

**AGENDA**  
**CITY COUNCIL MEETING**  
**DECEMBER 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) **[08-3290]**

Agenda Item/Open Microphone Speakers **[08-3291]**

VOTING AGENDA

1. Approval of Minutes of the November 10, 2008 City Council Meeting **[08-3292; APPROVED WITH CORRECTIONS]**

CONSENT AGENDA **[08-3293; APPROVED]**

**Business Development & Procurement Services**

2. Authorize a service contract for the purchase and installation of two outdoor mounted direct fire gas heating systems for the Southside Wastewater Treatment Plant - Powers MEP Engineering, Inc., lowest responsible bidder of two - Not to exceed \$88,500 - Financing: Water Utilities Current Funds **[08-3294; APPROVED]**
3. Authorize a nine-month master agreement for National Sanitation Foundation (NSF) 60 Dipotassium Orthophosphate to be used by Water Utilities - Simply Aquatics, Inc., lowest responsible bidder of two - Not to exceed \$514,836 - Financing: Water Utilities Current Funds **[08-3295; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize a forty-eight-month professional services contract, with two twelve-month renewal options, for benefits consulting and actuarial services - Buck Consultants, LLC, most advantageous proposer of six - Not to exceed \$1,000,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations) **[08-3296; APPROVED]**

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

5. Authorize a sixty-month professional service contract for a Risk Management Consultant to provide consulting service and technical assistance which encompass all phases of risk management - Aon Risk Services Southwest, Inc., most advantageous proposer of three - Not to exceed \$625,000 - Financing: Current Funds (subject to annual appropriations) **[08-3297; APPROVED]**
6. Authorize the purchase of six combination rotoboom and truck units - Southwest International Trucks, Inc. in the amount of \$416,560, and Heil of Texas in the amount of \$313,650, through BuyBoard, a Texas Local Government Purchasing Cooperative - Total not to exceed \$730,210 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes (\$123,000), 2007 Equipment Acquisition Contractual Obligation Not-s (\$242,105) and 2008 Equipment Acquisition Contractual Obligation Notes (\$365,105) **[08-3298; APPROVED AS AN INDIVIDUAL ITEM]**
7. Authorize a thirty-six-month service contract, with three twelve-month renewal options, for repair and maintenance of the electrical transmission substations at the Southside Wastewater Treatment Plant and the Eastside Water Treatment Plant - National Switchgear Systems, Inc., lowest responsible bidder of two - Not to exceed \$1,016,611 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[08-3299; APPROVED]**
8. Authorize a thirty-six-month service contract for the purchase, installation, application hosting service and maintenance of Global Positioning System equipment for route optimization of Sanitation fleet vehicles - Remote Dynamics, Inc., most advantageous proposer of six - Not to exceed \$697,059 - Financing: Current Funds (subject to annual appropriations) **[08-3300; DEFERRED UNTIL JANUARY 14, 2009]**
9. Authorize the purchase of ten fire pumpers and four aerial ladder trucks - Metro Fire Apparatus Specialists, through the Houston-Galveston Area Council of Governments, a Texas Local Government Purchasing Cooperative - Total not exceed \$7,833,682 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes (\$58,135), 2007 Equipment Acquisition Contractual Obligation Notes (\$574,497), 2008 Equipment Acquisition Contractual Obligation Notes (\$6,201,050), 2006 Bond Funds (Public Safety Facility Fund) (\$1,000,000) **[08-3301; APPROVED AS AN INDIVIDUAL ITEM]**
10. Authorize Supplemental Agreement No. 1 to the service contract with AudioFidelity Communication Corp. to provide and install additional audio and visual equipment for the Fusion Center at the Jack Evans Police Headquarters building - Not to exceed \$82,016, from \$514,968 to \$596,984 - Financing: 2005-06 Urban Area Security Initiative Grant Funds **[08-3302; APPROVED]**
11. Authorize **(1)** the rejection of bids received for a twenty-four-month service contract for armed stationary and mobile security guards to patrol the Water Utilities facilities; and, **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City **[08-3303; APPROVED]**

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

12. Authorize a professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C. for legal services in matters related to the Atmos Energy Corporation, Mid-Tex Division's Statement of Intent to Increase Gas Utility Rates within the Incorporated Areas of the City of Dallas - Not to exceed \$110,000 - Financing: Current Funds (the full amount is reimbursable by Atmos Gas Corporation subject to approval by the Railroad Commission of Texas) **[08-3304; APPROVED]**
13. Authorize settlement of a claim filed by Community Waste Disposal, Claim No. 08219272 - Not to exceed \$15,907 - Financing: Current Funds **[08-3305; APPROVED]**
14. Authorize settlement of a claim filed by Esperanza Gamez, Claim No. 07191457 - Not to exceed \$6,500 - Financing: Current Funds **[08-3306; APPROVED]**
15. Authorize settlement of the lawsuit styled William Holeman v. City of Dallas, Cause No. 07-13666-M - Not to exceed \$80,000 - Financing: Current Funds **[08-3307; APPROVED]**
16. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P., for additional legal services necessary in the lawsuit styled R. B. Barton et al. v. Jeffrey Nelson et al., Civil Action No. 3:08-CV-1151-B - Not to exceed \$75,000, from \$25,000 to \$100,000 - Financing: Current Funds **[08-3308; APPROVED]**
17. Authorize Supplemental Agreement No. 2 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed \$130,000, from \$85,000 to \$215,000 - Financing: Current Funds **[08-3309; APPROVED]**
18. Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Guida, Slavich & Flores, P.C., for additional legal services necessary in the lawsuits styled The Environmental Conservation Organization v. The City of Dallas, Civil Action No. 3:03-CV-2951-BD, Environmental Conservation Organization v. City of Dallas, No. 08-252, The Environmental Conservation Organization v. City of Dallas, No. 07-11247, and any other matters relating to the subject matter of these lawsuits - Not to exceed \$12,000, from \$1,150,000 to \$1,162,000 - Financing: Current Funds **[08-3310; APPROVED]**

**Communication and Information Services**

19. Authorize a three-year Interlocal Agreement with Dallas County to provide Dallas County with two-way radio service, equipment, antenna space, microwave service, and radio system airtime for the period October 1, 2008 through September 30, 2011 - Revenue: \$304,580 **[08-3311; APPROVED]**
20. Authorize a five-year Interlocal Agreement with the City of Cockrell Hill to provide the City of Cockrell Hill with two-way radio maintenance service and radio system airtime for the period of June 1, 2008 through May 31, 2013 - Revenue: \$12,480 **[08-3312; APPROVED]**

CONSENT AGENDA (Continued)**Code Compliance**

21. Authorize a Memorandum of Understanding with the Society for the Prevention of Cruelty to Animals (SPCA of Texas) in preparation for, and responding to certain disaster situations including animal rescue, sheltering and transportation of animals at the request of the Office of Emergency Management and Dallas Animal Services - Financing: No cost consideration to the City **[08-3313; APPROVED]**

