JUNE 25, 2008 CITY COUNCIL AGENDA
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated June 25, 2008. 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

Edward Scott
City Controller

6-13-08
Date

6/13/08
Date
June 25, 2008

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.)
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/TTDD. 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 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/TTDD). 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 Cortesía

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 de 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 (pagers) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

“Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de 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 MEETING
WEDNESDAY, JUNE 25, 2008
ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.  INVOCATION AND PLEDGE OF ALLEGIANCE
OPEN MICROPHONE

MINUTES  Item 1

CONSENT AGENDA  Items 2 - 86

ITEMS FOR INDIVIDUAL CONSIDERATION
No earlier than 9:30 a.m.  Items 87 - 89

PUBLIC HEARINGS AND RELATED ACTIONS
1:00 p.m.  Items 90 - 117

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.
AGENDA
CITY COUNCIL MEETING
JUNE 25, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA
1. Approval of Minutes of the June 11, 2008 City Council Meeting

CONSENT AGENDA

Aviation

2. Authorize approval of a five year lease agreement for restaurant space at Dallas Executive Airport - MD Promenade, Inc. most advantageous proposer of three - Estimated Annual Revenue: $2,400

3. Authorize two supplements to the lease agreement with the Transportation Security Administration to (1) extend the existing lease term by eighteen months, from April 1, 2008 through September 30, 2009, and (2) add an additional 622 square feet of terminal building office space to the lease and increase the rental revenue to the City in the amount of $7,325, from $56,737 to $64,062 at Dallas Love Field - Estimated Revenue: $64,062
CONSENT AGENDA (Continued)

**Business Development & Procurement Services**

4. Authorize a thirty-six-month service contract for temporary clerical and professional labor - EuroStaff, A Division of EuroSoft, Inc., lowest responsible bidder of ten - Not to exceed $13,916,357 - Financing: Current Funds ($12,166,570), Water Utilities Current Funds ($1,749,787) (subject to annual appropriations)

5. Authorize the purchase of nineteen ambulances - San Antonio Ambulance Sales, Inc., through the Houston-Galveston Area Council of Governments - Not to exceed $2,270,607 - Financing: Current Funds

6. Authorize the purchase of three sky watch towers to be used by Dallas Police Department - ICx Tactical Platforms, lowest responsible bidder of two - Not to exceed $234,534 - Financing: Current Funds ($74,534), Bureau of Justice Assistance Grant Funds ($160,000)

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

8. Authorize a thirty-six-month master agreement for blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants and Children clinics - Products Unlimited, Inc., lowest responsible bidder of three - Not to exceed $505,440 - Financing: Texas Department of State Health Services Grant Funds

9. Authorize a thirty-six-month master agreement for tires and tubes - Gray's Wholesale Tire in the amount of $5,008,503, Southern Tire Mart in the amount of $1,387,205, Wingfoot Commercial Tire Systems, LLC. in the amount of $636,379, Wade International Corporation in the amount of $354,420, and Tire Centers, LLC. in the amount of $308,762, lowest responsible bidders of five - Total not to exceed $7,695,269 - Financing: Current Funds

10. Authorize a twelve-month master agreement for refuse trucks, transfer trucks, forklifts and air compressors - Metro Ford Truck Sales, Inc. in the amount of $2,020,016, Rush Truck Center through Buyboard, a Texas Local Government Purchasing Cooperative in the amount of $1,246,511, Equipment Southwest, Inc. in the amount of $791,500, Southwest International Trucks, Inc. in the amount of $312,998, Volvo Construction Equipment in the amount of $207,381, B & C Body Co. in the amount of $72,188 and Stewart and Stevenson in the amount of $78,170, lowest responsible bidders of eleven - Total not to exceed $4,728,764 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes ($4,193,094), 2006 Equipment Acquisition Contractual Obligation Notes ($352,083), Water Utilities Current Funds ($183,587)
CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

11. Authorize a twenty-four-month master agreement for energy efficient light bulbs and tubes for City facilities - Facility Solution Group, Inc. in the amount of $295,366, Voss Electric Co. in the amount of $202,202, Simba Industries in the amount of $33,048, and Dallas Light Bulb Delivery in the amount of $9,750, lowest responsible bidders of four - Total not to exceed $540,366 - Financing: Current Funds

12. Authorize (1) renewal of a thirty-six-month license agreement for Microsoft software through the State of Texas Department of Information Resources - Software House International in the amount of $3,684,522; and (2) renewal of a thirty-six-month Enterprise agreement for support of Microsoft licensing services through the State of Texas Department of Information Resources - Microsoft Corporation in the amount of $180,197 - Total not to exceed $3,864,719 - Financing: Current Funds (subject to annual appropriations)

13. Authorize a thirty-six-month service contract for pre-employment background checks - Sterling Testing Systems, Inc., best value bidder of four - Not to exceed $87,800 - Financing: Current Funds (subject to annual appropriations)

City Attorney’s Office

14. Authorize settlement of a claim filed by Kelayia Hampton, Claim No. 06164739 - Not to exceed $12,000 - Financing Current Funds

15. Authorize settlement of the lawsuit styled Barbara Wright McCoy v. City of Dallas, Cause No. 07-12140-B - Not to exceed $20,000 - Financing: Current Funds

16. Authorize settlement of the lawsuit styled Dorothy Wherry et al. v. City of Dallas, Cause No. 06-18432-C - Not to exceed $13,000 - Financing: Current Funds

17. Authorize settlement of the lawsuit styled Sarah Carp v. City of Dallas, Cause No. 07-04838-G - Not to exceed $150,000 - Financing: Current Funds

18. Authorize settlement of the lawsuit styled James Muise v. Dallas County, et al., Civil Action No. 3:07-CV-0476-O - Not to exceed $10,000 - Financing: Current Funds

19. Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Office of Karen J. Tracy for additional legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K - Not to exceed $50,000, from $25,000 to $75,000 - Financing: Current Funds
CONSENT AGENDA (Continued)

City Attorney's Office (Continued)

20. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed $60,000, from $25,000 to $85,000 - Financing: Current Funds

21. Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services necessary in connection with litigation and related matters involving Dallas Love Field and the Wright Amendment compromise - Not to exceed $260,000, from $1,675,000 to $1,935,000 - Financing: Aviation Current Funds

Communication and Information Services

22. Authorize an increase in the contract amount and execute a supplemental agreement, if needed, to make the final payment for a thirty-six-month Microsoft State and Local Government Enterprise Agreement through the Department of Information Resources, State of Texas, representative, Software House International, Inc., for computer software products including MS Office, MS Windows, etc., support services, compliance with licensing requirements, and support for additional desktop and server software - Not to exceed $420,445, from $4,156,179 to $4,576,624 - Financing: Current Funds

Department of Development Services

23. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Joel (Jody) V. King of approximately 126,850 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $56,528 ($55,328 plus closing costs not to exceed $1,200) - Financing: Water Utilities Capital Construction Funds

24. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert S. Ainsworth and Janet D. Ainsworth of approximately 24,544 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $65,599 ($64,399 plus closing costs not to exceed $1,200) - Financing: Water Utilities Capital Construction Funds

25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John P. Dowell, Jr. of approximately 34,172 square feet of land improved with a single-family dwelling and workshop located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $299,157 ($295,667 plus closing costs not to exceed $3,490) - Financing: Water Utilities Capital Construction Funds
CONSENT AGENDA (Continued)

Department of Development Services (Continued)

26. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Richard C. Bennett and Carol Denise Bennett, of approximately 43,560 square feet of land improved with a single-family dwelling, workshop and storage building located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $303,437 ($300,237 plus closing costs not to exceed $3,200) - Financing: Water Utilities Capital Construction Funds

27. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land containing a total of approximately 83,372 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - Not to exceed $246,126 ($242,026 plus closing costs not to exceed $4,100) - Financing: Water Utilities Capital Construction Funds

28. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from American Investors in Real Estate Online, Inc., of approximately 7,214 square feet of land improved with a single-family dwelling located near the intersection of Belknap Street and Southerland Avenue for Cedar Crest Golf Course Park - Not to exceed $29,000 ($27,500 plus closing costs not to exceed $1,500) - Financing: Golf Improvement Trust Funds

29. An ordinance amending Chapter 43 of the Dallas City Code to: (1) authorize approval of indented on-street parking based on certain criteria; (2) provide notice requirements; (3) establish application and appeal fees; and (4) provide an appeal process - Financing: No cost consideration to the City

Economic Development

30. Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 05-3539 on December 14, 2005, to allow the creation of single-family PIDs and allow for exceptions of the policy under certain, limited conditions - Financing: No cost consideration to the City

31. Authorize approval of By-Laws for Tax Increment Financing Zone Number Fifteen (Fort Worth Avenue TIF District) - Financing: No cost consideration to the City
CONSENT AGENDA (Continued)

Economic Development (Continued)

Note: Item Nos. 32 and 33 must be considered collectively.

32. * Authorize (1) the City Manager to execute a development agreement with Bishop Colorado Retail Plaza, L.P., (the "Developer") in an amount not to exceed $350,000 payable from future Oak Cliff Gateway TIF funds and or TIF Bond Funds in consideration of Bishop Colorado Retail Plaza, L.P developing the 1222 North Bishop Avenue property in accordance with the Oak Cliff Gateway TIF Project Plan and the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District; and (2) the Oak Cliff Gateway TIF District Board of Directors to dedicate up to $350,000, payable from Oak Cliff Gateway TIF revenues and or TIF Bond Funds in accordance with the development agreement - $350,000 - Financing: To be funded solely from the Oak Cliff Gateway TIF District Funds and or TIF Bond Funds

33. * A resolution declaring the intent of the Oak Cliff Gateway TIF District to reimburse Bishop Colorado Retail Plaza, L.P., for eligible expenditures pursuant to the development agreement with Bishop Colorado Retail Plaza, L.P. in an amount not to exceed $350,000, payable for certain TIF-eligible project costs related to the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

Environmental & Health Services

34. Authorize a seven-year lease agreement with S&S Shopping Centers, Ltd. for approximately 6,000 square feet of office space located at 9009 Bruton Road, Suite 441, to be used as a Women, Infants and Children Clinic for the period September 1, 2008 through August 31, 2015 - Not to exceed $619,500 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

35. Authorize an amendment to the lease agreement with Jefferson Tower, L.P., whom conveyed its property to SourceOne Capital, L.P. by deed dated June 9, 2006, to extend the term of the lease for six additional months at the leased facility located at 351 West Jefferson Boulevard, Suite 300, to be used as a Women, Infants and Children Clinic for the period July 1, 2008 through December 31, 2008 - Not to exceed $45,493 - Financing: Department of State Health Services Grant Funds

36. Authorize an amendment to the lease agreement with Ridgewood VSC Garland, LP., formerly Garland Development Group, L.P., for an additional seven years, to include an additional area of approximately 2,400 square feet of space and improvements for a total of approximately 5,354 square feet of office space in the Ridgewood Village Shopping Center located at 3050 South First Street, Suite 207, Garland, Texas, to be used as a Women, Infants and Children Clinic and office for the period September 1, 2008 through December 31, 2015 - Not to exceed $600,336 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)
CONSENT AGENDA (Continued)

Environmental & Health Services (Continued)

37. Authorize an amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2007 through September 30, 2008 - Not to exceed $514,823, from $11,116,800 to $11,631,623 - Financing: Department of State Health Services Grant Funds

38. Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $61,384, from $90,433 to $151,817 - Financing: Texas Commission on Environmental Quality Grant Funds

39. Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate and maintain an ambient air monitoring station in Rockwall County; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $19,640, from $84,254 to $103,894 - Financing: Texas Commission on Environmental Quality Grant Funds

40. Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate and maintain whole air samplers and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $147,616, from $622,000 to $769,616 - Financing: Texas Commission on Environmental Quality Grant Funds

41. Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to provide air pollution control services in the amount of $530,421, from $1,591,263 to $2,121,684; (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009; and (3) provide a local match in an amount not to exceed $261,252, from $783,756 to $1,045,008 - Total not to exceed $791,673, from $1,591,263 to $2,382,936 - Financing: Texas Commission on Environmental Quality Grant Funds ($530,421) and Current Funds ($261,252) (subject to appropriations)

42. Authorize (1) the acceptance of a Transitional Supportive Housing Grant in the amount of $149,912 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2008 through November 30, 2009; (2) a local match in an amount not to exceed $9,978; and (3) execution of the grant agreement - Total not to exceed $159,890 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($149,912) and Current Funds ($9,978) (subject to appropriations)
CONSENT AGENDA (Continued)

Environmental & Health Services (Continued)

43. Authorize (1) the acceptance of a Transitional Supportive Housing Grant in the amount of $250,598 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2008 through September 30, 2009; (2) a local match in an amount not to exceed $15,866; and (3) execution of the grant agreement - Total not to exceed $266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($250,598) and Current Funds ($15,866) (subject to appropriations)

Equipment & Building Services

44. Authorize a contract for the installation of a fire and burglar alarm system at the Dallas Heritage Village located at 1515 South Harwood Street - Entech Sales and Service, Inc. - $284,431 - Financing: 2006 Bond Funds

45. Authorize a professional services contract with Campos Engineering, Inc., for the design of an alternate police and fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road - $64,500 - Financing: 2006 Bond Funds

46. Authorize a professional services contract with Jaster-Quintanilla Dallas, LLP to provide design and construction administration for repairs to the parking garage at the Jack Evans Police Headquarters located at 1000 Bellevue Street - Not to exceed $67,501 - Financing: 2006 Bond Funds

Housing

47. A resolution declaring 6 properties unwanted and unneeded and authorizing their conveyance by Deed without Warranty to Kaminski Holdings, Inc., for $10 and provision of mixed-use development on the properties within 3 years of execution of the deed and conveyance of 2 properties to the City (list attached) - Financing: No cost consideration to the City

48. Authorize a loan in the amount of $500,000 at 0% interest to Texas Heavenly Homes, Ltd., for the acquisition of improved and unimproved properties in the Bottom, an area bounded by I-35 to the west, Trinity River to the north, Corinth Street to the east and 8th Street to the south and for associated relocation, environmental remediation, or demolition costs to construct a portion of the residential development component of the Economic Development Project in the Bottom, as detailed in the Community-wide Master Plan for the area - Not to exceed $500,000 - Financing: 2006 Bond Funds
CONSENT AGENDA (Continued)

Housing (Continued)

49. Authorize (1) adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #4 to reprogram $1,000,000 of the Downtown Mortgage Assistance Program to the Mortgage Assistance Program; and (2) a public hearing to be held on August 13, 2008 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

50. Authorize a professional services contract with Building Community Workshop to provide the research, recommendation, design and preparation of construction documents for six single-family residential house plans and make these plans available for use by applicants who have been qualified to receive a Reconstruction/SHARE Program home - $104,000 - Financing: 2007-08 Community Development Grant Funds

Library

51. Authorize the receipt and deposit of funds from Byron A. Parker ("Executor") of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased for the benefit of the Oak Lawn Branch of the Dallas Public Library - $174,392 - Financing: Private Funds

Office of Cultural Affairs

52. Authorize payment to the Dallas Black Dance Theatre for operations and maintenance costs for the city owned facility, in accordance with the terms of the Master Agreement, previously approved on December 14, 2005, by Resolution No. 05-3604 - Not to exceed $93,000 - Financing: Current Funds

Office of Financial Services

53. Authorize a resolution extending the City Council’s decision deadline for Atmos Energy Corp., Mid-Tex Division’s proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment for the period July 22, 2008 through September 5, 2008 - Financing: No cost consideration to the City

54. Authorize approval of the issuance of bonds not to exceed $20,000,000 by the Texas Regional Development Corporation for the benefit of TXI Aviation I, LLC dba Vitesse Aviation Services, a Texas limited liability (the “Borrower”) whose sole member is Valtec Capital Corporation, a Nevada corporation - Financing: No cost consideration to the City

55. Authorize (1) adoption of the final FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $33,124,448 for the following programs and estimated amounts: (a) Community Development Block Grant in the amount of $19,321,137; (b) HOME Investment Partnerships Program in the amount of $7,925,416; (c) American Dream Down-Payment Initiative in the amount of $72,460; (d) Housing Opportunities for Persons with AIDS in the amount of $3,332,000; and (e) Emergency Shelter Grant in the amount of $772,437; and (2) adoption of the final FY 2007-08 Reprogramming Budget in the amount of $1,700,998 - Financing: No cost consideration to the City
CONSENT AGENDA (Continued)

Office of Financial Services (Continued)

56. Authorize the Big Lake Education Finance Corporation (the “Corporation”) to finance, in an aggregate principal amount not to exceed $10,000,000, for the benefit of The St. Alcuin Montessori School (the "School"), a portion of the costs of constructing, improving and equipping certain educational facilities at the School’s campus located at 6144 Churchill Way, Dallas, Texas 75230, including (1) a new school building for middle school students and upper elementary students, including related soccer and parking facilities; and (2) a new school building to house a library, a gymnasium and a community center (the "Project") - Financing: No cost consideration to the City

Park & Recreation

57. Authorize a twelve-month Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period of August 1, 2008 through August 31, 2009 - Not to exceed $264,137 - Financing: Current Funds ($210,708) (subject to appropriations) and 2008-09 Community Development Grant Funds ($53,429)

58. Authorize a professional services contract with Brinkley Sargent Architects for an Indoor and Outdoor Recreation Master Plan for base mapping, collection of data on leagues, athletic associations and recreation programs, interviews with key entities and stakeholders, trends analysis, staff workshops, public meetings, demographic analysis, development of programming strategies, recreation program analysis, partnership analysis, analysis of programming and operational issues, and a final report - $477,500 - Financing: 2006 Bond Funds

59. Authorize an increase in the contract with Reeves Construction Services, Inc. for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane - $95,052, from $457,570 to $552,622 - Financing: 2003 Bond Funds

60. Authorize a public hearing to be held on August 13, 2008 to receive comments on the proposed use of a portion of the Lower White Rock Creek Greenbelt by Dallas Area Rapid Transit for a tie-back easement to allow for the installation of an underground Soil Nail Wall System to support the Southeast Corridor Light Rail Transit Line - Financing: No cost consideration to the City

61. Authorize a public hearing to be held on August 13, 2008 to receive comments on the use of subsurface parkland for natural gas drilling and mineral production at Arcadia Park, Arlington Park, Bachman Lake Park, Brownwood Park, California Crossing Park, Cedar Ridge Preserve, City Paupers Cemetery, Crown Park, Elm Fork Greenbelt, Emerald Lake Park, Emma Carter Park, Escarpment Greenbelt, Fox Haven Park, Fox Hollow Park, Grauwylor Park, L.B. Houston Park, Marcus Park, Mountain Creek Lake Park, Mountain Valley Park, Overlake Park, Pegasus Park, Sleepy Hollow Park, and Trinity Park - Financing: No cost consideration to the City
CONSENT AGENDA (Continued)

Police

62. Authorize a Memorandum of Understanding with the Dallas Independent School District to set out the policies and procedures for providing School Crossing Guard Service for the 2007-08 school year - Revenue: $33,201

Public Works & Transportation

63. Authorize (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation; and (2) an additional payment to the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Park Lane from Boedeker Drive to Greenville Avenue - $748,055 - Financing: 2003 Bond Funds

64. Authorize payment to the North Central Texas Council of Governments for the City's participation in the FY 07-08 Regional Public Works Program - Not to exceed $40,955 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

65. Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area, Regional Detention - $1,706,515 - Financing: 2006 Bond Funds

66. Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue - $135,431 - Financing: 2003 Bond Funds ($13,786) and 2006 Bond Funds ($121,645)

67. Authorize a contract for the construction of street paving, drainage and water main improvements for Street Group 03-447 (list attached) - Jeske Construction Company, lowest responsible bidder of five - $1,022,005 - Financing: 2003 Bond Funds ($320,364), 2006 Bond Funds ($520,576) and Water Utilities Capital Construction Funds ($181,065)

68. Authorize an (1) increase in the contract with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system; and (2) extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road - Not to exceed $175,478, from $4,254,384 to $4,429,862 - Financing: 2003 Bond Funds

69. Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market - Not to exceed $180,771, from $2,460,365 to $2,641,136 - Financing: 2003 Bond Funds
CONSENT AGENDA (Continued)

Public Works & Transportation (Continued)

70. Authorize an (1) increase in the contract with ICE Contractors, Inc. to provide additional asbestos abatement and removal services at City-owned buildings and various structures ordered demolished by Municipal Court in the amount of $250,000, from $3,193,125 to $3,443,125; and (2) increase in appropriations in the amount of $23,000 in the Demolition Reserve Fund - Not to exceed $250,000 - Financing: Demolition Reserve Funds

71. Authorize an (1) increase in the contract with Satterfield & Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street in the amount of $235,180, from $17,099,683 to $17,334,863; (2) extension of the substantial completion date to May 20, 2008; and (3) increase in appropriations in the amount of $250,000 in the Homeless Assistance Facilities Fund - Not to exceed $235,180 - Financing: 2005 Bond Funds

72. Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for measuring, testing and adjusting of the mechanical system test and balance contract, Phase 2, for the Homeless Assistance Center - Not to exceed $34,100, from $24,600 to $58,700 - Financing: 2005 Bond Funds

73. Authorize Supplemental Agreement No. 1 to the contract with Michael Baker Jr., Inc., to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I - $53,983, from $68,858 to $122,841 - Financing: 2006-2007 Community Development Block Grant Funds

74. Authorize Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide final design of paving, drainage, bridge replacement improvements, and preparation of construction plans for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - $3,497,207, from $1,521,128 to $5,018,335 - Financing: 2003 Bond Funds

75. Authorize a public hearing to be held on August 13, 2008 to receive comments regarding an application to close Whitehaven Drive at the alley south of Lake Gardens Drive under provisions of the City’s Residential Street Closure Policy - Financing: No cost consideration to the City

Trinity River Corridor Project

76. Authorize an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park - Not to exceed $35,000 - Financing: 1998 Bond Funds
CONSENT AGENDA (Continued)

Water Utilities

77. Authorize the application for and acceptance of a loan from the Texas Water Development Board in an amount up to $94,775,000 for financial assistance in the construction of the East Side Water Treatment Plant 540 million gallons per day clearwell expansion and yard piping improvements, a project in a multi-phased planned plant and conveyance system expansion project, to implement Dallas' recommended strategies in the State Water Plan and also addresses regulatory requirements for adequate clearwell storage for the East Side Water Treatment Plant - Financing: Water Utilities Current Funds (approximately $6,000,000 annually for 20 years) (subject to annual appropriations)

78. Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam and design of the Forney Dam and Lake Ray Hubbard improvements - $550,388 - Financing: Water Utilities Capital Construction Funds

79. Authorize a professional services contract with Kellogg Brown & Root Services, Inc. to provide engineering services for the inspection of the Dallas Water Utilities hydraulic structures as required by the National Dam Safety Act - $997,709 - Financing: Water Utilities Capital Construction Funds

80. Authorize a contract for the construction of sidestream treatment improvements at the Southside Wastewater Treatment Plant - Gracon Construction, Inc., lowest responsible bidder of two - $10,588,450 - Financing: Water Utilities Capital Improvement Funds

81. Authorize a contract for the installation of water and wastewater mains at 32 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of four - $6,202,434 - Financing: Water Utilities Capital Improvement Funds

82. Authorize a contract for the installation of water and wastewater mains at 39 locations (list attached) - SYB Construction Co., Inc., lowest responsible bidder of four - $7,089,140 - Financing: Water Utilities Capital Improvement Funds ($7,086,307), 2003 Bond Funds ($2,833)

83. Authorize a contract for the installation of water and wastewater mains at 40 locations (list attached) - John Burns Construction Company of Texas, Inc., lowest responsible bidder of five - $7,556,453 - Financing: Water Utilities Capital Improvement Funds

84. Authorize an increase in the contract with Bauman Instrument Corporation for additional work associated with the Elm Fork Water Treatment Plant Supervisory Control and Data Acquisition system upgrade and plant improvements - $37,915, from $2,090,000 to $2,127,915 - Financing: Water Utilities Capital Construction Funds
CONSENT AGENDA (Continued)

Water Utilities (Continued)

85. Authorize Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering design services for odor control improvements at the Southside Wastewater Treatment Plant - $1,454,170, from $917,628 to $2,371,798 - Financing: Water Utilities Capital Improvement Funds

86. Authorize Supplemental Agreement No. 1 to the professional services contract with Westin Engineering, Inc. for development of Supervisory Control and Data Acquisition system performance specifications, development of Supervisory Control and Data Acquisition system communications network architecture, and construction services for upgrade of the White Rock Operations Control Center - $771,388, from $299,379 to $1,070,767 - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary’s Office

87. 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)

88. Consideration and appointment of members to the Dallas Area Rapid Transit (DART) Board of Directors for Place 1, 2 and 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

89. Consideration and appointment of a member to the Dallas/Fort Worth International Airport Board of Directors for Place 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES - CONSENT

90. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1342 for a Community Service Center and a Child-care facility on property zoned an R-7.5(A) Single Family District, at the northeast corner of Bonnie View Road and Southerland Avenue
Recommendation of Staff: Approval, subject to a site plan and conditions
Recommendation of CPC: Approval, for a five-year time period, subject to a site plan and conditions
Z078-175(OTH)
PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - CONSENT (Continued)

91. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 640 for an open enrollment charter school, private school and other non-residential uses on properties on all four corners at the intersection of Annex Avenue and Bryan Street

Recommendation of Staff and CPC: Approval, subject to a traffic management plan, development plan, landscape plan and conditions

Z078-183(WE)

92. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 752 for R-10(A) Single Family Residential District and public school uses on the southwest corner of Edd Road and Garden Grove Drive

Recommendation of Staff and CPC: Approval, subject to a development plan and conditions

Z078-187(MAW)

93. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for CR Community Retail District uses and an ordinance granting a Specific Use Permit for a community service center on property zoned an IR Industrial Research District and a CR Community Retail District on the east line of Cedar Springs Road, north of Inwood Road

Recommendation of Staff and CPC: Approval of a Planned Development District for CR Community Retail District uses, subject to a conceptual plan and conditions and approval of a Specific Use Permit for a community service center for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions.

Z078-208(WE)

94. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the conditions, development plan and landscape plan for Planned Development Subdistrict No. 37 within Planned Development District 193, the Oak Lawn Special Purpose District, on the west side of Hall Street, north of Sale Street

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions

Z078-209(MAW)
95. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for D(A) Duplex District uses and public library uses and an ordinance terminating Specific Use Permit No. 72 for a Community Recreation Center on property zoned an D(A) Duplex District on the west side of Lockwood Boulevard, north of Lake Gardens Drive
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions and approval of the termination of Specific Use Permit No. 72
Z078-211(MAW)

96. A public hearing to receive comments regarding an application for a Planned Development District for Retirement housing, Single family, and Office uses on property zoned an R-7.5(A) Single Family District and an NO(A) Neighborhood Office District on the southwest corner of Skillman Street and Church Road and termination of existing deed restrictions that encumber the southern portion of the site
Recommendation of Staff: Approval, subject to a conceptual plan and staff’s recommended conditions, and approval of the termination of existing deed restrictions. Recommendation of CPC: Denial of a Planned Development District, and denial of the termination of existing deed restrictions on the portion of the request zoned an NO(A) District
Z078-119(RB)

97. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict in Planned Development District No. 298, the Bryan Place Special Purpose District, and an ordinance granting a Specific Use Permit for vehicle or engine repair or maintenance on property zoned Subdistrict 1 within Planned Development District No. 298, the Bryan Place Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a new subdistrict, subject to conditions and approval of the Specific Use Permit for a four-year period, subject to a site plan and condition
Z078-131(JH)
98. A public hearing to receive comments regarding an application for and an ordinance granting a renewal to Specific Use Permit No. 1525 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned CR-MD-1 Community Retail District with a Modified Delta Overlay on the northeast corner of Greenville Avenue and Lewis Street
Recommendation of Staff: Approval for a two-year period subject to a site plan and conditions.
Recommendation of CPC: Approval for a one-year period subject to a site plan and revised conditions
Z078-192(MAW)

99. A public hearing to receive comments regarding an application for and an ordinance granting a Tract III-b Subdistrict within Planned Development District No. 87/H-15 on property zoned a Tract III Subdistrict within Planned Development District No. 87/H-15, the Winnetka Heights Planned Development District with a Historic Overlay, on the southwest corner of Davis Street and Winnetka Avenue
Recommendation of Staff and CPC: Approval
Z078-200(JH)

100. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District, a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned a CS Commercial Service District and a CS-D Commercial Service District with a Dry Liquor Control Overlay on the east side of Central Expressway, north of Linfield Road
Recommendation of Staff: Approval of an IM Industrial Manufacturing District, with retention of the Dry Liquor Control Overlay on a portion of the site, subject to deed restrictions volunteered by the applicant and approval of a Specific Use Permit for a five-year period, subject to a site plan and conditions
Recommendation of CPC: Approval of an IM Industrial Manufacturing District, with retention of the Dry Liquor Control Overlay on a portion of the site, subject to deed restrictions volunteered by the applicant and approval of a Specific Use Permit for a three-year period, subject to a site plan and conditions
Z078-204(WE)
PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - INDIVIDUAL (Continued)

101. A public hearing to receive comments regarding an application to amend Planned Development District No. 254 and terminate Specific Use Permit No. 838 on the northwest corner of Frankford Road and Gibbons Drive

Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions and approval of the termination of SUP No. 838 Z078-222(JH)

102. A public hearing to receive comments regarding an application for a Specific Use Permit for a community service center use on property zoned an R-5(A) Single Family Subdistrict and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the east side of Hatcher Street, south of Beulah Place

Recommendation of Staff and CPC: Approval, for a permanent time subject to a site plan and conditions

Z078-223(JH)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

103. A public hearing to receive comments regarding a City Council authorized hearing to determine proper zoning on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District, Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation Other Than Listed on property generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west with consideration being given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations and an ordinance granting a Planned Development District and an ordinance terminating Specific Use Permit No. 432

Recommendation of Staff and CPC: Approval of a planned development district, subject to conditions and a regulating plan for property located south of the Union Pacific Rail Line, with termination of Specific Use Permit No. 432, and no change to zoning for property located north of the Union Pacific Rail Line

Z067-148(DW)

Note: This item was considered by the City Council at public hearings on May 28 and June 11, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.
PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - UNDER ADVISEMENT – INDIVIDUAL (Continued)

104. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for vehicle or engine repair and maintenance use on property zoned Subdistrict 3 within Planned Development District No. 533, the C.F. Hawn Special Purpose District, on the northeast side of C.F. Hawn Freeway, south of Lake June Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a one-year time period with eligibility for automatic renewal for one additional one-year time period, subject to a site plan and conditions
Z067-225(JH)
Note: This item was considered by the City Council at public hearings on April 23 and May 28, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.

105. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily, nursing/convalescent/retirement home, single family and office uses, on property zoned an MF-1(A) Multifamily District, on the north side of Harvest Hill, between Montfort Drive and Noel Road
Recommendation of Staff: Approval, subject to a conceptual plan and staff’s recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z067-306(OTH)
Note: This item was considered by the City Council at public hearings on March 26 and May 28, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.

SPECIAL PROVISION SIGN DISTRICT - UNDER ADVISEMENT- INDIVIDUAL

106. A public hearing to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District, to create a new Subdistrict to allow for video board signs on a tract of land generally between Main Street and Elm Street west of Akard Street
Recommendation of Staff: Approval, subject to staff conditions
Recommendation of CPC: Denial
SPSD067-003
Note: This item was considered by the City Council at public hearings on November 28, 2007, February 27 and March 26, 2008, and was taken under advisement until June 25, 2008, with the public hearing open.
PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

107. A public hearing to receive comments regarding consideration of amendments to Section 51A-7.305 of the Dallas Development Code, to amend the provisions for attached signs in business areas to allow for certain signs to project more than 18 inches from a building façade and extend greater than four feet above a roof line and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA078-008

FLOODPLAIN APPLICATIONS

Public Works & Transportation

108. A public hearing to receive comments regarding the application for and approval of a fill permit and removal of the floodplain (FP) prefix from 24.17 acres of a 69.94 acre tract of land, currently zoned planned development (PD-26786), located at 7218, 7210, 7160 and 7070 Skillman Street, currently in the floodplain of Jackson Branch, Fill Permit 07-05 - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS

Department of Development Services

109. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Homer J. Rader, Jr. located near the intersection of Preston Road and Forest Lane and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Bibbentuckers, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Recommendation of Staff: Approval
PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Department of Development Services (Continued)

111. A public hearing to authorize a public hearing to determine proper zoning on property zoned a CR Community Retail District with Specific Use Permit No. 1222 for a Commercial Amusement (inside) use for a dance hall on the northeast side of Gaston Avenue, northwest of Grand Avenue / Garland Road - Financing: No cost consideration to the City

Economic Development

112. A public hearing to receive comments concerning the creation of the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Lake Highlands Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the close of the hearing, authorize (1) approval of a resolution creating the Lake Highlands Public Improvement District for a period of seven years; (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Lake Highlands Improvement District Corporation, as the management entity for the Lake Highlands Public Improvement District - Financing: No cost consideration to the City

113. A public hearing to receive comments concerning the renewal of the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District (District) including additional property at Park Lane, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the closing of the hearing, authorize (1) approval of a resolution renewing the Vickery Meadow Public Improvement District for a period of seven years; (2) approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and (3) a management contract with the Vickery Meadow Management Corporation, as the management entity for the Vickery Meadow Public Improvement District - Financing: No cost consideration to the City
PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Economic Development (Continued)

Note: If Agenda Item Nos. 114 and 115 do not pass, Council will not consider Agenda Item Nos. 116 and 117.

114. * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 71, incorporating approximately 328 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in southern Dallas, for the purpose of granting economic development incentives to Ridge South Dallas I, LLC - Financing: No cost consideration to the City

Ridge South Dallas I, LLC, Incentives, Reinvestment Zone No. 71

Note: Item Nos. 114 and 115 must be considered collectively.

115. * An ordinance designating approximately 328 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in southern Dallas for the purpose of granting economic development incentives to Ridge South Dallas I, LLC and establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City

Ridge South Dallas I, LLC Tax Abatement and Development Agreement

Note: Item Nos. 116 and 117 must be considered collectively.

116. * Authorize a 75 percent real property tax abatement agreement for 10 years with Ridge South Dallas I, LLC located on approximately 259 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary - Revenue: First year revenue estimated at $34,914; ten-year revenue estimated at $1,539,000 (Estimated revenue foregone for ten-year real property tax abatement estimated at $4,600,000)

117. * Authorize a development agreement with Ridge South Dallas I, LLC for the construction of certain public improvements including, but not limited to, road and sewer improvements at property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in south Dallas - Financing: No cost consideration to the City
Lake Tawakoni Properties
Agenda Item #27

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<th>Tract</th>
<th>Owner</th>
<th>Size</th>
<th>Improvements</th>
<th>Consideration</th>
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<tr>
<td>1</td>
<td>Jonnie Stacy Barnes and James Lloyd Hogue</td>
<td>43,540 sq. ft.</td>
<td>Single family dwelling and detached garage</td>
<td>$197,026 plus closing costs not to exceed $2,300</td>
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<tr>
<td>2</td>
<td>Linda Hogue</td>
<td>39,832 sq. ft.</td>
<td>Unimproved Land</td>
<td>$45,000 plus closing costs not to exceed $1,800</td>
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Bexar Street Neighborhood Mixed Use Lots
Agenda Item #47

Conveyed to Kaminski Holdings, Inc.

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<th>DCAD Amount</th>
<th>Vacant/Improved</th>
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<tbody>
<tr>
<td>1.</td>
<td>5433 Bexar Street</td>
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<td>2.</td>
<td>5501 Bexar Street</td>
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<td>3.</td>
<td>2432 Hooper Street</td>
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<td>4.</td>
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<td>6.</td>
<td>2442 Hooper Street</td>
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Conveyed to the City of Dallas

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<th>Vacant/Improved</th>
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<tr>
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<td>5504 Bexar Street</td>
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<td>---------------------------------</td>
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<tr>
<td>West Brooklyn Avenue</td>
<td>South from Edgefield Avenue to Winnetka Avenue</td>
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<td></td>
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<tr>
<td>West Ninth Street to Ravinia Drive</td>
<td>North from Westmoreland Road</td>
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Installation of Water and Wastewater Mains at 32 Locations
Agenda Item #81

District 8

Alley east of Tumbleweed Drive from Rylie Road south
Ashwood Drive from Greenlawn Drive to Phelps Drive
Beauford Road from Elk Creek Road to Ravenview Road
Biggs Street from Belt Line Road southeast
Calmar Street from Haymarket Road west
C.F. Hawn Freeway (U.S. Highway 175) from Sunview Drive to Edd Road
Edd Road from Sullivan Road to Seagoville Road
Greenlawn Drive from Hazelcrest Drive to Ashwood Drive
Haymarket Road from C.F. Hawn Freeway (U.S. Highway 175) to Rylie Crest Drive
Haymarket Road from Sewell Drive to Hazelcrest Drive
Hazelcrest Drive from Greenlawn Drive to Phelps Drive
Hazelcrest Drive from Haymarket Road to Greenlawn Drive
Lawson Road from Dallas City Limit line southwest
Lottie Lane from Rylie Crest Drive south
Ravenview Road from Garden Grove Drive northeast
Ravenview Road from Garden Grove Drive to Elk Creek Road
Rylie Road from Interstate Highway 20 (L.B.J. Freeway) frontage road to Cade Road
Smoke Tree Lane from Elk Creek Road to Ravenview Road
Stinson Street from Haymarket Road west
C.F. Hawn Freeway (U.S. Highway 175) eastbound service road at Interstate Highway 20 (L.B.J. Freeway) east of Southern Pacific Railroad*
China Lake Drive from Valdez Drive to Ravenview Road*
Ortega Street from Valdez Drive to Ravenview Road*
Valdez Drive from China Lake Drive to Ortega Street*

District 9

Abrams Road from Richmond Avenue to Lakewood Boulevard
Cambria Boulevard from Gaston Avenue to Velasco Avenue
Lakewood Boulevard from Abrams Road to Cambria Boulevard

District 14

Alley between Oram Street and La Vista Court from Hope Street east
Hope Street from Lewis Street to Oram Street
Hope Street from Hudson Street to Ross Avenue

Outside City Limits

Dubby Lane from Leta Street north
Leta Street from Buford Jett Lane to Dubby Lane
Ravenview Road from Kleberg Road to Garden Springs Drive

*Trenchless Installation
Installation of Water and Wastewater Mains
at 39 Locations
Agenda Item #82

District 1

Alley between 12th Street and Interstate Highway 35E (R.L. Thornton Freeway) from Crawford Street northeast
Crawford Street from 12th Street southeast

District 4

Alley between Ewing Avenue and Harlandale Avenue from Woodin Boulevard to Georgia Avenue
Alley between Illinois Avenue and Ohio Avenue from Crest Avenue to Belknap Avenue
Alley between Loris Lane and Ohio Avenue from Illinois Avenue to Ozona Street
Alley between Louisiana Avenue and Woodin Boulevard from Maryland Avenue east and west
Alley between Marsalis Avenue and Maryland Avenue from Louisiana Avenue south
Alley between Maryland Avenue and Idaho Avenue from Georgia Avenue south
Alley between Michigan Avenue and Arizona Avenue from Georgia Avenue to Louisiana Avenue
Alley east of Denley Drive from Saner Avenue to McVey Avenue
Alley east of Denley Drive from Elmore Avenue to Ohio Avenue
Alley east of Michigan Avenue from Illinois Avenue to Montana Avenue
Alley north of Woodin Boulevard from Ewing Avenue east
Alley west of Denley Drive from Ohio Avenue to Illinois Avenue
Alley west of Denley Drive from Saner Avenue to Elmore Avenue
Alley west of Ewing Avenue from Louisiana Avenue south
Arizona Avenue from Illinois Avenue south
Denley Drive from Woodin Boulevard south
Grant Street from Moore Street west
Harlandale Avenue from south of Woodin Boulevard north
Holden Avenue from Seevers Avenue to Arizona Avenue
Illinois Avenue from Britton Avenue east*
Ohio Avenue from Denley Drive east and west*
Woodin Boulevard from Denley Drive west*

District 5

Easement west of Sunnyvale Street from Sunnyvale Street southwest
Appleton Drive from Ledbetter Drive to Horizon Drive
Blue Creek Drive from Ledbetter Drive to Horizon Drive
Clover Ridge Drive from Ledbetter Drive to Pasco Drive
Denley Drive from south of Mentor Avenue north
Ledbetter Drive from Horizon Drive to Blue Creek Drive
Wadsworth Drive from Ledbetter Drive to 51st Street
Woodacre Circle from Rocky Ridge Road west
Installation of Water and Wastewater Mains at 39 Locations
Agenda Item #82 (Continued)

District 7

Alley between Betterton Circle and 11th Street from Betterton Circle west
Avenue D from Corinth Street east
Comanche Street from Gallatin Street northeast
Gallatin Street from Comanche Street to Cedar Crest Boulevard
McDonald Street from Interstate Highway 45 (Julius Schepps Freeway) to Holmes Street
Puritan Drive from Gallatin Street northeast
Spence Street from Hickman Street southeast

*Trenchless Installation
June 25, 2008 29

Installation of Water and Wastewater Mains
at 40 Locations
Agenda Item #83

District 6

Abernathy Avenue from Lombardy Lane north
Alley and easement between Monroe Drive and Brockbank Drive from alley south
of Kinkaid Drive south
Alley between Darvany Drive and Kinkaid Drive from Harwich Drive west
Alley east of Webb Chapel Road from Park Lane south
Alley south of Kinkaid Drive from alley between Monroe Drive and Brockbank Drive east
Harry Hines Boulevard from Walnut Hill Lane north
Harwich Drive from Darvany Drive to Park Lane
Alley between Bogata Boulevard and Manana Drive from alley east of Webb Chapel Road
to south of Bogata Boulevard *
Alley between Darvany Drive and Kinkaid Drive from Dale Crest Drive west *
Alley between Lockmoor Lane and Darvany Drive from Webb Chapel Road to Harwich Drive *
Alley between Newcastle Drive and Lockmoor Lane from Dale Crest Drive west *
Alley between Walnut Hill Lane and Newcastle Drive from Dale Crest Drive to Walnut Hill
Lane *
Brockbank Drive from Merrell Road south *
Easement north of Darvany Drive from Lockmoor Lane west *
Easements between Denton Drive and Monroe Drive from Walnut Hill Lane to west
of Monroe Drive *
Willowbrook Road from east of Shady Trail east *

District 13

Alley and easement between Crestover Drive and Hedgeway Drive from south
of Cobblestone Drive south
Alley between Cobblestone Drive and Merrell Road from Rosser Road west
Alley between Martha Lane and Beutel Court from Coppedge Lane west
Alley west of Midway Road from Killion Drive north
Carry Back Circle from Pensive Drive east
Constitution Drive from Betty Jane Lane to Coppedge Lane
Cromwell Drive from Merrell Road to Flaxley Drive
Easement between Best Drive and Better Drive from Merrell Road to South Better Drive
Easement between Martha Lane cul-de-sac and Coppedge Lane from south
of Constitution Drive south
Easement between Rosser Road and Best Drive from Merrell Road to South Better Drive
Easement south of Meadowdale Lane from Gooding Drive east

District 13

Easement west of Brookport Drive from Beaver Brook Lane south
Hedgeway Drive from Walnut Hill Lane north
Merrell Road from Somerton Drive west
Norcross Lane from Marsh Lane west
Installation of Water and Wastewater Mains at 40 Locations
Agenda Item #83 (Continued)

District 13 (Continued)

Pensive Drive from Carry Back Circle to Carry Back Circle
Webb Garden Drive from Whirlaway Road to Cromwell Drive
Alley between Duchess Trail and Princess Lane from Cromwell Drive to Lathrop Drive *
Alley between Lathrop Drive and Marsh Lane from Princess Lane north *
Alley between Marsh Lane and Rockmoor Drive from north of Woodleigh Drive north *
Alley between Regent Drive and Duchess Trail from Lathrop Drive west *
Alley south of Merrell Road from Brockbank Drive east *
Ponder Drive from Pensive Drive east *
Webb Chapel Road from Timberview Road north *

* Trenchless Installation
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.

<table>
<thead>
<tr>
<th>ITEM</th>
<th>OK</th>
<th>DEF</th>
<th>DISTRICT</th>
<th>TYPE</th>
<th>DEPT.</th>
<th>DOLLARS</th>
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<td>1</td>
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<td>V</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>$2,400</td>
<td>NA</td>
<td>NA</td>
<td>Authorize approval of a five year lease agreement for restaurant space at Dallas Executive Airport</td>
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<td>2</td>
<td>8</td>
<td>C</td>
<td>AVI</td>
<td>REV</td>
<td>$64,062</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Authorize approval of the Transportation Security Administration to extend the existing lease agreement by 18 months, from April 1, 2008 through September 30, 2009, and add an additional 622 square feet of terminal building office space to the lease &amp; increase the rental revenue to the City</td>
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<tr>
<td>3</td>
<td>14</td>
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<td>PBD, WTR</td>
<td>$13,916,357.00</td>
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<td>NA</td>
<td>NA</td>
<td>Authorize a thirty-six-month service contract for temporary clerical and professional labor</td>
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<tr>
<td>4</td>
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<td>PBD, FIR</td>
<td>$2,270,607.00</td>
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<td>Authorize the purchase of nineteen ambulances</td>
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<td>5</td>
<td>All</td>
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<td>PBD, POL, CMO</td>
<td>$234,534.00</td>
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<td>NA</td>
<td>Authorize two supplements to the lease agreement with the Transportation Security Administration to extend the existing lease terms by 18 months, from April 1, 2008 through September 30, 2009, and add an additional 622 square feet of terminal building office space to the lease &amp; increase the rental revenue to the City</td>
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<td>6</td>
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<td>$697,058.52</td>
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<td>Authorize a thirty-six-month service contract for the purchase, service and maintenance of Global Positioning System equipment</td>
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<td>Authorize a thirty-six-month service contract for tires and tubes</td>
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<td>Authorize a twelve-month master agreement for refuse trucks, transfer trucks, forklifts and air compressors</td>
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<td>7.92%</td>
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<td>Authorize a twenty-four-month master agreement for energy efficient light bulbs and tubes for City facilities</td>
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<td>Authorize the settlement of a claim filed by Kelayia Hampton, Claim No. 0616473915</td>
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<td>Authorize settlement of the lawsuit styled Barbara Wright McCoy v. City of Dallas, Cause No. 07-12140-B</td>
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<td>Authorize settlement of the lawsuit styled James Muise v. Dallas County, et al., Civil Action No. 3:07-CV-0476-O</td>
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<td>Authorize the settlement of the lawsuit styled Josephine White &amp; Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B</td>
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<td>Authorize the settlement of the lawsuit styled Josephine White &amp; Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B</td>
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<td>Authorize the settlement of the lawsuit styled Josephine White &amp; Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B</td>
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<td>$420,445.00</td>
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<td>C</td>
<td>DDS, WTR</td>
<td>$299,157.00</td>
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<td>NA</td>
<td>Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John P. Dowell, Jr. of approximately 34,172 square feet of land improved with a single-family dwelling and workshop located in Kaufman County for the Lake Tawakoni 144-inch Pipeline</td>
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<tr>
<td>26</td>
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<td>Outside</td>
<td>C</td>
<td>DDS, WTR</td>
<td>$303,437.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Richard C. Bennett and Carol Denise Bennett, of approximately 43,560 square feet of land improved with a single-family dwelling, workshop and storage building located in Kaufman County for the Lake Tawakoni 144-inch Pipeline</td>
<td></td>
</tr>
<tr>
<td>27</td>
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<td>Outside</td>
<td>C</td>
<td>DDS, WTR</td>
<td>$246,126.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land containing a total of approximately 83,372 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline</td>
<td></td>
</tr>
<tr>
<td>28</td>
<td>NA</td>
<td>4</td>
<td>C</td>
<td>DDS</td>
<td>$29,000.00</td>
<td>NA</td>
<td>NA</td>
<td>An ordinance amending Chapter 43 of the Dallas City Code to authorize approval of indented on-street parking based on certain criteria; provide notice requirements; establish application and appeal fees; and provide an appeal process</td>
<td></td>
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<tr>
<td>29</td>
<td>All</td>
<td>C</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 05-3539 on December 14, 2005, to allow the creation of single-family PIDs and allow for exceptions of the policy under certain, limited conditions</td>
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<td>30</td>
<td>All</td>
<td>3, 6</td>
<td>C</td>
<td>ECO</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize approval of By-Laws for Tax Increment Financing Zone Number Fifteen (Fort Worth Avenue TIF District)</td>
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<td>31</td>
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<td>C</td>
<td>ECO</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Oak Cliff Gateway TIF District: Authorize the City Manager to execute a development agreement with Bishop Colorado Retail Plaza, L.P., (the “Developer”) payable from future Oak Cliff Gateway TIF funds and or TIF Bond Funds in consideration of Bishop Colorado Retail Plaza, L.P developing the 1222 North Bishop Avenue property in accordance with the Oak Cliff Gateway TIF Project Plan and the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District; and the Oak Cliff Gateway TIF District Board of Directors to dedicate up to $350,000, payable from Oak Cliff Gateway TIF revenues and or TIF Bond Funds in accordance with the development agreement</td>
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<td>32</td>
<td>1, 3</td>
<td>C</td>
<td>ECO</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Oak Cliff Gateway TIF District: A resolution declaring the intent to reimburse Bishop Colorado Retail Plaza, L.P., for eligible expenditures pursuant to the development agreement with Bishop Colorado Retail Plaza, L.P. payable for certain TIF-eligible project costs related to the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue</td>
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<td>1, 3</td>
<td>C</td>
<td>ECO</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a seven-year lease agreement with S&amp;S Shopping Centers, Ltd. for approximately 6,000 square feet of office space located at 9009 Bruton Road, Suite 441, to be used as a Women, Infants and Children Clinic for the period September 1, 2008 through August 31, 2015</td>
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<tr>
<td>34</td>
<td>5</td>
<td>C</td>
<td>EHS, DDS</td>
<td>GT</td>
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<td>NA</td>
<td>Authorize an amendment to the lease agreement with Jefferson Tower, L.P., whom conveyed its property to SourceOne Capital, L.P. by deed dated June 9, 2006, to extend the term of the lease for six additional months at the leased facility located at 351 West Jefferson Boulevard, Suite 300, to be used as a Women, Infants and Children Clinic for the period July 1, 2008 through December 31, 2008</td>
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<td>1</td>
<td>C</td>
<td>EHS, DDS</td>
<td>GT</td>
<td>NA</td>
<td>NA</td>
<td>Authorize an amendment to the lease agreement with Ridgewood VSC Garland, L.P., formerly Garland Development Group, L.P., for an additional seven years, to include an additional area of approximately 2,400 square feet of space and improvements for a total of approximately 5,354 square feet of office space in the Ridgewood Village Shopping Center located at 3050 South First Street, Suite 207, Garland, Texas, to be used as a Women, Infants and Children Clinic and office for the period September 1, 2008 through December 31, 2015</td>
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<tr>
<td>36</td>
<td>Outside</td>
<td>C</td>
<td>EHS, DDS</td>
<td>GT</td>
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<td>NA</td>
<td>Authorize an amendment to the lease agreement with Ridgewood VSC Garland, L.P., formerly Garland Development Group, L.P., for an additional seven years, to include an additional area of approximately 2,400 square feet of space and improvements for a total of approximately 5,354 square feet of office space in the Ridgewood Village Shopping Center located at 3050 South First Street, Suite 207, Garland, Texas, to be used as a Women, Infants and Children Clinic and office for the period September 1, 2008 through December 31, 2015</td>
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<td>37</td>
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<td>C</td>
<td>EHS</td>
<td>GT</td>
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<td>NA</td>
<td>Authorize an amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2007 through September 30, 2008</td>
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<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to accept additional grant funds to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas and extend the term of the contract for the period September 1, 2008 through August 31, 2009</td>
</tr>
<tr>
<td>39</td>
<td>All</td>
<td>C</td>
<td>EHS</td>
<td>GT</td>
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<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to accept additional grant funds to operate and maintain an ambient air monitoring station in Rockwall County and extend the term of the contract for the period September 1, 2008 through August 31, 2009</td>
</tr>
<tr>
<td>40</td>
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<td>C</td>
<td>EHS</td>
<td>GT</td>
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<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to accept additional grant funds to operate and maintain whole air samplers and conduct air monitoring activities in Dallas and extend the term of the contract for the period September 1, 2008 through August 31, 2009</td>
</tr>
<tr>
<td>41</td>
<td>All</td>
<td>C</td>
<td>EHS</td>
<td>NA</td>
<td>NA</td>
<td>$261,252.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to accept additional grant funds to provide air pollution control services and extend the term of the contract for the period September 1, 2008 through August 31, 2009</td>
</tr>
<tr>
<td>42</td>
<td>All</td>
<td>C</td>
<td>EHS</td>
<td>NA</td>
<td>NA</td>
<td>$9,978.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the acceptance of a Transitional Supportive Housing Grant from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2008 through November 30, 2009 and execution of the grant agreement</td>
</tr>
<tr>
<td>43</td>
<td>All</td>
<td>C</td>
<td>EHS</td>
<td>NA</td>
<td>NA</td>
<td>$15,866.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the acceptance of a Transitional Supportive Housing Grant from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2008 through September 30, 2009 and execution of the grant agreement</td>
</tr>
<tr>
<td>44</td>
<td>2</td>
<td>C</td>
<td>EBS</td>
<td>NA</td>
<td>NA</td>
<td>$284,431.00</td>
<td>91.14%</td>
<td>0.00%</td>
<td>Authorize a contract for the installation of a fire and burglar alarm system at the Dallas Heritage Village located at 1515 South Harwood Street</td>
</tr>
<tr>
<td>45</td>
<td>7</td>
<td>C</td>
<td>EBS, FIR</td>
<td>NA</td>
<td>NA</td>
<td>$64,500.00</td>
<td>100.00%</td>
<td>97.67%</td>
<td>Authorize a professional services contract with Campos Engineering, Inc., for the design of an alternate police and fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road</td>
</tr>
<tr>
<td>46</td>
<td>2</td>
<td>C</td>
<td>EBS</td>
<td>NA</td>
<td>NA</td>
<td>$67,501.00</td>
<td>100.00%</td>
<td>100.00%</td>
<td>Authorize a professional services contract with Jaster-Quintanilla Dallas, LLP to provide design and construction administration for repairs to the parking garage at the Jack Evans Police Headquarters located at 1000 Bellevue Street</td>
</tr>
<tr>
<td>47</td>
<td>7</td>
<td>C</td>
<td>HSG</td>
<td>NC</td>
<td>NA</td>
<td>$500,000.00</td>
<td>NA</td>
<td>NA</td>
<td>A resolution declaring 6 properties unwanted and unneeded and authorizing their conveyance by Deed without Warranty to Kaminski Holdings, Inc. and provision of mixed-use development on the properties within 3 years of execution of the deed and conveyance of 2 properties to the City</td>
</tr>
<tr>
<td>48</td>
<td>7</td>
<td>C</td>
<td>HSG</td>
<td>NA</td>
<td>NA</td>
<td>$500,000.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #4 to reprogram $1,000,000 of the Downtown Mortgage Assistance Program to the Mortgage Assistance Program and a public hearing to be held on August 13, 2008 to received comments on the proposed use of funds</td>
</tr>
<tr>
<td>49</td>
<td>All</td>
<td>C</td>
<td>HSG</td>
<td>NA</td>
<td>NA</td>
<td>$93,000.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a loan in the amount of $500,000 at 0% interest to Texas Heavenly Homes, Ltd., for the acquisition of improved and unimproved properties in the Bottom, an area bounded by I-35 to the west, Trinity River to the north, Corinth Street to the east and 8th Street to the south and for associated relocation, environmental remediation, or demolition costs to construct a portion of the residential development component</td>
</tr>
<tr>
<td>50</td>
<td>All</td>
<td>C</td>
<td>HSG</td>
<td>GT</td>
<td>100.00%</td>
<td>17.10%</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a professional services contract with Building Community Workshop to provide the research, recommendation, design and preparation of construction documents for six single-family residential house plans and make these plans available for use by applicants who have been qualified to receive a Reconstruction/SHARE Program home</td>
</tr>
<tr>
<td>51</td>
<td>14</td>
<td>C</td>
<td>LIB</td>
<td>GT</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the receipt and deposit of funds from Byron A. Parker (&quot;Executor&quot;) of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased for the benefit of the Oak Lawn Branch of the Dallas Public Library</td>
</tr>
<tr>
<td>52</td>
<td>14</td>
<td>C</td>
<td>OCA</td>
<td>NA</td>
<td>NA</td>
<td>$93,000.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize payment to the Dallas Black Dance Theatre, for operations and maintenance costs for the City owned facility, in accordance with the terms of the Master Agreement, previously approved on December 14, 2005, by Resolution No. 05-3604</td>
</tr>
<tr>
<td>53</td>
<td>N/A</td>
<td>C</td>
<td>OFS</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a resolution extending the City Council’s decision deadline for Atmos Energy Corp., Mid-Tex Division’s proposed new Gas Reliability Infrastructure Program Interim Rate Adjustment for the period July 22, 2008 through September 5, 2008</td>
</tr>
</tbody>
</table>
### AGENDA DATE June 25, 2008

