUM; REFER TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE AND DEFERRED UNTIL JUNE 11, 2008]**
27. An ordinance granting a private license to JAHCO Fair Oaks, LP and JAHCO Royal Skillman, LLC for the use of approximately 2,580 square feet of land to install and maintain off-street parking and landscaping in a portion of Skillman Street right-of-way located near its intersection with Royal Lane - Revenue: \$3,158 annually plus the \$20 ordinance publication fee **[08-1389; ORDINANCE 27151; APPROVED]**
28. Authorize the quitclaim of two properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$42,132 **[08-1390; APPROVED]**
29. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jon A. Grinaldi, of approximately 40,331 square feet of land located on Arturo Road near the intersection of Lakeland Drive for the Ash Creek Drainage Project - \$85,000 - Financing: 2003 Bond Funds **[08-1391; APPROVED AS AN INDIVIDUAL ITEM]**
30. An ordinance abandoning portions of sanitary sewer and storm sewer easements to the Board of Regents of The University of Texas System, the abutting owner, containing a total of approximately 24,305 square feet of land located near the intersection of Inwood and Forest Park Roads - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-1392; ORDINANCE 27152; APPROVED]**

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

31. Authorize an amendment to Resolution No. 08-0400, previously approved on February 13, 2008, that amended the district boundaries of Kaufman County Municipal Utility District No. 4 by the addition of 114 acres to include support for the issuance of tax exempt bonds for road improvements within the entire boundary of Kaufman County Municipal Utility District No. 4 - Financing: No cost consideration to the City **[08-1393; APPROVED]**
32. An ordinance authorizing a correction to Ordinance No. 26920, previously approved on September 12, 2007, which amended Chapters 51 and 51A of the Dallas City Code by amending existing regulations and adding new sections entitled "Gas Drilling and Production" to correct the Article numbering designation in Chapter 51 from Article XI to Article XII - DCA067-006 - Financing: No cost consideration to the City **[08-1394; ORDINANCE 27153; APPROVED AS AN INDIVIDUAL ITEM]**

Environmental & Health Services

33. Authorize an amendment to the lease agreement with the County of Dallas for an additional area of approximately 270 square feet of space and improvements for a total of approximately 10,854 square feet of office space in the Dallas County Health and Human Services building located at 2377 Stemmons Freeway, fourth floor, to be used as a Women, Infants and Children Clinic, office and training center for the period August 1, 2008 through August 31, 2011 - Not to exceed \$458,742 - Financing: Texas Department of State Health Services Grant Funds (subject to annual appropriations) **[08-1395; APPROVED]**

Equipment & Building Services

34. Ratify an emergency purchase for maintenance and repair of the cooling tower at the Dallas Museum of Art located at 1901 North Harwood Street - Trane, U.S., Inc. only bidder - Not to exceed \$93,644 - Financing: Current Funds **[08-1396; APPROVED]**

Housing

35. Authorize **(1)** the acceptance of amended proposals from SouthFair Community Development Corporation for the development of 4 unimproved properties obtained under the HB110 process and 1 unimproved property obtained under the Land Assembly process all through the Land Transfer Program, and **(2)** a time extension for the development and amended Deed Restrictions (list attached) - Financing: No cost consideration to the City **[08-1397; APPROVED]**
36. Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$85,000 to Dallas Neighborhood Alliance for Habitat to pay part of the acquisition cost of 11 unimproved properties at 3100 Bickers Street for the development of low-to-moderate income single-family homes - Not to exceed \$85,000 - Financing: FY 2007-08 Community Development Grant Funds (\$85,000) **[08-1398; APPROVED]**