**Department of Development Services**

22. 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 30 acres located near the intersection of Wintergreen and Houston School Roads for the Wintergreen Pump Station Project (list attached) - Not to exceed \$1,752,000 (\$1,740,000 plus closing costs not to exceed \$12,000) - Financing: Water Utilities Capital Improvement Funds **[08-3314; APPROVED]**
23. Authorize settlement in lieu of proceeding with condemnation in City of Dallas vs. Bobby Barfield, Sabrina Barfield, Collin County, and City of Dallas, Defendants, Cause No. 002-1603-2008 for acquisition from Bobby Barfield and Sabrina Barfield of approximately 10,399 square feet of land located near the intersection of Creek Drive and Mapleshade Lane for the Upper McKamy Flood Control Improvement Project - \$202,259 (\$200,000 plus closing cost not to exceed \$2,259) - Financing: 2003 Bond Funds **[08-3315; APPROVED]**
24. Authorize settlement in lieu of proceeding with condemnation of a tract of unimproved land containing approximately 567 square feet from Shero Industrial Properties, L.P. located at the intersection of Cadiz Street and Industrial Boulevard for the Cadiz Pump Station Improvement Project - \$4,335 (\$2,835 plus closing costs not to exceed \$1,500) - Financing: Water Utilities Capital Construction Funds **[08-3316; APPROVED]**
25. Authorize settlement in lieu of proceeding with condemnation of approximately 184,158 square feet of unimproved land from Robert W. Williams, Sr. located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$96,016 (\$93,016 plus closing costs not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds **[08-3317; APPROVED]**
26. Authorize settlement in lieu of proceeding with condemnation of approximately 46,758 square feet of land improved with a 1,623 square foot single-family dwelling from Yvette Patton located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$127,451 (\$124,451 plus closing costs not to exceed \$3,000) - Financing: Water Utilities Capital Construction Funds **[08-3318; APPROVED]**
27. Authorize settlement in lieu of proceeding with condemnation of approximately 1,640 square feet of unimproved land from Felix Flores located near the intersection of Peak Street and Gaston Avenue for the relocation of a wastewater main - \$32,500 (\$30,000 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Construction Funds **[08-3319; APPROVED]**

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

28. Authorize settlement in lieu of proceeding with condemnation of approximately 2,000 square feet of unimproved land from Charles Krovetz located near the intersection of Peak Street and Gaston Avenue for the relocation of a wastewater main - \$38,500 (\$36,000 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Construction Funds **[08-3320; APPROVED AS AN INDIVIDUAL ITEM]**
29. Authorize settlement in lieu of proceeding with condemnation of approximately 2,139 square feet of unimproved land from MSC-1, Ltd. located near the intersection of Peak Street and Gaston Avenue for the relocation of a wastewater main - \$41,500 (\$39,000 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Construction Funds **[08-3321; APPROVED]**
30. Authorize settlement in lieu of proceeding with condemnation of approximately 2,279 square feet of unimproved land from J.D. Martin Properties, LLC located near the intersection of Peak Street and Gaston Avenue for the relocation of a wastewater main - \$43,500 (\$41,000 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Construction Funds **[08-3322; APPROVED]**
31. Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Naomi Cook, et al., Cause No. 002-1604-2008, pending in the County Court at Law No. 2, for acquisition from Naomi Cook of approximately 10,399 square feet of land improved with a single family dwelling located near the intersection of Creek Drive and Mapleshade Lane for the Upper McKamy Flood Control Improvement Project - \$250,000 - Financing: 2003 Bond Funds **[08-3323; APPROVED]**
32. Authorize an actual reasonable moving and related expenses-nonresidential payment for DFW A-1 Pallet, who was displaced as a direct result of real property acquisition of the property at 2101 Manana Road, to be used in conjunction with the Elm Fork Flood Protection Project - Not to exceed \$222,307 - Financing: 1998 Bond Funds **[08-3324; APPROVED]**
33. Authorize replacement housing payment for homeowner, Hollis Polk, as a result of an order to vacate and demolish by the Urban Rehabilitation Standards Board - Not to exceed \$80,625 - Financing: 2008-09 Community Development Grant Funds **[08-3325; APPROVED]**
34. Authorize moving expense and replacement housing payments for Rachel Jimenez 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 \$35,900 - Financing: 2003 Bond Funds **[08-3326; APPROVED]**
35. Authorize moving expense and replacement housing payments for Esteban Castillo Melgarejo and Deyci Santos 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 \$42,900 - Financing: 2003 Bond Funds **[08-3327; APPROVED]**

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

36. Authorize an increase in the replacement housing payment for homeowner, Lena Davis, previously approved on August 22, 2007 by Resolution No. 07-2345, due to the inability to find a decent, safe, and sanitary replacement home for the \$22,500 - Not to exceed \$61,400, from \$22,500 to \$83,900 - Financing: 2008-09 Community Development Grant Funds **[08-3328; APPROVED]**
37. An ordinance abandoning a portion of Flora Street to the Dallas Independent School District, the abutting owner, containing approximately 1,003 square feet of land located near the intersection of Flora and Routh Streets, authorizing the quitclaim, and providing for the dedication of approximately 1,039 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-3329; APPROVED; ORDINANCE 27411]**
38. An ordinance abandoning a portion of a fire lane easement to DCO Bennett Development, LP, the abutting owner, containing approximately 2,000 square feet of land located near the intersection of Bennett and Capitol Avenues - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-3330; APPROVED; ORDINANCE 27412]**
39. An ordinance abandoning portions of wastewater and sanitary sewer easements to Golden King Properties, the abutting owner, containing approximately 1,722 square feet of land located near the intersection of Garland Road and Winsted Avenue - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-3331; APPROVED; ORDINANCE 27413]**
40. An ordinance abandoning portions of water easements to The Episcopal School of Dallas, Inc., the abutting owner, containing a total of approximately 8,210 square feet of land located near the intersection of Montwood Lane and Midway Road - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-3332; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27414]**
41. An ordinance granting a private license to the Dallas Independent School District for the use of approximately 60 square feet of land, to construct and maintain a subsurface communications conduit under a portion of Haskell Avenue right-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[08-3333; APPROVED; ORDINANCE 27415]**
42. An ordinance granting a revocable license to 7-Eleven, Inc. for the installation and maintenance of two projecting attached signs, one attached facade sign, and one canopy over portions of Commerce Street and Field Streets rights-of-way located near the intersection of Commerce Street and Field Street - Revenue: \$3,000 one-time fee plus the \$20 ordinance publication fee **[08-3334; APPROVED; ORDINANCE 27416]**
43. An ordinance granting a revocable license to Sangria, L.L.C. for the use of approximately 338 square feet of land to install and maintain a sidewalk café on a portion of Cole Avenue right-of-way located near its intersection with Knox Avenue - Revenue: \$1,035 annual fee plus the \$20 ordinance publication fee **[08-3335; APPROVED; ORDINANCE 27417]**

CONSENT AGENDA (Continued)

**Department of Development Services** (Continued)

- 44. An ordinance amending Chapter 54, "Dallas Plumbing Code, as amended," of the Dallas City Code by amending Appendix J, "Standard for Designing, Installing, and Maintaining Landscape Irrigation Systems" and Chapter 57, "Dallas One and Two-Family Dwelling Code, as amended," of the Dallas City Code by amending Appendix A; providing compliance with the requirements of the Texas Commission on Environmental Quality - Financing: No cost consideration to the City **[08-3336; APPROVED AS AMENDED; ORDINANCE 27418 ]**
- 45. An ordinance amending Chapter 56 of the Dallas City Code, "Dallas Electrical Code", to adopt the 2008 National Electrical Code, with local amendments - Financing: No cost consideration to the City **[08-3337; APPROVED; ORDINANCE 27419]**