<table>
<thead>
<tr>
<th>ITEM</th>
<th>IND</th>
<th>OK</th>
<th>DEF</th>
<th>DISTRICT</th>
<th>TYPE</th>
<th>DEPT.</th>
<th>DOLLARS</th>
<th>LOCAL</th>
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<tr>
<td>54</td>
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<td>C</td>
<td>OFS</td>
<td></td>
<td></td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize approval of the issuance of bonds not to exceed $20,000,000 by the Texas Regional Development Corporation for the benefit of TXI Aviation I, LLC dba Vitesse Aviation Services, a Texas limited liability (the &quot;Borrower&quot;) whose sole member is Valtec Capital Corporation, a Nevada corporation</td>
</tr>
<tr>
<td>55</td>
<td></td>
<td>All</td>
<td>C</td>
<td>OFS</td>
<td></td>
<td></td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize adoption of the final FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the final FY 2007-08 Reprogramming Budget</td>
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<tr>
<td>56</td>
<td></td>
<td>11</td>
<td>C</td>
<td>OFS</td>
<td></td>
<td></td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the Big Lake Education Finance Corporation (the &quot;Corporation&quot;) to finance, in an aggregate principal amount not to exceed $10,000,000, for the benefit of the St. Alcuin Montessori School (the &quot;School&quot;), a portion of the costs of constructing, improving and equipping certain educational facilities at the School's campus located at 6144 Churchill Way, Dallas, Texas 75230, including a new school building for middle school students and upper elementary students, including related soccer and parking facilities and a new school building to house a library, a gymnasium and a community center (the &quot;Project&quot;)</td>
</tr>
<tr>
<td>57</td>
<td></td>
<td>All</td>
<td>C</td>
<td>PKR</td>
<td></td>
<td></td>
<td>$210,708.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period of August 1, 2008 through August 31, 2009</td>
</tr>
<tr>
<td>58</td>
<td></td>
<td>All</td>
<td>C</td>
<td>PKR</td>
<td></td>
<td></td>
<td>$477,500.00</td>
<td>61.05%</td>
<td>15.60%</td>
<td>Authorize a professional services contract with Brinkley Sargent Architects for an Indoor and Outdoor Recreation Master Plan for base mapping, collection of data on leagues, athletic associations and recreation programs; interviews with key entities and stakeholders, trends analysis, staff workshops, public meetings, demographic analysis, development of programming strategies, recreation program analyses, partnership analysis, analysis of programming and operational issues, and a final report</td>
</tr>
<tr>
<td>59</td>
<td></td>
<td>11</td>
<td>C</td>
<td>PKR</td>
<td></td>
<td></td>
<td>$95,052.00</td>
<td>63.89%</td>
<td>55.30%</td>
<td>Authorize an increase in the contract with Reeves Construction Services, Inc. for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane</td>
</tr>
<tr>
<td>60</td>
<td></td>
<td>4</td>
<td>C</td>
<td>PKR</td>
<td></td>
<td></td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a public hearing to be held on August 13, 2008 to receive comments on the proposed use of a portion of the Lower White Rock Creek Greenbelt by Dallas Area Rapid Transit for a tie-back easement to allow for the installation of an underground Soil Nail Wall System to support the Southeast Corridor Light Rail Transit Line</td>
</tr>
<tr>
<td>61</td>
<td></td>
<td>2, 3, 6, 13, 14</td>
<td>C</td>
<td>PKR</td>
<td>REV $33,201</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a Memorandum of Understanding with the Dallas Independent School District to set out the policies and procedures for providing School Crossing Guard Service for the 2007-2008 school year</td>
<td></td>
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<tr>
<td>62</td>
<td></td>
<td>All</td>
<td>C</td>
<td>POL</td>
<td></td>
<td></td>
<td>$748,054.30</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a Local Project Advance Funding Agreement with the Texas Department of Transportation; and an additional payment to the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Park Lane from Boedeker Drive to Greenville Avenue</td>
</tr>
<tr>
<td>63</td>
<td></td>
<td>9, 13</td>
<td>C</td>
<td>PWT</td>
<td>$40,955.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize payment to the North Central Texas Council of Governments for the City's participation in the FY 07-08 Regional Public Works Program</td>
<td></td>
<td></td>
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<tr>
<td>64</td>
<td></td>
<td>All</td>
<td>C</td>
<td>PWT</td>
<td></td>
<td></td>
<td>$1,706,515.00</td>
<td>100.00%</td>
<td>26.20%</td>
<td>Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area, Regional Detention</td>
</tr>
<tr>
<td>65</td>
<td></td>
<td>8</td>
<td>C</td>
<td>PWT, ECO</td>
<td>$1,022,005.00</td>
<td>100.00%</td>
<td>28.91%</td>
<td>Authorize an increase in the contract with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system and an extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road</td>
<td></td>
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<tr>
<td>66</td>
<td></td>
<td>2</td>
<td>C</td>
<td>PWT</td>
<td>$135,430.50</td>
<td>100.00%</td>
<td>84.06%</td>
<td>Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue</td>
<td></td>
<td></td>
</tr>
<tr>
<td>67</td>
<td></td>
<td>1</td>
<td>C</td>
<td>PWT, WTR</td>
<td>$175,478.00</td>
<td>0.67%</td>
<td>26.87%</td>
<td>Authorize payment to the North Central Texas Council of Governments for the City's participation in the FY 07-08 Regional Public Works Program</td>
<td></td>
<td></td>
</tr>
<tr>
<td>68</td>
<td></td>
<td>6</td>
<td>C</td>
<td>PWT, LIB</td>
<td>$1,022,005.00</td>
<td>100.00%</td>
<td>28.91%</td>
<td>Authorize an increase in the contract with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system and an extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road</td>
<td></td>
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</tr>
<tr>
<td>ITEM</td>
<td>IND</td>
<td>DEF</td>
<td>DISTRICT</td>
<td>TYPE</td>
<td>DEPT.</td>
<td>DOLLARS</td>
<td>LOCAL</td>
<td>MWBE</td>
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<tr>
<td>69</td>
<td></td>
<td>14</td>
<td>C</td>
<td>PWT, CES</td>
<td></td>
<td>$180,771.00</td>
<td>40.00%</td>
<td>41.38%</td>
<td>Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market</td>
<td></td>
</tr>
<tr>
<td>70</td>
<td>All</td>
<td>C</td>
<td>PWT, CCS</td>
<td></td>
<td></td>
<td>$250,000.00</td>
<td>75.00%</td>
<td>100.00%</td>
<td>Authorize an increase in the contract with ICE Contractors, Inc. to provide additional asbestos abatement and removal services at City-owned buildings and various structures ordered demolished by Municipal Court</td>
<td></td>
</tr>
<tr>
<td>71</td>
<td></td>
<td>2</td>
<td>C</td>
<td>PWT, EHS</td>
<td></td>
<td>$235,180.00</td>
<td>90.99%</td>
<td>34.62%</td>
<td>Authorize an increase in the contract with Satterfield &amp; Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street and an extension of the substantial completion date to May 20, 2008</td>
<td></td>
</tr>
<tr>
<td>72</td>
<td></td>
<td>2</td>
<td>C</td>
<td>PWT, EHS</td>
<td></td>
<td>$34,100.00</td>
<td>100.00%</td>
<td>41.91%</td>
<td>Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for measuring, testing and adjusting of the mechanical system test and balance contract, Phase 2, for the Homeless Assistance Center</td>
<td></td>
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<tr>
<td>73</td>
<td></td>
<td>7</td>
<td>C</td>
<td>PWT, HSG</td>
<td></td>
<td>$53,983.00</td>
<td>81.51%</td>
<td>14.68%</td>
<td>Authorize Supplemental Agreement No. 1 to the contract with Michael Baker Jr., Inc. to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I</td>
<td></td>
</tr>
<tr>
<td>74</td>
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<td>2, 6</td>
<td>C</td>
<td>PWT</td>
<td></td>
<td>$3,497,207.00</td>
<td>99.64%</td>
<td>29.52%</td>
<td>Authorize a public hearing to be held on August 13, 2008, to receive comments regarding an application to close Whitehaven Drive at the alley south of Lake Gardens Drive under provisions of the City’s Residential Street Closure Policy</td>
<td></td>
</tr>
<tr>
<td>75</td>
<td></td>
<td>9</td>
<td>C</td>
<td>PWT</td>
<td></td>
<td>$6,000,000.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize the application for and acceptance of a loan from the Texas Water Development Board for financial assistance in the construction of the East Side Water Treatment Plant 540 million gallons per day clearwell expansion and yard piping improvements, a project in a multi-phased planned plant and conveyance system expansion project, to implement Dallas’ recommended strategies in the State Water Plan and also addresses regulatory requirements for adequate clearwell storage for the East Side Water Treatment Plant</td>
<td></td>
</tr>
<tr>
<td>76</td>
<td></td>
<td>4</td>
<td>C</td>
<td>TRC</td>
<td></td>
<td>$35,000.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park</td>
<td></td>
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<tr>
<td>77</td>
<td></td>
<td></td>
<td>Outside</td>
<td>WTR</td>
<td></td>
<td>$6,000,000.00</td>
<td>NA</td>
<td>NA</td>
<td>Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam and design of the Forney Dam and Lake Ray Hubbard improvements</td>
<td></td>
</tr>
<tr>
<td>78</td>
<td></td>
<td>9,</td>
<td>Outside</td>
<td>WTR</td>
<td></td>
<td>$550,388.00</td>
<td>96.16%</td>
<td>27.29%</td>
<td>Authorize a professional services contract with Kellogg Brown &amp; Root Services, Inc. to provide engineering services for the inspection of the Dallas Water Utilities hydraulic structures as required by the National Dam Safety Act</td>
<td></td>
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<tr>
<td>79</td>
<td></td>
<td>2, 6, 9,</td>
<td>Outside</td>
<td>WTR</td>
<td></td>
<td>$997,709.00</td>
<td>94.60%</td>
<td>27.64%</td>
<td>Authorize a professional services contract with Malcolm Pirnie, Inc. for additional engineering design services for odor control improvements at the Southside Wastewater Treatment Plant</td>
<td></td>
</tr>
<tr>
<td>80</td>
<td></td>
<td>8</td>
<td>C</td>
<td>WTR</td>
<td></td>
<td>$10,588,450.00</td>
<td>49.98%</td>
<td>3.50%</td>
<td>Authorize a contract for the construction of edistream treatment improvements at the Southside Wastewater Treatment Plant</td>
<td></td>
</tr>
<tr>
<td>81</td>
<td></td>
<td>8, 9, 14,</td>
<td>Outside</td>
<td>WTR</td>
<td></td>
<td>$6,202,433.50</td>
<td>79.80%</td>
<td>25.15%</td>
<td>Authorize a contract for the installation of water and wastewater mains at 32 locations</td>
<td></td>
</tr>
<tr>
<td>82</td>
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<td>1, 4, 5, 7</td>
<td>C</td>
<td>WTR</td>
<td></td>
<td>$7,089,140.00</td>
<td>95.21%</td>
<td>77.12%</td>
<td>Authorize a contract for the installation of water and wastewater mains at 39 locations</td>
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<td>83</td>
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<td>6, 13</td>
<td>C</td>
<td>WTR</td>
<td></td>
<td>$7,556,452.80</td>
<td>79.16%</td>
<td>25.12%</td>
<td>Authorize a contract for the installation of water and wastewater mains at 40 locations</td>
<td></td>
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<tr>
<td>84</td>
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<td></td>
<td>Outside</td>
<td>WTR</td>
<td></td>
<td>$37,914.51</td>
<td>0.00%</td>
<td>7.49%</td>
<td>Authorize an increase in the contract with Bauman Instrument Corporation for additional work associated with the Elm Fork Water Treatment Plant Supervisory Control and Data Acquisition system upgrade and plant improvements</td>
<td></td>
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<tr>
<td>85</td>
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<td>8</td>
<td>C</td>
<td>WTR</td>
<td></td>
<td>$1,454,170.00</td>
<td>100.00%</td>
<td>25.81%</td>
<td>Authorize Supplemental Agreement No. 1 to the professional services contract with Malcolm Pirnie, Inc. for additional engineering design services for odor control improvements at the Southside Wastewater Treatment Plant</td>
<td></td>
</tr>
<tr>
<td>ITEM</td>
<td>IND</td>
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<tr>
<td>86</td>
<td>86</td>
<td>N/A</td>
<td>All</td>
<td>C</td>
<td>WTR</td>
<td></td>
<td>$771,388.00</td>
<td>100.00%</td>
<td>11.71%</td>
<td>Authorize Supplemental Agreement No. 1 to the professional services contract with Westin Engineering, Inc. for development of Supervisory Control and Data Acquisition system performance specifications, development of Supervisory Control and Data Acquisition system communications network architecture, and construction services for upgrade of the White Rock Operations Control Center</td>
</tr>
<tr>
<td>87</td>
<td>87</td>
<td>N/A</td>
<td>I</td>
<td>SEC</td>
<td>NC</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>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)</td>
</tr>
<tr>
<td>88</td>
<td>88</td>
<td>N/A</td>
<td>I</td>
<td>SEC</td>
<td>NC</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Consideration and appointment of members to the Dallas Area Rapid Transit (DART) Board of Directors for Place 1, 2 and 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's office)</td>
</tr>
<tr>
<td>89</td>
<td>89</td>
<td>N/A</td>
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<td>SEC</td>
<td>NC</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>Consideration and appointment of a member to the Dallas/Fort Worth International Airport Board of Directors for Place 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office)</td>
</tr>
<tr>
<td>90</td>
<td>90</td>
<td>7</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1342 for a Community Service Center and a Child-care facility on property zoned an R-7.5(A) Single Family District, at the northeast corner of Bonnie View Road and Southerland Avenue</td>
</tr>
<tr>
<td>91</td>
<td>91</td>
<td>2</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 640 for an open enrollment charter school, private school and other non-residential uses on properties on all four corners at the intersection of Annex Avenue and Bryan Street</td>
</tr>
<tr>
<td>92</td>
<td>92</td>
<td>8</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 752 for R-10(A) Single Family Residential District and public school uses on the southwest corner of Edd road and Garden Grove Drive</td>
</tr>
<tr>
<td>93</td>
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<td>2</td>
<td>PH</td>
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<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 640 for an open enrollment charter school, private school and other non-residential uses on properties on all four corners at the intersection of Annex Avenue and Bryan Street</td>
</tr>
<tr>
<td>94</td>
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<td>14</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 37 within Planned Development District 193, the Oak Lawn Special Purpose District, on the west side of Hall Street, north of Sale Street</td>
</tr>
<tr>
<td>95</td>
<td>95</td>
<td>9</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for D(A) Duplex District uses and public library uses and an ordinance terminating Specific Use Permit No. 72 for a Community Recreation on property zoned an D(A) Duplex District on the west side of Lockwood Boulevard, north of Lake Gardens Drive</td>
</tr>
<tr>
<td>96</td>
<td>96</td>
<td>10</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Retirement housing, Single family, and Office uses on property zoned an R-7.5(A) Single Family District and an NO(A) Neighborhood Office District on the southwest corner of Skillman Street and Church Road and termination of existing deed restrictions that encumber the southern portion of the site</td>
</tr>
<tr>
<td>97</td>
<td>97</td>
<td>14</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for an ordinance granting the creation of a new subdivision in Planned Development District No. 298, the Bryan Place Special Purpose District, and an ordinance granting a Specific Use Permit for vehicle or engine repair or maintenance on property zoned Subdistrict 1 within Planned Development District No. 298, the Bryan Place Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street</td>
</tr>
<tr>
<td>98</td>
<td>98</td>
<td>14</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting a renewal to Specific Use Permit No. 1525 for an alcoholic beverage establishment limited to a bar, lounge or tavern and a commercial amusement (inside) limited to a Class A dance hall on property zoned CR-MD-1 Community Retail District with a Modified Delta Overlay on the northeast corner of Greenville Avenue and Lewis Street</td>
</tr>
<tr>
<td>99</td>
<td>99</td>
<td>3</td>
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<td>DDS</td>
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<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>NA</td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting a Tract III-b Subdistrict within Planned Development District No. 87/H-15 on property zoned a Tract III Subdistrict within Planned Development District No. 87/H-15, the Winnetka Heights Planned Development District with a Historic Overlay, on the southwest corner of Davis Street and Winnetka Avenue</td>
</tr>
<tr>
<td>ITEM</td>
<td>IND</td>
<td>OK</td>
<td>DEF DISTRICT</td>
<td>TYPE</td>
<td>DEPT.</td>
<td>DOLLARS</td>
<td>LOCAL</td>
<td>MWBE</td>
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<tr>
<td>100</td>
<td>4</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
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<td>A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District, a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an industrial (outside) potentially incompatible use for an asphalt batching plant on property zoned a CS Commercial Service District and a CS-D Commercial Service District with a Dry Liquor Control Overlay on the east side of Central Expressway, north of Linfield Road.</td>
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<tr>
<td>101</td>
<td>12</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
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<td></td>
<td>A public hearing to receive comments regarding an application to amend Planned Development District No. 254 and terminate Specific Use Permit No. 838 on the northwest corner of Frankford Road and Gibbons Drive.</td>
<td></td>
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<tr>
<td>102</td>
<td>7</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td>A public hearing to receive comments regarding an application for a Specific Use Permit for a community service center use on property zoned an R-5(A) Single Family Subdistrict and an NC Neighborhood Commercial Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District on the east side of Hatcher Street, south of Beulah Place.</td>
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<tr>
<td>103</td>
<td>2, 6</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td>A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a community service center use on property zoned an IM Industrial Manufacturing District, CS Commercial Service District, CA-2(A) Central Area District, MU-2(SAH) Mixed Use District, Planned Development District No. 774, within the Downtown Special Provision Sign District with Specific Use Permit No. 432 for a Private Animal Pound and Specific Use Permit No. 1203 for a Government Installation Other Than Listed on property generally bounded by Continental Avenue to the north, Interstate 35 to the east and south, and the Trinity River levee to the west with consideration being given to appropriate zoning for that area including use, development standards, parking, landscaping, sign, and other appropriate regulations and an ordinance granting a Planned Development District and an ordinance terminating Specific Use Permit No. 432.</td>
<td></td>
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<tr>
<td>104</td>
<td>5</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
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<td>A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for vehicle or engine repair and maintenance use on property zoned Subdistrict 3 within Planned Development District No. 533, the C.F. Hawn Special Purpose District, on the northeast side of C.F. Hawn Freeway, south of Lake June Road.</td>
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<tr>
<td>105</td>
<td>13</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
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<td>A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily, nursing/convalescent/retirement home, single family and office uses, on property zoned an MF-1(A) Multifamily District, on the north side of Harvest Hill, between Montfort Drive and Noel Road.</td>
<td></td>
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<tr>
<td>106</td>
<td>14</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td>A public hearing to receive comments regarding an application for an amendment to the provisions of the Downtown Special Provision Sign District, to create a new Subdistrict to allow for video board signs on a tract of land generally between Main Street and Elm Street west of Akard Street.</td>
<td></td>
</tr>
<tr>
<td>107</td>
<td>All</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td>A public hearing to receive comments regarding consideration of amendments to Section 51A-7.305 of the Dallas Development Code, to amend the provisions for attached signs in business areas to allow for certain signs to project more than 18 inches from a building facade and extend greater than four feet above a roof line and an ordinance granting the amendments.</td>
<td></td>
</tr>
<tr>
<td>108</td>
<td>10</td>
<td>PH</td>
<td>PWT</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td>A public hearing to receive comments regarding the application for and approval of a fill permit and removal of the floodplain (FP) prefix from 24.17 acres of a 69.94 acre tract of land, currently zoned planned development (PD-26786), located at 7218, 7210, 7160 and 7070 Skillman Street, currently in the floodplain of Jackson Branch, Fill Permit 07-05 for potable water beneath property owned by Homer J. Rader, Jr. located near the intersection of Preston Road and Forest Lane and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Bibbentuckers, LLC, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water.</td>
<td></td>
</tr>
<tr>
<td>109</td>
<td>13</td>
<td>PH</td>
<td>DDS</td>
<td>NC</td>
<td>NA</td>
<td>NA</td>
<td></td>
<td></td>
<td>A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath the designated property as potable water.</td>
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</tr>
</tbody>
</table>
## AGENDA DATE
**June 25, 2008**

<table>
<thead>
<tr>
<th>ITEM</th>
<th>IND</th>
<th>DOLLARS</th>
<th>LOCAL</th>
<th>MWBE</th>
<th>DESCRIPTION</th>
</tr>
</thead>
<tbody>
<tr>
<td>111</td>
<td>14 PH DDS NC NA NA</td>
<td>A public hearing to authorize a public hearing to determine proper zoning on property zoned a CR Community Retail District with Specific Use Permit No. 1222 for a Commercial Amusement (inside) use for a dance hall on the northeast side of Gaston Avenue, northwest of Grand Avenue / Garland Road.</td>
<td></td>
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</tr>
<tr>
<td>112</td>
<td>9, 10 PH ECO NC NA NA</td>
<td>A public hearing to receive comments concerning the creation of the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Lake Highlands Public Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the closing of the hearing, authorize approval of a resolution creating the Lake Highlands Public Improvement District for a period of seven years, approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and a management contract with the Lake Highlands Improvement District Corporation, as the management entity for the Lake Highlands Public Improvement District.</td>
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<tr>
<td>113</td>
<td>9, 13 PH ECO NC NA NA</td>
<td>A public hearing to receive comments concerning the renewal of the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the specified area of the Vickery Meadow Public Improvement District (District) including additional property at Park Lane, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District, and at the closing of the hearing, authorize approval of a resolution renewing the Vickery Meadow Public Improvement District for a period of seven years, approval of the Service Plan for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and a management contract with the Vickery Meadow Management Corporation, as the management entity for the Vickery Meadow Public Improvement District.</td>
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<tr>
<td>114</td>
<td>8 PH ECO NC NA NA</td>
<td>Ridge South Dallas I, LLC, Incentives, Reinvestment Zone No. 71: A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 71, incorporating approximately 328 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in southern Dallas, for the purpose of granting economic development incentives.</td>
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<tr>
<td>115</td>
<td>8 PH ECO NC NA NA</td>
<td>Ridge South Dallas I, LLC, Incentives, Reinvestment Zone No. 71: An ordinance designating approximately 328 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in southern Dallas for the purpose of granting economic development incentives and establishing the boundaries and providing for an effective date.</td>
<td></td>
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</tr>
<tr>
<td>116</td>
<td>8 PH ECO NC NA NA</td>
<td>Ridge South Dallas I, LLC Tax Abatement and Development Agreement: Authorize a 75 percent real property tax abatement agreement for 10 years with Ridge South Dallas I, LLC located on approximately 259 acres of property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary.</td>
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<tr>
<td>117</td>
<td>8 PH ECO NC NA NA</td>
<td>Ridge South Dallas I, LLC Tax Abatement And Development Agreement: Authorize a development agreement with Ridge South Dallas I, LLC for the construction of certain public improvements including, but not limited to, road and sewer improvements at property located north of Telephone Road and east of the Lancaster/Dallas municipal boundary in south Dallas.</td>
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</tbody>
</table>

**TOTAL**  $85,136,512.45
Authorize approval of a five year lease agreement for restaurant space at Dallas Executive Airport - MD Promenade, Inc. most advantageous proposer of three - Estimated Annual Revenue: $2,400

BACKGROUND

Dallas Executive Airport previously had a restaurant, Casa Blanca Restaurant and Club, from 1960 until the former terminal was closed and demolished in 2006, upon opening of the new terminal. The new terminal was constructed with shell space designed for kitchen and dining area for a new restaurant.

Proposals were solicited in 2007 to lease, construct, and operate a restaurant. No proposals were received and informal responses indicated that there was a perceived low level of demand to support the capital expense and operating cost needed to open the restaurant. Considering this response, staff allocated capital funds, appropriated to the terminal project, to finish out the kitchen and dining area, and repackaged the request for proposals to require proposers to only furnish and operate the restaurant, thereby eliminating most of the capital risk and obstacle to progress.

As part of the proposal process, 175 vendor notices were sent electronically by the City's web base procurement system. In an effort to secure more bids, notifications were sent by the Business Development and Procurement Services’ ResourcesLINK Team (RLT) to 25 chambers of commerce, and two advocacy groups (i.e. DFW Minority Business Council and Women's Business Council - Southwest).

MD Promenade, Inc. is the parent company of Metro Grill. It is a local Dallas based company located at 4425 N. Central Expressway. The principals are brothers Mark and Dirk Kelcher who have owned and operated successful restaurants in the Dallas market since 1994.
BACKGROUND (continued)

The new restaurant at Dallas Executive Airport will be called Metro Grill, with a licensing agreement with MD Promenade, Inc., specializing in a variety of dining choices to include breakfast, lunch and dinner. Proposed daily operation of the restaurant will be from 7:00 AM to 11:00 PM. MD Promenade also intends to secure a liquor license at the facility to serve alcohol similar to the previous restaurant operator.

The restaurant space in the terminal building has not been completed. The Aviation Department's budget for the restaurant at Dallas Executive Airport includes design, construction and finish-out of the restaurant space, and installation of basic restaurant equipment, including tables and chairs. It is the desire of the department to secure a restaurant operator and seek the operator's advice and input in order to optimize construction and finish-out of the restaurant space before construction begins. Completion of construction is estimated to be summer of 2009. The lease term and payment of rent shall commence upon completion of construction and installation of the restaurant equipment.

Minimum annual rental for the restaurant facility will be $2,400.00, payable monthly at $200.00 per month. MD Promenade, Inc. agrees to pay the City of Dallas additional percentage of gross revenues based on the following: 1st year, 12%; 2nd year, 13%; 3rd year, 14%; 4th and 5th years, 15%. MD Promenade, Inc. estimates the first year gross sales at $700,000.00.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to the Economic Development Committee on June 16, 2008.

FISCAL INFORMATION

$2,400.00 - Estimated Annual Revenue

M/WBE INFORMATION

28 - Vendors contacted
28 - No response
   0 - Response (Bid)
   0 - Response (No Bid)
   0 - Successful

175 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 No. 84-3501 as amended.
ETHNIC COMPOSITION

MD Promenade, Inc.

Hispanic Female 3  Hispanic Male 14
Black Female 0  Black Male 0
Other Female 2  Other Male 0
White Female 4  White Male 12

PROPOSAL INFORMATION

The following proposals were received and opened on November 14, 2007. This contract is being awarded to the most advantageous proposer.

*Denotes successful proposer

<table>
<thead>
<tr>
<th>Proposers</th>
<th>Address</th>
<th>Score</th>
</tr>
</thead>
<tbody>
<tr>
<td>*MD Promenade, Inc.</td>
<td>4425 North Central Expressway</td>
<td>89.662</td>
</tr>
<tr>
<td></td>
<td>Dallas, Texas 75205</td>
<td></td>
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<tr>
<td>Kingdom Creations</td>
<td>1820 Rogers Lane</td>
<td>83.966</td>
</tr>
<tr>
<td>Foods, LLC</td>
<td>Providence Village, Texas 76227</td>
<td></td>
</tr>
<tr>
<td>Companion's Food</td>
<td>4916 Haywood Parkway</td>
<td>32.152</td>
</tr>
<tr>
<td>Christopher Edwards</td>
<td>Dallas, Texas 75232</td>
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</tbody>
</table>

OWNER

MD Promenade, Inc., a Texas Corporation

Mark J. Kelcher, President
Dirk J. Kelcher, Vice President

MAP(S)

Attached.
Terminal Building Restaurant Space
WHEREAS, on November 14, 2007, MD Promenade, Inc. responded to a Request For Proposal to lease and operate restaurant space at Dallas Executive Airport; and,

WHEREAS, MD Promenade, Inc. ("Lessee") submitted the most advantageous proposal; and,

WHEREAS, the City and Lessee now desire to enter into a five-year lease ("Lease") to operate the restaurant in the terminal building at Dallas Executive Airport;

Now, Therefore,

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

Section 1. That the proposed five-year Lease, is hereby approved and the City Manager is authorized to execute, on behalf of the City of Dallas, the Lease Agreement after approval as to form by the City Attorney.

Section 2. That the terms and conditions of the Lease Agreement shall contain the following:

(a) Lessee shall pay the City minimum annual rent in the amount of $2,400.00, payable monthly at the rate of $200.00, plus the following rental based on the following percentage of gross receipts:

   1st year - 12%
   2nd year - 13%
   3rd year - 14%
   4th year - 15%
   5th year - 15%

(b) The lease term and payment of rent shall commence upon completion of construction and installation of the restaurant equipment.

(c) Grant the City an option to extend the Lease term an additional five years if requested by the Lessee.

Section 3. That the City Controller be and is hereby authorized to deposit all revenues received under the Lease Agreement to: Aviation Operating Fund 0130; Dept. AVI; Unit 7722; Revenue Source 7814.
Section 4. 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:  Aviation Department, Dan Weber, Dallas Love Field, Administration Office
               Aviation Department, Brenda Hozak, Dallas Love Field, Administration Office
               City Attorney Office, Bob Sims, 7DN
AGENDA ITEM # 3

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 14

DEPARTMENT: Aviation

CMO: Ramon F. Miguez, P.E., 670-3308

MAPSCO: 34E

SUBJECT

Authorize two supplements to the lease agreement with the Transportation Security Administration to (1) extend the existing lease term by 18 months, from April 1, 2008 through September 30, 2009, and (2) add an additional 622 square feet of terminal building office space to the lease and increase the rental revenue to the City in the amount of $7,325, from $56,737 to $64,062 at Dallas Love Field - Estimated Revenue: $64,062

BACKGROUND

On December 11, 2002, the City Council approved Resolution No. 02-3503, which authorized the City Manager to enter into a five-year lease of approximately 7,171 square feet of office space in the terminal building at Dallas Love Field with the Transportation Security Administration (TSA) to support the TSA in its security efforts at Dallas Love Field. The five-year lease term expired on March 31, 2008 and is currently being held over on a month-to-month basis. The TSA has requested an 18 month extension of the lease to September 30, 2009.

The average annual lease rate for the approximately 7,171 square feet of terminal building space is $7.85 per square foot. The 622 square feet to be added to the lease will be at the same annual lease rate of $7.85 per square foot.

The existing lease contains a provision that, if at any time subsequent to the second year of the lease, the City of Dallas, through its Director of Aviation, determines the need to recall the main lobby space for an airline use, the City may terminate that portion of the lease with 60 days notice and the TSA will relocate their office space at no cost to the City.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Approved original lease on December 11, 2002, by Resolution No. 02-3503.
FISCAL INFORMATION

$64,062.00 - Estimated Revenue

OWNER

Transportation Security Administration
Department of Transportation
Federal Aviation Administration

MAP

Attached.
WHEREAS, since September 11, 2001, the Federal Government has mandated that the Transportation Security Administration (TSA) take over security at the nation’s airports; and,

WHEREAS, on April 1, 2003, the TSA entered into a lease ("Lease") for approximately 7,171 square feet of office space in the main terminal building at Dallas Love Field which was authorized by the Dallas City Council on December 11, 2002, Resolution No. 02-3503; and,

WHEREAS, the TSA has requested two supplements to the lease agreement which will extend the lease term by 18 months and add an additional 622 square feet of office space in the main terminal building; and,

WHEREAS, the City and the TSA now desire to enter into Supplemental Agreement No. 1 to the lease agreement with the Transportation Security Administration to extend the term by 18 months, from April 1, 2008 through September 30, 2009, and Supplemental Agreement No. 2 to add an additional 622 square feet of terminal building space at Dallas Love Field;

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the lease agreement with the Transportation Security Administration, after approval as to form by the City Attorney.

Section 2. That Supplemental Agreement No. 1 shall contain the following:

i) The Lease term shall be extended an additional 18 months from April 1, 2008, and will expire on September 30, 2009.

Section 3. That the City Manager is hereby authorized to execute Supplemental Agreement No. 2 to the lease agreement with the Transportation Security Administration, after approval as to form by the City Attorney.

Section 4. That the Supplemental Agreement No. 2 shall contain the following:

i) Add an additional 622 square feet of office space in the main terminal building of Dallas Love Field.

ii) Rental revenue shall be increased by $7,325, from $56,737 to $64,062.
Section 5. That the City Controller be and is hereby authorized to deposit all revenues received under the lease to: Aviation Operating Fund 0130; Dept. AVI; Unit 7725; Revenue Source 7814.

Section 6. 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: Make Government More Efficient, Effective and Economical

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Water Utilities

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

MAPSCO: N/A

SUBJECT

Authorize a thirty-six-month service contract for temporary clerical and professional labor - EuroStaff, A Division of EuroSoft, Inc., lowest responsible bidder of ten - Not to exceed $13,916,357 - Financing: Current Funds ($12,166,570), Water Utilities Current Funds ($1,749,787) (subject to annual appropriations)

BACKGROUND

This contract provides temporary clerical and professional labor for various City departments. Temporary staffing agencies provide clerical employees and skilled professionals who will work on a temporary “as-needed” basis. Temporary labor contracts allow the City to mitigate employee turnover, retirement, longer than anticipated time frame for hiring new employees, and unplanned or urgent projects. The new specifications identified several additional job classifications not previously available on the prior contract. Temporary employees may be hired by the City any time after twelve consecutive weeks of work as a temporary without any additional fees or charges.

This contract will provide temporary clerical and professional labor to City departments. Job classifications include:

- Office Assistant I
- Office Assistant II
- Cashier
- Call Taker
- Executive Assistant
- Executive Secretary
- Council Assistant
- Accountant
- Accountant II
- Accountant III
BACKGROUND (Continued)

- Senior Accountant
- Financial Analyst
- Program Manager

This bid has a 5.21% decrease over the bid awarded in 2006.

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 158 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 August 27, 2003, City Council authorized a thirty-six-month service contract for temporary clerical help by Resolution #03-2301.

FISCAL INFORMATION

$12,166,570.00 - Current Funds (subject to annual appropriations)
$ 1,749,787.00 - Water Utilities Current Funds (subject to annual appropriations)

M/WBE INFORMATION

66 - Vendors contacted
62 - No response
  4 - Response (Bid)
  0 - Response (No bid)
  1 - Successful

158 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

EuroStaff, A Division of EuroSoft, Inc.

Hispanic Female  9   Hispanic Male   2
Black Female     2   Black Male     5
Other Female     2   Other Male     0
White Female     23  White Male     24

BID INFORMATION

The following bids were received from solicitation number BA0802 and opened on April 16, 2008. This contract is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>*EuroStaff, A Division of</td>
<td>2121 W. Airport Frwy. Suite 101</td>
<td>$13,916,357.00</td>
</tr>
<tr>
<td>EuroSoft, Inc.</td>
<td>Irving, TX  75062</td>
<td></td>
</tr>
<tr>
<td>Romulus Group, Inc.</td>
<td>1327 Empire Central Suite 108</td>
<td>$14,877,180.00</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX  75247</td>
<td></td>
</tr>
<tr>
<td>Ad A Staff, Inc.</td>
<td>4230 LBJ Frwy. Suite 109</td>
<td>$15,537,016.00</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX  75244</td>
<td></td>
</tr>
<tr>
<td>All Temps 1 Personnel</td>
<td>2606 Martin Luther King, Jr. Blvd.</td>
<td>$16,820,530.00</td>
</tr>
<tr>
<td></td>
<td>Suite 207</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dallas, TX  75215</td>
<td></td>
</tr>
<tr>
<td>DiverseStaff, Inc.</td>
<td>2211 Norfolk Suite 150</td>
<td>$17,121,987.00</td>
</tr>
<tr>
<td></td>
<td>Houston, TX  77098</td>
<td></td>
</tr>
<tr>
<td>Cietra Staffing, LLC.</td>
<td>9304 Forest Ln. Suite 271</td>
<td>$17,905,931.00</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX  75243</td>
<td></td>
</tr>
<tr>
<td>TFI Resources</td>
<td>10113 Anne Dr. Suite 100</td>
<td>$18,094,321.00</td>
</tr>
<tr>
<td></td>
<td>Frisco, TX  75035</td>
<td></td>
</tr>
<tr>
<td>Apple One Employment</td>
<td>990 Knox St.</td>
<td>$20,181,170.00</td>
</tr>
<tr>
<td></td>
<td>Torrance, CA  90502</td>
<td></td>
</tr>
</tbody>
</table>
**BID INFORMATION (Continued)**

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dean's Professional Svc.</td>
<td>11511 Katy Frwy.</td>
<td>Non-responsive**</td>
</tr>
<tr>
<td></td>
<td>Suite 430</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Houston, TX 77079</td>
<td></td>
</tr>
<tr>
<td>YER USA, Inc.</td>
<td>3003 Summit Blvd. NE</td>
<td>Non-responsive**</td>
</tr>
<tr>
<td></td>
<td>Suite 1400</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Atlanta, GA 30319-1477</td>
<td></td>
</tr>
</tbody>
</table>

**Dean's Professional Svc. and YER USA, Inc. were deemed non-responsive due to an error in their bid.**

**OWNER**

**EuroStaff, A Division of EuroSoft, Inc.**

Nancy J. Miller, President  
Marianne Metzner, Vice President/Secretary  
Wolf Metzner, Treasurer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month service contract for temporary clerical and professional labor - EuroStaff, A Division of EuroSoft, Inc., lowest responsible bidder of ten - Not to exceed $13,916,357 - Financing: Current Funds ($12,166,570), Water Utilities Current Funds ($1,749,787) (subject to annual appropriations)

EuroStaff, A Division of EuroSoft, Inc. is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$13,916,357.00</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$13,916,357.00</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>EuroStaff, Inc. HFMB36172Y1208</td>
<td>$13,916,357.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total Minority - Local</td>
<td>$13,916,357.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
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<tbody>
<tr>
<td>Local American</td>
<td>0.00%</td>
</tr>
<tr>
<td>Non-Local American</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total</td>
<td>100.00%</td>
</tr>
</tbody>
</table>
WHEREAS; on August 27, 2003 City Council authorized a thirty-six-month service contract for temporary clerical help by Resolution #03-2301; and,

WHEREAS; on August 9, 2006, City Council authorized a thirty-six-month service contract for temporary clerical help by Resolution #06-2007;

NOW, THEREFORE,

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 EuroStaff, A Division of EuroSoft, Inc. (502536) for temporary clerical and professional labor for a term of thirty-six months in an amount not to exceed $13,916,357.00, 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 EuroStaff, A Division of EuroSoft, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by EuroStaff, A Division of EuroSoft, Inc. under the contract.

Section 2. That the City Controller is authorized to disburse funds from the following appropriation in an amount not to exceed $13,916,357.00 (subject to annual appropriations):

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>POM</td>
<td>1233</td>
<td>1510</td>
<td>$12,166,570.00</td>
</tr>
<tr>
<td>0100</td>
<td>DWU</td>
<td>7236</td>
<td>1510</td>
<td>$1,749,787.00</td>
</tr>
</tbody>
</table>

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
Water Utilities
AGENDA ITEM # 5

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Fire

CMO: Dave Cook, 670-7804
      Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize the purchase of nineteen ambulances - San Antonio Ambulance Sales, Inc., through the Houston-Galveston Area Council of Governments - Not to exceed $2,270,607 - Financing: Current Funds

BACKGROUND

Dallas Fire-Rescue Department currently has a fleet of fifty-five ambulances of which nineteen have met or exceeded their replacement criteria (3 years and/or 80,000 miles). The nineteen ambulances being purchased will be utilized to replace older, high mileage units currently in operation within the Dallas Fire-Rescue Department. The older replaced ambulances were sold off by public auction.

Dallas Fire-Rescue Department responded to 170,350 emergency calls in fiscal year 06-07 accumulating more than 1.5 million miles in the City and are on a pace to match that mileage this fiscal year.

The purchase of these nineteen ambulances will result in a 5.43% per unit increase from the previous nineteen ambulances purchased on June 27, 2007.

Request for bid was opened on April 24, 2008 and was then compared to Texas local cooperative purchasing agreements, and it was determined that the Houston-Galveston Area Council of Government (H-GAC) provided the most advantages pricing to the City. H-GAC pricing total is $2,270,607.00 compared to the lowest competitive bid total of $2,363,828.00. The City will save $93,221.00 by utilizing H-GAC pricing. The H-GAC vendor is also San Antonio Ambulance Sales, Inc.

H-GAC conforms to the requirements of Texas statutes that are applicable to competitive bids and proposals. In addition H-GAC receives bids from manufacturers and dealers throughout the United States.
BACKGROUND (Continued)

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 253 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 27, 2007, City Council authorized the purchase of fire pumpers, battalion chief vehicles, aerial ladder trucks, and rescue units by Resolution #07-2015.

On January 25, 2006, City Council authorized the purchase of fire pumpers, battalion chief vehicles, aerial ladder trucks, and rescue units by Resolution #06-0316.

On December 8, 2004, City Council authorized the purchase of fire pumpers, battalion chief vehicles, aerial ladder trucks, and rescue units by Resolution #04-3439.

FISCAL INFORMATION

$2,270,607.00 - Current Funds

OWNER

San Antonio Ambulance Sales, Inc.

John Huber, President/Vice President
WHEREAS, on December 8, 2004, City Council authorized the purchase of fire pumpers, battalion chief vehicles, aerial ladder trucks, and rescue units by Resolution #04-3439; and,

WHEREAS, on January 25, 2006, City Council authorized the purchase of fire pumpers, battalion chief vehicles, aerial ladder trucks, and rescue units by Resolution #06-0316; and,

WHEREAS, on June 27, 2007, City Council authorized the purchase of fire pumpers, battalion chief vehicles, aerial ladder trucks, and rescue units by Resolution #07-2015;

NOW, THEREFORE,

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

Section 1. That the purchase of nineteen ambulances is authorized with San Antonio Ambulance Sales, Inc. (VS0000019843) through the Houston-Galveston Area Council of Governments in an amount not to exceed $2,270,607.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for nineteen ambulances. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds from the following appropriation, in an amount not to exceed $2,270,607.00:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>ACTV</th>
<th>ENCUMBRANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>DFD</td>
<td>2050</td>
<td>4740</td>
<td>DF02</td>
<td>PODFD00000052975</td>
</tr>
</tbody>
</table>

Section 4. 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
Fire
KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Police
City Manager's Office

CMO: Dave Cook, 670-7804
Ryan S. Evans, 670-3314
Mary K. Suhm, 670-5306

MAPSCO: N/A

SUBJECT

Authorize the purchase of three sky watch towers to be used by Dallas Police Department - ICx Tactical Platforms, lowest responsible bidder of two - Not to exceed $234,534 - Financing: Current Funds ($74,534), Bureau of Justice Assistance Grant Funds ($160,000)

BACKGROUND

The purchase of three sky watch towers will enable the Dallas Police Department to provide high profile deterrence and surveillance capabilities. One officer will be able to cover an area previously requiring three or more personnel. The sky watch tower has a line of sight greater than a two-story roof-line and can be strategically placed almost anywhere it is needed. Line of sight and a high profile are crucial to the effectiveness of police officers, whether working a special event or security detail.

The sky watch tower can be used for disaster response, crowd management control, parking lot surveillance and traffic management. All sky watch towers are adaptable for cameras, radios, radar, public address systems and other equipment integration. Only one person is required to set up and deploy a unit.

Currently the Dallas Police Department has two sky watch towers which were donated by the community.
BACKGROUND (Continued)

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 195 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)

This item has no prior action.

FISCAL INFORMATION

$  74,534.00 - Current Funds  
$160,000.00 - Bureau of Justice Assistance Grant Funds

M/WBE INFORMATION

24 - Vendors Contacted  
24 - No response  
  0 - Response (bid)  
  0 - Response (no bid)  
  0 - Successful  

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

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

ETHNIC COMPOSITION

ICx Tactical Platforms

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic Male</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic Female</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Black Male</td>
<td>7</td>
<td>5</td>
</tr>
<tr>
<td>Black Female</td>
<td>5</td>
<td>0</td>
</tr>
<tr>
<td>Other Male</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other Female</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>White Male</td>
<td>55</td>
<td>12</td>
</tr>
<tr>
<td>White Female</td>
<td>12</td>
<td>0</td>
</tr>
</tbody>
</table>
**BID INFORMATION**

The following bids were received from solicitation number BP0822 and opened on April 24, 2008. This purchase is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>*ICx Tactical Platforms</td>
<td>105 Forest Parkway Suite 400</td>
<td>$234,534.00</td>
</tr>
<tr>
<td></td>
<td>Forest Park, GA 30297</td>
<td></td>
</tr>
<tr>
<td>Giadolor Holdings, Inc.</td>
<td>1307 Friendship Drive</td>
<td>$271,989.00</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75217</td>
<td></td>
</tr>
</tbody>
</table>

**OWNER**

**ICx Tactical Platforms**

Adam Strange, President  
Chad Gammon, Vice President  
Jed Strange, Secretary
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize the purchase of three sky watch towers to be used by Dallas Police Department - ICx Tactical Platforms, lowest responsible bidder of two - Not to exceed $234,534 - Financing: Current Funds ($74,534), Bureau of Justice Assistance Grant Funds ($160,000)

ICx Tactical Platforms is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$234,534.00</td>
<td>100.00%</td>
</tr>
<tr>
<td><strong>TOTAL CONTRACT</strong></td>
<td>$234,534.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors
None

Non-Local Contractors / Sub-Contractors
None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
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<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
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<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
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<td>0.00%</td>
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<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the purchase of three sky watch towers to be used by Dallas Police Department is authorized with ICx Tactical Platforms (VC0000004323) in an amount not to exceed $234,534.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for three sky watch towers to be used by Dallas Police Department. If a formal contract is required for this purchase instead of a purchase order, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds from the following appropriation, in an amount not to exceed $234,534.00:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>ACTIVITY</th>
<th>AMOUNT</th>
<th>ENCUMBRANCE</th>
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</thead>
<tbody>
<tr>
<td>TR04</td>
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<td>0201</td>
<td>4760</td>
<td>CM02</td>
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<tr>
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<td>2114</td>
<td>4760</td>
<td>DP28</td>
<td>$ 74,534</td>
<td>PODPD00000052908</td>
</tr>
</tbody>
</table>

Section 4. 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
Police
City Manager’s Office
AGENDA ITEM # 7

KEY FOCUS AREA:  Make Government More Efficient, Effective and Economical
AGENDA DATE:    June 25, 2008
COUNCIL DISTRICT(S):  All
DEPARTMENT:     Business Development & Procurement Services
Sanitation Services
CMO:           Dave Cook, 670-7804
               Ramon F. Miguez, P.E., 670-3308
MAPSCO:       N/A

SUBJECT
Authorize a thirty-six-month service contract for the purchase, service and maintenance of Global Positioning System equipment - 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 GPS equipment, monitoring, training and reporting for use in the management of approximately 400 of SAN’s field service vehicles.

By equipping the entire fleet, SAN will be better able to minimize the use of overtime hours and fuel, as well as maximizing route efficiency. The main function of the system is to provide real time tracking of all of SAN’s vehicles as well as “breadcrumb tracking”. Real time tracking will allow for a more effective response to unanticipated needs such as missed collections or emergency situations. “Breadcrumb tracking” displays a vehicle’s traveled path displayed on a map 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 gallons used
- extended stops
- long idle times
- length of time at one location
- number of households served
- speeding
BACKGROUND (Continued)

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

Proposals for this bid were presented to a five member selection committee. The evaluation committee was comprised of department contacts from SAN, Communication and Information Services and Equipment and Building Services.

- 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 (maximum 100%):

- 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. As a result of these additional efforts, a Minority/Women-Owned Business Enterprise (M/WBE) sub-contractor has been identified. The sub-contractor has indicated they are a minority owned firm and RLT has submitted the M/WBE's sub-contractor's application for an expeditious certification process. The planned M/WBE participation for this contract will be 5.74 percent.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

On June 23, 2008, the Transportation and Environment Committee was scheduled to be 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 to the most advantageous proposer.

*Denotes successful proposer

<table>
<thead>
<tr>
<th>Proposers</th>
<th>Address</th>
<th>Score</th>
<th>Pricing</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Remote Dynamics, Inc.</td>
<td>200 Chisholm Place</td>
<td>87.2</td>
<td>$697,058.52</td>
</tr>
<tr>
<td></td>
<td>Suite 120</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Plano, TX 75075</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Radio Satellite Integrators, Inc.</td>
<td>19144 Van Ness Avenue</td>
<td>84.37</td>
<td>$946,115.00</td>
</tr>
<tr>
<td></td>
<td>Torrance, CA 90501</td>
<td></td>
<td></td>
</tr>
<tr>
<td>TeleTrak</td>
<td>2201 Brookhollow Plaza</td>
<td></td>
<td>Non-Responsive**</td>
</tr>
<tr>
<td></td>
<td>Arlington, TX 76006</td>
<td></td>
<td></td>
</tr>
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</table>
**PROPOSAL INFORMATION (Continued)**

<table>
<thead>
<tr>
<th>Company</th>
<th>Address</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Verizon Wireless</td>
<td>750 State Hwy 121 Suite 100</td>
<td>Non-Responsive**</td>
</tr>
<tr>
<td></td>
<td>Lewisville, TX 75067</td>
<td></td>
</tr>
<tr>
<td>TrakPro, LLC</td>
<td>3457 Red Rock Street</td>
<td>Non-Responsive**</td>
</tr>
<tr>
<td></td>
<td>Las Vegas, NV 89146</td>
<td></td>
</tr>
<tr>
<td>Enterprise ESP, LLC</td>
<td>14785 Preston Road</td>
<td>Non-Responsive**</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75254</td>
<td></td>
</tr>
</tbody>
</table>

**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
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month service contract for the purchase, service and maintenance of Global Positioning System equipment - 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 "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
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<tr>
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<td>$697,058.52</td>
<td>100.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$697,058.52</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
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, service and maintenance of Global Positioning System equipment 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):

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0001</td>
<td>SAN</td>
<td>3581</td>
<td>3099</td>
<td>$504,707.52</td>
</tr>
<tr>
<td>0001</td>
<td>SAN</td>
<td>3581</td>
<td>2761</td>
<td>$192,351.00</td>
</tr>
</tbody>
</table>

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
AGENDA ITEM # 8

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Environmental & Health Services

CMO: Dave Cook, 670-7804
David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize a thirty-six-month master agreement for blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants, and Children clinics - Products Unlimited, Inc., lowest responsible bidder of three - Not to exceed $505,440 - Financing: Texas Department of State Health Services Grant Funds

BACKGROUND

This master agreement will be used to purchase blood testing supplies and centrifuge blood analyzers. The supplies and analyzers are used in each of the Women, Infants, and Children (WIC) clinics to conduct anemia/low iron blood testing of patients. The testing is part of the Special Supplemental Nutrition Program for WIC which is a health and nutrition program with a successful record for improving the diet of infants, children, and pregnant, postpartum and nursing women who are at risk for nutrition-related illness. The main focus of the WIC program is to educate mothers on the proper nutrition for babies and young children. The WIC clinics extend their services to children up to the age of five, expecting women, and nursing and postpartum mothers.

Environmental and Health Services currently has 32 centrifuge blood analyzers in the 21 WIC clinics of which each clinic operates 1 to 4 analyzers per site. This master agreement is to purchase the blood testing supplies used in the centrifuge blood analyzers. As part of this master agreement 40 centrifuge blood analyzers are being extended at no cost to the City.

This bid has an 11.13% decrease over the bid awarded in 2007.
BACKGROUND (Continued)

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 322 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 March 28, 2007, City Council authorized a twenty-four-month master agreement for blood testing supplies to be used at the Women, Infants, and Children Clinics by Resolution #07-0976.

FISCAL INFORMATION

$505,440.00 - Texas Department of State Health Services Grant Funds

M/WBE INFORMATION

38 - Vendors contacted
38 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

322 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

Products Unlimited, Inc.

<table>
<thead>
<tr>
<th>Category</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic Female</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic Male</td>
<td>0</td>
</tr>
<tr>
<td>Black Female</td>
<td>0</td>
</tr>
<tr>
<td>Black Male</td>
<td>0</td>
</tr>
<tr>
<td>Other Female</td>
<td>0</td>
</tr>
<tr>
<td>Other Male</td>
<td>0</td>
</tr>
<tr>
<td>White Female</td>
<td>6</td>
</tr>
<tr>
<td>White Male</td>
<td>0</td>
</tr>
</tbody>
</table>
BID INFORMATION

The following bids were received from solicitation number BA0815 and opened on May 7, 2008. This master agreement is being awarded in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>Products Unlimited, Inc.</td>
<td>115 E. First Street</td>
<td>$505,440.00</td>
</tr>
<tr>
<td></td>
<td>Lake Forest, CA 92630</td>
<td></td>
</tr>
<tr>
<td>HemoCue, Inc.</td>
<td>40 Empire Drive</td>
<td>$568,800.00</td>
</tr>
<tr>
<td></td>
<td>Lake Forest, CA 92630</td>
<td></td>
</tr>
<tr>
<td>Nationwide Supplies</td>
<td>2301 Executive Drive</td>
<td>$588,000.00</td>
</tr>
<tr>
<td></td>
<td>Suite B</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Garland, TX 75041</td>
<td></td>
</tr>
</tbody>
</table>

OWNER

Products Unlimited, Inc.

Julie Prein, President
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month master agreement for blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants, and Children clinics - Products Unlimited, Inc., lowest responsible bidder of three - Not to exceed $505,440 - Financing: Texas Department of State Health Services Grant Funds

Products Unlimited, Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$505,440.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$505,440.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors
None

Non-Local Contractors / Sub-Contractors
None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
WHEREAS, on March 28, 2007, City Council authorized a twenty-four-month master agreement for blood testing supplies by Resolution #07-0976;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants, and Children clinics is authorized with Products Unlimited, Inc. (330972) for a term of thirty-six months in an amount not to exceed $505,440.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants, and Children clinics. If a written contract is required or requested for any or all purchases of blood testing supplies and centrifuge blood analyzers to be used at the Women, Infants, and Children clinics under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $505,440.00.

Section 4. 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
Environmental & Health Services
AGENDA ITEM # 9

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Equipment & Building Services
Fire

CMO: Dave Cook, 670-7804
      David O. Brown, 670-3390
      Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize a thirty-six-month master agreement for tires and tubes - Gray's Wholesale Tire in the amount of $5,008,503, Southern Tire Mart in the amount of $1,387,205, Wingfoot Commercial Tire Systems, LLC. in the amount of $636,379, Wade International Corporation in the amount of $354,420 and Tire Centers, LLC. in the amount of $308,762, lowest responsible bidders of five - Total not to exceed $7,695,269 - Financing: Current Funds

BACKGROUND

This master agreement will provide replacement tires and tubes for all City vehicles and heavy equipment. City owned vehicles consist of approximately 3,477 sedans, light duty trucks, and squad cars; 1,956 medium and heavy duty trucks; 190 off road and construction equipment; 76 fire engines; 56 rescue units; 28 aerial ladder trucks; 14 command post, hazardous materials and aircraft rescue units; 51 battalion (suburban) vehicles; and 10 booster trucks. Additional equipment consist of 21 pieces of heavy equipment at the McCommas Bluff landfill.

This master agreement will consist of eleven different tire manufacturers and will cover 199 different tire sizes currently stocked in City departments or any new tire size that might need to be added during the thirty-six month master agreement period.

Pricing is based on discount off list price from the most current manufacturer brand price list. Previous tire and tube master agreement was set up as a fixed price per tire size. Due to unstable petroleum prices, tire manufacturers cannot commit to a fixed price per tire beyond six months.
BACKGROUND (Continued)

This bid has a 40.58% increase on like products over the bid awarded on October 26, 2005.

Bid pricing was compared to Texas Multiple Awards Schedule (TXMAS) tire purchasing agreement and it was determined the City bid provided the most advantageous pricing to the City with a savings on average of 17.86% per tire size.

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 74 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 October 26, 2005, City Council authorized a twenty-four-month master agreement for tires and tubes by Resolution #05-3042.

On January 28, 2004, City Council authorized a thirty-six-month master agreement for tires for Dallas Fire Department emergency response vehicles by Resolution #04-0424.

