

**AGENDA**  
**CITY COUNCIL MEETING**  
**JANUARY 28, 2009**  
**CITY OF DALLAS**  
**1500 MARILLA**  
**COUNCIL CHAMBERS, CITY HALL**  
**DALLAS, TEXAS 75201**  
**9:00 A. M.**

Invocation and Pledge of Allegiance (Council Chambers) **[09-0260]**

Agenda Item/Open Microphone Speakers **[09-0261]**

VOTING AGENDA

1. Approval of Minutes of the January 14, 2009 City Council Meeting **[09-0262; APPROVED]**

CONSENT AGENDA **[09-0263; APPROVED]**

**Business Development & Procurement Services**

2. Authorize a twenty-four-month master agreement for aggregates including sandy loam, crushed limestone for flexbase, calcium carbonate, sand, and gravel - Earth Haulers, Inc. in the amount of \$2,499,035, Martin Marietta Materials Southwest, Ltd. in the amount of \$1,915,172, Hanson Aggregates in the amount of \$1,132,093, Estes, Inc. in the amount of \$232,800, Texas Industries, Inc. in the amount of \$200,538, Eagle Express Truck Services, Inc. in the amount of \$195,930, and Southwest Crushing, LLC in the amount of \$10,350, lowest responsible bidders of eleven - Total not to exceed \$6,185,918 - Financing: Current Funds (\$3,630,788), Water Utilities Current Funds (\$2,555,130) **[09-0264; APPROVED]**
3. Authorize the purchase and installation of a Forensic Digital Image Archive Software system - Data Works Plus, LLC, most advantageous proposer of two - Not to exceed \$108,821 - Financing: Bureau of Justice Assistance Grant Funds **[09-0265; APPROVED]**

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

4. Authorize the purchase of sixty-six forcible entry tools for Dallas Fire-Rescue Department - Safeware, Inc., lowest responsible bidder of four - Not to exceed \$106,227 - Financing: Urban Area Security Initiative Grant Funds **[09-0266; APPROVED]**
5. Authorize **(1)** the purchase of one 40-ton articulating dump truck to be used by Sanitation Services - Holt Texas Ltd. in the amount of \$435,735, lowest responsible bidder of three, and **(2)** trade-in of one articulating dump truck and two wheel tractor scrapers with Holt Texas Ltd. - Not to exceed \$435,735 - Financing: 2004 Equipment Acquisition Contractual Obligation Notes **[09-0267; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize **(1)** a software license and implementation service agreement in the amount of \$666,668, and **(2)** a thirty-six month maintenance agreement to upgrade the Lawson Human Resources Information System in the amount of \$147,632 - Lawson Software, Sole Source - Total not to exceed \$814,300 - Financing: Current Funds (\$147,632) (subject to annual appropriations), 2007 Equipment Acquisition Contractual Obligation Notes (\$666,668) **[09-0268; APPROVED]**
7. Authorize a thirty-six-month master agreement for computer desktop software, network management products, and design and presentation software with SHI Government Solutions, Inc. through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed \$3,000,000 - Financing: Current Funds **[09-0269; APPROVED]**
8. Authorize a thirty-six-month master agreement for oil, grease and lubricants - Felts Heavy Duty Oil, LLC. in the amount of \$997,155, Schaeffer Mfg. Co. in the amount of \$281,954, and Certified Labs, Division of NCH in the amount of \$56,013, lowest responsible bidders of three - Total not to exceed \$1,335,122 - Financing: Current Funds (\$890,639), Water Utilities Current Funds (\$444,483) **[09-0270; APPROVED]**
9. Authorize a thirty-six-month master agreement for the purchase of pre-cast water meter vaults - Oldcastle Precast, Inc., only bidder - Not to exceed \$182,580 - Financing: Water Utilities Current Funds **[09-0271; APPROVED]**
10. Authorize a thirty-six-month master agreement for the purchase of valves, accessories and parts - Mueller Co., LTD in the amount of \$2,285,673, Clow Valve Company in the amount of \$1,688,690, M & H Valve Co. in the amount of \$310,422, and Kennedy Valve Co. in the amount of \$266,410, lowest responsible bidders of six - Total not to exceed \$4,551,195 - Financing: Water Utilities Current Funds **[09-0272; DEFERRED UNTIL FEBRUARY 11, 2009]**
11. Authorize a thirty-six-month master agreement for the purchase of fire vehicle pump parts - E-One, Inc., lowest responsible bidder of two - Not to exceed \$69,000 - Financing: Current Funds **[09-0273; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize a twelve-month master agreement for traffic radar units and accessories - Applied Concepts, Inc., lowest responsible bidder of three - Not to exceed \$294,933 - Financing: Current Funds **[09-0274; APPROVED]**