CONSENT AGENDA (Continued)**Housing (Continued)**

37. Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$550,000 to Jubilee Park and Community Center Corporation to pay for the acquisition cost of improved and unimproved properties bounded by Stonewall Street, I-30 Freeway, Bank Street, and East Grand Avenue and associated relocation, environmental remediation, or demolition costs for the purpose of developing low-to-moderate income family housing - Not to exceed \$550,000 - Financing: 2005-06 Community Development Grant Funds (\$250,000); and 2006-07 Community Development Grant Funds (\$300,000) **[08-1399; APPROVED]**
38. Authorize a loan in the amount of \$500,000 at 0% interest to Jubilee Park and Community Center Corporation for the acquisition of improved and unimproved properties bounded by Stonewall Street, I-30 Freeway, Bank Street, and East Grand Avenue and associated relocation, environmental remediation, or demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment - Not to exceed \$500,000 - Financing: 2006 Bond Funds **[08-1400; APPROVED]**
39. Authorize the reconstruction on-site of two homes in accordance with the Reconstruction Housing Program Statement requirements for the properties located at 4620 Silver Avenue in the amount of \$87,500, and 4207 Bonnie View Road in the amount of \$87,500 - Total not to exceed \$175,000 - Financing: 2000-2001 Home Funds (\$67,600); 2005-2006 HOME Funds (\$19,900); and 2007-2008 Community Development Grant Funds (\$87,500) **[08-1401; APPROVED]**
40. Authorize **(1)** an amendment to the Police Special Pay Down Payment Assistance Program authorized by Resolution No. 07-2839, previously approved on September 26, 2007; and **(2)** confirmation of the lump sum compensation provided for the purchase of a home located at 7141 Lanyon Drive in accordance with the terms and conditions outlined in Exhibit A - Financing: No cost consideration to the City **[08-1402; APPROVED]**
41. Authorize **(1)** a public hearing to be held on May 28, 2008 to receive citizens' comments on the proposed private sale by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Cornerstone Community Development Corporation, a qualified non-profit organization; and, **(2)** at the close of the public hearing, consideration of approval of the sale of these properties (list attached) - Financing: No cost consideration to the City **[08-1403; APPROVED]**

Intergovernmental Services

42. Authorize the acceptance of a 2007 Buffer Zone Protection Program grant from the U.S. Department of Homeland Security, through its agent, the Governor's Division of Emergency Management for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City for the period August 7, 2007 to February 28, 2010 - Not to exceed \$548,625 - Financing: U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds **[08-1404; APPROVED]**

CONSENT AGENDA (Continued)**Office of Environmental Quality**

43. Authorize the execution of a partner agreement with the North Central Texas Council of Governments for the purpose of providing assistance and support for the development of the Air North Texas campaign - Financing: No cost consideration to the City **[08-1405; APPROVED]**

Office of Financial Services

44. Authorize **(1)** the City's continued participation in the Steering Committee of Texas Utilities Electric Service Area Cities in hearings before the Public Utilities Commission of Texas concerning electric restructuring and rates to be charged by Oncor Electric Delivery, and **(2)** the establishment of appropriations in the amount of \$128,050 in the Rate Case Reimbursement Reserve Fund to pay the City's 2008 assessment - Not to exceed \$128,050 - Financing: Rate Case Reimbursement Reserve Funds **[08-1406; APPROVED]**
45. Authorize a public hearing to be held on May 28, 2008 to receive comments in preparation of the FY 2008-09 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[08-1407; APPROVED]**

Park & Recreation

46. Authorize a contract for the construction of gabion retaining walls at Twin Falls Park located at 6300 South Polk Street - Erosion and Retaining Wall Structures, Inc., lowest responsible bidder of five - Not to exceed \$247,870 - Financing: 2006 Bond Funds **[08-1408; APPROVED]**
47. Authorize a contract for the installation of a new playground and site furnishings at Arbor Park located at 7701 Skillman Street - A S Con, Inc., lowest responsible bidder of three - Not to exceed \$139,900 - Financing: 2003 Bond Funds **[08-1409; APPROVED]**
48. Authorize a contract for the installation of a new playground and site furnishings at R.P. Brooks Park located at 7101 Merriman Parkway - A S Con, Inc., lowest responsible bidder of four - Not to exceed \$152,200 - Financing: 2003 Bond Funds **[08-1410; APPROVED]**
49. Authorize Supplemental Agreement No. 2 to the professional services contract with HBC/Terracon for additional project management services for the stormwater quality improvements at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$39,160, from \$145,700 to \$184,860 - Financing: 2005 Certificates of Obligation **[08-1411; APPROVED]**
50. Authorize Supplemental Agreement No. 3 to the professional services contract with Group One/VAI Architects, L.L.P. for a structural evaluation of the roof, design revisions to the heating, ventilation and air conditioning system documents, and additional construction administration services at Kidd Springs Recreation Center located at 700 West Canty Street - \$10,500, from \$43,690 to \$54,190 - Financing: 2003 Bond Funds **[08-1412; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Police**

51. Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period May 14, 2008 through May 13, 2009 - Financing: No cost consideration to the City **[08-1413; APPROVED]**
52. Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Grand Prairie to provide mutual law enforcement services within specified territorial boundaries dividing the cities of Dallas and Grand Prairie for the period May 14, 2008 through May 13, 2009 - Financing: No cost consideration to the City **[08-1414; APPROVED]**
53. 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 19, 2008 through June 1, 2008, 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) **[08-1415; APPROVED]**

Public Works & Transportation

54. Authorize an Interlocal Agreement with the Texas Department of Transportation for the City's share of right-of-way acquisition and utility relocation costs for proposed paving improvements at the intersection of Preston Road (State Highway 289) and Royal Lane - \$15,000 - Financing: 2003 Bond Funds **[08-1416; APPROVED AS AN INDIVIDUAL ITEM]**
55. Authorize an increase in the contract with Jeske Construction Company for additional water and wastewater main extensions, wastewater access devices, manholes and quantities of paving materials needed for the reconstruction of Bexar Street from C. F. Hawn Freeway (U.S. 175) service road to Brigham Lane - Not to exceed \$151,495, from \$3,436,764 to \$3,588,259 - Financing: 2004-05 Community Development Grant Funds (\$2,401), 2006-2007 Community Development Grant Funds (\$65,464) and Water Utilities Capital Construction Funds (\$83,630) **[08-1417; APPROVED]**
56. Authorize an increase in the contract with Texas Standard Construction, LTD for additional work related to stormwater drainage modifications, Phase II at 27 fire stations and extend the contract by sixty-one calendar days (list attached) - Not to exceed \$33,914, from \$1,981,000 to \$2,014,914 - Financing: 2006 Bond Funds **[08-1418; APPROVED]**
57. Authorize **(1)** an increase in the contract with Alshall Construction Company for additional work necessary to complete construction and upgrades to improve operations at the new Dallas Animal Services and Adoption Center located at 1818 North Westmoreland Road in an amount not to exceed \$169,544, from \$11,693,034 to \$11,862,578; and **(2)** an increase in appropriations in the amount of \$275,000 in the Animal Control Facilities Fund - Total not to exceed \$169,544 - Financing: 2003 Bond Funds **[08-1419; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Sanitation Services**

58. Authorize ordinances granting 20 franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$207,000 **[08-1420; ORDINANCE 27154 THRU ORDINANCE 27173; APPROVED]**

Trinity River Corridor Project

59. Authorize a public hearing to be held on June 11, 2008 to receive comments on the proposed use of a portion of Trinity River Park for the installation of a new 345 kV power transmission line - Financing: No cost consideration to the City **[08-1421; APPROVED]**
60. Authorize **(1)** a contract with Stark Built GP, LLC, lowest responsible bidder of four, for the construction and installation of a concrete and decomposed granite nature trail (Texas Buckeye Trail) in compliance with Americans with Disabilities Act requirements, a pedestrian bridge and landscaping improvements at Rochester Park for the Trinity River Corridor Project in the amount of \$259,564; and **(2)** execution of a license agreement with ONCOR to allow the trail to be built and maintained across the ONCOR right-of-way for the Texas Buckeye Trail - \$259,564 - Financing: 1998 Bond Funds **[08-1422; APPROVED]**
61. Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for the creation of a master plan to implement the West Dallas Signature Point Project; **(2)** receipt and deposit of funds from the West Dallas Chamber of Commerce in an amount not to exceed \$25,406; and **(3)** payment to the North Central Texas Council of Governments for the required local match for the creation of a master plan to implement the West Dallas Signature Point Project - Not to exceed \$25,406 - Financing: Private Funds **[08-1423; APPROVED]**
62. Authorize Supplemental Agreement No. 2 to the professional services contract with Bridgefarmer and Associates, Inc. for additional engineering design and surveying services for water and wastewater upgrades for the Beckley Avenue and Commerce Street intersection improvements - Not to exceed \$71,423, from \$203,700 to \$275,123 - Financing: 1998 Bond Funds (\$15,100) and Water Utilities Capital Construction Funds (\$56,323) **[08-1424; APPROVED]**

