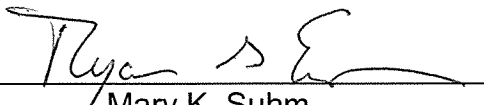


**FEBRUARY 18, 2009 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated February 18, 2009. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



Mary K. Suhm
City Manager

2-13-09
Date



Edward Scott
City Controller

2/13/09
Date

RECEIVED

2009 FEB 13 PM 8:55

CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

February 18, 2009

DATE

(FOR GENERAL INFORMATION AND RULES OF COURTESY PLEASE SEE OPPOSITE SIDE.)

(LA INFORMACIÓN GENERAL Y REGLAS DE CORTESÍA QUE DEBEN OBSERVARSE
DURANTE LAS ASAMBLEAS DEL CONSEJO MUNICIPAL APARECEN EN EL LADO OPUESTO, FAVOR DE LEERLAS.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on AT&T CityCable Channel 6B. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 before 9:00 a.m. on the meeting date. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación AT&T CityCable Canal 6B. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 9 de la mañana del día de la asamblea. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesia

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, FEBRUARY 18, 2009
CITY HALL
1500 MARILLA
DALLAS, TEXAS 75201
9:00 A.M.

9:00 am Invocation and Pledge of Allegiance 6ES

 Special Presentations

 Open Microphone Speakers

VOTING AGENDA 6ES

1. Approval of Minutes of the February 4, 2009 City Council Meeting
2. 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)

Briefings 6ES

- A. Budget Workshop #4 - Setting the Price of Government
- B. Line of Duty Death Benefits

ITEMS FOR INDIVIDUAL CONSIDERATION

Convention and Event Services

3. Approve the execution of a Hotel Developer Agreement between Matthews Holdings Southwest, Inc., and the Dallas Convention Center Hotel Development Corporation, the City's local government corporation - Financing: No cost consideration to the City
4. 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

Lunch

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, FEBRUARY 18, 2009

Briefings (Continued) 6ES

C. Sanitation Fleet Efficiencies with Global Positioning System

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

5. 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)

Closed Session 6ES

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

- United States of America v. City of Dallas, Texas,
Civil Action No. 3:08-CV-1063-K
- Legal issues relating to the Railroad Commission of Texas Gas Utilities Docket (GUD) No. 9762

Open Microphone Speakers 6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

PUBLIC MEETINGS FOR FEBRUARY 15 - FEBRUARY 28, 2009

Tuesday, February 24, 2009

Municipal Library Board

4:00 p.m.

J. Erik Jonsson Central Library, Municipal Library Board Room

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 18, 2009
COUNCIL DISTRICT(S): 2
DEPARTMENT: Convention and Event Services
CMO: A. C. Gonzalez, 671-8925
MAPSCO: N/A

SUBJECT

Approve the execution of a Hotel Developer Agreement between Matthews Holdings Southwest, Inc., and the Dallas Convention Center Hotel Development Corporation, the City's local government corporation - Financing: No cost consideration to the City

BACKGROUND

The Hotel Developer Agreement between the Dallas Convention Center Hotel Development Corporation (the "LGC") and Matthews Holdings Southwest, Inc. (MSW), sets forth terms pursuant to which MSW will or cause the Hotel Project Improvements Contractor (Balfour/Russell/Pegasus) to design, develop, construct, equip, furnish and complete the Convention Center Hotel Project within a guaranteed maximum price (GMP), and by the Hotel Completion Deadline (28 months from the date of Hotel Project bond financing). As consideration for MSW's services as Hotel Developer, MSW will receive a developer fee of 2.58% of the Hotel Budget, not to exceed \$15 Million, which fee is earned monthly beginning as of September 10, 2008. The total Hotel Project Budget, inclusive of MSW's developer fee and Contractor's GMP, as well as certain legal and accounting costs, shall not exceed \$346,055,154.

The Hotel Project program provides for a four star, full service convention center hotel consisting of approximately 1,000 guest rooms, with at least 80,000 square feet of meeting space, including an approximately 33,500 square foot senior ballroom, and an approximately 16,500 square foot junior ballroom, as well as structured parking for 720 vehicles. The hotel will have restaurants, an exercise facility and pool, and other supporting facilities consistent with a full-service, four-star convention center hotel and the operator's brand standard for such facilities and be designed and constructed to LEED Silver Certification Standards.