FISCAL INFORMATION

$7,695,269.00 - Current Funds

M/WBE INFORMATION

7 - Vendors contacted
7 - No response
0 - Response (Bid)
0 - Response (No bid)
0 - Successful

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

The recommended awardees have fulfilled the good faith requirements set forth in the Good Faith Effort Plan adopted by Council Resolution #84-3501 as amended.
**ETHNIC COMPOSITION**

Gray’s Wholesale Tire

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>7</td>
<td>3</td>
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<tr>
<td>Black</td>
<td>13</td>
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<tr>
<td>Other</td>
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<td>0</td>
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<tr>
<td>White</td>
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<td>11</td>
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</table>

Southern Tire Mart

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>90</td>
<td>0</td>
</tr>
<tr>
<td>Black</td>
<td>16</td>
<td>2</td>
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<tr>
<td>Other</td>
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</tr>
<tr>
<td>White</td>
<td>16</td>
<td>5</td>
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Wingfoot Commercial Tire Systems, LLC.

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</tr>
</thead>
<tbody>
<tr>
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<td>1</td>
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<td>Black</td>
<td>9</td>
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<tr>
<td>White</td>
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<td>4</td>
</tr>
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</table>

Wade International Corporation

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<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>Black</td>
<td>1</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
<td>0</td>
<td>1</td>
</tr>
<tr>
<td>White</td>
<td>6</td>
<td>1</td>
</tr>
</tbody>
</table>

Tire Centers, LLC.

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Black</td>
<td>8</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
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<td>0</td>
</tr>
<tr>
<td>White</td>
<td>12</td>
<td>2</td>
</tr>
</tbody>
</table>

**BID INFORMATION**

The following bids were received from solicitation number BP0814 and opened on March 20, 2008. This master agreement is being awarded to the lowest responsive and responsible bidders by line.

*Denotes successful bidders
### BID INFORMATION (Continued)

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Gray's Wholesale Tire</td>
<td>201 N. Rupert St.</td>
<td>Multiple Lines</td>
</tr>
<tr>
<td></td>
<td>Fort Worth, TX 76107</td>
<td></td>
</tr>
<tr>
<td>*Southern Tire Mart</td>
<td>5051 Sharp St.</td>
<td>Multiple Lines</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75247</td>
<td></td>
</tr>
<tr>
<td>*Wingfoot Commercial Tire Systems, LLC.</td>
<td>3160 Irving Blvd.</td>
<td>Multiple Lines</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75247</td>
<td></td>
</tr>
<tr>
<td>*Wade International Corporation</td>
<td>530 Regal Rd.</td>
<td>Multiple Lines</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75247</td>
<td></td>
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<td>*Tire Centers, LLC.</td>
<td>3101 N. Houston School Rd</td>
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<tr>
<td></td>
<td>Lancaster, TX 75134</td>
<td></td>
</tr>
</tbody>
</table>

### OWNERS

**Gray’s Wholesale Tire**

Steve Gray, President  
Mary Ann Buchanan, Secretary

**Southern Tire Mart**

James Duff, President  
Thomas Duff, Vice President

**Wingfoot Commercial Tire Systems, LLC.**

Brent Copeland, President

**Wade International Corporation**

Wallace W. Wade, President  
Socurao G. Wade, Vice President

**Tire Centers, LLC.**

Joe Finnery, President  
Dave Cionek, Vice President  
Joel Bayle, Treasurer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month master agreement for tires and tubes - Gray's Wholesale Tire in the amount of $5,008,503, Southern Tire Mart in the amount of $1,387,205, Wingfoot Commercial Tire Systems, LLC. in the amount of $636,379, Wade International Corporation in the amount of $354,420 and Tire Centers, LLC. in the amount of $308,762, lowest responsible bidders of five - Total not to exceed $7,695,269 - Financing: Current Funds

Southern Tire Mart, Wingfoot Commercial Tire Systems, LLC., Wade International Corporation and Tire Centers, LLC. are local, non-minority firms, have signed the "Good Faith Effort" documentation, and propose to use their own workforces.

Gray's Wholesale Tire is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
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<th>Amount</th>
<th>Percent</th>
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<tr>
<td>Total local contracts</td>
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<tr>
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<tr>
<td>TOTAL CONTRACT</td>
<td>$7,695,269.00</td>
<td>100.00%</td>
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</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors
None

Non-Local Contractors / Sub-Contractors
None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
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<th>Local &amp; Non-Local</th>
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<tr>
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<tr>
<td><strong>Total</strong></td>
<td>$0.00</td>
<td>0.00%</td>
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<td>0.00%</td>
</tr>
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</table>
WHEREAS, January 28, 2004, City Council authorized a thirty-six-month master agreement for tires for Dallas Fire Department emergency response vehicles by Resolution #04-0424; and,

WHEREAS, on October 26, 2005, City Council authorized a twenty-four-month master agreement for tires and tubes by Resolution #05-3042;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of tires and tubes is authorized with Gray’s Wholesale Tire (342576) in the amount of $5,008,503.00, Southern Tire Mart (399291) in the amount of $1,387,205.00, Wingfoot Commercial Tire Systems, LLC. (130686) in the amount of $636,379.00, Wade International Corporation (035011) in the amount of $354,420.00 and Tire Centers, LLC. (333227) in the amount of $308,762.00 for a term of thirty-six months in a total amount not to exceed $7,695,269.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for tires and tubes. If a written contract is required or requested for any or all purchases of tires and tubes under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $7,695,269.00.

Section 4. 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
Fire
AGENDA ITEM # 10

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Park & Recreation
Sanitation Services
Street Services
Water Utilities
Equipment & Building Services

CMO: Dave Cook, 670-7804
Paul D. Dyer, 670-4071
Ramon F. Miguez, P.E., 670-3308
David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize a twelve-month master agreement for refuse trucks, transfer trucks, forklifts and air compressors - Metro Ford Truck Sales, Inc. in the amount of $2,020,016, Rush Truck Center through Buyboard, a Texas Local Government Purchasing Cooperative in the amount of $1,246,511, Equipment Southwest, Inc. in the amount of $791,500, Southwest International Trucks, Inc. in the amount of $312,998, Volvo Construction Equipment in the amount of $207,381, B & C Body Co. in the amount of $72,188 and Stewart and Stevenson in the amount of $78,170, lowest responsible bidders of eleven - Total not to exceed $4,728,764.00 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes ($4,193,094), 2006 Equipment Acquisition Contractual Obligation Notes ($352,083), Water Utilities Current Funds ($183,587)

BACKGROUND

This master agreement will allow the City to purchase refuse trucks, transfer trucks, forklifts and air compressors through a twelve-month master agreement process. This twelve-month master agreement is structured to give departments flexibility in choosing both vehicles and options, and the time of purchase to accommodate their specific needs. Procuring vehicles through a master agreement process also affords the City the opportunity to lock in favorable pricing throughout the end of the model year thus becoming the preferred method of vehicle acquisition.

Replacement vehicles have gone through an evaluation process using an established criteria to ensure that only vehicles that have exceeded their regular maintenance program are replaced.
BACKGROUND (Continued)

The evaluation process uses a criteria that includes life to date maintenance costs, recommended replacement mileage, recommended replacement life, and a point system that includes down time, and number of work orders to determine a vehicles productivity. Before a vehicle is considered or recommended for replacement, the vehicle must meet at least two of four factors.

This master agreement will allow for the purchase of 64 pieces of automotive and other equipment. Departments receiving equipment in this purchase include: Water Utilities, Park and Recreation, Street Services and Sanitation Services. All equipment has met replacement criteria or they are additions to the fleet.

Dallas Water Utilities will receive fifteen units as follows:
15-air compressors - to replace units that are eleven years old and will be used by staff in the repair and maintenance of water and sewer lines

Park and Recreation will receive two units as follows:
2-forklifts - to replace units ranging in age from fourteen to twenty-two years old and will be used by staff in their daily activities

Sanitation Services will receive forty-three units as follows:
5-rotoboom trucks - to replace units ranging in age from six to seven years old and will be used in the collection of brush and bulky item collection
12-eleven yard rear loader refuse trucks - all twelve are additions to the fleet and will be used for recycling collection

Competitive bids for the 12-eleven yard rear loader refuse trucks were issued on March 12, 2008 and opened on April 10, 2008. Bid pricing was then compared to governmental cooperative purchasing agreements, and Business Development and Procurement Services determined that Buyboard provided the most advantages pricing to the City. Buyboard pricing total is $1,246,511.40 compared to competitive bids total of $1,272,804.00. The City will save $26,292.60 by utilizing Buyboard pricing.

The Texas Local Government Purchasing Cooperative, known as the "Buyboard", was formed in 1998 as an administrative agency of cooperating local governments and state agencies, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.
BACKGROUND (Continued)

The Cooperative provides a source for member local governments and state agencies to buy goods and services, in accordance with Texas state bidding requirements, from qualified vendors, at a cost savings realized in economies of scale and reduction in administrative costs.

12-twenty yard rear loader refuse trucks - six are additions to the fleet and six will replace units that are nine years old to be used in the collection of brush and bulky item collection

10-automated refuse truck body - to replace units that range from six to eight years and will be used in the collection and removal of solid waste

3-transfer trucks - to replace units that are eleven years old and will be used to transport refuse from the transfer stations to the landfill

1-transfer trailer - to replace a unit that is eighteen years old and will be used to transport refuse from the transfer stations to the landfill

Street Services will receive four units as follows:
2-concrete trucks - both trucks are an addition to the fleet and will be used by staff in the repair and maintenance of streets

2-air compressors - to replace units that are twenty-two years old and will be used by staff in the repair and maintenance of streets

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 631 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 February 27, 2008, City Council authorized a twelve-month master agreement for automobiles, light trucks, motorcycles, vans and utility trucks by Resolution #08-0629.

On December 12, 2007, City Council authorized a twelve-month master agreement for automated refuse trucks by Resolution #07-3771.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

On March 28, 2007, City Council authorized a twelve-month master agreement for automated refuse trucks by Resolution #07-1036.

On February 28, 2007, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #07-0748.

On February 26, 2007, the Finance, Audit and Accountability Committee was briefed on the purchase of automobiles, light trucks, vans and utility trucks.

On May 10, 2006, City Council authorized a twelve-month master agreement for automobiles, heavy equipment and motorcycles by Resolution #06-1381.

On November 9, 2005, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #05-3293.


On December 8, 2003, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #03-3330.

FISCAL INFORMATION

$ 4,193,094.00 - 2007 Equipment Acquisition Contractual Obligation Notes
$  352,083.00 - 2006 Equipment Acquisition Contractual Obligation Notes
$   183,587.00 - Water Utilities Current Funds

M/WBE INFORMATION

83 - Vendors Contacted
82 - No response
  1 - Response (bid)
  0 - Response (no bid)
  0 - Successful

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

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

### Metro Ford Truck Sales, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
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### Southwest International Trucks, Inc.

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### B & C Body Co.

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ETHNIC COMPOSITION (Continued)

Stewart and Stevenson

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BID INFORMATION

The following bids were received from solicitation number BP0816 and opened on April 4, 2008. This master agreement is being awarded to the lowest responsive and responsible bidders by line.

*Denotes successful bidders

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<th>Address</th>
<th>Amount of Bid</th>
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<tr>
<td>*Metro Ford Truck Sales, Inc.</td>
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<td>Multiple Lines</td>
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<td>*Rush Truck Center</td>
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<td>Multiple Lines</td>
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<td></td>
<td>Irving, TX 75061</td>
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<td>*Equipment Southwest, Inc.</td>
<td>425 S. Loop 12</td>
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<td>*Southwest International Trucks, Inc.</td>
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<td>*Volvo Construction Equipment</td>
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<td>*B &amp; C Body Co.</td>
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<tr>
<td>*Stewart and Stevenson</td>
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<td>Multiple Lines</td>
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<td>Heil of Texas</td>
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<td>UD Trucks of San Antonio</td>
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<td>Non-responsive**</td>
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</table>
BID INFORMATION (Continued)

<table>
<thead>
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<th>Bidders</th>
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<th>Amount of Bid</th>
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<tbody>
<tr>
<td>Metro Autocar</td>
<td>4000 Irving Blvd.</td>
<td>Non-responsive**</td>
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<td></td>
<td>Dallas, TX  75247</td>
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</tr>
</tbody>
</table>

**Chastang's Bayou City Autocar, UD Trucks of San Antonio and Metro Autocar were deemed non-responsive due to not being able to hold bid pricing.

OWNERS

Metro Ford Truck Sales, Inc.

Eileen Beard, President
Daniel Foley Jr., Vice President
Roland Aliniz, Secretary
Stanley Graff, Treasurer

Rush Truck Center

Rusty Rush, President
Martin Naegelin Jr., Vice President
Derrek Weaver, Secretary

Equipment Southwest, Inc.

Mike Foley, President
Beverly Foley, Treasurer

Southwest International Trucks, Inc.

Russ Trimble, President
Rud Hefner, Vice President
Jane Roth, Secretary/Treasurer

Volvo Construction Equipment

Chris Banes, President

B & C Body Co.

Bill Bankston, President
Bob Heatherly, Vice President
Wes Skelton, Secretary
Joe Kennedy, Treasurer
OWNERS (Continued)

Stewart and Stevenson

Husay Ansary, President
Gary Stratdale, Vice President
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a twelve-month master agreement for refuse trucks, transfer trucks, forklifts and air compressors - Metro Ford Truck Sales, Inc. in the amount of $2,020,016, Rush Truck Center through Buyboard, a Texas Local Government Purchasing Cooperative in the amount of $1,246,511, Equipment Southwest, Inc. in the amount of $791,500, Southwest International Trucks, Inc. in the amount of $312,998, Volvo Construction Equipment in the amount of $207,381, B & C Body Co. in the amount of $72,188 and Stewart and Stevenson in the amount of $78,170, lowest responsible bidders of eleven - Total not to exceed $4,728,764.00 - Financing: 2007 Equipment Acquisition Contractual Obligation Notes ($4,193,094), 2006 Equipment Acquisition Contractual Obligation Notes ($352,083), Water Utilities Current Funds ($183,587)

Metro Ford Truck Sales, Inc., Equipment Southwest, Inc., Southwest International Trucks, Inc., B & C Body Co. and Stewart and Stevenson are local, non-minority firms, have signed the "Good Faith Effort" documentation, and propose to use their own workforces. Volvo Construction Equipment a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Goods

---

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
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<th>Percent</th>
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<tr>
<td>Total local contracts</td>
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<td>$207,381.00</td>
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<td>TOTAL CONTRACT</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors
None
Non-Local Contractors / Sub-Contractors
None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
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<tbody>
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</table>
WHEREAS, on December 8, 2003, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #03-3330; and,

WHEREAS, on November 10, 2004, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #04-3262; and,

WHEREAS, on November 9, 2005, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #05-3293; and,

WHEREAS, on May 10, 2006, City Council authorized a twelve-month master agreement for automobiles, heavy equipment and motorcycles by Resolution #06-1381; and,

WHEREAS, on February 28, 2007, City Council authorized a twelve-month master agreement for automobiles, light trucks and vans by Resolution #07-0748; and,

WHEREAS, on March 28, 2007, City Council authorized a twelve-month master agreement for automobiles, light trucks, motorcycles, vans and utility trucks by Resolution #07-0975; and,

WHEREAS, on December 12, 2007, City Council authorized a twelve-month master agreement for automated refuse trucks by Resolution #07-3771; and,

WHEREAS, on February 27, 2008, City Council authorized a twelve-month master agreement for automobiles, light trucks, motorcycles, vans and utility trucks by Resolution #08-0629;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of refuse trucks, transfer trucks, forklifts and air compressors is authorized with Metro Ford Truck Sales, Inc. (039866) in the amount of $2,020,016.00, Rush Truck Center (517378) through Buyboard, a Texas Local Government Purchasing Cooperative in the amount of $1,246,511.00, Equipment Southwest, Inc. (255843) in the amount of $791,500.00, Southwest International Trucks, Inc. (003940) in the amount of $312,998.00, Volvo Construction Equipment (011554) in the amount of $207,381.00, B & C Body Co. (341365) in the amount of $72,188.00 and Stewart and Stevenson (951731) in the amount of $78,170.00 for a term of twelve months in the total amount not to exceed $4,728,764.00.
Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for refuse trucks, transfer trucks, forklifts and air compressors. If a written contract is required or requested for any or all purchases of refuse trucks, transfer trucks, forklifts and air compressors under the master agreement, instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $4,728,764.00.

Section 4. 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
Park & Recreation
Sanitation Services
Street Services
Water Utilities
AGENDA ITEM # 11

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services

CMO: Dave Cook, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a twenty-four-month master agreement for energy efficient light bulbs and tubes for City facilities - Facility Solutions Group, Inc. in the amount of $295,366, Voss Electric Co. in the amount of $202,202, Simba Industries in the amount of $33,048, and Dallas Light Bulb Delivery in the amount of $9,750, lowest responsible bidders of four - Total not to exceed $540,366 - Financing: Current Funds

BACKGROUND

This master agreement will provide all General Electric, Sylvania, Phillips, Technical Consumer Products, USHIO, Osram Sylvania and Hytron energy efficient light bulbs and tubes for lighting approximately 553 City facilities. Energy efficient light bulbs and tubes have replaced standard lighting throughout most of the City facilities. The City uses approximately 32,000 light bulbs and tubes annually.

The major users of this master agreement are Equipment and Building Services, Convention and Event Services, and Dallas Water Utilities and include:

- 23 Library branches
- 289 Park and Recreation facilities
- 23 Police stations
- 74 Fire stations and training facilities
- 44 Street Services facilities
- 23 multi-purpose facilities
- 6 Office of Culture Affairs facilities
- City Hall
- Morton H. Meyerson Symphony Center
- Thanksgiving Square
- Reunion Arena
- Farmers Market
- purification plants, wastewater plants and water treatment plants
BACKGROUND (Continued)

This bid has a 17% increase on like products over the bid awarded in 2007.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 106 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS 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 BDPS' 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 April 11, 2007, City Council authorized a twenty-four-month master agreement for lamps by Resolution #07-1143.

On June 22, 2005, City Council authorized a twenty-four-month master agreement for lamps by Resolution #05-1996.

FISCAL INFORMATION

$540,366.00 - Current Funds

M/WBE INFORMATION

18 - Vendors contacted
16 - No response
  2 - Response (Bid)
  0 - Response (No bid)
  2 - Successful

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

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

**Facility Solutions Group, Inc.**

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic</td>
<td>2</td>
<td>7</td>
</tr>
<tr>
<td>Black</td>
<td>0</td>
<td>0</td>
</tr>
<tr>
<td>Other</td>
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</tr>
<tr>
<td>White</td>
<td>5</td>
<td>9</td>
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</table>

**Voss Electric Co.**

<table>
<thead>
<tr>
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</tr>
</thead>
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</tr>
<tr>
<td>White</td>
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</table>

**Simba Industries**

<table>
<thead>
<tr>
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</tr>
</thead>
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<tr>
<td>White</td>
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<td>3</td>
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</table>

**Dallas Light Bulb Delivery**

<table>
<thead>
<tr>
<th>Ethnicity</th>
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<th>Male</th>
</tr>
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<td>Other</td>
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<tr>
<td>White</td>
<td>2</td>
<td>7</td>
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</table>

## BID INFORMATION

The following bids were received from solicitation number BL0839 and opened on May 28, 2008. This master agreement is being awarded to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Facility Solutions Group, Inc.</td>
<td>10490 Shady Trail #104</td>
<td>Multiple Groups</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75220</td>
<td></td>
</tr>
<tr>
<td>*Voss Electric Co.</td>
<td>11420 Gerrell Drive #304</td>
<td>Multiple Groups</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75234</td>
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</table>
BID INFORMATION (Continued)

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Simba Industries</td>
<td>1323 Dublin Street</td>
<td>Multiple Groups</td>
</tr>
<tr>
<td></td>
<td>Grapevine, TX 76051</td>
<td></td>
</tr>
<tr>
<td>*Dallas Light Bulb Delivery</td>
<td>2505 Willowbrook Drive</td>
<td>Multiple Groups</td>
</tr>
<tr>
<td></td>
<td>Dallas, TX 75220</td>
<td></td>
</tr>
</tbody>
</table>

OWNERS

Facility Solutions Group, Inc.

William Graham, President

Voss Electric Co.

Michael Voss, President
Bill Cooley, Vice President
Bob Block, Secretary/Treasurer

Simba Industries

Vickie L. Kasten, Owner, General Manager

Dallas Light Bulb Delivery

Lisa Hughes, President
Bobby Giblaint, Vice President
Stephanie Castro, Secretary
Sophia Reyes, Treasurer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a twenty-four-month master agreement for energy efficient light bulbs and tubes for City facilities - Facility Solutions Group, Inc. in the amount of $295,366, Voss Electric Co. in the amount of $202,202, Simba Industries in the amount of $33,048, and Dallas Light Bulb Delivery in the amount of $9,750, lowest responsible bidders of four - Total not to exceed $540,366 - Financing: Current Funds

Facility Solutions Group, Inc. and Voss Electric Co., are local, non-minority firms, have signed the "Good Faith Effort" documentation, and propose to use their own workforces. Simba Industries and Dallas Light Bulb Delivery are local, minority firms, have signed the "Good Faith Effort" documentation, and propose to use their own workforces.

PROJECT CATEGORY: Goods

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percent</th>
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<tbody>
<tr>
<td>Total local contracts</td>
<td>$540,366.00</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$540,366.00</td>
</tr>
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</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Simba Industries</td>
<td>WFWB37013N0309</td>
<td>$33,048.00</td>
</tr>
<tr>
<td>Dallas Light Bulb Delivery, Inc.</td>
<td>WFWB35378N1008</td>
<td>$9,750.00</td>
</tr>
<tr>
<td>Total Minority - Local</td>
<td></td>
<td>$42,798.00</td>
</tr>
</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>WBE</td>
<td>$42,798.00</td>
<td>7.92%</td>
<td>$42,798.00</td>
</tr>
<tr>
<td>Total</td>
<td>$42,798.00</td>
<td>7.92%</td>
<td>$42,798.00</td>
</tr>
</tbody>
</table>
WHEREAS, on June 22, 2005, City Council authorized a twenty-four-month master agreement for lamps by Resolution #05-1996; and,

WHEREAS, on April 11, 2007, City Council authorized a twenty-four-month master agreement for lamps by Resolution #07-1143;

NOW, THEREFORE,

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

Section 1. That a master agreement for the purchase of lamps and light bulbs is authorized with Facility Solutions Group, Inc. (VS0000010481) in the amount of $295,366, Voss Electric Co. (238705) in the amount of $202,202, Simba Industries (519720) in the amount of $33,048, and Dallas Light Bulb Delivery (503618) in the amount of $9,750, for a term of twenty-four months in a total amount not to exceed $540,366.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for lamps and light bulbs. If a written contract is required or requested for any or all purchases of lamps and light bulbs under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract upon approval as to form by the City Attorney.

Section 3. That the City Controller is authorized to disburse funds in an amount not to exceed $540,366.00.

Section 4. 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
AGENDA ITEM # 12

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Business Development & Procurement Services
Communication and Information Services

CMO: Dave Cook, 670-7804
Ramon F. Miguez, P.E., 670-3308
David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize (1) renewal of a thirty-six-month license agreement for Microsoft software through the State of Texas Department of Information Resources - Software House International in the amount of $3,684,522, and (2) renewal of a thirty-six-month Enterprise agreement for support of Microsoft licensing services through the State of Texas Department of Information Resources - Microsoft Corporation in the amount of $180,197 – Total not to exceed $3,864,719 – Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This item will continue the City's enrollment in the current computer software agreement with Microsoft Corporation through the State of Texas Department of Information Resources (DIR) for thirty-six months. The software agreement allows the City to realize significant cost savings through DIR for 7,539 desktop computers, ensure compliance with licensing requirements and continue its standardization of desktop computer software products. This agreement utilizes the Interlocal Government Contract with State of Texas, (DIR), a Microsoft authorized large account reseller.

The Microsoft Enterprise Agreement will allow us to add more licenses for growth. This process enables the City to actively manage assets and add what is needed to increase efficiencies as the organization continues to grow. Should this growth exceed 7,539 desktop software licenses, a final payment at the end of the agreement will be necessary. If a final payment becomes necessary, the current negotiated rates will apply.

This bid has a 28% decrease over the bid awarded in 2004.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 27, 2004, City Council authorized the use of an Interlocal Government Contract with State of Texas, DIR by Resolution # 04-3033.

FISCAL INFORMATION

$3,864,719.00 - Current Funds (subject to annual appropriations)

BID INFORMATION

These items are being acquired through the Texas Department of Information Resources (DIR), a statewide procurement cooperative that complies with state and federal requirements for bidding. Overall pricing for this project was obtained by contacting several qualified vendors participating in the Texas (DIR) program and soliciting pricing. The vendor(s) who provided the lowest qualified pricing were selected as the awarded vendor(s).

*Denotes successful bidder

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Amount of Bid</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Software House International</td>
<td>1250 Capital of TX TX State Hwy, I-35 San Antonio, TX 78216</td>
<td>Group I - $3,684,522.60</td>
</tr>
<tr>
<td>Tech Depot</td>
<td>6 Cambridge Drive Trumbull, CT 06611</td>
<td>Group 1 - $4,525,979.16</td>
</tr>
<tr>
<td>*Microsoft Corporation</td>
<td>One Microsoft Way Redmond, WA 98052</td>
<td>Group II - $180,197.00</td>
</tr>
</tbody>
</table>

OWNERS

Software House International
Thai Lee, Chairman

Microsoft Corporation
William Henry Gates, Co-founder/Chairman
Steven A. Ballmer, Chief Executive Officer/Director
WHEREAS, on October 27, 2004, City Council authorized the use of an Interlocal Government Contract with State of Texas, DIR by Resolution # 04-3033;

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney is hereby authorized to execute renewal of a thirty-six month license agreement for Microsoft software through the State of Texas Department of Information Resources with Software House International in the amount of $3,684,522.00, and renewal of a thirty-six month Enterprise agreement for support of Microsoft licensing services through the State of Texas Department of Information Resources with Microsoft Corporation in the amount of $180,197.00 in a total amount not to exceed $3,864,719.00.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and provisions for this agreement from the following appropriation in an amount not to exceed $3,864,719.00 (subject to annual appropriations):

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>0198</td>
<td>DSV</td>
<td>1622</td>
<td>3438</td>
<td>$3,864,719.00</td>
</tr>
</tbody>
</table>

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, 3FN
Communication and Information Services
AGENDA ITEM # 13

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Business Development & Procurement Services
Human Resources

CMO: Dave Cook, 670-7804
Mary K. Suhm, 670-5306

MAPSCO: N/A

SUBJECT

Authorize a thirty-six-month service contract for pre-employment background checks - Sterling Testing Systems, Inc., best value bidder of four - Not to exceed $87,800 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

The Human Resources Department conducts pre-employment background checks on all new hires seeking employment with the City. The purpose of conducting background investigations is to verify that applicants for employment do not have a history of activity that would make them unsuitable for positions which they are being considered. Failure to perform pre-employment background checks could place the organization at risk of future liability court cases. These checks are also important because they allow better informed and less-subjective evaluations to be made about employee candidates.

Upon researching the current process the Human Resources Department determined it would be more advantageous to outsource the civilian pre-employment background check process.

Pre-employment background check information provides the City with key factors to determine if prospective employees meet the eligibility criteria for employment. In addition, the City has made a commitment to assist former offenders re-enter the Dallas community through its provision of case management services, court-based support systems, job training and job placement, including employment at the City.

Due to the complexity and sensitive nature of the pre-employment background checks conducted for Police and Fire employee candidates, it has been determined these departments will continue to perform this function internally.

The City has evaluated the impediments that may impact future employment of applicants who have criminal records.
BACKGROUND (Continued)

Bids for this professional services contract were presented to a five member selection committee. This committee was comprised of representatives from four City departments with knowledge of the particular work areas.

- Human Resource (2)
- Code Compliance (1)
- Parks and Recreation (1)
- City Manager Office (1)

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

- Price 50 points
- Experience and References 30 points
- Extent to which service met City needs 10 points
- Relationship with Municipalities 5 points
- Operational and Management Plan 5 points

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 752 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 May 23, 2007, City Council approved the City Manager’s recommendations to revise the employment process by Resolution #07-1524.

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

On April 23, 2007, City Attorney and Director of Human Resources briefed the Quality of Life Committee.

On February 28, 2007, City Council authorized the City Manager to evaluate and revise the employment process for former offenders by Resolution #07-0753.
FISCAL INFORMATION

$87,800.00 - Current Funds (subject to annual appropriations)

M/WBE INFORMATION

191 - Vendors contacted
190 - No response
   1 - Response (Bid)
   0 - Response (No bid)
   0 - Successful

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

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

ETHNIC COMPOSITION

Sterling Testing Systems, Inc.

Hispanic Female 24 Hispanic Male 16
Black Female 20 Black Male 14
Other Female 7 Other Male 22
White Female 73 White Male 92

BID INFORMATION

The following bids were received from solicitation number BM0816 and opened on April 2, 2008. This service contract is being awarded to the most advantageous bidder.

*Denotes successful bidder

<table>
<thead>
<tr>
<th>Bidders</th>
<th>Address</th>
<th>Score</th>
<th>Bid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Sterling Testing Systems, Inc.</td>
<td>249 West 17th St. New York, NY 10011</td>
<td>95.0</td>
<td>$87,800.00</td>
</tr>
<tr>
<td>APR Consulting, Inc.</td>
<td>3500 Oak Lawn Ave. # 400 Dallas, TX 75219</td>
<td>77.6</td>
<td>$101,868.00</td>
</tr>
<tr>
<td>Pre-employ.com, Inc.</td>
<td>2301 Dallas Ferry Rd. Anderson, CA 96007</td>
<td>67</td>
<td>$145,635.00</td>
</tr>
<tr>
<td>Global Information Specialist</td>
<td>2314 Sheriff Dr. Grand Prairie, TX 75051</td>
<td>63.2</td>
<td>$150,194.00</td>
</tr>
</tbody>
</table>
OWNER

Sterling Testing Systems, Inc.

Richard Seldon, President
William Greenblatt, Chief Executive Officer
Andrew Reiben, Chief Financial Officer
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a thirty-six-month service contract for pre-employment background checks - Sterling Testing Systems, Inc., best value bidder of four - Not to exceed $87,800 - Financing: Current Funds (subject to annual appropriations)

Sterling Testing System, Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Other Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Total local contracts</td>
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<tr>
<td>Total non-local contracts</td>
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<tr>
<td>TOTAL CONTRACT</td>
<td>$87,800.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
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<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
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</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
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<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
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<td>0.00%</td>
<td>$0.00</td>
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</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
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 Sterling Testing Systems, Inc. (VS0000028322) for pre-employment background checks for a term of thirty-six months in an amount not to exceed $87,800.00, 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 Sterling Testing Systems, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Sterling Testing Systems, 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 $87,800.00 (subject to annual appropriations):

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>OBJECT</th>
<th>AMOUNT</th>
</tr>
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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
Human Resources
AGENDA ITEM # 14

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
               Sanitation Services

CMO: Thomas P. Perkins, Jr., 670-3491
     Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize settlement of a claim filed by Kelayia Hampton, Claim No. 06164739 - Not to exceed $12,000 - Financing Current Funds

BACKGROUND

Council was briefed in Closed Session on June 18, 2008.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

This item has no prior action.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

$12,000 - Current Funds
WHEREAS, a claim was filed by Kelayia Hampton, Claim No. 06164739, seeking compensation for bodily injury allegedly caused in an automobile accident on June 27, 2006, involving an employee of the Sanitation Department; and

WHEREAS, Kelayia Hampton has agreed to settle this claim for the amount of $12,000; Now, Therefore,

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

SECTION 1. That the settlement of the claim for Kelayia Hampton, Claim No. 06164739, in an amount not to exceed $12,000, is hereby approved.

SECTION 2. That the City Controller is authorized to pay Kelayia Hampton the amount of $9,169.98, TMHP/Medicaid the amount of $2,590.02 and Allied Group M.D. PA the amount of $240 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor MVATT001.

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 # 15

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Sanitation Services

CMO: Thomas P. Perkins, Jr., 670-3491
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Barbara Wright McCoy v. City of Dallas, Cause No. 07-12140-B - Not to exceed $20,000 - Financing: Current Funds

BACKGROUND

Plaintiff is represented by the law firm of Rolle, Breeland, Ryan, Landau, Wingler & Hindman.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Council was briefed in Closed Session on June 18, 2008.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

$20,000 - Current Funds
WHEREAS, a lawsuit styled Barbara Wright McCoy v. City of Dallas, Cause No. 07-12140-B, was filed by Plaintiff seeking compensation from the City of Dallas for bodily injuries sustained in an automobile accident on June 23, 2006 involving a Sanitation Department vehicle; and

WHEREAS, Plaintiff, Barbara Wright McCoy, through her attorney, the law firm of Rolle, Breeland, Ryan, Landau, Wingler & Hindman has agreed to settle this lawsuit for the amount of $20,000; Now, therefore,

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

SECTION 1. That the settlement of the lawsuit styled Barbara Wright McCoy v. City of Dallas, Cause No. 07-12140-B, in an amount not to exceed $20,000 is hereby approved.

SECTION 2. That the City Controller is authorized to pay to Barbara McCoy and her attorney, the law firm of Rolle, Breeland, Ryan, Landau, Wingler & Hindman and Medicaid in the amount of $2,106.14 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 3. That the City Controller is authorized to pay to Barbara McCoy and her attorney, the law firm of Rolle, Breeland, Ryan, Landau, Wingler & Hindman in the amount of $17,893.86 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 4. 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 # 16

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Police

CMO: Thomas P. Perkins, Jr., 670-3491
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Dorothy Wherry et al. v. City of Dallas, Cause No. 06-18432-C - Not to exceed $13,000 - Financing: Current Funds

BACKGROUND


PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Council was briefed in Closed Session on June 18, 2008.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

$13,000 - Current Funds
COUNCIL CHAMBER

June 25, 2008

WHEREAS, a lawsuit styled Dorothy Wherry et al. v. City of Dallas, Cause No. 06-18432-C, was filed by Plaintiff seeking compensation from the City of Dallas for bodily injuries sustained in an automobile accident on February 13, 2006 involving a Dallas Police Department vehicle; and

WHEREAS, Plaintiff, Dorothy Wherry, through her attorney, William J. Clay of the Law Office of William J. Clay, has agreed to settle this lawsuit for the amount of $13,000; Now, therefore,

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

SECTION 1. That the settlement of the lawsuit styled Dorothy Wherry et al. v. City of Dallas, Cause No. 06-18432-C, in an amount not to exceed $13,000 is hereby approved.

SECTION 2. That the City Controller is authorized to pay to Dorothy Wherry and her attorney, William J. Clay, the amount of $11,104.09 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 3. That the City Controller is authorized to pay to TMHP/Medicaid, the amount of $1,895.91 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

SECTION 4. 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 # 17

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Aviation

CMO: Thomas P. Perkins, Jr., 670-3491
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize settlement of the lawsuit styled Sarah Carp v. City of Dallas, Cause No. 07-04838-G - Not to exceed $150,000 - Financing: Current Funds

BACKGROUND

Plaintiff is represented by Sommerman & Quesada, L.L.P.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Council was briefed in Closed Session on June 18, 2008.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

$150,000 - Current Funds
WHEREAS, a lawsuit styled Sarah Carp v. City of Dallas, Cause No. 07-04838-G, was filed by Plaintiff seeking compensation from the City of Dallas for bodily injuries sustained when the glass sliding doors at Dallas Love Field airport allegedly malfunctioned on June 29, 2006; and

WHEREAS, Plaintiff, Sarah Carp, through her attorney, Sommerman & Quesada, L.L.P., has agreed to settle this lawsuit for the amount of $150,000; Now, therefore,

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

SECTION 1. That the settlement of the lawsuit styled Sarah Carp v. City of Dallas, Cause No. 07-04838-G, in an amount not to exceed $150,000 is hereby approved.

SECTION 2. That the City Controller is authorized to pay to Sarah Carp and her attorney Sommerman & Quesada, L.L.P., the amount of $150,000 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

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 # 18

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Police

CMO: Thomas P. Perkins, Jr., 670-3491
Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT
Authorize settlement of the lawsuit styled James Muise v. Dallas County, et al., Civil Action No. 3:07-CV-0476-O - Not to exceed $10,000 - Financing: Current Funds

BACKGROUND
Plaintiff is represented by Christopher S. Hamilton with the law firm of Standly and Hamilton, LLP.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)
Council was briefed in Closed Session on June 4, 2008.

FISCAL INFORMATION
Funding for this item is budgeted in the current fiscal year.

$10,000 - Current Funds
WHEREAS, a lawsuit styled James Muise v. Dallas County, et al., Civil Action No. 3:07-CV-0476-O, was filed by Plaintiff seeking compensation from the City of Dallas for alleged violations of his rights under the Fourth Amendment to the United States Constitution and state law sustained on February 12, 2005 involving Dallas Police Department officers; and

WHEREAS, Plaintiff, James Muise, through his attorney, Christopher S. Hamilton of the law firm of Standly and Hamilton, LLP, has agreed to settle this lawsuit for the amount of $10,000; Now, Therefore,

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

SECTION 1. That the settlement of the lawsuit styled James Muise v. Dallas County, et al., Civil Action No. 3:07-CV-0476-O, in an amount not to exceed $10,000 is hereby approved.

SECTION 2. That the City Controller is authorized to pay to the law firm of Standly and Hamilton, LLP, the amount of $10,000 from Fund 0192, Department ORM, Unit 3890, Obj. 3521, Vendor CTATT001.

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.
Subject

Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Office of Karen J. Tracy for additional legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K - Not to exceed $50,000, from $25,000 to $75,000 - Financing: Current Funds

Background

On May 8, 2008, pursuant to Administrative Action No. 08-1320, the City entered into a professional services contract with the Law Office of Karen J. Tracy in an amount not to exceed $25,000 for legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K. This item authorizes Supplemental Agreement No. 1 to the professional services contract with the Law Office of Karen J. Tracy for additional legal services needed in this matter in an amount not to exceed $50,000, increasing the original contract amount from $25,000 to $75,000.

Prior Action/Review (Council, Boards, Commissions)

Council was briefed in Closed Session on June 18, 2008.

Fiscal Information

Funding for this item is budgeted in the current fiscal year.

$50,000 - Current Funds
M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Law Office of Karen J. Tracy

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OWNER

Law Office of Karen J. Tracy

Karen J. Tracy, Owner
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with the Law Office of Karen J. Tracy for additional legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K - Not to exceed $50,000, from $25,000 to $75,000 - Financing: Current Funds

Law Office of Karen J. Tracy is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<td><strong>Total</strong></td>
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WHEREAS, on May 8, 2008, pursuant to Administrative Action No. 08-1320, the City entered into a professional services contract with the Law Office of Karen J. Tracy, for legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K, in an amount not to exceed $25,000; and

WHEREAS, the legal services of the Law Office of Karen J. Tracy continue to be necessary in this matter; Now, Therefore,

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

SECTION 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with the Law Office of Karen J. Tracy for additional legal services necessary in the lawsuit styled David Michael Hobbs and Kathy Rene Hobbs v. City of Dallas, et al., Civil Action No. 3:06-CV-2106-K, in an amount not to exceed $50,000, increasing the original contract amount from $25,000 to $75,000.

SECTION 2. That the City Controller is authorized to disburse, in periodic payments to the Law Office of Karen J. Tracy, an amount not to exceed $50,000 from Fund 0192, Department ORM, Unit 3890, Obj. 3070, Encumbrance No. ATT38908H035, Vendor No. VC0000004987.

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.
Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed $60,000, from $25,000 to $85,000 - Financing: Current Funds

BACKGROUND

On March 11, 2008, pursuant to Administrative Action No. 08-0803, the City entered into a professional services contract with Adorno Yoss White & Wiggins, L.L.P. in an amount not to exceed $25,000 for legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B. This item authorizes Supplemental Agreement No. 1 to the professional services contract with Adorno Yoss White & Wiggins, L.L.P. for additional legal services needed in this matter in an amount not to exceed $60,000, increasing the original contract amount from $25,000 to $85,000.

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Council was briefed in Closed Session on June 18, 2008.

FISCAL INFORMATION

Funding for this item is budgeted in the current fiscal year.

$60,000 - Current Funds
M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Adorno Yoss White & Wiggins, L.L.P.

<table>
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OWNER

Adorno Yoss White & Wiggins, L.L.P.

Kevin B. Wiggins, Partner
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services
contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. to increase funding
for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney
Hood, et al., Civil Action No. 3:07-CV-2147-B - Not to exceed $60,000, from $25,000 to
$85,000 - Financing: Current Funds

Adorno Yoss White & Wiggins, L.L.P. is a local, minority firm, has signed the "Good
Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<td>Amount</td>
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WHEREAS, on March 11, 2008, pursuant to Administrative Action No. 08-0803, the City entered into a professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P., for legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B, in an amount not to exceed $25,000; and

WHEREAS, the legal services of Adorno Yoss White & Wiggins, L.L.P. continue to be necessary in this matter; Now, Therefore,

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

SECTION 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 1 to the professional services contract with the law firm of Adorno Yoss White & Wiggins, L.L.P. for additional legal services necessary in the lawsuit styled Carson Dunlap v. Rodney Hood, et al., Civil Action No. 3:07-CV-2147-B, in an amount not to exceed $60,000, increasing the original contract amount from $25,000 to $85,000.

SECTION 2. That the City Controller is authorized to disburse, in periodic payments to the law firm of Adorno Yoss White & Wiggins, L.L.P., an amount not to exceed $60,000 from Fund 0192, Department ORM, Unit 3890, Obj. 3070, Encumbrance No. ATT38908F0117, Vendor No. 344317.

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.
SUBJECT

Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services necessary in connection with litigation and related matters involving Dallas Love Field and the Wright Amendment compromise – Not to exceed $260,000, from $1,675,000 to $1,935,000 – Financing: Aviation Current Funds

BACKGROUND

The additional legal services of the law firm of Vinson & Elkins LLP are necessary for representing the City and its elected officials in connection with litigation involving Dallas Love Field and the Wright Amendment compromise, including the following lawsuits: (1) Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Cause No. 06-10182-E; (2) Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Cause No. 06-11650-E; (3) Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Civil Action No. 3:06-CV-1279-D; (4) Small Community Airlines, Inc. v. City of Dallas, et al., Cause No. 07-02540-E; and (5) such additional litigation and related matters involving Dallas Love Field and the Wright Amendment compromise as may be assigned to Vinson & Elkins LLP by the City Attorney.

The original professional services contract with the law firm of Vinson & Elkins LLP, in the amount of $25,000 was authorized by Administrative Action No. 06-1920, on July 27, 2006.
PRIOR ACTION/REVIEW (Council, Boards, Commissions)

City Council was briefed in Closed Session on October 18, 2006, February 7, 2007, June 6, 2007 and May 21, 2008.

On October 25, 2006, the City Council authorized Supplemental Agreement No. 1 to the professional services contract in the amount of $250,000, increasing the contract from $25,000 to $275,000, by Resolution No. 06-2964.

On February 14, 2007, the City Council authorized Supplemental Agreement No. 2 to the professional services contract in the amount of $600,000, increasing the contract from $275,000 to $875,000, by Resolution No. 07-0533.

On June 13, 2007, the City Council authorized Supplemental Agreement No. 3 to the professional services contract in the amount of $800,000, increasing the contract from $875,000 to $1,675,000, by Resolution No. 07-1727.

FISCAL INFORMATION

$260,000 – Aviation Current Funds

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Vinson & Elkins LLP

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<th>Ethnicity</th>
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OWNER

Vinson & Elkins LLP

Ben Brooks, Partner
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT:  Authorize Supplemental Agreement No. 4 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services necessary in connection with litigation and related matters involving Dallas Love Field and the Wright Amendment compromise – Not to exceed $260,000, from $1,675,000 to $1,935,000 – Financing: Aviation Current Funds

The law firm of Vinson & Elkins LLP, is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY:  Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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<td>0.00%</td>
<td>$0.00</td>
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</table>
WHEREAS, the City of Dallas is involved in the following lawsuits related to Dallas Love Field and the Wright Amendment compromise: (1) Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Cause No. 06-10182-E; (2) Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Cause No. 06-11650-E; (3) Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al., Civil Action No. 3:06-CV-1279-D; and (4) Small Community Airlines, Inc. v. City of Dallas, et al., Cause No. 07-02540-E; and

WHEREAS, pursuant to Administrative Action No. 06-1920, approved on July 27, 2006, the City entered into a professional services contract with the law firm of Vinson & Elkins LLP, in an amount not to exceed $25,000, for legal services necessary to represent the City and its elected officials in the above-referenced lawsuits, and in such additional litigation and related matters involving Dallas Love Field and the Wright Amendment compromise as may be assigned to the firm by the City Attorney; and

WHEREAS, on October 25, 2006, pursuant to Resolution No. 06-2964, the City entered into a Supplemental Agreement No. 1 to the professional services contract with the law firm of Vinson & Elkins LLP, in an amount not to exceed $250,000, increasing the original contract amount as supplemented from $25,000 to $275,000; and

WHEREAS, on February 14, 2007, pursuant to Resolution No. 07-0533, the City entered into a Supplemental Agreement No. 2 to the professional services contract with the law firm of Vinson & Elkins LLP, in an amount not to exceed $600,000, increasing the original contract amount as supplemented from $275,000 to $875,000; and

WHEREAS, on June 13, 2007, pursuant to Resolution No. 07-1727, the City entered into a Supplemental Agreement No. 3 to the professional services contract with the law firm of Vinson & Elkins LLP, in an amount not to exceed $800,000, increasing the original contract amount as supplemented from $875,000 to $1,675,000; and

WHEREAS, the legal services of the law firm of Vinson & Elkins LLP continue to be necessary for representation of the City and its elected officials in the above-referenced lawsuits; Now, Therefore,

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

SECTION 1. That, following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into Supplemental Agreement No. 4 to the professional services contract with the law firm of Vinson & Elkins LLP for additional legal services and related expenses necessary in the above-referenced lawsuits, and any other proceedings related to the subject matter of these lawsuits, or involving Dallas Love Field and the Wright Amendment compromise, as assigned to the firm by the City Attorney, in an amount not to exceed $260,000, increasing the original contract amount as supplemented from $1,675,000 to $1,935,000.
SECTION 2. That the City Controller is authorized to disburse additional periodic payments in an amount not to exceed $260,000 to Vinson & Elkins LLP in accordance with the terms of the contract and Supplemental Agreement No. 4, from Fund 0130, Department AVI, Unit 7710, Obj. 3070, Encumbrance No. AVI7710VINS-3, Vendor No. 341246.

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 # 22

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Communication and Information Services

CMO: Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize an increase in the contract amount and execute a supplemental agreement, if needed, to make the final payment for a thirty-six-month Microsoft State and Local Government Enterprise Agreement through the Department of Information Resources, State of Texas, representative, Software House International, Inc., for computer software products including MS Office, MS Windows, etc., support services, compliance with licensing requirements, and support for additional desktop and server software – Not to exceed $420,445, from $4,156,179 to $4,576,624 - Financing: Current Funds

BACKGROUND

This item will authorize payment for the additional 839 desktop and server software which were added to the Microsoft Enterprise Agreement. The Microsoft Enterprise Agreement enables the City of Dallas to use additional licenses for any product covered by the agreement. At the end of the contract, the Microsoft desktop and server software is aligned with the number of total additional licenses added to the Enterprise Agreement, then payment of the difference is made. The Microsoft Enterprise Agreement allows the City to realize significant cost savings through DIR for software, ensure compliance with licensing requirements, and continue its standardization of software products. This agreement utilizes the Interlocal Government Contract with the State of Texas, Department of Information Resources (DIR). Software House International, Inc. is a Microsoft Authorized Large Account Reseller.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)


On October 10, 2001, City Council authorized the Enterprise Agreement with Microsoft through DIR by Resolution No. 01-3032.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) Continued

On April 11, 2001, City Council authorized the use of an Interlocal Government Contract with State of Texas, DIR by Resolution No. 01-1289.

FISCAL INFORMATION

$420,445.00 - Current Funds

BID INFORMATION

According to the Interlocal Cooperation Act as revised by the 74th Legislature, a political subdivision's purchase from a state agency under that Act, satisfies the competitive bidding requirement.

OWNER

Microsoft Corporation

William Gates, Chairman and Chief Software Architect
WHEREAS, the City Council authorized a thirty-six (36) month Microsoft State and Local Government Enterprise Agreement through the Department of Information Resources (DIR), State of Texas, representative, Software House International, Inc., through Resolution No. 04-3033; and

WHEREAS, the Microsoft Enterprise Agreement allows the City of Dallas to order additional desktop and server software with Software House International, Inc.; and

WHEREAS, the City desires to pay the final payment for the thirty-six (36) month Microsoft State and Local Government Enterprise Agreement through the Department of Information Resources (DIR), State of Texas, representative, Software House International, Inc., for additional desktop and server software, in an amount not to exceed $420,445, from $4,156,179 to $4,576,624; and

WHEREAS, the City will execute supplemental agreement, if needed, with Microsoft Authorized Large Account Reseller, Software House International, Inc.;

NOW, THEREFORE,

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

Section 1. That the City Manager is hereby authorized to execute a supplemental agreement, if needed, with Microsoft Authorized Large Account Reseller, Software House International Inc.

Section 2. That the City Manager is hereby authorized to increase the contract amount to make the final payment to Microsoft Authorized Large Account Reseller, Software House International Inc., for 839 additional desktop and server software, in an amount not to exceed $420,445, from $4,156,179 to $4,576,624.

Section 3. That the City Controller is hereby authorized to disburse the final payment in an amount not to exceed $420,445, from $4,156,179 to $4,576,624, to Software House International, Inc., Vendor # 3411768:

<table>
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<tr>
<th>Fund</th>
<th>Dept</th>
<th>Unit</th>
<th>Obj Code</th>
<th>Encumbrance</th>
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</tr>
</tbody>
</table>
Section 4. 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:

Office of Financial Services
City Auditor
City Attorney
Office of Business Development and Procurement Services
Communication and Information Services
Subject

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Joel (Jody) V. King of approximately 126,850 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $56,528 ($55,328, plus closing costs not to exceed $1,200) - Financing: Water Utilities Capital Construction Funds

Background

This item authorizes the acquisition of a tract of land containing approximately 126,850 square feet of unimproved land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni pipeline. The consideration is based on an independent appraisal.

This acquisition is part of the Lake Fork Project currently underway by Dallas Water Utilities which will allow the construction of a third pipeline from Lake Tawakoni to the Tawakoni Balancing Reservoir, and then to the Eastside Water Treatment Plant. Ultimately, a new 144-inch pipeline will be placed parallel to the existing 72-inch and 84-inch pipelines. The construction of the third pipeline from Lake Tawakoni to Dallas will allow capacity for Lake Fork to supply water to meet current City needs and future water demands.

Prior Action/Review (Council, Boards, Commissions)

This item has no prior action.

Fiscal Information

Water Utilities Capital Construction Funds - $56,528 ($55,328, plus closing costs not to exceed $1,200)
OWNER

Joel (Jody) V. King

MAP

Attached
A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

“PROPERTY”: The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes

“PROJECT”: Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"PROPERTY INTEREST": Fee Simple

"OWNER": Joel (Jody) V. King, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $55,328.00 plus closing costs not to exceed $1,200.00

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of Water Utilities Capital Construction Funds No. 0102, Department DWU, Unit CW20, Object 4210, Encumbrance No. CTDWU704041AR, Program No. 704041, Activity No. RWPT.
SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners’ award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 9. 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY [Signature]
Assistant City Attorney
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 31

BEING a 2.912 acre tract of land in the Ruth Peckham Survey, Abstract No. 374, and located in Kaufman County, Texas, and being a portion of a tract of land described as "Tract 2" in Special Warranty Deed to Joel (Jody) V. King, dated August 28, 1996, as recorded in Volume 1225, Page 673, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

COMMENCING at a found 1/2-inch iron rod with cap for the east corner of said "Tract 2" and the south corner of a tract of land described as "Tract III-B" in General Warranty Deed (Cash) to Charles Shelby, dated August 29, 1996, as recorded in Volume 1601, Page 79, D.R.K.C.T., said point being on the northwest line of Lot 29 of Miller Farms, an Addition in Kaufman County, Texas, as recorded in Cabinet 1, Envelope 423, D.R.K.C.T., and as corrected in Cabinet 1, Envelope 442, D.R.K.C.T.;

THENCE North 45 degrees 44 minutes 48 seconds West, departing the northwest line of said Lot 29, along the common line between the northeast line of said "Tract 2", and the southwest line of said "Tract III-B", a distance of 335.09 feet to a 1/2-inch set iron rod with a red plastic cap stamped "DAL-TECH" (hereinafter referred to as "with cap") for the POINT OF BEGINNING;

THENCE South 75 degrees 49 minutes 44 seconds West, departing said common line, crossing said "Tract 2" along a line parallel with and 130 feet perpendicularly distant south from the southeast line of a City of Dallas Water Line Right-of-Way (variable width) described as "Second Tract" as recorded in Volume 444, Page 407, D.R.K.C.T., a distance of 975.76 feet to a 1/2-inch set iron rod with cap on the common line between the southwest line of said "Tract 2", and the northeast line of a tract of land described as "Tract I-B" in General Warranty Deed (Cash) to George C. Martin, dated August 29, 1996, as recorded in Volume 1225, Page 682, D.R.K.C.T.,

THENCE North 45 degrees 44 minutes 48 seconds West, along said common line, a distance of 152.59 feet to a 1/2-inch set iron rod with cap for the northwest corner of said "Tract 2" and the northeast corner of said "Tract I-B", said point being on the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE North 75 degrees 49 minutes 44 seconds East, along the common line between the north line of said "Tract 2" and the south line of said City of Dallas Water Line Right-of-Way, a distance of 975.75 feet to a 1/2-inch set iron rod with cap for the north corner of said "Tract 2" and the west corner of said "Tract III-B";

THENCE South 45 degrees 44 minutes 48 seconds East, departing the south line of the said City of Dallas Water Line Right-of-Way, along the common line between the northeast line of said "Tract 2" and the southwest line of said "Tract III-B", a distance of 152.59 feet to the POINT OF BEGINNING AND CONTAINING 126,850 square feet or 2.912 acres of land, more or less.
FIELD NOTES
DESCRIPTING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 31

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.

By: Mark D. Yale
Registered Professional Land Surveyor
Texas No. 5975

Date: 12-13-01

Surveyor's Name: Mark D. Yale
Registered Professional Land Surveyor
Texas No. 5975
NOTE: THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER STEWART TITLE INSURANCE COMPANY COMMITMENT C.F. NUMBER 20066485. WITH AN EFFECTIVE DATE OF FEBRUARY 27, 2007

LEGEND

- S.F. SQUARE FEET
- C.M. CONTROL MONUMENT
- O/FIR FOUND IRON ROD
- OFIP FOUND IRON PIPE
- 1/2"SIR W/CAP SET IRON ROD WITH A RED PLASTIC CAP STAMPED "DAL-TECH"
- SX SET "X" OUT IN CONCRETE
- FPK FOUND PK. NAIL
- SPK SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.00011477 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT OF A RIGHT-OF-WAY ACQUISITION
SITUATED IN THE RUTH PECKUM SURVEY, ABSTRACT NO. 374, KAUFMAN COUNTY, TEXAS, FOR THE CITY OF DALLAS

BY DAL-TECH ENGINEERING, INC., 17311 DALLAS PKWY., SUITE 200, DALLAS, TEXAS 75250, TEL. (972)525-2727, FAX (972)525-4774
AGENDA ITEM # 24

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Development Services
Water Utilities

CMO: A. C. Gonzalez, 671-8925
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert S. Ainsworth and Janet D. Ainsworth of approximately 24,544 square feet of unimproved land located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $65,599 ($64,399, plus closing costs not to exceed $1,200) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 24,544 square feet of unimproved land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni pipeline. The consideration is based on an independent appraisal.

