

RECEIVED

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 25, 2009
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

2009 FEB 20 PM 3:45

CITY SECRETARY
DALLAS, TEXAS

REVISED ORDER OF BUSINESS

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

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

SPECIAL PRESENTATIONS

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 67

CONSENT ADDENDUM

Items 1 - 16

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:30 a.m.

Items 68 - 87
Addendum Items 17 - 18

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 88 - 93
Addendum Items 19 - 21

AM

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1500 MARILLA
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DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

Aviation

1. Authorize **(1)** the third amendment to the 1985 lease agreement with TXI Aviation I, L.L.C. to extend the time period to expend a \$1,000,000 capital commitment by twelve-months from May 1, 2009 to May 1, 2010; and **(2)** the second amendment to the 2007 lease agreement with TXI Aviation I, L.L.C. to extend the time period to expend a \$2,500,000 capital commitment by twelve-months from May 1, 2009 to May 1, 2010 for ground leases at Dallas Love Field - Financing: No cost consideration to the City
2. Authorize an application for and acceptance of a grant from the Federal Aviation Administration for the federal share of the eligible costs for capital improvement projects at Dallas Love Field - Not to exceed \$3,387,010 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

Business Development & Procurement Services

3. Authorize a professional services contract for strategic and technical assistance for the preparation of the City's application for a New Market Tax Credit allocation - S.B. Friedman & Company, most advantageous proposer of four - Not to exceed \$75,000 - Financing: Public/Private Partnership Funds
4. Authorize **(1)** the purchase and installation of payment card processing and tokenized encryption security, and **(2)** a thirty-six-month service agreement for application hosting services, for securing all payment card authorization transactions - Paymetric, Inc., only proposer - Not to exceed \$364,268 - Financing: Current Funds (subject to annual appropriations)

City Attorney's Office

5. Authorize settlement of the lawsuit styled United States of America v. City of Dallas, Cause No. 3:08-CV-1063-K - Not to exceed \$30,000 - Financing: Current Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

City Attorney's Office (Continued)

6. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan, P.C. for legal services in matters related to the Railroad Commission of Texas Gas Utilities Docket (GUD) No. 9762, Atmos Energy Corp., Mid-Tex Division Environs Case and Petition for De Novo Review from Dallas City Council action taken on January 23, 2008, on Atmos Dallas Municipal Gas Distribution Rate Statement of Intent dated September 20, 2007 and related dockets - Not to exceed \$113,350, from \$200,000 to \$313,350 - Financing: Current Funds (to be fully reimbursed by Atmos Energy Corporation)

Economic Development

7. Authorize **(1)** an agreement with McCormack Baron Salazar and The Real Estate Council Foundation to contract for technical services related to the City's plan for economic development in City Council-designated priority areas; **(2)** the receipt and deposit of funds in an amount not to exceed \$200,000, received from private donations; and **(3)** the establishment of appropriations in an amount not to exceed \$200,000 - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds (to be funded with private donations)

Park & Recreation

8. Authorize an application for a National Park Service Challenge Cost-Share Program Grant in the amount of \$30,000 for building identification and wayfinding signage at the Automobile, Centennial and Hall of State Buildings at Fair Park located at 1200 Second Avenue - Financing: No cost consideration to the City

Public Works & Transportation

9. Authorize a contract for demolition of Reunion Arena located at 777 Sports Street and to remove remote signage, provide fill material and sod finish grade - A & R Demolition, best value proposer of eleven - Not to exceed \$2,089,000 - Financing: Convention and Event Services
10. Authorize a construction contract with Castro Roofing of Texas, L.P., best value proposer of four, for roof replacement at the Latino Cultural Center located at 2600 Live Oak Street - Not to exceed \$383,900 - Financing: 2003 Bond Funds (\$300,053) and 2006 Bond Funds (\$83,847)

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation (Continued)