Water Utilities

63. Authorize an Interlocal Agreement with North Texas Tollway Authority (NTTA) for **(1)** dedication of easements over Lake Ray Hubbard along the proposed alignment of the President George Bush Turnpike, **(2)** identify NTTA as the responsible entity for construction and maintenance of storm water treatment units to ensure water quality, and **(3)** ensure NTTA will adhere to all City of Dallas regulations and water quality requirements pertaining to Lake Ray Hubbard for the proposed Eastern Extension of the President George Bush Turnpike - Financing: No cost consideration to the City **[08-1425; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities (Continued)**

64. Authorize an Interlocal Agreement with the Trinity River Authority, North Texas Municipal Water District, and the Tarrant Regional Water District to continue the evaluation of inflows into the Galveston Bay and the impact of the Trinity River Basin instream flow requirements on Trinity River Basin water rights - \$63,000 - Financing: Water Utilities Capital Construction Funds **[08-1426; APPROVED]**
65. Authorize a professional services contract with GSWW, Inc. to provide engineering design services for the renewal of water and wastewater mains at 70 locations (list attached) - \$1,699,595 - Financing: Water Utilities Capital Improvement Funds **[08-1427; APPROVED]**
66. Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - NPL Construction Company, lowest responsible bidder of two - Not to exceed \$17,621,313 - Financing: Water Utilities Capital Construction Funds (\$12,621,313), Current Funds (\$5,000,000) (subject to annual appropriations) **[08-1428; APPROVED]**
67. Authorize additional work associated with an existing study with the Tarrant Regional Water District to determine the feasibility of raw water transmission facilities to deliver water from East Texas and other areas of existing and proposed reservoirs, to jointly participate in the development, construction, and operation of infrastructure capable of delivering raw water supply to the Dallas/Fort Worth Metroplex - \$47,946 - Financing: Water Utilities Capital Construction Funds **[08-1429; APPROVED]**
68. Authorize an increase in the contract with Oscar Renda Contracting, Inc. for additional work associated with construction of the Camp Wisdom Pump Station and rehabilitation improvements in the American Way elevated storage tank - \$306,691, from \$7,860,000 to \$8,166,691 - Financing: Water Utilities Capital Construction Funds **[08-1430; APPROVED]**
69. Authorize Supplemental Agreement No. 4 to the professional services contract with Malcolm Pirnie, Inc. for additional services related to security and risk management for water and wastewater facilities - Not to exceed \$692,803, from \$2,593,009 to \$3,285,812 - Financing: Water Utilities Capital Construction Funds (\$577,803), U.S. Department of Homeland Security Grant Funds (\$115,000) **[08-1431; APPROVED]**

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

70. 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) **[08-1432 AND 08-1433 INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Department of Development Services

- 71. An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application for a Specific Use Permit for an alcoholic beverage establishment for a private club or bar on the northeast corner of Buckner Boulevard and Kipling Drive, and consideration of alternate resolutions either affirming or reversing the decision of the City Plan Commission - W078-012 - Financing: No cost consideration to the City **[08-1434; APPROVED AS AMENDED]**

ITEMS FOR FURTHER CONSIDERATION

Department of Development Services

- 72. An ordinance granting a Planned Development District for LI Light Industrial District Uses and a resolution granting an amendment to the public deed restrictions on property zoned an LI Light Industrial District on the west side of Waterview Parkway at Synergy Drive - Z078-154 - Financing: No cost consideration to the City **[08-1435; DEFERRED UNTIL MAY 28, 2008]**