This acquisition is part of the Lake Fork Project currently underway by Dallas Water Utilities which will allow the construction of a third pipeline from Lake Tawakoni to the Tawakoni Balancing Reservoir, and then to the Eastside Water Treatment Plant. Ultimately, a new 144-inch pipeline will be placed parallel to the existing 72-inch and 84-inch pipelines. The construction of the third pipeline from Lake Tawakoni to Dallas will allow capacity for Lake Fork to supply water to meet current City needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

Water Utilities Capital Construction Funds - $65,599 ($64,399, plus closing costs not to exceed $1,200)

OWNERS

Robert S. Ainsworth
Janet D. Ainsworth

MAP

Attached
A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

“PROPERTY”: The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"PROPERTY INTEREST": Fee Simple

"OWNER": Robert S. Ainsworth and Janet D. Ainsworth, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $64,399.00 plus closing costs not to exceed $1,200.00

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of Water Utilities Capital Construction Funds No. 0102, Department DWU, Unit CW20, Object 4210, Encumbrance No. CTDWU704041AS, Program No. 704041, Activity No. RWPT.
SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 9. 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY
Assistant City Attorney
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 29

BEING a 24,544 square foot tract of land in the Ruth Peckham Survey, Abstract No. 374, and located in Kaufman County, Texas, and being a portion of a tract of land described in Warranty Deed with Vendor's Lien to Robert S. Ainsworth and wife, Janet D. Ainsworth, dated September 22, 1995, as recorded in Volume 1184, Page 780 of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being a portion of Lot 29 of Miller Farms, an Addition in Kaufman County, Texas, as recorded in Cabinet 1, Envelope 423, D.R.K.C.T., and as corrected in Cabinet 1, Envelope 442, D.R.K.C.T., and being more particularly described as follows:


THENCE South 46 degrees 18 minutes 04 seconds East, along the common line between the southwest line of said Kvapil tract, and the northeast line of said “Tract III-A”, passing at a distance of 323.73 feet, the northwest line of a City of Dallas Water Line Right-of-Way (variable width) as recorded in Volume 439, Page 589, D.R.K.C.T., and continuing for a total distance of 489.05 feet to a set 1/2-inch set iron rod with red plastic cap stamped “DAL-TECH” (hereinafter referred to as “with cap”) for the POINT OF BEGINNING for the eastern most north corner of said Lot 29, said point being on the southeast line of said City of Dallas Water Line Right-of-Way, said point also being South 75 degrees 49 minutes 44 seconds West, a distance of 2,076.38 feet from a found broken concrete monument;

THENCE South 46 degrees 18 minutes 04 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way, along the common line between the northeast line of said Lot 29, and the southwest line of said Kvapil tract, a distance of 153.51 feet to a 1/2-inch set iron rod with cap for corner;

THENCE South 75 degrees 49 minutes 44 seconds West, departing said common line, crossing said Lot 29, and along a line parallel with and 130 feet perpendicularly distant south from the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 336.30 feet to a 1/2-inch set iron rod with cap on the common line between the northwest line of said Lot 29, and the southeast line of a tract of land described as “Tract III-B” in General Warranty Deed (Cash) to Charles Shelby, dated August 29, 1996, as recorded in Volume 1601, Page 79, D.R.K.C.T., said point also being North 44 degrees 28 minutes 28 seconds East, a distance of 548.65 feet from a found 1/2-inch iron rod with cap for the south corner of said “Tract III-B”;

THENCE North 44 degrees 28 minutes 28 seconds East, along said common line, a distance of 249.85 feet to a 1/2-inch set iron rod with cap for the western most north corner of said Lot 29, and the east corner of said “Tract III-B”, said point being on the southeast line of the said City of Dallas Water Line Right-of-Way; T.O.

1 of 3
FIELD NOTES

DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 29

THENCE North 75 degrees 49 minutes 44 seconds East, along the common line between the north line of said Lot 29 and the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 41.30 feet to the POINT OF BEGINNING AND CONTAINING 24,544 square feet or 0.5635 acres of land, more or less. T.D.E.

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
By: __________________________ Date: __12-17-07__

Surveyor’s Name: Mark D. Yale
Registered Professional Land Surveyor
Texas No. 5975
OWNER: CHARLES SHELBY
TRACT III-A
VOL. 1601, PG. 79
D.R.K.C.T.

CITY OF DALLAS WATER LINE RIGHT-OF-WAY
VOL. 444, PG. 407
D.R.K.C.T.
(VARIABLE WIDTH RIGHT-OF-WAY)

POINT OF COMMENCEMENT

POINT OF BEGINNING

SCALE: 1”=100'

OWNER: CHARLES SHELBY
TRACT III-B
VOL. 1601, PG. 79
D.R.K.C.T.

EXHIBIT OF A RIGHT-OF-WAY ACQUISITION
SITUATED IN THE RUTH PECKHUM SURVEY, ABSTRACT NO. 374
KAUFMAN COUNTY, TEXAS
FOR THE CITY OF DALLAS

NOTE:
THIS SURVEY WAS PERFORMED BASE UPON RECORD DATA PROVIDED UNDER TICOR TITLE INSURANCE COMPANY TITLE COMMITMENT.

LEGEND

S.F. SQUARE FEET
C.M. CONTROL MONUMENT
FIR FOUND IRON ROD
FIP FOUND IRON PIPE
1/2"SIR 1/2" SET IRON ROD
W/CAP WITH A RED PLASTIC CAP STAMPED "DAL-TECH"
XK SET "X" CUT IN CONCRETE
PK FOUND PK. NAIL
SPK SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM. NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION DALLAS DISTRICT WAS USED FOR THIS PROJECT.
AGENDA ITEM # 25

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Development Services
Water Utilities

CMO: A. C. Gonzalez, 671-8925
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John P. Dowell, Jr. of approximately 34,172 square feet of land improved with a single-family dwelling and workshop located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $299,157 ($295,667, plus closing costs not to exceed $3,490) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 34,172 square feet of land improved with a single-family dwelling and workshop located in Kaufman County for the Lake Tawakoni 144-inch Pipeline. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni Pipeline. The consideration is based on an independent appraisal.

This acquisition is part of the Lake Fork Project currently underway by Dallas Water Utilities which will allow the construction of a third pipeline from Lake Tawakoni to the Tawakoni Balancing Reservoir, and then to the Eastside Water Treatment Plant. Ultimately, a new 144-inch pipeline will be placed parallel to the existing 72-inch and 84-inch pipelines. The construction of the third pipeline from Lake Tawakoni to Dallas will allow capacity for Lake Fork to supply water to meet current City needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

Water Utilities Capital Construction Funds - $299,157 ($295,667, plus closing costs not to exceed $3,490)

OWNER

John P. Dowell, Jr.

MAP

Attached
A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROPERTY": The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"PROPERTY INTEREST": Fee Simple

"OWNER": John P. Dowell, Jr., provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $295,667.00 plus closing costs not to exceed $3,490.00

All of the above property being located in the City of Forney, Kaufman County, Texas.

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of Water Utilities Capital Construction Funds No. 0102, Department DWU, Unit CW20, Object 4210, Encumbrance No. CTDWU704041AT, Activity RWPT, Program No. 704041.
SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 9. 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY Assistant City Attorney
FIELD NOTES

DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN

KAUFMAN COUNTY, TEXAS

Parcel: 50

BEING a 0.7845 acre tract of land in the Ruth Peckum Survey, Abstract No. 374, and being located in Kaufman County, Texas, and being a portion of a tract of land described in Warranty Deed with Vendor's Lien to John P. Dowell, Jr., dated October 28, 2004, as recorded in Volume 2527, Page 263, of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

COMMENCING at a 3/8-inch found iron rod for the southerly corner of said Dowell tract and the westerly corner of a tract of land described in General Warranty Deed to Jesse N. Lopez and spouse, Josephine G. Lopez, dated September 13, 1994, as recorded in Volume 1143, Page 671, D.R.K.C.T., said point being in University Road, an unrecorded right-of-way;

THENCE North 45 degrees 17 minutes 48 seconds West, along the southwest line of said Dowell tract and along said University Road, a distance of 71.00 feet to a 1/2-inch set iron rod with a red plastic cap stamped “DAL-TECH” (hereinafter referred to as “with cap”) for the POINT OF BEGINNING;

THENCE North 45 degrees 17 minutes 48 seconds West, continuing along the southwest line of said Dowell tract and said University Road, a distance of 94.33 feet to a 1/2-inch found iron rod for the westerly corner of said Dowell tract and the southerly corner of a tract of land described in Warranty Deed with Vendor's Lien to Carl D. Milligan and Mary E. Milligan, husband and wife, dated January 7, 2002, as recorded in Volume 1939, Page 630, D.R.K.C.T.;

THENCE North 44 degrees 42 minutes 09 seconds East, departing said University Road, and along the common line between the northwest line of said Dowell tract and the southeast line of said Milligan tract, passing at a distance of 20.62 feet a 1/2-inch found iron rod, and continuing along said common line for a total distance of 95.23 feet to a 1/2-inch set iron rod with cap on the southeast line of a City of Dallas Water Line Right-of-Way (190 feet wide) as recorded in Volume 452, Page 603, D.R.K.C.T.;

THENCE North 75 degrees 52 minutes 21 seconds East, along the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 319.44 feet to a 1/2-inch set iron rod with cap for the northeasterly corner of said Dowell tract and the northwesterly corner of said Lopez tract;

THENCE South 44 degrees 42 minutes 12 seconds West, departing the southeast line of said City of Dallas Water Line Right-of-Way and along the common line between the southeasterly line of said Dowell tract and the northwesterly line of said Lopez tract, a distance of 251.18 feet to a 1/2-inch set iron rod with cap;

THENCE South 75 degrees 52 minutes 21 seconds West, departing said common line and crossing said Dowell tract along a line parallel with and 130 feet perpendicularly distant southeast from the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 137.19 feet to the POINT OF BEGINNING AND CONTAINING 34,172 square feet or 0.7845 acres of land, more or less.
FIELD NOTES

DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 50

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
By: Alan Moore Date: 12/5/06
Surveyor's Name: Alan Moore
Registered Professional Land Surveyor
Texas No. 5537
EXHIBIT OF A RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
RUTH PECKUM SURVEY, ABSTRACT NO. 374
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 17211 DALLAS HWY, SUITE 300
DALLAS, TEXAS 75248, TEL. (972)250-2727, FAX (972)250-4774

LEGAL DESCRIPTION

OWNER: CARL O. MILLIGAN AND MARY E. MILLIGAN, HUSBAND AND WIFE
VOL. 1939, PG. 263
D.R.K.C.T.

OWNER: JOHN P. DOWELL, JR.
VOL. 2527, PG. 263
D.R.K.C.T.

OWNER: JESSE N. LOPEZ AND SPOUSE, JOSEPHINE G. LOPEZ
VOL. 1143, PG. 671
D.R.K.C.T.

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202. ACCORDING TO MEASUREMENTS MADE AT NOS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.
KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Development Services
Water Utilities

CMO: A. C. Gonzalez, 671-8925
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Richard C. Bennett and Carol Denise Bennett, of approximately 43,560 square feet of land improved with a single-family dwelling, workshop and storage building located in Kaufman County for the Lake Tawakoni 144-inch Pipeline - Not to exceed $303,437 ($300,237, plus closing costs not to exceed $3,200) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 43,560 square feet of land located in Kaufman County. This property will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni Pipeline. The property is improved with a single-family dwelling, workshop and storage building. The consideration is based on an independent appraisal.

This acquisition is part of the Lake Fork Project currently underway by Dallas Water Utilities which will allow the construction of a third pipeline from Lake Tawakoni to the Tawakoni Balancing Reservoir, and then to the Eastside Water Treatment Plant. Ultimately, a new 144-inch pipeline will be placed parallel to the existing 72-inch and 84-inch pipelines. The construction of the third pipeline from Lake Tawakoni to Dallas will allow capacity for Lake Fork to supply water to meet current City needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

Water Utilities Capital Construction Funds - $303,437 ($300,237, plus closing costs not to exceed $3,200)

OWNERS

Richard C. Bennett

Carol Denise Bennett

MAP

Attached
A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

“PROPERTY”: The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"PROPERTY INTEREST": Fee Simple

"OWNER": Richard C. Bennett and Carol Denise Bennett, provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $300,237.00 and closing costs not to exceed $3,200.00

All of the above property being located in the City of Forney, Kaufman County, Texas.

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of Water Utilities Capital Construction Funds No. 0102, Department DWU, Unit CW20, Object 4210, Activity RWPT, Program No. 704041, Encumbrance No. CTDWU704041EG.
SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 9. 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY
Assistant City Attorney
EXHIBIT A

Field Notes Describing Land to Be Acquired in University Estates in Kaufman County, Texas from Richard C. Bennett and spouse, Carol Denise Bennett

Being situated in the Ruth Peckum Survey, Abstract Number 374 Kaufman County, Texas, and being all of Lot 10, of University Estates, an addition to the County of Kaufman, recorded in Cabinet 2, Envelope 114, Plat Records of said county, and being all of the property conveyed to Richard C. Bennett and spouse, Carol Denise Bennett, by Warranty Deed with Vendor's Lien, dated December 1, 2000, recorded in Volume 1614, Page 14, Deed Records of said county and containing 43,560 square feet or 1.00 acre of land as shown on said University Estates plat.

This description is approved as to form.

Larry T. Billingsley, R.P.I.S.
Chief City Surveyor

Date: 3-08-07
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 44

BEING a 0.3768 acre tract of land in the Ruth Peckum Survey, Abstract No. 374, and being located in Kaufman County, Texas, and being a portion of a tract of land described in Warranty Deed with Vendor's Lien to Richard C. Bennett and spouse, Carol Denise Bennett, dated December 1, 2000, as recorded in Volume 1614, Page 14 of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), same being part of Lot 10 of University Estates, an addition to Kaufman County, Texas, as recorded in Cabinet 2, Envelope 114, D.R.K.C.T., and being more particularly described as follows:

COMMENCING at a 1/2-inch found iron rod for the southeast corner of said Lot 10 and the southwest corner of Lot 11 of said University Estates, said corner being on the northerly right-of-way line of Magic Lane (60 feet wide);

THENCE North 14 degrees 33 minutes 07 seconds West, along the common line between the west line of said Lot 11 and the east line of said Lot 10, a distance of 215.56 feet to a 1/2-inch set iron rod with a red plastic cap stamped "DAL-TECH" (hereinafter referred to as "with cap") for the POINT OF BEGINNING;

THENCE South 75 degrees 52 minutes 21 seconds West, departing said common line and crossing said Lot 10 along a line parallel with and 130 feet perpendicularly distant southeast from the southeast line of a City of Dallas Water Line Right-of-Way (variable width at this point) as recorded in Volume 452, Page 603, D.R.K.C.T., a distance of 126.26 feet to a 1/2-inch set iron rod with cap on the common line between the west line of said Lot 10 and the east line of Lot 9 of said University Estates;

THENCE North 14 degrees 33 minutes 07 seconds West, passing at a distance of 128.42 feet a 3/8-inch found iron rod, and continuing along the common line between the west line of said Lot 10 and the east line of said Lot 9, for a total distance of 130.00 feet to a 1/2-inch set iron rod with a cap for the northwest corner of said Lot 10 and the northeast corner of said Lot 9, said corner being on the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE North 75 degrees 52 minutes 21 seconds East, along the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 126.26 feet to a 1/2-inch set iron rod with cap for the northeast corner of said Lot 10 and the northwest corner of said Lot 11, said point being South 75 degrees 52 minutes 21 seconds West, a distance of 72.64 feet from a 1/2-inch found iron rod for an angle point along the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE South 14 degrees 33 minutes 07 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way and along the common line between the east line of said Lot 10 and the west line of said Lot 11, a distance of 130.00 feet to the POINT OF BEGINNING AND CONTAINING 16,414 square feet or 0.3768 acres of land, more or less.
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 44

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114071 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
By: Alan Moore Date: 4/15/06

Surveyor’s Name: Alan Moore
Registered Professional Land Surveyor
Texas No. 5537
EXHIBIT OF A RIGHT-OF-WAY ACQUISITION

SITUATED IN THE CITY OF DALLAS, TEXAS

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM: NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NCRS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLIN CORS ARP, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLER CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000014077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

DA-TECH ENGINEERING, INC., 17391 DALLAS PKWY., SUITE 300
DALLAS, TEXAS 75248, TEL. (877)2050-7729, FAX (972)961-3771
KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): Outside City Limits

DEPARTMENT: Department of Development Services
Water Utilities

CMO: A. C. Gonzalez, 671-8925
Ramon F. Miguez, P.E., 670-3308

MAPSCO: N/A

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, of two tracts of land containing a total of approximately 83,372 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline (list attached) - Not to exceed $246,126 ($242,026, plus closing costs not to exceed $4,100) - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item authorizes the acquisition of two tracts of land containing a total of approximately 83,372 square feet located in Kaufman County for the Lake Tawakoni 144-inch Pipeline. The properties will be used for the construction of a 144-inch raw water transmission line for the Lake Tawakoni Pipeline. The consideration is based on independent appraisals.

This acquisition is part of the Lake Fork Project currently underway by Dallas Water Utilities which will allow the construction of a third pipeline from Lake Tawakoni to the Tawakoni Balancing Reservoir, and then to the Eastside Water Treatment Plant. Ultimately, a new 144-inch pipeline will be placed parallel to the existing 72-inch and 84-inch pipelines. The construction of the third pipeline from Lake Tawakoni to Dallas will allow capacity for Lake Fork to supply water to meet current City needs and future water demands.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

Water Utilities Capital Construction Funds - $246,126 ($242,026, plus closing costs not to exceed $4,100)

OWNERS

Jonnie Stacy Barnes
James Lloyd Hogue
Linda Hogue

MAPS

Attached
<table>
<thead>
<tr>
<th>Tract</th>
<th>Owner</th>
<th>Size (sq. ft.)</th>
<th>Improvements</th>
<th>Consideration</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Jonnie Stacy Barnes and James Lloyd Hogue</td>
<td>43,540 sq. ft.</td>
<td>Single family dwelling and detached garage</td>
<td>$197,026 plus closing costs not to exceed $2,300</td>
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<tr>
<td>2</td>
<td>Linda Hogue</td>
<td>39,832 sq. ft.</td>
<td>Unimproved Land</td>
<td>$45,000 plus closing costs not to exceed $1,800</td>
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A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

“PROPERTY": The tracts or parcels of land described in Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Lake Tawakoni 144-inch Raw Water Transmission Pipeline

"PROPERTY INTEREST": Fee Simple

"OFFER AMOUNT" and "OWNER" are described below:

<table>
<thead>
<tr>
<th>TRACT</th>
<th>OWNER</th>
<th>OFFER AMOUNT</th>
<th>CLOSING COSTS NOT TO EXCEED</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Jonnie Stacy Barnes and James Lloyd Hogue</td>
<td>$197,026.00</td>
<td>$2,300.00</td>
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<tr>
<td>2</td>
<td>Linda Hogue</td>
<td>$45,000.00</td>
<td>$1,800.00</td>
</tr>
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</table>

provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.
SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of Water Utilities Capital Construction Funds No. 0102, Department DWU, Unit CW20, Object 4210, Activity RWPT, Program No. 704041.

<table>
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<th>TRACT</th>
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<th>ENCUMBRANCE NO.</th>
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<td>$197,026.00</td>
<td>CTDWU704041AH</td>
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<tr>
<td>2</td>
<td>$ 45,000.00</td>
<td>CTDWU704041AP</td>
</tr>
</tbody>
</table>

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.
SECTION 9. 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY
Assistant City Attorney
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 38

BEING a 43,540 square foot tract of land in the Ruth Peckum Survey, Abstract No. 374, and being located in Kaufman County, Texas, and being all of a tract of land described as “Tract I” in General Warranty Deed from James Lloyd Hogue, a single person granting undivided one-half interest to Jonnie Stacy Barnes, dated February 27, 2004, as recorded in Volume 2381, Page 182 of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a found 1/2-inch iron rod for the south corner of said Hogue and Barnes tract, and the west corner of a tract of land described in Warranty Deed with Vendor’s Lien to Dione C. McBride and husband, Coy W. McBride, dated March 31, 1995, as recorded in Volume 1163, Page 672, D.R.K.C.T., said corner being on the northeast line of University Estates, an addition to Kaufman County, Texas, as recorded in Cabinet 2, Envelope 114, D.R.K.C.T., said point being South 44 degrees 30 minutes 19 seconds West, a distance of 525.74 feet from a found PK Nail for the east corner of a tract of land described in Warranty Deed to Linda J. Hogue, as her sole and separate property, dated September 30, 1997, as recorded in Volume 1275, Page 168, D.R.K.C.T., said corner being in Kaufman County Road No. 221 (unrecorded right-of-way)

THENCE North 45 degrees 29 minutes 30 seconds West, along the common line between the southwest line of said Hogue and Barnes tract, and the northeast line of said University Estates, a distance of 317.16 feet to a found 1/2-inch iron rod for the west corner of said Hogue and Barnes tract and the north corner of said University Estates, said corner being on the southeast line of a City of Dallas Water Line Right-of-Way (variable width at this point) as recorded in Volume 452, Page 603, D.R.K.C.T., said point being North 75 degrees 36 minutes 27 seconds East, a distance of 466.58 feet from a found 1/2-inch iron rod for an angle point on the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE North 75 degrees 36 minutes 27 seconds East, departing said common line, along the common line between the northwest line of said Hogue and Barnes tract and the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 189.65 feet to a 1/2-inch iron rod with cap set for the north corner of said Hogue and Barnes tract, and the west corner of said Linda J. Hogue tract;

THENCE South 45 degrees 28 minutes 03 seconds East, departing the southeast line of said City of Dallas Water Line Right-of-Way, along the common line between the northeast line of said Hogue and Barnes tract, and the southwest line of said Linda J. Hogue tract, a distance of 219.20 feet to a 1/2-inch iron rod with cap set for the east corner of said Hogue and Barnes tract and the south corner of said Linda J. Hogue tract, said point being on the northwest line of said McBride tract;

THENCE South 44 degrees 30 minutes 19 seconds West, departing said common line and along the common line between the southeast line of said Hogue and Barnes tract and the northwest line of said McBride tract, a distance of 162.30 feet to the POINT OF BEGINNING AND CONTAINING 43,540 square feet or 0.9995 acres of land, more or less.
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 38

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
By: [Signature] Date: 5-16-08
Surveyor's Name: Mark D. Yale
Registered Professional Land Surveyor
Texas No. 5975
EXHIBIT OF A
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
RUTH PECKUM SURVEY, ABSTRACT NO. 374
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 1301 DALLAS PKWY., SUITE 300
DALLAS, TEXAS 75248, PHONE (214) 269-2727, FAX (214) 269-4774


STATE OF TEXAS
REGISTERED
MARK D. YAI I
5975
S.F. PROFESSIONAL LAND SURVEYOR
S-16-00

LEGEND:
S.F. SQUARE FEET
C.M. CONTROL MONUMENT
O FMR FOUND IRON MONUMENT
O HIR FOUND IRON PIPE
O HIR 1/2" SET IRON ROD
W/CAP WITH A RED PLASTIC CAP STAMPED "DAL-TECH"
SX FOUND PK. NAIL
SPX SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLINS, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLEN CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.

EXHIBIT O
RIGHT-OF-WAY ACQUISITION
SITUATED IN THE
RUTH PECKUM SURVEY, ABSTRACT NO. 374
KAUFMAN COUNTY, TEXAS
FOR THE
CITY OF DALLAS
BY
DAL-TECH ENGINEERING, INC., 1301 DALLAS PKWY., SUITE 300
DALLAS, TEXAS 75248, PHONE (214) 269-2727, FAX (214) 269-4774


STATE OF TEXAS
REGISTERED
MARK D. YAI I
5975
S.F. PROFESSIONAL LAND SURVEYOR
S-16-00

LEGEND:
S.F. SQUARE FEET
C.M. CONTROL MONUMENT
O FMR FOUND IRON MONUMENT
O HIR FOUND IRON PIPE
O HIR 1/2" SET IRON ROD
W/CAP WITH A RED PLASTIC CAP STAMPED "DAL-TECH"
SX FOUND PK. NAIL
SPX SET PK. NAIL

ALL BEARINGS FOR THIS TRACT REFER TO THE NAD-83 TEXAS STATE PLANE COORDINATE SYSTEM, NORTH CENTRAL ZONE 4202, ACCORDING TO MEASUREMENTS MADE AT NGS CONTINUOUSLY OPERATING REFERENCE STATIONS COLLINS, DALLAS CORS ARP, KAUFMAN CORS ARP, TYLEN CORS ARP, AND PARIS CORS ARP. THE KAUFMAN COUNTY SCALE FACTOR OF 1.000114077 AS PUBLISHED BY THE TEXAS DEPARTMENT OF TRANSPORTATION, DALLAS DISTRICT WAS USED FOR THIS PROJECT.
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 118

BEING a 39,832 square foot tract of land in the Ruth Peckum Survey, Abstract No. 374, and being located in Kaufman County, Texas, and being all of a tract of land described in Warranty Deed to Linda J. Hogue, as her sole and separate property, dated September 30, 1997, as recorded in Volume 1275, Page 168 of the Deed Records of Kaufman County, Texas (D.R.K.C.T.), and being more particularly described as follows:

BEGINNING at a found PK Nail for the east corner of said Linda J. Hogue tract, and being in Kaufman County Road No. 221 (unrecorded right-of-way) and on the southeast line of a City of Dallas Water Line Right-of-Way (130 feet wide) as recorded in Volume 444, Page 404, D.R.K.C.T., said point also being the north corner of a tract of land described in Warranty Deed with Vendor's Lien to Dione C. McBride and husband, Coy W. McBride, dated March 31, 1995, as recorded in Volume 1163, Page 672, D.R.K.C.T., said point being South 75 degrees 49 minutes 44 seconds West, a distance of 1,340.91 feet from a found broken concrete monument on the southeast line of said City of Dallas Water Line Right-of-Way;

THENCE South 44 degrees 30 minutes 19 seconds West, departing said City of Dallas Water Line Right-of-Way and Kaufman County Road No. 221, along the common line between the southeast line of said Linda J. Hogue tract and the northwest line of said McBride tract, a distance of 363.44 feet to a 1/2-inch iron rod with a red plastic cap stamped “DAL-TECH” (hereinafter referred to as “with cap”) set for the south corner of said Hogue tract and the east corner of a tract described as “Tract 1” in General Warranty Deed from James Lloyd Hogue, a single person granting undivided one-half interest to Jonnie Stacy Barnes, dated February 27, 2004, as recorded in Volume 2381, Page 182, D.R.K.C.T.;

THENCE North 45 degrees 28 minutes 03 seconds West, departing the northwest line of said McBride tract and along the common line between the southwest line of said Linda J. Hogue tract, and the northeast line of said Hogue and Barnes tract, a distance of 219.20 feet to a 1/2-inch iron rod with cap set for the west corner of said Linda J. Hogue tract, and the north corner of said Hogue and Barnes tract, said point being on the southeast line of a City of Dallas Water Line Right-of-Way (variable width at this point) as recorded in Volume 452, Page 603, D.R.K.C.T.;

THENCE North 75 degrees 36 minutes 27 seconds East, along the common line between the northwest line of said Linda J. Hogue tract and the southeast line of said City of Dallas Water Line Right-of-Way, a distance of 424.34 feet to the POINT OF BEGINNING AND CONTAINING 39,832 square feet of land or 0.9144 acres of land, more or less.
FIELD NOTES
DESCRIBING A TRACT OF LAND TO BE ACQUIRED FOR THE RIGHT-OF-WAY FOR THE LAKE TAWAKONI RAW WATER TRANSMISSION MAIN
KAUFMAN COUNTY, TEXAS
Parcel: 118

All bearings for this tract refer to the NAD-83 Texas State Plane Coordinate System, North Central Zone 4202, according to measurements made at NGS continuously operating reference stations Collin CORS ARP, Dallas CORS ARP, Kaufman CORS ARP, Tyler CORS ARP, and Paris CORS ARP. The Kaufman County scale factor of 1.000114077 as published by the Texas Department of Transportation, Dallas District was used for this project.

A plat of even survey date herewith accompanies this legal description.

Company Name: DAL-TECH Engineering, Inc.
By: ___________________________ Date: 5-16-08
Surveyor's Name: Mark D. Yale
Registered Professional Land Surveyor
Texas No. 5975
Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from American Investors in Real Estate Online, Inc., of approximately 7,214 square feet of land improved with a single-family dwelling located near the intersection of Belknap Street and Southerland Avenue for Cedar Crest Golf Course Park - Not to exceed $29,000 ($27,500, plus closing costs not to exceed $1,500) – Financing: Golf Improvement Trust Fund

BACKGROUND

This item authorizes the acquisition of a tract of land containing approximately 7,214 square feet. This property is improved with a single-family dwelling. This property will be used for expansion of the Cedar Crest Golf Course. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Park and Recreation Board on June 5, 2008.

FISCAL INFORMATION

Golf Improvement Trust Fund - $29,000 ($27,500, plus closing costs not to exceed $1,500)

OWNER

American Investors in Real Estate Online, Inc.

William L. Woodall, President
MAPS

Attached
A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR A MUNICIPAL PURPOSE AND PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

“PROPERTY”: The tracts or parcels of land described in "Exhibit A", attached hereto and made a part hereof for all purposes.

“PROJECT”: Cedar Crest Golf Course

"PROPERTY INTEREST": Fee Simple

"OWNER": American Investors in Real Estate Online, Inc., provided, however, that the term “OWNER” as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": $27,500.00 plus closing costs not to exceed $1,500.00

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

SECTION 1. That the PROJECT is a municipal and public purpose and a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Development Services Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, in the OFFER AMOUNT payable out of Golf Improvement Trust Fund No. 0332, Department PKR, Unit 5999, Activity PKLA, Program No. PKRLAND, Object 4210, Encumbrance No. CT08H016.
SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. In the event of condemnation the CITY will pay court costs as may be assessed by the Special Commissioners or the court. Further, that litigation expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary suit(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation suit(s).

SECTION 8. That in the event the Special Commissioners in Condemnation appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to settle the lawsuit for that amount and the City Controller is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council.

SECTION 9. That this property will not be officially dedicated for park use until such time it is developed for park purposes.

SECTION 10. 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.

APPROVED AS TO FORM:
THOMAS P. PERKINS, JR., City Attorney

BY
Assistant City Attorney
EXHIBIT A

FIELD NOTES DESCRIBING LAND TO BE ACQUIRED IN
BLOCK R/4248 FROM AMERICAN INVESTORS
IN REAL ESTATES ONLINE, INC.

BEING Lot 1 of The Highlands Addition, an addition to the City of Dallas, Dallas County, Texas, according to the Plat thereof recorded in Volume 2, Page 347, Map Records of Dallas County, Texas and being all of Lot 1, Block R/4248, official City of Dallas Block Numbers, and being all of the property conveyed to American Investors in Real Estates Online, Inc. by Special Warranty Deed, dated May 4, 2007 and recorded in instrument number 20070170461, Deed Records of Dallas County, Texas, and containing approximately 7,496 square feet or 0.172 acres of land, according to the dimensions shown on said Highlands Addition Plat, subject to that portion of land currently being used as street right-of-way, based on an easement to the City of Dallas for widening and improving Belknap Avenue, dated March 14, 1985, recorded in Volume 85168, Page 3243, of said Deed Records, containing approximately 1,599 square feet of land as called for in said deed.

This description is approved as to form.

Larry T. Billingsley, P.P.I.S.
Chief City Surveyor

Date: 6/11/08
KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Department of Development Services

CMO: A. C. Gonzalez, 671-8925

MAPSCO: Citywide

SUBJECT

An ordinance amending Chapter 43 of the Dallas City Code to (1) authorize approval of indented on-street parking based on certain criteria; (2) provide notice requirements; (3) establish application and appeal fees; and (4) provide an appeal process - Financing:

No cost consideration to the City

BACKGROUND

This item is tied to implementation of the forwardDallas! comprehensive plan which calls for encouraging on-street parking in a variety of formats to promote pedestrian friendly streets.

Chapter 43 of the Dallas City Code currently prohibits angle parking where a portion of a public street is required for maneuvering into or out of the angle parking space. This item amends Chapter 43 of the Dallas City Code by amending Sections 43-32 and 43-62 to provide for approval of indented parking (angle or parallel) on streets that have speed limits of 35 miles per hour or less. Approval is based on consideration of traffic safety and proximity to single family zoned property. The amendment provides for property owner notification if the proposed parking is within 200 feet of a single family zoned property. If opposition exists from at least 20 percent of notified property owners, the application is denied and an appeal process is provided before the City Plan Commission.

This amendment will not limit the authority of the traffic engineer to approve parking under Chapter 28 of the Dallas City Code.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 28, 2008, the Transportation and Environment Committee was briefed.

On December 10, 2007, the Transportation and Environment Committee was briefed.
FISCAL INFORMATION

No cost consideration to the City.
An ordinance amending Sections 43-32 and 43-62 of CHAPTER 43, “STREETS AND SIDEWALKS,” of the Dallas City Code, as amended; defining terms; authorizing the director to approve indented parking in the city based on certain criteria; providing notice requirements; establishing application and appeal fees; providing an appeal process; providing a penalty not to exceed $500; providing a saving clause; providing a severability clause; and providing an effective date.

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


“SEC. 43-32. DEFINITIONS.

In this article:

(1) ANGLE PARKING means parking where the longitudinal axis of a vehicle forms an angle with the alignment of the roadway.

(2) ARTERIAL means a street designated as either a principal or minor arterial in the city's thoroughfare plan.

(3) A.S.T.M. (AMERICAN SOCIETY FOR TESTING MATERIALS) means any publication, pamphlet, booklet, book, or document referred to by number, letter, or other designation in this article in connection with this definition, as amended. Such publication is a part of this article and incorporated into this article by reference.
(4) CONTRACTOR means any person engaged in the business of installing or altering walks, drives, curbs, gutters, or pavements or appurtenances on public property. This term also includes those who represent themselves to be engaged in the business whether actually doing the work or not and includes any person who subcontracts to do such work.

(5) CURB means a vertical or sloping member along the edge of a pavement forming part of a gutter, strengthening or protecting the pavement edge, and clearly defining the pavement edge to vehicle operators. The surface at the curb facing the general direction of the pavement is called the "face."

(6) DIRECTOR means the director of the department designated by the city manager to enforce and administer this article, or the director's authorized representative.

(7) DRIVEWAY APPROACH means an area, construction, or facility between the roadway of a public street and private property intended to provide access for vehicles from the roadway of a public street to private property.

(8) GUTTER means the artificially surfaced and generally shallow waterway provided usually at the side of the street adjacent to, and part of, the curb of the curb for the drainage of surface water.

(9) INDENTED PARKING means angle parking or parallel parking adjacent to, but outside of, the travel lane of a public roadway where a portion of the public roadway is required for maneuvering into or out of the parking space.

(10) INTERSECTION means the area embraced within the prolongation of connection of the edges of the roadway of two or more streets that join at an angle whether or not one such street crosses the other. Where a street includes two roadways 30 feet or more apart, then each crossing of each roadway of such divided street by an intersecting street is regarded as a separate intersection. If the intersecting street also includes two or more roadways 30 feet or more apart, then each crossing of each roadway of such street is regarded as a separate intersection.

(11) OFF-STREET PARKING means a type of parking wherein the maneuvering of the vehicle while parking and unparking, as well as the actual parking itself, is done entirely on private property.

(12) ROADWAY means that portion of a highway, street, or road that is improved, designed, or ordinarily used for vehicular travel. If a street includes two or more separate roadways, the term "roadway" refers to each roadway separately and not to all roadways collectively.

(13) SIDEWALK OR WALK means that portion of a street between the curb lines or the lateral lines of a roadway and the adjacent property lines that is for the use of pedestrians.
(14) SINGLE FAMILY DISTRICT means any of the single family districts described in Section 51A-4.112 of the Dallas Development Code, as amended.

(15) STREET means a public way for purposes of vehicular travel, including the entire area within the right of way. This term in urban areas means a highway or street and in rural areas means a highway or road.

(16) STREET SEGMENT means the portion of a street between two intersections.

(17) TRAFFIC ISLAND means a barrier within a roadway to exclude vehicles, designed for the purpose of separating or directing streams of vehicular traffic.”


“SEC 43-62. INDENTED [ANGLE] PARKING [ON PUBLIC PROPERTY].

(a) No indented parking is allowed in the city except as approved in accordance with this section.

(b) The director may approve an application for indented parking if:

(1) the speed limit for the portion of the public roadway required for maneuvering into or out of the proposed indented parking space or spaces is 35 miles per hour or less;

(2) the director determines that the proposed indented parking would not constitute a traffic hazard; and

(3) the application is not required to be denied on the basis of property owner objections under Subsection (e).

(c) An application for indented parking must be submitted to the director, along with a nonrefundable application fee of $50, and include:

(1) a schematic drawing that:

(A) shows the proposed parking lay-out, the roadway pavement, adjacent uses, nearby right-of-way, curbs, sidewalks, utility poles, street lighting poles, and other above-ground objects;
(B) shows that all geometric, operational, and safety issues have been addressed and mitigated;

(C) is prepared by a professional engineer who is registered in Texas and certified as a professional traffic operations engineer by the Institute of Transportation Engineers; and

(D) complies with all available standards and best practices for angle parking or parallel parking; and

(2) any other information the director deems necessary.

(d) If, after reviewing the application, the director determines that the proposed indented parking meets the requirements of Subsections (b)(1) and (b)(2), but is located within 200 feet of a single family district, then the director shall send written notice of the indented parking proposal to all property owners located within 200 feet of the proposed indented parking. The notice must be given by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(e) After receiving a notice under Subsection (d), a property owner has 14 days from the date the notice is mailed to file an objection to the indented parking proposal with the director. If any property owner notified under Subsection (d) timely files an objection with the director, then the director shall deny the application for indented parking.

(f) If the only basis for director’s denial is that an objection was timely filed under Subsection (e), then the applicant may appeal the denial to the city plan commission. A written request for an appeal must be signed by the applicant or its legal representative and filed with the director within 15 days after the date the director’s decision is issued. The appeal request must be accompanied by an appeal filing fee of $800.

(g) The city plan commission shall hold a public hearing to allow interested parties to express their views regarding the appeal. The director shall give notice of the public hearing in a newspaper of general circulation in the city at least 10 days before the hearing. In addition, the director shall send written notice of the hearing to all property owners located within 200 feet of the proposed indented parking. The notice must be given not less than 10 days before the date set for the hearing by depositing the notice properly addressed and postage paid in the United States mail to the property owners as evidenced by the last approved city tax roll.

(h) At the public hearing, the city plan commission shall determine whether the requested parking would detrimentally affect neighboring property. The city plan commission may reverse or affirm, in whole or in part, or modify the decision of the director based upon testimony presented at the public hearing, technical information provided by city staff, and the standards contained in this section. The decision of the commission is final.
(i) For purposes of this section, measurements must be made in a straight line, without regard to intervening structures or objects, from the nearest point of any proposed indented parking space to the nearest point of the boundary of a single-family district or other property required to receive notice under Subsection (d) or (g).

(j) Nothing in this section limits the authority of the city traffic engineer to approve parking under Chapter 28 of this code.

[No permit shall be granted for angle parking on public property or on abutting private property where a portion of a public street is required for maneuvering into or out of the angle parking space].”

SECTION 3. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 4. That CHAPTER 43 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 6. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By____________________________________
Assistant City Attorney

Passed ____________________________

LC/DCC/00423A
SUBJECT

Authorize a resolution amending the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts in accordance with the provisions of Chapter 372 of the Texas Local Government Code, Public Improvement Districts in Municipalities, adopted by Resolution No. 05-3539 on December 14, 2005, to allow the creation of single-family PIDs and allow for exceptions of the policy under certain, limited conditions - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas adopted a Public Improvement District (PID) Policy on December 14, 2005. This policy addresses issues related to eligibility for creation of PIDs, signature and petition requirements and reporting and financial accountability standards. This policy has improved the management and oversight of PIDs in Dallas.

The current policy does not support the creation of new PIDs with more than 30% of total land area dedicated to single-family homes. There was lengthy discussion of this provision by the Economic Development and Housing Committee in 2005 that primarily concerned creating PIDs in new subdivisions and for providing additional security only.

Recent discussions have pointed out a need to consider the creation of PIDs in areas where over 30% of the land area is dedicated to single-family use. Specifically, allowing the creation of PIDs in areas with deteriorating screening walls along major streets seems to fall outside the previous discussion. Also, the creation of PIDs to promote an improved neighborhood environment – funding for landscaping, park improvements and maintenance in addition to security warrants consideration. Recommended PID Policy changes allow the creation of PIDs in single-family districts, provided that the property owners representing 2/3rds of the value and 2/3rds of all record Owners or 2/3rds of land area support the creation of a new PID.
BACKGROUND (continued)

A final issue not addressed in the existing PID Policy relates to the lack of guidance on exceptions to the policy. The recommended amendments set standards for evaluating exceptions to the PID Policy.

Chapter 372 of the Texas Local Government Code provides that municipalities may establish PIDs upon petition by property owners for the provision of authorized services and improvements in specified areas within the City. The City of Dallas has six adopted public improvement districts and a proposed new district that is pending City Council consideration.

Six of the districts were established as commercial mixed-use development districts and one was established as a residential district.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 8, 2005, the Economic Development and Housing Committee discussed authorizing three new PIDs and directed staff to proceed with the South Side PID and develop a PID Policy for reviewing other proposed PIDs.

On August 1, 2005, September 20, 2005, October 3, 2005 and October 17, 2005, the Economic Development and Housing Committee reviewed the proposed PID Policy and, on November 7, 2005, recommended the item be considered by the City Council on December 14, 2005.

On December 14, 2005, pursuant to Resolution No. 05-3539, City Council adopted the City of Dallas Public Improvement District (PID) policy for the creation, renewal, administration and management of Public Improvement Districts.

On June 16, 2008, the Economic Development Committee was briefed on the City of Dallas PID Policy amendments.

FISCAL INFORMATION

No cost consideration to the City
WHEREAS, Chapter 372 of the Texas Local Government Code (the "Act") allows for the creation of public improvement districts; and

WHEREAS, on June 16, 2008, the Economic Development Committee was briefed on the proposed amended PID Policy and recommended the item to the City Council for consideration and approval on June 25, 2008.

NOW, THEREFORE,

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

Section 1. That the amended City of Dallas Public Improvement District (PID) Policy, as presented in (Exhibit A), be adopted as a policy guideline for the Area Redevelopment Program and is hereby established and approved.

Section 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 3. That the City of Dallas Public Improvement District (PID) Policy (Exhibit A) 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: Office of Economic Development – Tenna Kirk, 5CS
                Office of Economic Development – Sajid Safdar, 2CN
                City Attorney's Office - Barbara Martinez
City of Dallas PID Policy

Adopted December 14, 2005
Amended June 25, 2008
On December 14, 2005, the City Council, pursuant to Resolution Number 05-3539, adopted the City of Dallas Public Improvement District (PID) Policy for the creation, renewal, administration and management of Public Improvement Districts within the City of Dallas.

On June 16, 2008, the Economic Development Committee reviewed staff recommendations for amendments to the City of Dallas PID Policy recommended the amended policy for City Council approval.
PID Policy – Overall Recommendations

- The City of Dallas should continue to support and upgrade the use of Public Improvement Districts for Commercial and Mixed Use Areas.
- The Prestonwood PID shall continue to be renewed, supported and administered until such time the City Council deems it appropriate not to pursue renewal in accordance with Chapter 372 of the Texas Local Government Code.
- The City of Dallas Office of Economic Development will allow the use of Public Improvement Districts for single-family districts (defined as areas with a minimum of 30% of land area dedicated to single-family housing) in established areas (defined as at least 80% of all single-family lots being developed) for the purpose of funding screening wall improvements, park improvements and maintenance, landscaping, other public improvement and additional security if less than 50% of the total PID budget.
- The amended PID Policy will NOT allow the creation of PID Districts in undeveloped subdivisions.

NOTE: Statements in italics are recommended changes from the adopted policy.
Office of Economic Development will support new Public Improvement Districts (PIDs) for Commercial and Mixed Use Districts. Commercial and Mixed Use Districts shall be defined as areas containing no more than 30% of total property area dedicated to detached, single-family housing.

The City of Dallas Office of Economic Development will support the use of Public Improvement Districts for single-family districts (defined as areas with a minimum of 30% of land area dedicated to single-family housing) in established areas (defined as at least 85% of all single-family lots being developed) for the purpose of funding screening wall improvements, park improvements and maintenance, landscaping, other public improvement and additional security if less than 50% of the total PID budget.

Existing PIDs for Single-Family Districts will be supported.

The amended PID Policy will NOT support the creation of PID Districts in undeveloped subdivisions.

NOTE: Statements in italics are recommended changes from the adopted policy.
In new and renewing PIDs, the City will require that Owners representing at least 60% of the value and 60% of all record Owners or 60% of land area support the creation of a new or renewing PID.

- Petitions will not be required to be notarized.
- Staff will verify that the person signing the petition has the authority to sign.
- PID petitions shall include this sentence additional note: “The person signing represents that he or she is the property owner or is authorized to execute this petition on behalf of the property owner. With respect to community property, the City will accept the signature of one spouse as a representation of both spouses that they support the creation or renewal of the PID absent a separate property agreement.

In new Single-Family PIDs, the City will require that Owners representing at least 66.7% of the value and 66.7% of all record Owners or 66.7% of land area support the creation of a new PID.

- PID petitions will be due on April 1st annually for approval by October 1st. Signatures for PID petitions must be gathered between October 1 and April 1 prior to the submission of the petition.
- PID assessments will be based on a set rate based on total property value. The maximum PID assessment in Dallas shall be $0.15 per $100 valuation.
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NOTE: Statements in italics are recommended changes from the adopted policy.
PID Policy (continued)

- PIDs must be self-sufficient and not adversely impact ordinary service delivery of the City.
- Administrative expenses, including costs for day to day City Staff administration, for a PID shall not exceed 15% of the total budget in any year.
- A PID Service Plan shall contain procedures for the termination of the PID without imposing unintended costs on the City of Dallas. A PID cannot be dissolved without a petition from property owners and must be sufficient as for creation or renewal in accordance with Chapter 372, Section 372.005(b).
- Upon approval of a PID, City staff will file the resolution creating the PID including the assessment roll in the Dallas or other County deed records and provide contact information so that a title company may determine how much of an assessment is owed or paid for each property in the PID each year. This will ensure that a title company can pro-rate the assessments for the year between the buyer and seller in the same way the title company is responsible for calculating and collecting the taxes apportioned between the buyer and seller at the date of closing. This practice will not involve separately recording documents for each parcel within a PID.
PID Policy (continued)

- Property owned by the City of Dallas shall not be subject to assessment by any PID, excluding the Downtown Improvement District.
- An application fee of $15,000 will be required for all new or renewing PIDs. This fee may be reimbursed to the PID management entity out of PID assessments when collected. This fee is regulatory in character so it approximates the costs of administering the PID through creation or renewal by City staff. The fee will be used for direct expenditures and to compensate the City of Dallas for creation and renewal staff time expended. If the City of Dallas costs for this process are less than $15,000, the remainder will be reimbursed to the PID applicant. The application fee will not be counted as part of the 15% maximum for administrative expenses in a PID budget.
- A PID application for creating or renewing a PID shall include a current list of properties and tax roll (City will assist in this process in coordination with the PID and DCAD).
PID Policy (continued)

- PID applications shall include a map acceptable to the Office of Economic Development and a legal or clear description of the property included in the District. This practice will not require that the applicant provide property surveys.
- A PID application for creating or renewing a PID shall include a section that clearly identifies the benefit of the PID to the affected property owners and to the city as a whole and also evidence of insurance.
- Any management firm for a PID shall be required to submit quarterly reports of all activities and expenditures; an annual independent audit of all PID expenditures; and shall hold an annual meeting open to all property owners and held in a public meeting space with written notice to all property owners in the PID at least two weeks prior to this meeting to provide and opportunity for property owner questions, comments and input to be considered during the PID Budget and Service Plan approval process.
PID Policy (continued)

- Special Purpose PIDs may be requested by the City Manager’s Office to address unique issues.
- The maximum PID assessment in these districts may be above $0.15 per $100 valuation.
- These PIDs in Dallas will be allowed to fund any item provided by state law.
- These Districts may be used to address special facility maintenance and beautification issues or as part of a settlement of a legal matter.
- Administrative expenses in these districts shall not exceed 10% of the total budget in any year.
AGENDA ITEM # 31

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 3, 6

DEPARTMENT: Office of Economic Development

CMO: A. C. Gonzalez, 671-8925

MAPSCO: 43 Y & Z 44Q-U

SUBJECT

Authorize approval of By-Laws for Tax Increment Financing Zone Number Fifteen (Fort Worth Avenue TIF District) – Financing: No cost consideration to the City

BACKGROUND

The TIF District By-Laws spell out the powers and duties of the Board of Directors. They are typically approved by the TIF Board with a recommendation for City Council approval. The By-Laws for the Fort Worth Avenue TIF District are similar to other adopted TIF district by-laws.

The Fort Worth Avenue TIF District Board of Directors is responsible for advising Council on development or redevelopment in the Fort Worth Avenue TIF District boundaries in order to implement the purposes for which the Fort Worth Avenue TIF District was formed and set forth in the ordinance creating the District. Implementation of the Project Plan for the District shall be managed and controlled by the City Council based on the recommendations of the Board of Directors of the District.

The City established Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District), and established a Board of Directors for the District to promote development and redevelopment in the District pursuant to Ordinance No. 26798 approved by the City Council on June 13, 2007, in accordance with the Tax Increment Financing Act, Chapter 311 of the Texas Property Tax Code, V.T.C.A. (the “Act”).

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fifteen, the Fort Worth Avenue TIF District by Ordinance No. 26798, as amended.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On March 26, 2008, the City Council authorized the Project Plan and Reinvestment Zone Financing Plan for the Fort Worth Avenue TIF District by Ordinance No. 27129.

On April 30, 2008, the Board provided a recommendation to the City Council to approve the adoption of the By-Laws for the Fort Worth Avenue TIF District.

On June 16, 2008, a memo was submitted to the Economic Development Committee regarding the By-Laws for the Forth Worth Avenue TIF District.

FISCAL INFORMATION

No cost consideration to the City

MAP

Attached.
WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City Council desires to promote the development or redevelopment of a certain contiguous geographic area (the "Fort Worth Avenue area") within its jurisdiction by the creation of a reinvestment zone, as authorized by the Tax Increment Financing Act, Chapter 311 of the Texas Tax Code, Vernon’s Texas Codes Annotated (the "Act"); and

WHEREAS, on June 13, 2007, the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Fifteen ("Fort Worth Avenue TIF District"), in accordance with the Act, as amended, to promote development and redevelopment in the Fort Worth Avenue area through the use of tax increment financing by Ordinance No. 26798, as amended; and

WHEREAS, on March 26, 2008, the City Council authorized the adoption of the Project Plan and Reinvestment Zone Financing Plan for the Fort Worth Avenue TIF District in accordance with the Act by Ordinance No. 27129; and

WHEREAS, on April 30, 2008 the Fort Worth Avenue TIF Board of Directors recommends City Council approval of the By-Laws of the Fort Worth Avenue TIF District.

NOW, THEREFORE,

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

Section 1. That the By-Laws of the Fort Worth Avenue TIF District Board of Directors, attached hereto as Exhibit A, are approved.

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.

Distribution: Office of Economic Development – Tenna Kirk, 5CS
Office of Economic Development – Pam Veshia, 2CN
City Attorney's Office - Barbara Martinez
City Attorney's Office – Sarah Hasib
By-Laws of the
Fort Worth Avenue TIF District
(Tax Increment Financing
Reinvestment Zone Number Fifteen)
City of Dallas, Texas

ARTICLE I
Powers and Purposes

Section 1. Financing Development or Redevelopment in the District. In order to implement the purposes for which the Fort Worth Avenue TIF District, City of Dallas, Texas (the “District”) was formed, as set forth in the Ordinance creating the District, the City of Dallas, Texas (the “City”) may issue obligations to finance all or part of the cost of implementing the Project Plan and Reinvestment Zone Financing Plan (the “Project Plan”) for the District as defined in the Texas Tax Increment Financing Act of the Texas Tax Code, Chapter 311, Vernon's Texas Codes Annotated, (the "Act").

Section 2. Books and Records; Approval of Programs and Financial Statements. The Fort Worth Avenue TIF District Board of Directors (the “Board”) shall keep correct and complete books and records of account and shall also keep minutes of its proceedings and the proceedings of committees having any of the authority of the Board. All books and records of the District may be inspected by any director or his or her agent or attorney for any proper purpose at any reasonable time; and at all times the City Council and the City Auditor will have access to the books and records of the District. The City Council must approve all programs and expenditures for the District and annually review any financial statements of the District. City staff shall prepare all financial records and minutes for review and approval of the Board.

ARTICLE II
Board of Directors

Section 1. Powers, Number, and Term of Office. The property and affairs of the District shall be managed and controlled by the City Council based on the recommendations of the Board, subject to the restrictions imposed by law, the Ordinance creating the District, and these By-Laws. It is the intention of City Council that the Board, with the exception of creation of and amendments to the TIF District Project Plan and Reinvestment Zone Financing Plan, shall function only in an advisory or study capacity with respect to the District and shall exercise only those powers, advisory in nature, which are either granted to the Board pursuant to the Act or delegated to the Board by the City Council. The Board is specifically responsible for evaluating requests for TIF funding to assist with redevelopment projects in the District. The Board shall evaluate projects in terms of financial, design, and land-use components. Each year the Board will submit an Annual Report to the City Council. To the extent desired, the Board may adopt policies related to TIF funding, evaluation, and review, such as Design
Guidelines, Project Evaluation Guidelines, Guidelines for the Provision of Affordable Housing in the District, a TIF Funding Allocation Policy, an Open Space and Trails Policy, a Relocation Policy, and a Strategic Implementation Plan for the District to provide greater consistency in the project evaluation process.

The Board shall consist of ten (10) directors: five (5) of whom shall be appointed by the City Council of the City; two (2) of whom shall be appointed by the governing body of the Dallas Independent School District (DISD); one (1) appointed by the governing body of Dallas County (County); one (1) appointed by the governing body of Dallas County Hospital District (Hospital District); and one (1) appointed by Dallas County Community College District (Community College District); provided, however, that if a taxing unit (other than the City) waives its right to appoint a member to the Board, as evidenced by written resolution duly adopted by the governing body of such taxing unit, the City may appoint such Board member in its stead.

The first Board members shall serve for an initial term ending September 30, 2009, or until their successors are appointed. Subsequent directors shall be appointed by the governing bodies of the City, DISD, County, Hospital District, and Community College District. The City-appointed directors shall serve two-year terms beginning October 1, or until their successors are appointed. Representatives selected to represent other taxing units shall serve at the discretion of these entities. Their appointments shall be made by official action of their Board or by their Chief Operating Officer, and they shall serve until their successors are appointed by the respective governing bodies. A minimum of five (5) directors must be appointed for the Board to be considered a functioning body.

Any City-appointed Board member may be removed from office by the City Council for cause deemed by the City Council as sufficient for their removal in the interest of the public. The Board member may challenge his or her removal from the Board by demanding a public hearing before the City Council, within 10 days of notice of removal, where the causes for the removal will be made public.

In the event of a vacancy caused by the resignation, death, or removal for any reason, of a director, the governing body of the respective taxing unit (i.e., City, County, DISD, Hospital District, Community College District) which made such Board appointment shall be responsible for filling the vacancy.

Section 2. Meetings of Directors. The directors may hold their meetings within a public building in the City as the Board may from time to time determine. Meetings will be held in procedural accordance with Roberts Rules of Order.

Section 3. Regular Meetings. Regular meetings of the Board shall be held as needed to conduct the business of the Board. City staff shall coordinate meeting notices. All meetings of the Board shall be of a public nature unless pertaining to matters of land purchase, security, personnel, or strictly legal matters. Notice of all regular and special meetings of the Board and any committees thereof shall be posted in accordance with the provisions of the Texas Open Meetings Act, Chapter 551 of the Government Code, Vernon’s Texas Civil Statutes.

Section 4. Special Meetings. Special meetings of the Board shall be held whenever called by a majority of the directors then in office or upon advice of or request by the City Council. Special Meetings shall be held in accordance with the provisions of the Texas
Open Meetings Act, Chapter 551 of the Government Code, Vernon’s Texas Civil Statutes.

The Secretary shall give notice to each director of each Special Meeting in person, or by mail, e-mail, telephone, or facsimile, at least two (2) hours before the meeting. Notice of all Special Meetings shall state the purpose and subject of the meetings, which shall be the only business conducted.

Section 5. Quorum. A majority of the directors currently appointed to the Board shall constitute a quorum for the consideration of matters pertaining to the purposes of the District. The act of a majority of the directors present at a meeting at which a quorum is in attendance shall constitute the act of the Board, unless the act of a greater number is required by law. The quorum requirement shall also apply to any committees appointed by the Board.

Section 6. Conduct of Business. At the meetings of the Board, matters pertaining to the purposes of the District shall be considered in such order as from time to time the Board may determine. The scope of matters subject to Board review shall focus on the development and approval of the TIF District Project Plan and Reinvestment Zone Financing Plan and amendments to it; evaluation, approval, and recommendation to City Council concerning projects requesting TIF funding; and the creation of policies such as Design Review Guidelines, Project Evaluation Guidelines, Guidelines for the Provision of Affordable Housing in the District, a TIF Funding Allocation Policy, an Open Space and Trails Plan, a Relocation Policy, and a Strategic Implementation Plan for the District.

The Chairman shall preside at all meetings of the Board, and in the absence of the chairman, the Vice Chairman shall exercise the power of the Chairman.

The staff liaison of the Board shall act as Secretary of all meetings of the Board.

Within five (5) days following each Regular and Special Meeting, a draft of the minutes of the meeting shall be submitted to the City Secretary of the City. A final set of minutes shall be submitted to the City Secretary of the City upon approval by a majority of the Board.