On August 20, 2008, by Resolution No. 08-2197, the City Council authorized the City Manager to execute a Memorandum of Understanding with MSW to assist in the development of the Hotel project.

BACKGROUND (Continued)

On August 20, 2008, by Resolution No. 08-2198, the City Council authorized the creation of a Local Government Corporation (LGC), named the Dallas Convention Center Hotel Development Corporation pursuant to the requirements of Subchapter D of the Texas Transportation Code, Chapter 431, to assist and act on behalf of the City in connection with design, financing, construction and ownership of the Hotel, and to provide a mechanism for financing hotel costs and to facilitate the development of the Hotel Project.

On September 10, 2008, by Resolution No. 08-2488, the City Council authorized the execution of a three party predevelopment Agreement between the City, MSW and the LGC, pursuant to which MSW agreed (i) to assist in the process of revising the project scope and Hotel Development Budget, (ii) to deliver to the City a proposed Project concept plan regarding the Hotel and non-Hotel development on the Site, (iii) to obtain the required architectural and construction estimating services, to enable MSW to execute a Developer Agreement by the December 10, 2008 deadline and a Guaranteed Maximum Price Construction Contract by the December 17, 2008 deadline for the development of the Hotel, and (iv) to provide funding of pre-development activities necessary for the further development of the hotel project.

The LGC, pursuant to an economic development grant provided by the City, authorized funding (on a 50/50 basis with MSW) up to \$4,000,000 (payable periodically, as invoiced, with appropriate backup) to cover the cost of certain fees payable under the design contracts for eligible pre-development costs incurred after execution of the Pre-Development Agreement and included in the Hotel Development Budget (Phase 1 Predevelopment costs).

On October 22, 2008, by Resolution No. 08-2907, the City Council authorized an amendment to the Predevelopment Agreement between MSW, City and LGC that authorized the LGC to fund an additional \$4,000,000 of pre-development services (Phase 2 Predevelopment costs) before the issuance of revenue bonds to finance development and construction of the hotel.

Both MSW and the LGC/City will be reimbursed for their pre-development expenses (Phase 1 and Phase 2 Predevelopment costs) to the extent such costs are included in the Hotel Development Budget, if and when revenue bonds to finance development and construction of the hotel are issued.

On December 10, 2008, by Resolution No. 08-3416, the City Council extended the deadline dates for the execution of the developer agreement and the GMP construction contract until January 31, 2009, and authorized the City Manager to finalize the developer agreement for approval by the City Council.

BACKGROUND (Continued)

This Resolution approves the finalized Hotel Developer Agreement, with the GMP Construction Contract in substantial form attached thereto, and authorizes the LGC to execute the Hotel Developer Agreement with MSW.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 20, 2008, by Resolution No. 08-2197, the City Council authorized the City Manager to execute a Memorandum of Understanding with Matthews Southwest to accomplish the next steps in development of a convention center hotel adjacent to the Dallas Convention Center, on the site commonly known as the Chavez site.

On August 20, 2008, by Resolution No. 08-2198, the City Council authorized the creation of a Local Government Corporation to be named the Dallas Convention Center Hotel Development Corporation for the purpose of aiding, assisting, and acting on behalf of the City in the performance of its governmental functions to promote the development of the geographic area of the City included or in the vicinity of the Dallas Convention Center in furtherance of the promotion, development, encouragement, and maintenance of employment, commerce, convention and meeting activity, tourism, and economic development in the City, and more specifically for financing the Dallas Convention Center Headquarters Hotel (the "Hotel").