**Economic Development**

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

**City Center TIF District**

- 46. \* Authorize **(1)** a development agreement with Brian Foster for the redevelopment of 1400 Main Street located in Tax Increment Financing Reinvestment Zone Five (City Center TIF District); and **(2)** the City Center TIF District Board of Directors intent to dedicate future tax increment revenue of the City Center TIF District in an amount not to exceed \$475,000 - Not to exceed \$475,000 - Financing: City Center TIF District Funds **[08-3338; DEFERRED UNTIL JANUARY 28, 2009]**
- 47. \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Five (City Center TIF District) to reimburse Brian Foster for eligible expenditures pursuant to the development agreement with Brian Foster - Financing: No cost consideration to the City **[08-3339; DEFERRED UNTIL JANUARY 28, 2009]**

**Equipment & Building Services**

- 48. Authorize a construction contract for heating, ventilation, and air conditioning replacement for Fretz Park Library located at 6990 Beltline Road - American Mechanical Services of Texas, LLC, lowest responsible bidder of four - Not to exceed \$268,035 - Financing: 2006 Bond Funds (\$250,000) and 2003 Bond Funds (\$18,035) **[08-3340; APPROVED AS AN INDIVIDUAL ITEM]**
- 49. Authorize a professional services contract with Campos Engineering, Inc., to provide engineering and design services for improvements to the electrical, mechanical and air handling systems for the Data Center located at 1500 Marilla Street - Not to exceed \$300,000 - Financing: 2008A Combination Tax and Revenue Certificates of Obligation **[08-3341; APPROVED AS AN INDIVIDUAL ITEM]**

**Housing**

- 50. Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation for the purpose of providing emergency and warranty home repairs for low-income qualified families under the Home Repair Program - \$125,000, from \$38,272 to \$163,272 - Financing: Dallas Housing Finance Corporation Grant Funds **[08-3342; APPROVED]**

CONSENT AGENDA (Continued)**Intergovernmental Services**

51. Authorize the acceptance of the 2008 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, the State Homeland Security Program and the Metropolitan Medical Response System to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 5, 2008 through March 15, 2011 - Not to exceed \$8,053,868 - Financing: U.S. Department of Homeland Security Grant Funds **[08-3343; APPROVED]**
52. An ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2008-09-218 which amends Chapter 3, Section 3 of the Code of Rules and Regulations of the Dallas Fort-Worth International Airport Board to permit the possession of animals at the airport incidental to airport-operated or tenant-operated pet care facilities - Financing: No cost consideration to the City **[08-3344; APPROVED; ORDINANCE 27420]**

**Library**

53. Authorize **(1)** the acceptance of a federal grant through the Texas State Library for Family Literacy Programs for the period September 1, 2008 through May 31, 2009; and **(2)** execution of the grant agreement - Not to exceed \$75,000 - Financing: Texas State Library and Archives Commission Grant Funds **[08-3345; APPROVED]**

**Office of Environmental Quality**

54. Authorize a professional services contract with Saitas and Seales to provide consultant services in matters related to environmental issues for the period January 1, 2009 through December 31, 2009 - Not to exceed \$75,000 - Financing: Current Funds **[08-3346; APPROVED]**

**Office of Financial Services**

55. A resolution extending the City Council's decision deadline for Atmos Energy Corporation's proposed new gas rate schedules for 90 days, from the effective date of the filing from December 11, 2008 to March 11, 2009 - Financing: No cost consideration to the City **[08-3347; APPROVED]**
56. Authorize a professional services contract with Diversified Utility Consultants, Inc., for expert consulting services and testimony in matters related to the statement of intent for Atmos Energy Corporation, Mid-Tex Division to change rates in the City of Dallas, filed November 5, 2008 - Not to exceed \$75,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy) **[08-3348; APPROVED]**



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

57. Authorize a contract for the reconstruction of the Esplanade fountain, including reconstruction of the fountain basin, historic lights, historic pylon and paving; construction of new water features, mechanical equipment, underground vaults, electrical equipment, and landscaping; and restoration of the Parry Avenue gate at Fair Park - Rogers-O'Brien Construction Company, Inc., best value proposer of four - Not to exceed \$12,664,365 - Financing: 2006 Bond Funds **[08-3349; APPROVED]**
58. Authorize a contract for erosion control improvements at Anderson Bonner Park and trail improvements and site furnishings at White Rock Creek Greenbelt - Riverway Contractors and Management, Inc., lowest responsible bidder of three - Not to exceed \$1,135,680 - Financing: 2003 Bond Funds (\$758,217) and 2006 Bond Funds (\$377,463) **[08-3350; APPROVED]**
59. Authorize a ten-year park beautification partnership program agreement with Cedar Springs Lofts Condominium Association, Inc. to maintain public property at Harry Hines Triangle, bounded by Harry Hines Boulevard, Cedar Springs Road, Ashland Street and Harwood Street - Financing: No cost consideration to the City **[08-3351; APPROVED]**
60. Authorize a ten-year agreement with two five-year renewal options, with Dallas Radio Control Flying Club for the placement, operation, and development of a radio control flying field at Simonds Lake Park located at 1911 Bowers Road, Seagoville, Texas - Financing: No cost consideration to the City **[08-3352; APPROVED]**
61. Authorize **(1)** the acceptance and execution of a grant in the amount of \$1,000,000 from the Texas Parks and Wildlife Department for property acquisition and Phase I development of the Elm Fork Athletic Complex located near the 2200 Block of Walnut Hill Lane, **(2)** the allocation of \$1,000,000 in 2003 and 2006 Bond Funds for the City's required match of the grant; and **(3)** establishment of appropriations in the amount of \$1,000,000 in the Texas Parks and Wildlife Grant Fund - \$2,000,000 - Financing: 2003 Bond Funds (\$500,000), 2006 Bond Funds (\$500,000) and Texas Parks and Wildlife Grant Funds (\$1,000,000) **[08-3353; APPROVED]**
62. Authorize **(1)** the acceptance of a reimbursable matching grant from Preserve America Grant Program in the amount of \$250,000, **(2)** a grant agreement with the United States Department of the Interior, administered by the National Park Service, for a visitor information booth, permanent outdoor exhibit, interpretive signage and printed materials at Fair Park; and **(3)** the establishment of appropriations in the amount of \$250,000 in the Preserve America Grant Fund - \$500,000 - Financing: 2003 Bond Funds (\$250,000) and Preserve America Grant Funds (\$250,000) **[08-3354; APPROVED]**

