

AGENDA
CITY COUNCIL MEETING
AUGUST 27, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[08-2220]**

Agenda Item/Open Microphone Speakers **[08-2221]**

VOTING AGENDA

1. Approval of Minutes of the August 13, 2008 City Council Meeting **[08-2222; APPROVED WITH CORRECTIONS]**

CONSENT AGENDA [08-2223; APPROVED]

Aviation

2. Authorize two thirty-six month maintenance agreement renewal options to the Interlocal Agreement with the North Texas Tollway Authority for the use and maintenance of the Automated Vehicle Identification System for the parking facilities at Dallas Love Field - Total not to exceed \$576,000 - Financing: Aviation Current Funds (subject to annual appropriations) **[08-2224; APPROVED]**
3. Authorize **(1)** Supplemental Agreement No. 4 to the contract with URS Corporation to provide additional design services and construction administration for the Airport Access Control System at Dallas Love Field in an amount not to exceed \$148,344, from \$716,236 to \$864,580; and **(2)** an increase in appropriations in an amount not to exceed \$148,344 in the Federal Aviation Administration Airport Improvement Program Grant Funds - Not to exceed \$148,344 - Financing: Aviation Capital Construction Funds (\$37,086), and Federal Aviation Administration Airport Improvement Program Grant Funds (\$111,258) **[08-2225; APPROVED]**

CONSENT AGENDA (Continued)**Aviation (Continued)**

4. Authorize an increase in the annual lease rental rates from **(1)** \$.32 to \$.40 square feet per year for unimproved land, **(2)** \$.46 square feet per year to \$.65 square feet per year for improved land, **(3)** \$2.24 square feet per year to \$3.50 square feet per year for storage hangar, **(4)** \$2.24 square feet per year to \$3.75 square feet per year for maintenance hangar space; and **(5)** \$5.08 square feet per year to \$8.00 square feet per year for office space at Dallas Love Field - Estimated Revenue: \$10,000,000 (over a ten year period) **[08-2226; APPROVED AS AN INDIVIDUAL ITEM]**
5. Authorize **(1)** a twenty-year lease agreement with Southwest Airlines Company for approximately 5.89 acres of land at Dallas Love Field to be used primarily as a new air cargo facility, with an estimated annual rental revenue in the amount of \$102,677 (estimated \$2.4 million total revenue over the term of the lease at 2% growth annually) and has made a commitment of \$10,000,000 to construct new capital improvements, and **(2)** an execution of a Donation Agreement with Southwest Airlines Company to provide for the acceptance of a donation of materials to be used for the construction of new capital improvements to replace facilities scheduled for demolition - Estimated Annual Revenue: \$102,677 **[08-2227; CORRECTED ON THE ADDENDUM; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize an amendment to Resolution No. 08-1754, previously approved on June 25, 2008, to correct the proposed lessee's name from MD Promenade, Inc. to MD Executive, L.L.C. - Financing: No cost consideration to the City **[08-2228; APPROVED]**

Business Development & Procurement Services

7. Authorize a one-hundred-twenty month concession contract, with a sixty-month renewal option, for operation of the banquet facility at Cedar Crest Golf Course - IAMJ Enterprises Inc., most advantageous proposer of four - Estimated Annual Revenue: \$15,692 **[08-2229; APPROVED]**
8. Authorize a thirty-six-month master agreement for the removal of used oil and oil filters from City facilities - United Recyclers, L.P., highest bidder of three - Estimated Annual Revenue: \$46,835 **[08-2230; APPROVED]**
9. Authorize the purchase of turnstiles and swing gates for Fair Park - Hayward Turnstiles, Inc., lowest responsible bidder of three - Not to exceed \$98,732 - Financing: Fair Park Improvement Funds **[08-2231; APPROVED AS AN INDIVIDUAL ITEM]**
10. Authorize an eighteen-month master agreement for the purchase of Capital Improvement Program construction project signs - Industrial Design & Production, lowest responsible bidder of three - Not to exceed \$217,150 - Financing: Current Funds (\$131,086), Water Capital Construction Funds (\$86,064) **[08-2232; APPROVED]**
11. Authorize a thirty-six-month master agreement for cement treated base, rebase, and super slurry - TXI Operations, LP, lowest responsible bidder of two - Not to exceed \$4,787,481 - Financing: Current Funds (\$4,730,649), Water Utilities Current Funds (\$56,832) **[08-2233; APPROVED]**