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

13. Authorize an increase with ViON Corporation for the purchase and installation of additional enterprise storage, backup, and recovery system and backup mainframe capacity - Not to exceed \$300,000, from \$2,800,000 to \$3,100,000 - Financing: Current Funds **[09-0275; APPROVED]**
14. Authorize a thirty-six-month concession contract, with two twelve-month renewal options, for operation of the food and drink concession at Kiest Park and Kiest Softball Complex - East Pointe Holdings, Inc. dba Heartland Food Group, highest responsible bidder of two - Estimated Annual Revenue: \$7,500 **[09-0276; APPROVED AS AN INDIVIDUAL ITEM]**

**Department of Development Services**

15. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of a tract of unimproved land containing approximately 52,348 square feet from Texas A&M University System, located near the intersection of Cullum Lane and Waterview Parkway - \$16,850 (\$15,738 plus closing costs not to exceed \$1,112) - Financing: Water Utilities Current Funds **[09-0277; APPROVED]**
16. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of ten tracts of land containing a total of approximately 11,273 square feet located near Brockbank Drive and Lombardy Lane for the Brockbank Drive Street Improvement Project (list attached) - \$201,722 (\$190,168 plus closing costs not to exceed \$11,554) - Financing: 2006 Bond Funds **[09-0278; APPROVED AS AN INDIVIDUAL ITEM]**
17. Authorize **(1)** a Purchase Contract with The Trust for Public Land for the acquisition of approximately 30 acres of land for the Chalk Hill Trail project at a specific purchase price and certain reimbursements for due-diligence costs; and **(2)** the acquisition of the land located between Illinois Avenue and Davis Street for the proposed Chalk Hill Trail project, from The Trust for Public Land - \$1,281,000 (\$1,201,000 plus closing costs not to exceed \$80,000) - Financing: 2006 Bond Funds **[09-0279; APPROVED]**
18. Authorize moving expense and replacement housing payments for Oscar D. and Martha P. Hernandez 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 \$43,100 - Financing: 2003 Bond Funds **[09-0280; APPROVED]**
19. An ordinance abandoning a portion of a drainage and sanitary sewer easement to Sohail Akbani, the abutting owner, containing approximately 1,452 square feet of land located near the intersection of Kessler Woods Trail and Kessler Woods Court - Revenue: \$5,400 plus the \$20 ordinance publication fee **[09-0281; APPROVED; ORDINANCE 27459]**
20. An ordinance abandoning a portion of a right-of-way easement to MC Townhomes I, L.P., the abutting owner, containing approximately 930 square feet of land located near the intersection of Greenville Avenue and Yale Boulevard, authorizing the quitclaim, and providing for the dedication of approximately 933 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[09-0282; APPROVED; ORDINANCE 27460]**

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

21. An ordinance abandoning a portion of a wastewater easement to WXIII/PWM Real Estate Limited Partnership, the abutting owner, containing approximately 3,435 square feet of land located near the intersection of Montfort Drive and Belt Line Road - Revenue: \$5,400 plus the \$20 ordinance publication fee **[09-0283; APPROVED; ORDINANCE 27461]**
22. An ordinance granting a private license to Elm 1414 Properties, LTD. for the use of approximately 98 cubic feet of air space to install and maintain one canopy over a portion of Elm Street right-of-way located near its intersection with Akard Street - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[09-0284; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27462]**