Section 7. Standing Committee(s) and Ad Hoc Committee(s). The Board may appoint Standing Committees and Ad Hoc Committees as needed to carry out the mission and intent of the Fort Worth Avenue Tax Increment Financing District. Standing Committees and Ad Hoc Committees so designated shall serve in an advisory capacity to the Board, shall keep regular minutes of the transactions of meetings, shall cause such minutes to be recorded in the books kept for that purpose, and shall report the same to the Board.

Section 8. Design Review Committee. The Design Review Committee (the “DRC”) shall be a Standing Committee of the District and shall be reappointed each year in the first meeting held after October 1. After a committee member serves one year, the member can be reappointed for additional terms. In the event of a vacancy caused by the resignation, death, or removal for any reason of a committee member, the Board shall be responsible for filling the vacancy. The purpose of the DRC shall be to recommend Design Guidelines and Standards for the District and to review development
plans of pending projects in the District and to make recommendations that enable a project to comply with the adopted Design Guidelines and Standards for the District.

The DRC shall be composed of nine (9) members. Three members shall be selected by the Board from the membership of the Board. A representative from the City of Dallas Planning Department, Public Works and Transportation Department, and Economic Development Department shall be selected by the Director of each department. A representative from DART, one urban architectural professional, and one urban landscape design professional shall be selected to serve on the District DRC by the Director of Economic Development. In the event that a public improvement district (“PID”) is created within the boundaries of the District, the Director of Economic Development shall select a representative from the PID to serve on the DRC and the DRC’s membership shall be increased to ten (10).

Section 9. Compensation of Directors. Directors as such shall not receive any salary or compensation for their services.

Section 10. Attendance. Unless provided otherwise by these By-Laws, by the City Ordinance creating the District, or by the Act, City-appointed Board members shall be subject to the provisions regulating attendance requirements for City Boards pursuant to Chapter 8 of the Dallas City Code, Sections 8-20, 8-20.1 and 8-21. If noncompliance with these requirements by a Board member would result in forfeiture of his/her position under these provisions, the position shall be filled for the remainder of the term by appointment of the governing body which made the original appointment.

Section 11. Ethics. City-appointed Board members shall adhere to the City’s Code of Ethics as found in the Dallas City Code Chapter 12A.

City appointed Board members must comply with all City rules related to financial disclosure and ethics which supersede any provisions of these By-Laws that may be contradictory.

ARTICLE III
Officers

Section 1. Titles and Term of Office. The officers of the District shall consist of a Chairman, a Vice Chairman, a Secretary, and such other officers as the Board may from time to time elect or appoint; provided however that the Mayor of the City shall nominate the Chairman from among the members, subject to confirmation by the majority of the City Council, who shall serve as Chairman for a term of one (1) year beginning on October 1, or until his successor shall be appointed. One person may hold more than one office, except that the Chairman shall not hold the office of Secretary. Terms of office for officers, other than the Chairman, shall not exceed two (2) years.

All officers, other than the Chairman, shall be subject to removal from office, with or without cause, at any time by a vote of a majority of the entire Board of Directors.

A vacancy in the office of any officer, other than the Chairman, shall be filled by a vote of a majority of the directors. Absence from three (3) consecutive meetings or four
(4) meetings in a six-month period shall constitute adequate reason for removal from office without action from the Board.

Section 2. Powers and Duties of the Chairman. The Chairman shall be the chief executive officer of the Board. Such appointment shall be subject to the approval of the City Council. The Chairman shall be in general charge of the properties and affairs of the District and shall preside at all meetings of the Board.

Section 3. Vice Chairman. The Vice Chairman shall be a member of the Board, shall have such powers and duties as may be assigned by the Board and shall exercise the powers of the Chairman during that officer's absence or inability to act. Any action taken by the Vice Chairman in the performance of the duties of the Chairman shall be conclusive evidence of the absence or inability to act of the Chairman at the time such action was taken.

Section 4. Secretary. The Secretary shall keep the minutes of all meetings of the Board in books provided for the purpose, shall have charge of such books, records, documents, and instruments as the Board may direct, all of which shall at all reasonable times be open to inspection, and shall in general perform all duties incident to the office of Secretary subject to the control of the City Council and the Board. A City staff member shall serve as Secretary of the Board. The position of Secretary is a non-voting office.

Section 5. Staff. Staff functions for the Board may be performed by the City as directed by the City Council, and the City shall be reimbursed for the costs for such services performed in connection with the District.

ARTICLE IV
Provisions Regarding By-Laws

Section 1. Effective Date. These By-Laws shall become effective only upon the occurrence of the following events:

(1) The adoption of these By-Laws by the Board, and
(2) The approval of these By-Laws by the City Council.

Section 2. Amendments to By-Laws. These By-Laws may be amended by majority vote of the Board, provided that the Board files with the City Council a written application requesting that the City Council approve such amendment to the By-Laws, specifying in such application the amendment or amendments proposed to be made. If the City Council by appropriate resolution finds and determines that it is advisable that the proposed amendment be made, authorizes the same to be made and approves the form of the proposed amendment, the Board shall proceed to amend the By-Laws.

The By-Laws may also be amended at any time by the City Council at its sole discretion by adopting an amendment to the By-Laws by resolution of the City Council and delivering the By-Laws to the Secretary of the Board.
Section 3. Interpretation of By-Laws. These By-Laws and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein. If any word, phrase, clause, sentence, paragraph, section, or other part of these By-Laws, or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, the remainder of these By-Laws and the application of part of these By-Laws to any other person or circumstance shall not be affected thereby.

ARTICLE V
General Provisions

Section 1. Notice and Waiver of Notice. Whenever any notice whatsoever is required to be given under the provisions of these By-Laws, said notice shall be deemed to be sufficient if given by depositing the same in a post office box in a sealed postpaid wrapper addressed to the person entitled hereto at his post office address, as it appears on the books of the District, and such notice shall be deemed to have been given on the day of such mailing. Attendance of a director at a meeting shall constitute a waiver of notice of such meeting, except where a director attends a meeting for the express purpose of objecting to the transaction of any business on the grounds that the meeting is not lawfully called or convened. A waiver of notice in writing, signed by the person or persons entitled to said notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 2. Resignations. Any director or officer may resign at any time. Such resignation shall be made in writing and shall take effect at the time specified therein, or, if no time be specified, at the time of its receipt by the City Secretary. The acceptance of a resignation shall not be necessary to make it effective, unless expressly so provided in the resignation.

Section 3. Approval or Delegation of Power by the City Council. To the extent that these By-Laws refer to any approval by the City, such approval or delegation shall be evidenced by a certified copy of an ordinance, or resolution (if permissible), duly adopted by the City Council.
SUBJECT

Oak Cliff Gateway TIF District

* Authorize (1) the City Manager to execute a development agreement with Bishop Colorado Retail Plaza, L.P., (the “Developer”) in an amount not to exceed $350,000 payable from future Oak Cliff Gateway TIF funds and or TIF Bond Funds in consideration of Bishop Colorado Retail Plaza, L.P developing the 1222 North Bishop Avenue property in accordance with the Oak Cliff Gateway TIF Project Plan and the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District; and (2) the Oak Cliff Gateway TIF District Board of Directors to dedicate up to $350,000, payable from Oak Cliff Gateway TIF revenues and or TIF Bond Funds in accordance with the development agreement - $350,000 - Financing: To be funded solely from the Oak Cliff Gateway TIF District Funds and or TIF Bond Funds

* A resolution declaring the intent of the Oak Cliff Gateway TIF District to reimburse Bishop Colorado Retail Plaza, L.P., for eligible expenditures pursuant to the development agreement with Bishop Colorado Retail Plaza, L.P. in an amount not to exceed $350,000, payable for certain TIF-eligible project costs related to the design, engineering and construction of a 14,950 square foot retail center and other improvements at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District - Financing: No cost consideration to the City

BACKGROUND

Bishop Colorado Retail Plaza, L.P., plans to construct the Bishop Colorado Retail Plaza consisting of approximately 14,950 square feet of retail space located at 1222 N. Bishop Avenue in the Oak Cliff Gateway TIF District.
BACKGROUND (continued)

The total private investment is approximately $4,500,000. The cost of related TIF-eligible public improvements is approximately $350,000. These improvements include, but are not limited to, Design, Engineering, Professional Services, Water, Wastewater and Storm Water Improvements, Paving and Streetscape Improvements.

The $350,000 amount of TIF funds pledged or dedicated to the Bishop Colorado Retail Plaza project is based on the estimated expenditures to be incurred by, Bishop Colorado Retail Plaza, L.P., on eligible TIF project costs such as public infrastructure improvements including sidewalks, lighting, streetscape, and utility enhancement; plus design, engineering and construction management.

Certain costs of improvements are eligible for funding with tax increment revenues under legislative actions taken in 2005. Pursuant to the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan, the Board recommended that TIF funding up to $350,000 be dedicated or pledged from future Oak Cliff Gateway TIF District revenues to the proposed development. No TIF subsidies will become payable until the Bishop Colorado Retail Plaza project is fully completed.

Bishop Colorado Retail Plaza, L.P., will fund and construct the approved TIF eligible public improvements at a cost of approximately $350,000. Bishop Colorado Retail Plaza, L.P., will be paid solely from the Oak Cliff Gateway TIF District Fund, and/or Tax Increment Bonds, not City general funds or other City bond funds, only to the extent Oak Cliff Gateway TIF District funds are available.

Developer will obtain a building permit and begin construction by December 31, 2008.

Developer will use reasonable efforts to obtain a final certificate of acceptance for the retail center and all associated public improvements by December 31, 2009.

Developer will execute and fund an Operating and Maintenance Agreement for all non-standard public improvements by the date of the Certificate of Occupancy for the retail development.

In addition to complying with M/WBE Fair Share goal of 25% for the TIF reimbursable improvements, Bishop Colorado Retail Plaza, L.P shall make a good faith effort to comply with the Oak Cliff Gateway TIF District M/WBE Fair Share policies for the private improvement construction with a participation goal in an amount of 10% of total private expenditures.

ESTIMATED SCHEDULE OF PROJECT

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Begin construction</td>
<td>December 2008</td>
</tr>
<tr>
<td>Complete construction</td>
<td>December 2009</td>
</tr>
</tbody>
</table>
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 11, 1992, the City Council authorized the adoption of Ordinance No. 21466, as amended, which created Tax Increment Financing (TIF) Reinvestment Zone Number Three, the Oak Cliff Gateway TIF District by Ordinance No. 21466, as amended.

On February 12, 1997, the City Council authorized the adoption of Ordinance No. 23033, as amended, authorizing the Project Plan and Reinvestment Zone Financing Plan for the Oak Cliff Gateway TIF District.

On August 23, 2006, the City Council approved Resolutions No. 06-2281 and 06-2282, which approved a development agreement with Belclaire Realty, LTD for the development of the 1222 N. Bishop property as a small mixed use project. The development was not completed and the authorization for TIF subsidy expired.

On June 16, 2008, a memo was submitted to the Economic Development Committee regarding a development agreement with Bishop Colorado Retail Plaza, L.P.

On June 12, 2008 the Oak Cliff Gateway TIF Board of Directors provided a recommendation to the Dallas City Council for project approval and authorization of a development agreement between the City of Dallas and Bishop Colorado Retail Plaza, L.P, for the development of the Bishop Colorado Retail Plaza project, 1222 N. Bishop Avenue in the Oak Cliff Gateway TIF District and for authority to pledge and dedicate future TIF Revenues and or TIF Bond Funds up to $350,000 for certain TIF-eligible public infrastructure improvements.

FISCAL INFORMATION

Oak Cliff Gateway TIF District Funds and or TIF Bond Funds - $350,000

Council District 1 $350,000
Council District 3 $0

OWNER

Bishop Colorado Retail Plaza, L.P
Ron Berlin, President

DEVELOPER

Bishop Colorado Retail Plaza, L.P
Ron Berlin, President

MAP

Attached.
WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on November 11, 1992 the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District) as amended, in accordance with the Tax Increment Financing Act, as amended V.T.C.A. Tax Code, Chapter 311, (the "Act") to promote development and redevelopment in the Oak Cliff Gateway area through the use of tax increment financing by Ordinance No. 21466; and

WHEREAS, on February 12, 1997, the City Council authorized the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 23033, as amended; and

WHEREAS, on June 12, 2008 the Oak Cliff Gateway TIF District Board of Directors provided a recommendation to the Dallas City Council for project approval and authorization of a development agreement between the City of Dallas and Bishop Colorado Retail Plaza, L.P., for the development of the Bishop Colorado Retail Plaza project (Exhibit A), 1222 N. Bishop Avenue in the Oak Cliff Gateway TIF District and for authority to pledge and dedicate future TIF Revenues and or TIF Bond Funds up to $350,000 for TIF certain eligible public infrastructure improvements to implement the TIF District Plan; and

WHEREAS, the use of economic development incentives is a necessary tool in attracting development and new jobs to the Oak Cliff Gateway TIF District; and

WHEREAS, the Issuer (hereinafter sometimes referred to as "City") is contemplating reimbursement for the cost of construction of certain public improvements within the Oak Cliff Gateway TIF District; and

WHEREAS, the City has concluded that it does not currently desire to incur debt to finance the project costs it is about to pay; however, if doing so is in the best financial interests of the City, the City may in the future negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the District; and

WHEREAS, the City desires to reimburse Bishop Colorado Retail Plaza, L.P. for the costs it is about to pay from the proceeds of TIF Bonds or the obligation to be issued or Oak Cliff Gateway TIF District revenues collected, subsequent to the payment of such costs; and

WHEREAS, the City has no other funds that are, or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside for purposes of paying the costs the City expects to incur.
NOW, THEREFORE,

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

Section 1. That the City Manager upon approval as to form by the City Attorney is authorized to execute a development agreement with Bishop Colorado Retail Plaza, L.P., to implement the Project Plan in an amount not to exceed $350,000, from future Oak Cliff Gateway TIF funds and or TIF Bond funds in consideration of Bishop Colorado Retail Plaza, L.P.’s new construction of the Bishop Colorado Retail Plaza development at 1222 North Bishop Avenue in the Oak Cliff Gateway TIF District; and the Oak Cliff Gateway TIF District Board of Directors to dedicate up to $350,000, from Oak Cliff Gateway TIF revenues and or TIF Bond funds in accordance with the development agreement.

Section 2. That the facts and recitations contained in the preamble of this Resolution are hereby found and declared to be true and correct.

Section 3. That the City Controller is hereby authorized to encumber and disburse funds from future tax increments from the Oak Cliff Gateway TIF District Fund: Fund 0034, Department ECO, Unit P465, Object 4420, Activity T0AK, Program No. OCGTIF0001, CT ECOP465H092, Vendor No. VS0000032993, in an amount not to exceed $350,000. The total amount shall not exceed $350,000 in accordance with the development agreement. Eligible TIF expenditures are shown in Exhibit B.

Section 4. That Bishop Colorado Retail Plaza, L.P. shall design, fund and construct the Bishop Colorado Plaza Retail Center (Exhibits C & D) and other public improvements in an amount not to exceed $350,000 for the costs of construction of TIF-eligible improvements in the Oak Cliff Gateway TIF District. Bishop Colorado Retail Plaza, L.P. will be paid solely from the Oak Cliff Gateway TIF District Funds and or TIF Bond Funds in accordance with the terms of the development agreement, but only to the extent such Oak Cliff Gateway TIF District Funds are available for such purpose.

Section 5. That nothing in this resolution shall be construed to require the City to approve payment from any source of City funds other than the Oak Cliff Gateway TIF District Fund or TIF Bond Funds. Any funds, under the development agreement, that have not been reimbursed upon termination of the Oak Cliff Gateway TIF District, due to lack of or unavailability of Oak Cliff Gateway TIF District funds shall no longer be considered project costs of the Oak Cliff Gateway TIF District, and the obligation of the Oak Cliff Gateway TIF District or the City to pay Bishop Colorado Retail Plaza, L.P., shall automatically expire.
Section 6. That in addition to the conditions set out in the Sections above, the Development Agreement is hereby expressly made subject to all of the following contingencies which must be performed or occur:

A. The developer shall invest a minimum of $4,500,000 in private improvements in the property for Bishop Colorado Plaza Retail project including all land acquisition, site preparation, construction hard and soft costs in the construction of a mixed-use development. The estimated appraised value of the first phase of the project upon stabilization is estimated to be $4 million.

B. The Bishop Colorado Plaza development shall contain a minimum of 14,950 square feet of retail space including retail, restaurant and service uses.

C. Owner will obtain a building permit and begin construction by December 31, 2008.

D. Owner will use reasonable efforts to obtain a final certificate of acceptance issued by the City Department of Public Works and Transportation for the public improvements by December 31, 2009.

E. The developer will execute and fund an Operating and Maintenance Agreement for all non-standard public improvements by the date of the Certificate of Occupancy for the Bishop Colorado Plaza retail project.

F. In addition to complying with M/WBE Fair Share goal of 25% for the TIF reimbursable improvements, Bishop Colorado Retail Plaza, L.P., shall make a good faith effort to comply with the Oak Cliff Gateway TIF District M/WBE Fair Share policies for the private improvement construction with a participation goal in an amount of 10% of total private expenditures.

G. Owner will manage the construction of the retail development and other related improvements and once inspected and accepted by the City (and all other conditions are met) will be eligible for reimbursement, if and when TIF funds are available.

H. The Bishop Colorado Plaza retail project shall be submitted for design review by the Board of Directors of the Oak Cliff Gateway TIF District (Board). The intent of this review is to insure consistency with the Oak Cliff Gateway TIF District Project Plan. Bishop Colorado Retail Plaza, L.P., is required, to conform to suggestions from the Board to be eligible for reimbursement.
Section 7. That the City Manager, after approval and recommendation of the Oak Cliff Gateway TIF District Board of Directors, may authorize an extension up to 6 months.

Section 8. 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: Office of Economic Development – Tenna Kirk, 5CS
Office of Economic Development – Sajid Safdar, 2CN
Office of Economic Development – Stan Prichard, 2CN
City Attorney's Office - Barbara Martinez
City Attorney's Office – Sarah Hasib
City Controller's Office, Sherrian Parham, 4BN
Public Improvements Description
Bishop Colorado Retail Plaza
1222 North Bishop Avenue
Dallas, Texas 75208

The Bishop Arts Plaza development project is requesting $350,000.00 of TIF funding for public improvements within the following TIF categories:

- **Paving / Streetscape / Lighting & Environmental Remediation**
  
  $275,000.00 will be applied toward the environmental cleanup and aesthetic appeal of the public areas of the site, which includes the installation of lush landscape materials, sidewalk accessibility and safety lighting. There will be beautiful trees lining the public streetscape along the retail façade with additional attention placed upon the outdoor patio area of the restaurant space. Sidewalks will be plenty wide to accommodate sufficient foot traffic and promote public safety with proper lighting, yet blend into the landscape of the building.

- **Water / Sewer & Drainage**
  
  $75,000.00 will be applied to the public infrastructure improvements of providing adequate public water and sewer service to the site. This also includes promoting proper drainage and runoff methods.
WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, on November 11, 1992 the City Council authorized the establishment of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), in accordance with the Tax Increment Financing Act, as amended V.T.C.A. Tax Code, Chapter 311, (the "Act") to promote development and redevelopment in the Oak Cliff Gateway area through the use of tax increment financing by Ordinance No. 21466; and

WHEREAS, on February 12, 1997, the City Council authorized the Oak Cliff Gateway TIF District Project Plan and Reinvestment Zone Financing Plan by Ordinance No. 23033, as amended; and

WHEREAS, on June 12, 2008 the Oak Cliff Gateway TIF Board of Directors provided a recommendation to the Dallas City Council for project approval and authorization of a development agreement between the City of Dallas and Bishop Colorado Retail Plaza, L.P., for the development of the Bishop Colorado Retail Plaza project (Exhibit A), 1222 N. Bishop Avenue in the Oak Cliff Gateway TIF District and for authority to pledge and dedicate future TIF Revenues and or TIF Bond Funds up to $350,000 for TIF certain eligible public infrastructure improvements to implement the TIF District Plan; and

WHEREAS, the use of economic development incentives is a necessary tool in attracting development and new jobs to the Oak Cliff Gateway TIF District; and

WHEREAS, the Issuer (hereinafter sometimes referred to as "City") is contemplating reimbursement for the cost of construction of certain public improvements within the Oak Cliff Gateway TIF District; and

WHEREAS, the City has concluded that it does not currently desire to incur debt to finance the project costs it is about to pay; however, if doing so is in the best financial interests of the City, the City may in the future negotiate with financial institutions to secure bonds or other obligations, or lines of credit, to aid in the funding of projects within the District; and

WHEREAS, the City desires to reimburse Bishop Colorado Retail Plaza, L.P. for the costs it is about to pay from the proceeds of TIF Bonds or the obligation to be issued or Oak Cliff Gateway TIF District revenues collected, subsequent to the payment of such costs; and

WHEREAS, the City has no other funds that are, or are reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside for purposes of paying the costs the City expects to incur.
NOW, THEREFORE,

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

Section 1. That the findings, determinations and certifications contained in the recitals above are incorporated herein for all purposes.

Section 2. That the issuer expects to incur debt as one or more series of obligation for the purpose of paying the costs on the Projects. The following is a general functional description of the Project for which the expenditures to be reimbursed or paid and a statement of the maximum principal amount of debt expected to be issued for such reimbursement purposes.

**Project Description**
- Design and Construction of TIF Eligible improvements to be located within Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District*) as shown on Exhibit B, attached hereto

**Debt To Be Issued**
- not to exceed $350,000
  - as provided by the Project Plan and Reinvestment Zone Financing Plan and the Development Agreement

Section 3. That the total Oak Cliff Gateway TIF District participation in the cost of design, engineering and construction of the TIF-eligible improvements for the Bishop Colorado Plaza retail project shall not exceed a principal amount of $350,000, all in accordance with the terms of said development agreement.

Section 4. That nothing in the resolution shall be construed to require the City to approve payment from any source of City funds other than the Oak Cliff Gateway TIF District Fund and/or issued Tax Increment Bonds. Any funds, under the development agreement, that remain unpaid upon termination of the Oak Cliff Gateway TIF District, due to lack or unavailability of Oak Cliff Gateway TIF District Funds shall no longer be considered project costs of the Oak Cliff Gateway TIF District or the City and any obligation to pay Bishop Colorado Retail Plaza L.P., shall automatically expire.

Section 5. 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: Office of Economic Development - Tenna Kirk - 5CS
Office of Economic Development – Sajid Safdar - 2CN
Office of Economic Development – Stan Prichard - 2CN
City Attorney's Office - Barbara Martinez
City Attorney's Office – Sarah Hasib
Public Improvements Description
Bishop Colorado Retail Plaza
1222 North Bishop Avenue
Dallas, Texas 75208

The Bishop Arts Plaza development project is requesting $350,000.00 of TIF funding for public improvements within the following TIF categories:

- Paving / Streetscape / Lighting & Environmental Remediation
  
  $275,000.00 will be applied toward the environmental cleanup and aesthetic appeal of the public areas of the site, which includes the installation of lush landscape materials, sidewalk accessibility and safety lighting. There will be beautiful trees lining the public streetscape along the retail façade with additional attention placed upon the outdoor patio area of the restaurant space. Sidewalks will be plenty wide to accommodate sufficient foot traffic and promote public safety with proper lighting, yet blend into the landscape of the building.

- Water / Sewer & Drainage
  
  $75,000.00 will be applied to the public infrastructure improvements of providing adequate public water and sewer service to the site. This also includes promoting proper drainage and runoff methods.
AGENDA ITEM # 34

KEY FOCUS AREA: A Cleaner, Healthier City Environment
Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 5

DEPARTMENT: Environmental & Health Services
Department of Development Services

CMO: David O. Brown, 670-3390
A. C. Gonzalez, 671-8925

MAPSCO: 59A

SUBJECT

Authorize a seven-year lease agreement with S&S Shopping Centers, Ltd. for approximately 6,000 square feet of office space located at 9009 Bruton Road, Suite 441, to be used as a Women, Infants and Children Clinic for the period September 1, 2008 through August 31, 2015 - Not to exceed $619,500 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

BACKGROUND

This item authorizes the Women, Infants and Children (WIC) program to operate a new site to serve the residents in the southeastern areas of Dallas County. This new site will replace the WIC clinic currently located at 9208 Elam Road. WIC is a federal program funded by the United States Department of Agriculture and administered by the Texas Department of State Health Services. Since 1974, the countywide program has been administered by the City of Dallas’ Environmental and Health Services Department. The WIC program provides nutritious food, nutrition education, breastfeeding promotion and support, referrals for health services, and immunization. The program serves infants, children under age 5, and pregnant, postpartum and breastfeeding women.

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$619,500 - Department of State Health Services Grant Funds (subject to annual appropriations)
OWNER

S&S Shopping Centers, Ltd.

Spigel Properties, Inc. - General Partner
Stanley Spigel - President
Barbara Spigel - Vice President

MAPS

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute the lease agreement with S&S Shopping Centers, Ltd., a Texas limited partnership, or its successors and assigns hereinafter referred to as "Landlord", and the City of Dallas, as Tenant, hereinafter referred to as "City", for approximately 6,000 square feet of office space located in a one-story office building, at 9009 Bruton Road, Suite 441, Dallas, Dallas County, Texas, ("Premises") to be used by the Women, Infant and Children Program Services.

Section 2. That the special terms and conditions of the lease are:

(a) The lease is for a term of seven (7) years beginning September 1, 2008 and ending August 31, 2015.

(b) Monthly rental payments during the Term shall be as follows:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Rental Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 1, 2008 - August 31, 2009</td>
<td>$7,000.00 per month</td>
</tr>
<tr>
<td>September 1, 2009 - August 31, 2010</td>
<td>$7,125.00 per month</td>
</tr>
<tr>
<td>September 1, 2010 - August 31, 2011</td>
<td>$7,250.00 per month</td>
</tr>
<tr>
<td>September 1, 2011 - August 31, 2012</td>
<td>$7,375.00 per month</td>
</tr>
<tr>
<td>September 1, 2012 - August 31, 2013</td>
<td>$7,500.00 per month</td>
</tr>
<tr>
<td>September 1, 2013 - August 31, 2014</td>
<td>$7,625.00 per month</td>
</tr>
<tr>
<td>September 1, 2014 - August 31, 2015</td>
<td>$7,750.00 per month</td>
</tr>
</tbody>
</table>

The rental payments shall begin upon the latter of (i) September 1, 2008 or (ii) the date certain leasehold improvements as specified in the lease are completed and accepted ("Rental Commencement Date"). If the Rental Commencement Date is other than the first of the month rent for the resulting partial month shall be prorated by days.

(c) The Landlord agrees to provide the City with a Certificate of Occupancy.

(d) The Landlord shall pay all real estate taxes on the Premises during the lease term.

(e) The City shall be responsible for the installation, maintenance and expense of its own telephone and security services to the Premises.

(f) The City shall pay all charges for electrical, water, gas and janitorial services to the Premises during the lease term.

(g) The Landlord shall pay for sanitation services to the Premises during the term.
(h) The Landlord shall provide the City with an asbestos survey at Landlord's expense.

(i) The Landlord shall maintain the roof, foundation, exterior walls, exterior lighting, termites and pest extermination, parking areas and all public and common areas constituting a part of and/or serving the Premises during the lease term.

(j) The Landlord shall maintain all equipment and systems, including, but not limited to, all electrical, mechanical and plumbing systems, including heating and air conditioning equipment, front and rear doors, light fixtures and bulb replacements, plumbing and floor drains, exhaust fans, windows, interior walls, ceiling and floors in, constituting a part of and/or serving the Premises.

(k) The Landlord shall provide certain improvements and repairs (leasehold improvements) to the leased Premises as specified in the lease agreement.

(l) The Landlord shall provide adequate dumpster facilities for City's trash.

(m) The City reserves the right to terminate the lease on the last day of any current fiscal year due to non-appropriation of funds.

Section 3. That the City Controller is hereby authorized to draw warrants payable to S&S Shopping Centers, Ltd., or its successors and assigns on the first day of each month in advance during the lease term, beginning September 1, 2008 in the amount specified below:

<table>
<thead>
<tr>
<th>Date Range</th>
<th>Amount</th>
<th>Note</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 1, 2008 - August 31, 2009</td>
<td>$7,000.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
<tr>
<td>September 1, 2009 - August 31, 2010</td>
<td>$7,125.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
<tr>
<td>September 1, 2010 - August 31, 2011</td>
<td>$7,250.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
<tr>
<td>September 1, 2011 - August 31, 2012</td>
<td>$7,375.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
<tr>
<td>September 1, 2012 - August 31, 2013</td>
<td>$7,500.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
<tr>
<td>September 1, 2013 - August 31, 2014</td>
<td>$7,625.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
<tr>
<td>September 1, 2014 - August 31, 2015</td>
<td>$7,750.00 per month</td>
<td>(subject to annual appropriations)</td>
</tr>
</tbody>
</table>
Section 4. That payments will be charged as follows:


Section 5. That the City Controller is hereby authorized to draw warrants payable to the respective telephone, communication and janitorial companies upon receipt of a bill for services or other applicable charges throughout the term of the lease.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and it is accordingly so resolved.

APPROVED AS TO FORM
Thomas P. Perkins, Jr., City Attorney

BY: Assistant Attorney
AGENDA ITEM # 35

KEY FOCUS AREA: A Cleaner, Healthier City Environment
                Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 1

DEPARTMENT: Environmental & Health Services
              Department of Development Services

CMO: David O. Brown, 670-3390
     A. C. Gonzalez, 671-8925

MAPSCO: 54G

SUBJECT

Authorize an amendment to the lease agreement with Jefferson Tower, L.P., whom conveyed its property to SourceOne Capital, L.P. by deed dated June 9, 2006, to extend the term of the lease for six additional months at the leased facility located at 351 West Jefferson Boulevard, Suite 300, to be used as a Women, Infants and Children Clinic for the period July 1, 2008 through December 31, 2008 - Not to exceed $45,493 - Financing: Department of State Health Services Grant Funds

BACKGROUND

This item authorizes an amendment to the lease agreement with SourceOne Capital, L.P. to continue operations for six additional months at 351 West Jefferson Boulevard, Suite 300. The amendment also provides for SourceOne Capital, L.P. to make certain leasehold improvements, repairs and refurbishments at its sole cost and expense to the lease premises.

The Women, Infant and Children (WIC) program is a United State Department of Agriculture program administered in Texas by the Department of State Health Services. The countywide program has been administered by the City of Dallas' Environmental and Health Services Department since 1974. The WIC program provides vouchers for nutritious food, nutrition education, breastfeeding promotion and support, referrals to health services, and immunization. The program serves infants and children under age 5, and pregnant, postpartum and breastfeeding women.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a lease agreement with Jefferson Tower. L.P. for office space on April 9, 2003, by Resolution No. 03-1194.
FISCAL INFORMATION

$45,492.48 - Department of State Health Services Grant Funds

OWNER

SourceOne Capital, L.P.

Rampart Properties, L.P., General Partner

MAPS

Attached
WHEREAS, on April 9, 2003 the City Council of the City of Dallas approved Resolution No. 03-1194, authorizing the City Manager to execute a lease agreement dated April 22, 2003, (the “Lease”) between Jefferson Tower, L.P., as Lessor, and the City of Dallas, as Lessee (“City”) for approximately 5,870 square feet of office space located at 351 W. Jefferson, Suite 300, Dallas, Dallas County, Texas to be used by the Women Infant and Children Program Services (“Premises”); and

WHEREAS, SourceOne Capital LP, a Nevada limited partnership, (“Landlord”) has purchased the property within which the Premises are located and assumed the obligations of the Lessor under the Lease; and

WHEREAS, the stated term of the Lease expired on April 30, 2008 and City has continued in occupancy on a hold-over basis as a month-to-month tenant pursuant to Section XVII of the Lease and intends to continue as such until June 30, 2008; and

WHEREAS, the parties desire to supplement, modify and amend the Lease to provide for Landlord to make certain additional improvements, repairs and refurbishments at its sole cost and expense to the portion of the Premises; and

WHEREAS, City and Landlord desire to extend the Term of the Lease for an additional six (6) months period, upon certain amended terms provided below;

NOW, THEREFORE;

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute an Amendment to Lease Agreement between SourceOne Capital, L.P. and the City of Dallas.

Section 2. That the special terms and conditions of the Amendment to Lease Agreement are:

(a) The term of the Lease is extended for an additional six (6) months, effective July 1, 2008 through December 31, 2008, provided however, that City retains the right to terminate the Lease as provided elsewhere therein.

(b) Base Rental payments shall be as follows:

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 1, 2008 - December 31, 2008</td>
<td>$7,582.08 per month (subject to appropriation)</td>
</tr>
</tbody>
</table>

(c) Landlord shall provide certain improvements and repairs to the Premises as specified in the Amendment to Lease Agreement.
June 25, 2008

(d) All other terms of the Lease, as previously amended, not expressly amended, hereby shall remain unchanged and in full force and effect.

Section 3. That the City Controller be and is hereby authorized to draw warrants payable to SourceOne Capital, L.P. or its successors, assigns and/or designees on the first day of each month in advance during the lease term effective July 1, 2008 in the amount specified below:

July 1, 2008 - December 31, 2008 $7,582.08 per month
(subject to appropriations)

Section 4. That the payments will be charged as follows:

July 1, 2008 - August 31, 2008: Fund F163, Dept. EHS, Unit 1605, Object 3330, Encumbrance No. EHSLEASE669, Commodity Code 97145, Vendor No. VS0000011581

September 1, 2008 - December 31, 2008: Fund F209, Dept. EHS, Unit 1615, Object 3330, Encumbrance No. EHSLEASE674, Commodity Code 97145, Vendor No. VS0000011581

Section 5. That the City Controller is hereby authorized to draw warrants payable to the respective security and communication companies upon receipt of a bill for charges throughout the lease term.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and it is accordingly so resolved.

APPROVED AS TO FORM:
Thomas P. Perkins, Jr., City Attorney

By: [Signature]
Assistant City Attorney
Subject

Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to: (1) accept additional grant funds to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $61,384, from $90,433 to $151,817 - Financing: Texas Commission on Environmental Quality Grant Funds

Background

Since 1967, the City of Dallas has received various state and federal grants to support the Air Pollution Control Program. The Air Pollution Control program consists of: 1) monitoring ambient air quality; 2) enforcing the Texas Clean Air Act and the City's Clean Air Ordinance; and 3) reviewing permits for the construction and/or modification of industrial plants which have the potential of emitting airborne contaminants.

In addition to the criteria pollutants ambient air monitoring network, the Texas Commission on Environmental Quality has requested that the City support the Texas PM 2.5 Ambient Air Monitoring Network by continuing to operate fine particulate matter air monitors in the City of Dallas. The standards for particulate matter produced evidence of serious health effects associated with exposure to fine particulate matter less than 10-microns in size.

Approval of this item will authorize the second amendment to Contract No. 582-7-72657 increasing grant funds not to exceed $61,384, from $90,433 to $151,817 for the period September 1, 2008 through August 31, 2009.

Prior Action/Review (Council, Boards, Commissions)

Authorized a contract to accept grant funds to operate air samplers for particulate matter 2.5 on June 27, 2007, by Resolution No. 07-1972.
FISCAL INFORMATION

$600,336 - Department of State Health Services Grant Funds (subject to annual appropriations)

OWNER

Ridgewood VSC Garland, LP.

Ridgewood VSC Garland I, L.L.C., General Partner
Gary M. Poe, Director

MAPS

Attached
WHEREAS, on December 8, 2003 the City Council of the City of Dallas approved Resolution No. 03-3407, authorizing the City Manager to execute a lease agreement dated December 17, 2003, (the “Lease”) between Garland Development Group, L.P. as Lessor and the City of Dallas, as Lessee (“City”) for approximately 2,954 square feet of office space located at 3050 South First Street, Suite 207, Garland, Dallas County, Texas to be used by the Women, Infant and Children Program Services; and

WHEREAS, Ridgewood VSC Garland, L.P. (fka Latoc, Inc.) is the current owner/lessor under the Lease ("Landlord"); and

WHEREAS, the parties desire to supplement, modify and amend the Lease to (i) expand the size of “Premises” leased by City to include an additional area of approximately 2,400 square feet of space, for a total of approximately 5,354 square feet; (ii) provide for Landlord to make certain additional leasehold improvements at its sole cost and expense to the Expansions Space; and (iii) provide for Landlord to make certain additional improvements, repairs and refurbishments at its sole cost and expense to the portion of the Premises, defined as such in the Lease Agreement, dated December 17, 2003, hereinafter referred to as the “Original Premises”; and

WHEREAS, City and Landlord desire to extend the Term of the Lease for an additional seven (7) years period, upon certain amended terms provided below;

NOW, THEREFORE;

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, be and is hereby authorized to execute an Amendment to Lease Agreement between Ridgewood VSC Garland, LP and the City of Dallas.

Section 2. That the special terms and conditions of the Amendment to Lease Agreement are:

(a) The term of the Lease is extended for an additional seven (7) years, effective September 1, 2008 through December 31, 2015, provided however, that City retains the right to terminate the Lease as provided elsewhere therein.

(b) The “Premises” are to be increased to include approximately 2,400 square feet of additional space, referred to as the “Expansion Space”, for a total of approximately 5,354 square feet of space.
(c) Base Rental payments after increasing the “Premises” by the expansion space shall be as follows:

- September 1, 2008 - December 31, 2015 $6,822.00 per month (subject to annual appropriations)

(d) Landlord shall provide certain improvements, refurbishments and repairs to the Expansion Space and the original Premises as specified in the Amendment to Lease Agreement.

(e) All other terms of the Lease, not expressly amended, hereby shall remain unchanged and in full force and effect.

Section 3. That the City Controller be and is hereby authorized to draw warrants payable to Ridgewood VSC Garland, LP or its successors and assigns on the first day of each month in advance during the lease term effective September 1, 2008 in the amount specified below:

- September 1, 2008 - December 31, 2015 $6,822.00 per month (subject to annual appropriations)

Section 4. That the payments will be charged as follows:

- September 1, 2008 - August 31, 2009: Fund F209, Dept. EHS, Unit 1615, Object 3330, Encumbrance No. EHSLEASE675, Commodity Code 97145, Vendor No. 513114
- September 1, 2009 - August 31, 2010: Fund TBD, Dept. EHS, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. 513114
- September 1, 2010 - August 31, 2011: Fund TBD, Dept. EHS, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. 513114
- September 1, 2011 - August 31, 2012: Fund TBD, Dept. EHS, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. 513114
- September 1, 2012 - August 31, 2013: Fund TBD, Dept. EHS, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. 513114
Section 4. That the payments will be charged as follows: (Continued)

September 1, 2013 - August 31, 2014: Fund TBD, Dept. EHS, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. 513114

September 1, 2014 - December 31, 2015: Fund TBD, Dept. EHS, Unit TBD, Object 3330, Encumbrance No. TBD, Commodity Code 97145, Vendor No. 513114

Section 5. That the City Controller is hereby authorized to draw warrants payable to the respective utility, janitorial, security and communication companies upon receipt of a bill for charges throughout the lease term.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and it is accordingly so resolved.

APPROVED AS TO FORM:
Thomas P. Perkins, Jr., City Attorney

By: [Signature]
Assistant City Attorney
AGENDA ITEM # 37

KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Environmental & Health Services

CMO: David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize an amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2007 through September 30, 2008 - Not to exceed $514,823, from $11,116,800 to $11,631,623 - Financing: Department of State Health Services Grant Funds

BACKGROUND

Since 1974, the Department of State Health Services (DSHS) has funded a Special Supplemental Nutrition Program for Women, Infants and Children (WIC) in Dallas. The WIC Program provides nutritious food, nutrition education, breastfeeding promotion and support, and referrals to health and social services. The program serves infants, children under age 5, and pregnant, postpartum and breastfeeding women. WIC is a United State Department of Agriculture program administered in Texas by the DSHS. In Dallas County, the WIC Program is administered by the City of Dallas, Environmental and Health Services Department.

This item authorizes the acceptance of additional grant funds from Contract No. 2008-024648 increasing the total contract budget by $514,823. DSHS funding approval letters are as follows: Texas WIC Dietetic Intern Program for $21,823; Lactation Services for $20,800; Breastfeeding Peer Counselor Program for $300,000; Vendor Liaison activities for $39,200; and participation rate increase of $133,000 (from $9.65 to $9.93) required due to unexpected electronic benefit transfer (EBT) implementation cost.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

FISCAL INFORMATION

$514,823 - Department of State Health Services Grant Funds
WHEREAS, the Department of State Health Services has awarded additional grant funds in the amount of $514,823 for the continuation of the City of Dallas Women, Infants and Children (WIC) Program; and

WHEREAS, there is a continued need for the Special Supplemental Nutrition Program for Women, Infants and Children, funded through the Department of State Health Services;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to amend the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2007 through September 30, 2008, and execute any and all documents required by the contract.

Section 2. That the City Controller is hereby authorized to receive, deposit and disburse grant funds from the Department of State Health Services in Fund F163, Dept. EHS, Unit 1605, Revenue Source 6509, according to the attached Schedule in an amount not to exceed $514,823.

Section 3. That the City Manager is hereby authorized to increase appropriations in the amount of $514,823, from $11,116,800 to $11,631,623 in Fund F163, Dept. EHS, Unit 1605, Revenue Source 6509, according to the attached Schedule.

Section 4. 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: Environmental and Health Services
City Attorney’s Office
Office of Financial Services, 4FN
Schedule

Department of State Health Services
Women, Infants and Children Program
Fund F163, Dept. EHS, Unit 1605, Revenue Source 6509

<table>
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**Total**   $514,823
SUBJECT

Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $61,384, from $90,433 to $151,817 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has received various state and federal grants to support the Air Pollution Control Program. The Air Pollution Control program consists of: 1) monitoring ambient air quality; 2) enforcing the Texas Clean Air Act and the City's Clean Air Ordinance; and 3) reviewing permits for the construction and/or modification of industrial plants which have the potential of emitting airborne contaminants.

In addition to the criteria pollutants ambient air monitoring network, the Texas Commission on Environmental Quality has requested that the City support the Texas PM 2.5 Ambient Air Monitoring Network by continuing to operate fine particulate matter air monitors in the City of Dallas. The standards for particulate matter produced evidence of serious health effects associated with exposure to fine particulate matter less than 10-microns in size.

Approval of this item will authorize the second amendment to Contract No. 582-7-72657 increasing grant funds not to exceed $61,384, from $90,433 to $151,817 for the period September 1, 2008 through August 31, 2009.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a contract to accept grant funds to operate air samplers for particulate matter 2.5 on June 27, 2007, by Resolution No. 07-1972.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a contract to accept grant funds to operate air samplers for particulate matter 2.5 on June 28, 2006, by Resolution No. 06-1746.

Authorized the second amendment to a contract to accept additional grant funds to operate air samplers for particulate matter 2.5 on June 8, 2005, by Resolution No. 05-1749.

Authorized a contract to accept grant funds to operate air samplers for particulate matter 2.5 on August 25, 2004, by Resolution No. 04-2482.

Authorized the second amendment to a contract to accept additional grant funds to operate air samplers for particulate matter 2.5 on November 12, 2003, by Resolution No. 03-3149.

FISCAL INFORMATION

$61,384 - Texas Commission on Environmental Quality Grant Funds
WHEREAS, the Texas Commission on Environmental Quality (TCEQ) has awarded additional grant funds for FY08-09 in the amount of $61,384 for air pollution monitoring; and

WHEREAS, there is a continuing need for the City of Dallas to operate an air pollution control program; and

WHEREAS, the City of Dallas, Environmental and Health Services Department has been approved by the TCEQ to support the Texas PM 2.5 Ambient Air Monitoring Network and to receive reimbursement funds up to $61,384;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into the second amendment to the contract with the Texas Commission on Environmental Quality for Contract No. 582-7-72657 to (1) accept additional grant funds to operate air samplers for particulate matter 2.5 and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009, and execute any and all documents required by the amendment.

Section 2. That the City Controller is hereby authorized to receive and deposit additional grant funds in Fund F186, Dept. EHS, Unit 0279, Revenue Source 6506, in an amount not to exceed $61,384.

Section 3. That the City Manager is hereby authorized to increase appropriations in Fund F186, Dept. EHS, Unit 0279, Object Code 3099, in an amount not to exceed $61,384, from $90,433 to $151,817.

Section 4. That the City Controller is hereby authorized to transfer grant funds from Fund F186, Dept. EHS, Unit 0279, Object Code 3099 to reimburse the Fund 0001, Dept. EHS, Unit 4241, Object Code 5011 in an amount not to exceed $61,384, from $90,433 to $151,817.

Section 5. 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: Environmental and Health Services Department
City Attorney’s Office
Office of Financial Services, 4FN
KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Environmental & Health Services

CMO: David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize the second amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate and maintain an ambient air monitoring station in Rockwall County; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $19,640, from $84,254 to $103,894 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has received various state and federal grants to support the Air Pollution Control program. The Air Pollution Control program consists of: (1) monitoring ambient air quality; (2) enforcing the Texas Clean Air Act and the City's Clean Air Ordinance; and (3) reviewing permits for the construction and/or modification of industrial plants which have the potential of emitting airborne contaminants.

The Texas Commission on Environmental Quality (TCEQ) requested that the City of Dallas operate the Rockwall County continuous ambient air monitoring station as a part of the City's and Dallas Fort Worth region's ambient air quality monitoring network. TCEQ purchased and installed major components of the station and will maintain those at their expense, including all hardware and equipment required for the facility to be operational.

Approval of this item will authorize the second amendment to Contract No. 582-7-72654 increasing grant funds not to exceed $19,640, from $84,254 to $103,894 for the period September 1, 2008 through August 31, 2009.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the first amendment to a contract to accept additional grant funds to operate and maintain an ambient air monitoring station on June 27, 2007, by Resolution No. 07-1970.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized a contract to accept grant funds to operate and maintain an ambient air monitoring station on June 28, 2006, by Resolution No. 06-1747.

FISCAL INFORMATION

$19,640 - Texas Commission on Environmental Quality Grant Funds
WHEREAS, the Texas Commission on Environmental Quality (TCEQ) has awarded additional grant funds for FY08-09 in the amount of $19,640 for air pollution monitoring; and

WHEREAS, there is a continuing need for the City of Dallas to operate an air pollution control program; and

WHEREAS, the City of Dallas, Environmental and Health Services Department has been approved by the TCEQ to operate and maintain a continuous ambient air monitoring station in Rockwall County;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into the second amendment to the contract with the Texas Commission on Environmental Quality for Contract No. 582-7-72654 to (1) accept additional grant funds to operate and maintain an ambient air monitoring station in Rockwall County; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009, and execute any and all documents required by the amendment.

Section 2. That the City Controller is hereby authorized to receive and deposit additional grant funds in Fund F145, Dept. EHS, Unit 0221, Revenue Source 6506, in an amount not to exceed $19,640.

Section 3. That the City Manager is hereby authorized to increase appropriations in Fund F145, Dept. EHS, Unit 0221, Object Code 3099, in an amount not to exceed $19,640, from $84,254 to $103,894.

Section 4. That the City Controller is hereby authorized to transfer grant funds from Fund F145, Dept. EHS, Unit 0221, Object Code 3099 to reimburse the Fund 0001, Dept. EHS, Unit 4241, Object Code 5011 in an amount not to exceed $19,640, from $84,254 to $103,894.

Section 5. 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: Environmental and Health Services Department
City Attorney’s Office
Office of Financial Services, 4FN
KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Environmental & Health Services

CMO: David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to operate and maintain whole air samplers and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009 - Not to exceed $147,616, from $622,000 to $769,616 - Financing: Texas Commission on Environmental Quality Grant Funds

BACKGROUND

Since 1967, the City of Dallas has received various state and federal grants to support the Air Pollution Control Program. The Air Pollution Control Program consists of: (1) monitoring ambient air quality; (2) enforcing the Texas Clean Air Act and the City’s Clean Air Ordinance; and (3) reviewing permits for the construction and/or modification of industrial plants which have the potential of emitting airborne contaminants.

In addition to the current air monitoring networks for continuous and non-continuous air samplers of Environmental Protection Agency designated criteria pollutants of Nitrogen Oxides, Sulfur Dioxide, Carbon Monoxide, Ozone, Particulate Matter PM10, Lead and Particulate Matter PM2.5, the Texas Commission on Environmental Quality requested that the City support the National Whole Air Monitoring (BioWatch) Network in February 2003. This network consists of operating and maintaining whole air samplers at various locations throughout Dallas County. In August 2008, the City will complete its sixth contract period of supporting the National Whole Air Monitoring Network through Texas Commission on Environmental Quality funding.

On December 6, 2006, Administration Action No. 07-0375 authorized Amendment No. 1 to Contract No. 582-7-72673 to incorporate the agreed upon budget and invoice template into the contract.
BACKGROUND (Continued)

On August 6, 2007, Administration Action No. 07-1220 authorized Amendment No. 2 to Contract No. 582-7-72673 to extend the term of the contract period from September 1, 2007 through August 31, 2008.

Approval of this item will authorize the third amendment to Contract No. 582-7-72673 increasing grant funds not to exceed $147,616, from $622,000 to $769,616 for the period September 1, 2008 through August 31, 2009.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a contract to accept grant funds to operate and maintain whole air samplers and conduct air monitoring activities on June 28, 2006, by Resolution No. 06-1748.

FISCAL INFORMATION

$147,616 - Texas Commission on Environmental Quality Grant Funds
WHEREAS, the Texas Commission on Environmental Quality (TCEQ) has awarded additional grant funds for FY08-09 in the amount of $147,616 for whole air monitoring; and

WHEREAS, there is a continuing need for the City of Dallas to operate an air pollution control program and a network of monitors sampling for aerosolized biological contaminants; and

WHEREAS, the City of Dallas, Environmental and Health Services Department has been approved by the TCEQ to operate and maintain a network of whole air monitors in Dallas County and to receive reimbursement funds for the extended one-year period;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into the third agreement to the contract with the Texas Commission on Environmental Quality for Contract No. 582-7-72673 to (1) accept additional grant funds to operate and maintain whole air samplers and conduct air monitoring activities in Dallas; and (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009, and execute any and all documents required by the amendment.

Section 2. That the City Controller is hereby authorized to receive and deposit additional grant funds in Fund F069, Dept. EHS, Unit 0220, Revenue Source Code, 6506, in an amount not to exceed $147,616.

Section 3. That the City Manager is hereby authorized to increase appropriations in Fund F069, Dept. EHS, Unit 0220, Object Code 3099, in an amount not to exceed $147,616, from $622,000 to $769,616.

Section 4. That the City Controller is hereby authorized to transfer grant funds from Fund F069, Dept. EHS, Unit 0220, Object Code 3099 to reimburse the Fund 0001, Dept. EHS, Unit 4241, Object Code 5011 in an amount not to exceed $147,616, from $622,000 to $769,616.

Section 5. 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: Environmental and Health Services Department
City Attorney’s Office
Office of Financial Services, 4FN
KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Environmental & Health Services

CMO: David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to (1) accept additional grant funds to provide air pollution control services in the amount of $530,421, from $1,591,263 to $2,121,684; (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009; and (3) provide a local match in an amount not to exceed $261,252, from $783,756 to $1,045,008 - Total not to exceed $791,673, from $1,591,263 to $2,382,936 - Financing: Texas Commission on Environmental Quality Grant Funds ($530,421) and Current Funds ($261,252) (subject to appropriations)

BACKGROUND

The City of Dallas Air Pollution Control Program has been in existence since the late 1960s. Initially the contract to conduct investigations and enforce state regulations was with the Texas Air Control Board. Contracts have been annually since at least the early 1980s. The federal Clean Air Act amendments of 1990 placed additional restrictions on air emissions in many parts of the state, requiring increased investigations. The DFW Ozone State Implementation Plan has also placed new restrictions on air emissions in the nine-county DFW area, which calls for increased regulatory controls. The Texas Commission on Environmental Quality (TCEQ) recognizes the City as an extension of its agency and contracts with the City, providing partial reimbursements for investigations of regulated facilities, which are required by the Environmental Protection Agency (EPA), and enforcement of state, federal and local regulations. The investigations and rule enforcement cannot be accomplished by TCEQ due to personnel and budget constraints placed on it by the State Legislature. The financial support from the TCEQ enables the City to extend its activities to reach more of the regulated community.
BACKGROUND (Continued)

The existing three-year contract and one-year extension under Amendment No. 3 with TCEQ provides reimbursement to the City for conducting the following investigations: complaint response, anti-tampering inspections of automobile emission controls, Stage II Vapor Recovery equipment inspections and Pressure Test observations at gasoline distribution stations, major source and regulation compliance determinations, Title V federal operating permits, State pre-construction and modification permits, and State permit compliance certification.

Approval of this item will authorize the third amendment to Contract No. 582-6-74390 increasing grant funds not to exceed $530,421, from $1,591,263 to $2,121,684 for the period September 1, 2008 through August 31, 2009.

PRIOR ACTION/REVIEW (COUNCILS, BOARDS, COMMISSIONS)

Authorized the second amendment to a contract to accept additional grant funds to provide air pollution control services on June 27, 2007, by Resolution No. 07-1971.

Authorized a contract to accept grant funds to provide air pollution control services on August 10, 2005, by Resolution No. 05-2198.

Authorized a contract to accept grant funds to provide air pollution control services on August 13, 2003, by Resolution No. 03-2151.

Authorized a contract to accept grant funds to provide air pollution control services on February 12, 2003, by Resolution No. 03-0624.

Authorized a contract to accept grant funds to provide air pollution control services on February 13, 2002, by Resolution No. 02-0650.

FISCAL INFORMATION

$530,421 - Texas Commission on Environmental Quality Grant Funds
$261,252 - Current Funds (subject to appropriations)
WHEREAS, the Federal Clean Air Act amendments of 1990 and the Dallas/Fort Worth Ozone State Implementation Plan placed additional restrictions on air emissions; and

WHEREAS, the State Legislature appropriated funds to the Texas Commission on Environmental Quality (TCEQ) for air pollution control; and

WHEREAS, there is a continuing need for the City of Dallas to operate an air pollution control program; and

WHEREAS, the City of Dallas Environmental and Health Services Department has been approved by the TCEQ to receive additional reimbursement funds in an amount not to exceed $530,421; and

WHEREAS, the existing Contract No. 582-6-74390 has been extended for one additional year for the period September 1, 2008 through August 31, 2009;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to enter into the third amendment to the contract with the Texas Commission on Environmental Quality for Contract No. 582-6-74390 to (1) accept additional grant funds to provide air pollution control services in the amount of $530,421, from $1,591,263 to $2,121,684; (2) extend the term of the contract for the period September 1, 2008 through August 31, 2009; and (3) provide a local match in an amount not to exceed $261,252, from $783,756 to $1,045,008, and execute any and all documents required by the amendment.

Section 2. That the City Manager is hereby authorized to increase appropriations in an amount not to exceed $530,421, from $1,591,263 to $2,121,684 in Fund S168, Dept. EHS, Unit 4084, Object Code 3099.

Section 3. That the City Controller is hereby authorized to receive and deposit funds in Fund S168, Dept. EHS, Unit 4084, Revenue Source Code 6508, in an amount not to exceed $530,421, from $1,591,263 to $2,121,684.

Section 4. That the City Controller is hereby authorized to transfer funds from Fund S168, Dept. EHS, Unit 4084, Object Code 3099 to reimburse Fund 0001, Dept. EHS, Unit 4241, Object Code 5011 in an amount not to exceed $530,421, from $1,591,263 to $2,121,684.
Section 5. That the City of Dallas will provide matching funds in Fund 0001, Dept. EHS, Unit 4241 in an amount not to exceed $261,252 (subject to appropriations).

Section 6. 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: Environmental and Health Services
City Attorney's Office
Office of Financial Services, 4FN
SUBJECT

Authorize (1) the acceptance of a Transitional Supportive Housing Grant in the amount of $149,912 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2008 through November 30, 2009; (2) a local match in an amount not to exceed $9,978; and (3) execution of the grant agreement - Total not to exceed $159,890 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($149,912) and Current Funds ($9,978) (subject to appropriations)

BACKGROUND

The City of Dallas was notified in March 2008 that $149,912 in U.S. Department of Housing and Urban Development (HUD) renewal grant funds was approved. The Environmental and Health Services Department will continue using the funds to provide rental assistance and case management to homeless individuals.

Under the grant agreement, six families with children and six other adults will be served. Clients will select the site in which they choose to reside based on their individual needs. Dependent on client needs, housing units will range from efficiency to two bedrooms. Rental payments will be made monthly directly to the landlords, for units at the Fair Market Rent (FMR) rate determined by HUD. Clients can access this program through referrals and walk-ins. FMR includes rental assistance plus utility payments. Clients are eligible to receive rental assistance for a period up to 24 months depending on client needs.