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

12. Authorize a thirty-six-month master agreement for industrial equipment, tools and supplies - Nationwide Supply in the amount of \$552,618, MSC Industrial Supply in the amount of \$589,904, Colonial Hardware Corporation in the amount of \$469,631, Applied Industrial Technologies - TX LP in the amount of \$414,894, Fort Worth Bolt & Tool Company LLP in the amount of \$280,240, NMTC, Inc. dba Matco Tools in the amount of \$227,832, Fastenal Company in the amount of \$205,907, Big D Tool Center in the amount of \$152,823, Toy Carnival, Inc. dba Ed's Lawn Equipment in the amount of \$70,938, Midway Auto Supply Co. in the amount of \$63,752, and Snap-On Industrial in the amount of \$50,133, lowest responsible bidders of thirteen - Total not to exceed \$3,078,672 - Financing: Current Funds (\$717,622), Water Utilities Current Funds (\$2,361,050) **[08-2234; APPROVED AS AN INDIVIDUAL ITEM]**
13. Authorize a thirty-six-month master agreement for police riot gear and accessories - AirGas Southwest in the amount of \$341,696, Dallas Public Safety Supply, Inc. in the amount of \$336,959, and C & G Wholesale in the amount of \$77,834, lowest responsible bidders of ten - Total not to exceed \$756,489 - Financing: Current Funds **[08-2235; APPROVED]**
14. Authorize a thirty-six-month master agreement for the rental and maintenance of portable toilets - Lone Star PRR, L.P., lowest responsible bidder of two - Not to exceed \$1,673,895 - Financing: Current Funds **[08-2236; APPROVED AS AN INDIVIDUAL ITEM]**
15. Authorize a thirty-six-month master agreement for concrete and asphalt saw blades - National Diamond, Inc. in the amount of \$106,900, and Simba Industries in the amount of \$4,320 lowest responsible bidders of five - Total not to exceed \$111,220 - Financing: Current Funds (\$103,115), Water Utilities Current Funds (\$8,105) **[08-2237; APPROVED]**
16. Authorize **(1)** participation in an Interlocal Purchasing Agreement with The Cooperative Purchasing Network, and **(2)** a thirty-six-month master agreement for Trane heating, ventilation and air conditioning parts and equipment, Dallas Trane through The Cooperative Purchasing Network - Not to exceed \$193,645 - Financing: Current Funds **[08-2238; APPROVED AS AN INDIVIDUAL ITEM]**
17. Authorize a forty-eight-month master agreement for Taser X26 non-lethal weapons and accessories - GT Distributors, Inc. in the amount of \$889,914, lowest responsible bidder of two - Not to exceed \$889,914 - Financing: Current Funds (\$745,414), Bureau of Justice Assistance Grant Funds (\$144,500) **[08-2239; APPROVED]**
18. Authorize a twenty-four-month service contract for the removal and disposal of waste collected in sand, grease traps and septic tanks - PSC Recovery Systems, Inc. in the amount of \$262,372 and Liquid Environmental Solutions in the amount of \$29,323, lowest responsible bidders of two - Total not to exceed \$291,695 - Financing: Current Funds (\$290,624), Convention and Event Services Current Funds (\$1,071) (to be partially reimbursed from Storm Water Drainage Management Funds) (subject to annual appropriations) **[08-2240; APPROVED]**

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

19. Authorize a sixty-month service contract for pest control services at City facilities - Terminix International Co. LP in the amount of \$424,998 and Prime Pest Management in the amount of \$28,800, lowest responsible bidders of five - Total not to exceed \$453,798 - Financing: Current Funds (\$397,368), Water Utilities Current Funds (\$29,738), Convention and Event Services Current Funds (\$16,512), Aviation Current Funds (\$10,180) (subject to annual appropriations) **[08-2241; APPROVED]**
20. Authorize an increase in the existing managed service agreement with AT&T for communication infrastructure, data network hardware and software to replace end of life equipment which is no longer supported by the vendor - Not to exceed \$11,205,979 from \$59,984,714 to \$71,190,693 - Financing: Current Funds (subject to annual appropriations) **[08-2242; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

21. Authorize settlement of the lawsuit styled Celestino Guzman, Jr. v. City of Dallas, Cause No. 07-12512-A - Not to exceed \$6,500 - Financing: Current Funds **[08-2243; APPROVED]**
22. Authorize settlement of the lawsuit styled Elijah Arredondo, Sr., Elijah Arredondo, Jr. and Justen Frye v. City of Dallas, Cause No. 07-05173-D - Not to exceed \$60,000 - Financing: Current Funds **[08-2244; APPROVED]**
23. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Munck Carter, P.C. for additional legal services necessary in the lawsuit styled United States of America v. City of Dallas, Texas, Civil Action No. 3:08-CV-1063-K - Not to exceed \$92,500, from \$25,000 to \$117,500 - Financing: Current Funds **[08-2245; APPROVED]**

Department of Development Services

24. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Thomas K. Booker of approximately 356,565 square feet of unimproved land located in Hunt County for the Lake Fork Water Pipeline - \$336,295 (\$332,295 plus closing costs not to exceed \$4,000) - Financing: Water Utilities Capital Construction Funds **[08-2246; APPROVED]**
25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of eight tracts of land containing a total of approximately 26 acres of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - \$1,304,826 (\$1,289,726, plus closing costs not to exceed \$15,100) - Financing: Water Utilities Capital Construction Funds **[08-2247; APPROVED]**