**Economic Development****Fort Worth Avenue TIF District**

**Note:** Item Nos. 23, 24 & 25 must be considered collectively.

23. \* An ordinance amending the Fort Worth Avenue TIF Tax Increment Financing District Project Plan and Reinvestment Zone Financing Plan (Plan), to **(1)** shift funds among budget categories to decrease the total budget for public infrastructure improvements in the amount of (\$6,000,000), from \$43,259,794 to \$37,259,794; to delete a budget category, grants for high density developments, in the amount of (\$4,000,000) and create a new budget category, economic development grants, with a budget of \$10,000,000; **(2)** correct the 2007 base value by (\$329,057) from \$86,462,504 to \$86,133,447 to reflect the final certified roll; and **(3)** make corresponding modifications to the Plan and Ordinance No. 27129 to implement such Plan amendments for the Fort Worth Avenue TIF District in accordance with the Tax Increment Financing Act, as amended (V.T.C.A. Tax Code, Chapter 311) - Financing: No cost consideration to the City **[09-0285; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27463]**
24. \* Authorize **(1)** the establishment of the City of Dallas Fort Worth Avenue Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Fort Worth Avenue TIF District, **(2)** a development agreement with Fairways at La Reunion, LLC and/or its affiliates to implement the Project Plan in an amount not to exceed \$6,500,000, payable from future Fort Worth Avenue TIF District funds in consideration of Fairways at La Reunion, LLC and/or its affiliates' development of La Reunion Phase I in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District); and **(3)** the Fort Worth Avenue TIF District Board of Directors to dedicate up to \$6,500,000 from future Fort Worth Avenue TIF revenues in accordance with the development agreement - Not to exceed \$6,500,000 - Financing: Fort Worth Avenue TIF District Funds **[09-0286; APPROVED AS AN INDIVIDUAL ITEM]**

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

**Note:** Item Nos. 23, 24 & 25 must be considered collectively.

**Fort Worth Avenue TIF District** (Continued)

25. \* A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to reimburse Fairways at La Reunion, LLC and/or its affiliates (La Reunion Towncenter, LLC; 2505 Ft Worth Avenue, LLC; and Courtyards at La Reunion, LLC) for eligible expenditures pursuant to the development agreement with Fairways at La Reunion, LLC and/or its affiliates (La Reunion Towncenter, LLC; 2505 Ft Worth Avenue, LLC; and Courtyards at La Reunion, LLC) up to \$6,500,000 for certain improvements related to the development of La Reunion Phase I in the Fort Worth Avenue TIF District - Financing: No cost consideration to the City **[09-0287; APPROVED AS AN INDIVIDUAL ITEM]**

**Environmental & Health Services**

26. Authorize approval for **(1)** the addition of three sanitarian positions; and **(2)** an increase in appropriations in the budget for Environmental and Health Services for implementation of the expanded smoking ordinance effective April 10, 2009 - Not to exceed \$165,674, from \$20,482,701 to \$20,648,375 - Financing: Contingency Reserve Funds **[09-0288; APPROVED AS AN INDIVIDUAL ITEM]**
27. Authorize the acceptance of a grant from the U.S. Department of Housing and Urban Development to be used for the provision of a transitional homeless housing placement program for the period April 1, 2009 through March 31, 2012 - Not to exceed \$1,183,680 - Financing: 2008-09 Housing Opportunities for Persons with AIDS Competitive Grant Funds **[09-0289; APPROVED]**

**Equipment & Building Services**

28. Authorize a professional services contract with T. Howard and Associates, Inc. to provide architectural design and construction administration services for repairs and improvements at the McCommas Bluff Landfill located at 5100 Youngblood Road, the Southwest Transfer Station located at 4610 South Westmoreland Road, the Northeast Transfer Station located at 7677 Fair Oaks Avenue and the Northwest Transfer Station located at 9500 Harry Hines Boulevard - Total not to exceed \$343,706 - Financing: 2006 Bond Funds **[09-0290; APPROVED]**

**Housing**

29. Authorize the Program Statement for the CDBG Section 108 Guarantee Loan Program providing requirements for individual loan applications for financing for economic development, large-scale physical development projects, public facilities and mixed use development, and eligible activities and project criteria for Section 108 Loan projects - Financing: No cost consideration to the City **[09-0291; APPROVED]**