Office of Financial Services

- 73. Authorize the preparations of plans for issuance in an amount not to exceed \$170,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2008 - Financing: This action has no cost consideration to the City **[08-1436; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES – CONSENT [08-1437]

- 74. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 306 for a Public School and Community Service Center on property zoned Planned Development District No. 306 and an R-7.5(A) Single Family District on the west line of Edgefield Avenue, between Twelfth Street and Brooklyn Avenue **[08-1438; HEARING CLOSED; HOLD UNDER ADVISEMENT FOR 30 DAYS]**

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z078-147(RB)

- 75. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 477 for an institution of a religious, charitable or philanthropic nature on property zoned an R-7.5(A) Single Family District, on the southwest corner of Park Lane and Boedecker Street **[08-1439; HEARING CLOSED; ORDINANCE 27174; CPC RECOMMENDATION FOLLOWED]**

Recommendation of Staff and CPC: Approval subject to a site plan and conditions
Z078-162(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - CONSENT (Continued)

- 76. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract IV within Planned Development District No. 508 for CH Clustered Housing, MF-2(A) Multifamily, LO-1 Limited Office and MU-1 Mixed Use District uses on the southeast corner of Kingbridge Road and Bickers Street **[08-1440; HEARING CLOSED; ORDINANCE 27175; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z078-163(WE)

- 77. A public hearing to receive comments regarding an application for and an ordinance granting an LO-1 Limited Office District on property zoned a P(A) Parking District with a portion of Specific Use Permit No. 1498 for a government installation other than listed on the southeast corner of Northwest Highway and Solta Drive and a resolution accepting the deed restrictions volunteered by the applicant **[08-1441; HEARING CLOSED; ORDINANCE 27176; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant with retention of SUP No. 1498
Z078-164(WE)

- 78. A public hearing to receive comments regarding an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an MF-2(A) Multifamily District, on the south corner of Columbia Avenue and Colson Street **[08-1442; HEARING CLOSED; ORDINANCE 27177; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z078-166(OTH)

- 79. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 531 for a Community service center and MF-2(SAH) Multifamily (Affordable) District Uses on the north line of Ridgecrest Road, northwest of Eastridge Drive **[08-1443; HEARING CLOSED; ORDINANCE 27178; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, subject to a development/landscape plan and conditions
Z078-170(RB)

- 80. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District on property zoned an IR Industrial Research District west of Sanden Drive, north of LBJ Expressway **[08-1444; HEARING CLOSED; ORDINANCE 27179; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z078-174(OTH)

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

81. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a library, art gallery, or museum on property zoned an R-7.5(A) Single Family District on the southeast corner of Lake June Road and Houghton Road **[08-1445; HEARING CLOSED; ORDINANCE 27180; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, for a permanent time period subject to a site plan and conditions
Z078-178(JH)
82. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the site plan for a portion of Planned Development District No. 1 for medical clinic, lodge, bank or savings and loan office, professional or general business office or doctor's office located on the south side of Forest Lane between Inwood Road and Eastern Avenue **[08-1446; HEARING CLOSED; ORDINANCE 27181; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval, subject to an overall site plan, detailed site plan, landscape plan and conditions
Z078-181(WE)
83. 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 west side of Maple Avenue, north of Stutz Drive **[08-1447; HEARING CLOSED; ORDINANCE 27182; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z078-182(WE)
84. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 722 for single family, handicapped dwelling and private street and alley west of Preston Road, north of Frankford Road **[08-1448; HEARING CLOSED; HOLD UNDER ADVISEMENT UNTIL MAY 28, 2008]**
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z078-185(WE)