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

26. Authorize the deposit of a Special Commissioners' Award in Cause No.: cc-07-13259-e, City of Dallas v. Farah Real Estate Limited Partnership and Farah Financial, Inc., et al, pending in the Dallas County Court at Law No. 5, for acquisition from Farah Real Estate, LP, of approximately 66,363 square feet of unimproved land located near the intersection of Lake June and St. Augustine Roads for the Prairie Creek Branch Library Project - \$276,261 - Financing: 2003 Bond Funds **[08-2248; APPROVED]**
27. Authorize the deposit of a Special Commissioners' Award in Cause No.: cc-07-13258-c, City of Dallas vs. Iglesia Nueva Vision, Inc. et al, pending in the Dallas County Court at Law No. 3, for acquisition from Iglesia Nueva Vision, Inc., of approximately 52,714 square feet of land improved with a religious worship facility located near the intersection of Lake June and St. Augustine Roads for the Prairie Creek Branch Library Project - \$380,029 - Financing: 2003 Bond Funds **[08-2249; APPROVED]**
28. Authorize moving expense and replacement housing payments for Virgie Hawkins in the Cadillac Heights Neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$55,900 - Financing: 2006 Bond Funds **[08-2250; APPROVED]**
29. Authorize a moving and related expenses payment for Family Gateway, Inc., who will be temporarily relocated as a direct result of federally funded rehabilitation of the city-owned leased property at 711 South St. Paul Street and is scheduled for completion in approximately 90 days - Not to exceed \$122,000 - Financing: 2007-2008 Community Development Grant Funds **[08-2251; APPROVED]**
30. An ordinance granting a private license to FC Merc Complex, L.P. for the purpose of installing and maintaining a projecting attached sign above a portion of Main Street right-of-way located near its intersection with Ervay Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[08-2252; APPROVED; ORDINANCE 27290]**
31. An ordinance abandoning portions of various easements to TC Timbercreek Associates, L.P., the abutting owner, containing a total of approximately 13 acres of land located near the intersection of Northwest Highway and Skillman Street - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-2253; APPROVED; ORDINANCE 27291]**

Economic Development

32. Authorize an amendment to Resolution Nos. 06-2022 and 06-2023, previously approved on August 9, 2006, which approved incentives for The Beat at South Side Station project, to **(1)** extend the deadline from June 30, 2008 to March 31, 2009; **(2)** reduce the public funding by (\$700,000), from \$1,500,000 to \$800,000; and **(3)** authorize the Director of the Office of Economic Development to extend project deadlines up to an additional 6 months for cause, if supported by additional consideration or benefit to the City - (\$700,000) - Financing: Cedars TIF District Funds **[08-2254; APPROVED]**

CONSENT AGENDA (Continued)**Economic Development** (Continued)

33. Authorize an amendment to Resolution No. 07-3700, previously approved on December 12, 2007, to **(1)** include Comerica Bank as a party to the tax abatement agreement; and **(2)** remove 1717 Dallas Partners, LLC as a party to the agreement - Financing: No cost consideration to the City **[08-2255; APPROVED AS AN INDIVIDUAL ITEM]**

Equipment & Building Services

34. Authorize **(1)** rescinding the contract with JAC Commercial and Residential Construction, LLC, previously approved on December 12, 2007 by Resolution No. 07-3703, for drug vault expansion, security enhancements at the public service entry, and restroom improvements at the Police Property Room Building located at 1725 Baylor Street, and **(2)** the re-advertisement for new bids - Financing: No cost consideration for the City **[08-2256; DEFERRED UNTIL SEPTEMBER 24, 2008]**

Housing

35. Authorize a fourth amendment to the land bank contract with the Dallas Housing Acquisition and Development Corporation to **(1)** extend the term of the contract to September 30, 2009; **(2)** provide that the City may refer up to 300 parcels of real property intended for acquisition by the Land Bank for filing of tax lawsuits by March 31, 2009; and **(3)** provide pro bono legal services to prosecute the lawsuits during the extended term of the contract - Financing: No cost consideration to the City **[08-2257; APPROVED]**
36. Authorize a fourth amendment to the Land Bank Interlocal Cooperation Contract by and among the City of Dallas, Dallas County, Dallas Independent School District, Dallas County Hospital District, Dallas County School Equalization Fund, Dallas County Education District and Dallas County Community College District to **(1)** extend the term of the contract to September 30, 2009; and **(2)** provide that the City may refer up to 300 parcels intended for acquisition by the Land Bank for filing of a tax lawsuit by March 31, 2009 - Financing: No cost consideration to the City **[08-2258; APPROVED]**