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

30. Authorize the reconstruction on-site of three homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 3163 East Ledbetter Drive in the amount of \$87,500, 1044 Hutchins Road in the amount of \$87,500, and 1827 Dennison Street in the amount of \$87,500 - Total not to exceed \$262,500 - Financing: 1998-99 Community Development Grant Funds (\$10,557), 2002-03 Community Development Reprogramming Funds (\$13,515), 2007-08 Community Development Grant Funds (\$227,265), and 2006-07 HOME Funds (\$11,164) **[09-0292; APPROVED]**
31. Authorize **(1)** a public hearing to be held April 8, 2009 to receive comments on the proposed amendments to the City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan which would allow rental housing units on the Land Bank lots and/or rental housing units above a retail/commercial/office development located on the Land Bank lots and require 15-year deed restrictions for affordability to households with incomes not greater than sixty percent of area median family income in any rental housing units and as further restricted by statute; and **(2)** at the close of the public hearing, consideration of approval of the amended City of Dallas FY 2008-09 Urban Land Bank Demonstration Program Plan - Financing: No cost consideration to the City **[09-0293; APPROVED]**

**Park & Recreation**

32. Authorize an Interlocal Agreement between the Dallas Independent School District (DISD) and the City of Dallas Park and Recreation Department for Provision of Enhanced Enrichment Programs at eighteen DISD sites from February 1, 2009 through June 30, 2009 - Estimated Revenue: \$126,000 **[09-0294; APPROVED]**
33. Authorize a contract for the restoration of the historic structures, stone tables and drinking fountain, restoration of the decorative fountain, repairs of creek channel walls, construction of new accessible walkways, and installation of additional security lighting at Lake Cliff Park located at 300 East Colorado Boulevard - Phoenix I Restoration and Construction, Ltd., best value proposer of three - \$852,000 - Financing: 2003 Bond Funds (\$411,920) and 2006 Bond Funds (\$440,080) **[09-0295; APPROVED]**
34. Authorize a fifteen-year maintenance agreement, with two ten-year renewal options, with For the Love of the Lake, Inc. for the maintenance repair and/or replacement of trees, two connecting trails, benches, monuments and plaques comprising The Celebration Tree Grove at White Rock Lake Park located at 800 East Lawther Drive - Financing: No cost consideration to the City **[09-0296; DELETED ON THE ADDENDUM]**
35. Authorize an increase in the contract with The Gilbert Construction Group, Inc. for mechanical system filtration, water treatment, and automatic backwash for the sprayground at Ferguson Park located at 1900 Gross Road - Not to exceed \$66,234, from \$1,255,617 to \$1,321,851 - Financing: 2003 Bond Funds **[09-0297; APPROVED]**

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

36. Authorize Supplemental Agreement No. 2 to the professional services contract with Half Associates, Inc. for Phase III erosion control and stormwater quality improvements for additional modifications to the Woodlands Exhibit to accommodate white rhinos in the Wilds of Africa at the Dallas Zoo located at 650 South R.L. Thornton Freeway - \$79,000, from \$553,820 to \$632,820 - Financing: 2004 Certificates of Obligation **[09-0298; APPROVED]**

**Police**

37. Authorize **(1)** the Dallas Police Department to expend funds for overtime, in the amount of \$600,000, to be reimbursed from various federal and state law enforcement agencies for FY 2008-09 (list attached), **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$170,400, and **(3)** execution of the grant agreements - Total not to exceed \$770,400 - Financing: Current Funds (\$600,000 to be reimbursed by various federal and state law enforcement agencies) **[09-0299; APPROVED]**
38. Authorize **(1)** the application for and acceptance of the Governor's Gang Initiative Grant in the amount of \$500,000 from the Office of the Governor, Criminal Justice Division for the purpose of Gang Unit officer overtime reimbursement to combat gangs, guns and drug activity for the period of November 1, 2008 through September 30, 2009, and **(2)** execution of the grant agreement - Not to exceed \$500,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds **[09-0300; APPROVED]**