CONSENT AGENDA (Continued)**Police**

63. Authorize **(1)** an application for and acceptance of the 2008 Internet Crimes Against Children grant No. 2008-MC-CX-K024 in the amount of \$489,319 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period September 1, 2008 through August 31, 2009; and **(2)** execution of the grant agreement - Not to exceed \$489,319 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds **[08-3355; APPROVED]**
64. Authorize **(1)** an application for and acceptance of the 2008 Internet Crimes Against Children Training and Equipment grant No. 2008-MC-CX-K026 in the amount of \$60,681 from the U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention, to sponsor a training conference and purchase computer equipment to investigate and prosecute web-related crimes for response to the sexual abuse and exploitation of children facilitated by the use of computer technology related to the investigation of Internet-facilitated child exploitation, for the period September 1, 2008 through August 31, 2009; and **(2)** execution of the grant agreement - Not to exceed \$60,681 - Financing: U.S. Department of Justice, Office of Juvenile Justice and Delinquency Prevention Grant Funds **[08-3356; APPROVED]**
65. Authorize Cooperative Working Agreements with Arlington Police Department in the amount of \$15,000, Garland Police Department in the amount of \$4,500, Longview Police Department in the amount of \$15,000, Tarrant County District Attorney's Office in the amount of \$15,000, Dallas County District Attorney's Office in the amount of \$5,000, Lubbock County District Attorney's Office in the amount of \$4,500, Potter County District Attorney's Office in the amount of \$4,500, Collin County Sheriff's Office in the amount of \$4,500, Taylor County Sheriff's Office in the amount of \$4,500, the Dallas Children's Advocacy Center in the amount of \$12,000 for the investigation, prosecution, education and counseling activities related to the Dallas Internet Crimes Against Children Task Force, and the Fox Valley Technical College sponsor of the Internet Crimes Against Children Technical Training and Assistance Program in the amount of \$93,845, for the period September 1, 2008 through August 31, 2009 - Total not to exceed \$178,345 - Financing: 2008 Internet Crimes Against Children Grant Funds **[08-3357; APPROVED]**
66. Authorize **(1)** the application for and acceptance of the 2008 Project Safe Neighborhood/Anti-Gang initiative grant in the amount of \$30,000 from the U.S. Department Justice, Office of Justice Programs, Bureau of Justice Assistance for Gang Unit officer overtime reimbursement to combat gangs, guns and drug activity for the period October 1, 2008 through September 30, 2011, **(2)** a local match in the amount of \$8,250, and **(3)** execution of the grant agreement - Total not to exceed \$38,250 - Financing: U.S. Department of Justice Grant Funds (\$30,000), and Current Funds (\$8,250) **[08-3358; APPROVED]**

CONSENT AGENDA (Continued)**Police (Continued)**

67. Authorize **(1)** the application for and acceptance of the 2008 Project Safe Neighborhood/Anti-Gang initiative grant in the amount of \$12,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for overtime reimbursement for the Dallas/Fort Worth Fugitive Apprehension Strike Team to utilize Dallas Police Department Task Force officers to investigate and apprehend violent fugitives, including gang members and gang associates for the period October 1, 2008 through September 30, 2011, **(2)** a local match in the amount of \$3,330, and **(3)** execution of the grant agreement - Total not to exceed \$15,330 - Financing: U.S. Department of Justice Grant Funds (\$12,000), and Current Funds (\$3,330) **[08-3359; APPROVED]**
68. Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$89,949 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods, for the period December 19, 2008 through September 7, 2009, **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$25,398, and **(3)** execution of the grant agreement - Total not to exceed \$115,347 - Financing: Current Funds (\$25,398) and Texas Department of Transportation Grant Funds (\$89,949) **[08-3360; APPROVED]**

**Public Works & Transportation**

69. Authorize a contract for the reconstruction of street paving, storm drainage and water main improvements on Fox Creek Trail from Mountain Creek Parkway to FM 1382 - Jeske Construction Company, lowest responsible bidder of nine - Not to exceed \$1,789,433 - Financing: 2003 Bond Funds (\$1,560,256) and Water Utilities Capital Construction Funds (\$229,177) **[08-3361; APPROVED]**
70. Authorize **(1)** Supplemental Agreement No. 14 to the contract with Jacobs Engineering Group, Inc. (formerly Carter & Burgess, Inc.) for additional design services for the preparation of construction drawings and specifications and the construction administration services for the relocation of the airfield lighting vaults at Dallas Love Field in the amount of \$163,047, from \$4,479,520 to \$4,642,567; and **(2)** an increase in appropriations in an amount not to exceed \$250,000 in the Aviation Capital Improvement Fund - Not to exceed \$163,047 - Financing: Aviation Capital Construction Funds **[08-3362; APPROVED]**

**Trinity River Corridor Project**

71. Authorize Supplemental Agreement No. 4 to the Interlocal Agreement with the North Texas Tollway Authority (NTTA) and Texas Department of Transportation to increase the escrow of City funds for disbursement to NTTA to continue with the next phase of work to include the schematic design and real estate activities associated with the Trinity Parkway Environmental Impact Statement - \$4,500,000, from \$10,000,000 to \$14,500,000 - Financing: 1998 Bond Funds **[08-3363; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Water Utilities**

72. Authorize continuation of the contract with the Department of Interior-United States Geological Survey for operation of streamflow and water quality gauging stations in the Trinity River basin, a bromide loading study in the Red River in the Red River basin, a lake evaporation station on Lake Lewisville and a pharmaceutical and personal care products water quality study on the Trinity River from December 10, 2008 through September 30, 2009 - \$287,167 - Financing: Water Utilities Current Funds **[08-3364; APPROVED]**
73. Ratify an emergency purchase of approximately 60 linear feet of 66-inch pipe and four stainless steel clamps to repair a water main located on Daniieldale Road between Hampton and Interstate 35 - Hanson Concrete Products, Inc. - Not to exceed \$103,760 - Financing: Water Utilities Capital Construction Funds **[08-3365; APPROVED]**
74. Authorize a contract for the installation of water and wastewater mains at 17 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of four - \$4,411,933 - Financing: Water Utilities Capital Improvement Funds (\$4,399,787) and 2003 Bond Funds (\$12,146) **[08-3366; APPROVED]**
75. Authorize a contract with North Texas Municipal Water District for the exchange of its permitted return flows in Lake Ray Hubbard and the Elm Fork of the Trinity River for an equivalent volume of Dallas' permitted return flows from Dallas' Central and Southside wastewater treatment plants - Financing: No cost consideration to the City **[08-3367; APPROVED]**
76. Authorize an amendment to the existing contract with Keystone Exploration, Ltd. to purchase untreated water from Grapevine Lake for a period of one year, from December 10, 2008 to December 9, 2009 for drilling and fracing a gas well in Flower Mound, Texas - Estimated Revenue: \$3,212 **[08-3368; APPROVED]**
77. Authorize Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. to provide additional design phase services and construction administration services for the proposed dewatering facility at the Southside Wastewater Treatment Plant - \$1,783,485, from \$2,785,165 to \$4,568,650 - Financing: Water Utilities Capital Improvement Funds **[08-3369; APPROVED]**

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

78. 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) **[08-3370 AND 08-3371; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

**Economic Development**

- 79. Authorize **(1)** a development agreement with Motor Street Apartments Limited Partnership, to provide funding for the design, engineering, professional services, and construction of public infrastructure improvements for the Alexan Farmers Market Project located in Tax Increment Financing Reinvestment Zone Number Six (Farmers Market TIF District); and **(2)** the Farmers Market TIF District Board of Directors to dedicate up to \$2,687,500 from Farmers Market TIF revenues in accordance with the development agreement - \$2,687,500 - Financing: Farmers Market TIF District Funds **[08-3372; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

**Department of Development Services**

ZONING CASES – CONSENT [08-3373]