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

85. A public hearing to receive comments regarding an application for a Planned Development Subdistrict for Multiple family, Hotel and motel, Restaurant without drive-through service, and Health studio uses on property zoned an O-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and the termination of the D Dry Liquor Control Overlay, on the northeast line of Fairmount Street between Enid Street and Turtle Creek Boulevard with consideration being given to the granting of the D-1 Dry Liquor Control Overlay and the granting of a Specific Use Permit for a Restaurant with alcohol sales **[08-1449; DELETED ON THE ADDENDUM]**
Recommendation of Staff: Approval of a Planned Development Subdistrict, subject to a development plan, landscape plan, and staff's recommended conditions, and retention of the D Liquor Control Overlay
Recommendation of CPC: Denial of a Planned Development Subdistrict, and denial of the removal of the D Liquor Control Overlay
Z078-142(RB)
86. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District, on the west side of Progressive Drive, northwest of the corner of Fort Worth Turnpike and Walton Walker Access Road **[08-1450; HEARING CLOSED; HOLD UNDER ADVISEMENT UNTIL MAY 28, 2008]**
Recommendation of Staff: Approval for a two-year period subject to a site plan and conditions
Recommendation of CPC: Approval for a five-year period subject to a site plan and conditions
Z078-176(OTH)

DEVELOPMENT CODE AMENDMENTS - CONSENT

87. A public hearing to receive comments regarding consideration of amendments to Chapter 51A, of the Dallas Development Code, to amend the use definition of Public Park, Playground or Golf Course and an ordinance granting the amendments **[08-1451; HEARING CLOSED; ORDINANCE 27183; APPROVED]**
Recommendation of Staff and CPC: Approval
DCA078-010
88. A public hearing to receive comments regarding consideration of amendments to Chapter 51A, of the Dallas Development Code, to amend Section 51A-1.106, "Notification Signs Required to Be Obtained and Posted," to establish appropriate standards for postponement of a case when it is determined that an applicant failed to comply with notification sign posting requirements and an ordinance granting the amendments **[08-1452; HEARING CLOSED; ORDINANCE 27184; APPROVED]**
Recommendation of Staff and CPC: Approval
DCA078-003

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Housing

**FY 2007-08 Consolidated Plan
Reprogramming Budget #3**

Note: Item Nos. 89 and 90 must be considered collectively.

- 89. * A public hearing to receive comments on the final FY 2007-08 Consolidated Plan Reprogramming Budget #3 to reprogram \$928,473 of HOME Investment Partnership Program Funds from the Mortgage Assistance Program to the Frazier Berean Senior Project and \$925,000 of Community Development Grant Reprogramming Funds from the Southern Sector Housing and Economic Development Financing for Neighborhood Investment Program public infrastructure - Financing: No cost consideration to the City **[08-1453; HEARING CLOSED]**

- 90. * Authorize adoption of the final FY 2007-08 Consolidated Plan Reprogramming Budget #3 to reprogram \$928,473 of HOME Investment Partnership Program Funds from the Mortgage Assistance Program to the Frazier Berean Senior Project and \$925,000 of Community Development Grant Reprogramming Funds from the Southern Sector Housing and Economic Development Financing for Neighborhood Investment Program public infrastructure - Not to exceed \$1,853,473 - Financing: 2006-07 Community Development Grant Reprogramming Funds (\$925,000); and 2007-08 HOME Funds (\$928,473) **[08-1453; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session **[08-1454; NOT HELD]**

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

- Legal issues involving acceptance of benefits by public officials
- Legal issues involving audit of Smirnoff Music Center Lease Payments

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a professional services contract to conduct an audit of the City of Dallas pension funds - Deloitte Consulting, LLP, most advantageous proposer of three - Not to exceed \$32,500 - Financing: Current Funds **[08-1455; APPROVED]**

Code Compliance

2. An ordinance amending Sections 18-13 and 18-14.1 of Chapter 18 of the Dallas City Code, reducing from 12 inches to eight inches the maximum allowable height of weeds and grass on premises in the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City **[08-1456; DEFERRED UNTIL OCTOBER 8, 2008]**
3. An ordinance amending Section 27-42 of Chapter 27 of the Dallas City Code to: **(1)** provide that inspection fees for a multi-tenant property will only be assessed after failure to correct violations found in the original graded inspection or failure to pass a supplemental graded inspection of the property; and **(2)** eliminate the fee for a first re-inspection of a multi-tenant property - Financing: No cost consideration to the City **[08-1457; ORDINANCE 27185; APPROVED AS AN INDIVIDUAL ITEM]**