The Transitional Supportive Housing program requires that social or rehabilitative services be provided to all persons for whom rental payments are made. These services are coordinated by City staff and are provided by community agencies through non-financial agreements with the City, and include case management, drug treatment, medication, psychiatric counseling, legal aid, employment, and training classes.
PRIOR ACTION, REVIEW (COUNCIL, BOARD, COMMISSIONS)

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on June 13, 2007, by Resolution No. 07-1744.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on August 23, 2006, by Resolution No. 06-2224.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on August 24, 2005, by Resolution No. 05-2472.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on August 25, 2004, by Resolution No. 04-2485.

Authorized the acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for transitional housing on August 27, 2003 by Resolution No. 03-2309.

FISCAL INFORMATION

$149,912 - U.S. Department of Housing and Urban Development Grant Funds
$  9,978 - Current Funds (subject to appropriations)
WHEREAS, there is a need to assist homeless persons by providing rental assistance in conjunction with support services; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides Supportive Housing funds to assist the homeless with rental assistance; and

WHEREAS, the City of Dallas was awarded $149,912 to provide rental assistance for transitional housing for homeless families and single homeless persons;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to (1) accept a Transitional Supportive Housing Grant No. TX01B700017 in the amount of $149,912 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2008 through November 30, 2009; (2) provide a local match in an amount not to exceed $9,978; and (3) execute the grant agreement and any and all documents required by the grant agreement.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F204, Dept. EHS, Unit 1088, Revenue Source 6506, according to the attached Schedule in an amount not to exceed $149,912.

Section 3. That the City Controller is hereby authorized to disburse grant funds from Fund F204, Dept. EHS, Unit 1088, according to the attached Schedule in an amount not to exceed $149,912.

Section 4. That the City Manager is hereby authorized to establish appropriations in Fund F204, Dept. EHS, Unit 1088, according to the attached Schedule which includes a local cash match in an amount not to exceed $9,978 (subject to appropriations).

Section 5. That the City Manager is hereby authorized to reimburse to HUD and expenditures identified as ineligible.

Section 6. 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: Environmental and Health Services
City Attorney's Office
Office of Financial Services - 4FN & 4FS
# SCHEDULE

Transitional Supportive Housing Grant  
Tenant-Based Rental Assistance  
Fund F204, Dept. EHS, Unit 1088, Revenue Source 6506  
December 1, 2008 through November 30, 2009

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Matching Funds  
Fund 0001, Dept. EHS, Unit 4308  
December 1, 2008 through November 30, 2009

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<th>Description</th>
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</thead>
<tbody>
<tr>
<td>1101</td>
<td>Salary</td>
<td>$9,978</td>
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</table>
Authorize (1) the acceptance of a Transitional Supportive Housing Grant in the amount of $250,598 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2008 through September 30, 2009; (2) a local match in an amount not to exceed $15,866; and (3) execution of the grant agreement - Total not to exceed $266,464 - Financing: U.S. Department of Housing and Urban Development Grant Funds ($250,598) and Current Funds ($15,866) (subject to appropriations)

BACKGROUND

The Transitional Supportive Housing Grant Funds are used to provide rental assistance and case management to single homeless individuals.

Under the grant agreement, the program will pay rent and utilities for 25 one-bedroom scattered site units. Clients will select the location in which they choose to reside based on their individual needs. Rental payments will be made directly to the apartment complexes based on the Fair Market Rent (FMR) rate as determined by HUD. Clients are eligible to receive rental assistance for a period up to 24 months depending on the client needs.

The Transitional Supportive Housing Program requires that social or rehabilitative services be provided to all persons for whom rental payments are made. City staff coordinate these services with partnering community agencies through non-financial agreements with the City. Services include case management, drug treatment, medications, psychiatric counseling, legal aid, employment, and training classes. Clients will be referred to the program directly by the Day Resource Center staff, shelter staff, and self-referral.
PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

Authorized acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on June 13, 2007, by Resolution No. 07-1745.

Authorized acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on August 23, 2006, by Resolution No. 06-2224.

Authorized acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on June 22, 2005, by Resolution No. 05-1945.

Authorized acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on August 25, 2004, by Resolution No. 04-2483.

Authorized acceptance of a Transitional Supportive Housing Grant to provide tenant-based rental assistance for single homeless persons on August 27, 2003, by Resolution No. 03-2308.

FISCAL INFORMATION

$250,598 - U.S. Department of Housing and Urban Development Grant Funds  
$ 15,866 - Current Funds (subject to appropriations)
WHEREAS, there is a need to assist single homeless persons by providing rental assistance, in conjunction with support services, to break the cycle of homelessness; and

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) provides for the distribution of Transitional Supportive Housing Grant funds to assist the homeless with rental assistance; and

WHEREAS, HUD approved the City of Dallas' application for Transitional Housing funds totaling $250,598;

NOW, THEREFORE;

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

Section 1. That following approval as to form by the City Attorney, the City Manager is hereby authorized to (1) accept Transitional Supportive Housing Grant No. TX01B700020 in the amount of $250,598 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2008 through September 30, 2009; (2) provide a local match in an amount not to exceed $15,866; and (3) execute the grant agreement and any and all documents required by the grant agreement.

Section 2. That the City Controller is hereby authorized to receive and deposit grant funds in Fund F205, Dept. EHS, Unit 1089, Revenue Source 6506, according to the attached Schedule in an amount not to exceed $250,598.

Section 3. That the City Controller is hereby authorized to disburse grant funds from Fund F205, Dept. EHS, Unit 1089, according to the attached Schedule in an amount not to exceed $250,598.

Section 4. That the City Manager is hereby authorized to establish appropriations in Fund F205, Dept. EHS, Unit 1089, according to the attached Schedule which includes a local cash match in an amount not to exceed $15,866 (subject to appropriations).

Section 5. That the City Manager is hereby authorized to reimburse to HUD and expenditures identified as ineligible.
Section 6. 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: Environmental and Health Services
City Attorney's Office
Office of Financial Services - 4FN & 4FS
SCHEDULE

Transitional Supportive Housing Grant
Tenant-Based Rental Assistance
Fund F205, Dept. EHS, Unit 1089, Revenue Source Code 6506
October 1, 2008 through September 30, 2009

<table>
<thead>
<tr>
<th>Object Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1101</td>
<td>Salary</td>
<td>$67,125</td>
</tr>
<tr>
<td>1301</td>
<td>Pension</td>
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</tr>
<tr>
<td>1303</td>
<td>Benefits</td>
<td>3,168</td>
</tr>
<tr>
<td>1306</td>
<td>FICA</td>
<td>595</td>
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<td>3330</td>
<td>Rent</td>
<td>$175,200</td>
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<td></td>
<td><strong>Total</strong></td>
<td><strong>$250,598</strong></td>
</tr>
</tbody>
</table>

Matching Funds
Fund 0001, Dept. EHS, Unit 4308
October 1, 2008 through September 30, 2009

<table>
<thead>
<tr>
<th>Object Code</th>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1101</td>
<td>Salary</td>
<td>$15,866</td>
</tr>
</tbody>
</table>
KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 2

DEPARTMENT: Equipment & Building Services

CMO: David O. Brown, 670-3390

MAPSCO: 45R

SUBJECT

Authorize a contract for the installation of a fire and burglar alarm system at the Dallas Heritage Village located at 1515 South Harwood Street - Entech Sales and Service, Inc. - $284,431 - Financing: 2006 Bond Funds

BACKGROUND

Dallas Heritage Village at Old City Park has 13 wooded acres with 38 historic structures including a working Civil War era farm, a traditional Jewish household, elegant Victorian homes, a school, a church and commercial buildings which portray life in North Texas from 1840 - 1910. Many of these buildings currently have an outdated security/fire system which continuously malfunctions, causing numerous false alarms.

This action will provide construction services for the installation of a wireless alarm system for fire detection and burglary alarm system for 33 historic and administrative structures designated by the curator of the Dallas Heritage Village.

PRIOR ACTION/REVIEW COUNCIL, BOARDS, COMMISSIONS

This item has no prior action.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction July 2008
Complete Construction November 2008

FISCAL INFORMATION

2006 Bond Funds - $284,431
M/WBE INFORMATION

See Attached.

ETHNIC COMPOSITION

Entech Sales and Services, Inc.

Hispanic Female 5  Hispanic Male 32  
African American Female 0  African American Male 8  
Other Female 0  Other Male 6  
White Female 26  White Male 185

BID INFORMATION

Six vendors were contacted and the following two bids were received and opened on April 24, 2008:

*Denotes successful bidder

BIDDER                    | BID AMOUNT
----------------------------|-----------
*Entech Sales and Service, Inc. | $284,431.00  
3404 Garden Brook Drive    
Dallas, TX 75234  
Tech Plan, Inc.             | $391,616.21

OWNER

Entech Sales and Service, Inc.

G.P. Rucker, President

MAP

See Attached
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a contract for the installation of a fire and burglar alarm system at the Dallas Heritage Village located at 1515 South Harwood Street - Entech Sales and Service, Inc. - $284,431 - Financing: 2006 Bond Funds

Entech Sales and Services, Inc., is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Construction

<table>
<thead>
<tr>
<th>LOCAL/NON-LOCAL CONTRACT SUMMARY</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$259,232.00</td>
<td>91.14%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$25,199.00</td>
<td>8.86%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$284,431.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Non-local</th>
<th>Certification</th>
<th>Amount</th>
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<tbody>
<tr>
<td>JaCom Enterprises</td>
<td>WFWBE17110608</td>
<td>$25,199.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total Minority - Non-local</td>
<td></td>
<td>$25,199.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$25,199.00</td>
<td>8.86%</td>
</tr>
<tr>
<td>Total</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$25,199.00</td>
<td>0.00%</td>
</tr>
</tbody>
</table>
Dallas Heritage
1515 South Harwood
WHEREAS, two bids were received and opened on April 24, 2008 for alarm system for fire and burglar detection at the Dallas Heritage Village located at 1515 South Harwood Street as follows:

<table>
<thead>
<tr>
<th>BIDDER</th>
<th>BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Entech Sales and Services, Inc.</td>
<td>$284,431.00</td>
</tr>
<tr>
<td>Tech Plan, Inc.</td>
<td>$391,616.21</td>
</tr>
</tbody>
</table>

WHEREAS, it has been determined that acceptance of the base bid from Entech Sales and Services, Inc., in the amount of $284,431 is most advantageous to the City of Dallas.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract for the installation of a fire and burglar alarm system at Dallas Heritage Village located at 1515 South Harwood Street in the amount of $284,431.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

2006 Bond Funds  
Fund: 6T49, Department: EBS, Unit: T701, Activity: MMCF  
Object 3210, Program #01TSD012, CT#EBS08T701CT29  
Vendor #162568 in the amount not to exceed $284,431

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:  
Equipment and Building Services (Sheila Singleton) 6BN  
Office of Financial Services, 4FN  
City Attorney
AGENDA ITEM # 45

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 7

DEPARTMENT: Equipment & Building Services
Fire

CMO: David O. Brown, 670-3390
Ryan S. Evans, 670-3314

MAPSCO: 45Q

SUBJECT

Authorize a professional services contract with Campos Engineering, Inc., for the design of an alternate police and fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road - $64,500 - Financing: 2006 Bond Funds

BACKGROUND

The Dodd J. Miller, Jr. Fire Maintenance and Training Center located at 5000 Dolphin Road currently serves as the alternate site for the police and fire dispatch operations when the Police and Fire Dispatch functions are temporarily relocated from City Hall. It takes several hours to configure temporary data and phone cabling to use the existing facility as a functioning alternate dispatch site, an undesirable option during an emergency situation. Additionally, the Training Building, in which the alternate dispatch site is to be configured, does not currently have a generator to provide backup power to ensure that the facility can operate as a Dispatch Center in the event of a power failure.

The Dolphin Road Alternate Dispatch Facility Study recommended modifications to the existing phone and data systems with standby electrical power provided by a diesel generator for the facility to support a permanently wired alternate dispatch site. This action will authorize Campos Engineering, Inc., to provide the construction documents necessary to implement these recommendations.

This action will authorize Campos Engineering, Inc., to produce the construction documents necessary to incorporate the recommendations published in the Dolphin Road Alternate Dispatch Facility study dated April 20, 2007.

PRIOR ACTION/REVIEW (COUNCIL, BOARD, COMMISSIONS)

This item has no prior action.
ESTIMATED SCHEDULE OF PROJECT

Begin Design       June 2008
Complete Design    December 2008

FISCAL INFORMATION

2006 Bond Funds - $64,500

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Campos Engineering, Inc.

Hispanic Female  1   Hispanic Male   5
African American Female  0   African American Male  1
Other Female   0   Other Male      1
White Female   3   White Male      17

OWNER(S)

Campos Engineering, Inc.

Joe D. Campos, P.E., President

MAP(S)

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Campos Engineering, Inc., for the design of an alternate police and fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road - $64,500 - Financing: 2006 Bond Funds

Campos Engineering, Inc., is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY:  Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$64,500.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$64,500.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Campos Engineering, Inc.</td>
<td>HMDB35327Y1008</td>
<td>$55,500.00</td>
<td>86.05%</td>
</tr>
<tr>
<td>Charles Gojer and Associates, Inc.</td>
<td>HMDB33985Y0508</td>
<td>$7,500.00</td>
<td>11.63%</td>
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<tr>
<td>Total Minority - Local</td>
<td></td>
<td>$63,000.00</td>
<td>97.67%</td>
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</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$63,000.00</td>
<td>97.67%</td>
<td>$63,000.00</td>
<td>97.67%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Total</td>
<td>$63,000.00</td>
<td>97.67%</td>
<td>$63,000.00</td>
<td>97.67%</td>
</tr>
</tbody>
</table>
Burn Building Ceiling Repairs
5000 Dolphin Road
WHEREAS, it is necessary to retain a professional consulting firm to provide design services for the alternate Police and Fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road; and

WHEREAS, Campos Engineering, Inc., a professional services consulting firm, was selected in accordance with Administrative Directive 4-5.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Campos Engineering, Inc., for the design of an alternate police and fire dispatch center at the Dodd J. Miller, Jr. Fire Training and Maintenance Center located at 5000 Dolphin Road in an amount not to exceed $64,500, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

- 2006 Bond Funds
  - Fund: 7T33, Department: EBS, Unit: T861, Activity: MMCF
  - Obj. 4111, Program#07DC122, CT #EBS08T861CT26
  - Vendor #129578 in an amount not to exceed $64,500

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: Equipment and Building Services (Sheila Singleton), 6BN
Office of Financial Services
AGENDA ITEM # 46

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 2

DEPARTMENT: Equipment & Building Services

CMO: David O. Brown, 670-3390

MAPSCO: 45U

SUBJECT

Authorize a professional services contract with Jaster-Quintanilla Dallas, LLP to provide design and construction administration for repairs to the parking garage at the Jack Evans Police Headquarters located at 1000 Belleview Street - Not to exceed $67,501 - Financing: 2006 Bond Funds

BACKGROUND

The parking garage at the Jack Evans Police Headquarters located at 1000 Belleview Street was built in the 1970's and is currently owned by the IBM Corporation. The City of Dallas has a lease-to-own agreement with IBM for the garage, which allows IBM to utilize a portion of the ground level of the garage. The Dallas Police Department occupies a portion of the ground level, and the entire second and third levels of the garage. According to the lease-to-own agreement, the City of Dallas is responsible for all maintenance and repairs to the garage. At the time the lease-to-own agreement was executed, the garage was inspected and repairs were performed. This contract will re-inspect the current garage condition and develop a scope of work for permanent repairs. This project is needed to prevent further deterioration, ensure structural stability and ensure safety.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

ESTIMATED SCHEDULE OF PROJECT

Begin Design July 2008
Complete Design September 2008

FISCAL INFORMATION

2006 Bond Funds - $67,501
M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Jaster-Quintanilla Dallas, LLP

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>Hispanic Female</td>
<td>5</td>
<td>10</td>
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<td>African American Female</td>
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<td>1</td>
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<td>Other Female</td>
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<td>7</td>
</tr>
<tr>
<td>White Female</td>
<td>3</td>
<td>44</td>
</tr>
</tbody>
</table>

OWNER

Jaster-Quintanilla Dallas, LLP

Stephen H. Lucy, P.E., Partner

MAP

See attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Jaster-Quintanilla Dallas, LLP to provide design and construction administration for repairs to the parking garage at the Jack Evans Police Headquarters located at 1000 Bellevue Street - Not to exceed $67,501 - Financing: 2006 Bond Funds

Jaster-Quintanilla Dallas, LLP, is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$67,501.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>TOTAL CONTRACT</strong></td>
<td><strong>$67,501.00</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local Contractors / Sub-Contractors</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jaster-Quintanilla Dallas, LLP</td>
<td>HMMB35924N1208</td>
<td>$67,501.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total Minority - Local</td>
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<td><strong>$67,501.00</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
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<td>$67,501.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
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<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$67,501.00</strong></td>
<td><strong>100.00%</strong></td>
<td><strong>$67,501.00</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>
WHEREAS, it is necessary to retain a professional consulting firm to provide design and construction administration services for repairs to the parking garage at the Jack Evans Police Headquarters, located at 1000 Belleview Street, and

WHEREAS, Jaster-Quintanilla Dallas, LLP, a professional consulting firm was selected in accordance with Administrative Directive 4-5.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a professional services contract with Jaster-Quintanilla Dallas, LLP, to provide design and construction administration services for Jack Evans Police Headquarters parking garage repairs in an amount not to exceed $67,501, after it has been approved as to form by the City Attorney.

Section 2. That the Controller's Office is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

- 2006 Bond Funds
  Fund 6T33, Department EBS, Unit DS73, Activity MMCF
  Object 4111, Program#08DC047, CT#EBS08DS73CT30
  Vendor #: 500826 in an amount not to exceed $67,501

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:  
Equipment and Building Services (Sheila Singleton) EBS  
Office of Financial Services, 4FN  
City Attorney
AGENDA ITEM # 47

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 7

DEPARTMENT: Housing

CMO: A. C. Gonzalez, 671-8925

MAPSCO: 56C

SUBJECT

A resolution declaring 6 properties unwanted and unneeded and authorizing their conveyance by Deed without Warranty to Kaminski Holdings, Inc., for $10 and provision of mixed-use development on the properties within 3 years of execution of the deed and conveyance of 2 properties to the City (list attached) – Financing: No cost consideration to the City

BACKGROUND

The Bexar Street Redevelopment Project includes retail/office mixed use development and townhouses. Several private developers as well as CHDO’s are involved in the overall planned development. This economic development transaction will result in a two-story building being developed containing a total of approximately 8,000 sq. ft. including approximately 4,000 sq. ft. of ground level commercial/retail space and approximately 4,000 sq. ft. office space on the second floor.

This item will declare 6 properties acquired by the City with CDBG funds unwanted and unneeded. It also authorizes their conveyance to Kaminski Holdings, Inc. (“Kaminski”) for $10, less than fair market value, for Kaminski’s covenant to provide mixed-use development on the properties within 3 years and Kaminski’s conveyance of 2 properties on Bexar Street to the City. The 2 Bexar Street properties will be used for a future development. Kaminski will seek to replat the six properties (Property) and agrees to develop one mixed-use building on the Property. This economic development project is a neighborhood serving retail/office development. Construction of the mixed-use building will require successful replat of the Property by Kaminski. Approval to sell Kaminski the Property does not constitute approval of replatting, which approval may be granted or withheld. The construction of the mixed-use development shall be completed within three (3) years from the execution date of the Deed without Warranty for the Property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

No cost consideration to the City

OWNER

Kaminski Holdings, Inc.
Bruce Kaminski, President

MAP

Attached
## Bexar Street Neighborhood Mixed Use Lots

### Conveyed to Kaminski Holdings, Inc.

<table>
<thead>
<tr>
<th>Parcel No.</th>
<th>Address</th>
<th>DCAD</th>
<th>Amount</th>
<th>Vacant/Improved</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>5433 Bexar Street</td>
<td>$4,000</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>2.</td>
<td>5501 Bexar Street</td>
<td>$2,200</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>3.</td>
<td>2432 Hooper Street</td>
<td>$4,000</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>4.</td>
<td>2434 Hooper Street</td>
<td>$4,000</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>5.</td>
<td>2438 Hooper Street</td>
<td>$2,000</td>
<td>Vacant</td>
<td></td>
</tr>
<tr>
<td>6.</td>
<td>2442 Hooper Street</td>
<td>$2,400</td>
<td>Vacant</td>
<td></td>
</tr>
</tbody>
</table>

### Conveyed to the City of Dallas

<table>
<thead>
<tr>
<th>Parcel No.</th>
<th>Address</th>
<th>DCAD</th>
<th>Amount</th>
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</thead>
<tbody>
<tr>
<td>1.</td>
<td>5502 Bexar Street</td>
<td>$11,500</td>
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<tr>
<td>2.</td>
<td>5504 Bexar Street</td>
<td>$11,500</td>
<td>Vacant</td>
<td></td>
</tr>
</tbody>
</table>
WHEREAS, the City of Dallas acquired the six tracts of land identified by legal description (“Property”) on Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, as authorized by Section 272.001(i) of the Texas Local Government Code, the City desires to sell the Property to a developer for the development of one mixed-use building as a neighborhood serving retail/office development; and

WHEREAS, on June 26, 2002, by Council Resolution No. 02-1980, the City Council adopted the FY 2002-03 Consolidated Plan Budget which included $714,000 in Community Development Block Grant (CDBG) funds for the Bexar Street Retail Development Project and this funding was used by the City to acquire the Property for economic development; and

WHEREAS, the Deed without Warranty to this Property will contain:  
(1) a requirement that the purchaser seek to replat the Property (as defined in Exhibit “A”) within twelve months of execution of the Deed without Warranty, which consent may be withheld,
(2) a requirement that within three (3) years of execution of the Deed without Warranty, the purchaser develop the Property with a building containing a total of approximately 8,000 sq. ft. including approximately 4,000 sq. ft. of ground level commercial/retail space and approximately 4,000 sq. ft. office space on the second floor of the building,  
(3) deed restrictions on the Property acceptable to the City requiring Kaminski to develop the Property as described in (2) above within three (3) years and to lease the Property as built for five (5) years, and  
(4) a right of reverter in the Deed without Warranty to be exercised by the City if the conditions in (1), (2) and (3) are not met; and

WHEREAS, the City Council desires to declare the Property shown on Exhibit “A” unwanted and unneeded and authorize its conveyance to Kaminski Holdings, Inc. (Kaminski) (“Purchaser”) for $10 and the provision of mixed-use development on the Property and Kaminski’s conveyance of the 2 properties shown on Exhibit “B” to the City to be used in a future development; NOW, THEREFORE,

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

Section 1. That the Property identified on Exhibit "A" is declared unwanted and unneeded by the City Council.

Section 2. That the Deed without Warranty to the Property will contain:
Section 2. (continued)

(1) a requirement that the Purchaser seek to replat the Property within twelve months of execution of the Deed without Warranty, which consent may be withheld,
(2) a requirement that within three (3) years of execution of the Deed without Warranty, the purchaser develop the Property with a building containing a total of approximately 8,000 sq. ft. including approximately 4,000 sq. ft. of ground level commercial/retail space and approximately 4,000 sq. ft. office space on the second floor of the building,
(3) deed restrictions on the Property acceptable to the City requiring Kaminski to develop the Property as described in (2) above within three (3) years and to lease the Property as built for five (5) years, and
(4) a right of reverter in the Deed without Warranty to be exercised by the City if the conditions in (1), (2) and (3) are not met.

Section 3. That the conveyance of the Property shall be subject to any visible and apparent easements, any encroachments, any restrictions, easements and rights-of-way or other instruments of record.

Section 4. That upon receipt of the monetary consideration from Kaminski for the Property on Exhibit "A" and a Deed without Warranty conveying the Property on Exhibit "B" to the City, the City Manager is hereby authorized to execute a Deed without Warranty, upon approval as to form by the City Attorney and attested by the City Secretary, conveying the Property to Kaminski, subject to the aforesaid Section 2 and the City's right of reverter and deed restrictions.

Section 5. That the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, releasing the City’s reverter rights and terminating the deed restrictions to the Property upon compliance with all terms and conditions of the deed restrictions.

Section 6. That any procedures required by Code Section 2-24 that are not required by state law are hereby waived with respect to this conveyance.

Section 7. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:
Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FN
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<td>5501 Bexar Street</td>
<td>22 3/2540</td>
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<tr>
<td>W19</td>
<td>2432 Hooper Street</td>
<td>16 &amp; 17 3/2540</td>
<td>Vacant</td>
</tr>
<tr>
<td>W18</td>
<td>2434 Hooper Street</td>
<td>18 &amp; 19 3/2540</td>
<td>Vacant</td>
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<td>W9</td>
<td>2438 Hooper Street</td>
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<tr>
<td>W8</td>
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<td>21 3/2540</td>
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<td>Parcel No.</td>
<td>Property Address</td>
<td>Lot</td>
<td>Block</td>
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<tr>
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SUBJECT

Authorize a loan in the amount of $500,000 at 0% interest to Texas Heavenly Homes, Ltd., for the acquisition of improved and unimproved properties in the Bottom, an area bounded by I-35 to the west, Trinity River to the north, Corinth Street to the east and 8th Street to the south and for associated relocation, environmental remediation, or demolition costs to construct a portion of the residential development component of the Economic Development Project in the Bottom, as detailed in the Community-wide Master Plan for the area – Not to exceed $500,000 - Financing: 2006 Bond Funds

BACKGROUND

Since 2004, Texas Heavenly Homes, Ltd., (THH), has been meeting with the Golden Gate Missionary Baptist Church (GGMBC) and the community leadership to develop a Community-wide Master Plan (Plan) to comprehensively address revitalization of the Bottom, creating a desirable community with retail, commercial development and quality housing for families. A key goal of the Master Plan is to stimulate economic development of the Bottom. THH has been acquiring vacant and improved properties, currently owning 36 properties; forming partnerships, holding community meetings and visiting each homeowner in the area. THH also may acquire lots from the City’s land Bank, utilizing other financing sources. In order to implement components of the Plan, catalyst projects for new private/public development and redevelopment have been identified. THH will address any relocation issues, address environmental remediation, and demolish existing improvements in order to begin revitalization efforts.

One of the key Bottom’s community stakeholders, the GGMBC, the community’s flagship church, proposes to work with THH to undertake residential property acquisition and in later phases of the Plan, to acquire property for expansion of Church programs and services, which are components of the Plan. Up until now the GGMBC has been acquiring property for future development of church facilities and services, using church funds. Other stakeholders in the Community-wide Plan include the following:
BACKGROUND (continued)

Shiloh Missionary Baptist Church, the first church in the Bottom; the Community Leadership and the Golden S.E.E.D.S. Foundation (Foundation). The Foundation is a non-profit corporation formed by the GGMBC to assist the church in transforming the community through redevelopment, neighborhood preservation and economic development. THH will redevelop the properties in accordance with the master plan or another City of Dallas approved use, and if THH obtains additional financing from a lender for remaining acquisitions, the City will subordinate its lien position.

City Council approval of this agenda item from FY06 Bond proceeds will authorize the City to provide a loan in the amount of $500,000 at 0% interest to THH for the acquisition of improved and unimproved properties bounded by I-35 to the west, Trinity River to the north, Corinth Street to the east and 8th Street to the south and associated acquisition costs, relocation, environmental remediation, or demolition costs. Sites are to be acquired for the purpose of constructing and/or reconstructing residential projects.

THH’s loan will carry zero interest with a seven year term, subject to multiple acceleration for failure to expend the $500,000 within two years or complete and sell or lease the residential housing to persons at 140% or less of area median family income within seven years of execution of the note. THH will be required to file deed restrictions and liens on acquired properties in order to assure their redevelopment in accordance with Bond Program requirements. Upon sale or full lease of the residential units to persons at 140% of AMFI, THH will be released from indebtedness on the Note for the corresponding Bond loan and the Bond deed restrictions terminated on that property.

THH will redevelop the properties in accordance with the Master Plan or another City of Dallas approved use, and if THH obtains additional financing from a lender for remaining acquisitions, the City will share lien position proportion to actual expenditures.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements.

On December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On June 2, 2008, the Housing Committee was briefed on the Bottom Revitalization Project, describing the need for economic revitalization of the Bottom, the goals and components of the Master Plan and that this project is a key catalyst within the Plan for economic revitalization.

FISCAL INFORMATION

2006 Bond Funds - $500,000

OWNERS

Texas Heavenly Homes, Ltd.

Richard LeBlanc, Chairman
Gabriel Meadows, President and Limited Partner

MAP(S)

Attached
WHEREAS, the City Council has identified economic development as a key focus area; and

WHEREAS, the City of Dallas seeks to increase the supply of new affordable workforce housing in order to attract and retain economic growth; and

WHEREAS, the City of Dallas seeks to focus its redevelopment efforts on targeted areas in the Southern sector of the City in order to foster the public purpose of economic development; and

WHEREAS, on August 9, 2006, the City Council approved an ordinance ordering a bond election to be held in the City of Dallas on November 7, 2006, for the purpose of submitting propositions for the issuance of general obligation bonds for funding permanent public improvements; and

WHEREAS, On November 7, 2006, the voters of Dallas approved a $1.35 billion General Obligation Bond Program of which $41,495,000 was set aside for the purpose of providing funds for promoting economic development in the Southern area of the City, and promoting economic development in other areas of the City in connection with transit-oriented development; and

WHEREAS, on December 12, 2007, the City Council approved an amendment to the Public/Private Partnership Program to include a special category for an Economic Development General Obligation Bond Program for Southern Dallas; and

WHEREAS, on October 26, 2007, Texas Heavenly Homes, Ltd. and community stakeholders met with City officials to propose development of the Community-wide Master Plan for the revitalization of the Bottom area of Dallas, with a key goal of economic development; and

WHEREAS, on June 2, 2008, the Housing Committee of the City Council was briefed on the Texas Heavenly Homes, Ltd. Bottom Revitalization Project, describing the need for economic revitalization of the Bottom, the goals and components of the Master Plan and that this project is a key catalyst within the Plan for economic revitalization, is requesting $500,000 of 2006 Bond funds for acquisition of improved and unimproved properties in the Bottom, and for associated relocation, environmental remediation, or demolition costs to assist in a portion of the residential component of the Economic Development Project in the Bottom, as detailed in the Master Plan for the area; and

WHEREAS, Texas Heavenly Homes, Ltd. proposes to work with the City of Dallas on the Bottom Revitalization Project, as outlined in the Master Plan; and
WHEREAS, the City Council has determined that the Bottom Revitalization Project will foster the public purpose of economic development in accordance with the City Council goals as outlined in its Economic Development GO Bond Program for Southern Dallas;

NOW THEREFORE,

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

SECTION 1. That the City Manager or designee, upon approval as to form by the City Attorney, is hereby authorized to execute loan documents for the City’s loan in the amount of $500,000 at 0% interest to Texas Heavenly Homes, Ltd., (“Borrower”). Loan funds may be used for the acquisition of improved and unimproved properties, in an area bounded by I-35 to the west, Trinity River to the north, Corinth Street to the east and 8th Street to the south, and also for associated relocation, environmental remediation, or demolition to construct a portion of the residential component of the Economic Development Project in the Bottom.

SECTION 2. That some of the terms of the loan documents include:

a. Borrower’s note payable to the City of Dallas will have a maturity date of seven (7) years; provided, however, if Borrower fails to expend all of the Loan proceeds within two years of execution of the Note or to redevelop the acquired properties with residential, structures within seven years of execution of the Note, then the entire amount of the loan becomes due and payable. To be considered “redeveloped,” the properties must be residential units that have all been constructed and sold or rented to households at 140% or less of area median income.

b. If Borrower fails to timely comply with the expenditure or construction requirements in Section 2(a) hereof, the City of Dallas has the option to require Borrower to convey fee simple title to the properties acquired with the bond funds under the loan to the City of Dallas, free of any liens or encumbrances not acceptable to the City.

c. Borrower shall execute deed restrictions and a first lien deed of trust, in each case in form approved by the City, on each property acquired for which acquisition, relocation, environmental remediation, or demolition costs have been expended from loan proceeds.

d. For Borrower to receive approval from the City to purchase a property or expend funds for other allowable costs, Borrower must provide a property survey, title commitment, environmental assessment, and appraisal performed by an independent fee appraiser acceptable to the City in the City’s sole discretion. The City retains the right to conduct a review appraisal of the property for which approval is sought, and in no event will the City loan in excess of the appraised value of the property as determined by the City.
SECTION 2. (continued)

e. No approval by the City of the expenditure of any loan funds shall bind or obligate the City to approve any zoning or replat change that Borrower may request for the properties.

f. Residential units must be sold or rented to persons at 140% or less of area median income.

g. As each property is sold or fully leased for a residential project on a property, Borrower will be released from the indebtedness on the note for the corresponding loan proceeds advanced and the Deed Restrictions thereon shall be terminated on that property.

h. Intermediate benchmarks for progress acceptable to the City of Dallas will be established in the loan documents.

i. If Borrower obtains an acquisition loan for the remainder of acquisition costs, the City and lender will share a pro-rata lien position in proportion to actual expenditures.

SECTION 3. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a subordination of lien to a lender who is providing interim construction financing on the property and an intercreditor agreement with a lender who is providing acquisition or interim construction financing, if necessary.

SECTION 4. That the City Manager, upon approval as to form by the City Attorney, is authorized to execute lien releases of liens and terminate deed restrictions on the properties upon compliance with the terms.

SECTION 5. That the City Controller is hereby authorized to encumber and disburse funds in accordance with the terms and conditions of the contracts as follows:

Texas Heavenly Homes, Ltd.  Vendor # VS0000032789

Fund 7T52, Dept HOU, Unit T807, Obj 3015, CT HOUT807H060 - in an amount not to exceed $500,000

SECTION 6. That the City Controller is hereby authorized to set up receivable balance sheet account (033F) and an allowance for uncollectible debt (0224) in fund 7T52 for the amount of the loan.

SECTION 7. That nothing in this resolution shall be construed as a binding contract or agreement upon the City, that it is subject to available bond funding, and there will be no liability or obligation on the City until final contract documents are approved, executed, and final closing completed.
SECTION 8. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department  
City Attorney's Office  
Office of Financial Services/Community Development, 4FN
Authorize (1) adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #4 to reprogram $1,000,000 of the Downtown Mortgage Assistance Program to the Mortgage Assistance Program and (2) a public hearing to be held on August 13, 2008 to receive comments on the proposed use of funds – Financing: No cost consideration to the City

BACKGROUND

This item authorizes the adoption of the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #4 and calls for a public hearing for August 13, 2008 to allow citizens an opportunity to comment on the proposed use of funds. Notice will be published in the official newspaper beginning a 30-day comment period. Following the 30-day citizen comment period and public hearing, final adoption by the City Council will be necessary on August 13, 2008.

On February 28, 2007, the City Council approved the establishment of the Downtown Mortgage Assistance Program (DMAP) with $1.95M of Section 108 Intown Housing Program income and contracted with Enterprise Community Partners to administer the program by Resolution No.07-0708.

On May 23, 2007, the City Council allocated an additional $1M of Section 108 Intown Housing Program income to the DMAP by Resolution No. 07-1577.

On December 12, 2007, the City Council approved an amendment to the Downtown Connection TIF District plan which availed up to $3M of TIF funds for the DMAP & Developer Assistance Program.
BACKGROUND (continued)

On May 19, 2008, the Housing Committee was briefed on the DMAP and the Mortgage Assistance Program (MAP). The DMAP currently provides principal reduction, down payment, and closing cost assistance up to $40,000. The program is only available to families earning 80% or less of Area Median Family Income (AMFI). The DMAP restricts purchases to the Central Business District.

The Mortgage Assistance Program provides principal reduction, down payment, and closing cost assistance up to $10,000. The program is available to families earning 80% or less of AMFI. The MAP is available City wide.

The Enterprise Community Partners, Inc. administers both programs on behalf of the City of Dallas. They are currently in the second year of a three year contract to administer these programs. Both programs are offered through over thirty lenders in the Dallas area.

This request is to reprogram funds as identified below:

Source of Funds:
FY 06-07 Downtown Mortgage Assistance Program $1,000,000

Use of Funds:
FY 06-07 Mortgage Assistance Program $1,000,000

The DMAP has been actively marketed through local realtors, bankers, developers, and condo sales staff. To date, no loans have been made. Meanwhile, the MAP program has funded 268 loans with 84 pending closing. All MAP funds have been spent or reserved and the backup list is growing. This action allows for the reprogramming of $1M of DMAP funds to the MAP.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 28, 2006, the City Council approved the FY 2006-07 Consolidated Plan Budget for the MAP by Resolution No. 06-1739.

On October 11, 2006, the City Council authorized a twelve-month term contract with two twelve-month renewal options with Enterprise Community Partners, Inc., by Resolution No. 06-2761.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (continued)

On February 28, 2007, the City Council approved the establishment of the DMAP program with $1.95M of Section 108 Intown Housing Program income and contracted with Enterprise Community Partners to administer the program by Resolution No.07-0708.

On February 28, 2007, the City Council approved the preliminary FY 2006-07 Consolidated Plan Reprogramming Budget #2 to appropriate $3,343,732 of Section 108 Intown Program income to be used for eligible Housing Programs and a public hearing to be held on April 11, 2007 by Resolution No. 07-0732.

On April 11, 2007, the City Council authorized the rescheduling of the public hearing from April 11, 2007 to May 23, 2007, to receive comments on the proposed final FY 2006-07 Consolidated Plan Reprogramming Budget #2 by Resolution No. 07-1158.

On May 23, 2007, a public hearing was held and the City Council authorized the adoption of the final 2006-07 Consolidated Plan Reprogramming Budget #2 to appropriate $3,343,732 of Section 108 Intown Housing Program income for downtown condominium purchase loan assistance to low-and moderate-income homebuyers, and for financing the acquisition, demolition, infrastructure, and construction of housing, economic development and mixed-use development by Resolution No.07-1577.

On December 12, 2007, the City Council approved an amendment to the Downtown Connection TIF District plan which availed up to $3M of TIF funds for the DMAP and Developer Assistance Program by Resolution No. 07-3698.

On May 19, 2008, the City Council Housing Committee was briefed on the DMAP and the MAP and recommended that $1M previously appropriated for DMAP be re-appropriated for MAP.

FISCAL INFORMATION

No cost consideration to the City.
WHEREAS, on June 27, 2007, the City Council adopted the final FY 2007-08 Consolidated Plan Budget by Resolution No. 07-1978; and

WHEREAS, on December 12, 2007, the City Council adopted the final FY 2007-08 Consolidated Plan Reprogramming Budget #1 by Resolution No. 07-3768; and

WHEREAS, on February 27, 2008, the City Council adopted the final FY 2007-08 Consolidated Plan Reprogramming Budget #2 by Resolution No. 08-0704; and

WHEREAS, on April 9, 2008, the City Council adopted the final FY 2007-08 Consolidated Plan Reprogramming Budget #3 by Resolution No. 08-1053; and

WHEREAS, homeownership is a high priority of the City of Dallas; and

WHEREAS, the Mortgage Assistance Program (MAP) provides assistance to eligible homebuyers city wide; and

WHEREAS, to continue providing MAP assistance, the reprogramming of $1M in Downtown Mortgage Assistance Program is needed; and

WHEREAS, the City’s Citizen Participation Plan and HUD regulations require a public comment period of not less than 30 days and a public hearing to receive comments when substantial amendments to the Consolidated Plan budget are made; and

WHEREAS, the City desires to reallocate funds from the Downtown Mortgage Assistance Program to the Mortgage Assistance Program; NOW, THEREFORE,

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

SECTION 1. That the preliminary FY 2007-08 Consolidated Plan Reprogramming Budget #4 be approved as follows:

<table>
<thead>
<tr>
<th>Source of Funds:</th>
<th>Use of Funds:</th>
</tr>
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<tbody>
<tr>
<td>FY 06-07</td>
<td>FY 06-07</td>
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<tr>
<td>Downtown Mortgage Assistance Program</td>
<td>Mortgage Assistance Program</td>
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<tr>
<td>$1,000,000</td>
<td>$1,000,000</td>
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SECTION 2. That a public hearing be held on August 13, 2008 to receive comments on the proposed use of funds.
SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney’s Office
Office of Financial Services/Community Development, 4FS
Authorize a professional services contract with Building Community Workshop to provide the research, recommendation, design and preparation of construction documents for six single-family residential house plans and make these plans available for use by applicants who have been qualified to receive a Reconstruction/SHARE Program home - $104,000 - Financing: 2007-08 Community Development Grant Funds

BACKGROUND

As part of the Housing Committee briefing in October 2007 to revise the Reconstruction/SHARE program and its funding levels, the proposed Home Repair Program revisions included an initiative to obtain neighborhood friendly house plans and make the plans available for use by qualified homeowners. The Committee embraced the initiative and encouraged the Housing Department to work towards achievement of the initiative.

In November 2007, the City Council authorized the Reconstruction/SHARE Program. The approved Reconstruction/SHARE Program Statement provides for house plans to be made available for use by qualified applicants and requires that these plans be consistent with the configuration of the neighborhood.

In order to obtain these plans and offer them for use by the applicants, the Home Repair Program determined that it would be beneficial to enter into an agreement with an Architectural firm to 1) conduct research and make recommendations about various housing typologies; 2) provide schematic and construction documents services; and 3) evaluate the end-product and recommend improvement(s). The agreement will generate six (6) sets of single-family residential house plans, each with a variation to include an attached carport. The Home Repair Program will be granted use of the plans for five (5) years. During this time, it is estimated that these plans could be used to construct 50 to 250 homes.
BACKGROUND (continued)

The Building Community Workshop was founded in 2005 as a non-profit organization seeking to improve livability and viability of communities. It utilizes an array of professionals who collaborate on projects to achieve the best solution possible as well as volunteers. Local relative projects include the East Oak Cliff Neighborhood Revitalization Plan, Jubilee Park Linear Park and Community Center and the Jeffries Street Learning Center.

This action will authorize a professional services contract with Building Community Workshop to provide Pre-Design Services, Schematic Design Services, Design Development Services, Construction Document Services, and Review and Evaluation Services in the amount of $104,000.00

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2007, the City Council authorized the adoption of the Reconstruction/SHARE Program Statement by Resolution No. 07-3306.

On November 12, 2007, the City Council authorized a public hearing to be held on December 12, 2007 to receive comments on the proposed use of funds to increase the loan amount of Reconstruction/SHARE housing by Resolution No. 07-3307.

On December 12, 2007, the City Council held a public hearing to receive comments on the proposed use of funds to increase the loan amount of Reconstruction/SHARE housing and authorized the use of funds by Resolution No. 07-3768.

FISCAL INFORMATION

2007-08 Community Development Grant Funds - $104,000

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Building Community Workshop

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OWNER(S)

Building Community Workshop

Brent Brown, AIA, Director
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Building Community Workshop to provide the research, recommendation, design and preparation of construction documents for six single-family residential house plans and make these plans available for use by applicants who have been qualified to receive a Reconstruction/SHARE Program home - $104,000 - Financing: 2007-08 Community Development Grant Funds

Building Community Workshop is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

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Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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WHEREAS, the City of Dallas desires to provide qualified Reconstruction/SHARE applicants with the use of house plans that are similar in mass, scale, and design to those typical of the neighborhood; and

WHEREAS, on November 12, 2007, the City Council authorized the adoption of the Reconstruction/SHARE Program Statement by Resolution No. 07-3306; and

WHEREAS, on November 12, 2007, the City Council authorized a public hearing to be held on December 12, 2007 to receive comments on the proposed use of funds to increase the loan amount of Reconstruction/SHARE housing by Resolution No. 07-3307; and

WHEREAS, on December 12, 2007, the City Council held a public hearing to receive comments on the proposed use of funds to increase the loan amount of Reconstruction/SHARE housing and authorized the use of funds by Resolution No. 07-3768; and

WHEREAS, a qualifications-based selection process was undertaken by City staff to determine the most qualified architectural consultant; and

WHEREAS, it is now desirable to authorize a professional services contract with Building Community Workshop the firm determined to be most qualified;

NOW, THEREFORE,

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

SECTION 1. That the City Manager is hereby authorized to enter into a professional services contract with Building Community Workshop to provide Pre-Design Services, Schematic Design Services, Design Development Services, Construction Document Services, and Review and Evaluation Services as described in Attachment A and Attachment B in an amount not to exceed $104,000.00.

SECTION 2. That the City Manager is authorized to execute the contract after it has been approved as to form by the City Attorney.

SECTION 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract:

Building Community Workshop Vendor # VS0000030392

Fund CDO7, Unit 2895, Obj 3100, Act. HO90
Program # DESIGN01, CT HOU28951061
in an amount not to exceed $104,000.00
SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

DISTRIBUTION:

Housing Department
City Attorney's Office
Office of Financial Services/Community Development, 4FS
Attachment A

General Scope of Work for Single-Family In-Fill Housing
City of Dallas Housing Department

The City of Dallas Housing Department desires to enter into a one-year contract (with an option to renew for one year) with an architectural design firm to produce single-family in-fill house plans as described in Section II of the Request for Qualification narrative.

The general scope of work is in three categories:

Pre-design Services shall produce results from the firm’s research and recommendations to establish housing typologies and construction methodologies that fit typical lot sizes and meet City of Dallas building codes and the Housing Department Reconstruction standards.

Basic Design Services shall produce a total of 6 (six) house plans. Two (2) plans will be sited on 40’ width lot, three (3) plans (2-3 Bedroom and 1-2 Bedroom) will be sited on 50’ lot, one (1) plan will be sited on smallest lot width (30’). These designs will meet the following expectations:

- Construction cost not to exceed $68 per sq. ft.
- Approximately 1200 sq. ft. heated space, no covered parking
- All electric utilities
- 3 bedrooms each with a closet
- 2 bathrooms
- 1 kitchen with washer/dryer connections, dishwasher, range, and garbage disposal
- 1 dining room
- 1 living room
- Covered front porch
- Energy Star Certification
- Universal Design Standards
- Two foundation plan options (one slab on grade and one elevated)
- Three (3) plans will have a variation that includes an attached carport with storage that does not exceed the amenity schedule (Attachment B)
- Three (3) plans will have a variation that includes a detached carport with storage that does not exceed the amenity schedule (Attachment B)
Project Review and Evaluation process shall produce a written report that includes the following information:

- A analysis of the firm’s initial research and recommendations, and whether they met the community’s, citizen’s and Housing Department’s criteria established in the RFQ
- Based on the analysis, recommendations from the firm that provide information to the Housing Department that will strengthen and/or support the Department’s in-fill housing goals and objectives

The schedule of work is to be completed as follows:

- Research and Recommendations September 31, 2008
- 6 Schematic Plans and Variations Due October 31, 2008
- Revisions Complete November 30, 2008
- All required documents due March 31, 2009
- Review and Evaluation June 30, 2009
The total cost of the home cannot exceed the cost to construct a 1200 square foot home at $68/sq. ft. PLUS $5,900 in amenities.

The homeowner is NOT required to select any of these amenities.

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Maximum $5,900
Authorize the receipt and deposit of funds from Byron A. Parker ("Executor") of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased for the benefit of the Oak Lawn Branch of the Dallas Public Library - $174,392 - Financing: Private Funds

BACKGROUND

In 1986, I. Benjamin and Selma L. Parrill created a trust, which was subsequently amended on July 18, 1991 and October 15, 1997, for the benefit of several beneficiaries, including the Dallas Public Library, Oak Lawn Branch. I. Benjamin Parrill, who died on August 26, 2007, and Selma L. Parrill who died on August 13, 2007, pursuant to the trust agreement, have left a residual bequest to the Oak Lawn Branch of the Dallas Public Library. To expedite payment to all the beneficiaries under the will, the Trustee of the Trust (Fiduciary Trust International of California) and the Executor of the estate (Byron A. Parker) requested that all Trust beneficiaries enter into a Release and Refunding Agreement to allow distribution of the Trust assets to the beneficiaries without requiring Court approval or the expense of probate administration. This agreement, approved on April 16, 2008 by Council Resolution No. 08-1209, required the City as beneficiary of the Dallas Public Library, Oak Lawn Branch bequest, to release certain claims against the Trustee and Executor and agree that if the wills are later challenged and the amount of the City's interest in the estate is decreased, the City will refund the difference to the estate, up to the amount previously paid to the City. In addition, the City was required, pursuant to the Release and Refunding Agreement, to indemnify the Trustee against claims that could be asserted against the Trustee in connection with the administration and distribution of Trust assets; provided that the City's indemnity was limited to the value of the trust estate received by the City.

Upon execution of the will, an initial amount has been bequeathed to the City, specifically the Oak Lawn Branch Library. The money has been received and needs to be placed in a restrictive fund for use at the Oak Lawn Branch Library. This Council action will authorize the receipt and deposit of $174,391.45 from the Parrill estate.
PRIOR ACTION/REVIEW (Council, Boards, Commissions)

Authorized a Release and Refunding Agreement between the City of Dallas and Fiduciary Trust International of California and the Executor, Byron A. Parker, of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased, on April 16, 2008, by Resolution No. 08-1209.

FISCAL INFORMATION

$174,391.45 - Private Funds
WHEREAS, I. Benjamin Parrill and Selma L. Parrill created a trust and have contributed from their estates a 10% residuary interest to the Oak Lawn Branch of the Dallas Public Library; and,

WHEREAS, the City cooperated with the other beneficiaries to expedite the distribution of the estate without the necessity or expense of court approval or administration; and,

WHEREAS, the Trustee, Fiduciary Trust International of California and the Executor, Byron A. Parker, requested the City of Dallas to enter into this Release and Refunding Agreement; and,

WHEREAS, on April 16, 2008, Resolution No. 08-1209 authorized the execution of a Release and Refunding Agreement between the City of Dallas and Fiduciary Trust International of California and Byron A. Parker of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased, Trustee, Fiduciary Trust International of California and the Executor, Byron A. Parker; and,

WHEREAS, it is now necessary to authorize the receipt and deposit of $174,391.45 from the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to accept funds from Byron A. Parker ("Executor") of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased, for the benefit of the Oak Lawn Branch of the Dallas Public Library in the amount of $174,391.45.

Section 2. That the City Manager is hereby authorized to establish appropriations in the amount of $174,391.45 in Fund 0716, Department LIB, Unit 1257, Object Code 2710.

Section 3. That the City Controller is hereby authorized to deposit funds from the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased, into Fund 0716, Department LIB, Unit 1257, Revenue Source 8411 in the amount of $174,391.45.

Section 4. That the City Controller is hereby authorized to disburse funds from Fund 0716, Department LIB, Unit 1257, Object Code 2710, in accordance with the will of the estate of I. Benjamin Parrill, Deceased, and Selma L. Parrill, Deceased.
Section 5. That the resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and is accordingly so resolved.

Distribution: Library, Director's Office, 1515 Young St. 2nd Floor
Library, Business Office, 1515 Young St. 2nd Floor
City Attorney
AGENDA ITEM # 52

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 14

Office of Cultural Affairs

CMO: David O. Brown, 670-3390

MAPSCO: 45G

SUBJECT

Authorize payment to the Dallas Black Dance Theatre, for operations and maintenance costs for the City owned facility, in accordance with the terms of the Master Agreement, previously approved on December 14, 2005, by Resolution No. 05-3604 - Not to exceed $93,000 - Financing: Current Funds

BACKGROUND

Dallas Black Dance Theatre (DBDT) was founded in 1976 as a world-class modern dance company, whose mission is to achieve artistic excellence through the performance and educational programs bridging cultures, reaching diverse communities and encompassing national and international audiences. In 1999, DBDT acquired the former Moorland YMCA building, located at 2700 Flora Street, a 20,058 square foot tract of land improved with a building.

On December 14, 2005, Resolution No. 05-3604 authorized a Master Agreement for the Development, Use and Operation of the Dallas Black Dance Theatre facility. This Master Agreement set forth the respective rights and obligations of the parties for the donation to the City and the design, development, construction, maintenance, management, use and operation of the facility. This Master Agreement provided for a transfer of the property from the DBDT to the City in exchange for a forty (40) year lease of the facility from the City to DBDT.

The Master Agreement states that the City will provide an initial annual amount not to exceed $93,000 to DBDT for operations and maintenance costs, subject to annual appropriation and City Council approval. DBDT will pay any costs of operating, maintaining and repairing the facility in excess of this amount.
PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized the Master Agreement on December 14, 2005, by Resolution No. 05-3604.

Authorized construction contract for the renovation of the Mooreland YMCA building for the DBDT on February 28, 2007, by Resolution No. 07-0742.

FISCAL INFORMATION

$93,000 - Current Funds

ETHNIC COMPOSITION

Dallas Black Dance Theatre

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OWNER

Dallas Black Dance Theatre

Ann Williams, Artistic Director/Founder
Zenetta Drew, Executive Director

MAP

Attached.
WHEREAS, the Dallas Black Dance Theatre (“DBDT”) is a world-class modern dance company, whose mission is to achieve artistic excellence through performance and educational programs bridging cultures, reaching diverse communities and encompassing ever-expanding national and international audiences; and,

WHEREAS, in 1999, DBDT acquired the former Moorland Y.M.C.A. building, an approximately 20,058 square foot tract of land improved with a building, located at 2700 Flora Street for conversion into a multi-use dance rehearsal, instructional and administrative office facility for DBDT; and,

WHEREAS, in the City’s 2003 Bond election, the voters approved a proposition which included $3,263,976 for the planning, design, construction and renovation of the former Moorland Y.M.C.A. building as a multi-use dance rehearsal, instructional and administrative office facility for DBDT; and,

WHEREAS, on December 14, 2005, Resolution No. 05-3604, the DBDT transferred title of the property to the City, after a due diligence period as stated in a Master Agreement, in exchange for a 40 year lease of the facility from the City to DBDT and the City agreed to provide an initial annual amount not to exceed $93,000 to DBDT for operations and maintenance costs for the facility, subject to annual appropriation and City Council approval, as outlined in the Master Agreement; and,

WHEREAS, the City of Dallas seeks to make payment of $93,000 to the DBDT for operations and utilities costs. NOW, THEREFORE,

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

SECTION 1. That the City Manager is hereby authorized to make payment to the Dallas Black Dance Theatre for reimbursement of annual operations and maintenance costs for city owned facility in accordance with the terms of the Master Agreement in an amount not to exceed $93,000.

SECTION 2. That the City Controller be and is hereby authorized to disburse funds from Fund 0001, Department OCA, Unit 4903, Object Code 3099, Vendor Number 219206, Encumbrance Number OCA4854H001, in an amount not to exceed $93,000.

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

Office of Cultural Affairs, Sharon Williams
Office of Financial Services
AGENDA ITEM # 53

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Dave Cook, 670-7804

MAPSCO: N/A

SUBJECT

Authorize a resolution extending the City Council’s decision deadline for Atmos Energy Corp., Mid-Tex Division’s proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment for the period July 22, 2008 through September 5, 2008 - Financing: No cost consideration to the City

BACKGROUND

Atmos Energy Corp. (formerly known as TXU Gas Distribution Company) provides natural gas utility service in Dallas in accordance with City franchise Ordinance No. 16240, as amended, and the Texas Gas Utilities Regulatory Act (GURA). Texas Utilities Code, §104.301, enacted by Senate Bill 1271, 78th Legislature (2003), Regular Session, as implemented by new Railroad Commission (“RRC”) Rules, establishes an incentive for gas utilities to invest in new infrastructure. The amendment and new rule allow a gas utility to file a tariff or rate schedule reflecting an adjustment to its base rates to recover the cost of new investment in its infrastructure made since the Commission's most recent order setting rates. Through the GRIP interim rate adjustment, a utility may immediately recover its return on investment, depreciation expense, and related taxes without having to wait for the results of a formal gas rate case. Costs included are return on investment, depreciation expense, and certain taxes.

Atmos filed for its GRIP rate adjustment on May 23, 2008. Under Texas Utilities Code, §104.301 this rate adjustment automatically goes into effect 60 days after the date of filing (July 22, 2008) unless the City Council extends the decision deadline by official action. Pursuant to the Utilities Code, the City may suspend the effective date of these tariffs for an additional 45 days. This additional time is required in order to conduct an adequate investigation and evaluation of the application and the proposed new rates.

PRIOR ACTION

This item has no prior action.
FISCAL INFORMATION

No cost consideration to the City.
WHEREAS, Atmos Energy Corp., Mid-Tex Division (formerly TXU Gas Distribution Company) provides natural gas utility service within the City of Dallas in accordance with Ordinance No.16240, as amended; and

WHEREAS, on May 23, 2008, Atmos Energy Corp., Mid-Tex Division (Atmos) filed with the City Secretary an “Interim Rate Adjustment Filing Calendar Year 2007” for the Company’s Distribution System; and

WHEREAS, proposed rate adjustments become effective sixty (60) days from the date of filing, in accordance with Texas Utilities Code, §104.301, unless proposed rate adjustments are suspended by the regulatory authority; and

WHEREAS, it is desirable that the filing be thoroughly investigated prior to approval;

Now, Therefore

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

Section 1. That the rate adjustments and tariffs presented in the “Interim Rate Adjustment Filing Calendar Year 2007” filed by Atmos Energy Corp. on May 23, 2008, be and are hereby suspended until September 5, 2008, in accordance with the provisions of Texas Utilities Code, §104.301.

