

Memorandum



CITY OF DALLAS

Date December 5, 2008

To Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

Subject Draft Addendum Item No. 21 (Council District – 1)

SUBJECT

Authorize a contract for the fabrication and installation of a site-specific artwork to be installed in the seating area where Bishop Street terminates into Davis Street - Graphic Content, Inc. - Not to exceed \$49,600 - Financing: 2003 Bond Funds

BACKGROUND

The City of Dallas Public Art Ordinance provides that all appropriations for city capital improvement projects shall include an amount equal to 1.5% (or .75%) of the total capital improvement project appropriation to be used for the design services of artists and for the creation of artwork for new city facilities (Dallas City Code Article X, SEC. 2-103(a). The public art project for the Bishop Arts District was included in the list of 2003 Bond Program public art projects approved by City Council on October 14, 2004 by Resolution No. 04-2933. Graphic Content, Inc. (Art Garcia) was selected by review process as directed by the City of Dallas Cultural Policy, and was approved by the Public Art Committee and the Cultural Affairs Commission.

ESTIMATED SCHEDULE OF PROJECT

Begin Fabrication	December 2008
Complete Fabrication	December 2009
Begin Installation	March 2009
Complete Installation	March 2009

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Cultural Affairs Commission approved the selection of artwork for the Bishop/Davis Street project on April 17, 2008.

FISCAL INFORMATION

\$ 49,600 – 2003 Bond Funds

ETHNIC COMPOSITION

Hispanic Male 1

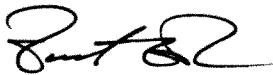
OWNER

Graphic Content, Inc.

Art Garcia

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- C: Honorable Mayor and Members of the City Council
 Mary K. Suhm, City Manager
 Deborah Watkins, City Secretary
 Thomas P. Perkins, Jr., City Attorney
 Craig D. Kinton, City Auditor
 C. Victor Lander, Judiciary
 Ryan S. Evans, First Assistant City Manager
 A.C. González, Assistant City Manager
 Ramon F. Miguez, P.E., Assistant City Manager
 Jill A. Jordan, P.E., Assistant City Manager
 David K. Cook, Chief Financial Officer
 Helena Stevens-Thompson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 61 (Council District No. 6)**

SUBJECT

Authorize **(1)** the acceptance and execution of a grant in the amount of \$1,000,000 from the Texas Parks and Wildlife Department for property acquisition and Phase I development of the Elm Fork Athletic Complex located near the 2200 Block of Walnut Hill Lane, **(2)** the allocation of \$1,000,000 in 2003 and 2006 bond funds for the City's required match of the grant; and **(3)** establishment of appropriations in the amount of \$1,000,000 in the Texas Parks and Wildlife Grant Fund - \$2,000,000 – Financing: 2003 Bond Funds (\$500,000), 2006 Bond Funds (\$500,000) and Texas Parks and Wildlife Grant Funds (\$1,000,000)

BACKGROUND

On March 26, 2008, the City Council approved Resolution No. 08-0883 for the application of a matching grant to the Texas Parks and Wildlife Department for property acquisition and Phase I development of the Elm Fork Athletic Complex, located along Walnut Hill Road west of I.H. 35E. The grant is in the amount of \$1,000,000 to be matched by the City of Dallas, Park and Recreation Department with \$1,000,000 in 2003 and 2006 bond program funds identified for the Elm Fork Athletic Complex.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the application for an Urban Outdoor Recreational Grant on February 21, 2008.

Authorized the application for an Urban Outdoor Recreational Grant on March 26, 2008, by Resolution No. 08-0883.

The Park and Recreation Board authorized the acceptance of the Urban Outdoor Recreational Grant on October 23, 2008.

FISCAL INFORMATION

Texas Parks and Wildlife Funds - \$1,000,000
2003 Bond Funds - \$500,000
2006 Bond Funds - \$500,000

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
 Mary K. Suhm, City Manager
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 Deborah A. Watkins, City Secretary
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 Judge C. Victor Lander
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 David K. Cook, Chief Financial Officer
 Helena Stevens-Thompson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

Date December 8, 2008

To Member of the Quality of Life Committee: Pauline Medrano, Chair Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

Subject **Draft Addendum (Council District - 7)**

SUBJECT

Authorize change order #1 to the construction contract for improvements and restoration of the Hall of State located at 3939 Grand Avenue - Gilbert May, Inc. dba Phillips/May Corporation - \$323,496 - Financing: 2006 Bond Funds (292,605) and Current Funds (\$30,891)

BACKGROUND

Construction will soon begin at the Hall of State at Fair Park which includes replacing the mechanical system, the electrical system, all of the roofs, installing a sprinkler system, restoring the skylights, providing accessibility improvements to the interior, and removing trees which are damaging the foundation and the exterior limestone veneered walls.