**Public Works & Transportation**

39. Authorize an Interlocal Agreement with North Central Texas Council of Governments for the purchase of digital aerial orthophotography, in and around the City of Dallas - Not to exceed \$39,502 - Financing: Current Funds **[09-0301; APPROVED]**
40. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Central Expressway at Forest Lane - Not to exceed \$28,978 - Financing: Texas Department of Transportation Grant Funds **[09-0302; APPROVED]**
41. Authorize **(1)** the receipt and deposit of funds from TC Timbercreek Associates, LP for reimbursement of materials and labor for adjustments to the traffic signal hardware at Skillman Street and Impala Lane; and **(2)** an increase in appropriations in the amount of \$130,000 in the Capital Projects Reimbursement Fund - Not to exceed \$130,000 - Financing: Private Funds **[09-0303; APPROVED AS AN INDIVIDUAL ITEM]**
42. Authorize approval of the recommended plan for the proposed alignment of Central Expressway from Commerce Street to Live Oak Street, from its current alignment to the proposed alignment of Central Expressway - Financing: No cost consideration to the City **[09-0304; DEFERRED UNTIL FEBRUARY 25, 2009]**

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

43. Authorize a professional services contract with Teal Engineering Services, Inc. to provide engineering services and staff assistance related to the implementation of a Transit Signal Priority System in the Downtown Transitway Mall - Not to exceed \$1,158,322 - Financing: Capital Projects Reimbursement Funds (to be reimbursed by Dallas Area Rapid Transit) **[09-0305; APPROVED]**
44. Authorize Supplemental Agreement No. 1 to the contract with ARS Engineers, Inc., for additional design services and construction plans preparation for Routh Street from Woodall Rodgers Freeway to Ross Avenue and Routh Street from Ross Avenue to San Jacinto Avenue - Not to exceed \$153,902, from \$334,698 to \$488,600 - Financing: 2006 Bond Funds **[09-0306; APPROVED]**
45. Authorize Supplemental Agreement No. 1 to the professional services contract with Booziotis & Company Architects to provide additional design services for Phase II through Phase IV of the Dallas Theater Center Master Plan for the Kalita Humphreys Theater and adjacent administration facility located at 3636 Turtle Creek Boulevard to develop strategic planning, program development conceptual design and planning - Not to exceed \$161,608, from \$152,848 to \$314,456 - Financing: 2006 Bond Funds **[09-0307; APPROVED]**

**East Dallas Veloway Phase II Extension  
from Elm Street to Parry Avenue**

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

46. \* Authorize Supplemental Agreement No. 3 to the contract with Nathan D. Maier Consulting Engineers, Inc. for design of the East Dallas Veloway, Phase II Extension, from Elm Street to Parry Avenue in the amount of \$167,410, from \$291,895 to \$459,305 - Not to exceed \$167,410 - Financing: 2006 Bond Funds **[09-0308; APPROVED]**
47. \* Authorize a license agreement with Dallas Area Rapid Transit (DART) for the use of DART right-of-way to construct and maintain the East Dallas Veloway, Phase II Extension, from Elm Street to Parry Avenue - Financing: No cost consideration to the City **[09-0309; APPROVED]**

**Sanitation Services**

48. Authorize **(1)** a contract for the construction of a 30-acre waste cell at the McCommas Bluff Landfill, including composite liner, leachate collection system with Ranger Excavating, L.P. in the amount of \$2,991,928, lowest responsible bidder of six; and **(2)** an increase in appropriations in the Sanitation Waste Cell Sinking Fund in the amount of \$2,991,928 - Total not to exceed \$2,991,928 - Financing: Sanitation Waste Cell Sinking Funds **[09-0310; APPROVED]**



CONSENT AGENDA (Continued)

**Trinity River Corridor Project**

49. Authorize acquisition from Dallas County, and subsequent conveyance, of an unimproved tract of land containing approximately 9,507 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 \$15,460 (\$14,260, plus closing costs not to exceed \$1,200) - Financing: 2006 Bond Funds **[09-0311; APPROVED]**