Office of Financial Services

37. Authorize the issuance of a tax-exempt revenue note to be issued by the Italy Higher Education Facilities Corporation in an aggregate principal amount not to exceed \$4,000,000 for the benefit of Dallas Educational Academy d/b/a Dallas Academy Financing: No cost consideration to the City **[08-2259; APPROVED]**
38. Authorize the issuance of tax-exempt educational facilities bonds to be issued by the Ames Higher Education Facilities Corporation (the "*Issuer*") in an aggregate principal amount not to exceed \$20,000,000 for the benefit of The Episcopal School of Dallas - Financing: No cost consideration to the City **[08-2260; APPROVED]**

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

39. Authorize **(1)** an amendment to Ordinance No. 25714, previously approved on August 25, 2004, to amend the Credit Agreement with Bank of America, N.A. to extend the term of the contract for a three-year period from September 28, 2008 through September 30, 2011 for the City of Dallas, Texas Waterworks and Sewer System Series B short term obligations in an aggregate principal amount not to exceed \$200,000,000; and **(2)** an amendment to Ordinance No. 25715, previously approved on August 25, 2004, to amend the Credit Agreement with Bank of America, N.A. to extend the term of the contract for a three-year period from September 28, 2008 through September 30, 2011 for the City of Dallas, Texas Waterworks and Sewer System Series C short term obligations in an aggregate principal amount not to exceed \$100,000,000 - Total not to exceed \$3,450,712 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[08-2261; APPROVED AS AN INDIVIDUAL ITEM]**

Park & Recreation

40. Authorize a contract for the renovation of Dealey Plaza to include historic colonnade renovation on Houston Street, concrete flatwork at the fountain plazas to Houston Street, modifications to the fountain plumbing, installation of the first phase of new fountain systems, and repairs to the fountain basins - Phoenix I Restoration and Construction, Ltd., best value proposer of three - Not to exceed \$785,000 - Financing: 1998 Bond Funds (\$121,480), 2003 Bond Funds (\$463,520) and Capital Gifts, Donation and Development Funds (\$200,000) **[08-2262; APPROVED]**
41. Authorize **(1)** a contract for the construction of the Main Street Garden Park consisting of a food concession pavilion and outdoor dining terrace, fountain, off-leash dog run, playground, shelters, lighting, landscaping, irrigation, signage, sidewalks, trails, and public art - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of two; **(2)** the receipt and deposit of funds in the amount of \$200,000 in the Capital Gifts, Donation and Development Fund; and, **(3)** an increase in appropriations in the amount of \$200,000 in the Capital Gifts, Donation and Development Fund - Not to exceed \$8,019,937 - Financing: 1998 Bond Funds (\$195,139), 2003 Bond Funds (\$671,860) and 2006 Bond Funds (\$7,152,938) **[08-2263; APPROVED]**
42. Authorize an increase in the contract with Sedalco, LP for audio and lighting revisions to the interactive flood model; modifications required by the Texas Commission on Environmental Quality to the septic and drain field; french drain at the mechanical yard; additional safety fencing; and other minor modifications to the Trinity River Audubon Center - Not to exceed \$82,870, from \$12,125,684 to \$12,208,554 - Financing: 1998 Bond Funds **[08-2264; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Police**

43. Authorize **(1)** the acceptance of the Commercial Auto Theft Interdiction Squad/16 grant from the Texas Automobile Burglary & Theft Prevention Authority in the amount of \$506,250 to provide a specialized proactive automobile theft program, for the period September 1, 2008 through August 31, 2009, **(2)** a local match in an amount not to exceed \$101,250, **(3)** In-Kind contributions in the amount of \$516,681, and **(4)** execution of the grant agreement - Total not to exceed \$1,124,181 - Financing: Texas Automobile Burglary & Theft Prevention Authority Grant Funds (\$506,250), In-Kind Contributions (\$516,681) and Current Funds (\$101,250) (subject to appropriations) **[08-2265; APPROVED AS AN INDIVIDUAL ITEM]**
44. An ordinance establishing the Police and Fire Garden of Honor Policy governing the interment of police, fire, and other law enforcement personnel who died honorably, in the line of duty, and in the employ of a political subdivision located either wholly or partially in Dallas County, Texas; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City **[08-2266; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27292]**
45. An ordinance adding Chapter 12B to the Dallas City Code to provide registration, safety, and security requirements for convenience stores - Financing: No cost consideration to the City **[08-2267; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27293]**

