

AGENDA
CITY COUNCIL MEETING
SEPTEMBER 10, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[08-2400]**

Agenda Item/Open Microphone Speakers **[08-2401]**

VOTING AGENDA

1. Approval of Minutes of the August 27, 2008 City Council Meeting **[08-2402; APPROVED WITH CORRECTIONS]**

CONSENT AGENDA **[08-2403; APPROVED]**

Aviation

2. Authorize Supplemental Agreement No. 4 to the contract with Gresham, Smith and Partners for continued master planning and design coordination services to support the development of the terminal schematic design of the Love Field Modernization Program - Not to exceed \$256,086, from \$936,850 to \$1,192,936 - Financing: Aviation Capital Construction Funds **[08-2404; APPROVED]**
3. Authorize an increase in the daily parking rates charged for Garages A and B at Dallas Love Field, to become effective October 1, 2008 - Estimated Revenue: \$4,800,000 (increase over a two-year period) **[08-2405; APPROVED]**

Business Development & Procurement Services

4. Authorize the purchase of eighteen sand spreaders - Equipment Southwest, Inc., lowest responsible bidder of four - Not to exceed \$157,098 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes **[08-2406; APPROVED]**

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

5. Authorize the purchase of four Duperon self-cleaning trashrack systems at the Ledbetter Dike, Delta, and Charlie Pump Stations to remove debris carried to the pump stations through the stormwater system - Duperon Corporation, lowest responsible bidder of two - Not to exceed \$652,900 - Financing: 2006 Bond Funds **[08-2407; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize the purchase of one bio-solids distribution vehicle, one combination sewer/vacuum vehicle and two sewer cleaner vehicles - Agco Corp. - Ag Chem Division in the amount of \$362,567, Metro Ford Truck Sales, Inc. in the amount of \$220,625 and Rush Truck Center-Houston in the amount of \$166,338, lowest responsible bids of nine - Total not to exceed \$749,530 - Financing: Water Utilities Current Funds **[08-2408; APPROVED]**
7. Authorize a sixty-month concession contract, with three one-year renewal options, for car rental concession services at Dallas Love Field Airport - The Hertz Corporation, Avis Rent A Car System, LLC, Budget Rent A Car System, Inc., Alamo Rental (US), Inc., Enterprise Leasing Company of DFW dba Enterprise Rent-A-Car, National Rental (US), Inc., DTG Operations, Inc. dba Dollar Rent A Car, and DTG Operations, Inc. dba Thrifty Car Rental, highest responsible bidders of eight - Estimated Annual Revenue: \$5,218,810 or 10% of gross sales, whichever is greater **[08-2409; APPROVED]**
8. Authorize a twelve-month master agreement for ferrous sulfate - Pencoco, Inc., only bidder - Not to exceed \$1,989,000 - Financing: Water Utilities Current Funds **[08-2410; APPROVED]**

Department of Development Services

9. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of three tracts of land containing a total of approximately 331,259 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - \$168,100 (\$164,070 plus closing costs not to exceed \$4,030) - Financing: Water Utilities Capital Construction Funds **[08-2411; APPROVED]**
10. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of three tracts of unimproved land containing a total of approximately 4 acres of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - \$246,676 (\$241,876 plus closing costs not to exceed \$4,800) - Financing: Water Utilities Capital Construction Funds **[08-2412; APPROVED]**
11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of three tracts of land containing a total of approximately 543,308 square feet of land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$320,649 (\$312,449 plus closing costs not to exceed \$8,200) - Financing: Water Utilities Capital Construction Funds **[08-2413; APPROVED]**
12. A resolution authorizing the sale of approximately 6,250 square feet of unwanted and unneeded City-owned land located near the intersection of Latimer Street and Pennsylvania Avenue to Martin Wiggins, the only bidder - Revenue: \$4,001 **[08-2414; APPROVED AS AN INDIVIDUAL ITEM]**

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

13. A resolution authorizing the sale of approximately 37,539 square feet of unwanted and unneeded City-owned land located near the intersection of Beckley Avenue and Clarendon Drive to Pablo Torres, the only bidder - Revenue: \$90,000 **[08-2415; APPROVED AS AN INDIVIDUAL ITEM]**
14. An ordinance granting a private license to Rivendell Matilda, L.P. for the use of approximately 300 square feet of land to install and maintain pedestrian street lights on portions of Lewis, Hope, and La Vista Streets rights-of-way located near the intersection of Lewis and Matilda Streets - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[08-2416; APPROVED; ORDINANCE 27307]**