**Water Utilities**

50. Authorize a five-year lease agreement with Pan Coastal Limited Partnership for the continued use of approximately 33,967 square feet of office space located at 2121 Main Street to be used to house the Capital Improvements staff of the Water Utilities Department for the period April 24, 2009 through April 23, 2014 - Not to exceed \$2,335,232 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[09-0312; APPROVED AS AN INDIVIDUAL ITEM]**
51. Authorize **(1)** the continuation of work with the Tarrant Regional Water District (TRWD) to determine the feasibility of raw water transmission facilities to deliver water from East Texas and other area existing and proposed reservoirs, to jointly participate in the development, construction, and operation of infrastructure capable of delivering raw water supply to the Dallas/Fort Worth Metroplex, and **(2)** authorize the joint submittal of a Texas Water Development Board Planning Grant application for a portion of the joint study cost - \$2,610,556 - Financing: Water Utilities Capital Construction Funds **[09-0313; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

52. 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) **[09-0314 AND 09-0315; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR FURTHER CONSIDERATION

**City Attorney's Office**

53. 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 **[09-0316; DEFERRED INDEFINITELY]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**Economic Development****City Center TIF District**

**Note:** Item Nos. 54 and 55 must be considered collectively.

54. \* 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 **[09-0317; REFER TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE; RETURN TO COUNCIL ON FEBRUARY 11, 2009]**
55. \* 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 **[09-0317; REFER TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE; RETURN TO COUNCIL ON FEBRUARY 11, 2009]**

**Note:** If Agenda Item Nos. 56 and 57 do not pass, Council will not consider Agenda Item No. 58.

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

**Note:** Item Nos. 56 and 57 must be considered collectively.

56. \* 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 **[09-0318; REFER TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE; RETURN TO COUNCIL ON FEBRUARY 11, 2009]**
57. \* 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 **[09-0318; REFER TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE; RETURN TO COUNCIL ON FEBRUARY 11, 2009]**
58. 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 **[09-0319; REFER TO ECONOMIC DEVELOPMENT COUNCIL COMMITTEE; RETURN TO COUNCIL ON FEBRUARY 11, 2009]**

PUBLIC HEARINGS AND RELATED ACTIONS  
**Department of Development Services**

ZONING CASES – CONSENT [09-0320]

59. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bank or savings and loan with drive-through window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Oak Lawn Avenue and Brown Street **[09-0321; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27464]**  
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  
Z078-216(OTH)
60. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 51 for a public school other than open enrollment charter school and MF-2 Multiple-Family Subdistrict uses with Historic Overlay No. H/124, within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northeast side of Gilbert Avenue between Prescott Avenue and Hershel Avenue **[09-0322; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27465]**  
Recommendation of Staff and CPC: Approval subject to site plans and conditions  
Z078-245 (JH)
61. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to amend Specific Use Permit No. 1477 for an open enrollment charter school on property zoned an IR Industrial Research District located on the north side of Red Bird Lane, between Westmoreland Road and Watership Lane **[09-0323; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27466]**  
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  
Z078-249 (MAW)
62. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to amend Specific Use Permit No. 1357 for a private school on property zoned an R-7.5(A) Single Family District on the northwest corner of Bruton Road and McCutcheon Lane **[09-0324; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27467]**  
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, revised traffic management plan and conditions  
Z078-268(JH)
63. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an R-7.5(A) Single Family District, located on the northwest corner of Bohannon Drive and Holcomb Road **[09-0325; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27468]**  
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  
Z078-271(JH)

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

64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an animal shelter or clinic with outside run on property zoned an IR Industrial Research District on the north corner of Cedar Springs Road and Timber Lane, northwest of Inwood Boulevard **[09-0326; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27469]**  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions  
Z078-303(OTH)
65. A public hearing to receive comments regarding an application for and an ordinance granting the creation of new subdistricts within Planned Development District No. 619 for mixed uses on property generally bounded by Commerce Street, Browder Street, Jackson Street and Field Street **[09-0327; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27470]**  
Recommendation of Staff and CPC: Approval, subject to conditions  
Z089-104(WE)
66. A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1653 for an outside industrial potentially incompatible use on property zoned an IM Industrial Manufacturing District with deed restrictions located on the north side of Mañana Street, west of Newkirk Street **[09-0328; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27471]**  
Recommendation of Staff and CPC: Approval for a three-year period subject to a site plan and conditions  
Z089-107(MAW)
67. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new tract within Planned Development District No. 44 to allow for medical clinic or ambulatory surgical center and business school uses located on the southeast corner of Greenville Avenue and Amberton Parkway **[09-0329; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27472]**  
Recommendation of Staff and CPC: Approval subject to a development plan, landscape plan and conditions  
Z089-109(MAW)