Public Works & Transportation

46. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Walnut Street at Richland College, Abrams Road, Greenville Avenue, Audelia Road, Whispering Hills Drive and Valley View Lane at TI Boulevard in an amount not to exceed \$80,282; and **(2)** a local match in an amount not to exceed \$20,071 - Not to exceed \$100,353 - Financing: Texas Department of Transportation Grant Funds (\$80,282) and 1998 Bond Funds (\$20,071) **[08-2268; APPROVED]**
47. Authorize a contract with Oncor Electric Delivery Company to provide electrical service for the City Performance Hall site located at 2520 Flora Street - Not to exceed \$668,111 - Financing: 1998 Bond Funds (\$321,354) and 2003 Bond Funds (\$346,757) **[08-2269; APPROVED AS AN INDIVIDUAL ITEM]**
48. Authorize a professional services contract with Lina T. Ramey and Associates, Inc. for surveying and alignment services on Haskell Avenue from Lemmon Avenue to Main Street - Not to exceed \$193,104 - Financing: 1995 Bond Funds **[08-2270; APPROVED AS AN INDIVIDUAL ITEM]**
49. Authorize a professional services contract with TranSystems Corporation for the engineering design of Deep Ellum Streetscape (list attached) - Not to exceed - \$340,405 - Financing: 2003 Bond Funds (\$56,881) and 2006 Bond Funds (\$283,524) **[08-2271; APPROVED AS AN INDIVIDUAL ITEM]**
50. Authorize **(1)** alley paving and installation of a storm drainage system for the Alley between Country Club Circle and Gaston Avenue from Pearson Drive to Gaston Avenue; provide for partial payment of alley construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on September 24, 2008, to receive comments - Financing: No cost consideration to the City **[08-2272; APPROVED]**

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

51. Authorize an increase in the contract with V.A. Construction, Inc. for handrails and slope protection, and additional quantities of masonry steps, separate curb and gutter, reinforced concrete steps, and retaining wall for the Tenth Street Historic District project - Not to exceed \$125,000, from \$687,365 to \$812,365 - Financing: 2003 Bond Funds **[08-2273; APPROVED]**
52. An ordinance amending Chapter 28 of the Dallas City Code to **(1)** designate school traffic zones; **(2)** regulate the speed and direction of vehicles on certain streets, expressways, and freeways; **(3)** update references to the Texas Manual on Uniform Traffic Control Devices; and **(4)** clarify offenses for violations of the city's traffic barricade manual (list attached) - Financing: No cost consideration to the City **[08-2274; APPROVED; ORDINANCE 27294]**
53. An ordinance amending Chapter 45 of the Dallas City Code to modify the taxicab age limit requirement for vehicles that operate on alternative fuel - Financing: No cost consideration to the City **[08-2275; APPROVED; ORDINANCE 27295]**

Water Utilities

54. Authorize a contract for the construction of Booster Chlorination Facilities throughout the Dallas water distribution system - Archer Western Contractors, Ltd., lowest responsible bidder of two - \$3,594,000 - Financing: Water Utilities Capital Improvement Funds **[08-2276; APPROVED]**
55. Authorize a contract for the construction of ozone completion improvements at the Elm Fork Water Treatment Plant - Archer Western Contractors, Ltd., lowest responsible bidder of two - \$5,307,000 - Financing: Water Utilities Capital Improvement Funds **[08-2277; APPROVED]**
56. Authorize a contract for the construction of repairs to the retaining walls and improvements to the surrounding structures at the White Rock Lake spillway - Rebcon, Inc., only bidder - Not to exceed \$16,748,070 - Financing: Water Utilities Capital Construction Funds (\$15,651,250) and 2003 Bond Funds (\$1,096,820) **[08-2278; APPROVED AS AN INDIVIDUAL ITEM]**
57. Authorize a contract for the construction of the Sunset Pump Station improvements - Archer Western Contractors, Ltd., lowest responsible bidder of three - \$22,739,000 - Financing: Water Utilities Capital Improvement Funds **[08-2279; APPROVED]**
58. Authorize a contract for the installation of water and wastewater mains at 13 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of five - \$6,382,677 - Financing: Water Utilities Capital Improvement Funds (\$6,377,677) and 2003 Bond Funds (\$5,000) **[08-2280; APPROVED AS AN INDIVIDUAL ITEM]**
59. Authorize a contract for the installation of water and wastewater mains at 19 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of five - \$3,825,732 - Financing: Water Utilities Capital Improvement Funds **[08-2281; APPROVED]**

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

60. Authorize a professional services contract with Carollo Engineers, P.C. for engineering services to perform analysis, develop alternatives, and provide a Wastewater Treatment Facilities Strategic Plan - \$3,546,492 - Financing: Water Utilities Capital Construction Funds **[08-2282; APPROVED]**
61. Authorize Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering services for the development of final plans and specifications for the Sunset Pump Station improvement project - \$94,187, from \$1,016,427 to \$1,110,614 - Financing: Water Utilities Capital Construction Funds **[08-2283; APPROVED]**
62. Authorize Supplemental Agreement No. 4 to the professional services contract with Freese and Nichols, Inc. for additional construction administration services on the process improvements contract at the Central Wastewater Treatment Plant - \$137,270, from \$4,616,875 to \$4,754,145 - Financing: Water Utilities Capital Improvement Funds **[08-2284; APPROVED]**