Since 1936, the Hall of State has been occupied by the Dallas Historical Society. Their mission is to protect, preserve, and present unique historical items. The basement of the Hall of State houses the collections of the Dallas Historical Society. This archive contains in excess of 2 million items which includes more than 10 thousand rare library volumes on Texas history and over one hundred thousand unique historic images. Its insurance value is estimated to be in excess of \$25 million.

The Board of the Dallas Historical Society is concerned about the security and indoor environmental quality of the archives area during the Hall of State Improvements and Restoration project. Changes to the environment including the introduction of humidity, dust, and vibration may be detrimental to the collection. This change order to the construction contract will provide funding to the Dallas Historical Society to perform protection of the collection at the sole discretion and liability of the Dallas Historical Society.

Draft Addendum (Council District – 7)

PRIOR ACTION/REVIEW COUNCIL, BOARDS, COMMISSIONS

On August 22, 2007, the City Council awarded the design contract by Resolution #07-2381.

On November 10, 2008, City Council Resolution No. 08-3052 authorized a construction services contract with Gilbert May, Inc. dba Phillips/May Corp. for the Hall of State Improvements and Restoration.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	November 2008
Complete Construction	August 2009

FISCAL INFORMATION

2006 Bond Funds - \$292,605

Current Funds - \$ 30,891

Recommendation

Staff recommends approval of this item.



Forest E. Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
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CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 57 (Council District No. 7)**

SUBJECT

Authorize a contract for the reconstruction of the Esplanade fountain, including reconstruction of the fountain basin, historic lights, historic pylon and paving; construction of new water features, mechanical equipment, underground vaults, electrical equipment, and landscaping; and restoration of the Parry Avenue gate at Fair Park – Roger's O'Brien Construction Company, Inc., best value proposer of four – Not to exceed \$12,664,365 – Financing: 2006 Bond Funds

BACKGROUND

This contract award is for the reconstruction of the Esplanade fountain, including reconstruction of the fountain basin, historic lights, historic pylon and paving; construction of new water features, mechanical equipment, underground vaults, electrical equipment, and landscaping; and restoration of the Parry Avenue gate at Fair Park to Rogers-O'Brien Construction Company, Inc., best value proposer of four, in an amount not to exceed \$12,664,365.

On June 19, 2008, the Park and Recreation Board approved the advertisement for a Request for Competitive Sealed Proposals for the reconstruction of the Esplanade fountain at Fair Park.

On August 21, 2008, four proposals were received and it was determined that Rogers-O'Brien Construction Company, Inc., was the best value proposer. Proposals based on RFCSP are evaluated on pre-set criteria which includes cost, qualifications of the prime contractor, construction amount and schedule ratings, which are based on mathematical formulas, with the best price and best schedule being given the highest scores. Ratings "1" to "10" are given for each criteria with "10" being the best rating. These ratings are multiplied by the weighting to obtain the score for each criteria.

PROPOSAL INFORMATION

*Denotes successful proposer

<u>Proposers</u>	<u>Base Bid</u>	<u>Alter. Nos. 1,3, & 4,**</u>	<u>Total Bid</u>	<u>Scores</u>
*Rogers-O'Brien Construction Co., Inc. 1901 Regal Row, Dallas, TX	\$10,951,650	\$1,712,715	\$12,664,365	2746.74
AUI Contractors, Inc.	\$11,357,000	\$1,408,000	\$12,765,000	2307.76
Gilbert May, Inc. dba Phillips/May Corporation	\$12,298,333	\$1,765,000	\$14,063,333	2171.86
Con-Real, LP			Withdrew***	

**Alternate No. 1 - provides for Parry Avenue gate restoration.

**Alternate No. 3 - provides for electrical for show fountain lighting.

**Alternate No. 4 - provides for sound for show fountain.

***Con-Real, LP withdrew their bid due to calculation error during the bid preparation for this project.

OWNERS

Rogers-O'Brien Construction Company, Inc.

Patrick D. O'Brien, Chairman of the Board
Preston McAfee, President and Chief Executive Officer

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

Draft Agenda Item No. 57

- c: Honorable Mayor and Members of the City Council
- Mary K. Suhm, City Manager
- Thomas P. Perkins, City Attorney
- Deborah A. Watkins, City Secretary
- Craig Kinton, City Auditor
- Judge C. Victor Lander
- Ryan S. Evans, First Assistant City Manager
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Memorandum



CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 62 (Council District No. 7)**

SUBJECT

Authorize **(1)** the acceptance of a reimbursable matching grant from Preserve America Grant Program in the amount of \$250,000, **(2)** a grant agreement with the United States Department of the Interior, administered by the National Park Service for a visitor information booth, permanent outdoor exhibit, interpretive signage and printed materials at Fair Park; and **(3)** the establishment of appropriations in the amount of \$250,000 in the Preserve America Grant Fund - \$500,000 – Financing: 2003 Bond Funds (\$250,000) and Preserve America Grant Funds (\$250,000)

BACKGROUND

This action authorizes acceptance of a grant from the U.S. Department of the Interior, administered by the National Park Services, in the amount of \$250,000 for the Fair Park Interpretation Program and approval to enter into a grant agreement with the National Park Service. This grant requires a 50%/50% match from the City of Dallas; thereby, the project budget is \$500,000. The City's share of the grant will be funded by the 2003 Bond Program.