Office of Financial Services

4. Authorize **(1)** adoption of the preliminary FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$33,124,448 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$19,321,137, **(b)** HOME Investment Partnerships Program in the amount of \$7,925,416, **(c)** American Dream Down-Payment Initiative in the amount of \$72,460, **(d)** Housing Opportunities for Persons with AIDS in the amount of \$3,332,000, and **(e)** Emergency Shelter Grant in the amount of \$772,437; **(2)** adoption of the proposed FY 2007-08 Reprogramming Budget in the amount of \$1,700,998; and **(3)** a public hearing to be held on May 28, 2008 to receive comments on the proposed use of funds - Financing: No cost consideration to the City **[08-1458; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2008**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation

5. Authorize **(1)** a contract for construction of the AT&T Plaza area alterations located at 208 South Akard Street in the amount of \$796,027 - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two; and **(2)** assignment of the contract to AT&T Services, Inc. for construction management - Not to exceed \$796,027 - Financing: 2003 Bond Funds **[08-1459; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Office of Financial Services

6. Authorize **(1)** the City Manager to proceed with the preparation and distribution of the Preliminary Official Statement for the sale of City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008, in an amount not to exceed \$42,000,000, **(2)** that it is the intention of the City Council to authorize purchase of the tract of land commonly known as "the Chavez site", and **(3)** direction to the City Manager to pursue negotiations with hotel developers and operators for construction and operation of a publicly-owned convention center hotel to be built on the Chavez site - Financing: No cost consideration to the City **[08-1460; APPROVED AS AMENDED]**

ITEMS FOR FURTHER CONSIDERATION

Office of Financial Services

Note: The City Manager intends for Addendum Item No. 7 to be deferred for action on May 28, 2008.

7. Authorize **(1)** the issuance and sale of City of Dallas, Texas Combination Tax and Revenue Certificates of Obligation, Series 2008, in an amount not to exceed \$42,000,000; **(2)** approval of the Preliminary Official Statement; and **(3)** execution of the bond purchase agreement, and all other matters related thereto - Not to exceed \$211,400 - Financing: 2008 Certificates of Obligation **[08-1461; DEFFERED UNTIL MAY 28, 2008]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 14, 2008**

CORRECTION:

Department of Development Services

- 26. An ordinance abandoning a portion of Pavillion Street to Twin Lakes Plaza, L.P., the abutting owner, containing approximately ~~3,179~~ 3,974 square feet of land located near its intersection with Flora Street, and authorizing the quitclaim and providing for the dedication of a total of approximately 5,894 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-1388]**

DELETIONS:

Business Development & Procurement Services

- 7. Authorize a twenty-four-month service contract, with two twelve-month renewal options, for database access for Real-Time Live Homework Support On-line Service for the Dallas Public Library - Tutor.com, Inc., lowest responsive and responsible bidder of two - Not to exceed \$285,000 - Financing: Current Funds (\$242,150) (subject to annual appropriations), Lone Star Libraries Grant Funds (\$42,850) **[08-1369]**

City Attorney's Office

- 15. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$60,000, from \$25,000 to \$85,000 - Financing: Current Funds **[08-1377]**

Department of Development Services

ZONING CASES - INDIVIDUAL

- 85. A public hearing to receive comments regarding an application for a Planned Development Subdistrict for Multiple family, Hotel and motel, Restaurant without drive-through service, and Health studio uses on property zoned an O-2 Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District and the termination of the D Dry Liquor Control Overlay, on the northeast line of Fairmount Street between Enid Street and Turtle Creek Boulevard with consideration being given to the granting of the D-1 Dry Liquor Control Overlay and the granting of a Specific Use Permit for a Restaurant with alcohol sales **[08-1449]**
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Recommendation of CPC: Denial of a Planned Development Subdistrict, and denial of the removal of the D Liquor Control Overlay
Z078-142(RB)