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

63. 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) **[08-2285; APPOINTMENTS MADE TO BOARDS]**

Department of Development Services

64. Authorize an appeal of the City Plan Commission's decision to deny a development plan for Planned Development District No. 738 on the north corner of Lemmon Avenue and Haggard Way and consideration of alternate resolutions either affirming or reversing the decision of the City Plan Commission - D078-017 - Financing: No cost consideration to the City **[08-2286; APPROVED TO REVERSE DECISION OF THE CPC]**

Office of Financial Services

65. Authorize an amendment to Resolution No. 08-0835, previously approved on March 26, 2008, to modify the appointment of six underwriting syndicate members and replace UBS Securities LLC with Goldman, Sachs & Co. as a co-senior manager of the underwriting syndicate for the Convention Center Hotel debt issuances - Financing: No cost consideration to the City **[08-2287; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [08-2288]

66. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an A(A) Agricultural District on the north side of Grady Niblo Road, east of Spur 408
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions **[08-2289; HEARING OPEN; HELD UNDER ADVISEMENT UNTIL SEPTEMBER 24, 2008]**
Z078-232(MAW)
67. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-7.5(A) Single Family District and Country Club uses with Private Membership on property zoned an R-7.5(A) Single Family District, an R-10(A) Single Family District and a CR Community Retail District and an ordinance terminating Specific Use Permit No. 453 for a Country Club with Private Membership on the west side of Greenville Avenue, south of Royal Lane **[08-2290; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCES 27296 AND 27297]**
Recommendation of Staff: Approval, subject to a development plan and staff's conditions and approval of the termination of Specific Use Permit No. 453.
Recommendation of CPC: Approval, subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 453
Z078-234(MAW)
68. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1631 for a Bank or Savings and Loan Office with drive-through lanes on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest corner of Fitzhugh Avenue and McKinney Avenue **[08-2291; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27298]**
Recommendation of Staff and CPC: Approval, subject to a site plan and conditions
Z078-247(JH)

ZONING CASES - INDIVIDUAL

69. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 317, the Cedars Area Special Purpose District, and an ordinance granting a Specific Use Permit for a commercial engraving and etching facility on property zoned Subdistrict 2 within Planned Development District No. 317 on the east corner of Ervay Street and Hickory Street **[08-2292; DELETED ON THE ADDENDUM]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a new subdistrict and approval of a Specific Use Permit for a 15-year period subject to a site plan and conditions
Z078-203(JH)

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

70. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a day care facility on property zoned an R-10(A) Single Family District, on the southwest corner of Crepe Myrtle Lane and Larkspur Lane **[08-2293; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27299]**
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z078-217(OTH)
Note: This item was considered by the City Council at a public hearing on August 13, 2008, and was taken under advisement until August 27, 2008, with the public hearing open.
71. A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District, Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation Other Than Listed on property generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west with consideration being given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations and an ordinance granting a Planned Development District and an ordinance terminating Specific Use Permit No. 432 **[08-2294; HEARING OPEN; HELD UNDER ADVISEMENT UNTIL SEPTEMBER 24, 2008]**
Recommendation of Staff and CPC: Approval of a planned development district, subject to conditions and a regulating plan for property located south of the Union Pacific Rail Line, with termination of Specific Use Permit No. 432, and no change to zoning for property located north of the Union Pacific Rail Line
Z067-148(DW)
Note: This item was considered by the City Council at public hearings on May 28, June 11 and June 25, 2008, and was taken under advisement until August 27, 2008, with the public hearing open.
72. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily, nursing/convalescent/retirement home, single family and office uses, on property zoned an MF-1(A) Multifamily District, on the north side of Harvest Hill, between Montfort Drive and Noel Road **[08-2295; HEARING CLOSED; DENIED WITHOUT PREJUDICE]**
Recommendation of Staff: Approval, subject to a conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z067-306(OTH)
Note: This item was considered by the City Council at public hearings on March 26, May 28 and June 25, 2008, and was taken under advisement until August 27, 2008, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT - INDIVIDUAL

73. A public hearing to receive comments regarding a proposal for and an ordinance granting an amendment to the Downtown Special Provision Sign District to renew and amend the "Supergraphic Sign" provisions, which expire on September 1, 2008, that allow supergraphic signs to be placed on certain buildings in an area generally bounded by Woodall Rodgers to the north, Interstate 45/US 75 to the east, Interstate 30 / R.L. Thornton to the south and Interstate 35 / Stemmons Freeway to the west **[08-2296; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27300]**
Recommendation of Staff and CPC: Approval to extend the supergraphic provisions for an additional five-year period
SPSD078-002
Note: This item was considered by the City Council at a public hearing on August 13, 2008, and was taken under advisement until August 27, 2008, with the public hearing open.

