

**AGENDA**  
**CITY COUNCIL MEETING**  
**FEBRUARY 11, 2009**  
**CITY OF DALLAS**  
**1500 MARILLA**  
**COUNCIL CHAMBERS, CITY HALL**  
**DALLAS, TEXAS 75201**  
**9:00 A. M.**

Invocation and Pledge of Allegiance (Council Chambers) **[09-0390]**

Agenda Item/Open Microphone Speakers **[09-0391]**

VOTING AGENDA

1. Approval of Minutes of the January 28, 2009 City Council Meeting **[09-0392; APPROVED]**

CONSENT AGENDA **[09-0393; APPROVED]**

**Business Development & Procurement Services**

2. Authorize the purchase and installation of carpet at the J. Erik Johnson Central Public Library - Corporate Floors, Inc., lowest responsible bidder of three - Not to exceed \$186,567 - Financing: 2003 Bond Funds **[09-0394; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize the purchase of positive pressure ventilation equipment for Dallas Fire-Rescue - Metro Fire Apparatus Specialists, Inc., lowest responsible bidder of two - Not to exceed \$149,556 - Financing: Urban Area Security Initiative Grant Funds **[09-0395; APPROVED]**
4. Authorize a twenty-four-month master agreement for traffic signal heads, hardware and supplies - TraStar, Inc. in the amount of \$180,353, Texas Highway Products, LTD in the amount of \$135,615, Traffic Parts, Inc. in the amount of \$39,676, General Traffic Equipment, Corp. in the amount of \$29,150, and Paradigm Traffic Systems, Inc. in the amount of \$28,405, lowest responsible bidders of five - Total not to exceed \$413,199 - Financing: Current Funds **[09-0396; APPROVED]**

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

5. Authorize a thirty-six-month service contract for volunteer coordinator services - Volunteer Center of North Texas, lowest responsible bidder of two - Not to exceed \$301,450 - Financing: Current Funds (subject to annual appropriations) **[09-0397; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a thirty-six-month service contract for cleaning City-owned parking lots - Commercial Environmental Solutions, Inc., lowest responsible bidder of nine - Not to exceed \$459,149 - Financing: Current Funds (subject to annual appropriations) **[09-0398; APPROVED]**
7. Authorize **(1)** the rejection of bids received for a service contract for a pilot program project for protective lining for manholes and other sewer structures for Water Utilities; and **(2)** the re-advertisement for new bids - Financing: No cost consideration to the City **[09-0399; APPROVED]**

**City Attorney's Office**

8. Authorize settlement of the lawsuit styled Jedd Champion v. City of Dallas and Yolanda Cotton, Cause No. 08-01344-K - Not to exceed \$50,000 - Financing: Current Funds **[09-0400; APPROVED]**
9. Authorize settlement of the lawsuit styled Jose Montiel v. City of Dallas, Cause No. 08-03043-D - Not to exceed \$40,000 - Financing: Current Funds **[09-0401; APPROVED]**
10. Authorize settlement of the lawsuit styled Webb Ruff, Sherika Royal, and Rosalyn Bell v. City of Dallas, Cause No. 08-10618-C - Not to exceed \$27,000 - Financing: Current Funds **[09-0402; APPROVED]**
11. Authorize Supplemental Agreement No. 1 to the appraisal services contract with the real estate appraisal firm of Integra Realty Resources DFW, LLP, for additional services necessary in the lawsuit styled AHF Community Development, LLC v. City of Dallas, et al., Cause No. 3:06-CV-1035-D - Not to exceed \$128,300, from \$18,000 to \$146,300 - Financing: Current Funds **[09-0403; APPROVED]**

**Department of Development Services**

12. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Barbosa Family Partners, Ltd. of approximately 814 square feet of unimproved land located near the intersection of Brockbank Drive and Bynum Avenue for the Brockbank Drive Street Improvements Project - \$8,208 (\$7,221 plus closing costs not to exceed \$987) - Financing: 2006 Bond Funds **[09-0404; APPROVED]**
13. Authorize **(1)** a Purchase Contract with the Trust for Public Land for acquisition of two tracts of land totaling approximately 3 acres located near Dickerson Street and the Dallas Area Rapid Transit right-of-way tracks for the Dickerson Street Project at a specific purchase price, and **(2)** the acquisition of these two tracts for the Dickerson Street Project from The Trust for Public Land - \$4,430,000 (\$4,400,000 plus closing costs not to exceed \$30,000) - Financing: 2003 Bond Funds (\$452,108), 2006 Bond Funds (\$3,977,892) **[09-0405; APPROVED]**