On September 10, 2008, by Resolution No. 08-2488, the City Council authorized (1) execution of a three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's LGC for the development of a convention center hotel adjacent to the Dallas Convention Center on the site commonly known as the Chavez site, (2) an economic development grant in an amount not to exceed \$4,000,000 to the Dallas Convention Center Hotel Development Corporation for payment of specified pre-development costs in accordance with the terms of the three-party Pre-development Agreement (to be reimbursed from the sale of Hotel Revenue Bonds, (3) proceeding with geotechnical and environmental studies of the Chavez site in accordance with the previously approved Memorandum of Understanding between the City and Matthews Holdings Southwest, Inc., not to exceed \$4,000,000, (4) the establishment of appropriations in the amount of \$4,000,000 in the Convention Center Hotel Development Corp. (LGC) Fund, and (5) other matters related thereto.

On October 16, 2008, the City Council Economic Development Committee was briefed on the proposed amendment of the three-party Pre-Development Agreement.

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

On October 22, 2008, by Resolution No. 08-2907, the City Council authorized (1) execution of an amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the LGC to provide additional pre-development design services prior to issuance of hotel revenue bonds, (2) an economic development agreement in an amount not to exceed \$4,000,000 to the LGC for payment of specified pre-development services, in accordance with the terms for the three-party Pre-Development Agreement, as amended (to be reimbursed from the sale of Hotel Revenue Bonds), and (3) an increase in appropriations in the amount of \$4,000,000 in the Convention Center Hotel Development Corporation (LGC) Fund.

On November 20, 2008, the City Council Economic Development Committee was briefed on the hotel operator selection.

On December 5, 2008, the City Council Economic Development committee was briefed on the proposed amendment of the Pre-Development Agreement.

On December 10 2008, by Resolution No. 08-3416, the City Council authorized (1) amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's local government corporation (LGC) (Dallas Convention Center Hotel Development Corporation) to extend the deadline dates for execution of the developer agreement and the GMP construction contract until January 31, 2009, and (2) authorized the City Manager to finalize the documentation of the developer agreement for subsequent approval by the City Council and the LGC.

FISCAL INFORMATION

No cost consideration to the City

February 18, 2009

WHEREAS, the construction and operation of a convention center hotel would result in approximately \$2.5 billion in economic activity within the City over a 30 year period; and

WHEREAS, a survey of convention meeting planners demonstrates that an adjacent headquarters hotel is the leading criteria in selecting Dallas as a convention destination; and

WHEREAS, on December 27, 2007, a Request for Qualifications was advertised for a Convention Center Master Developer; and

WHEREAS, on May 21, 2008, by Ordinance No. 27186, the City Council authorized the sale of Certificates of Obligation for the purchase of the Chavez Site; and

WHEREAS on May 21, 2008, by Resolution No. 08-1486, the City Council authorized the purchase of the Chavez Site for the development of a convention center hotel; and

WHEREAS on June 16, 2008, Matthews Southwest was selected as the Master Developer for the convention center hotel; and

WHEREAS, on June 16, 2008, the Economic Development committee authorized negotiation of a Memorandum of Understanding with Matthews Holdings Southwest, Inc., for the development of a convention center hotel, and to proceed with selection of the Hotel Operator; and

WHEREAS, on June 19, 2008, the Chavez Site was purchased; and

WHEREAS on July 23, 2008, a Request for Proposals was advertised for a convention center hotel operator; and

WHEREAS, on August 20, 2008, the City Council authorized the execution of a Memorandum of Understanding with Matthews Holdings Southwest, Inc.; and

WHEREAS, on August 20, 2008, the City Council authorized creation of the Dallas Convention Center Hotel Development Corporation; and

WHEREAS, on September 10, 2008 the City Council authorized the execution of a three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's local government corporation (Dallas Convention Center Hotel Development Corporation) for the development of a convention center hotel; and

February 18, 2009

WHEREAS, on October 22, 2008, the City Council authorized (1) execution of an amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the LGC to provide additional pre-development design services prior to issuance of hotel revenue bonds, (2) an economic development agreement in an amount not to exceed \$4,000,000 to the LGC for payment of specified pre-development services, in accordance with the terms for the three-party Pre-Development Agreement, as amended (to be reimbursed from the sale of Hotel Revenue Bonds), and (3) an increase in appropriations in the amount of \$4,000,000 in the Convention Center Hotel Development Corporation (LGC) Fund; and