MISCELLANEOUS HEARINGS

Department of Development Services

74. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by South Dallas/Fair Park Innerscity Community Development Corporation located near the intersection of Grand and Trunk Avenues and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to South Dallas/Fair Park Innerscity Community Development Corporation 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 **[08-2297; HEARING CLOSED; APPROVED; ORDINANCE 27301]**
Recommendation of Staff: Approval

Office of Financial Services

75. A public hearing to receive comments on the proposed FY 2008-09 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[08-2298; HEARING CLOSED]**

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 27, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

City Auditor's Office

1. A resolution reappointing Craig Daniel Kinton as City Auditor for a two-year term, effective September 6, 2008 - \$172,000 - Financing: Current Funds **[08-2299; APPROVED]**

Department of Development Services

2. An ordinance abandoning a portion of Watkins Street and a portion of a sanitary sewer easement to RHDFJ Partners, L.P., the abutting owner, containing a total of approximately 4,140 square feet of land located near its intersection with Flora Avenue, authorizing the quitclaim and providing for the dedication of approximately 4,103 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-2300; APPROVED; ORDINANCE 27302]**
3. An ordinance abandoning a portion of an alley to Good-Latimer, LP, the abutting owner, containing approximately 5,928 square feet of land located near the intersection of Swiss Avenue and Hawkins Street, and authorizing the quitclaim - Revenue: \$201,552 plus the \$20 ordinance publication fee **[08-2301; APPROVED; ORDINANCE 27303]**

Economic Development

The Oak Cliff Foundation

4. * Authorize a modification to the loan agreement with The Oak Cliff Foundation to extend the project completion deadline from December 31, 2006 to September 30, 2009, for the renovation of the Texas Theatre project located at 231 West Jefferson Boulevard and all other matters relating thereto - Financing: No cost consideration to the City **[08-2302; APPROVED AS AN INDIVIDUAL ITEM]**
5. * Authorize acquisition, from The Oak Cliff Foundation, including the exercise of the right of eminent domain, if such becomes necessary, of three tracts of unimproved land containing a total of approximately 19,876 square feet, located near the intersection of Sunset Avenue and Zang Boulevard for the Oak Cliff Multi-Cultural Center - \$167,000 (\$165,000 plus closing cost not to exceed \$2,000) - Financing: 2003 Bond Funds **[08-2303; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 27, 2008**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Economic Development (Continued)

The Oak Cliff Foundation (Continued)

6. * Authorize the City Manager to enter into a twenty-year license agreement with two ten-year renewal options with The Oak Cliff Foundation for the use of approximately 19,876 square feet of land for additional parking located near the intersection of Sunset Avenue and Zang Boulevard - Estimated Revenue: \$46,548 **[08-2304; APPROVED]**

Environmental & Health Services

7. Authorize an amendment to the lease agreement with Rainer Metroplex Partners, L.P., formerly Crowe Texas Portfolio 1, L.P. for an additional 5 years, to include an additional area of approximately 530 square feet of space and improvements for a total of approximately 5,102 square feet of office space in the Meadow Park Central IV Building located at 10260 North Central Expressway, Suite 210, for the continued use as a Women, Infants and Children Program office for the period September 1, 2008 through August 31, 2013 - Not to exceed \$433,670 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations) **[08-2305; APPROVED]**
8. Authorize a third amendment to the lease agreement with Carrollton Park II, L.P. to extend and amend the lease for an additional 86 months at the Carrollton Park II Shopping Center located at 1235 South Josey Lane, Suite 517-518, Carrollton, Texas for the continued use as a Women, Infants and Children Program office for the period August 1, 2010 through September 30, 2017 - Not to exceed \$263,500 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations) **[08-2306; APPROVED]**

Equipment & Building Services

9. Authorize the City Manager to **(1)** accept the best and final Heat Rate Pricing offers for each of the three electricity groups from the four short-listed Retail Electric Providers: Constellation New Energy, Inc., Gexa Energy, L.P., Suez Energy Resources NA, Inc., and Texas General Land Office; **(2)** enter into three electric services contracts with the preferred Retail Electric Provider(s) for a period of either 12, 24, or 36 months under the advisement of the City's energy consultants; **(3)** lock prices for Group 1 based on the movement of the price of Natural Gas as traded on NYMEX and within the guidelines briefed to the Finance, Audit, and Accountability Committee on August 12, 2008; and **(4)** lock prices for Group 2 and Group 3 based on the price of Natural Gas as traded on NYMEX on the 5 trading days after entering into the contract - Total not to exceed \$89,214,056 for 12-month contracts, \$178,428,112 for 24-month contracts or \$267,642,168 for 36-month contracts - Financing: Current Funds (subject to annual appropriations) **[08-2307; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 27, 2008**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Equipment & Building Services (Continued)