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

14. Authorize settlement in lieu of proceeding with condemnation of 2 tracts of land containing a total of approximately 5 acres from Family Design Homes, Inc., dba, Forney Building & Mortgage, located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - \$358,820 (\$351,020 plus closing costs not to exceed \$7,800) - Financing: Water Utilities Capital Construction Funds **[09-0406; APPROVED]**
15. Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Carback's Valley View, L.P., et al., Cause No. CC-07-03884-C, in the County Court at Law No. 3, for acquisition from Carback's Valley View, L.P., for a total of approximately 1,879 square feet of land located at the intersection of Alpha Road and Montfort Drive for the Alpha Road and Montfort Drive Improvements project - \$90,765 - Financing: 1998 Bond Funds (\$37,995) and 2006 Bond Funds (\$52,770) **[09-0407; APPROVED]**
16. Authorize the deposit of Jury's Award in City of Dallas v. HSM Montfort Plaza, Ltd. et al., Cause No. 05-06711-C, in the County Court at Law No. 3, for acquisition from HSM Montfort Plaza, Ltd., of approximately 1,777 square feet of land located at the intersection of Alpha Road and Montfort Drive for the Montfort Drive Improvements project from Peterson Lane to Alpha Road - \$225,000 - Financing: 2006 Bond Funds **[09-0408; APPROVED]**
17. Authorize the quitclaim of 16 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$299,210 **[09-0409; DELETED ON THE ADDENDUM]**
18. Authorize moving expense and replacement housing payments for Ambrocia Ortega 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 \$47,700 - Financing: 2003 Bond Funds **[09-0410; APPROVED]**
19. Authorize moving expense and replacement housing payments for Guadalupe Diaz 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 \$29,200 - Financing: 2003 Bond Funds **[09-0411; APPROVED]**
20. Authorize moving expense and replacement housing payments for Manuel and Alejandra Reyes 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 \$29,800 - Financing: 2003 Bond Funds **[09-0412; APPROVED]**
21. Authorize moving expense and replacement housing payments for Noel Lara 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 \$56,000 - Financing: 2003 Bond Funds **[09-0413; APPROVED]**

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

22. Authorize moving expense and replacement housing payments for Rene and Josefina Saldivar 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 \$44,800 - Financing: 2003 Bond Funds **[09-0414; APPROVED]**
23. Authorize moving expense and replacement housing payments for Rosaura Saldivar 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 \$45,100 - Financing: 2003 Bond Funds **[09-0415; APPROVED]**

**Efficiency Team****Quality Policy, Occupational Safety and Health Policy Update**

**Note:** Item Nos. 24 and 25 must be considered collectively.

24. \* Authorize an amendment to the City's Quality Policy, established on January 24, 2007, by Resolution No. 07-0318, to update the language of the policy to maintain compliance with the International Organization for Standardization requirements - Financing: No cost consideration to the City **[09-0416; APPROVED]**
25. \* Authorize an amendment to the City's Occupational Safety and Health Policy, established on January 24, 2007, by Resolution No. 07-0319, to update the language of the policy to maintain compliance with the International Organization for Standardization requirements - Financing: No cost consideration to the City **[09-0417; APPROVED]**

**Environmental & Health Services**

26. Authorize a ten-year lease agreement with Marcer Investments, LLC. for approximately 6,000 square feet of office space located at 1113 East Jefferson Boulevard, to be used as a Women, Infants and Children Clinic for the period July 1, 2009 through June 30, 2019 - Not to exceed \$975,000 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations) **[09-0418; APPROVED]**
27. Authorize a second amendment to the lease agreement with Rampart Properties, L.P. to extend the term of the lease for an additional six months of approximately 5,870 square feet of office space at the leased facility located at 351 West Jefferson Boulevard, Suite 300 for the continued use as a Women, Infants and Children Clinic for the period March 1, 2009 through August 31, 2009 - Total not to exceed \$45,493 - Financing: Department of State Health Services Grant Funds **[09-0419; APPROVED]**