WHEREAS, on December 10, 2008, the City Council authorized (1) an amendment of the three-party Pre-Development Agreement to extend the deadline dates for the execution of the developer agreement and the GMP construction contract until January 31, 2009, and (2) authorized the City Manager to finalize the documentation of the developer agreement for subsequent approval by the City Council and the Dallas Convention Center Hotel Development Corporation; and

WHEREAS, the Hotel Developer Agreement between Matthews Holdings Southwest, Inc., and the Dallas Convention Center Hotel Development Corporation, with the GMP construction contract in substantial form attached thereto, has been finalized;

Now Therefore,

BE IT RESOLVED BY; THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Hotel Developer Agreement between the Dallas Convention Center Hotel Development Corporation and Matthews Holdings Southwest, Inc., with the GMP construction contract in substantial form attached thereto, is hereby approved.

SECTION 2. That the City Council approves the execution of the Hotel Developer Agreement by the Dallas Convention Center Hotel Development Corporation ("LGC").

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 4

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: February 18, 2009
COUNCIL DISTRICT(S): 2
DEPARTMENT: Convention and Event Services
CMO: A. C. Gonzalez, 671-8925
MAPSCO: N/A

SUBJECT

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

BACKGROUND

Omni Hotels is locally owned and operated. They operate 39 luxury hotels and resorts in North America. In 2006, J.D. Power and Associates ranked Omni "Highest in Guest Satisfaction Among Upscale Hotel Chains." Omni Hotels has a well-balanced customer base: Group – 47%, Business – 36%, Leisure – 17%. Based on all factors Omni is the preferred Operator.

The current hotel program provides for approximately 1,000 guest rooms and includes an approximately 80,000 square feet of ballroom and meeting room space, as well as structured parking for 720 vehicles.

The hotel will have restaurants, an exercise facility and pool, and other supporting facilities consistent with a full-service four-star convention center hotel and Omni's brand standard for such amenities.

The Hotel Operating Agreement will be entered into by the City's LGC and Omni Hotels Management Corporation. The agreement will be a qualified management agreement for a term of 15 years.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On February 11, 2009 this item was deferred by Council majority.

On December 10, 2008, by Resolution No. 08-3416, the City Council authorized (1) amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's local government corporation (LGC) (Dallas Convention Center Hotel Development Corporation) to extend the deadline dates for execution of the developer agreement and the GMP construction contract until January 31, 2009, and (2) authorized the City Manager to finalize the documentation of the developer agreement for subsequent approval by the City Council and the LGC.

On December 5, 2008, the City Council Economic Development Committee was briefed on the proposed amendment of the Pre-Development Agreement.

On November 20, 2008, the City Council Economic Development Committee was briefed on the hotel operator selection.

On October 22, 2008, by Resolution No. 08-2907, the City Council authorized (1) execution of an amendment of the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the LGC to provide additional pre-development design services prior to issuance of hotel revenue bonds, (2) an economic development agreement in an amount not to exceed \$4,000,000 to the LGC for payment of specified pre-development services, in accordance with the terms for the three-party Pre-Development Agreement, as amended (to be reimbursed from the sale of Hotel Revenue Bonds), and (3) an increase in appropriations in the amount of \$4,000,000 in the Convention Center Hotel Development Corporation (LGC) Fund.

On September 10, 2008, by Resolution No. 08-2488, the City Council authorized (1) execution of a three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's LGC for the development of the Hotel on the site commonly known as the Chavez site, (2) an economic development agreement in an amount not to exceed \$4,000,000 to the LGC for payment of specified pre-development costs in accordance with the terms of the three-party pre-development Agreement (to be reimbursed from the sale of Hotel Revenue Bonds), (3) proceeding with geotechnical and environmental studies of the Chavez site in accordance with the previously approved memorandum of Understanding between the City and Matthews Holdings Southwest, Inc., not to exceed \$400,000, (4) establishment of appropriations in the Convention Center Hotel Development Corporation (LGC) Fund, and (5) other matters related thereto.

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

On August 20, 2008, by Resolution No. 08-2198, the City Council authorized the creation of a local government corporation to be named the Dallas Convention Center Hotel Development Corporation for the purpose of aiding, assisting, and acting on behalf of the City in the performance of its governmental functions to promote the development of the geographic area of the City included or in the vicinity of the Dallas Convention Center in furtherance of the promotion, development, encouragement, and maintenance of employment, commerce, convention and meeting activity, tourism, and economic development, in the City and more specifically for financing the Dallas Convention Center Headquarters Hotel (the "Hotel").