Section 2. That the City Attorney and City Manager be and are hereby authorized to make such investigations and take such actions as may be necessary and appropriate to insure that the interests of the City of Dallas and the Dallas customers of Atmos Energy Corp. are properly protected.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the City Charter of the City of Dallas, and it is accordingly so resolved.
AGENDA ITEM # 54

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

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 14

DEPARTMENT: Office of Financial Services

CMO: Dave Cook, 670-7804

MAPSCO: 34-K

SUBJECT

Authorize approval of the issuance of bonds not to exceed $20,000,000 by the Texas Regional Development Corporation for the benefit of TXI Aviation I, LLC dba Vitesse Aviation Services, a Texas limited liability (the “Borrower”) whose sole member is Valtec Capital Corporation, a Nevada corporation - Financing: No cost consideration to the City

BACKGROUND

The Texas Regional Development Corporation (the “Issuer”) intends to issue taxable bonds in an amount not to exceed $20,000,000 for the purpose of financing construction of two new hangars containing 52,000 square feet and additional ramp space of approximately 100,000 square feet, to expand the Borrower’s facilities located at Love Field airport (the “Project”) on land leased from the City of Dallas and refinancing acquisition costs previously incurred in connection with the Borrower’s existing facilities. The Issuer is empowered under its enabling legislation, and has agreed to issue bonds for the purpose of financing the costs of the Project. The Issuer will lend the bond proceeds to the Borrower, which will use the bond proceeds for the following purposes: (i) to finance certain costs related to the acquisition, purchase, improvement, construction or reconstruction and extension of the Project, including the acquisition and installation of equipment used in connection with the Project, which Project is to be owned by the Borrower (and/or any of its parents, subsidiaries, affiliates or related corporations or entities); (ii) to refinance acquisition costs previously incurred in connection with the Borrower’s existing facilities; and (iii) to pay certain costs of issuing the bonds.

Because the Project is located within the City of Dallas and not in Fayette County, Texas (the “Issuing Unit”) under whose auspices the Issuer was created, the Texas Development Corporation Act of 1979, Article 5190.6, Vernon’s Civil Statutes, as amended (the “Act”) provides that the City Council of the City of Dallas must request the Issuer to exercise its powers before the Issuer may issue its bonds for the Project.
BACKGROUND (Continued)

The City of Dallas is not being asked to issue bonds. The bonds will not be a debt or liability to the City and the City’s name will not appear on the bonds. The approval being requested is only for the purposes of complying with the requirements of the Act.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 9, 2008, the Finance, Audit and Accountability Committee was briefed.

FISCAL INFORMATION.

No cost consideration to the City.
WHEREAS, the Texas Regional Development Corporation (the “Issuer”) is empowered, pursuant to the Texas Development Corporation Act of 1979, Article 5190.6, Vernon’s Civil Statutes, as amended (the “Act’), and has agreed to issue bonds for purposes of financing the costs of certain airport facilities; and

WHEREAS, the Issuer intends to issue its Industrial Development Revenue Bonds (Vitesse Aviation Services Project) Series 2008 (or other appropriate designation), in the maximum amount not to exceed $20,000,000 (the “Bonds”); and

WHEREAS, the proceeds of the Bonds will be lent by the Issuer to TXI Aviation I, LLC dba Vitesse Aviation Services (the “Borrower”) to (i) finance certain costs related to the acquisition, purchase, improvement, construction or reconstruction, and extension of two new hangars to be located at Love Field in the City of Dallas, Texas, including the acquisition and installation of equipment used in connection therewith, and additional ramp space (collectively, the “Project”); (ii) refinance acquisition costs previously incurred in connection with the Borrower’s existing facilities; and (iii) pay certain of the costs of issuing the Bonds; and

WHEREAS, the facilities to be financed with the proceeds of the Bonds are located at Love Field in the City of Dallas, Texas; and

WHEREAS, since the Project is not located within the limits of Fayette County (the “Issuing Unit”) under whose auspices the Issuer was created, but instead is located within the City of Dallas, the Act requires that a request from the City Council of the City of Dallas be obtained, as provided herein;

Now Therefore,

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

Section 1. The City Council, solely for the purposes of Section 23(a)(1) of the Act, hereby requests the Issuer to exercise its power under the Act to (i) finance the acquisition, construction, purchase, improvement, equipping and furnishing of the Project, which is located wholly within the limits of the City of Dallas, (ii) refinance acquisition costs previously incurred in connection with the Borrower’s existing facilities and (iii) pay certain costs of issuing the Bonds.

Section 2. The foregoing is given in accordance with the provisions of Section 23(a)(1) of the Act and for no other purposes and is not to be construed as an undertaking by the City of Dallas. The Bonds shall not constitute a liability, an indebtedness, or an obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to the payment of the Bonds.
Section 3. 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.
KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Financial Services

CMO: Dave Cook, 670-7804

MAPSCO: N/A

SUBJECT

Authorize (1) adoption of the final FY 2008-09 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of $33,124,448 for the following programs and estimated amounts: (a) Community Development Block Grant in the amount of $19,321,137; (b) HOME Investment Partnerships Program in the amount of $7,925,416; (c) American Dream Down–Payment Initiative in the amount of $72,460; (d) Housing Opportunities for Persons with AIDS in the amount of $3,332,000; and (e) Emergency Shelter Grant in the amount of $772,437; and (2) adoption of the final FY 2007-08 Reprogramming Budget in the amount of $1,700,998 - Financing: No cost consideration to the City

BACKGROUND

The Community Development Commission (CDC) and City staff conducted seven (7) neighborhood public hearings that provided the public opportunities to participate in identifying needs and to comment on the potential uses of U. S. Department of Housing and Urban Development (HUD) Grant Funds. The Proposed FY 2007-08 Reprogramming Budget was briefed to and discussed by the City Council's Housing Committee on January 22, 2008 and approved by the City Council on February 13, 2008. The Proposed FY 2008-09 Consolidated Plan Budget was presented to the CDC on March 13, 2008. On April 3, 2008, the CDC made budget amendment recommendations. The Proposed FY 2008-09 Consolidated Plan Budget was briefed to and discussed by the City Council on April 16, 2008.

On May 7, 2008, the City Council, by straw votes, approved amendments to the Proposed FY 2008-09 Consolidated Plan Budget and the FY 2007-08 Reprogramming budget.

BACKGROUND (Continued)

Federal regulations require a public hearing be held before the City Council on the City's final Consolidated Plan Budget for U.S. Department of Housing and Urban Development (HUD) Grant Funds. This includes the following grants: Community Development Block Grant (CDBG), HOME Investment Partnerships Program, American Dream Down-Payment Initiative (ADDI), Housing Opportunities for Persons with AIDS (HOPWA), and Emergency Shelter Grant (ESG). Federal regulations also require a public hearing on the City's final Reprogramming Budget. The public hearing will provide citizens an opportunity to comment on the potential use of these funds.

Federal regulations require that an effective Citizen Participation Plan be in place to ensure that citizens have opportunities to participate in developing the Consolidated Plan budget. The Citizen Participation Plan was adopted by the City Council on January 11, 1995 and amended on June 27, 2007. The federal regulations and the City's Citizen Participation Plan require a public hearing be held to receive comments.

The public hearing before the City Council was held on May 28, 2008 to receive comments on the proposed use of funds.

The Preliminary FY 2008-09 Consolidated Plan Budget and the Proposed FY 2007-08 Reprogramming Budget were made available for public review and comment from May 15, 2008 – June 25, 2008. A public hearing before the City Council was held on May 28, 2008.

This action includes the City Council's final adoption of the FY 2008-09 Consolidated Plan Budget and the FY 2007-08 Reprogramming Budget.

Neighborhood public hearings were held as follows:

January 3, 2008 - Dallas City Hall
January 7, 2008 – Willie B. Johnson Recreation Center
January 8, 2008 - Cummings Recreation Center
January 9, 2008 - West Dallas Multipurpose Center
January 9, 2008 – Kidd Springs Recreation Center
January 10, 2008 – Renner Frankford Library
January 10, 2008 - Martin Luther King, Jr. Recreation Center
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 13, 2008, the Community Development Commission was briefed on the City Manager’s proposed FY 2008-09 Consolidated Plan budget and FY 2007-08 Reprogramming budget.

On April 3, 2008, the Community Development Commission reviewed the City Manager’s proposed FY 2008-09 Consolidated Plan budget and FY 2007-08 Reprogramming budget and made recommendations.

On April 16, 2008, the City Council was briefed on the City Manager’s proposed FY 2008-09 Consolidated Plan budget and FY 2007-08 Reprogramming budget and made recommendations.

On May 7, 2008, the City Council, by straw votes, approved amendments to the proposed FY 2008-09 Consolidated Plan budget and the FY 2007-08 Reprogramming budget.

On May 14, 2008, the City Council approved preliminary adoption of the proposed FY 2008-09 Consolidated Plan budget, the FY 2007-08 Reprogramming budget and authorized the public hearing on May 28, 2008, by Resolution No. 08-1458.

On May 28, 2008, the City Council held a public hearing to receive comments on the proposed FY 2008-09 Consolidated Plan budget and the FY 2007-08 Reprogramming budget.

FISCAL INFORMATION

Estimated FY 2008-09 Consolidated Plan Budget

CDBG: $17,305,776 2008-09 Entitlement
$ 373,689 HUD Reallocation
$ 350,000 Program Income (est.)
$ 656,672 Additional Onetime Program Income
$ 600,000 Program Income (est.) Sub-Recipient Retained (SDDC)
$ 35,000 Section 108 Intown Housing Program Income
$19,321,137

HOME: $ 7,625,416 2008-09 Entitlement
$ 300,000 Program Income (est.)
$ 7,925,416

ADDI: $ 72,460 2008-09 American Dream Down-Payment Initiative Entitlement
FISCAL INFORMATION (Continued)

HOPWA: $3,332,000  2008-09 Entitlement

ESG: $772,437  2008-09 Entitlement

$31,423,450  Total FY 2008-09 Consolidated Plan Budget

FY 2007-08 Reprogramming Budget:

$1,700,998  Unobligated funds in FY 2006-07 and prior years
COUNCIL CHAMBER

June 25, 2008

WHEREAS, the Community Development Commission (CDC) and City staff conducted seven (7) neighborhood public hearings during January 2008 to allow the public opportunities to participate in identifying needs and to comment on potential uses of FY 2008-09 U. S. Department of Housing and Urban Development (HUD) grant funds; and

WHEREAS, on April 3, 2008, the Community Development Commission reviewed the City Manager's Proposed FY 2008-09 Consolidated Plan budget and FY 2007-08 Reprogramming budget and made its recommendations to the budget; and

WHEREAS, on April 16, 2008, the City Council was briefed on the City Manager's Proposed FY 2008-09 Consolidated Plan budget, Proposed FY 2007-08 Reprogramming budget and the Community Development Commission's recommendations; and

WHEREAS, on May 7, 2008, the City Council, by straw votes, approved amendments to the FY 2008-09 Consolidated Plan budget and the FY 2007-08 Reprogramming budget; and

WHEREAS, on May 14, 2008, the City Council authorized a Public Hearing to be held on May 28, 2008 to receive comments on the preliminary FY 2008-09 Consolidated Plan budget, the preliminary FY 2007-08 Reprogramming budget; and

WHEREAS, the City Council, by Resolution No. 08-1458 adopted the preliminary FY 2008-09 Consolidated Plan budget and the preliminary FY 2007-08 Reprogramming budget; and

WHEREAS, the City Council held a public hearing on May 28, 2008 to receive comments on the preliminary FY 2008-09 Consolidated Plan budget and the preliminary FY 2007-08 Reprogramming budget; and

WHEREAS, a summary of the preliminary FY 2008-09 Consolidated Plan budget, and the preliminary FY 2007-08 Reprogramming budget, was published in the Dallas Morning News on May 15, 2008 to provide citizens an opportunity to submit written comments through June 25, 2008;

Now, Therefore,

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

Section 1. That the final FY 2008-09 Consolidated Plan budget and final FY 2007-08 Reprogramming budget be adopted per Schedule A.
Section 2. That the City Manager be authorized to apply for, accept, and take actions to implement HUD grant numbers B-08-MC-48-0009 (CDBG - $19,321,137, which includes $1,606,672 in program income), M-08-MC-48-0203 (HOME - $7,925,416, which includes $300,000 program income), A-08-MC-48-20 (ADDI - $72,460), TXH08-F001 (HOPWA - $3,332,000), and S-08-MC-48-0001 (ESG - $772,437) in the amount of $33,124,448 and be authorized to execute the contracts and grant agreements with HUD and all documents related to the execution of the grants upon approval as to form by the City Attorney.

Section 3. That the City Manager be authorized to establish FY 2008-09 appropriations as follows:

- Community Development Block Grant Program in Fund CD08 up to the amount of $19,321,137 consisting of the entitlement grant of $17,305,776, reallocated funds from HUD of $373,689, Section 108 Intown Housing program income of $35,000 and estimated program income of $1,606,672 to be returned to the City as set forth in the attached Schedule B, effective October 1, 2008.

- HOME Investment Partnerships Program in Fund HM08 up to the amount of $7,925,416 consisting of the entitlement grant of $7,625,416 and estimated program income of $300,000 as set forth in the attached Schedule B, effective October 1, 2008.

- American Dream Down-Payment Initiative in Fund AD08 up to the amount of $72,460 as set forth in the attached Schedule B, effective October 1, 2008.

- Housing Opportunities for Persons with AIDS in Fund HW08 up to the amount of $3,332,000 as set forth in the attached Schedule B, effective October 1, 2008.

- Emergency Shelter Grant in Fund ES08 up to the amount of $772,437 as set forth in the attached Schedule B, effective October 1, 2008.

Section 4. That the program income generated by sub-recipients and contractors, estimated to be $600,000 for FY 2008-09 be retained by the agencies to carry out Community Development eligible activities in accordance with HUD requirements and upon written approval by the responsible City of Dallas departments.

Section 5. That the City Controller be authorized to receive funds up to the amounts set forth in the attached Schedule C.

Section 6. That the City Controller be authorized to disburse funds up to the amounts set forth in the attached Schedule B.
Section 7. That the City Manager be authorized to transfer HUD grant funds between projects and individual object codes and/or categories in accordance with HUD regulations and Citizen Participation Plan.

Section 8. That the City Manager be authorized to release funds in the amount of $1,700,998 as shown in the attached Schedule D from their originally budgeted purposes, schedule them for reprogramming in accordance with required rules and procedures, and establish FY 2007-08 reprogramming appropriations in Fund 07RP in the amount of $1,700,998 as set forth in the attached Schedule B, effective June 25, 2008.

Section 9. That the City Manager is hereby authorized to reimburse to HUD any expenditures identified as ineligible.

Section 10. That the City Manager be authorized to provide additional information and make adjustments to take other actions relating to these budgets as may be necessary in order to satisfy HUD requirements.

Section 11. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas, and it is accordingly so resolved.

Distribution:
City Attorney’s Office
Environmental and Health Services
Housing Department
Office of Economic Development
Office of Financial Services/Community Development, 4FS
<table>
<thead>
<tr>
<th>Project Name</th>
<th>FY 2008-09 Adopted Budget</th>
</tr>
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<tbody>
<tr>
<td><strong>CDBG - Public Services</strong></td>
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</tr>
<tr>
<td>1 African-American Museum Youth Enrichment Program</td>
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<tr>
<td>2 After-School/Summer Outreach Program</td>
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<tr>
<td>3 Child Care Services Program</td>
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<tr>
<td>4 City Child Care Services</td>
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<tr>
<td>5 Arts Education Program</td>
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<td>6 Summer Youth Program</td>
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<tr>
<td><strong>Youth Programs Sub-Total</strong></td>
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<tr>
<td>7 Adolescent Substance Abuse - Inpatient</td>
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<tr>
<td>8 Clinical Dental Care Program</td>
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<tr>
<td><strong>Clinical Health Services (Youth ) Sub-Total</strong></td>
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<tr>
<td>9 City Geriatric Health</td>
<td>115,487</td>
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<tr>
<td>10 City Crisis Intervention</td>
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<td>11 City Office of Senior Affairs</td>
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<td>12 Senior Services Program</td>
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<td><strong>Senior Services Sub-Total</strong></td>
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<td>13 Temporary Emergency Housing</td>
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<td><strong>Homeless/Temporary Housing Sub-Total</strong></td>
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<tr>
<td>14 Teen Violence -Victim Outreach</td>
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<tr>
<td><strong>Other Public Services (Youth) Sub-Total</strong></td>
<td><strong>31,000</strong></td>
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<tr>
<td>15 Homeless Outreach</td>
<td>127,347</td>
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<tr>
<td>16 Offender Re-entry Program (ATT)</td>
<td>91,351</td>
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<tr>
<td>17 Offender Re-entry Program (EHS)</td>
<td>114,225</td>
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<tr>
<td>18 Parenting and Early Childhood Development</td>
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<tr>
<td>19 South Dallas / Fair Park Community Court</td>
<td>300,538</td>
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<tr>
<td>20 Community Youth and Senior Program (West Oak Cliff)</td>
<td>26,000</td>
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<tr>
<td><strong>Other Public Services (Non-Youth) Sub-Total</strong></td>
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<tr>
<td><strong>Total CDBG - Public Services</strong></td>
<td><strong>2,706,572</strong></td>
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</table>
## Schedule A

**FY 2008-09 Consolidated Plan Budget**

**U.S. Department of Housing and Urban Development Grant Funds**

<table>
<thead>
<tr>
<th>Project Name</th>
<th>FY 2008-09 Adopted Budget</th>
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</thead>
<tbody>
<tr>
<td><strong>CDBG - Housing Activities</strong></td>
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<tr>
<td>21 Relocation Assistance (Code)</td>
<td>639,548</td>
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<tr>
<td><strong>Legal Commitment/Mandates- Sub-Total</strong></td>
<td><strong>639,548</strong></td>
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<tr>
<td>22 Housing Development Support</td>
<td>1,335,028</td>
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<tr>
<td>23 Mortgage Assistance Program (Minor Repair)</td>
<td>300,000</td>
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<tr>
<td>24 Housing Services Program</td>
<td>100,000</td>
</tr>
<tr>
<td>25 Residential Development Acquisition Loan Program</td>
<td>825,000</td>
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<tr>
<td><strong>Homeownership Opportunities Sub-Total</strong></td>
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<tr>
<td>26 Housing Assistance Support</td>
<td>2,075,378</td>
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<tr>
<td>27 Major Systems Repair Program</td>
<td>1,230,000</td>
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<td>28 South Dallas/Fair Park Major Systems Repair Program</td>
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<tr>
<td>29 Minor Plumbing Repair/Replacement Program</td>
<td>30,000</td>
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<tr>
<td>30 Reconstruction/SHARE Program</td>
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<td><strong>Homeowner Repair Sub-Total</strong></td>
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<td>31 Dedicated SAFE II Expansion Code Inspection - Code</td>
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<tr>
<td>32 Dedicated SAFE II Expansion Code Inspection - Fire</td>
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<tr>
<td>33 Dedicated SAFE II Expansion Code Inspection - Police</td>
<td>122,992</td>
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<tr>
<td>34 Neighborhood Investment Program - Code Compliance</td>
<td>171,593</td>
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<tr>
<td>35 Neighborhood Investment Program - Community Prosecutor</td>
<td>378,884</td>
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<tr>
<td>36 Community Prosecution Program - North Oak Cliff</td>
<td>122,837</td>
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<tr>
<td>37 Community Prosecution Program - Oak Lawn</td>
<td>118,112</td>
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<tr>
<td>38 Community Prosecution Program - Old East Dallas</td>
<td>132,688</td>
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<tr>
<td>39 Community Prosecution Program - Pleasant Grove</td>
<td>146,107</td>
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<tr>
<td>40 Community Prosecution Program - South Central</td>
<td>153,794</td>
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<tr>
<td>41 Community Prosecution Program - South East</td>
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<td>42 Neighborhood Enhancement Program (NEP)</td>
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<td><strong>Other Housing/Neighborhood Revitalization Sub-Total</strong></td>
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<td><strong>Total CDBG - Housing Activities</strong></td>
<td><strong>12,719,011</strong></td>
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## SCHEDULE A

**FY 2008-09 CONSOLIDATED PLAN BUDGET**

**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS**

<table>
<thead>
<tr>
<th>Project Name</th>
<th>FY 2008-09 Adopted Budget</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>CDBG - Economic Development</strong></td>
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<tr>
<td>43 Business Loan Program (Program Income)</td>
<td>600,000</td>
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<td><strong>Business Loan Sub-Total</strong></td>
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<tr>
<td>44 Business Assistance Center Program</td>
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<td><strong>Technical/Professional Assistance Sub-Total</strong></td>
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<tr>
<td><strong>Total CDBG - Economic Development</strong></td>
<td>1,135,435</td>
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<tr>
<td><strong>CDBG - Public Improvements</strong></td>
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<tr>
<td>45 Neighborhood Street Improvement Petition Grant</td>
<td>50,000</td>
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<tr>
<td>46 Sidewalk Improvement Program</td>
<td>119,253</td>
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<tr>
<td>47 Neighborhood Investment Program Infrastructure</td>
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<td><strong>City Infrastructure Sub-Total</strong></td>
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<td><strong>Total CDBG - Public Improvements</strong></td>
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<tr>
<td><strong>CDBG - Fair Housing</strong></td>
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<tr>
<td>48 Fair Housing Enforcement</td>
<td>571,936</td>
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<td><strong>Total CDBG - Fair Housing</strong></td>
<td>571,936</td>
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<tr>
<td><strong>CDBG - Planning &amp; Program Oversight</strong></td>
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<tr>
<td>49 Consolidated Plan Oversight, Citizen Participation, &amp; CDC Support</td>
<td>656,327</td>
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<td>50 Grant Compliance</td>
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<td>51 Health Contract Monitoring</td>
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<td>52 Housing Management Support</td>
<td>797,831</td>
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<td>53 Code Compliance</td>
<td>57,362</td>
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<td>54 Economic Development</td>
<td>192,056</td>
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<tr>
<td>55 Parks and Recreation</td>
<td>64,119</td>
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<td>56 City Attorney's Office Community Prosecution</td>
<td>156,516</td>
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<td><strong>Total CDBG - Planning &amp; Program Oversight</strong></td>
<td>3,040,957</td>
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<td><strong>Total CDBG - Fair Housing and Planning &amp; Prog. Oversight</strong></td>
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<tr>
<td><strong>TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT</strong></td>
<td>21,022,135</td>
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## SCHEDULE A

**FY 2008-09 CONSOLIDATED PLAN BUDGET**  
**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS**

### HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Adopted Budget</th>
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<tbody>
<tr>
<td>57 CHDO Development Loans</td>
<td>1,144,140</td>
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<td>58 CHDO Operating Assistance</td>
<td>381,252</td>
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<td>59 HOME Program Administration</td>
<td>391,179</td>
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<tr>
<td>60 Mortgage Assistance Program Administration</td>
<td>195,000</td>
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<tr>
<td>61 Mortgage Assistance Program: Program Cost</td>
<td>305,000</td>
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<td>62 Mortgage Assistance Program</td>
<td>4,000,000</td>
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<tr>
<td>63 Reconstruction/SHARE</td>
<td>562,527</td>
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<tr>
<td><strong>Home Ownership Opportunities Sub-Total</strong></td>
<td><strong>6,979,098</strong></td>
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</tbody>
</table>

| 64 Tenant Based Rental Assistance | 770,000 |
| 65 Tenant Based Rental Assistance (Admin) | 176,318 |
| **Other Housing Sub-Total** | **946,318** |

**TOTAL HOME INVESTMENT PARTNERSHIPS PROGRAM** 7,925,416

### AMERICAN DREAM DOWN-PAYMENT INITIATIVE (ADDI)

<table>
<thead>
<tr>
<th>Project Name</th>
<th>Adopted Budget</th>
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<tbody>
<tr>
<td>66 American Dream Down-Payment Initiative</td>
<td>72,460</td>
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**Total ADDI** 72,460

**TOTAL AMERICAN DREAM DOWN-PAYMENT INITIATIVE** 72,460
## SCHEDULE A

**FY 2008-09 CONSOLIDATED PLAN BUDGET**

**U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT GRANT FUNDS**

<table>
<thead>
<tr>
<th>Project Name</th>
<th>FY 2008-09 Adopted Budget</th>
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<tbody>
<tr>
<td><strong>EMERGENCY SHELTER GRANT (ESG)</strong></td>
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<tr>
<td>67 Contracts - Essential Services</td>
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<td>68 Contracts - Operations</td>
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<tr>
<td>69 Contracts - Prevention</td>
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<tr>
<td>70 Homeless Assistance Center - Essential Services</td>
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<tr>
<td>71 Homeless Assistance Center - Operations</td>
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<tr>
<td>72 MLK Community Center - Prevention</td>
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<td>73 West Dallas Community Center - Prevention</td>
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<td><strong>Homeless/Temporary Housing Sub-Total</strong></td>
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<td>74 ESG Administration</td>
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<td><strong>TOTAL EMERGENCY SHELTER GRANT</strong></td>
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| **HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)** | |
| 75 Tenant Based Rental Assistance | 465,000 |
| 76 Emergency Assistance | 315,000 |
| 77 Housing Facilities Operations | 798,860 |
| 78 Supportive Services | 1,412,040 |
| **Other Public Services Sub-Total** | 2,990,900 |
| 79 Housing Facilities Rehab/Repair | 61,140 |
| **HOPWA Public Improvement/Rehab Sub-Total** | 61,140 |
| 80 Program Administration | 99,960 |
| 81 Program Administration/Project Sponsors | 180,000 |
| **Program Administration Sub-Total** | 279,960 |
| **TOTAL HOUSING OPPORTUNITIES FOR PERSONS W/ AIDS** | 3,332,000 |

<p>| <strong>GRAND TOTAL CONSOLIDATED PLAN BUDGET</strong> | 33,124,448 |</p>
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<thead>
<tr>
<th>FUND</th>
<th>DEPT.</th>
<th>COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)</th>
<th>FY 2008-09 ADOPTED BUDGET</th>
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<th>UNIT 2</th>
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<td>City Auditor’s Office</td>
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<td>Code Compliance Services</td>
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<td>DEV</td>
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SUBJECT

Authorize the Big Lake Education Finance Corporation (the “Corporation”) to finance, in an aggregate principal amount not to exceed $10,000,000, for the benefit of the The St. Alcuin Montessori School (the "School"), a portion of the costs of constructing, improving and equipping certain educational facilities at the School’s campus located at 6144 Churchill Way, Dallas, Texas 75230, including (1) a new school building for middle school students and upper elementary students, including related soccer and parking facilities and (2) a new school building to house a library, a gymnasium and a community center (the "Project") - Financing: No cost consideration to the City

BACKGROUND

The School is an independent, non-denominational, co-educational day school located on a twelve acre campus in Dallas, Texas. Founded in 1964, and now one of the largest Montessori schools in North America, the School serves a diverse community of over 500 students, toddlers through eighth graders. The School is a model for toddler, primary, and elementary Montessori programs. The School is guided by the core values of the Montessori approach, and the International Baccalaureate Middle Years Programme.

The School was originally incorporated on January 9, 1963 as "The Academy of Religion & Philosophy." In September 1984, that corporation was dissolved, and reincorporated as "The St. Alcuin Montessori School." The School has been granted and operates under tax-exempt status as a 501(c)(3) organization.

The School intends to use funds received to pay a portion of the costs of constructing, improving and equipping (1) a new school building for middle school students and upper elementary students, including related soccer and parking facilities and (2) a new school building to house a library, a gymnasium and a community center. The School intends to finance the balance of the costs of the Project through an on-going capital campaign.
**BACKGROUND (Continued)**

The Issuer intends to enter into a tri-party Master Financing Agreement with the School and Wells Fargo Bank, National Association (the “Bank”) wherein the Issuer will act as a conduit issuer in facilitating a tax-exempt loan from the Bank to the School for the Project.

The School has advised the Issuer that it can realize substantial cost savings by utilizing a tax-exempt loan to finance the Project.

The Issuer is a statutorily created authority organized for the purpose of financing educational and health facilities. The Issuer has no taxing power, no police powers, and no powers of eminent domain. The issuer is a “conduit” financing authority that issues debt typically with a loan agreement which is secured by revenues and/or property pledged from a private educational or health institution.

Because the Project is located within the City of Dallas, Section 147(f) of the Internal Revenue Code of 1986, and the Treasury regulations promulgated thereunder, require that in order for the interest paid on the loan accomplished by the Master Financing Agreement to be exempt from United States federal income taxation, an “applicable elected representative” of the City of Dallas must approve the financing after a public hearing following reasonable notice. A public hearing was held following a reasonable public notice on Monday, June 23, 2008 at the offices of McCall, Parkhurst & Horton L.L.P., located at 717 North Harwood, Suite 900, Dallas, Texas 75201.

The City of Dallas is not being asked to issue debt. The financing will not be an obligation, a debt, or a liability of the City. The approval being requested is only for the purposes of complying with federal tax regulations regarding tax-exempt debt.

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

The City Council's Finance, Audit and Accountability Committee was briefed on June 9, 2008.

**FISCAL INFORMATION**

No cost consideration to the City.
WHEREAS, the Big Lake Education Finance Corporation (the "Issuer") is empowered pursuant to Chapter 53A, Texas Education Code, to enter into contractual obligations in order to assist educational institutions in financing or refinancing the acquisition, purchase, or lease, or the construction, renovation or other improvement of, education facilities or housing facilities and facilities incidental, subordinate or related thereto or appropriate in connection therewith; and

WHEREAS, The St. Alcuin Montessori School (the "Borrower") has requested that the Issuer finance, in an aggregate principal amount not to exceed $10,000,000, for the benefit of the Borrower, a portion of the costs of constructing, improving and equipping certain educational facilities at 6144 Churchill Way, Dallas, Texas 75230, to wit: (1) a new school building for middle school students and upper elementary students, including soccer and related parking facilities and (2) a new school building to house a library, a gymnasium and a community center (the "Project"); and

WHEREAS, pursuant to Section 147(f) of the Internal Revenue Code of 1986 (the "Code"), the Issuer has caused to be published a notice of a public hearing (the "TEFRA Notice") with respect to the proposed financing, and held such a hearing after reasonable notice, at 1 p.m. on Monday, June 23, 2008 at the offices of McCall, Parkhurst & Horton L.L.P., located at 717 North Harwood, Suite 900, Dallas, Texas 75201 (the "TEFRA Hearing"); and

WHEREAS, pursuant to the provisions of Section 147(f) of the Code, the City Council of the City of Dallas, after the TEFRA Hearing, following reasonable notice, must approve the financing by the Issuer to enable the loan to the Borrower to qualify as a tax-exempt obligation under the Code;

Now Therefore,

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

Section 1. The City Council, solely for the purposes of Section 147(f) of the Code, hereby approves the financing by the Issuer of the Project for the benefit of the Borrower, in an aggregate principal amount not to exceed $10,000,000.

Section 2. The foregoing approval is given in accordance with the provisions of Section 147(f) of the Code and for no other purposes and is not to be construed as an undertaking by the City of Dallas. This financing shall not constitute a liability, indebtedness, or an obligation of the City of Dallas nor shall any of the assets of the City of Dallas be pledged to any payment in connection therewith.

Section 3. 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.
KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Paul D. Dyer, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a one-year Interlocal Agreement with Dallas County Schools Transportation to transport participants to various programs and activities for the period of August 1, 2008 through August 31, 2009 - Not to exceed $264,137 - Financing: Current Funds ($210,708)(subject to appropriations); and 2008-09 Community Development Grant Funds ($53,429)

BACKGROUND

On June 25, 2008, the City Council approved final adoption of the FY2008-09 Consolidated Plan Budget for the U.S. Department of Housing and Urban Development (HUD) grant funds. The grants funds are available beginning October 1, 2008 contingent upon approval of the City's FY2008-09 Action Plan and execution of grant agreements with HUD.

The City has contracted with Dallas County Schools Transportation since 1988 to provide economical transportation for the participants in the summer programs and activities throughout the year for the Dallas Park and Recreation Department.

On August 8, 2007, City Council passed Resolution No. 07-2181 to enter into a one-year Interlocal Agreement with Dallas County Schools Transportation to provide economical transportation for the participants in the summer programs and activities of the Dallas Park and Recreation Department. From August 1, 2008 through August 31, 2009, the following divisions of the Park and Recreation Department will use the bus services: East Region, West Region, Community Development Block Grant, After-School Program and Send-A-Kid-To-Camp sites.

State law authorizes the procurement of services provided by another subdivision of the State without submitting the contract for competitive bidding and this may be accomplished by means of an interlocal agreement approved by the City Council and Dallas County.
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION)

Approved by the Park and Recreation Board on June 5, 2008.

FISCAL INFORMATION

$210,708 - Current Funds (subject to appropriations)
$53,429 - 2008-09 Community Development Grant Funds
WHEREAS, Dallas County Schools provides bus services to the students of the Dallas Public Schools; and

WHEREAS, the Park and Recreation Department of the City of Dallas desires to transport children and adults to various programs and activities to include senior citizen, after-school, golf and tennis, Send-A-Kid-To-Camp, therapeutic services and programs in the East and West Regions of the Park Department; and

WHEREAS, both Dallas County and the City of Dallas are political subdivisions of the State of Texas and are authorized to enter into an agreement pursuant to the provisions of the Texas Interlocal Cooperation Act, Chapter 791 of the Texas Government Code; and

WHEREAS, this contract includes FY2008-09 Community Development Block Grant funds; and

WHEREAS, the FY2008-09 Community Development Block Grant funds are available beginning October 1, 2008; and

WHEREAS, the FY2008-09 Community Development Block Grant funds are contingent upon the U.S. Department of Housing and Urban Development's approval of the City's FY2007-08 Action Plan and execution of the grant agreement.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a one-year Interlocal Agreement be authorized with Dallas County Schools Transportation to transport participants to various programs and activities for the period of August 1, 2008 through August 31, 2009 subject to the terms and conditions of the agreement.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are authorized to execute the agreement after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller be and is hereby authorized to make disbursements not to exceed $264,137 to Dallas County Schools as follows (Vendor #349114):
**COUNCIL CHAMBER**

**June 25, 2008**

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<th>DEPT</th>
<th>OBJECT CODE</th>
<th>AMOUNT</th>
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**$210,708 (subject to appropriations)**

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**SECTION 4.** 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 # 58

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Park & Recreation

CMO: Paul D. Dyer, 670-4071

SUBJECT

Authorize a professional services contract with Brinkley Sargent Architects for an Indoor and Outdoor Recreation Master Plan for base mapping, collection of data on leagues, athletic associations and recreation programs, interviews with key entities and stakeholders, trends analysis, staff workshops, public meetings, demographic analysis, development of programming strategies, recreation program analysis, partnership analysis, analysis of programming and operational issues, and a final report - $477,500 - Financing: 2006 Bond Funds

BACKGROUND

In an effort to ensure that recreation program offerings and services are current and desirable to the community, the Park and Recreation Department has engaged the Brinkley Sargent Architects to perform an Indoor and Outdoor Recreation Master Plan. This Master Plan is a continuation of the efforts begun by the Renaissance Plan of which was adopted in 2002 to re-establish the Dallas park system as a state and national leader.

The master plan will be heavily focused on gathering input from citizens and community leaders by utilizing focus groups, community meetings and survey tools as well as recreation program analysis. Specifically, the scope of work includes: base mapping; collection of data on leagues, athletic associations and recreation programs; interviews with key entities and stakeholders; trends analysis; staff workshops; public meetings; demographic analysis; development of programming strategies; recreation program analysis; partnership analysis; analysis of programming and operational issues; and a final report including recommendations.

ESTIMATED SCHEDULE OF PROJECT

Begin Master Plan August 2008
Complete Master Plan June 2009
PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized an Indoor and Outdoor Recreation Master plan on June 5, 2008.

FISCAL INFORMATION

2006 Bond Funds - $477,500

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Brinkley Sargent Architects

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<tr>
<td>Other Female</td>
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OWNERS

Brinkley Sargent Architects

Dwayne M. Brinkley, Senior Principal/AIA
Harold E. Sargent, Senior Principal/AIA
Gary D. Beeman, Senior Principal/AIA
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Brinkley Sargent Architects for an Indoor and Outdoor Recreation Master Plan - $477,500 - Financing: 2006 Bond Funds

Brinkley Sargent Architects is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

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<th>Amount</th>
<th>Percent</th>
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Non-Local Contractors / Sub-Contractors

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TOTAL M/WBE CONTRACT PARTICIPATION

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<td>6.48%</td>
<td>$74,500.00</td>
<td>15.60%</td>
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WHEREAS, it is necessary to hire a firm to provide for an Indoor and Outdoor Recreation Master Plan, and the firm of Brinkley Sargent Architects has presented a proposal dated April 29, 2008 to provide these services for a fee not to exceed $477,500.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to enter into a professional services contract with Brinkley Sargent Architects for an Indoor and Outdoor Recreation Master Plan, in an amount not to exceed $477,500.

SECTION 2. That the President of the Park and Recreation Board and the City Manager be authorized to execute the contract with Brinkley Sargent Architects, after approval as to form by the City Attorney's Office.

SECTION 3. That the City Controller be and is hereby authorized to pay the amount of $477,500 to Brinkley Sargent Architects from (2006) Park and Recreation Facilities Improvement Fund 7T00, Department PKR, Unit T351, Object 3070, Activity STMP, Program PK06T351, CT-PKR08018989, Commodity 91812, Vendor VS000001794.

SECTION 4. 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 # 59

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 11

DEPARTMENT: Park & Recreation

CMO: Paul D. Dyer, 670-4071

MAPSCO: 15-R

SUBJECT

Authorize an increase in the contract with Reeves Construction Services, Inc. for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane - $95,052, from $457,570 to $552,622 - Financing: 2003 Bond Funds

BACKGROUND

The original contract with Reeves Construction Services, Inc. for the installation of a new pavilion, site furnishings, landscaping, and installation of a new playground at Valley View Park located at 7000 Valley View Lane, in an amount not to exceed $457,570, was approved by Council on May 23, 2007, by Resolution No. 07-1530.

Change Order No. 1, approved by the Park and Recreation Board on June 5, 2008, provides for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane, in an amount not to exceed $95,052, making a revised contract amount of $552,622.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction July 2008
Complete Construction August 2008

PRIOR ACTION/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized advertisement for a Request for Competitive Sealed Proposals on November 16, 2006.

The Park and Recreation Board authorized award of the contract on April 19, 2007.
PRIOR ACTION/REVIEW (Council, Boards, Commissions)  (Continued)

City Council authorized award of the contract on May 23, 2007, by Resolution No. 07-1530.

The Park and Recreation Board authorized Change Order No. 1 on June 5, 2008.

FISCAL INFORMATION

2003 Bond Funds - $95,052

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Original Contract</td>
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<tr>
<td>Change Order No. 1 (this action)</td>
<td>$95,052</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$552,622</strong></td>
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M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Reeves Construction Services, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
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<th>Female</th>
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<tbody>
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<td>Other</td>
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</table>

OWNER

Reeves Construction Services, Inc.

David Reeves, President

MAP

Attached
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Reeves Construction Services, Inc. for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane - $95,052, from $457,570 to $552,622 - Financing: 2003 Bond Funds

Reeves Construction Services, Inc. is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
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<tbody>
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<td>Local contracts</td>
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<tr>
<td>Non-local contracts</td>
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<td>TOTAL THIS ACTION</td>
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<td>100.00%</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

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<td>10 Point Environmental</td>
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<td>Total Minority - Local</td>
<td></td>
<td>$49,961.00</td>
<td>82.26%</td>
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</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

<table>
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<th></th>
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<th>Participation to Date</th>
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</thead>
<tbody>
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<td>Total</td>
<td>$49,961.00</td>
<td>52.56%</td>
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WHEREAS, on February 8, 2007, Resolution No. 07-1530, Reeves Construction Services, Inc. was awarded a contract for the installation of a new pavilion, site furnishings, landscaping and irrigation, and the installation of a new playground at Valley View Park located at 7000 Valley View Lane for a contract amount of $457,570; and

WHEREAS, this Change Order provides for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane, in an amount not to exceed $95,052, increasing the contract amount from $457,570 to $552,622.

Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with Reeves Construction Services, Inc. for additional site work and revised pavilion lighting at Valley View Park located at 7000 Valley View Lane, in an amount not to exceed $95,052, increasing the contract amount from $457,570 to $552,622.

SECTION 2. That the City Controller be and is hereby authorized to pay the amount of $95,052 to Reeves Construction Services, Inc., from (2003) Neighborhood Park and Recreation Facilities Fund 4R05, Department PKR, Unit K284, Object 4599, Activity COPK, Program PK03K284, CT-PKR07018901, Commodity 91200, Vendor VS0000000569.

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 # 60

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 4

DEPARTMENT: Park & Recreation

CMO: Paul D. Dyer, 670-4071

MAPSCO: 58E

SUBJECT

Authorize a public hearing to be held on August 13, 2008 to receive comments on the proposed use of a portion of the Lower White Rock Creek Greenbelt by Dallas Area Rapid Transit for a tie-back easement to allow for the installation of an underground Soil Nail Wall System to support the Southeast Corridor Light Rail Transit Line - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal park land known as the Lower White Rock Creek Greenbelt located in southeast Dallas in Block 6230. This is passive-use park land which is used for open space preservation and nature trails.

Dallas Area Rapid Transit (DART) has requested that a permanent tie-back easement within the Lower White Rock Creek Greenbelt, totaling approximately 9,000 square feet of land, for the installation of an underground Soil Nail Wall System. This system is necessary to provide stabilization for the light rail project at this location.

In compliance with the law, DART has determined that there is a need and that no feasible and prudent 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.

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.

PRIOR ACTION

Authorized by the Park and Recreation Board on June 5, 2008.
FISCAL INFORMATION

This action has no cost consideration to the City.

MAP

Attached
WHEREAS, on February 28, 1990, the Dallas City Council adopted Resolution No. 90-0810, approving the Master Interlocal Agreement between the City and Dallas Area Rapid Transit (DART); and

WHEREAS, on July 25, 1990, Supplemental Agreement No. 1 to the Master Interlocal Agreement was adopted by the Dallas City Council to address planning and development issues related to implementation of DART's transportation system; and

WHEREAS, on August 28, 1991, Supplemental Agreement No. 2 to the Master Interlocal Agreement was adopted by the Dallas City Council to address design and construction issues related to implementation of DART's transportation system; and

WHEREAS, the Master Interlocal Agreement, Supplemental Agreement No. 1, Supplemental Agreement No. 2, and any amendments thereto are hereinafter collectively referred to as the “Agreement”; and

WHEREAS, DART has determined that a permanent tie-back easement is in the public interest and is necessary for the proper construction or development of DART’s Southeast Corridor (Line Section SE-1); and

WHEREAS, said improvements require the conveyance of a permanent tie-back easement of approximately 9,000 square feet of land from the Lower White Rock Creek Greenbelt, set forth in one Tract described in Exhibit A, attached hereto and made a part hereof, because the use of this parkland is necessary to accomplish the purpose, and the Park and Recreation Board of the City of Dallas is agreeable to providing the property for this use; and

WHEREAS, in consideration for this conveyance by easement, DART will pay the fair market value of this easement in the amount of $4,500 as determined by an independent appraisal; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as park land, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and
WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the utilization of the Lower White Rock Creek Greenbelt. Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise, in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less that one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on August 13, 2008.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of the public hearing, shall be construed as making the proper findings as to the use, taking and conveyance of park land, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. 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:
City Manager's Office - 4EN
City Attorney - 7DN
DART PARCEL NO. SE2-65(E)
PROPERTY OF CITY OF DALLAS
CITY OF DALLAS BLOCK 6230
ROBERT BETHURUM SURVEY, ABSTRACT 86
CITY OF DALLAS
DALLAS COUNTY, TEXAS

METES AND BOUNDS DESCRIPTION

BEING a 7,000 square feet tract of land situated in the Robert Bethurum Survey, Abstract Number 86, in the City of Dallas Block Number 6230, Dallas County, Texas, being part of the area designated "Open Space" of Bruton Ridge Estates, an addition to the City of Dallas, as recorded in Volume 2001056, Page 0013 of the Map Records of Dallas County, Texas, and being part of that certain tract of land described in deed to the City of Dallas as recorded in Volume 2001153, Page 7729 of the Deed Records of Dallas County, Texas, and being more particularly described by metes and bounds as follows:

COMMENCING at the northwest corner of said City of Dallas tract in the southeasterly line of that certain tract of land described in deed to Dallas Area Rapid Transit (DART, variable width) as recorded in Volume 88083, Page 4905 of said Deed Records, said corner being in a non-tangent curve to the left, from which a five-eighths inch steel rebar found (controlling monument) bears S. 85° 10' 59" W., distance of 9.25 feet;

THENCE, along the southeasterly line of said DART tract and along said curve to the left with a central angle of 04° 18' 36", a radius of 2,014.86 feet, a chord bearing of S. 23° 38' 20" W., a chord distance of 151.53 feet, Southwesterly, an arc distance of 151.56 feet to the end of curve;

THENCE, S. 26° 27' 55" W., continuing along the southeasterly line of said DART tract, a distance of 380.20 feet to a point for corner;

THENCE, S. 25° 47' 09" W., continuing along the southeasterly line of said DART tract, a distance of 306.62 feet to a P.K. nail with shiner set for the POINT OF BEGINNING (surface northing 6,960,089.85 and easting 2,520,507.86);

1. THENCE, S. 64° 12' 51" E., a distance of 35.00 feet to a one-half inch steel rebar with yellow plastic cap marked "AZB" set for corner;

2. THENCE, S. 25° 47' 09" W., a distance of 200.00 feet, to a one-half inch steel rebar with yellow plastic cap marked "AZB" set for corner;
3. **THENCE**, N. 64° 12' 51" W., a distance of 35.00 feet to a one-half inch steel rebar with yellow plastic cap marked “AZB” set for corner in the southeasterly line of said DART tract, from which a five-eighths inch steel rebar found (controlling monument) bears S. 25° 49' 49" W., a distance of 673.20 feet;

4. **THENCE**, N. 25° 47' 09" E., along the southeasterly line of said DART tract, a distance of 200.00 feet to the **POINT OR PLACE OF BEGINNING** and containing a computed area of 7,000 square feet or 0.1607 acres of land, more or less.

A Survey Plat of even date accompanies this property description.

**BASIS OF BEARING** established by measurements taken from Dallas Area Rapid Transit southeast corridor control numbers SE2-208 and SE2-209, using a grid to surface adjustment factor of 1.000136506.

I certify that this property description and attached plat represents a survey made on the ground under my supervision during the month of December 2007, as described above and the accompanying parcel plat. This survey was completed without benefit of a title report.

E. David Utzman
Registered Professional Land Surveyor
Texas Registration No. 4607
BASIS OF BEARINGS ESTABLISHED BY MEASUREMENTS TAKEN FROM DALLAS AREA RAPID TRANSIT SOUTH EAST CORRIDOR CONTROL NUMBERS SE2-208 AND SE2-209 USING A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506.

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.

PROPERTY DATA

<table>
<thead>
<tr>
<th>PROPERTY OWNER(S) OF RECORD</th>
<th>CITY OF DALLAS</th>
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</thead>
<tbody>
<tr>
<td>STREET ADDRESS</td>
<td>2100 BRUTON RD, DALLAS, TX 75217</td>
</tr>
<tr>
<td>DEED VOLUME</td>
<td>2001153, PG. 7729</td>
</tr>
<tr>
<td>SURVIVATION</td>
<td>BRUTON ROAD ESTATES, VOL. 2001153, PG. 7729, D.R.D.C.T.</td>
</tr>
</tbody>
</table>

COMPUTED LW | 30,984 AC |
| CONSTRUCTION EASEMENT | 0.1607 AC |

AREA SUMMARY

| AREA | 30,984 AC |
| PARCEL AREAS | 30,984 AC |
| WHOLE PROPERTY | 30,984 AC |

NOTE: BASIS OF BEARINGS ESTABLISHED BY MEASUREMENTS TAKEN FROM DALLAS AREA RAPID TRANSIT SOUTH EAST CORRIDOR CONTROL NUMBERS SE2-208 AND SE2-209 USING A GRID TO SURFACE ADJUSTMENT FACTOR OF 1.000136506.

THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE COMMITMENT.
MAP CHECK TRAVERSE/CLOSURE AND AREA

Tract name : SE2-65(E)

Origin :
Northing / Easting : 6,960,089.850  2,520,507.860

Course 1 : Southeast
Azimuth/Distance : S 64° 12' 51.0'' E ,  35.000'
Delta North/Delta East : -15.225  31.515
Northing / Easting : 6,960,074.625  2,520,539.375

Course 2 : Southwest
Azimuth/Distance : S 25° 47' 9.0'' W ,  200.000'
Delta North/Delta East : -180.085  -87.002
Northing / Easting : 6,959,894.539  2,520,452.373

Course 3 : Northwest
Azimuth/Distance : N 64° 12' 51.0'' W ,  35.000'
Delta North/Delta East : 15.225  -31.515
Northing / Easting : 6,959,909.765  2,520,420.858

Course 4 : Northeast
Azimuth/Distance : N 25° 47' 9.0'' E ,  200.000'
Delta North/Delta East : 180.085  87.002
Northing / Easting : 6,960,089.850  2,520,507.860

TOTAL LENGTH OF TRAVERSE = 470 FEET
CLOSURE : S 0° 0' 0.0'' W ,  0.000' : Closes flat !!!
Parcel Area = 7,000.00 SQ. FT.
Parcel Area = 0.1607 ACRES
AGENDA ITEM # 61

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 2, 3, 6, 13, 14

DEPARTMENT: Park & Recreation

CMO: Paul D. Dyer, 670-4071


SUBJECT

Authorize a public hearing to be held on August 13, 2008 to receive comments on the use of subsurface parkland for natural gas drilling and mineral production at Arcadia Park, Arlington Park, Bachman Lake Park, Brownwood Park, California Crossing Park, Cedar Ridge Preserve, City Paupers Cemetery, Crown Park, Elm Fork Greenbelt, Emerald Lake Park, Emma Carter Park, Escarpment Greenbelt, Fox Haven Park, Fox Hollow Park, Grauwyler Park, L.B. Houston Park, Marcus Park, Mountain Creek Lake Park, Mountain Valley Park, Overlake Park, Pegasus Park, Sleepy Hollow Park, and Trinity Park - Financing: No cost consideration to the City

BACKGROUND

In 2008, the City of Dallas leased the subsurface mineral rights for 5,181.5 acres of city property including 3,894.85 acres of municipally owned parkland.

The City of Dallas is prohibiting surface level drilling and mineral production on parkland as part of the gas leases. The City of Dallas has taken great efforts to ensure none of the surface level recreational uses will be disturbed. All natural gas drilling and production will take place at an off-site location through methods such as directional drilling. Accordingly, no park assets or recreational activities will be impacted.
BACKGROUND (CONTINUED)

The City of Dallas will seek to enter into a Memorandum of Understanding with the Texas Parks and Wildlife Department relating to the use of revenue that is generated from parkland that has been directly acquired with Texas parks and Wildlife grants. Revenue from subsurface mineral leases will be apportioned on a per-acre basis. Revenue generated from park property acquired with Texas Parks and Wildlife Department grants will be deposited into a park land acquisition and improvement account for park purposes only. Of the 3,894.85 acres of leased parkland the City has identified 268.9 acres of parkland that has been acquired using the Texas Parks and Wildlife Department's local acquisition and development grants. Revenue that is generated from the remaining 3625.95 park acres that have not been acquired or developed with Texas Parks and Wildlife grants will support the general fund.

To the extent that subsurface gas and mineral production 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 subsurface park land.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized by the Park and Recreation Board on June 5, 2008.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached.
WHEREAS, on February 7, 2008, the City of Dallas leased the subsurface mineral rights for 5,181.5 acres of city owned property including 3,894.85 acres of parkland including Arcadia, Arlington, Bachman Lake, Brownwood, California Crossing, Cedar Ridge Preserve, City Paupers Cemetery, Crown, Elm Fork Greenbelt, Emerald Lake, Emma Carter, Escarpment Greenbelt, Fox Haven, Fox Hollow, Grauwyler, LB Houston, Marcus, Mountain Creek Lake, Mountain Valley, Overlake, Pegasus, Sleepy Hollow, and Trinity Greenbelt parks; and

WHEREAS, 268.9 acres of leased parkland were acquired with the assistance of Texas Parks and Wildlife Department acquisition and development grants; including Marcus, Fox Hollow, and Trinity Greenbelt parks; and

WHEREAS, the City of Dallas has requested to the extent that subsurface natural gas drilling and production could be considered a use, that the subsurface use of all parkland be to allow for off-site subsurface natural gas drilling; and

WHEREAS, the City of Dallas will prohibit surface level drilling and mineral production on all parkland and any subsurface mineral extraction will take place at an off-site location as to not reduce or distract from any of the recreation uses or experiences of the parks in question; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as park land, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to the utilization of a portion of subsurface parkland; Now, Therefore,

BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the Park and Recreation Department is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on August 13, 2008.
SECTION 2. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking and conveyance of park land, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

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 # 62

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: Ryan S. Evans, 670-3314

MAPSCO: N/A

SUBJECT

Authorize a Memorandum of Understanding with the Dallas Independent School District to set out the policies and procedures for providing School Crossing Guard Service for the 2007-2008 school year - Revenue: $33,201

BACKGROUND

In response to a request from the Dallas Independent School District (DISD), the City of Dallas has entered into a Memorandum of Understanding (MOU) for the 2007-2008 school year. The purpose of the MOU is to set out a common understanding of the policies and procedures that the Dallas Police Department and the DISD Police Department will follow in providing School Crossing Guard Service to the citizens of Dallas, Dallas County and/or the State of Texas.

The Dallas Police Department, Traffic Section, School Crossing Unit agrees to provide 38 school crossing guards and 2 crossing guard supervisors for School Crossing Guard Service on Mondays, Tuesdays and Wednesdays from 4:30 p.m. to 5:30 p.m. for all DISD Elementary Learning Centers. This schedule exceeds the normal business hours of the School Crossing Unit; therefore, DISD will reimburse the City for the additional School Crossing Guard Service. The MOU shall continue through the duration of the 2007-2008 school year. This MOU is not intended, and shall not be construed, to create liabilities upon the parties in subsequent fiscal years.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to the Public Safety Committee on June 16, 2008.

FISCAL INFORMATION

Revenue - $33,201
WHEREAS, the City of Dallas and the Dallas Independent School District desire to enter into a Memorandum of Understanding for the purpose to set out policies and procedures that the Dallas Police Department, and the Dallas ISD Police Department will follow in providing School Crossing Guard Service to the citizens of Dallas, Dallas County and/or the State of Texas; and

WHEREAS, that this Memorandum of Understanding is a formal agreement to clarify jurisdiction, define parameters and areas of responsibilities, and to establish a spirit of cooperation to enhance the School Crossing Guard Service that both agencies provide to the citizens residing within the corporate limits of the City of Dallas; and

WHEREAS, that the terms and conditions of this Memorandum of Understanding are in accordance with the provisions of the Texas Education Code, Section 37.081;

Now, Therefore,

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

Section 1. That the City Manager be and is hereby authorized to execute a Memorandum of Understanding with the Dallas Independent School District, for the purpose to set out policies and procedures that the Dallas Police Department, and the Dallas ISD Police Department will follow in providing School Crossing Guard Service for the duration of the 2007-2008 school year.

Section 2. That the City Controller be hereby authorized to receive and deposit funds from this agreement in Fund 0001, Dept. DPD, Unit 2127, Revenue Source Code 6526.

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.
SUBJECT

Authorize (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation; and (2) an additional payment to the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Park Lane from Boedeker Drive to Greenville Avenue - $748,055 - Financing: 2003 Bond Funds

BACKGROUND

Because of the addition of recently approved Regional Toll Revenue (RTR) funds from the proceeds of the State Highway 121 deal, the existing agreement with the Texas Department of Transportation (TxDOT) for Park Lane from Boedeker Drive to Greenville Avenue needs to be changed to include these funds. Park Lane’s current estimated total cost is $11,600,000.

Park Lane from US 75 to Greenville Avenue and from Boedeker Street to US 75 were selected as candidate projects to be funded with Surface Transportation Program - Metropolitan Mobility funds, provided by the Intermodal Surface Transportation Efficiency Act. This program provided federal funding for the design and construction of new thoroughfares and the widening of existing thoroughfares. The City’s matching funds were provided in the 1995, 1998, and 2006 bond programs in the amounts of $47,000, $1,457,000, and, $1,914,450 for a total of $3,418,450.