Economic Development

15. Authorize **(1)** approval of the Deep Ellum Public Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving and adopting the 2008 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2417; APPROVED AS AN INDIVIDUAL ITEM]**
16. Authorize **(1)** approval of the Dallas Downtown Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Dallas Downtown Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2008 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2008 assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2418; APPROVED AS AN INDIVIDUAL ITEM]**

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

17. Authorize **(1)** approval of the Lake Highlands Public Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Lake Highlands Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2008 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2008 assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2419; APPROVED]**
18. Authorize **(1)** approval of the Prestonwood Public Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Prestonwood Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2008 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2008 assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2420; APPROVED]**
19. Authorize **(1)** approval of the South Side Public Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the South Side Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2008 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2008 assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2421; APPROVED]**

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

20. Authorize **(1)** approval of the Uptown Public Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Uptown Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2008 assessment roll with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2422; APPROVED AS AMENDED]**
21. Authorize **(1)** approval of the Vickery Meadow Public Improvement District Service Plan for 2009; **(2)** a public hearing to be held on September 24, 2008 to receive comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing, **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2008 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2009; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[08-2423; APPROVED]**
22. Authorize a 70 percent real property tax abatement agreement for eight years with EDC Industrial, LP on the added value resulting from the development of a new 345,600 square foot cross-dock warehouse facility located in a Texas Enterprise Zone at 5220 South Westmoreland Road - Revenue: First-year revenue estimated at \$26,924; eight-year revenue estimated at \$215,395; (Estimated revenue foregone for eight-year abatement estimated at \$502,589) **[08-2424; APPROVED AS AN INDIVIDUAL ITEM]**
23. Authorize **(1)** the third twelve-month renewal option to the contract with the Southern Dallas Development Corporation to administer the Southern Dallas Economic Development Program's Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and retaining jobs for low-to-moderate income persons; and **(2)** any unexpended balances of program income and allocations from prior contracts be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City **[08-2425; APPROVED AS AN INDIVIDUAL ITEM]**

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

24. Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2008 through September 30, 2009 - Not to exceed \$12,059,045 - Financing: Department of State Health Services Grant Funds **[08-2426; APPROVED]**
25. Authorize a contract with the Department of State Health Services to continue the operations of a training center for the Special Supplemental Nutrition Program for women, infants, and children for the period October 1, 2008 through September 30, 2009 - Not to exceed \$87,365 - Financing: Department of State Health Services Grant Funds **[08-2427; APPROVED]**
26. Authorize the acceptance of a grant from the Department of State Health Services for the Childhood Lead Poisoning Prevention Program for the period July 1, 2008 through June 30, 2009 - Not to exceed \$90,000 - Financing: Department of State Health Services Grant Funds **[08-2428; APPROVED]**
27. Authorize the acceptance of a grant from the Department of State Health Services for the City of Dallas' Immunization Initiative Program for the period September 1, 2008 through August 31, 2009 - Not to exceed \$376,386 - Financing: Department of State Health Services Grant Funds **[08-2429; APPROVED]**
28. Authorize the acceptance of a grant from the Department of State Health Services for the continuation of local public health services for the period September 1, 2008 through August 31, 2009 - Not to exceed \$196,600 - Financing: Department of State Health Services Grant Funds **[08-2430; APPROVED]**
29. Authorize **(1)** the acceptance of a grant from the Dallas Downtown Improvement District to provide outreach services for hard-to-reach and chronically homeless individuals who reside within the Central Business District for the period October 1, 2008 through September 30, 2009; and **(2)** execution of the grant agreement - Not to exceed \$283,374 - Financing: Downtown Improvement District Homeless Outreach Funds **[08-2431; APPROVED]**

Equipment & Building Services

30. Authorize a contract for installation of the existing roll filters and electronic filters for the heating, ventilation and air conditioning system at the J. Erik Jonsson Central Library located at 1515 Young Street - Polk Mechanical, Inc., lowest responsible bidder of three - \$307,200 - Financing: Capital Construction Funds (\$247,760); 2003 Bond Funds (\$59,440) **[08-2432; APPROVED]**