CONSENT AGENDA (Continued)**Housing**

28. Authorize the reconstruction on-site of one home in accordance with the Reconstruction/SHARE Program Statement requirements for the property located at 2511 Chalk Hill Drive - Total not to exceed \$87,500 - Financing: 2006-07 Community Development Grant Funds **[09-0420; APPROVED]**
29. Authorize an amendment to the Reconstruction/SHARE Program Statement, previously approved on August 13, 2008 by Resolution No. 08-2063, to change the awarded contractor to reconstruct on-site one home in accordance with the Reconstruction/SHARE Program Statement requirements for the property located at 4619 Collins Avenue - Total not to exceed \$87,500 - Financing: 2007-08 Community Development Grant Funds **[09-0421; APPROVED]**
30. Authorize an amendment to the Reconstruction/SHARE Program Statement, previously approved on November 10, 2008, by Resolution No. 08-3055 to change the awarded contractor to reconstruct on-site two homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 1944 Gallagher Street in the amount of \$87,500 and 2604 Larry Drive in the amount of \$87,500 - Total not to exceed \$175,000 - Financing: 2006-07 Community Development Grant Funds (\$8,150), 2007-08 Community Development Grant Funds (\$87,500), 2005-06 HOME Funds (\$52,186), and 2006-07 HOME Funds (\$27,164) **[09-0422; APPROVED]**

**Intergovernmental Services**

31. A resolution adopting the City's Federal Legislative Agenda for the 111th Congress - Financing: No cost consideration to the City **[09-0423; APPROVED]**

**Police**

32. Authorize an application for the ninth-year continuation of the Dallas Police Department Victim Services grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims, for the period September 1, 2009 through August 30, 2010 - Not to exceed \$53,131 (local match in an amount not to exceed \$15,909 will be required if awarded) - Financing: This action has no cost consideration to the City **[09-0424; APPROVED]**
33. Authorize **(1)** public hearings to be held on March 25, 2009 and April 22, 2009 to receive comments on the modification and renewal of the Dallas juvenile curfew ordinance; and **(2)** at the close of the public hearing on April 22, 2009, consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance, with certain modifications establishing daytime curfew hours for minors in addition to the current nighttime curfew hours for minors - Financing: No cost consideration to the City **[09-0425; APPROVED AS AN INDIVIDUAL ITEM]**

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

34. Authorize a contract for the construction of erosion control improvements for five erosion projects at 1801 Altadena Drive, 622 West Five Mile Parkway, 938 West Five Mile Parkway, 906 Glen Oaks Boulevard, and 5919 Hunters View Lane - ARK Contracting Services, LLC, lowest responsible bidder of six - Not to exceed \$691,280 - Financing: 2003 Bond Funds (\$41,579) and 2006 Bond Funds (\$649,701) **[09-0426; APPROVED]**
35. Authorize a contract for the construction of streetscape, water and wastewater adjustment improvements on Elm Street from Akard Street to Ervay Street - Texas Standard Construction, Ltd., lowest responsible bidder of three - \$902,829 - Financing: 2006 Bond Funds (\$888,729) and Water Utilities Capital Construction Funds (\$14,100) **[09-0427; APPROVED AS AN INDIVIDUAL ITEM]**
36. Authorize a professional services contract with Pierce Goodwin Alexander & Linville, Inc. to provide design services, preparation of construction documents and construction administration for a new field maintenance facility at Dallas Love Field - Not to exceed \$272,446 - Financing: Aviation Capital Construction Funds **[09-0428; APPROVED]**
37. Authorize a professional services contract with VAI Architects, Inc. to provide design services, preparation of construction documents and construction administration for improvements to the taxi cab holding area at Dallas Love Field - Not to exceed \$151,044 - Financing: Aviation Capital Construction Funds **[09-0429; APPROVED]**
38. Authorize an increase in the contract with Jeske Construction Company for additional water services, paving materials and other adjustments for the reconstruction of Bexar Street from C.F. Hawn Freeway (U.S.175) service road to Brigham Lane - Not to exceed \$144,730, from \$3,728,524 to \$3,873,254 - Financing: 2003 Bond Funds (\$86,365) and Water Utilities Capital Construction Funds (\$58,365) **[09-0430; APPROVED]**
39. Authorize an increase in the contract with Ken-Do Contracting, LP for additional pavement removal, new paving, additional construction costs associated with the reconstruction of a pedestrian bridge, modifications to the scope and traffic control adjustments necessary for the construction of paving and drainage improvements for a hike and bike trail for East Dallas Veloway, Phase II (Santa Fe Trail) from Glasgow Drive to Hill Street - Not to exceed \$607,899, from \$3,326,296 to \$3,934,195 - Financing: 2006 Bond Funds **[09-0431; APPROVED]**
40. Authorize Supplemental Agreement No. 1 to the contract with Urban Engineers Group, Inc. for surveying and additional design for water and wastewater improvements for Project Group 06-3009 (list attached) - Not to exceed \$57,590, from \$201,730 to \$259,320 - Financing: 2003 Bond Funds (\$20,400) and Water Utilities Capital Construction Funds (\$37,190) **[09-0432; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities**