The interpretation and educational program will include:

1. Visitor information booth
2. Permanent outdoor exhibit
3. Interpretive signage
4. Printed materials

The goals of this interpretation program are to promote and encourage the use of the site as a place for learning about history and historic preservation that will lead to economic benefits that will help to sustain the long-term care and continued restoration of the site. The program will lead to increased heritage tourism, which in turn will lead to economic development in the neighborhoods immediately adjacent to the park, making the entire experience of traveling to Fair Park more desirable.

ESTIMATED SCHEDULED OF PROJECT

Begin Design	April 2009
Completed Design	October 2009
Begin Construction	February 2010
Completed Construction	August 2010

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the application of the Preserve America Grant on May 15, 2008.

Authorized the acceptance of the Preserve America Grant on June 11, 2008, by Resolution No. 08-1688.

The Park and Recreation Board authorized the acceptance of the Preserve America Grant on November 20, 2008.

FISCAL INFORMATION

2003 Bond Funds - \$250,000
Preserve America Grant - \$250,000

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
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Memorandum



CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 106 (Council District No. 7)**

SUBJECT

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

BACKGROUND

Southern Sector Health Initiative, an affiliate of the Baylor Health Care System, proposes to partner with the Park and Recreation Department to renovate the existing Juanita J. Craft Recreation Center to serve as a Health and Wellness Center to improve the care and save the lives of people with diabetes by focusing on health care, prevention, education, and research in the Frazier Community of South Dallas.

To the extent that a Health and Wellness Center could be determined a use and, in accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a Public Hearing on the change of use of park land. In compliance with the law, the City of Dallas has determined that there is a need and that no prudent and feasible alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of park services. The public hearing will be held on December 10, 2008.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized a public hearing on November 6, 2008.

City Council authorized a public hearing on November 10, 2008.

FISCAL INFORMATION

No cost consideration to the City.

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
 Mary K. Suhm, City Manager
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CITY OF DALLAS

Date December 5, 2008

To Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

Subject Draft Addendum Item No. 47 (Council District – 9)

SUBJECT

Authorize a contract for the fabrication and installation of two site-specific artworks to be installed inside Lochwood Library, located at 11221 Lochwood Boulevard - Rex Kare - Not to exceed \$50,000 - Financing: 2003 Bond Funds

BACKGROUND

The City of Dallas Public Art Ordinance provides that all appropriations for City capital improvement projects shall include an amount equal to 1.5% (or .75%) of the total capital improvement project appropriation to be used for the design services of artists and for the creation of artworks for new City facilities (Dallas City Code Article X, SEC. 2-103(a)). The public art project for the Lochwood Library (Casa View Branch Library) was included in the list of 2003 Bond Program public art projects approved by City Council on October 14, 2004 by Resolution No. 04-2933. Artist Rex Kare was selected by review process as directed by the City of Dallas Cultural Policy, and was approved by the Public Art Committee and the Cultural Affairs Commission. The first sculpture will be located in the Library entryway and the second sculpture will extend along the Main Hall from the northern edge of the children's area to the periscope window at the northern end.

ESTIMATED SCHEDULE OF PROJECT

Begin Fabrication	March 2009
Complete Fabrication (Entryway)	June 2009
Complete Fabrication (Main Hall)	December 2009
Begin Installation	February 2010
Complete Installation	March 2010

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Cultural Affairs Commission approved on June 19, 2008.

FISCAL INFORMATION

\$ 50,000 – 2003 Bond Funds

ETHNIC COMPOSITION

Asian American Male 1

OWNER

Rex Kare

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- C: Honorable Mayor and Members of the City Council
 Mary K. Suhm, City Manager
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 Helena Stevens-Thompson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

Date December 8, 2008

To Member of the Quality of Life Committee: Pauline Medrano, Chair Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

Subject **Draft Agenda Item No. 48 (Council District - 11)**

SUBJECT

Authorize a construction contract for heating, ventilation, and air conditioning replacement for Fretz Park Library located at 6990 Beltline Road – American Mechanical Services of Texas, LLC, lowest responsible bidder of four - Not to exceed \$268,035 – Financing: 2006 Bond Funds (\$250,000) and 2003 Bond Funds (\$18,035)

BACKGROUND

Authorize a construction contract for heating, ventilation, and air conditioning replacement for Fretz Park Library located at 6990 Beltline Road – American Mechanical Services of Texas, LLC, lowest responsible bidder of four - Not to exceed \$268,035 – Financing: 2006 Bond Funds (\$250,000) and 2003 Bond Funds (\$18,035)

PRIOR ACTION/REVIEW COUNCIL, BOARDS, COMMISSIONS

This item has no prior action.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction February 2009
Complete Construction July 2009

Page 2

Draft Agenda Item No. 48 (Council District - 11)

FISCAL INFORMATION

2006 Bond Funds - \$250,000

2003 Bond Funds - \$18,035

Recommendation

Staff recommends approval of this item.