11. Authorize a twenty-four month consultant contract, with a second twenty-four month renewal option, with URS Corporation for the program management services related to the implementation of the Love Field Modernization Program and associated Love Field Capital Projects - Not to exceed \$10,936,530 - Financing: Aviation Capital Construction Funds (\$5,618,265 - Year 1) and (\$5,318,265 - Year 2)
12. Authorize **(1)** a contract for the construction of Annette Strauss Artist Square with Turner Construction Company, best value proposer of seven, in an amount not to exceed \$4,714,142; and **(2)** the assignment of the contract to the Dallas Center for the Performing Arts Foundation, Inc. as the City's agent and construction manager for all purposes, including contract administration, inspection, supervision and coordination of construction work - Not to exceed \$4,714,142 - Financing: 2003 Bond Funds
13. Authorize **(1)** a contract for paving and drainage improvements for Manderville Lane, Treehouse Lane (east) and Meadow Road with The Fain Group, Inc., lowest responsible bidder of four, in the amount of \$5,520,484; **(2)** a contract for the construction of streetscape improvements for Treehouse Lane (west), Meadow Road, and Rambler Road with the Fain Group, Inc., lowest responsible bidder of four, in the amount of \$1,726,544; and **(3)** assignment of both contracts to Next Block-Dallas I, L.P., for construction administration - Total not to exceed \$7,247,028 - Financing: 2006 Bond Funds
14. Authorize Supplemental Agreement No. 1 to the professional services contract with Lockwood Greene Engineers, Inc. for additional design services for the restaurant at Dallas Executive Airport - Not to exceed \$46,400, from \$24,495 to \$70,895 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds
15. Authorize **(1)** Supplemental Agreement No. 3 to the contract with Lea + Elliott, Inc. to provide programming, schematic design, and construction cost estimates for the Love Field People Mover at Dallas Love Field in an amount not to exceed \$3,898,709, from \$956,923 to \$4,855,632; and **(2)** an increase in appropriations in the Federal Aviation Administration Airport Improvement Program Grant Fund in the amount of \$4,198,709 (\$3,898,709 for professional services and \$300,000 for testing and contract administration cost) - Total not to exceed \$3,898,709 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation (Continued)

16. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation for the inspection, operation and maintenance of Woodall Rodgers Deck Plaza; **(2)** the receipt and deposit of funds in the amount of \$7,503,920 from the Woodall Rodgers Park Foundation into the Woodall Rodgers Development Fund; **(3)** the establishment of appropriations in the amount of \$7,503,920 in the Woodall Rodgers Development Fund; **(4)** an amendment to the Local Project Advance Funding Agreement with the Texas Department of Transportation to reflect an additional \$10,000,000 from the Surface Transportation Enhancement Program, to reflect that the Texas Department of Transportation is responsible for some elements of Phase IV construction, and provide additional funding to the Texas Department of Transportation for the engineering review in an amount not to exceed \$101,500; and **(5)** payment to the Texas Department of Transportation for the construction of Phases II, III and IV of the Woodall Rodgers Deck Plaza for civil and street work, deck and tunnel structure, and basic deck park improvements - Total not to exceed \$26,506,008 - Financing: 2006 Bond Funds (\$19,002,088) and Woodall Rodgers Development Funds (\$7,503,920)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

17. Consideration and appointment of members to the Dallas/Fort Worth International Airport Board of Directors for Places 1 and 11 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

Department of Development Services

18. Authorize suspending enforcement of Sections 51A-7.930(I) of the Dallas Development Code, pertaining to the mandatory removal and sunset provisions for supergraphic signs to allow the continued display of supergraphic signs in an area generally bounded by Woodall Rodgers Freeway to the north, Interstate 45/US 75 to the east, Interstate 30 to the south and Interstate 35 to the west, excluding those areas included in the West End, Arts District and Farmers Market Special Provision Sign Districts until such time as amendments to these sections are considered by City Council - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES - CONSENT

19. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for O-2 Office Subdistrict uses on property zoned an O-2 Office Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, in the area bounded by Carlisle Street, Cedar Springs Road, Vine Street and Cole Avenue
Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions
Z089-125(WE)

20. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1738 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
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.
Z089-134(WE)

21. A public hearing to receive comments regarding an application for a Planned Development Subdistrict for mixed uses and the termination of Planned Development Subdistrict No. 64 on property zoned a HC Heavy Commercial Subdistrict and Planned Development District No. 64 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property generally bounded by the Maple-Routh Connection, McKinney Avenue, Pearl Street and Thomas Avenue with consideration given to an ordinance granting an amendment to, and expansion of, Planned Development Subdistrict No. 64
Recommendation of Staff: Approval of an amendment to, and expansion of Planned Development District No. 64 for mixed uses, subject to a revised conceptual plan and staff's recommended conditions
Recommendation of CPC: Approval of an amendment to, and expansion of Planned Development District No. 64 for mixed uses, subject to a revised conceptual plan and conditions
Z078-276(WE)

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DELETION:

Department of Development Services

69. Authorize a historic preservation tax exemption for the Hickory Street Annex located at 501 2nd Avenue for a ten-year period on 100% of the land and structure value - Revenue: First year tax revenue foregone estimated at \$10,580 (Estimated revenue foregone for ten years is \$105,802)