FISCAL INFORMATION

No cost consideration to the City

February 18, 2009

WHEREAS, the construction and operation of a convention center hotel would result in approximately \$2.5 billion in economic activity within the City over a 30 year period; and

WHEREAS, a survey of convention meeting planners demonstrates that an adjacent headquarters hotel is the leading criterion in selecting Dallas as a convention destination; and

WHEREAS, on August 20, 2008, by Resolution No. 08-2198, the City Council authorized creation of the Dallas Convention Center Hotel Development Corporation (the LGC); and

WHEREAS, on September 10, 2008, by Resolution 08-2488, the City Council authorized the execution of a three-party, Pre-Development Agreement between Matthews Holdings Southwest, Inc., (MSW), the City of Dallas and the LGC for development of a convention center hotel; and

WHEREAS, on November 20, 2008, the City Council Economic Development Committee was briefed on the hotel operator selection; and

WHEREAS, on December 10, 2008, by Resolution No. 08-3416, the City Council authorized (1) an amendment to the three-party Pre-Development Agreement between Matthews Holdings Southwest, Inc., the City of Dallas and the City's LGC to extend the deadline dates for execution of the developer agreement and the GMP construction contract until January 31, 2009, and (2) authorized the City Manager to finalize the documentation of the developer agreement for subsequent approval by the City Council and the LGC.

Now Therefore;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Hotel Operating Agreement between Dallas Convention Center Hotel Development Corporation and Omni Hotels Management Corporation, substantially in the form attached hereto, is hereby approved, and the LGC is authorized to execute the Hotel Operating Agreement, with such modifications and changes as may be deemed necessary by the LGC bond counsel and the City Attorney, and further subject to approval by the board of directors of the LGC. The execution of the Hotel Operating Agreement is contingent upon the subsequent approval by the City Council and LGC board of directors of certain related Hotel operating documents, such as the Guaranty, the Room Block Agreement, the Cash Management Agreement, the Technical Services/Pre-Opening Agreement, and Omni's commitment regarding ancillary development.

February 18, 2009

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

AGENDA ITEM # 5

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: February 18, 2009

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Sanitation Services
Communication and Information Services
Equipment & Building Services

CMO: Dave Cook, 670-7804
Ramon F. Miguez, P.E., 670-3308
Forest E. Turner, 670-3390

MAPSCO: N/A

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

BACKGROUND (Continued)

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

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 January 14, 2009, this item was deferred by vote by City Council.

On December 10, 2008, this item was deferred by vote by City Council.

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.

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

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**

PROPOSAL INFORMATION (Continued)

<u>Proposers</u>	<u>Address</u>	<u>Score</u>	<u>Pricing</u>
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.

OWNER

Remote Dynamics, Inc.

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: 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)

Remote Dynamics, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$16,475.00	2.36%
Total non-local contracts	\$680,583.52	97.64%
TOTAL CONTRACT	\$697,058.52	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Beacon Training Services, Inc.	WFWB38702N0909	\$16,475.00	100.00%
Total Minority - Local		\$16,475.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$16,475.00	100.00%	\$16,475.00	2.36%
Total	\$16,475.00	100.00%	\$16,475.00	2.36%

February 18, 2009

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the City Manager is authorized to execute a service contract with Remote Dynamics, Inc. (VS0000030862) for the purchase, installation, application hosting service and maintenance of Global Positioning System equipment for route optimization of Sanitation fleet vehicles for a term of thirty-six months in an amount not to exceed \$697,058.52, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Remote Dynamics, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Remote Dynamics, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$697,058.52 (subject to annual appropriations):

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>AMOUNT</u>
0001	SAN	3581	3099	\$504,707.52
0001	SAN	3581	2761	\$192,351.00

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so resolved.

DISTRIBUTION:

Business Development and Procurement Services, 3FS
 Equipment & Building Services
 Sanitation Services
 Communication & Information Services