41. An ordinance authorizing the issuance and placement sale of \$118,103,000 City of Dallas, Texas, Waterworks and Sewer System Revenue Bonds, Series 2009A (\$15.1 million), Series 2009B (\$8.28 million), and Series 2009C (\$94.723 million) with the Texas Water Development Board and enacting other provisions in connection therewith - Not to exceed \$278,785 - Financing: Water Utilities Current Funds **[09-0433; CORRECTED ON THE ADDENDUM; APPROVED; ORDINANCE'S NO. 27477, 27478 AND 27479]**
42. Authorize a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation, in conjunction with the relocation of an existing 16-inch water main and the addition of fire line services, domestic water services, and wastewater services for the proposed new Woodall Rodgers Deck Plaza Park along Spur 366 (Woodall Rodgers Freeway) from Pearl Street to St. Paul Street - Financing: No cost consideration to the City **[09-0434; APPROVED]**
43. Authorize a contract for the construction of energy recovery facility utilities and digester improvements at the Southside Wastewater Treatment Plant - Archer Western Contractors, Ltd. lowest responsible bidder of three - \$6,354,000 - Financing: Water Utilities Capital Improvement Funds **[09-0435; APPROVED]**
44. Authorize a contract for the installation and lowering of a 48-inch water transmission main in an existing easement located in the City of Irving - S. J. Louis Construction of Texas, Ltd., lowest responsible bidder of five - \$1,943,126 - Financing: Water Utilities Capital Construction Funds **[09-0436; APPROVED]**

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

45. 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) **[09-0437 AND 09-0438; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR FURTHER CONSIDERATION**Business Development & Procurement Services**

46. 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 **[09-0439; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

**Economic Development**

**City Center TIF District**

**Note:** Item Nos. 47 and 48 must be considered collectively.

- 47. \* 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 **[09-0440; APPROVED]**
- 48. \* 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 **[09-0440; APPROVED]**

**Note:** If Agenda Item Nos. 49 and 50 do not pass, Council will not consider Agenda Item No. 51.

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

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

- 49. \* 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 **[09-0441; APPROVED]**
- 50. \* 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 **[09-0441; APPROVED]**
- 51. 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 **[09-0442; APPROVED]**



PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [09-0443]

52. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center on property zoned a CR Community Retail District and an R-5(A) Single Family District on the southeast corner of Angelina Drive and North Westmoreland Road **[09-0444; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27480]**

Recommendation of Staff and CPC: Approval for a ten-year period with automatic renewals for additional ten-year periods, subject to a site plan and conditions  
Z089-123(WE)

53. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1659 for an alcoholic beverage establishment use for a bar, lounge, or tavern within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of Ervay Street **[09-0445; HEARING OPEN; HOLD UNDER ADVISEMENT INDEFINITELY]**

Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z089-124(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

54. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for an Animal clinic with outside run, Kennel with outside run, and LC Light Commercial Subdistrict Uses on property zoned an LC Light Commercial District Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the northwest corner McKinney Avenue and Sneed Street with consideration being given to permitting the requested animal clinic with outside run and kennel with outside run by specific use permit **[09-0446; HEARING CLOSED; STAFF RECOMMENDATION FOLLOWED TO DENY WITHOUT PREJUDICE]**

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions  
Z078-239(RB)

Note: This item was considered by the City Council at a public hearing on January 14, 2009, and was taken under advisement until February 11, 2009, with the public hearing open.

SPECIAL PROVISION SIGN DISTRICT - CONSENT

55. A public hearing to receive comments regarding consideration of amendments to the Downtown Special Provision Sign District to allow video boards (LED signs) as premise and non-premise signs in an area generally bound 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 SPSD, the Arts District SPSD, and the Farmers Market SPSD and an ordinance granting the amendments **[09-0447; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27481]**

Recommendation of Staff: Approval, subject to staff conditions

Recommendation of CPC: Approval, subject to CPC conditions  
SPSD078-003

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Department of Development Services (Continued)**SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT - INDIVIDUAL

56. 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 **[09-0448; HEARING OPEN; REMAND BACK TO CITY PLAN COMMISSION]**

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 January 28, 2009, and was taken under advisement until February 11, 2009, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - CONSENT