CONSENT AGENDA (Continued)**Housing**

31. Authorize a loan in the amount of \$500,000 at 0% interest to City Wide Community Development Corporation for the acquisition of improved and unimproved properties bounded by Lancaster Road between Illinois Avenue and Ledbetter Drive and predevelopment expenses, environmental assessments, and demolition costs for the purpose of constructing residential, retail, commercial, or mixed-use redevelopment as part of the Economic Development Plan for the Lancaster Corridor - Not to exceed \$500,000 - Financing: 2006 Bond Funds **[08-2433; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize an amendment to Resolution No. 07-3305, previously approved on November 12, 2007, authorizing an economic development loan agreement with Kaminski Holdings, Inc. adding the following addresses for development: 5433 Bexar Street, 5501 Bexar Street, 2432 Hooper Street, 2434 Hooper Street, 2438 Hooper Street, 2442 Hooper Street; and, deleting the following addresses: 5502 Bexar Street and 5504 Bexar Street - Financing: No cost consideration to the City **[08-2434; APPROVED]**

Intergovernmental Services

33. Authorize approval of the 2008-09 Dallas-Fort Worth International Airport Board Annual Budget - Financing: No cost consideration to the City **[08-2435; APPROVED AS AN INDIVIDUAL ITEM]**
34. Authorize a resolution adopted concurrently by the City Councils of the Cities of Dallas and Fort Worth authorizing the Dallas-Fort Worth International Airport Board to redeem Dallas-Fort Worth Regional Airport Braniff Special Facilities Revenue Bonds Series 1979 - Financing: No cost consideration to the City **[08-2436; APPROVED]**
35. An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2008-06-124, which amends Chapter 2 and Appendix I of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as amended; to **(1)** remove the phrase "or he gains access by means of a control mechanism" from Section 4 of Chapter 2; **(2)** add a regulation that prohibits the parking of vehicles or storage of property within 10 feet of an Air Operations Area to Section 6.IV of Chapter 2; **(3)** remove the violation "Unattended Vehicle Zone" from Section 12.XI.A of Chapter 2; and **(4)** add the new extension of West Walnut Hill Lane, the new extension of Mustang Drive, and the realignment of North Airfield Drive to include revisions to the block numbering system to Appendix I - Financing: No cost consideration to the City **[08-2437; APPROVED; ORDINANCE 27308]**
36. An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2008-06-122, which amends Chapter 4 of the Code of Rules and Regulations of the Dallas-Fort Worth International Airport Board, as amended; to **(1)** establish a formula for determining the total number of taxicabs required by public convenience and necessity for the issuance, renewal, amendment, or temporary amendment of taxicab operating authority in Section 2-3; **(2)** establish a formula for determining the total number of taxicab driver permits required by public convenience and necessity for the issuance of a taxicab driver permit in Section 3-1; and **(3)** remove Subsection 3-2.II from Section 3.2 and add it to Section 3.1 - Financing: No cost consideration to the City. **[08-2438; APPROVED; ORDINANCE 27309]**

CONSENT AGENDA (Continued)**Park & Recreation**

37. Authorize a contract for the construction of a new trail along Coombs Creek between Beckley Avenue and Sylvan Avenue - Texas Standard Construction, Ltd., lowest responsible bidder of six - \$290,428 - Financing: 2003 Bond Funds **[08-2439; APPROVED]**
38. Authorize a contract for the construction of a new trail, pedestrian bridge, trail signage, trail head, landscaping, and site furnishings at Valley View Park located at 7000 Valley View Lane - Texas Standard Construction, Ltd., lowest responsible bidder of four - \$670,342 - Financing: 2003 Bond Funds **[08-2440; APPROVED]**
39. Authorize an increase in the contract with Artografx, Inc. for the installation of park identification signs at 11 park sites (list attached) - \$36,856, from \$257,228 to \$294,084 - Financing: Current Funds (\$400) and 2003 Bond Funds (\$36,456) **[08-2441; APPROVED]**
40. Authorize Supplemental Agreement No. 6 to the professional services contract with Johnson/McKibben Architects, Inc. for schematic design, design development, construction documents, and construction administration services for an addition to the Gorilla Holding Building, to include an additional food preparation area, a new animal exercise area, and interior renovation of the existing holding facility for compliance with the United States Department of Agriculture and American Zoological Association requirements, and Americans with Disabilities Act compliance issues at the Dallas Zoo located at 650 South R.L. Thornton Freeway - Not to exceed \$52,400, from \$334,940 to \$387,340 - Financing: 2006 Bond Funds **[08-2442; APPROVED]**