- 80. A public hearing to receive comments regarding a Landmark Commission authorized hearing to consider expansion of the Harwood Historic District Overlay No. 48, and creation of a subdistrict on property zoned Planned Development District No. 619 and Historic Overlay No. 48 on a portion of the site on the northeast corner of St. Paul Street and Commerce Street with revisions to preservation criteria and exhibits and an ordinance granting an expansion **[08-3374; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27421]**  
Recommendation of Staff and CPC: Approval, subject to preservation criteria  
Z078-155(MWW)
- 81. A public hearing to receive comments regarding an application for and an ordinance granting an MU-1-D-1 Mixed Use District with a D-1 Liquor Control Overlay and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Guard Road **[08-3375; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27422]**  
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant and retention of the D-1 Liquor Control Overlay  
Z078-272(WE)
- 82. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Tract IIA within Conservation District No. 6, the Hollywood Heights/Santa Monica Conservation District, on property zoned a CR Community Retail District and Tract IIA of CD No. 6 on both sides of Shadyside Lane between Vivian Avenue and Lindsley Avenue, and the northeast side of Shadyside Lane between Vivian Avenue and East Grand Avenue **[08-3376; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27423]**  
Recommendation of Staff and CPC: Approval  
Z078-284(JA)

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

83. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use for an amusement center on property zoned a CR Community Retail District, on the southeast corner of Forest Lane and Marsh Lane **[08-3377; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27424]**  
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions  
Z078-290(WE)
84. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-7.5(A) Single Family District west of Polk Street, south of Drury Drive **[08-3378; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27425]**  
Recommendation of Staff and CPC: Approval, for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions  
Z078-292(JH)
85. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Tower/antenna for cellular communication on property zoned Planned Development District No. 644 for a public school and R-7.5(A) Single Family uses on the southeast corner of Marsh Lane and Clover Lane **[08-3379; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27426]**  
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation plan and conditions  
Z078-294(WE)
86. A public hearing to receive comments regarding an application for and an ordinance granting for a Specific Use Permit for a metal salvage facility on property zoned Planned Development District No. 406, the Ledbetter/Eagle Ford Special Purpose District, in an area generally bounded by Ruder Street, Progressive Drive and Chippewa Drive **[08-3380; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27427]**  
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z078-295(WE)
87. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a child-care facility within Tract 2A of Planned Development District No. 160 for residential and office uses, on the west side of Bishop Avenue, between 5<sup>th</sup> Street and Neches Street **[08-3381; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27428]**  
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z078-297(WE)

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

88. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1661 for an open-enrollment charter school on property zoned an IR Industrial Research District bounded by Hampton Road, Beckleymeade Avenue, Stoneview Drive, and Westfall Drive **[08-3382; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27429]**

Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, traffic management plan, and conditions

Z078-311(JH)

ZONING CASES - INDIVIDUAL

89. A public hearing to receive comments regarding an application for an MF-1(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR-D Community Retail District with a D Liquor Control Overlay and an R-7.5(A) Single Family District on the south side of Lake June Road, east of Hawley Lane **[08-3383; HEARING OPEN; REMAND BACK TO CITY PLAN COMMISSION]**

Recommendation of Staff: Approval, subject to deed restrictions volunteered by the applicant and retention of the D Liquor Control Overlay on a portion of the site

Recommendation of CPC: Denial

Z078-277(MAW)

90. A public hearing to receive comments regarding a City Council authorized hearing with consideration being given to determining the land use compatibility of Specific Use Permit No. 1222 for a Commercial amusement (inside) use for a Class A Dance hall on property zoned a CR Community Retail District on the northeast line of Gaston Avenue, northwest of Garland Road and an ordinance repealing Specific Use Permit No. 1222

Recommendation of Staff: Approval, subject to a site plan and conditions **[08-3384; DELETED ON THE ADDENDUM]**

Recommendation of CPC: Repeal of Specific Use Permit No. 1222

Z078-256(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Trinity River Corridor Project**

ZONING CASES - INDIVIDUAL

- 91. A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an MU-2 Mixed Use District, CS Commercial Service District, IM Industrial Manufacturing District, with Specific Use Permit No. 1484 for Commercial Amusement (Inside) for Class A Dance Hall with consideration given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations in an area generally bounded by Interstate 35 and Interstate 30 to the northwest, the Union Pacific Railroad right-of-way to the northeast, the DART Railroad right-of-way to southeast, and the Trinity Levee to the southwest and an ordinance granting a new subarea within Planned Development District No. 784, the Trinity River Corridor Special Purpose District **[08-3385; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL FEBRUARY 25, 2009]**

Recommendation of Staff and CPC: Approval of a new subarea and form districts within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, subject to conditions and a regulating plan for property located southeast of Interstate 35 and Interstate 30, with retention of Specific Use Permit No. 1484 and no change of zoning to property generally bounded by Cadiz Street, the existing sumps, Industrial Boulevard, and the Union Pacific Railroad  
Z067-147(SA)

- 92. A public hearing to receive comments regarding an application for a Specific Use Permit for a Metal Salvage Facility on property zoned an IM Industrial Manufacturing District on the southeast corner of Dearborn Street and Industrial Boulevard **[08-3386; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED TO DENY]**

Recommendation of Staff and CPC: Denial  
Z078-279(SA)

**Department of Development Services**

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

- 93. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily and certain limited non-residential uses on property zoned an MF-1(A) Multifamily District on both sides of Bahama Drive, north of Plymouth Road **[08-3387; HOLD OPEN; HOLD UNDER ADVISEMENT UNTIL JANUARY 14, 2009]**

Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions

Z078-151(JH)

Note: This item was considered by the City Council at a public hearing on October 22, 2008, and was held under advisement until December 10, 2008, with the public hearing open.



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Department of Development Services (Continued)**

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

- 94. A public hearing to receive comments regarding an application for and an ordinance granting a TH-3(A) Townhouse District on property zoned an R-7.5(A) Single Family District on the west side of Cockrell Hill Road at Love Bird Lane and a resolution accepting deed restrictions volunteered by the applicant **[08-3388; HEARING CLOSED; STAFF RECOMMENDATION FOLLOWED TO DENY WITHOUT PREJUDICE]**  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant Z078-228(WE)  
Note: This item was considered by the City Council at a public hearing on October 22, 2008, and was held under advisement until December 10, 2008, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - CONSENT

- 95. A public hearing to receive comments regarding consideration of amendments to Sections 51A-1.105 and 51A-4.501 in Chapter 51A of the Dallas Development Code, to amend the provisions for regulations pertaining to appeals of the Landmark Commission decisions and an ordinance granting the amendments **[08-3389; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27430]**  
Recommendation of Staff and CPC: Approval  
DCA078-019

MISCELLANEOUS HEARINGS

**Department of Development Services**

- 96. A public hearing to receive comments regarding a proposal for and an ordinance waiving certain street name change standards and changing the name of Yale Boulevard between US 75/Central Expressway and Greenville Avenue to SMU Boulevard - Financing: No cost consideration to the City **[08-3390; HEARING CLOSED; APPROVED; ORDINANCE 27431]**

**Economic Development**

TOD TIF District

**Note:** Item Nos. 97 and 98 must be considered collectively.

- 97. \* A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Seventeen for several areas adjacent to DART Light Rail stations for transit-oriented development projects to be known as the TOD TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[08-3391; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development** (Continued)

**TOD TIF District** (Continued)

**Note:** Item Nos. 97 and 98 must be considered collectively.

- 98. \* An ordinance establishing Tax Increment Financing Reinvestment Zone Number Seventeen to be known as the TOD TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[08-3392; APPROVED; ORDINANCE 27432]**