57. A public hearing to receive comments regarding consideration of amendments to Section 51A-7.307 of the Dallas Development Code, to amend the provisions for relocation of detached non-premise signs (billboards) due to the acquisition by a governmental entity of the land the sign is located on and an ordinance granting the amendments **[09-0449; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL MARCH 25, 2009]**

Recommendation of Staff and CPC: Approval

DCA078-015

## MISCELLANEOUS HEARINGS

**Department of Development Services**

58. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by I-35 Star Partners I, Ltd. and MetroTex Association of Realtors, Inc. located near the intersection of Empire Central Drive and Empress Row and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to I-35 Star Partners I, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[09-0450; HEARING CLOSED; APPROVED; ORDINANCE 27482]**

Recommendation of Staff: Approval

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Department of Development Services** (Continued)

59. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by Turnpike Sub, LLC; Trammell Crow Co. No. 60 LP; TDC #12, Ltd.; LIT-Deansbank No. 8; TXI Operations, LP; I-30 Distribution, LP; and Motiva Enterprises, LLC located near the intersection of La Reunion Parkway and French Settlement Road and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Turnpike Sub, LLC; Trammell Crow Co. No. 60 LP; TDC #12, Ltd.; LIT-Deansbank No. 8; TXI Operations, LP; I-30 Distribution, LP; and Motiva Enterprises, LLC by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[09-0451; HEARING CLOSED; APPROVED; ORDINANCE 27483]**  
Recommendation of Staff: Approval

**ADDENDUM  
CITY COUNCIL MEETING  
FEBRUARY 11, 2009  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

**Business Development & Procurement Services**

1. Authorize a twenty-four-month master agreement for liquid ferric sulfate for the City's three water purification treatment plants - General Chemical Performance Products, LLC., lowest responsible bidder of two - Not to exceed \$19,805,000 - Financing: Water Utilities Current Funds **[09-0452; APPROVED AS AN INDIVIDUAL ITEM]**

**Purchase of Mobile Data Computers and  
Lease of Desktop & Laptop Computers**

**Note:** Addendum Item Nos. 2 and 3 must be considered collectively.

2. \* Authorize a sixty-month master agreement, with three twelve-month renewal options, for **(1)** the purchase of mobile data computers, equipment mounting hardware, and maintenance for Police and Dallas Fire-Rescue in the amount of \$11,943,800, and **(2)** professional installation services in the amount of \$534,400 - Austin Ribbon & Computer Supplies, Inc., most advantageous proposer of eight - Total not to exceed \$12,478,200 - Financing: Current Funds (\$5,580,777), 2008 Equipment Acquisition Contractual Obligation Notes (\$6,897,424) **[09-0453; APPROVED]**
3. \* Authorize a sixty-month contract, with three twelve-month renewal options, for the lease or purchase, of all forms of computers and computer related equipment and accessories to include various managed services - Austin Ribbon & Computer Supplies, Inc., most advantageous proposer of eight - Not to exceed \$18,762,347 - Financing: Current Funds **[09-0453; APPROVED]**  
**[NOTE FILE 09-0454 NOT USED]**

**CAD System Maintenance, Support &  
Acquisition of In-vehicle Mobile Application**

**Note:** Addendum Item Nos. 4 and 5 must be considered collectively.

4. \* Authorize Supplemental Agreement No. 1 to increase the original maintenance contract to add maintenance and support for mobile application and to fund an additional sixty-months of maintenance for Computer Aided Dispatch system with TriTech Software Systems - Not to exceed \$4,864,260, from \$0 to \$4,864,260 - Financing: Current Funds (subject to annual appropriations) **[09-0455; APPROVED]**

**ADDENDUM  
CITY COUNCIL MEETING  
FEBRUARY 11, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

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

**CAD System Maintenance, Support & Acquisition of In-vehicle Mobile Application** **Note:** Addendum Item Nos. 4 and 5 must be considered collectively.  
(Continued)

5. \* Authorize **(1)** Supplemental Agreement No. 5 to the service contract for twenty-months of on-site technical support for the Computer Aided Dispatch system in the amount of \$250,000, and **(2)** Supplemental Agreement No. 6 for the acquisition of an in-vehicle mobile application for Police and Dallas Fire-Rescue in the amount of \$4,812,570 with TriTech Software Systems - Total not to exceed \$5,062,570, from \$5,756,623 to \$10,819,193 - Financing: 2008 Equipment Acquisition Contractual Obligation Notes (\$4,812,570), Current Funds (\$250,000) (subject to annual appropriations) **[09-0456; APPROVED]**

**City Secretary's Office**

6. An ordinance amending Ordinance No. 20231, as amended, to adopt certain revised election precincts - Financing: No cost consideration to the City **[09-0457; APPROVED; ORDINANCE 27484]**