Public Works & Transportation

41. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on IH35E at Royal Lane - Not to exceed \$29,768 - Financing: Texas Department of Transportation Grant Funds **[08-2443; APPROVED]**
42. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Preston Road at Campbell Road and Davenport Road - Not to exceed \$51,617 - Financing: Texas Department of Transportation Grant Funds **[08-2444; APPROVED]**
43. Authorize the rejection of bids for the reconstruction of Fox Creek Trail from Mountain Creek Parkway to FM 1382 and the re-advertisement for new bids - Financing: No cost consideration to the City **[08-2445; APPROVED]**
44. Authorize a contract for the construction of barrier free ramp improvements for Group 06-002 (list attached) - MACVAL Associates, LLC, lowest responsible bidder of seven - \$696,438 - Financing: Current Funds (\$691,438) and Water Utilities Capital Construction Funds (\$5,000) **[08-2446; APPROVED]**

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

45. Authorize a professional services contract with Booziotis & Company Architects for the Dallas Theater Center, Phase I master plan to gather, analyze and assess building information; develop historic structural and existing conditions reports for the Kalita Humphreys Theater and adjacent administration facility located at 3636 Turtle Creek Boulevard - Not to exceed \$152,848 - Financing: 2006 Bond Funds **[08-2447; APPROVED]**
46. Authorize an increase in the contract with Estrada Concrete Company, LLC for additional quantities of concrete sidewalk curbs, retaining wall, and sidewalks for barrier free ramp improvements for Group 06-001 (list attached) - Not to exceed \$69,000, from \$578,770 to \$647,770 - Financing: Current Funds **[08-2448; APPROVED]**
47. Authorize an increase in the contract with Frontier Waterproofing, Inc., for an increase in the scope of work to include polishing and sealing exterior granite in lieu of cleaning; repair and hazardous material abatement of the damaged and deteriorated windows; and to patch and repair terra cotta walls and is assigned to Hunt-Woodbine Realty Corporation for construction management for the Union Station Wall Restoration project - Not to exceed \$108,183, from \$1,025,049 to \$1,133,232 - Financing: 2006 Bond Funds **[08-2449; APPROVED]**
48. Authorize **(1)** an increase in the contract with AUI Contractors, LP to provide additional work necessary for the construction of the fuel and chemical containment systems at eleven locations at Dallas Love Field, in an amount not to exceed \$52,305, from \$1,857,189 to \$1,909,494; and **(2)** an increase in appropriations in an amount not to exceed \$52,305 in the Federal Aviation Administration Airport Improvement Program Grant Fund - Not to exceed \$52,305 - Financing: Aviation Passenger Facility Charge Funds (\$13,076) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$39,229) **[08-2450; APPROVED]**

Eastside Commons
Pedestrian Plaza Project

Note: Item Nos. 49 and 50 must be considered collectively.

49. * Authorize **(1)** an Interlocal Agreement with the North Central Texas Council of Governments for design and construction of the Eastside Commons Pedestrian Plaza project; **(2)** the receipt and deposit of funds from the North Central Texas Council of Governments in an amount not to exceed \$297,200; and **(3)** an increase in appropriations in the amount of \$297,200 in the Capital Projects Reimbursement Fund - Not to exceed \$297,200 - Financing: No cost consideration to the City **[08-2451- 01; APPROVED]**
50. * Authorize payment to the Central Dallas Community Development Corporation for the North Central Texas Council of Government's share of design and construction costs for the Eastside Commons Pedestrian Plaza project - Not to exceed \$297,200 - Financing: Capital Projects Reimbursement Funds **[08-2451- 02; APPROVED]**

CONSENT AGENDA (Continued)**Public Works & Transportation (Continued)****Quiet Zone along
Union Pacific Rail Line Corridor****Note:** Item Nos. 51 and 52 must be considered collectively.