ZONING CASES - INDIVIDUAL

68. A public hearing to receive comments regarding an application for a Specific Use Permit for a motel or hotel use on property zoned a CC Community Commercial Subdistrict in Planned Development District No. 595, the South Dallas Fair Park Special Purpose District, on the south corner of Peabody Avenue and Colonial Avenue **[09-0330; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED TO DENY]**  
Recommendation of Staff and CPC: Denial  
Z089-103(WE)

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

69. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge, or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned an RS-MU Regional Service Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east side of South Lamar Street, between Starks Avenue and Haven Street, west of Central Expressway **[09-0331; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27473]**  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval for a one-year period subject to a site plan and recommended conditions  
Z089-114(OTH)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

70. 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 **[09-0332; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27474]**  
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 public hearings on October 22 and December 10, 2008, and January 14, 2009, and was held under advisement until January 28, 2009, with the public hearing open.

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT - INDIVIDUAL

71. 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 **[09-0333; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL FEBRUARY 11, 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, June 25 and September 10, 2008, and was taken under advisement until January 28, 2009, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

**Economic Development**

**Advanced H2O, LLC**

**Note:** Item Nos. 72, 73 and 74 must be considered collectively.

- 72. \* A public hearing to receive comments concerning the creation of a reinvestment zone for a business personal property tax abatement, to be known as City of Dallas Reinvestment Zone No. 72, incorporating approximately 37.80 acres of property located at 4800 Langdon Road Dallas, Texas in southern Dallas for the purpose of granting economic development incentives to Advanced H2O, LLC. and DLH Dallas Logistics 634, LLC. - Financing: No cost consideration to the City **[09-0334; HEARING CLOSED]**
  
- 73. \* An ordinance designating approximately 37.80 acres of property located at 4800 Langdon Road for the purpose of granting economic development incentives to Advanced H2O, LLC. and DLH Dallas Logistics 634, LLC. and establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City **[09-0334; APPROVED; ORDINANCE 27475]**
  
- 74. \* Authorize a 50 percent business personal property tax abatement agreement for 10 years with Advanced H2O, LLC. and DLH Dallas Logistics 634, LLC. located at 4800 Langdon Road on approximately 37.80 acres of property - Revenue: First year revenue estimated at \$67,311; ten-year revenue estimated at \$1,009,665 (Estimated revenue foregone for ten-year business personal property tax abatement estimated at \$1,009,665) **[09-0335; APPROVED AS AMENDED]**

**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 28, 2009  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A. M.**

ADDITIONS:

Closed Session **[09-0336; HELD]**

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

- United States of America v. City of Dallas, Texas, Civil Action No. 3:08-CV-1063-K
- Bolton v. City of Dallas, Texas, Appeal No. 08-704
- Legal and code compliance issues involving properties at 1803, 1809, and 1811 Rock Island Street

CONSENT ADDENDUM

**Business Development & Procurement Services**

1. Authorize a thirty-six-month master agreement for emergency medical exam gloves - First Line, LLC, lowest responsible bidder of six - Not to exceed \$719,245 - Financing: Current Funds **[09-0337; APPROVED]**
2. Authorize a sixty-month professional services contract for medical examinations, drug and alcohol testing for the Fire Department, Police Department, City Marshal's Office and Human Resources - CareNow, most advantageous proposer of three - Not to exceed \$2,569,750 - Financing: Current Funds (subject to annual appropriations) **[09-0338; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize an increase in the thirty-six-month master agreement for Caterpillar brand parts and labor with Holt Texas, LTD - Not to exceed \$1,177,213, from \$4,708,852 to \$5,886,065 - Financing: Current Funds **[09-0339; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize an increase in the master agreement with Office Depot to continue participation in the U.S. Communities Government Purchasing Alliance Administrative Agreement for the purchase of office supplies - Not to exceed \$1,625,000, from \$6,500,000 to \$8,125,000 - Financing: Current Funds **[09-0340; APPROVED AS AN INDIVIDUAL ITEM]**