Forest E. Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
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Memorandum



CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 58 (Council District No. 11)**

SUBJECT

Authorize a contract for erosion control improvements at Anderson Bonner Park and trail improvements and site furnishings at White Rock Creek Greenbelt – Riverway Contractors and Management, Inc., lowest responsible bidder of three – Not to exceed \$1,135,680 – Financing: 2003 Bond Funds (\$758,217) and 2006 bond Funds (\$377,463)

BACKGROUND

On July 3, 2008 three bids were received for erosion control improvement at Anderson Bonner Park and trail improvements and site furnishings at White Rock Creek Greenbelt. This item authorizes award for the construction contract to Riverway Contractors and Management, Inc. for Base Bid and Alternate Nos. 1,2,3,4,5,6 and 7, with a total bid amount of \$1,135,679.50.

The following chart illustrates Riverway Contractors and Management, Inc.'s contractual activities with the City of Dallas for the past three years:

	<u>PWT</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	0	0	3
Change Orders	0	0	5
Projects Requiring			
Liquidated Damages	0	0	0
Projects Completed			
by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	May 2007
Completed Design	December 2007
Begin Construction	February 2009
Complete Construction	January 2010

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized the advertisement for bids on January 24, 2008.

The Park and Recreation Board authorized award of the contract on November 6, 2008.

FISCAL INFORMATION

2003 Bond Funds - \$758,217.00
2006 Bond Funds - \$377,462.50

ETHNIC COMPOSITION

Riverway Contractors and Management, Inc.

White Male	1	White Female	1
Black Male	0	Black Female	0
Hispanic Male	3	Hispanic Female	0
Other Male	0	Other Female	0

BID INFORMATION

The following three bids with quotes were received and opened on July 3, 2008:

*Denotes successful bidder

<u>Bidder</u>	<u>Base Bid</u>	<u>Alter. Nos. A1, A2,A3,A4,A5, A6, and A7**</u>	<u>Total Bid</u>
*Riverway Contractors and Management, Inc. 4237 Lively Lane, Dallas, TX	\$966,510.00	\$169,169.50	\$1,135,679.50
Geotechnical Environmental System, Inc.	\$1,100,428.85	\$138,584.40	\$1,239,013.25
Texas Standard Construction, Ltd.			Non-responsive***

**Alternate No. A1 - provides for a trail head.

**Alternate No. A2 - provides for a trail mile marker 1.

**Alternate No. A3 - provides for seating and trash receptacles.

**Alternate No. A4 - provides for a trail mile marker 2.

BID INFORMATION (Continued)

**Alternate No. A5 - provides for spilt rail fence.

**Alternate No. A6 - provides for landscaping and irrigation at trail head.

**Alternate No. A7 - provides for landscaping.

***Texas Standard Construction, Ltd. was deemed non-responsive due to the fact they did not utilize the revised bid proposal issued by Addendum.

OWNERS

Riverway Contractors and Management, Inc.

Richard Hightower, President
Sherry Hightower, Secretary/Treasurer

Recommendation

Staff recommends approval of this item.



Forest Turner

Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
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CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 59 (Council District No. 14)**

SUBJECT

Authorize a ten-year park beautification partnership program agreement with Cedar Springs Lofts Condominium Association, Inc. to maintain public property at Harry Hines Triangle, bounded by Harry Hines Boulevard, Cedar Springs Road, Ashland Street and Harwood Street - Financing: No cost consideration to the City

BACKGROUND

In November 1997 the City of Dallas Park and Recreation Department entered into a Mowmentum Agreement with Cedar Springs Lofts Condominium Association, Inc. for a period of five years with a five-year renewal option for the renovation and on-going maintenance of public property at Harry Hines Triangle, bounded by Harry Hines Blvd., Cedar Springs Road, Ashland Street and Harwood Street. The following site enhancements were made to the property under the initial agreement; irrigation system installation, landscaping, security lighting, park furniture, seasonal flowers, and an art sculpture at a cost of \$27,500. The agreement also included the on-going maintenance and upkeep of the property at a cost of approximately \$5,700 annually for a grand total of approximately \$84,500 for enhancements and maintenance over the term of the agreement. In December 2007, the City of Dallas Park and Recreation Department entered into a one-year Mowmentum Agreement with Cedar Springs Lofts Condominium Association, Inc., which will expire in December 2008.