**Southwestern Medical TIF District**

**Note:** Item Nos. 99 and 100 must be considered collectively.

- 99. \* A public hearing to receive comments on an amendment to Tax Increment Financing Reinvestment Zone Number Ten (Southwestern Medical TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) **(1)** to increase the geographic area of the Southwestern Medical TIF District to include the area bounded by Harry Hines Boulevard, Inwood Road and Maple Avenue and the area bounded by Production Drive, Hawthorne Avenue and Afton Street (excludes the single-family houses at the corner of Hawthorne Avenue and Afton Street); **(2)** support development of the private bio-medical industry and applied research associated with UT Southwestern Medical Center; **(3)** improve pedestrian connections between DART's Parkland light rail station and adjacent neighborhoods to the north and the south; **(4)** add Bio-Medical Industry development as an eligible category for TIF spending under the budget for the Southwestern Medical TIF District; and **(5)** increase the total TIF budget from \$10,777,998 to \$18,418,663 (an increase of \$7,640,665, NPV in 2006 dollars) - Financing: No cost consideration to the City **[08-3393; HEARING CLOSED]**
- 100. \* An ordinance amending Ordinance Nos. 25965, previously approved on April 27, 2005 and 26204, previously approved on January 11, 2006, to increase the geographic area of the Southwestern Medical TIF District to include the area bounded by Harry Hines Boulevard, Inwood Road and Maple Avenue and the area bounded by Production Drive, Hawthorne Avenue and Afton Street (excludes the single-family houses at the corner of Hawthorne Avenue and Afton Street) - Financing: No cost consideration to the City **[08-3394; APPROVED; ORDINANCE 27433]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development (Continued)**

**Downtown Connection TIF District**

**Note:** Item Nos. 101 and 102 must be considered collectively.

- 101. \* A public hearing to receive comments on an amendment to the Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to increase the geographic area of the Downtown Connection TIF District to include 2307 Caroline Street, 2311 Caroline Street, 1600 Ashland Street, and 1601 Cedar Springs Road under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[08-3395; HEARING CLOSED]**
- 102. \* An ordinance amending Ordinance Nos. 26020 and 26096, passed on June 8, 2005 and August 29, 2005, respectively, to increase the geographic area of the Downtown Connection TIF District to include 2307 Caroline Street, 2311 Caroline Street, 1600 Ashland Street, and 1601 Cedar Springs Road - Financing: No cost consideration to the City **[08-3396; APPROVED; ORDINANCE 27434]**

**Maple/Mockingbird TIF District**

**Note:** Item Nos. 103 and 104 must be considered collectively.

- 103. \* A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Eighteen for the Maple/Mockingbird area to be known as the Maple/Mockingbird TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[08-3397; HEARING CLOSED]**
- 104. \* An ordinance establishing Tax Increment Financing Reinvestment Zone Number Eighteen to be known as the Maple/Mockingbird TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City **[08-3398; APPROVED; ORDINANCE 27435]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

## MISCELLANEOUS HEARINGS (Continued)

**Office of Financial Services**

105. Authorize **(1)** a public hearing to receive comments on the FY 2008-09 Consolidated Plan Reprogramming Budget #2 proposed use of funds; and **(2)** final adoption of the FY 2008-09 Consolidated Plan Reprogramming Budget #2 to: **(a)** reallocate \$259,440 of HOME Funds from the Mortgage Assistance Program to the Reconstruction/SHARE Program and \$518,880 of Community Development Grant Funds from the Reconstruction/SHARE program to People Helping People, a Volunteer Home repair program; and **(b)** adjust appropriations to reflect realignment of Code Compliance Services by increasing Code Compliance Services by \$258,659 and decreasing City Attorney's Office appropriation by the same amount - Not to exceed \$778,320 - Financing: 2008-09 HOME Funds (\$259,440) and 2008-09 Community Development Grant Funds (\$518,880) **[08-3399; HEARING CLOSED; APPROVED]**

**Park & Recreation**

106. A public hearing to receive comments on the proposed use of the Juanita J. Craft Park and Recreation Center for the development and operation of a community wellness center dedicated to providing charity care and health services for diabetes care and prevention, to be named, subject to all required approvals, the "Health and Wellness Institute at Juanita J. Craft Center" - Financing: No cost consideration to the City **[08-3400; HEARING CLOSED; APPROVED]**

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

ADDITIONS:

Closed Session **[08-3401; HELD]**

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

- City of Dallas v. Jack Gouge, Cause No. 08-00309-E
- City of Dallas v. Virginia Aerospace, L.L.C. and Love Terminal Partners, L.P., Cause No. JE-0802085-P, Virginia Aerospace, L.L.C. and Love Terminal Partners, L.P. v. City of Dallas, Cause No. 08-15110-E
- James Curtis Giles v. City of Dallas, et al., Civil Action No. 3:08-CV-1767-D, Billy James Smith v. City of Dallas, et al., Civil Action No. 3:07-CV-1413-O, James Douglas Waller v. City of Dallas, et al., Civil Action No. 3:08-CV-0728-M, Charles Chatman v. City of Dallas, et al., Civil Action No. 3:08-CV-0767-D

CONSENT ADDENDUM

**Aviation**

1. An ordinance amending Chapter 5 of the Dallas City Code to: **(1)** adjust landing fees charged for commercial aircraft at Dallas Love Field and Dallas Executive Airport; and **(2)** increase fees paid to the City by fixed-base operators and self-fueling operators selling or dispensing fuel at Dallas Love Field and Dallas Executive Airport - Financing: No cost consideration to the City **[08-3402; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27436]**
2. Authorize a twenty-year amended and restated lease of terminal building premises with Southwest Airlines Co. at Dallas Love Field - Estimated Annual Revenue: \$2,067,918 **[08-3403; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize a twenty year amended and restated lease of terminal building premises with Continental Airlines, Inc. at Dallas Love Field - Estimated Annual Revenue: \$128,350 **[08-3404; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize a twenty-year amended and restated lease of terminal building premises with American Airlines, Inc. at Dallas Love Field - Estimated Annual Revenue: \$483,795 **[08-3405; APPROVED]**

**Business Development & Procurement Services**

5. Authorize a forty-eight-month agreement, with two twelve-month renewal options, to operate and manage an on-site medical clinic at City Hall - Concentra Health Services, Inc., most advantageous proposer of two - Not to exceed \$2,400,000 - Financing: Employee Benefits Current Funds (subject to annual appropriations) **[08-3406; APPROVED AS AN INDIVIDUAL ITEM ]**

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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

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

6. Authorize the purchase of a mobile command post with integrated communications and networking technologies - BearCom Operating LLC, most advantageous proposer of seven - Not to exceed \$973,900 - Financing: Current Funds (\$73,900), U.S. Department of Homeland Security Grant Funds (\$900,000) **[08-3407; APPROVED]**
7. Authorize Supplemental Agreement No. 1 to the service contract with SAP, Inc. for the purchase of BusinessObjects Enterprise Premium, Crystal Reports XI Developer, BusinessObjects Web Intelligence, and BusinessObjects Data Quality Management Professional - Not to exceed \$392,782, from \$3,915,450 to \$4,308,232 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes **[08-3408; APPROVED]**