**Convention and Event Services**

5. Approve the execution of the Hotel Operating Agreement between Omni Hotels Management Corporation and the Dallas Convention Center Hotel Development Corporation, the City's local government corporation - Financing: No cost consideration to the City **[09-0341; DEFERRED INDEFINITELY]**

**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 28, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Department of Development Services**

- 6. An ordinance granting a CR Community Retail District subject to deed restrictions volunteered by the applicant on property zoned an IR Industrial Research District on the southeast corner of Hampton Road and Singleton Boulevard - Z089-101 - Financing: No cost consideration to the City **[09-0342; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27476**

]

- 7. A resolution authorizing execution by the City Manager, upon approval as to form by the City Attorney, of an agreement with LifeNet Community Behavioral Healthcare and Central Dallas Community Development Corporation providing for their withdrawal of their Notice of Interest with respect to the Jules Muchert United States Army Reserve Center located at 10031 East Northwest Highway - Financing: No cost consideration to the City **[09-0343; APPROVED AS AN INDIVIDUAL ITEM]**

**Housing**

- 8. Authorize **(1)** approval of a Permanent Supportive Housing Program Statement and five-year plan endorsing city-wide implementation for the creation of 700 Permanent Supportive Housing units for chronically homeless individuals; and **(2)** use of Community Development Grant, HOME Funds, General Obligation Bonds and Certificates of Obligation, subject to future Council approval, to fund project gap requirements to the extent permissible from each funding source - Financing: No cost consideration to the City **[09-0344; APPROVED AS AN INDIVIDUAL ITEM]**

**Water Utilities**

- 9. Authorize a three-year lease agreement with Olympic Center No. 1 Venture, for approximately 9,648 square feet of office space located at 2626 Lombardy Lane, Suite 105, to be used by Water Utilities Pretreatment and Laboratory Services Division for the period February 1, 2009 through January 31, 2012 - Total not to exceed \$274,968 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[09-0345; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

- 10. Consideration and appointment of a member to the Dallas/Fort Worth International Airport Board of Directors for Place 5 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office) **[09-**



**0346; APPROVED]**

**ADDENDUM  
CITY COUNCIL MEETING  
JANUARY 28, 2009**

DELETION:

**Park & Recreation**

34. Authorize a fifteen-year maintenance agreement, with two ten-year renewal options, with For the Love of the Lake, Inc. for the maintenance repair and/or replacement of trees, two connecting trails, benches, monuments and plaques comprising The Celebration Tree Grove at White Rock Lake Park located at 800 East Lawther Drive - Financing: No cost consideration to the City **[09-0296]**

**Brockbank Drive Street Improvements Property Owners**  
Agenda Item #16

<b><u>Tract No.</u></b>	<b><u>Owner</u></b>	<b><u>Size (Sq. Ft.)</u></b>	<b><u>Improvements</u></b>	<b><u>Consideration</u></b>
1.	Starks Towing Inc.	2,035	Unimproved land	\$14,250
2.	All-Tex Pipe & Supply, Inc.	419	Concrete parking area	\$4,022
3.	Rosa Redden & Jill Hurd	814	Concrete parking area	\$7,814
4.	DJK Properties, L.P.	244	Concrete parking area	\$2,343
5.	DJK Properties, L.P.	244	Concrete parking area	\$3,348
6.	Westbank, Limited	1,741	Asphalt drive area	\$105,000
7.	Sigmor Corporation 775	1,663	Concrete parking area	\$14,799
8.	Michael W. Brandt	1,410	Asphalt drive area	\$13,254
9.	John J. Klein IV & Christopher Bacala	1,410	Unimproved land	\$12,408
10.	Jong H. & Kyung S. Kim	1,293	Concrete parking area	\$12,930

**Various Joint Task Forces with Federal and State Agencies**  
Agenda Item #37

**Federal Agencies**

Federal Bureau of Investigation

United States Customs

United States Marshals Service

Immigration and Naturalization Services

Drug Enforcement Agency

Bureau of Alcohol, Tobacco, and Firearms

Department of the Treasury - Internal Revenue Service

Secret Service

**State Agencies**

Department of Public Safety

**NOTE:** Agencies listed are recurring. Other agencies may be involved on occasion.