Cedar Springs Lofts Condominium Association, Inc. wishes to continue to partner with the City of Dallas Park and Recreation Department for the on-going maintenance and up-keep of the public property at Harry Hines Triangle in accordance with the proposed deal points:

BACKGROUND (Continued)

1. Cedar Springs Lofts Condominium Association, Inc. (the sponsoring party) will provide all grounds maintenance to public property at Harry Hines Triangle (.08 acres), bounded by Harry Hines Blvd., Cedar Springs Road, Ashland Street and Harwood Street, for a period of ten (10) years, beginning December 15, 2008 through November 30, 2018. Grounds maintenance shall include weekly mowing and edging during the growing season April – October, daily litter removal, periodic forestry, irrigation, horticulture, fertilization, pesticide application, security lights, repair and upkeep of the park furniture and migratory bird control.
2. The sponsoring party will be responsible for all utility costs associated with this location.
3. Any pesticides (insecticides, herbicides, fungicides) applied to the site shall be within Environmental Protection Agency (EPA) and Texas Department of Agriculture (TDA) requirements and shall receive approval of the Dallas Park and Recreation Department or its authorized representative prior to application.
4. It is understood that no alterations will occur to the property without approval from the Dallas Park and Recreation Director or his authorized representative.
5. The sponsoring party will be responsible for all maintenance of the irrigation system. The irrigation system shall meet all watering conservation requirements as per City Code, Section 49 – 21.1, Conservation Measures Relating to Lawn and Landscape Irrigation. Any fines resulting from operating the system outside the restricted watering times will be the responsibility of the sponsoring party.
6. The existing monument/plaque shall not be removed, renovated, or facing direction changed unless approval is obtained from the Dallas Park and Recreation Board or its authorized representative.
7. All materials, tools, and equipment used in performing the maintenance of the property will be provided by the sponsoring party and shall be removed from the job site at the end of each working day or upon the request of the Park and Recreation Board or its authorized representative at any time.
8. The City of Dallas and the Park and Recreation Board shall not be liable for any loss or damage sustained by the sponsoring party in the execution of this agreement. The sponsoring party will exercise every reasonable precaution for the safety of the park property and the protection of any and all persons and or property located adjacent to or making passage through said property.

BACKGROUND (Continued)

9. The City of Dallas reserves the right to modify or remove any improvements as determined necessary by the Park and Recreation Department for accessibility and ease of maintenance should the Director determine that any one or combination of the following occur:

- a. The sponsoring party ceases to maintain the area in an acceptable manner; or
- b. The area becomes a hazard to the general public.

10. The city reserves the right to make use of the area should it become necessary for the installation of any public utilities or other city improvements.

11. It is understood among the parties that the City of Dallas is only granting a license to the other party to this agreement so that they may accomplish their own private goals regarding property maintenance. To that end, the parties to this agreement agree to indemnify and hold the City of Dallas harmless of and from costs, expenses, and suits arising from and in connection with the performances of acts, or the omission of any acts, by the parties of the agreement.

12. The parties reserve the right to terminate this agreement for convenience upon thirty (30) days written notice to the other party. Notwithstanding the foregoing, the city may terminate this agreement without any notice if City finds, in its sole discretion, that termination is necessary or convenient to the public interest, safety, health, or comfort.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board approved a ten-year maintenance agreement with Cedar Springs Lofts Condominium Association, Inc. on November 20, 2008.

FISCAL INFORMATION

No cost consideration to the City.

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
 - Mary K. Suhm, City Manager
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 - Ryan S. Evans, First Assistant City Manager
 - Ramon F. Miguez, P.E., Assistant City Manager
 - Jill A. Jordan, P.E., Assistant City Manager
 - A.C. Gonzalez, Assistant City Manager
 - David K. Cook, Chief Financial Officer
 - Helena Stevens-Thompson, Assistant to the City Manager

Memorandum



CITY OF DALLAS

Date December 5, 2008

To Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

Subject Draft Addendum Item No. 22 (Council District – 14)

SUBJECT

Authorize **(1)** the second amendment to the Performing Arts Center Development Agreement with the Dallas Center for the Performing Arts Foundation, Inc., an independent, nonprofit foundation, for the design and construction of the Annette Strauss Artist Square; and **(2)** the second amendment to the Performing Arts Center Use Agreement with the Dallas Center for the Performing Arts Foundation, Inc. for operation and use of the Annette Strauss Artist Square - Financing: No cost consideration to the City

BACKGROUND

The first action will authorize the Dallas Center for the Performing Arts Foundation, Inc. (DCPAF) to design and build the Annette Strauss Artists Square, pursuant to the terms of the Performing Arts Center Development Agreement dated as of December 15, 2005, subject to additional provisions and conditions whose purpose is to address the possible sound impact of the Strauss on the Meyerson Symphony Center (MSC). The DCPAF will incorporate the following elements in the final design and construction of the facility to address the possible sound impact: more robust concrete or grout filled CMU subwoofer compartments located below stage lip with an airspace or possibly a secondary wall; certain barrier walls intended to reduce low frequency subwoofer sound outside of the Strauss audience area; an uninterrupted continuous surface acoustic barrier on the stage tower and subwoofer compartments; a distributed sound system with directional speakers to serve the front audience and secondary speakers to serve patrons in the rear; use outdoor monitoring system near the MSC wall to inform sound system operators of sound protocols; and use computer aided sound monitoring and control systems, with trained operators.

