

**ADDENDUM
CITY COUNCIL MEETING
OCTOBER 13, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

6ES

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

- Dean Krasovitsky v. City of Dallas, HUD Case No. 06-10-1075-8

CONSENT ADDENDUM

Aviation

1. Authorize an amendment to the Love Field Food and Beverage Concession Contract with Dallas Love Field Joint Venture, Ltd. ("Concessionaire") to provide for: **(1)** extension of the renewal term; **(2)** closure of food and beverage locations to accommodate Love Field Modernization Program-related construction activities; **(3)** waiver of payment of the minimum annual guarantee upon execution of the amendment; **(4)** reduction of required percentage rent payments if certain reductions in enplaned passengers occur; **(5)** reimbursement for certain unamortized capital costs incurred by Concessionaire for the extended renewal term; and **(6)** a right of first refusal for Concessionaire to acquire the right to operate up to 27% of the value of the food and beverage concessions in the new Love Field terminal building - Estimated Revenue: \$4,057,192
2. Authorize an amendment to the Love Field Retail Merchandise Concession Contract with Hudson Retail Dallas, J.V. ("Concessionaire") to provide for: **(1)** extension of the renewal term; **(2)** closure of retail locations to accommodate Love Field Modernization Program-related construction activities; **(3)** waiver of payment of the minimum annual guarantee upon execution of the amendment; **(4)** reduction of required percentage rent payments if certain reductions in enplaned passengers occur; **(5)** reimbursement for certain unamortized capital costs incurred by Concessionaire for the extended renewal term; and **(6)** a right of first refusal for Concessionaire to acquire the right to operate up to 27% of the value of the retail concessions in the new Love Field terminal building - Estimated Revenue: \$1,938,799

City Attorney's Office

3. Authorize settlement of the lawsuit styled Cheryl Hill and Sherrie Lopez, individually and on behalf of those similarly situated v. City of Dallas, Mary Suhm, Ryan Evans, and Eddie Burns, Civil Action No. 3:10-CV-01766-M - Not to exceed \$225,000 - Financing: Current Funds

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

City Controller's Office

4. Authorize the preparation, issuance, and sale of Equipment Acquisition Contractual Obligations, Series 2010 in an amount not to exceed \$19,335,000; establish parameters regarding the sale of the Bonds; approval of the execution of the Bond Purchase Agreement; establish cost of issuance; and all other matters related thereto - Not to exceed \$63,489 - Financing: 2010 Equipment Acquisition Contractual Obligation Notes - Interest Earnings
5. Authorize the preparation, issuance, and sale of General Obligation Refunding Bonds, Taxable, Series 2010 in an amount not to exceed \$80,000,000; establish parameters regarding the sale of the bonds; approval of the execution of the Bond Purchase Agreement and Escrow Agreement; establish cost of issuance; and all other matters related thereto - Not to exceed \$159,447 - Financing: 2010 General Obligation Taxable Bond Funds
6. Authorize the preparation, issuance and sale of General Obligation Refunding Bonds, Series 2010C in an amount not to exceed \$400,000,000; establish parameters regarding the sale of the Bonds; approval of the execution of the Bond Purchase Agreement and Escrow Agreement; establish cost of issuance; and all other matters related thereto - Not to exceed \$731,234 - Financing: 2010C General Obligation Bond Funds

Communication and Information Services

7. Authorize Supplemental Agreement No. 1 to the Acquisition Contract with AT&T for: **(1)** the purchase of upgrades to the 9-1-1 Meridian PBX telephone system and the Symposium 9-1-1 Call Center system in the amount of \$344,098; and **(2)** a twelve-month maintenance agreement for the 9-1-1 Uninterruptible Power Supply (UPS) system in the amount of \$4,395 - Total not to exceed \$348,493, from \$5,724,957 to \$6,073,450 - Financing: Current Funds

Office of Financial Services

8. Authorize adoption of the 2011 City Calendar - Financing: No cost consideration to the City

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction

9. A resolution authorizing the conveyance of an easement and right-of-way containing approximately 3,766 square feet of land to Oncor Electric Delivery Company, LLC for the construction and maintenance of electric transmission, distribution and communication systems across the McCommas Bluff Landfill located near the intersection of Central Expressway and Youngblood Road - Financing: No cost consideration to the City
10. An ordinance abandoning a portion of a water easement to Dallas Children's Advocacy Center, the abutting owner, containing approximately 3,775 square feet of land located near the intersection of Samuell Boulevard and Deer Creek Drive, and providing for the dedication of approximately 5,940 square feet of land needed for a water easement - Revenue: \$5,400 plus the \$20 ordinance publication fee
11. An ordinance abandoning a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, containing a total of approximately 16,156 square feet of land located near the intersection of Ann Arbor Avenue and Denley Drive, authorizing the quitclaim, and providing for the dedication of approximately 13,102 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee
12. An ordinance abandoning portions of an alley right-of-way, two street easements and two utility easements to SSWH Partners, L.P., the abutting owners, containing a total of approximately 30,436 square feet of land located near the intersection of Jason Boulevard and Amesbury Drive and authorizing the quitclaim - Revenue: \$271,675 plus the \$20 ordinance publication fee

Trinity Watershed Management

13. Authorize acquisition of a temporary work area easement, from The Housing Authority of the City of Dallas, Texas, on two tracts of land containing a total of approximately 63.29 acres located at the intersection of U.S. Highway 175 and Municipal Street for the Rochester Levee Project, Phase I - Not to exceed \$ 286,000 (\$283,000 plus closing costs not to exceed \$3,000) - Financing: U.S. Army Corps of Engineers Project Cooperation Funds

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

14. Authorize **(1)** a public hearing to be held on November 17, 2010 to receive comments on an amended City of Dallas proposal to submit an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$8,492,000 to provide funds for the Lancaster Urban Village Project for land acquisition at the southeast quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue and to fund a loan interest reserve, sitework, commercial development and development of a parking garage for a mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.); and at the close of the public hearing, **(2)** consideration of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan for the Lancaster Urban Village Project in an amount not to exceed \$8,492,000 - Financing: No cost consideration to the City

CORRECTIONS:

Park & Recreation

29. Authorize a professional services contract with ~~Armstrong Berger, Inc.~~ BA Group, LLC dba Armstrong Berger for schematic design through construction administration services for restoration of the historic elements; new walks from Lemmon Avenue and Hall Street; and other site improvements at Robert E. Lee Park located at 3400 Turtle Creek Boulevard - Not to exceed \$26,625 - Financing: 2006 Bond Funds

Note: The following item is now to be considered an Item for Individual Consideration.

Office of Financial Services

17. An ordinance establishing residential and commercial Rate Rider IR-Infrastructure Replacement for natural gas service to be charged by Atmos Energy Corporation - Financing: No cost consideration to the City