**City Attorney's Office**

8. Authorize settlement of the lawsuit styled Ashley Yarberry v. City of Dallas, Civil Action No. 3:07-CV-0893-M - Not to exceed \$60,000 - Financing: Current Funds **[08-3409; APPROVED]**
9. Authorize administration and satisfaction of the judgment in a lawsuit styled A.E. Brewster et al. v. City of Dallas, Cause No. DV-98-08100-M, in the 298th District Court of Dallas County, by authorizing the City Attorney to implement the terms of a Class Action Distribution Plan and authorizing the City Controller **(1)** to reimburse class members who paid fire registration fees on or after July 28, 1995, and **(2)** to pay attorney fees to Lynn Tillotson Pinker & Cox, L.L.P. and Olson Nicoud & Gueck, L.L.P. - Not to exceed \$2,500,000 - Financing: Current Funds (\$2,200,000) and Current Funds (\$300,000) (subject to annual appropriations) **[08-3410; APPROVED]**
10. Authorize Supplemental Agreement No. 2 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 \$150,000, from \$117,500 to \$267,500 - Financing: Current Funds **[08-3411; APPROVED]**
11. An ordinance appointing either Esther Grossman, Thomas Stanton or Denise Campbell to fill two vacant associate (part-time) municipal judge positions to preside over the City of Dallas municipal court of record for terms ending on May 31, 2010 - Financing: No cost consideration to the City **[08-3412; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27437]**
12. An ordinance amending Chapter 13 of the Dallas City Code to create a new municipal court of record which will be a community court located at the West Dallas Multi-Purpose Center - Financing: No cost consideration to the City **[08-3413; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27438]**

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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

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

13. An ordinance amending Chapter 41 of the Dallas City Code to: **(1)** prohibit the sale of individual cigars; **(2)** require that cigars be sold in packages of at least five; **(3)** provide defenses; and **(4)** provide a penalty not to exceed \$500 - Financing: No cost consideration to the City **[08-3414; DEFERRED UNTIL JANUARY 28, 2009]**

**Communication and Information Services**

14. Authorize a three-year Interlocal Agreement with the Town of Addison to provide the Town of Addison with two-way radio service and radio system airtime for the period September 9, 2008 through September 8, 2011 - Revenue: \$17,800 **[08-3415; APPROVED]**

**Convention and Event Services**

15. Authorize **(1)** amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's local government corporation (LGC) (Dallas Convention Center Hotel Development Corporation) to extend the deadline dates for execution of the developer agreement and the GMP construction contract until January 31, 2009, and **(2)** authorize the City Manager to finalize the documentation of the developer agreement for subsequent approval by the City Council and the LGC - Financing: No cost consideration to the City **[08-3416; APPROVED AS AN INDIVIDUAL ITEM]**

**Department of Development Services**

16. An ordinance abandoning a portion of a garbage collection and public utilities easement to LJB Springs, LP, the abutting owner, containing approximately 2,146 square feet of land, located near the intersection of Wander Lane and Wander Place - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-3417; APPROVED; ORDINANCE 27439]**

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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Economic Development**

**Note:** If Addendum Item Nos. 17 and 18 do not pass, Council will not consider Addendum Item No. 19.

**Note:** Addendum Item Nos. 17 and 18 must be considered collectively.

**Hall Lone Star Associates, L.P.**

17. \* Authorize **(1)** a development agreement with Hall Lone Star Associates, L.P., for the redevelopment of 2301 Ross Avenue (known as the Dallas Arts District Garage), located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District); and **(2)** the Downtown Connection TIF District Board of Directors intent to dedicate future tax increment revenue of the Downtown Connection TIF District in an amount not to exceed \$7,000,000 plus interest up to \$2,000,000 for a total incentive amount, including interest, not to exceed \$9,000,000 - Not to exceed \$9,000,000 - Financing: Downtown Connection TIF District Funds **[08-3418; DEFERRED UNTIL JANUARY 28, 2009]**
18. \* A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Hall Lone Star Associates, L.P., for eligible expenditures pursuant to the development agreement with Hall Lone Star Associates, L.P. - Financing: No cost consideration to the City **[08-3419; DEFERRED UNTIL JANUARY 28, 2009]**
19. Authorize **(1)** an amendment to the sublease agreement dated January 23, 1986 with Metropolitan/Harbord Joint Venture, and its successor, Hall Lone Star Associates, L.P., a Texas limited partnership, for the Arts District Garage located at 2301 Ross Avenue to provide for a change in the operation of the Dallas Arts District Garage commencing on January 1, 2009, and **(2)** an amendment to the Garage Lease Agreement dated January 23, 1986 to provide certain conforming changes - Estimated Revenue: \$100,700,000 **[08-3420; DEFERRED UNTIL JANUARY 28, 2009]**
20. Authorize an amendment to the real property tax abatement and economic development grant agreement with KP Million, LP to: **(1)** extend the substantial completion date from December 31, 2008 to December 31, 2010, and **(2)** revise the start of the real property tax abatement from January 1, 2009 to January 1, 2011 with KP Million, LP for the construction of Shinchon Grand Shopping Plaza, pursuant to Resolution No. 07-1514, previously approved on May 23, 2007 - Financing: No cost consideration to the City **[08-3421; APPROVED]**



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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Environmental & Health Services**

21. An ordinance amending Chapter 41 of the Dallas City Code to: **(1)** prohibit smoking in all indoor and enclosed areas in the city and within 15 feet of any entrance to an indoor or enclosed area; **(2)** provide certain defenses; **(3)** provide signage and other requirements; **(4)** provide for enforcement of smoking violations against both the person smoking and the owner, operator, or person in control of the establishment or area where smoking is prohibited; and **(5)** provide a penalty of \$200 - Financing: This action has no cost consideration to the City **[08-3422; APPROVED AS AMENDED; ORDINANCE 27440]**

**Equipment & Building Services**

22. Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for protection of the archive collection of Dallas Historical Society at the Hall of State located at 3939 Grand Avenue - \$323,496, from \$6,253,000 to \$6,576,496 - Financing: 2006 Bond Funds (\$292,605) and Current Funds (\$30,891) **[08-3423; APPROVED]**

**Fire**

23. Authorize Supplemental Agreement No. 1 to the contract with Southwest General Services of Dallas, LLC for additional collection, billing and reporting services assessed for motor vehicle accident cleanup fees - Estimated Annual Revenue: \$1,125,000 **[08-3424; APPROVED AS AN INDIVIDUAL ITEM]**

**Housing**

24. Authorize acquisition of two vacant lots located at 6214 Municipal Street and 2511 St. Clair Street and one parcel improved with an occupied commercial structure located at 6211 Municipal Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$62,000 including estimated closing costs - Financing: 2006 Bond Funds **[08-3425; APPROVED]**
25. Authorize a subordination agreement with Wachovia Multifamily Capital, Inc. to subordinate the Deed Restrictions for affordable rents for the benefit of the City originally placed on the vacant property located at 1201 South Ewing Avenue at the time of purchase by SDC Ewing Court, LP - Financing: No cost consideration to the City **[08-3426; APPROVED AS AN INDIVIDUAL ITEM]**

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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Housing** (Continued)

26. Authorize **(1)** an amendment to Resolution No. 08-1895, previously approved on June 25, 2008, authorizing the execution of an economic development loan agreement with East Dallas Community Organization (EDCO) to allow EDCO to be released from a portion of the indebtedness on the note as each property is sold to an eligible homebuyer; and **(2)** an amendment to the HOME Investment Partnership loan agreement with EDCO to forgive a portion of the indebtedness on the note as each property is sold to an eligible homebuyer - Financing: No cost consideration to the City **[08-3427; APPROVED AS AN INDIVIDUAL ITEM]**