The second action provides for the use and operations of the Annette Strauss Artist Square. Per the terms of the Performing Arts Center Use Agreement dated as of December 15, 2005, the DCPAF will have the responsibility and authority to use, manage and operate the Annette Strauss Artists Square as a public venue for entertainment, performing arts and cultural events. The administrative controls outlined in the Second Amendment are designed to address the possible sound impact of the Strauss on the Meyerson Symphony Center.

BACKGROUND (continued)

They include a joint plan for scheduling at the Meyerson and Strauss that includes no amplified sound events on certain dates identified by the City's Office of Cultural Affairs and the Dallas Symphony Association; restrictions on set-up and rigging activities and sound levels during the workweek; and enforceable performer contracts that require the use of in-house audio system for all performing acts and sets technical limits for allowable sound pressure levels.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	March 2009
Complete Construction	March 2010

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to the Cultural Affairs Committee on January 17, 2002.

Briefed to the Arts, Education & Libraries Committee on January 22, 2002.

Briefed Council on Office of Cultural Affairs' proposed bond projects on April 15, 2002.

Authorized a professional services contract with Corgan Associates, Inc. for the programming phase for the City Performance Hall, on June 9, 2004, by Resolution No. 04-1810.

Authorized a Development and Use Agreement with Dallas Center for the Performing Arts Foundation, Inc. on September 28, 2005, by Resolution No. 05-2859.

Briefed to the Quality of Life Committee on March 27, 2006.

Authorized Supplemental Agreement No. 1 to the contract with Corgan Associates, Inc. for the schematic design phase services for the full multi-phase facility identified in the programming phase, on May 10, 2006, by Resolution No. 06-1372.

Briefed to the Quality of Life Committee on architectural conceptual design on February 12, 2007.

Authorized Supplemental Agreement No. 2 to the contract with Corgan Associates, Inc. on June 13, 2007, by Resolution No. 07-1832.

Briefed Council on project status on August 1, 2007.

Briefed to the Quality of Life Committee on January 14, 2008.

Authorized a contract with McCarthy Building Companies, Inc. for construction manager at risk design phase services on January 23, 2008, by Resolution No. 08-0342.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

Briefed to the Quality of Life Committee on September 22, 2008.

Authorized the First Amendment to the Performing Arts Center Development and Use Agreement with Dallas Center for the Performing Arts Foundation, Inc. (DCPAF) for the design, construction, development, long-term possession, operation, maintenance and use of the City Performance Hall underground parking garage, on October 8, 2008, by Resolution No. 08-2793.

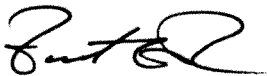
Briefed Council on November 19, 2008.

FISCAL INFORMATION

No cost consideration to the City.

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- C:
- Honorable Mayor and Members of the City Council
 - Mary K. Suhm, City Manager
 - Deborah Watkins, City Secretary
 - Thomas P. Perkins, Jr., City Attorney
 - Craig D. Kinton, City Auditor
 - C. Victor Lander, Judiciary
 - Ryan S. Evans, First Assistant City Manager
 - A.C. González, Assistant City Manager
 - Ramon F. Miguez, P.E., Assistant City Manager
 - Jill A. Jordan, P.E., Assistant City Manager
 - David K. Cook, Chief Financial Officer
 - Helena Stevens-Thompson, Assistant to the City Manager

Memorandum



DATE December 5, 2008

TO Quality of Life Committee:
Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Angela Hunt,
Sheffie Kadane, David A. Neumann, Steve Salazar

SUBJECT Council Agenda December 10, 2008 – Agenda Item #8

SUBJECT

Authorize a thirty-six-month service contract for the purchase, installation, application hosting service and maintenance of Global Positioning System equipment for route optimization of Sanitation fleet vehicles - Remote Dynamics, Inc., most advantageous proposer of six - Not to exceed \$697,059 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This service contract will provide Global Positioning System (GPS) equipment for full fleet deployment in the Sanitation Services Department (SAN). The contract work includes installation of GPS equipment, monitoring, training and reporting for use in the management of approximately 400 Sanitation field service vehicles.

By equipping the entire fleet, Sanitation will be able to maximize route efficiency by minimizing the use of overtime hours and fuel. The main function of the system is to provide real time tracking of all Sanitation vehicles. Real time tracking will allow for a more effective response to unanticipated needs such as missed collections or emergency situations. The GPS system will display on a map the path a vehicle travels which will aid in creating and improving vehicle routes. Reports generated by the system are capable of providing useful information on vehicles such as:

- fuel consumption
- extended stops
- long idle times
- length of time at one location
- number of households served
- speed of vehicle

The system is also capable of providing alerts for preventative maintenance scheduling by recording odometer readings and engine hours.

Proposals were presented to a five member selection committee.