**Economic Development**

7. A resolution declaring the City of Dallas' support of and consent to the creation of the Cypress Waters Management District (Cypress Waters MMD) subject to certain limitations in the creation of, and exercise of powers by, the Cypress Waters MMD to promote the development and redevelopment of the area - Financing: No cost consideration to the City **[09-0458; APPROVED AS AMENDED]**
8. A resolution declaring the City of Dallas' support of and consent to the creation of the North Oak Cliff Management District (North Oak Cliff MMD) subject to certain limitations in the creation of, and exercise of powers by, the North Oak Cliff MMD to promote the development and redevelopment of the area - Financing: No cost consideration to the City **[09-0459; APPROVED AS AMENDED]**
9. A resolution declaring the City of Dallas' support of and consent to the creation of the Trinity River West Management District (Trinity River West MMD) subject to certain limitations in the creation of, and exercise of powers by, the Trinity River West MMD to promote the development and redevelopment of the area - Financing: No cost consideration to the City **[09-0460; APPROVED AS AMENDED]**

**ADDENDUM  
CITY COUNCIL MEETING  
FEBRUARY 11, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Economic Development** (Continued)

10. Authorize **(1)** establishment of a non-profit corporation, the Dallas Development Fund for the purpose of applying for a New Markets Tax Credit (NMTC) allocation, **(2)** approval of the Corporation's certificate of formation and bylaws, **(3)** appointment of the Corporation's initial Board of Directors, **(4)** the City Manager to file the Corporation's certificate of formation with the Secretary of State, and **(5)** the Corporation to apply for certification as a Community Development Entity and for NMTC allocations from the United States Department of the Treasury for qualified projects in designated areas - Financing: No cost consideration to the City **[09-0461; APPROVED AS AMENDED]**
  
11. Authorize an amendment to Resolution No. 08-2918, previously approved on October 22, 2008, which authorized Supplemental Agreement No. 3 to the development agreement among the City of Dallas, the Downtown Dallas Development Authority (the DDDA), and FC Merc Complex, L.P., FC Continental Complex, L.P., FC Atmos, Inc., and FC Lessee (collectively Forest City) to: **(1)** extend the due dates of each of the remaining option fee payments by 12 months; **(2)** direct the transfer of title of the Atmos Complex without auction and bidding from ~~FC Atmos, Inc.~~ Forest City to Hamilton Atmos LP for redevelopment in accordance with the Downtown Connection TIF Project Plan through the transfer of stock in FC Atmos, Inc. and without requiring the acceleration of payment of the unpaid portion of the \$750,000 option fee prior to the new deadline dates; **(3)** require ~~FC Atmos, Inc.~~ Forest City to retain maintenance obligations through October 26, 2010 and limiting Forest City maintenance obligations to an amount not to exceed \$250,000; and **(4)** require ~~FC Atmos, Inc.~~ Forest City to continue obligations for payment of option fees in the amount of \$250,000 on October 26, 2009 and an additional \$250,000 on October 26, 2010, if Hamilton Atmos LP is unable to obtain building permits by those dates - Financing: No cost consideration to the City **[09-0462; APPROVED]**

**Office of Financial Services**

**Oncor Electric Delivery Company LLC**

**Note:** Addendum Item Nos. 12 and 13 must be considered collectively.

12. \* Authorize adoption of a compromise, settlement and release agreement between City of Dallas and Oncor Electric Delivery Company LLC - Estimated Annual Revenue: \$500,000 **[09-0463; APPROVED]**
  
13. \* An ordinance granting a franchise to Oncor Electric Delivery Company LLC, for a term of fifteen years to provide electric distribution services within the City and providing for compensation - Estimated Annual Revenue: \$48,000,000 **[09-0463; APPROVED; ORDINANCE 27485]**

**ADDENDUM  
CITY COUNCIL MEETING  
FEBRUARY 11, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Office of Financial Services** (Continued)

14. Authorize **(1)** the City's continued participation in the Steering Committee of Texas Utilities Electric Service Area Cities in hearings before the Public Utilities Commission of Texas concerning electric restructuring and rates to be charged by Oncor Electric Delivery, and **(2)** the increase in appropriations in the amount of \$128,050 in the Texas Utilities Reserve Funds to pay the City's 2008 assessment - Not to exceed \$128,050 - Financing: Texas Utilities Reserve Funds **[09-0464; APPROVED]**
  