10. Authorize a professional services contract with IDA Engineering, Inc., to provide engineering and design services for chiller replacement at the Science Place 1 located at 1318 Second Avenue - \$85,000 - Financing: 2007 Certificates of Obligation **[08-2308; APPROVED]**

Office of Financial Services

11. Authorize a resolution finding that the rate adjustments and tariffs presented in the "Interim Rate Adjustment Filing Calendar Year 2007" filed by Atmos Energy Corp. on May 23, 2008 have been withdrawn by virtue of Atmos Energy Corp's August 1, 2008 Gas Reliability Infrastructure Program (GRIP) filing, denying the rate adjustments and tariffs that have been withdrawn and extending the City Council's decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new GRIP Interim Rate Adjustment, filed with the City on August 1, 2008, from September 30, 2008 to November 14, 2008 - Financing: No cost consideration to the City **[08-2309; APPROVED]**
12. An ordinance amending Ordinance No. 26957 (FY 2007-2008 Operating Budget Appropriation Ordinance) to make certain adjustments to fund appropriations for fiscal year 2007-08 for the maintenance and operation of various departments and activities and to authorize the City Manger to implement those adjustments - Financing: No cost consideration to the City **[08-2310; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27304]**

Trinity River Corridor Project

13. Authorize **(1)** acquisition of land known as portions of the Trinity Industrial Lead Corridor from the Union Pacific Railroad Company located adjacent to the northeast side of the east Trinity Levee extending northward from the Continental Viaduct extending to Mockingbird Lane, **(2)** payment of earnest money in the amount of \$20,000; and **(3)** a Purchase and Sale Agreement with the Union Pacific Railroad Company - Total not to exceed \$2,122,625 (\$2,110,000 plus closing costs not to exceed \$12,625) - Financing: 1998 Bond Funds **[08-2311; APPROVED]**
14. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of six properties improved with single-family homes located near the intersection of Sylvan Avenue and Morris Street for the Oncor transition facility associated with the West Levee Norwood 345 kV transmission line and the Sylvan Avenue Bridge project (list attached) - Not to exceed \$432,500 (\$419,500, plus closing costs not to exceed \$13,000) - Financing: 2006 Bond Funds **[08-2312; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 27, 2008**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity River Corridor Project (Continued)

15. Authorize Supplemental Agreement No. 1 to the contract with Halff Associates, Inc. for additional design services needed to complete construction documents for the Santa Fe Trestle Trail project to include additional cultural resource investigation for the Standing Wave project - Not to exceed \$334,745, from \$1,116,282 to \$1,451,027 - Financing: 1998 Bond Funds **[08-2313; APPROVED]**
16. Authorize Supplemental Agreement No. 2 to the contract with MESA Design Group for additional design services needed to prepare construction documents for phases 2 thru 4 for the Moore Park Gateway project, which includes parking lot expansion, amphitheater, landscaping and site furnishings - Not to exceed \$294,195, from \$302,105 to \$596,300 - Financing: Private Funds **[08-2314; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES - CONSENT

17. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the Tract 6A portion of Planned Development District No. 170 for Mixed Uses and an ordinance granting a Specific Use Permit for an Animal clinic without outside run, limited to boarding and grooming on the west line of Preston Road, south of Lloyd Drive **[08-2315; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCES 27305 AND 27306]**
Recommendation of Staff and CPC: Approval of an amendment to the Tract 6A portion of Planned Development District No. 170, and approval of a Specific Use Permit for an Animal clinic without outside run, limited to boarding and grooming, for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z078-257(RB)

**ADDENDUM
CITY COUNCIL MEETING
AUGUST 27, 2008**

CORRECTION:

Aviation

- 5. Authorize **(1)** a twenty-year lease agreement with Southwest Airlines Co., ~~company~~ with the 20 years commencing as of beneficial occupancy of the new capital improvements, for approximately 5.89 acres of land at Dallas Love Field to be used primarily as a new air cargo facility, with an estimated annual rental revenue in the amount of \$102,677 (estimated \$2.4 million total revenue over the term of the lease at 2% growth annually) and has made a commitment of ~~\$10,000,000~~ \$5,000,000 to construct new capital improvements, and **(2)** an execution of a Donation Agreement with Southwest Airlines Co., ~~company~~ to provide for the acceptance of a donation of materials to be used for the construction of new capital improvements to replace facilities scheduled for demolition - Estimated Annual Revenue: \$102,677 **[08-2227]**

DELETION:

Department of Development Services

ZONING CASES - INDIVIDUAL

- 69. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 317, the Cedars Area Special Purpose District, and an ordinance granting a Specific Use Permit for a commercial engraving and etching facility on property zoned Subdistrict 2 within Planned Development District No. 317 on the east corner of Ervay Street and Hickory Street **[08-2292]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a new subdistrict and approval of a Specific Use Permit for a 15-year period subject to a site plan and conditions
Z078-203(JH)