- Sanitation - 2
- Equipment and Building Services - 2
- Communication and Information Services -1

BACKGROUND (Continued)

The successful proposer was selected by the committee on the basis of the demonstrated competence and qualifications under the following criteria:

- service and data reliability, availability and security - 15%
- user interface and reporting tools - 15%
- application integration ability - 12%
- large deployment references - 10%
- provider experience and management team - 10%
- provider stability and strength of balance sheet - 10%
- price - 10%
- customer support services & training - 10%
- expansion and upgrade flexibility - 8%

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services used its procurement system to send out 138 email bid notifications to vendors registered under respective commodities. To further increase competition, Business Development and Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally in an effort to secure more bids, notifications were sent by the Business Development and Procurement Services' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council – Southwest, to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On June 23, 2008, the Quality of Life Committee was briefed on Global Positioning System equipment.

FISCAL INFORMATION

\$697,058.52 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

27 - M/WBE Vendors contacted
27 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful vendor

138 M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.

ETHNIC COMPOSITION

Remote Dynamics, Inc.

Hispanic Female	0	Hispanic Male	1
Black Female	1	Black Male	1
Other Female	0	Other Male	0
White Female	9	White Male	9

PROPOSAL INFORMATION

The following proposals were received from solicitation number BHZ0812 and were opened on April 9, 2008. This service contract is being awarded in its entirety to the most advantageous proposer.

*Denotes successful proposer

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Pricing</u>
*Remote Dynamics, Inc.	200 Chisholm Place Suite 120 Plano, TX 75075	87.2	\$697,058.52
Radio Satellite Integrators, Inc.	19144 Van Ness Avenue Torrance, CA 90501	84.37	\$946,115.00
TeleTrak	2201 Brookhollow Plaza Arlington, TX 76006		Non-Responsive**
Verizon Wireless	750 State Hwy 121 Suite 100 Lewisville, TX 75067		Non-Responsive**
TrakPro, LLC	3457 Red Rock Street Las Vegas, NV 89146		Non-Responsive**
Enterprise ESP, LLC	14785 Preston Road Dallas, TX 75254		Non-Responsive**

**TeleTrak, Verizon Wireless, TrakPro, LLC and Enterprise ESP, LLC were deemed non-responsive due to not meeting minimum requirements.

OWNERS

Remote Dynamics, Inc.

Gary Hallgren, President
Greg Jones, Vice President
Keith Moore, Secretary
David Walters, Treasurer



David Cook
Chief Financial Officer

c: Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Administrative Judge Victor Lander, Judiciary
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manger
A.C. Gonzalez, Assistant City Manager
Forest Turner, Interim Assistant City Manager
Ade Williams, Director, Business Development and Procurement Services

Memorandum



CITY OF DALLAS

Date December 5, 2008

To Members of the Quality of Life Committee: Pauline Medrano (Chair), Vonciel Jones Hill (Vice Chair), Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David A. Neumann, Steve Salazar

Subject **Agenda Item No. 21 (Citywide)**

SUBJECT

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

BACKGROUND

This Memorandum of Understanding defines the working relationship between the City's Office of Emergency Management, Dallas Animal Services and the Society for the Prevention of Cruelty to Animals (SPCA of Texas), in preparation for and responding to certain disaster situations.

On a regional level, the SPCA of Texas responds to all kinds of disasters, whether or not they are the subject of a Presidential declaration. The disasters to which the SPCA of Texas responds include threatening events of such destructive magnitude and force as to dislocate people, separate family members, damage or destroy homes, or injure or kill people and animals.

The Federal Law governing disaster relief, found in Title 42, Chapter 68 of the United States Code defines "emergencies" and "major disasters", both of which require a Presidential determination.

Some disasters are natural disasters, such as floods, tornados, and epidemics. Human-caused disasters which may be intentional or unintentional include disasters such as residential fires, transportation accidents, and domestic acts of terrorism. The SPCA of Texas will respond in such disasters and assist with animal related disaster relief activities including animal rescue, sheltering and transport using available resources, at the request of City of Dallas, Dallas Animal Services.

Agenda Item No. 21 (Citywide)

BACKGROUND (Continued)

The SPCA of Texas emergency assistance may be provided to animals and their owners depending on the victim's needs. Care is provided through any combination of three integrated elements: (1) temporary shelters; (2) mobile animal rescue operations and transport, and (3) distribution of animal related relief supplies.

The SPCA of Texas disaster responses vary depending upon available resources and the nature and scope of the required response. Available personnel and resources will be deployed at the request of the Office of Emergency Management and Dallas Animal Services.

This MOU is effective as of February 10, 2008 and may be terminated by written notification from either party to the other at anytime for any reason or for no reason. It is not intended that this MOU be enforceable as a matter of law in any court or dispute resolution forum.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

Recommendation

Staff recommends approval of this item.