51. * Authorize the City Manager to provide a Notice of Intent for establishing a Quiet Zone along the Union Pacific rail line corridor generally in the Urbandale area of Dallas encompassing the existing at-grade crossings of Jim Miller Road, Urban Avenue and Buckner Boulevard as required by the Federal Railroad Administration Final Train Horn rule 49 CFR Part 222 and 229 - Financing: No cost consideration to the City **[08-2452; APPROVED]**
52. * Authorize a contract with Union Pacific Railroad for the purpose of conducting preliminary engineering services, develop cost estimates and review preliminary layouts in conjunction with possible future implementation of a Quiet Zone - Not to exceed \$10,000 - Financing: Current Funds **[08-2453; APPROVED]**

Water Utilities

53. Authorize a contract for the construction of the East Side Water Treatment Plant expansion to 540 million gallons per day - Part B, Clearwells and Flumes to be reimbursed from financing received from the Texas Water Development Board low interest loan program upon approval and receipt - Oscar Renda Contracting, Inc., lowest responsible bidder of three - \$94,723,750 - Financing: Water Utilities Capital Improvement Funds **[08-2454; APPROVED]**
54. Authorize a professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the East Side Water Treatment Plant and the Bachman Water Treatment Plant - \$2,799,689 - Financing: Water Utilities Capital Improvement Funds **[08-2455; APPROVED]**
55. Authorize a contract for major maintenance and rehabilitation improvements at the Central Wastewater Treatment Plant - Reynolds, Inc., lowest responsible bidder of three - \$10,036,400 - Financing: Water Utilities Capital Improvement Funds **[08-2456; APPROVED]**
56. Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with the Doran Pump Station - \$43,855, from \$5,087,648 to \$5,131,503 - Financing: Water Utilities Capital Improvement Funds **[08-2457; APPROVED]**
57. Authorize Supplemental Agreement No. 1 to the contract with the City of Hutchins for Wholesale Treated Water to add a Reciprocal Agreement for Water and/or Wastewater Services - Not to exceed \$50,000 - Financing: Water Utilities Capital Construction Funds **[08-2458; APPROVED]**
58. Authorize **(1)** the rejection of bids received for the installation of water and wastewater mains at 15 locations, and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City **[08-2459; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

- 59. 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) **[08-2460 AND 08-2461; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

Office of Financial Services

- 60. First reading of the appropriation ordinances for the proposed FY 2008-09 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City **[08-2462; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES – CONSENT [08-2463]

- 61. A public hearing to receive comments regarding an application for and an ordinance granting an RR Regional Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the south side of Northwest Highway, west of Jupiter Road **[08-2464; HEARING CLOSED; APPROVED; ORDINANCE 27310]**
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z078-252(WE)

- 62. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Vehicle display, sales, and service use on property within the Subdistrict 2 portion of Planned Development District No. 534-D-1, the C. F. Hawn Special Purpose District, with a D-1 Liquor Control Overlay located in the southeast quadrant of C. F. Hawn Freeway and Dowdy Ferry Road **[08-2465; HEARING CLOSED; APPROVED; ORDINANCE 27311]**
Recommendation of Staff: Approval for a three-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site/landscape plan and conditions
Z078-258(RB)

ZONING CASES - INDIVIDUAL

- 63. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract II within Planned Development District No. 740 to allow for additional floor area for office uses on the southeast corner of US Highway 75 and Mockingbird Lane **[08-2466; HEARING OPEN; HELD UNDER ADVISEMENT UNTIL SEPTEMBER 24, 2008]**
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z078-241(OTH)

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

64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge, or tavern use and a commercial amusement (inside) use limited to a class A dance hall on property within Planned Development District No. 619 for Mixed Uses on the south side of Main Street, east of Field Street **[08-2467; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27312]**
Recommendation of Staff: Approval, for a two-year period, subject to a site plan and conditions
Z078-253(MAW)
65. A public hearing to receive comments regarding an application for a Planned Development District for CR uses and attended donation center use on property zoned a CR Community Retail District on the southwest side of Haskell Avenue, between Lafayette Street and Delano Place **[08-2468; DELETED ON THE ADDENDUM]**
Recommendation of Staff and CPC: Denial
Z078-201(JH)
66. A public hearing to receive comments regarding an application for a Specific Use Permit for an alcoholic beverage establishment for a Private club-bar on property within a portion of Subarea 4 of Planned Development District No. 366-D-1, the Buckner Boulevard Special Purpose District, with a D-1 Liquor Control Overlay and an IM-D-1 Industrial Manufacturing District with a D-1 Liquor Control Overlay on the northeast corner of Buckner Boulevard and Kipling Drive **[08-2469; HEARING CLOSED; APPROVED]**
Recommendation of Staff and CPC: Denial
Z078-250(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

67. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-2 Mixed Use District Uses on property zoned an MU-2 Mixed Use District at the northeast corner of Greenville Avenue and Walnut Hill Lane **[08-2470; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27313]**
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, and conditions
Z078-141(RB)
Note: This item was considered by the City Council at public hearings on June 11 and August 13, 2008, and was held under advisement until September 10, 2008, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT - INDIVIDUAL

- 68. A public hearing to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District, to create a new Subdistrict to allow for video board signs on a tract of land generally between Main Street and Elm Street west of Akard Street **[08-2471; HEARING OPEN; HELD UNDER ADVISEMENT UNTIL JANUARY 28, 2009]**

Recommendation of Staff: Approval, subject to staff conditions

Recommendation of CPC: Denial

SPSD067-003

Note: This item was considered by the City Council at public hearings on November 28, 2007, February 27, March 26 and June 25, 2008, and was taken under advisement until September 10, 2008, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - CONSENT

- 69. A public hearing to receive comments regarding consideration of amendments to Chapters 51 and 51A of the Dallas Development Code to revise the regulations regarding recycling drop-off containers to require screening in certain circumstances and an ordinance granting the amendments **[08-2472; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27314]**

Recommendation of Staff and CPC: Approval

DCA056-010

- 70. A public hearing to receive comments regarding consideration of amendments to Chapter 51A, the Dallas Development Code, to delete the ability to request a variance to maximum floor area requirements (FAR) and an ordinance granting the amendments **[08-2473; HEARING OPEN; HELD UNDER ADVISEMENT UNTIL SEPTEMBER 24, 2008]**

Recommendation of Staff and CPC: Approval

DCA067-009

MISCELLANEOUS HEARINGS

Office of Financial Services

- 71. A public hearing to receive comments on the proposed 74.79¢/\$100 property tax rate for the 2008-09 fiscal year - Financing: No cost consideration to the City **[08-2474; HEARING CLOSED]**

**ADDENDUM
CITY COUNCIL MEETING
SEPTEMBER 10, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session **[08-2475; HELD]**

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

- Legal issues regarding minimum wage provisions in temporary labor contracts
- Legal issues regarding accident response fees
- Legal issues involving acceptance of benefits by public officials

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a forty-eight-month master agreement for best-selling books for the Dallas Public Library - Baker & Taylor, Inc., best value bidder of two - Not to exceed \$1,182,750 - Financing: Current Funds **[08-2476; APPROVED]**
2. A resolution confirming the sale of three items sold at public auction, on August 27, 2008, one 1999 John Deere backhoe 410E, equipment number 999004, to El Cachas Ranch in the amount of \$25,000, one 1986 Link Belt Drag Line crane, equipment number 6957, to Jayhawk Crane in the amount of \$27,500, and one 1993 John Deere grader/maintainer, equipment number 939016, to TNT Equipment Sales in the amount of \$36,000 - Revenue: \$88,500 **[08-2477; APPROVED]**

Department of Development Services

3. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 1,268 square feet near the intersection of Samuell Boulevard and Lawnview Avenue for the Samuell Boulevard Improvement Project - \$12,500 Financing: 1995 Bond Funds **[08-2478; APPROVED]**
4. Authorize settlement in lieu of proceeding further with condemnation in City of Dallas vs. Mark Alan Bond, Lea Rosenthal-Bond, Collin County, and City of Dallas, Defendants, Cause No. 002-1600-2008, pending in the County Court at Law No. 2, for acquisition from Mark Alan Bond and Lea Rosenthal-Bond of approximately 10,399 square feet of land located near the intersection of Creek Drive and Mapleshade Lane for the Upper McKamy Flood Control Improvements Project - \$111,000 (\$389,000 total settlement award - \$278,000 previously approved by Resolution No. 06-0115) - Financing: 2003 Bond Funds **[08-2479; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
SEPTEMBER 10, 2008**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Department of Development Services (Continued)

5. Authorize a 7-year lease agreement with ARI-Forest Green L.P. for approximately 4,290 square feet of office space located at 11910 Greenville Avenue, Suite 100 to be used by Building Inspection's North Central District for the period October 1, 2008 through September 30, 2015 - Total not to exceed \$500,991 - Financing: Building Inspection Current Funds (subject to annual appropriations) **[08-2480; APPROVED]**
6. An ordinance abandoning a fire lane and utility easement and various easement rights to certain areas labeled as a private drive to Northlake Highlands Partners, LTD., Chartwell at Lake Highlands, L.P., and Chartwell Holdings, LLC, the abutting owners, containing a total of approximately 74,702 square feet of land located near the intersection of Lullwater Drive and Northwest Highway - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-2481; APPROVED; ORDINANCE 27315]**
7. An ordinance abandoning a portion of a water and wastewater easement to Baylor Health Care System, the abutting owner, containing approximately 8,595 square feet of land located near the intersection of Pauline and Worth Streets - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-2482; APPROVED; ORDINANCE 27316]**