15. **(1)** An ordinance authorizing the issuance of City of Dallas, Texas Waterworks and Sewer System Series D short term obligations in an aggregate principal amount not to exceed \$300,000,000; authorizing such short term obligations to be issued, sold and delivered in various forms, including commercial paper notes and a bank note; making certain covenants and agreements in connection therewith; establishing the 10-year tenor of the program with a maturity date of September 30, 2019; resolving other matters related to the issuance, sale, security and delivery of such short term obligations, including **(a)** authorizing a thirty-six-month Credit Agreement with U.S. Bank Trust National Association, as agent for the syndicate, that includes California State Teacher's Retirement System and California Public Employees' Retirement System, **(b)** the appointment of U.S. Bank Trust National Association as the Issuing and Paying Agent and authorizing the execution of an Issuing and Paying Agent Agreement, and, **(c)** the appointment of Banc of America Securities LLC and M R Beal & Company as the co-dealers and authorizing the execution of a Dealer Agreement; approving the payment of issuance costs in connection with the issuance of the short term obligations; approving the use of an Offering Memorandum in connection with the sale of the short term obligations; and providing an effective date; and **(2)** a resolution authorizing amendments to the Credit Agreement with Bank of America, N.A. for the City of Dallas, Texas Waterworks and Sewer System Series B and Series C short term obligations to permit the Series D short term obligations to have parity with the Series B and Series C short term obligations - Total program costs not to exceed \$27,200,198 - Financing: Water Utilities Current Funds (\$905,288 upfront closing costs plus annual fees of \$2,631,776 for a total 10-year cost of \$27,200,198) (subject to annual appropriations) **[09-0465; APPROVED; ORDINANCE 27486]**

**ADDENDUM  
CITY COUNCIL MEETING  
FEBRUARY 11, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

**Office of Financial Services** (Continued)

16. Authorize **(1)** an extension through September 30, 2009 for Community Development Grant funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement; **(2)** the reprogramming of Community Development Block Grant Funds (CDBG) in the amount of \$1,703,407 in conjunction with the FY 2009-10 Consolidated Plan Budget; **(3)** the adoption of the preliminary FY 2008-09 Consolidated Plan Reprogramming Budget #3 as recommended by the City Council's Housing Committee; and **(4)** a public hearing to be held on March 25, 2009 to receive comments on the proposed use of funds for FY 2008-09 Consolidated Plan Reprogramming Budget #3 - Financing: No cost consideration to the City **[09-0466; APPROVED]**

**Public Works & Transportation**

17. An ordinance amending Chapter 15D of the Dallas City Code, Emergency Vehicles, to **(1)** revise qualifications and requirements for emergency wrecker service licenses and emergency wrecker driver's permits; **(2)** add grounds for suspension, revocation, and nonrenewal of emergency wrecker service licenses and emergency wrecker driver's permits and provide for appeals; **(3)** revise operating, staffing, vehicle, and equipment requirements for emergency wrecker services; **(4)** regulate apparel for emergency wrecker drivers; **(5)** expand and provide procedures and requirements for the city's rapid response program; **(6)** establish rapid response locations; **(7)** adjust fees allowed to be charged for emergency wrecker service; **(8)** provide restrictions on the location of emergency wrecker service businesses; **(9)** make certain non-substantive changes; and **(10)** provide a penalty not to exceed \$1,000 - Financing: No cost consideration to City **[09-0467; APPROVED; ORDINANCE 27487]**

ITEMS FOR INDIVIDUAL CONSIDERATION

**Economic Development**

18. An ordinance amending the Project Plan and Reinvestment Zone Financing Plan (the "Project Plan") for Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District) to: **(1)** establish the City Center TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment to promote economic development within the City Center TIF District and **(2)** expand the Environment Remediation/Interior-Exterior Demolition, Façade Improvement budget line item to include TIF Grants - Financing: No cost consideration to the City **[09-0468; APPROVED; ORDINANCE 27488]**



**ADDENDUM  
CITY COUNCIL MEETING  
FEBRUARY 11, 2009**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Economic Development** (Continued)

19. An ordinance amending the Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) originally approved on August 29, 2005, by Ordinance No. 26096, to: **(1)** expand the development goals and specific objectives to the Project Plan; **(2)** expand the Redevelopment of Vacant/Underutilized Downtown Buildings budget line item to include the Development of Underdeveloped Parcels and Surface Parking Lots; and **(3)** update 2008 increment corrections and future increment assumptions 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 **[09-0469; APPROVED; ORDINANCE 27489]**