Forest E. Turner
Interim Assistant City Manager

- C: Honorable Mayor and Members of the City Council
- Mary K. Suhm, City Manager
- Deborah A. Watkins, City Secretary
- Thomas P. Perkins, Jr., City Attorney
- Craig Kinton, City Auditor
- Judge C. Victor Lander, Judiciary
- Ryan S. Evans, First Assistant City Manager
- A.C. Gonzalez, Assistant City Manager
- Ramon Miguez, P.E., Assistant City Manager
- Jill A. Jordan, P.E., Assistant City Manager
- David Cook, Chief Financial Officer
- Helena Stevens-Thompson, Assistant to the City Manager
- Joey Zapata, Interim Director, CCS
- Lynetta M. Kidd, Assistant Director, CCS

Memorandum



CITY OF DALLAS

DATE December 2, 2008

TO Members of the Quality of Life Committee: Pauline Medrano, Chair, Vonciel Jones Hill, Vice Chair, Carolyn R. Davis, Angela Hunt, Sheffie Kadane, David Neumann, Steve Salazar

SUBJECT **Draft Agenda Item No. 60 (Council District - Outside City Limits)**

SUBJECT

Authorize a ten-year agreement with two five-year renewal options, with Dallas Radio Control Flying Club for the placement, operation, and development of a radio control flying field at Simonds Lake Park located at 1911 Bowers Road, Seagoville, Texas - Financing: No cost consideration to the City

BACKGROUND

On September 7, 1988, the Dallas Radio Control Flying Club (DRCC) entered into a ten-year agreement with two five-year renewal options, with the City of Dallas Park and Recreation Department for the placement, development, construction, operation, and maintenance of a radio control flying field at Simonds Lake Park. In September 1998 and February 2004, the Dallas Radio Control Flying Club was given approval for each of the two five-year renewal options. This request seeks authorization to enter into another agreement for a period of ten years and that DRCC may renew this agreement on the same terms and conditions for two five-year periods.

Proposed deal points for DRCC are as follows:

1. DRCC shall develop, modify, finance, operate, and maintain the radio control flying field as necessary.
2. DRCC shall fund any improvements for the operation and maintenance of the premises. All plans, specifications, and construction schedules for any improvements shall be subject to the Director's review and approval.
3. DRCC will pay to the City an amount not less than the cost of maintaining the premises; or DRCC can elect to maintain the premises consistent with standards established by the Director.
4. All permanent improvements on the property shall become the property of the City at the completion of construction.

BACKGROUND (Continued)

5. DRCC shall have the right to regulate model aircraft operations consistent with approved state and federal safety regulations.
6. All areas of the premises, except the aircraft operating area, shall be open to the general public without restriction.
7. Membership in DRCC shall be open to all members of the general public without regard to race, sex, color, creed, religion, or national origin.
8. DRCC events and flying activities shall be free of charge to all spectators. Event participants may be assessed a registration fee, but it will not exceed \$25 per day.
9. The operations at the premises shall be open seven days a week, during all daylight hours or other agreed upon times, as approved by the Director.
10. DRCC is required to be a member in good standing with the Academy of Model Aeronautics (AMA).
11. Mufflers are required on all engines over .10 cubic inch displacement.
12. All flying shall be required to utilize an east/west flying pattern. Flying the airplanes over adjacent residences, highways, or spectator areas is not allowed. All aircraft operation must be done on approved frequencies according to AMA regulations.
13. The flying field shall be under the control of the Park and Recreation Department.
14. Any concession operations must be approved by the Director and must have appropriate health and food handling permits and licenses.
15. DRCC must have prior written approval from the Director to secure any grant funding on behalf of the premises.
16. DRCC shall be responsible for the supervision of its volunteers.
17. DRCC shall comply with applicable environmental, health and safety laws, and must meet applicable Office of Environmental Quality ("OEQ") and City of Dallas Environmental Management System requirements.
18. DRCC shall prepare an annual financial report during the month of January covering all transactions of the previous year during the Term of this Agreement.

BACKGROUND (Continued)

19. The initial term of this agreement shall be for a period of ten years. The City may renew this Agreement with approval of Director on the same terms and conditions for two five-year periods.

20. The Director may terminate this Agreement for convenience by providing written notice thirty (30) days in advance to DRCC.

21. DRCC shall pay for and maintain during the term of this agreement the minimum insurance required by the City and agrees to defend, indemnify, and hold the City, its officers, agents and employees harmless against all claims.

22. The City may review any and all of the services performed by DRCC under this Agreement and is granted the right to audit, at the City's election, all of DRCC's records relating to the performance of this Agreement.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Park and Recreation Board authorized the ten-year agreement on November 20, 2008.

City Council authorized the original contract on July 27, 1988, by Resolution No. 88-2358.

Park and Recreation Board authorized the original contract on February 18, 1988.

FISCAL INFORMATION

No cost consideration to the City.

Recommendation

Staff recommends approval of this item.



Forest Turner
Interim Assistant City Manager

- c: Honorable Mayor and Members of the City Council
 - Mary K. Suhm, City Manager
 - Thomas P. Perkins, City Attorney
 - Deborah A. Watkins, City Secretary
 - Craig Kinton, City Auditor
 - Judge C. Victor Lander
 - Ryan S. Evans, First Assistant City Manager
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 - David K. Cook, Chief Financial Officer
 - Helena Stevens-Thompson, Assistant to the City Manager