Economic Development

8. Authorize the rescission of Resolution No. 08-2199, previously approved on August 20, 2008, which authorized **(1)** a public hearing to be held on September 10, 2008, to receive comments concerning the early renewal of the Prestonwood Public Improvement District for a period of seven years, in accordance with Chapter 372 of the Texas Local Government Code, for the Prestonwood Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and **(2)** at the close of the hearing, consideration of a resolution authorizing the early renewal of the Prestonwood Public Improvement District for a period of seven years; approval of the 2009-2015 Service Plan; designating the Prestonwood Homeowners Association, Inc., as the management entity for the District; approving and filing the tax roll, and providing an effective date - Financing: No cost consideration to the City **[08-2483; APPROVED]**

Office of Financial Services

9. An ordinance extending the term of Ordinance No. 21666, an Ordinance granting a franchise to Texas Utilities Inc., now known as Oncor Electric Distribution Company, for an additional six months and providing for compensation during the extension period - Financing: No cost consideration to the City **[08-2484; APPROVED; ORDINANCE 27317]**

**ADDENDUM
CITY COUNCIL MEETING
SEPTEMBER 10, 2008**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity River Corridor Project

10. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land containing a total of approximately 103,201 square feet located at the intersection of Long Acre Lane and Loop 12 for the Trinity River Audubon Center (list attached) - Not to exceed \$363,000 (\$355,000 plus closing costs not to exceed \$8,000) - Financing: 1998 Bond Funds **[08-2485; APPROVED]**
11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land containing a total of approximately 23,943 square feet located at the intersection of Starks Street and South Central Expressway (service road) for the Trinity Parkway (list attached) - Not to exceed \$114,000 (\$110,000 plus closing costs not to exceed \$4,000) - Financing: 1998 Bond Funds **[08-2486; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Stemmons Hotel Limited Partnership, of approximately 197,480 square feet of land improved with a 120-room motel located at the intersection of Commonwealth Drive and Stemmons Freeway (service road) for the Trinity Parkway - Not to exceed \$3,177,000 (\$3,160,000 plus closing costs not to exceed \$17,000) - Financing: 1998 Bond Funds **[08-2487; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Convention and Event Services

13. Authorize **(1)** execution of a three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's local government corporation (Dallas Convention Center Hotel Development Corporation) for the development of a convention center hotel adjacent to the Dallas Convention Center on the site commonly known as the Chavez site, **(2)** an economic development grant in an amount not to exceed \$4,000,000 to the Dallas Convention Center Hotel Development Corporation for payment of specified pre-development costs in accordance with the terms of the three-party Pre-Development Agreement (to be reimbursed from the sale of Hotel Revenue Bonds), **(3)** proceeding with geotechnical and environmental studies of the Chavez site in accordance with the previously approved Memorandum of Understanding between the City and Matthews Holdings Southwest, Inc, not to exceed \$400,000, **(4)** the establishment of appropriations in the amount of \$4,000,000 in the Convention Center Hotel Development Corp. (LGC) Fund, and **(5)** other matters related thereto - \$4,400,000 - Financing: Convention and Event Services Capital Construction Funds (to be reimbursed from the future sale of Hotel Revenue Bonds) **[08-2488; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
SEPTEMBER 10, 2008**

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

Public Works & Transportation

14. A public hearing to receive comments regarding an amendment to Chapter 51A, "Dallas Development Code", Section 51A-5.101, of the Dallas City Code to modify the list of definitions, and amending Section 51A-5.102, to adopt the Rockwall County maps which become effective on September 26, 2008, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City **[08-2489; APPROVED; ORDINANCE 27318]**

DELETION:

Department of Development Services

ZONING CASES - INDIVIDUAL

65. A public hearing to receive comments regarding an application for a Planned Development District for CR uses and attended donation center use on property zoned a CR Community Retail District on the southwest side of Haskell Avenue, between Lafayette Street and Delano Place **[08-2468]**
Recommendation of Staff and CPC: Denial
Z078-201(JH)