**Human Resources**

27. Authorize the adoption of the City's Master Plan Document that governs the City's 2009 Employee and Retiree Health Benefits Plans (self-funded Preferred and Exclusive Provider Organizations), including the Flexible Benefits (Section 125) - Total cost is based on the number of employees/retiree participants in the plan - Financing: Employee Benefits Current Funds (subject to appropriations) **[08-3428; APPROVED]**
28. Authorize a one-year renewal option of the contract with Marsh@WorkSolutions to provide voluntary benefits to employees and qualified retirees - Financing: No cost consideration to the City (to be funded by employees and retirees through payroll deduction) **[08-3429; APPROVED]**

**Office of Cultural Affairs**

29. Authorize a contract for the fabrication and installation of a site-specific artwork to be installed in the seating area where Bishop Street terminates into Davis Street - Graphic Content, Inc. - Not to exceed \$49,600 - Financing: 2003 Bond Funds **[08-3430; APPROVED]**
30. Authorize a contract for the fabrication and installation of two site-specific artworks to be installed inside Lochwood Library located at 11221 Lochwood Boulevard - Rex Kare - Not to exceed \$50,000 - Financing: 2003 Bond Funds **[08-3431; APPROVED]**
31. Authorize **(1)** the second amendment to the Performing Arts Center Development Agreement with the Dallas Center for the Performing Arts Foundation, Inc., an independent, nonprofit foundation, for the design and construction of the Annette Strauss Artist Square; and **(2)** the second amendment to the Performing Arts Center Use Agreement with the Dallas Center for the Performing Arts Foundation, Inc. for operation and use of the Annette Strauss Artist Square - Financing: No cost consideration to the City **[08-3432; APPROVED AS AN INDIVIDUAL ITEM]**

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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Office of Emergency Management**

32. Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program to fund emergency preparedness operations and planning related to emergency response activities for the period October 1, 2007 through September 30, 2008 - Not to exceed \$180,338 - Financing: U.S. Department of Homeland Security Grant Funds **[08-3433; APPROVED]**

**Office of Financial Services**

33. Authorize adjustments to appropriations for various multi-year funds and to authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City **[08-3434; APPROVED]**

**Police**

34. Authorize the recognition and participation in the Dallas County Criminal Justice Advisory Board as the board commits its efforts to synergize public safety programs and services across Dallas County, coordinate programs and systems to reduce crime, and maximize the effectiveness of criminal justice resources throughout Dallas County - Financing: No cost consideration to the City **[08-3435; APPROVED]**
35. Authorize a fifteen-month agreement for software maintenance of the Data Integration System for Law Enforcement software with Greystone Digital Technologies, Inc., a Texas corporation, for access of specific computer information required by the Dallas Police Department for criminal investigations for the period October 1, 2007 through December 31, 2008 - Not to exceed \$125,000 - Financing: 2005-06 Urban Area Security Initiative Grant Funds **[08-3436; APPROVED]**

**Public Works & Transportation**

36. Authorize a professional services contract with Hellmuth, Obata + Kassabaum, LP for preparation of a master plan study for an Asian American Cultural Center; coordination of community input, development of conceptual design, analysis and recommendation of potential site locations and preparation of cost estimates for design and construction phases of the project - Not to exceed \$262,500 - Financing: 2006 Bond Funds **[08-3437; APPROVED]**

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

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Public Works & Transportation** (Continued)

37. Authorize Supplemental Agreement No. 2 to the contract with Huitt-Zollars, Inc. for additional services for managing and providing construction inspection throughout the duration of construction of State-Thomas TIF District Groups I through IV - Not to exceed \$281,276, from \$292,330 to \$573,606 - Financing: State-Thomas TIF District Funds **[08-3438; APPROVED]**

**Trinity River Corridor Project**

38. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of six properties 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 \$381,250 (\$367,750 plus closing costs not to exceed \$13,500) - Financing: 2006 Bond Funds **[08-3439; APPROVED]**
39. Authorize acquisition from the County of Dallas, including the exercise of the right of eminent domain, if such becomes necessary, and subsequent sale to Oncor Electric Delivery Company, of an unimproved tract of land containing approximately 16,040 square feet 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 - Not to exceed \$26,060 (\$24,060 plus closing costs not to exceed \$2,000) - Financing: 2006 Bond Funds **[08-3440; APPROVED]**
40. Authorize an amendment to the Purchase and Sale Agreement with Union Pacific Railroad Company to modify certain conditions precedent to the sale for the acquisition of land known as portions of the Trinity Industrial Lead located adjacent to the northeast side of the east Trinity Levee near the Continental Viaduct extending to Mockingbird Lane - Financing: No cost consideration to the City **[08-3441; APPROVED AS AN INDIVIDUAL ITEM]**

ITEMS FOR INDIVIDUAL CONSIDERATION

**Department of Development Services**

41. An ordinance amending Chapter 51A of the Dallas City Code to add an Article XIII creating new "Form Districts" for walkable mixed use developments at a range of densities - Financing: No cost consideration to the City **[08-3442; REFER TO HOUSING COUNCIL COMMITTEE; RETURN TO COUNCIL NO LATER THAN FEBRUARY 25, 2009]**

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

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

**Department of Development Services**

ZONING CASES - CONSENT

- 42. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a private school on property zoned an R-7.5(A) Single Family District on the south corner of Cortland Avenue and Bombay Avenue **[08-3443; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27441]**  
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  
Z078-302(OTH)
- 43. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use for a private club on property zoned an MU-1 Mixed Use District on the west side of Marvin D. Love Freeway, south of Camp Wisdom Road **[08-3444; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27442]**  
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions  
Z089-110(MAW)

MISCELLANEOUS HEARINGS

**Economic Development**

**Note:** If Addendum Item Nos. 44 and 45 do not pass, Council will not consider Addendum Item No. 46.

**Note:** Addendum Item Nos. 44 and 45 must be considered collectively.

**Davis Garden TIF District**

- 44. \* A public hearing to receive comments on an amendment to Tax Increment Reinvestment Zone Number Sixteen (Davis Garden TIF District) to increase the geographic area of the TIF District to include selected adjacent properties - Financing: No cost consideration to the City **[08-3445; HEARING CLOSED]**
- 45. \* An ordinance amending Ordinance No. 26799, passed by the City Council on June 13, 2007, to increase the geographic area of the Tax Increment Reinvestment Zone Number Sixteen (Davis Garden TIF District) to include selected adjacent properties; establishing an effective date; making a finding regarding feasibility; providing a severability clause; and enacting other matters related hereto - Financing: No cost consideration to the City **[08-3446; APPROVED; ORDINANCE 27443]**

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

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development** (Continued)

46. An ordinance authorizing an amendment to the Project Plan and Reinvestment Zone Financing Plan ("Plan") for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to increase the geographic area of the Davis Garden TIF District to include certain adjacent properties - Financing: No cost consideration to the City **[08-3447; APPROVED; ORDINANCE 27444]**

DELETION:

**Department of Development Services**

ZONING CASES - INDIVIDUAL

90. A public hearing to receive comments regarding a City Council authorized hearing with consideration being given to determining the land use compatibility of Specific Use Permit No. 1222 for a Commercial amusement (inside) use for a Class A Dance hall on property zoned a CR Community Retail District on the northeast line of Gaston Avenue, northwest of Garland Road and an ordinance repealing Specific Use Permit No. 1222  
Recommendation of Staff: Approval, subject to a site plan and conditions **[08-3384]**  
Recommendation of CPC: Repeal of Specific Use Permit No. 1222  
Z078-256(RB)