ITEMS FOR FURTHER CONSIDERATION

**Convention and Event Services**

20. 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 **[09-0470; DEFERRED UNTIL FEBRUARY 18, 2009]**

CORRECTION:

**Water Utilities**

41. ~~An ordinance~~ Ordinances authorizing the issuance and placement sale of ~~\$118,103,000~~ City of Dallas, Texas, Waterworks and Sewer System Revenue Bonds, Series 2009A (\$15.1 million); City of Dallas, Texas Waterworks and Sewer System Revenue Bonds, Series 2009B (\$8.28 million); and City of Dallas, Texas Waterworks and Sewer System Revenue Bonds, Series 2009C (\$94.723 million) ~~with~~ to the Texas Water Development Board and enacting other provisions in connection therewith - Not to exceed \$278,785 - Financing: Water Utilities Current Funds **[09-0433]**

DELETION:

**Department of Development Services**

17. Authorize the quitclaim of 16 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$299,210 **[09-0409]**

**Tax Foreclosure and Seizure Warrant Property Resales**  
Agenda Item #17

<u>Parcel No.</u>	<u>Address</u>	<u>Highest Bidder</u>	<u>Struck off Amount</u>	<u># of Bids</u>	<u>Square Footage</u>	<u>High Bid Amount</u>	<u>Minimum Bid Amount</u>	<u>DCAD Value</u>	<u>Zoning</u>	<u>Tax Council Code</u>	<u>District</u>	<u>Violations</u>
<b>Vacant Property</b>												
1.	2511 Cedar Crest	John Spike	\$3,590	1	5,980	\$3,510	\$3,500	\$5,980	CR	No	7	
2.	1033 Church	Deborah Wittenburg	\$1,500	1	2,690	\$1,300	\$1,000	\$5,750	PD 388	No	7	
3.	1725 Fordham	Walter Smith	\$14,326	3	7,533	\$1,800	\$1,000	\$28,210	TH-3(A)	No	4	
4.	3117 Fordham	Volney Woods, Jr.	\$21,138	1	16,080	\$11,000	\$10,500	\$46,970	R-7.5(A)	No	4	
5.	3921 Hamilton	Gosby King, Jr.	\$14,435	4	6,200	\$1,525.75	\$1,000	\$23,580	PD 595	No	7	
6.	5191 Lauderdale	LaMildredetta Hudson	\$16,790	5	9,100	\$5,302	\$2,000	\$16,380	R-7.5(A)	No	8	
7.	3736 West Ledbetter	Rahmat Shojajari	\$129,970	1	17,102	\$60,126	\$58,500	\$129,970	IR	No	8	
8.	2754 Locust	William Rice	\$20,483	5	7,424	\$6,200	\$5,100	\$27,540	R-5(A)	No	4	
9.	9526 McClung	Javier Martinez	\$18,890	2	15,609	\$12,000	\$9,400	\$52,390	R-7.5(A)	No	8	
10.	4205 Malcolm X	Yohannes Kumsa	\$24,963	1	6,375	\$22,010	\$12,500	\$67,640	PD 595	No	7	
11.	10302 Nantucket Village	Wilson A. Gonzalez	\$21,967	3	19,453	\$22,600	\$21,900	\$52,100	TH(2)	No	5	
12.	2028 Shaw	Semeregelai Ogbazgi	\$10,239	2	2,945	\$2,000	\$1,500	\$6,000	R-5(A)	No	3	
13.	1706 Sicily	Maria E. Martinez	\$8,040	2	3,588	\$2,675	\$2,000	\$8,040	R-5(A)	No	7	
14.	4510 Solar Lane	Darden McGlothin	\$2,000	1	7,100	\$3,050	\$2,000	\$2,000	CS	No	4	
15.	459 St. Augustine	Time Warner NY Cable, LLC	\$5,580	1	5,576	\$1,000	\$1,000	\$5,580	CR	No	8	
16.	2707 Weir	Tahmineh Bahrami	\$156,878	1	63,293	\$143,111	\$141,200	\$244,850	IM	No	3	

**Street Reconstruction, Project Group 06-3009**  
Agenda Item #40

<b><u>Street Reconstruction</u></b>	<b><u>Council District</u></b>
Beall Street from Dolphin Road to alley between Silver Avenue to Dolphin Street	7
Detonte Street from Dolphin Road to Silver Avenue	7
Mingo Street from Dolphin Road to Silver Avenue	7
Silver Avenue from Haskell Avenue to dead end	7
Alley between Silver Avenue and Dolphin Road from Haskell Avenue to Detonte Street	7