The scope of the overall project is to widen Park Lane from four-lane undivided to five-lane divided from Boedeker Street to US 75 and from four-lane divided to a six-lane divided roadway from US 75 to Greenville Avenue. There will also be intersection and transition improvements at all the major intersections. TxDOT and City staff have worked very closely with adjacent property owners (Harvest Partners, Dunhill Partners, Northpark, and others) to develop a scope acceptable to all.
BACKGROUND (Continued)

This action will authorize a Local Project Advanced Funding Agreement with TxDOT and will authorize the City's share for design. Future council action will be required to authorize right-of-way acquisition and establish the City's share of construction funding.

ESTIMATED SCHEDULE OF PROJECT

Began Design June 1997
Complete Design September 2008
Begin Construction January 2010
Complete Construction January 2011

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an Interlocal Agreement with the Texas Department of Transportation for Park Lane from US 75 to Greenville Avenue on January 8, 1997, by Resolution No. 97-0094.

Authorized an Interlocal Agreement with the Texas Department of Transportation for Park Lane from US 75 to Boedeker Drive on June 11, 1997, by Resolution No. 97-1942.

Authorized an Interlocal Agreement with the Texas Department of Transportation for Park Lane from Boedeker Drive to Greenville Avenue on February 27, 2007, by Resolution No. 07-0657.

FISCAL INFORMATION

2003 Bond Funds - $748,054.30

<table>
<thead>
<tr>
<th>Council Districts</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>9</td>
<td>$ 44,884.00</td>
</tr>
<tr>
<td>13</td>
<td>$703,170.30</td>
</tr>
<tr>
<td>Total</td>
<td>$748,054.30</td>
</tr>
</tbody>
</table>

MAP

Attached.
WHEREAS, Park Lane from US 75 (North Central Expressway) to Boedeker Street was nominated as a candidate project in the Surface Transportation Program-Metropolitan Mobility (STP-MM), provided for by the Intermodal Surface Transportation Efficiency Act (ISTEA) and received $3,027,200 of ISTEA funding to be matched by $756,800 of local funding for design, construction, and other miscellaneous expenses; and,

WHEREAS, Park Lane from US 75 (North Central Expressway) to Greenville Avenue was nominated as a candidate project in the Surface Transportation Program-Metropolitan Mobility (STP-MM), provided for by the Intermodal Surface Transportation Efficiency Act (ISTEA) and received $2,988,800 of ISTEA funding to be matched by $742,200 of local funding for design, construction, and other miscellaneous expenses; and,

WHEREAS, on January 8, 1997, Resolution No. 97-0094 authorized the Interlocal Agreement with the Texas Department of Transportation (TxDOT) for the design and construction of Park Lane from US 75 to Greenville Avenue; and,

WHEREAS, on June 11, 1997, Resolution No. 97-1942 authorized the Interlocal Agreement with TxDOT for the design and construction of Park Lane from US 75 to Boedeker Street; and,

WHEREAS, on February 27, 2007, Resolution No. 07-0657 authorized an Interlocal Agreement with TxDOT for the design and construction of Park Lane from Boedeker Drive to Greenville Avenue; and,

WHEREAS, the City of Dallas desires to enter into a new Local Project Advanced Funding Agreement (LPAFA) with TxDOT which includes Regional Toll Revenue funds from the State Highway 121 deal for the design and construction of Park Lane from Boedeker Drive to Greenville Avenue; and,

WHEREAS, the City of Dallas shall remit an additional warrant payable to TxDOT upon execution of the LPAFA in the amount of $748,054.30 which represents the City’s estimated share of the engineering costs.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a Local Project Advanced Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Park Lane from Boedeker Drive to Greenville Avenue, after it has been approved as to form by the City Attorney.
Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

    Street and Transportation Improvements Fund
    Fund 5R22, Department PBW, Unit N080, Act. THRG
    Obj. 4111, Program #PB98N080, CT PBW98N080I1
    Vendor # 239588, in an amount not to exceed $748,054.30

Section 3. That the City controller is hereby authorized to deposit any unused Bond Funds advanced to TxDOT pertaining to this project into Fund 5R22, Department PBW, Unit N080, Object 4111.

Section 4. 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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Dawna Brown, 1500 Marilla, L1BS
Controller's Office, Sherrian Parham, 1500 Marilla, 4BN
City Attorney
Authorize payment to the North Central Texas Council of Governments for the City's participation in the FY 07-08 Regional Public Works Program - Not to exceed $40,955 - Financing: Current Funds (to be reimbursed by Storm Water Drainage Management Funds)

BACKGROUND

The annual Regional Public Works Program administered by the North Central Texas Council of Governments (NCTCOG) includes four items for continuing development in the current fiscal year. This program is a cooperative effort involving several counties and over eighty municipalities. This program is beneficial to Dallas by developing standards and more rigorous criteria that can be applied area-wide so that there is no adverse impact to Dallas. For example, this program includes further development and implementation of Integrated Stormwater Management (iSWM); if adopted, communities would adopt a uniform 100-year flood design criteria, using recently updated rainfall data, and would establish the standard of ensuring there are no adverse impacts caused by flooding or erosion at any point downstream. Since Dallas is downstream of many potential users of iSWM, this would ensure that flooding and erosion in Dallas would not increase due to further development upstream.

This program is funded through participation of counties and municipalities in the NCTCOG region. Based on population, Dallas' share is $40,955, out of a total program cost of $497,000.

The components of the Regional Public Works Program are:

Integrated Stormwater Management (iSWM) – development and implementation of a comprehensive drainage design process for municipal engineering and private development.
**BACKGROUND** (Continued)

Tri-SWM – merging of transportation programs with iSWM drainage criteria.


Digital Flood Insurance Rate Maps (dFIRM) – Support, including ordinance workshops and regional coordination during dFIRM implementation.

NCTCOG’s proposed regional initiatives should also pay dividends as adjacent municipalities adopt the more rigorous standards, by reducing flooding and erosion impacts and pollutants generated in watersheds that drain to Dallas as a result of further development or redevelopment. Dallas' share of the cost is less than 10% of the total program amount.

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

Authorized first-year funding on February 12, 2003, by Resolution No. 03-0636.

Briefed the Health, Environmental and Human Services Committee on February 23, 2004.

Authorized second-year funding on May 12, 2004, by Resolution No. 04-1560.

Authorized third-year funding on September 14, 2005, by Resolution No. 05-2654.

Authorized fourth-year funding on September 27, 2006, by Resolution No. 06-2610.

Authorized fifth-year funding on June 27, 2007, by Resolution No. 07-2035.

**FISCAL INFORMATION**

Current Funds - $40,955 (to be reimbursed by Storm Water Drainage Management Funds)
WHEREAS, on February 12, 2003, Resolution No. 03-0636 authorized payment to the North Central Texas Council of Governments (NCTCOG) for Dallas’ participation in the first-year of the Integrated Storm Water Management (iSWM) process; and,

WHEREAS, on May 12, 2004, Resolution No. 04-1560 authorized payment to the North Central Texas Council of Governments (NCTCOG) for Dallas’ participation in the second-year of the Integrated Storm Water Management (iSWM) process; and,

WHEREAS, on September 14, 2005, Resolution No. 05-2654 authorized payment to the North Central Texas Council of Governments (NCTCOG) for Dallas' participation in the third-year of the Integrated Storm Water Management (iSWM) process; and,

WHEREAS, on September 28, 2006, Resolution No. 06-2610 authorized payment to the North Central Texas Council of Governments (NCTCOG) for Dallas' participation in the fourth-year of the Integrated Storm Water Management (iSWM) process; and,

WHEREAS, on June 27, 2007, Resolution No. 07-2035 authorized payment to the North Central Texas Council of Governments (NCTCOG) for Dallas’ participation in the fifth-year of the Integrated Storm Water Management (iSWM) process; and,

WHEREAS, it is in Dallas’ interest to develop uniform criteria and policies with adjacent municipalities and to participate in regional efforts to do so; and,

WHEREAS, it is necessary to appropriate funding for Dallas’ share for the FY 07-08 Regional Public Works Program.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to make payment to the North Central Texas Council of Governments for the City’s participation in the FY 07-08 Regional Public Works Program.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Current Funds (to be reimbursed by Storm Water Drainage Management Funds)
Fund 0001, Department PBW, Unit 3016, Obj. 3070
Act. PB25, Program #PB3016, CT PDPBW3016H002
Vendor #066264, in an amount not to exceed $40,955.00
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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Modesta Pena, OCMC, Room 307
SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area, Regional Detention - $1,706,515 - Financing: 2006 Bond Funds

BACKGROUND

This action will provide for the engineering design of a thoroughfare project, a bridge and a detention basin. The engineering design and construction of these projects are funded in the 2006 Bond Program.

This will include design of a new thoroughfare built to the current City standards as specified in the City's thoroughfare plan. The improvements will provide a four-lane undivided reinforced concrete roadway with curb and gutter, sidewalks, drive approaches, storm drainage, water and wastewater adjustments, a bridge and a detention basin facility.

This represents the City of Dallas' infrastructure participation in the development of the area of the Inland Port in partnership with Allen Development of Texas, L.L.C.

ESTIMATED SCHEDULE OF PROJECT

- Begin Design: July 2008
- Complete Design: July 2009
- Begin Construction: August 2009
- Complete Construction: March 2010
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Development Agreement with Allen Development of Texas, LLC, on June 13, 2007, by Resolution 07-1818.

FISCAL INFORMATION

2006 Bond Funds - $22,370,146

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
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<td>$ 1,706,515.00</td>
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<tr>
<td>Construction</td>
<td></td>
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<tr>
<td>Paving &amp; Drainage (PBW)</td>
<td>$19,806,000.00 (est)</td>
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<td>Total</td>
<td>$21,512,515.00 (est.)</td>
</tr>
</tbody>
</table>

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Kimley-Horn and Associates, Inc.

<table>
<thead>
<tr>
<th>Ethnic Group</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
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</tr>
<tr>
<td>Hispanic Male</td>
<td>8</td>
</tr>
<tr>
<td>African-American Female</td>
<td>10</td>
</tr>
<tr>
<td>African-American Male</td>
<td>3</td>
</tr>
<tr>
<td>Other Female</td>
<td>5</td>
</tr>
<tr>
<td>Other Male</td>
<td>5</td>
</tr>
<tr>
<td>White Female</td>
<td>47</td>
</tr>
<tr>
<td>White Male</td>
<td>109</td>
</tr>
</tbody>
</table>

OWNER(S)

Kimley-Horn and Associates, Inc.

Rod Swindler, Principal

MAP(S)

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area, Regional Detention - $1,706,515 - Financing: 2006 Bond Funds

Kimley Horn and Associates, Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$1,706,515.00</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$1,706,515.00</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local Contractors / Sub-Contractors</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>BDS Technologies</td>
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<tr>
<td>STL Engineers</td>
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<tr>
<td>Dal Tech Engineers</td>
<td>WFWB34566Y0808</td>
<td>$323,850.00</td>
<td>18.98%</td>
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<tr>
<td>Total Minority - Local</td>
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<td>$447,075.00</td>
<td>26.20%</td>
</tr>
</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>2.99%</td>
<td>$51,000.00</td>
<td>2.99%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>4.23%</td>
<td>$72,225.00</td>
<td>4.23%</td>
</tr>
<tr>
<td>Asian American</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>0.00%</td>
<td>$0.00</td>
<td>0.00%</td>
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<tr>
<td>WBE</td>
<td>18.98%</td>
<td>$323,850.00</td>
<td>18.98%</td>
</tr>
<tr>
<td>Total</td>
<td>26.20%</td>
<td>$447,075.00</td>
<td>26.20%</td>
</tr>
</tbody>
</table>
WHEREAS, Kimley-Horn and Associates, Inc. was selected to provide the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area - Regional Detention project.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Kimley-Horn and Associates, Inc. for the engineering design of a thoroughfare project for Bonnie View Road, from Langdon Road to the Hutchins city limits, and a flood management project located at the Inland Port Area in an amount not to exceed $1,706,515.00.

Section 2. That the City Manager is hereby authorized to execute the contracts after they have been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts:

- Flood Protection and Storm Drainage Facilities Fund
  Fund 6T23, Dept. PBW, Unit T507, Act. FLDM
  Obj. 4111, Program #PB06T507, CT PBW06T507I1-01
  Vendor #135447, in an amount not to exceed $303,825.00

- Street and Transportation Improvements Fund
  Fund 6T22, Dept. PBW, Unit U776, Act. THRF
  Obj. 4111, Program #PB06U776, CT PBW06T507I1-02
  Vendor #135447, in an amount not to exceed $1,402,690.00

Total in an amount not to exceed $1,706,515.00

Section 4. 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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Modesta Pena, OCMC, Room 307
Esther Darden, Water Utilities, 3AN
City Attorney
Sherrian Parham, Controller's Office, 4BN
AGENDA ITEM # 66

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works & Transportation

CMO: Ramon F. Miguez, P.E., 670-3308

MAPSCO: 36 TX

SUBJECT

Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue - $135,431 - Financing: 2003 Bond Funds ($13,786) and 2006 Bond Funds ($121,645)

BACKGROUND

This action will provide for the engineering design of a streetscape/urban design project. The engineering design and construction of this project is funded by the 2003 Bond Program and 2006 Bond Program.

The area along Greenville Avenue between Belmont Avenue and Ross Avenue experienced growth and re-development in recent years. New restaurants and retail businesses in the area created a need for a more pedestrian friendly environment. A sidewalk improvement plan will be required to identify and address the pedestrian needs.

The improvements will provide new Americans with Disabilities Act (ADA) compliance sidewalks with barrier free ramps, drive approaches, landscaping, irrigation and pedestrian crosswalks.

ESTIMATED SCHEDULE OF PROJECT

<table>
<thead>
<tr>
<th>Activity</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Begin Design</td>
<td>July 2008</td>
</tr>
<tr>
<td>Complete Design</td>
<td>February 2009</td>
</tr>
<tr>
<td>Begin Construction</td>
<td>June 2009</td>
</tr>
<tr>
<td>Complete Construction</td>
<td>March 2010</td>
</tr>
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</table>

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

2003 Bond Funds - $13,785.50
2006 Bond Funds - $121,645.00

Design (this action) $135,430.50
Construction
Paving & Drainage (PBW) $695,899.00 (est.)
Total $831,329.50 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Urban Engineers Group, Inc.

Hispanic Female 1 Hispanic Male 0
African-American Female 0 African-American Male 1
Other Female 0 Other Male 2
White Female 1 White Male 0

OWNER(S)

Urban Engineers Group, Inc.

Faisal S. Syed, P.E., Professional Traffic Operation Engineer, LEED AP, Principal

MAP(S)

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Urban Engineers Group, Inc. for the engineering design of a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue - $135,431 - Financing: 2003 Bond Funds ($13,786) and 2006 Bond Funds ($121,645)

Urban Engineers Group, Inc. is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$135,430.50</td>
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<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$135,430.50</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
<td>Urban Engineers Group, Inc.</td>
<td>HFDB33931Y0508</td>
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<tr>
<td>Dal-Tech</td>
<td>WFWB34566Y0808</td>
<td>$24,600.00</td>
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<tr>
<td>Walker Reprographics</td>
<td>WFWB35044N1008</td>
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<tr>
<td>Total Minority - Local</td>
<td>$113,840.50</td>
<td>84.06%</td>
</tr>
</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
<td>$0.00</td>
</tr>
<tr>
<td>Hispanic American</td>
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<td>Asian American</td>
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<tr>
<td>Native American</td>
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<td>$0.00</td>
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<td>WBE</td>
<td>$27,600.00</td>
<td>20.38%</td>
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<tr>
<td>Total</td>
<td>$113,840.50</td>
<td>84.06%</td>
<td>$113,840.50</td>
</tr>
</tbody>
</table>
STREETSCAPE
GREENVILLE AVENUE
FROM BELMONT AVENUE TO ROSS AVENUE

THIS PROJECT

MAPSCO 36 T&X

Copyright 1999 MapSCO and Trade Space
WHEREAS, Urban Engineers Group, Inc. was selected to provide the engineering design of a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Urban Engineers Group, Inc. for the engineering design for a streetscape/urban design project for Greenville Avenue from Belmont Avenue to Ross Avenue in the amount of $135,430.50.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

<table>
<thead>
<tr>
<th>Fund Description</th>
<th>Vendor</th>
<th>Amount</th>
</tr>
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<tbody>
<tr>
<td>Street and Transportation Improvements Fund</td>
<td></td>
<td>$13,785.50</td>
</tr>
<tr>
<td>Fund 4R22, Dept. PBW, Unit U737, Act. SSUD</td>
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<tr>
<td>Obj. 4111, Program #PB06U737, CT PBW06U737I1-01</td>
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<td>Vendor #511462, in an amount not to exceed</td>
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<td>Street and Transportation Improvements Fund</td>
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<td>$121,645.00</td>
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<td>Fund 7T22, Dept. PBW, Unit U737, Act. SSUD</td>
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<tr>
<td>Obj. 4111, Program #PB06U737, CT PBW06U737I1-02</td>
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<tr>
<td>Vendor #511462, in an amount not to exceed</td>
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<td></td>
</tr>
<tr>
<td>Total in an amount not to exceed</td>
<td></td>
<td>$135,430.50</td>
</tr>
</tbody>
</table>

Section 4. 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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Dell Cole, OCMC, Room 307
City Attorney
Sherrian Parham, Controller's Office - 4BN
Subject: Authorize a contract for the construction of street paving, drainage and water main improvements for Street Group 03-447 (list attached) - Jeske Construction Company, lowest responsible bidder of five - $1,022,005 - Financing: 2003 Bond Funds ($320,364), 2006 Bond Funds ($520,576) and Water Utilities Capital Construction Funds ($181,065)

Background:

West Brooklyn Avenue from South Edgefield Avenue to Winnetka Avenue will consist of upgrading the existing unimproved 2-lane asphalt street with a 30-foot wide concrete pavement with curbs, sidewalks, barrier free ramps, drive approaches and water main improvements. Funding for the construction of Brooklyn Avenue is in the 2003 Bond Program.

West Ninth Street improvements from North Westmoreland Road to Ravinia Drive will consist of upgrading the existing unimproved 2-lane asphalt street with a 26-foot wide concrete pavement with curbs, sidewalks, barrier free ramps, drive approaches, storm drainage, water and wastewater main improvements. Funding for the construction of West Ninth Street is in the 2006 Bond Program.

The following chart shows Jeske Construction Company's completed contractual activities for the past three years:

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<th></th>
<th>PWT</th>
<th>WTR</th>
<th>PKR</th>
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</thead>
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<tr>
<td>Projects Completed</td>
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<td>4</td>
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<tr>
<td>Change Orders</td>
<td>0</td>
<td>0</td>
<td>6</td>
</tr>
<tr>
<td>Projects Requiring Liquidated Damages</td>
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<td>0</td>
</tr>
<tr>
<td>Projects Completed by Bonding Company</td>
<td>0</td>
<td>0</td>
<td>0</td>
</tr>
</tbody>
</table>
ESTIMATED SCHEDULE OF PROJECT

Began Design May 2006
Completed Design September 2006
Begin Construction August 2008
Complete Construction March 2009

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract on April 12, 2006, by Resolution No. 06-1036.

Authorized Supplemental Agreement No. 1 to the professional services contract on February 12, 2008, by Administrative Action 08-0800.

Authorized street paving improvements and a benefit assessment hearing on April 23, 2008, by Resolution No. 08-1283.

Authorized a benefit assessment hearing and an ordinance levying assessments on June 11, 2008, by Resolution No. 08-1717 and Ordinance No. 27220.

FISCAL INFORMATION

2003 Bond Funds - $320,364
2006 Bond Funds - $520,576
Water Utilities Capital Construction Funds - $181,065

Design (PWT) $ 79,990.00
Construction
  Paving & Drainage (PWT) $ 840,940.00
  Wastewater (DWU) $ 181,065.00
Supplemental Agreement No. 1 $ 9,415.00

Total Project Cost $ 1,111,410.00

M/WBE INFORMATION

See attached.
ETHNIC COMPOSITION

Jeske Construction Company

Hispanic Female 0  Hispanic Male 20
African-American Female 0  African-American Male 7
Other Female 0  Other Male 0
White Female 1  White Male 5

BID INFORMATION

The following bids with quotes were received and opened on May 1, 2008:

*Denotes successful bidder(s)

<table>
<thead>
<tr>
<th>BIDDERS</th>
<th>BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>*Jeske Construction Company</td>
<td>$1,022,005.00</td>
</tr>
<tr>
<td>P.O. Box 59025</td>
<td></td>
</tr>
<tr>
<td>Dallas, TX 75229</td>
<td></td>
</tr>
<tr>
<td>McMahon Contracting, L.P.</td>
<td>$1,045,428.50</td>
</tr>
<tr>
<td>Tiseo Paving Company</td>
<td>$1,150,154.60</td>
</tr>
<tr>
<td>Texas Standard Construction</td>
<td>$1,212,568.00</td>
</tr>
<tr>
<td>P.E. Contractors, Inc.</td>
<td>$1,255,740.00</td>
</tr>
</tbody>
</table>

Original estimate: PBW - $1,243,334

OWNER(S)

Jeske Construction Company

Steve Jeske, President

MAP

Attached.
<table>
<thead>
<tr>
<th>Project</th>
<th>Limits</th>
<th>Council District</th>
</tr>
</thead>
<tbody>
<tr>
<td>West Brooklyn Avenue</td>
<td>South from Edgefield Avenue to Winnetka Avenue</td>
<td>1</td>
</tr>
<tr>
<td>West Ninth Street</td>
<td>North from Westmoreland Road</td>
<td></td>
</tr>
</tbody>
</table>
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a contract for the construction of street paving, drainage and water main improvements for Street Group 03-447 (list attached) - Jeske Construction Company, lowest responsible bidder of five - $1,022,005 - Financing: 2003 Bond Funds ($320,364), 2006 Bond Funds ($520,576) and Water Utilities Capital Construction Funds ($181,065)

Jeske Construction is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total local contracts</td>
<td>$1,022,005.00</td>
<td>100.00%</td>
</tr>
<tr>
<td>Total non-local contracts</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>TOTAL CONTRACT</td>
<td>$1,022,005.00</td>
<td>100.00%</td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>WM Bussey Trucking</td>
<td>BMMB37206Y0409</td>
<td>$6,400.00</td>
<td>0.63%</td>
</tr>
<tr>
<td>I&amp;H Concrete Cutting</td>
<td>BMDB35345Y1008</td>
<td>$3,000.00</td>
<td>0.29%</td>
</tr>
<tr>
<td>Tri Star Utilities</td>
<td>HMNB3596N1208</td>
<td>$286,050.00</td>
<td>27.99%</td>
</tr>
<tr>
<td>Total Minority - Local</td>
<td></td>
<td>$295,450.00</td>
<td>28.91%</td>
</tr>
</tbody>
</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

| African American | $9,400.00 | 0.92% | $9,400.00 | 0.92% |
| Hispanic American| $286,050.00 | 27.99% | $286,050.00 | 27.99% |
| Asian American   | $0.00     | 0.00% | $0.00     | 0.00% |
| Native American  | $0.00     | 0.00% | $0.00     | 0.00% |
| WBE              | $0.00     | 0.00% | $0.00     | 0.00% |
| Total            | $295,450.00 | 28.91% | $295,450.00 | 28.91% |
WHEREAS, on April 12, 2006, Resolution No. 06-1036 authorized a professional services contract with Charles Gojer and Associates, Inc. to provide design improvements for West Brooklyn Avenue from South Edgefield to Winnetka Avenue and from West Ninth Street from North Westmoreland Road to Ravinia Drive; and,

WHEREAS, on February 12, 2008, Administrative Action No. 08-0800 authorized Supplemental Agreement No. 1 to the engineering contract with Charles Gojer and Associates, Inc., for the design of paving and drainage for West Brooklyn Avenue from South Edgefield Avenue to Winnetka Avenue; and,

WHEREAS, bids were received on May 1, 2008, for the construction of West Brooklyn Avenue from South Edgefield to Winnetka Avenue and from West Ninth Street from North Westmoreland Road to Ravinia Drive as follows:

<table>
<thead>
<tr>
<th>BIDDER(S)</th>
<th>BID AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jeske Construction Company</td>
<td>$1,022,005.00</td>
</tr>
<tr>
<td>McMahon Contracting, L.P.</td>
<td>$1,045,428.50</td>
</tr>
<tr>
<td>Tiseo Paving Company</td>
<td>$1,150,154.60</td>
</tr>
<tr>
<td>Texas Standard Construction</td>
<td>$1,212,568.00</td>
</tr>
<tr>
<td>P.E. Contractors, Inc.</td>
<td>$1,255,740.00</td>
</tr>
</tbody>
</table>

WHEREAS, on June 11, 2008, Resolution No. 08-1717 authorized a benefit assessment hearing to receive comments, and an ordinance levying assessments.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute the construction contract with Jeske Construction Company for the construction of street paving, drainage and water main improvements for Street Group 03-447 for improvements to West Brooklyn Avenue from South Edgefield to Winnetka Avenue and from West Ninth Street from North Westmoreland Road to Ravinia Drive in an amount not to exceed $1,022,005, this being the lowest responsive bid received as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.
Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Street and Transportation Improvements Fund
Fund 6R22, Department PBW, Unit R513, Act. STPT
Obj. 4510, Program #PB03SP01, CT PBW03SP01I1-01
Vendor #083791, in an amount not to exceed $320,364.00

Street and Transportation Improvements Fund
Fund 7T22, Department PBW, Unit U295, Act. STPT
Obj. 4510, Program #PB06U295, CT PBW03SP01I1-02
Vendor #083791, in an amount not to exceed $520,576.00

Water Construction Fund
Fund 0102, Department DWU, Unit CW42, Act. RELP
Obj. 4550, Program #707227, Rept. WW57, CT PBW707227EA
Vendor #083791, in an amount not to exceed $154,019.00

Water Construction Fund
Fund 0102, Department DWU, Unit CW42, Act. RELP
Obj. 3221, Program #707227X, Rept. WW57, CT PBW707227EN
Vendor #083791, in an amount not to exceed $7,315.00

Wastewater Construction Fund
Fund 0103, Department DWU, Unit CS42, Act. RELP
Obj. 3222, Program #707228, Rept. TN57, CT PBW707228EN
Vendor #083791, in an amount not to exceed $1,526.00

Wastewater Construction Fund
Fund 0103, Department DWU, Unit CS42, Act. TN57
Obj. 4560, Program #707228, Rept. TN57, CT PBW707228EA
Vendor #083791, in an amount not to exceed $18,205.00

Total in an amount not to exceed $1,022,005.00

Section 4. 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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Paulette Williams, OCMC, Room 307
Sherriam Parham, Controller's Office, 4BN
AGENDA ITEM # 68

KEY FOCUS AREA: Economic Vibrancy
Better Cultural, Arts and Recreational Amenities

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 6

DEPARTMENT: Public Works & Transportation
Library

CMO: Ramon F. Miguez, P.E., 670-3308
David O. Brown, 670-3390

MAPSCO: 23Z

SUBJECT

Authorize (1) an increase in the contract with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system; and (2) extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road - Not to exceed $175,478, from $4,254,384 to $4,429,862 - Financing: 2003 Bond Funds

BACKGROUND

The Library Master Plan, as developed by the Hillier Group and approved by City Council, indicated a need for a replacement library for the existing Walnut Hill Branch facility. In the 2003 Bond Program, the citizens of Dallas approved funding for design and construction of a new library facility to serve the Northwest Dallas area. Bonds were sold in November 2003, in the amount of $1,800,000 and in November 2004, in the amount of $513,000. In November 2005, bonds were sold in the amount of $5,700,832, for a total of $8,013,832.

The Bachman Lake Branch Library, located at the corner of Webb Chapel Road and El Centro Drive, is to be a new, 19,700 square foot facility that will include a "black box" theater for use by community arts organizations. This facility will achieve LEED Silver certification under the LEED (Leadership in Energy & Environmental Design) program of the U.S. Green Building Council.

On August 22, 2007, Resolution No. 07-2396 authorized a construction contract with CORE Construction Services of Texas, Inc. in the amount of $4,104,100.
BACKGROUND (Continued)

This action will authorize Change Order No. 4 to the construction contract with CORE Construction Services of Texas, Inc. modifying the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of Fire Alarm and Security System, and extension of contract completion date by 59 calendar days for the Bachman Lake Branch Library at 9480 Webb Chapel Road in an amount not to exceed $175,478, from $4,254,384 to $4,429,862.

ESTIMATED SCHEDULE OF PROJECT

Began Design       June 2005
Completed Design   April 2007
Began Construction September 2007
Complete Construction August 2008

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acceptance of the Library Master Plan on April 11, 2001, by Resolution No. 01-1261.

Authorized a professional services contract with Leo A. Daly to provide architectural and engineering services for the design of a new facility on May 25, 2005, by Resolution No. 05-1554.

Authorized a construction contract with CORE Construction Services of Texas, Inc. on August 22, 2007, by Resolution No. 07-2396.

Authorized Change Order No. 1 to the construction contract with CORE Construction Services of Texas, Inc. for remediation of unforeseen site conditions and to change the name of the facility from Walnut Hill Branch Library to Bachman Lake Branch Library, on February 13, 2008, by Resolution No. 08-0424.

Authorized award of three contracts for furniture, furnishings and equipment and signage installation for the new library facility on February 27, 2008, by Resolution No. 08-0675.

Authorized Change Order No. 2 to the construction contract with CORE Construction Services of Texas, Inc. for installation of an audio-visual system, modification of concrete paving to comply with accessibility standards, modification of structural steel framing, and addition of interior lighting for public art installation on April 23, 2008, by Resolution No. 08-1281.
FISCAL INFORMATION

2003 Bond Funds - $175,478

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Land Acquisition</td>
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<tr>
<td>Design</td>
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<td>Environmental Testing &amp; Remediation</td>
<td>43,710</td>
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<td>Demolition</td>
<td>69,837</td>
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<tr>
<td>Construction</td>
<td>4,254,384</td>
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<tr>
<td>Permit/Fees</td>
<td>11,090</td>
</tr>
<tr>
<td>Testing</td>
<td>39,925 (est.)</td>
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<tr>
<td>Furniture, Fixtures &amp; Equipment</td>
<td>450,000 (est.)</td>
</tr>
<tr>
<td>Public Art</td>
<td>55,000</td>
</tr>
<tr>
<td>Books</td>
<td>500,000</td>
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<tr>
<td>Contingency</td>
<td>554,662</td>
</tr>
<tr>
<td>Change Order No. 4 (this action)</td>
<td>175,478</td>
</tr>
</tbody>
</table>

Total Project Cost $8,013,832 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

CORE Construction Services of Texas, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Count</th>
</tr>
</thead>
<tbody>
<tr>
<td>African-American Female</td>
<td>0</td>
</tr>
<tr>
<td>African-American Male</td>
<td>1</td>
</tr>
<tr>
<td>Hispanic Female</td>
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</tr>
<tr>
<td>Hispanic Male</td>
<td>45</td>
</tr>
<tr>
<td>White Female</td>
<td>6</td>
</tr>
<tr>
<td>White Male</td>
<td>23</td>
</tr>
<tr>
<td>Other Female</td>
<td>6</td>
</tr>
<tr>
<td>Other Male</td>
<td>2</td>
</tr>
</tbody>
</table>

OWNER(S)

CORE Construction Services of Texas, Inc.

Keith Roeschley, President
Marc Robertson, Executive Vice President

MAP

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize (1) an increase in the contract with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system; and (2) extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road - Not to exceed $175,478, from $4,254,384 to $4,429,862 - Financing: 2003 Bond Funds

CORE Construction Services of Texas, Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>Local contracts</td>
<td>$1,170.00</td>
<td>0.67%</td>
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<tr>
<td>Non-local contracts</td>
<td>$174,308.00</td>
<td>99.33%</td>
</tr>
<tr>
<td><strong>TOTAL THIS ACTION</strong></td>
<td><strong>$175,478.00</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Non-local</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>KL Enterprises</td>
<td>WFWB35921Y1208</td>
<td>$48,139.00</td>
<td>27.62%</td>
</tr>
<tr>
<td><strong>Total Minority - Non-local</strong></td>
<td></td>
<td><strong>$48,139.00</strong></td>
<td><strong>27.62%</strong></td>
</tr>
</tbody>
</table>

TOTAL M/WBE PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>This Action</th>
<th>Participation to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Percent</td>
</tr>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>WBE</td>
<td>$48,139.00</td>
<td>27.43%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$48,139.00</strong></td>
<td><strong>27.43%</strong></td>
</tr>
</tbody>
</table>
WHEREAS, the Library Master Plan as developed by the Hillier Group and approved by City Council indicates a need for a replacement library for the existing Walnut Hill facility; and,

WHEREAS, in the 2003 Bond Program, the citizens of Dallas approved funding for the design and construction of a replacement library facility to serve the Walnut Hill service area; and,

WHEREAS, the Bachman Lake Branch Library, replacing the Walnut Hill facility, will be a new 19,500 square feet facility located at the corner of Webb Chapel Road and El Centro Drive; and,

WHEREAS, on April 11, 2001, Resolution No. 01-1261 authorized acceptance of the Library Master Plan; and,

WHEREAS, on May 25, 2005, Resolution No. 05-1554 authorized a professional services contract with Leo A. Daly Company to provide architectural and engineering services for the design of the Walnut Hill Branch Library replacement facility in the amount of $435,796; and,

WHEREAS, on August 22, 2007, Resolution No. 07-2396 authorized a construction contract with CORE Construction Services of Texas, Inc. for the replacement facility for the Walnut Hill Branch Library in the amount of $4,104,100; and,

WHEREAS, on February 13, 2008, Resolution No. 08-0424 authorized Change Order No. 1 to the construction contract with CORE Construction Services of Texas, Inc. for remediation of unforeseen site conditions and to change the name of the new facility from Walnut Hill Branch Library to Bachman Lake Branch Library, in the amount of $64,987, from $34,104,100 to $4,169,087; and,

WHEREAS, on February 27, 2008, Resolution No. 08-0675 authorized three contracts for furniture, fixtures, equipment and signage installation at the Bachman Lake Branch Library for a total of $205,975; and,

WHEREAS, on April 23, 2008, Resolution No. 08-1281 authorized an increase in the contract with CORE Construction Services of Texas, Inc. for Change Order No. 2, to provide modifications to the scope of work to include the addition of an audio-visual system, modifications to the concrete pavement to comply with accessibility standards, modification of structural steel framing for the Black Box theater, and the addition of interior lighting for the Bachman Lake Branch Library to be located at 9480 Webb Chapel Road, in the amount of $61,246, from $4,169,087 to $4,230,333; and,
WHEREAS, on May 19, 2008, Administrative Change Order No. 08-1337 authorized Change Order No. 3 to the construction contract with CORE Construction for an increase of $24,051, from $4,230,333 to $4,254,384 for modifications to the scope of work, including steel framing, door frame, door alarm, and accessible egress walkway from the Black Box Theater, and addition of a test and balance subcontractor.

WHEREAS, it is now necessary to authorize an increase in the contract with CORE Construction Services of Texas, Inc. for Change Order No. 4, to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system, and extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library located at 9480 Webb Chapel Road, in the amount of $175,478, from $4,254,384 to $4,429,862.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the contract, after it has been approved as to form by the City Attorney, with CORE Construction Services of Texas, Inc. to provide modifications to the scope of work to include upgrade of light fixtures and control panel for theater lighting system, installation of fire alarm and security system, and extension of the contract completion date by 59 calendar days for the Bachman Lake Branch Library at 9480 Webb Chapel Road, in the amount of $175,478, from $4,254,384 to $4,429,862.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Library Facilities Fund
Fund 5R42, Dept. PBW, Unit R668, Act. LIBF
Obj. 4310, Program #PB03R668, CT PBW03R668K1
Vendor #VS0000010088, in an amount not to exceed $175,478

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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Robert Van Buren, OCMC, Room 321
Library
City Attorney
Office of Financial Services
Sherrian Parham, Controller's Office - 4BN
SUBJECT

Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market - Not to exceed $180,771, from $2,460,365 to $2,641,136 - Financing: 2003 Bond Funds

BACKGROUND

This action authorizes Change Order No. 5 with Gilbert May, Inc. dba Phillips/May Corporation in the amount of $180,771. Included in this change order is the following additional scope of work that is required at the end of the construction phase for vendor move-in requirements. The work includes vendor partition walls, cleaning and painting of interior walls and ceiling, replacement of existing door hardware, additional roofing repair in portions not affected by construction, mechanical room insulation, off-site telephone cabling for vendor requirements, relocation of vendor phone outlets, electrical investigation and work to re-establish existing site lighting, site electrical work to accommodate vendor requirements, temporary electrical work for vendor relocation, lighting fixtures for vendor food service requirements, reset existing fire valve and standpipes, landscaping at Harwood Street entry, add HVAC to office, and additional bollards at gas meter. In addition, this change will relocate sanitary sewer tie-in at Harwood Street, due to unforeseen conditions.

In the 2003 Bond Program, Proposition 15, the voters approved funding for Shed 2 Improvements at Dallas Farmers Market. Bonds were sold in November 2003, in the amount of $300,000. In November 2004, bonds were sold in the amount of $1,700,000, and in November 2005, bonds were sold in the amount of $1,200,000, for a total of $3,200,000.
BACKGROUND (Continued)

On June 13, 2007, Resolution No. 07-1766 authorized a construction contract for Shed 2 Improvements with Gilbert May, Inc. dba Phillips/May Corporation in the amount of $2,389,850.

ESTIMATED SCHEDULE OF PROJECT

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Began Design</td>
<td>May 2006</td>
</tr>
<tr>
<td>Completed Design</td>
<td>December 2006</td>
</tr>
<tr>
<td>Began Construction</td>
<td>July 2007</td>
</tr>
<tr>
<td>Complete Construction</td>
<td>July 2008</td>
</tr>
</tbody>
</table>

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed the Business and Commerce Committee on September 2, 2003.


Briefed the Business and Commerce Committee on August 4, 2004.


FISCAL INFORMATION

2003 Bond Funds - $180,771

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Design</td>
<td>$451,600</td>
</tr>
<tr>
<td>Construction</td>
<td>2,389,850</td>
</tr>
<tr>
<td>Change Order No. 1</td>
<td>15,606</td>
</tr>
<tr>
<td>Change Order No. 2</td>
<td>19,088</td>
</tr>
<tr>
<td>Change Order No. 3</td>
<td>21,518</td>
</tr>
<tr>
<td>Change Order No. 4</td>
<td>14,303</td>
</tr>
<tr>
<td>Change Order No. 5 (this action)</td>
<td>180,771</td>
</tr>
<tr>
<td>Miscellaneous expenses</td>
<td>107,264</td>
</tr>
<tr>
<td>Total</td>
<td>$3,200,000</td>
</tr>
</tbody>
</table>

M/WBE INFORMATION

See attached.
**ETHNIC COMPOSITION**

Gilbert May, Inc. dba Phillips/May Corporation

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Female</th>
<th>Male</th>
</tr>
</thead>
<tbody>
<tr>
<td>African-American Female</td>
<td>3</td>
<td>0</td>
</tr>
<tr>
<td>Hispanic Female</td>
<td>7</td>
<td>34</td>
</tr>
<tr>
<td>White Female</td>
<td>7</td>
<td>35</td>
</tr>
<tr>
<td>Other Female</td>
<td>0</td>
<td>1</td>
</tr>
</tbody>
</table>

**OWNER(S)**

Gilbert May, Inc. dba Phillips/May Corporation

Gilbert May, President

**MAP**

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market - Not to exceed $180,771, from $2,460,365 to $2,641,136 - Financing: 2003 Bond Funds

Gilbert May, Inc. dba Phillips/May Corporation is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
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<tbody>
<tr>
<td>Local contracts</td>
<td>$72,307.00</td>
<td>40.00%</td>
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<td>$108,464.00</td>
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<tr>
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<td>$180,771.00</td>
<td>100.00%</td>
</tr>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local Contractors / Sub-Contractors</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>North American Electrical</td>
<td>BMMB535N1008</td>
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<tr>
<td>United State Builders</td>
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<tr>
<td>Gilbert May, Inc. dba Phillips/May Corporation</td>
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<tr>
<td>Castro</td>
<td></td>
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Total Minority - Local $72,307.00 100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

<table>
<thead>
<tr>
<th></th>
<th>This Action</th>
<th>Participation to Date</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
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<tr>
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<td>Hispanic American</td>
<td>$55,958.00</td>
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<td>$0.00</td>
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<tr>
<td>WBE</td>
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<td>0.00%</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$72,307.00</td>
<td>40.00%</td>
</tr>
</tbody>
</table>
WHEREAS, on June 13, 2007, Resolution No. 07-1766 authorized a construction contract with Gilbert May, Inc. dba Phillips/May Corporation for construction of Shed 2 Improvements at Dallas Farmers Market in the amount of $2,389,850; and,

WHEREAS, Change Order No. 1 to this contract was approved by Administrative Change Order No. 08-0191 on January 8, 2008 in the amount of $15,606, increasing the contract from $2,389,850 to $2,405,456; and,

WHEREAS, Change Order No. 2 to this contract was approved by Administrative Change Order No. 08-0119 on January 8, 2008 in the amount of $19,088, increasing the contract from $2,405,456 to $2,424,544; and,

WHEREAS, Change Order No. 3 to this contract was approved by Administrative Change Order No. 08-0977 on March 20, 2008 in the amount of $21,518, increasing the contract from $2,424,544 to $2,446,062; and,

WHEREAS, Change Order No. 4 to this contract was approved by Administrative Change Order No. 08-1136 on March 31, 2008 in the amount of $14,303, increasing the contract from $2,446,062 to $2,460,365; and,

WHEREAS, it is now desirable to authorize an increase in the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market in the amount of $180,771, from $2,460,365 to $2,641,136.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Change Order No. 5 to the contract with Gilbert May, Inc. dba Phillips/May Corporation for additional work required to complete construction and necessary upgrades to address vendor move-in requirements for Shed 2 Improvements at Dallas Farmers Market in the amount of $180,771, from $2,460,365 to $2,641,136.

Section 2. That the City Controller is authorized to disburse funds in accordance with the terms and conditions of the contract from:

Farmers Market Improvements Fund
Fund 3R40, Dept. PBW, Unit R955, Act. FMIM
Obj. 4310, Program #PB03R955, CT PBW03R95511-01
Vendor #242277, in an amount not to exceed $ 60,000
Farmers Market Improvements Fund
Fund 4R40, Dept. PBW, Unit R955, Act. FMIM
Obj. 4310, Program #PB03R955, CT PBW03R955I1-02
Vendor #242277, in an amount not to exceed $120,771
Total in an amount not to exceed $180,771

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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Robert Durham, OCMC, Room 321
City Attorney
Office of Financial Services
Controller's Office, Sherrian Parham, 4BN
Convention and Event Services
AGENDA ITEM # 70

KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): All

DEPARTMENT: Public Works & Transportation
Code Compliance

CMO: Ramon F. Miguez, P.E., 670-3308
David O. Brown, 670-3390

MAPSCO: N/A

SUBJECT

Authorize (1) an increase in the contract with ICE Contractors, Inc. to provide additional asbestos abatement and removal services at City-owned buildings and various structures ordered demolished by Municipal Court in the amount of $250,000, from $3,193,125 to $3,443,125; and (2) an increase in appropriations in the amount of $23,000 in the Demolition Reserve Fund - Not to exceed $250,000 - Financing: Demolition Reserve Funds

BACKGROUND

The City of Dallas currently contracts with ICE Contractors, Inc. for asbestos abatement and removal and demolition services for structures ordered demolished by municipal court, with an option to renew under the same terms and conditions when remaining funds exist. The Texas Department of Health and the U.S. Environmental Protection Agency require that, prior to demolition, commercial and multi-family structures of more than four units must be inspected for asbestos, and regulated asbestos-containing building materials must be removed by a licensed abatement contractor.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized an asbestos abatement service contract on October 13, 1999, by Resolution No. 99-3269.

Authorized an increase in the amount of $638,625 to the asbestos abatement service contract on January 24, 2007, by Resolution No. 07-0311.
**FISCAL INFORMATION**

Demolition Reserve Funds - $250,000

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
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<tbody>
<tr>
<td>Original Contract</td>
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<tr>
<td>Change Order No. 1</td>
<td>638,625</td>
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<tr>
<td>Change Order No. 2</td>
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<tr>
<td>Change Order No. 3</td>
<td>250,000</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$3,443,125</strong></td>
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</tbody>
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**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

ICE Contractors, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Male</th>
<th>Female</th>
</tr>
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<tbody>
<tr>
<td>Hispanic</td>
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<td>1</td>
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<td>Other</td>
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<td>2</td>
</tr>
<tr>
<td>White</td>
<td>0</td>
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**OWNER(S)**

ICE Contractors, Inc.

Diana Cross, Owner
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize (1) an increase in the contract with ICE Contractors, Inc. to provide additional asbestos abatement and removal services at City-owned buildings and various structures ordered demolished by Municipal Court in the amount of $250,000, from $3,193,125 to $3,443,125; and (2) increase in appropriations in the amount of $23,000 in the Demolition Reserve Fund - Not to exceed $250,000 - Financing: Demolition Reserve Funds

ICE Contractors, Inc. is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

<table>
<thead>
<tr>
<th></th>
<th>Amount</th>
<th>Percent</th>
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</thead>
<tbody>
<tr>
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<tr>
<td>Non-local contracts</td>
<td>$62,500.00</td>
<td>25.00%</td>
</tr>
<tr>
<td>TOTAL THIS ACTION</td>
<td>$250,000.00</td>
<td>100.00%</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local / Sub-Contractors</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
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</thead>
<tbody>
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<td>100.00%</td>
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Non-Local Contractors / Sub-Contractors

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<thead>
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<th>Non-local / Sub-Contractors</th>
<th>Certification</th>
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<tbody>
<tr>
<td>B &amp; B Waste Treatment</td>
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<td>100.00%</td>
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TOTAL M/WBE PARTICIPATION

<table>
<thead>
<tr>
<th>This Action</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$0.00</td>
<td>0.00%</td>
</tr>
<tr>
<td>Hispanic American</td>
<td>$187,500.00</td>
<td>75.00%</td>
</tr>
<tr>
<td>Asian American</td>
<td>$0.00</td>
<td>0.00%</td>
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<tr>
<td>Native American</td>
<td>$0.00</td>
<td>0.00%</td>
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<tr>
<td>WBE</td>
<td>$62,500.00</td>
<td>25.00%</td>
</tr>
<tr>
<td>Total</td>
<td>$250,000.00</td>
<td>100.00%</td>
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</tbody>
</table>

<table>
<thead>
<tr>
<th>Participation to Date</th>
<th>Amount</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
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<tr>
<td>Hispanic American</td>
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<td>WBE</td>
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<tr>
<td>Total</td>
<td>$3,443,125.05</td>
<td>100.00%</td>
</tr>
</tbody>
</table>
WHEREAS, the Texas Department of Health and the U.S. Environmental Protection Agency require abatement of regulated asbestos-containing building materials prior to demolition; and,

WHEREAS, the City of Dallas deems it necessary to demolish substandard structures as ordered by municipal court; and,

WHEREAS, on October 13, 1999, Council authorized an asbestos abatement service contract with ICE Contractors, Inc. by Resolution No. 99-3269; and,

WHEREAS, on January 24, 2007, Council authorized Change Order No. 1 to the contract to provide additional asbestos abatement and removal services in the amount of $638,625, increasing the contract from $2,554,500 to $3,193,125, and extending the term of the contract; and,

WHEREAS, on April 8, 2008, Administrative Change Order No. 08-1162 authorized a change of scope to allow the contractor to perform demolition services, as well as asbestos abatement and removal, for a zero dollar change for Change Order No. 2.

WHEREAS, it is now necessary to authorize Change Order No. 3 to the contract to provide additional asbestos abatement and removal and demolition services in the amount of $250,000, increasing the contract from $3,193,125 to $3,443,125, and extending the term of the contract.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to approve Change Order No. 3 to the contract with ICE Contractors, Inc. to provide additional asbestos abatement and removal and demolition services at City-owned buildings and various structures ordered demolished by Municipal Court, in an amount not to exceed $250,000, increasing the contract amount from $3,193,125 to $3,443,125.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Manager is hereby authorized to increase appropriations in the Demolition Reserve Fund, Fund 0011, Dept. PBW, Unit 3098, Object 3088 in the amount of $23,000.

Section 4. That the City Controller is authorized to disburse funds to ICE Contractors, Inc. in an amount not to exceed $250,000 from Fund 0011, Dept. PBW, Unit 3098, Object 3088.
Section 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the City Charter of the City of Dallas, and it is accordingly so resolved.

Distribution: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Mark Davidson, OCMC, Room 321
Office of Financial Services, 4FS
City Attorneys Office
Code Compliance
KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 2

DEPARTMENT: Public Works & Transportation
Environmental & Health Services

CMO: Ramon F. Miguez, P.E., 670-3308
David O. Brown, 670-3390

MAPSCO: 45Q

SUBJECT
Authorize an (1) increase in the contract with Satterfield & Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street in the amount of $235,180, from $17,099,683 to $17,334,863; (2) extension of the substantial completion date to May 20, 2008; and, (3) increase in appropriations in the amount of $250,000 in the Homeless Assistance Facilities Fund - Not to exceed $235,180 - Financing: 2005 Bond Funds

BACKGROUND
In the 2003 Bond Program, the citizens of Dallas approved an initial $3,000,000 funding for a new Homeless Assistance Center. An additional $23.8 million was approved by voters in 2005 to fully fund the project. Total bond funds available for this project were $26.8M. This change order includes additional structural steel, extension of high pressure gas service to the site, and unforeseen conflicts in off-site utility work, and a credit for using cement board material on the project.

This action will also authorize extending the substantial completion date to May 20, 2008 in order to allow time to complete the gas main extension which was discovered to be necessary on May 1, 2008.

ESTIMATED SCHEDULE OF PROJECT

<table>
<thead>
<tr>
<th>Activity</th>
<th>Date</th>
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<tbody>
<tr>
<td>Began Design</td>
<td>December 2005</td>
</tr>
<tr>
<td>Completed Design</td>
<td>October 2006</td>
</tr>
<tr>
<td>Began Construction</td>
<td>February 2007</td>
</tr>
<tr>
<td>Completed Construction</td>
<td>May 2008</td>
</tr>
</tbody>
</table>
PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed City Council on February 2, 2005.

Authorized site acquisition on April 13, 2005, by Resolution No. 05-1238.

Authorized Supplemental Agreement No. 1 to the contract with CamargoCopeland
Architects, LLP on June 22, 2005, by Resolution No. 05-1985.


Briefed City Council on August 17, 2005.

Authorized a special election to create funding for the project on August 24, 2005, by
Ordinance No. 26095.

Authorized design contract award to CamargoCopeland Architects, LLP on December
5, 2005, by Resolution No. 05-3374.

Authorized the preparation of $23,800,000 in bond sales and appropriated $23,950,666
for the project on April 12, 2006, by Resolution No. 06-1093.

Authorized site acquisition of a parcel located near the intersection of St. Louis Street
and Park Avenue on May 24, 2006, by Resolution No. 06-1517.

Authorized settlement in lieu of proceeding with condemnation for site acquisition on
December 13, 2006, by Resolution No. 06-3450.

Authorized a construction contract with Satterfield & Pontikes Construction, Inc. on
January 24, 2007, by Resolution No. 07-0350.

Authorized Change Order No. 5 on August 8, 2007, by Resolution No. 07-2189.

Authorized Change Order No. 9 on December 12, 2007, by Resolution No. 07-3722.

FISCAL INFORMATION

2005 Bond Funds - $235,180
FISCAL INFORMATION (Continued)

Design $ 2,329,903
Project Expenses $ 524,332
Land Cost $ 3,022,581
Construction $17,099,683
Change Order No. 19 (this action) $ 235,180
Miscellaneous (FFE/IT/Contingency) $ 1,338,321
Single Resident Occupancy dedication $ 2,500,000

Total Project $27,050,000

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Satterfield & Pontikes Construction, Inc.

<table>
<thead>
<tr>
<th>Ethnicity</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>African-American</td>
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<tr>
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<td>Other</td>
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</tbody>
</table>

OWNER(S)

Satterfield & Pontikes Construction, Inc.

George A. Pontikes, President

MAP

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize an (1) increase in the contract with Satterfield & Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street in the amount of $235,180, from $17,099,683 to $17,334,863; (2) extension of the substantial completion date to May 20, 2008; and, (3) increase in appropriations in the Homeless Assistance Facilities Fund in the amount of $250,000 - Not to exceed $235,180 - Financing: 2005 Bond Funds

Satterfield & Pontikes Construction, Inc. is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

---

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

<table>
<thead>
<tr>
<th>Contract Type</th>
<th>Amount</th>
<th>Percent</th>
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<tbody>
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<tr>
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<tr>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<table>
<thead>
<tr>
<th>Local</th>
<th>Certification</th>
<th>Amount</th>
<th>Percent</th>
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<tbody>
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Non-Local Contractors / Sub-Contractors

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<th>Percent</th>
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<td>$20,568.00</td>
<td>97.03%</td>
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### TOTAL M/WBE PARTICIPATION

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<th>Participation to Date</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Amount</td>
<td>Percent</td>
<td>Amount</td>
<td>Percent</td>
</tr>
<tr>
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<tr>
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<td>$6,001,933.00</td>
<td>34.62%</td>
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WHEREAS, in the 2003 Bond Program, the citizens of Dallas approved initial funding for the design and construction of a Homeless Assistance Center; and,

WHEREAS, at the conclusion of a selection process, the firm of CamargoCopeland Architects, LLP was chosen as the most qualified firm to provide professional services for this project; and,

WHEREAS, on June 6, 2005, Administrative Action No. 05-1659 authorized a (programming) contract with CamargoCopeland Architects, LLP to provide limited professional services in conjunction with pre-programming for the New Homeless Assistance Center in the amount of $25,000.00; and,

WHEREAS, on June 22, 2005, Resolution No. 05-1985 authorized Supplemental Agreement No. 1 to the (programming) contract with CamargoCopeland Architects, LLP to provide final programming and conceptual design services for the Homeless Assistance Center, in an amount not to exceed $25,000.00, from $229,448.00 to $254,448.00; and,

WHEREAS, on October 10, 2005, Administrative Action No. 05-2869 authorized Supplemental Agreement No. 2 to the (programming) contract with CamargoCopeland Architects, LLP to provide additional professional services in conjunction with programming and conceptual design for the Homeless Assistance Center, in an amount not to exceed $14,303.00, from $254,448.00 to $268,751.00; and,

WHEREAS, on December 5, 2005, Resolution No. 05-3374 authorized a professional services contract with CamargoCopeland Architects, LLP to provide schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for the Homeless Assistance Center to be located near the intersection of St. Louis Street and St. Paul Street in an amount not to exceed $1,638,234.00; and,

WHEREAS, on December 7, 2005, Administrative Action No. 05-3715 authorized Supplemental Agreement No. 3 to the (programming) contract with CamargoCopeland Architects, LLP in an amount not to exceed $24,985, from $268,751.00 to $293,736.00; and,

WHEREAS, on December 7, 2005, Administrative Action No. 05-3716 authorized Supplemental Agreement No. 4 to the (programming) contract with CamargoCopeland Architects, LLP in an amount not to exceed $25,000, from $293,736.00 to $318,736.00; and,
WHEREAS, on January 11, 2006, Administrative Action No. 06-1352 authorized Supplemental Agreement No. 5 to the (programming) contract with CamargoCopeland Architects, LLP in an amount not to exceed $24,995, from $318,736.00 to $343,731.00; and,

WHEREAS, on May 24, 2006, Resolution No. 06-1517 authorized site acquisition of a parcel located near the intersection of St. Louis Street and Park Avenue, in the amount of $2,400,000; and,

WHEREAS, on June 8, 2006, Administrative Action No. 06-1636 authorized Supplemental Agreement No. 1 to the professional services contract with CamargoCopeland Architects, LLP to provide a commissioning agent for LEED certification of the Homeless Assistance Center in an amount not to exceed $8,800.00, from $1,638,234.00 to $1,647,034.00; and,

WHEREAS, on June 12, 2006, Administrative Action No. 06-1549 authorized a contract for design collaboration on public art with Gordon Huether + Partners in the amount of $25,000; and,

WHEREAS, on June 15, 2006, Administrative Action No. 06-1635 authorized Supplemental Agreement No. 2 to the contract with CamargoCopeland Architects, LLP for the addition of a special security consultant on the new Homeless Assistance Center project in an amount not to exceed $24,519.00, from $1,647,034.00 to $1,671,553.00; and,

WHEREAS, the consultant withdrew their proposal for Supplemental Agreement No. 2 prior to executing the contracts and therefore, the contract remained unchanged at $1,647,034.00; and,

WHEREAS, on September 12, 2006, Administrative Action No. 06-3536 authorized Supplemental Agreement No. 3 to the contract with CamargoCopeland Architects, LLP for the addition of the Interim Operator modifications to the design of the new Homeless Assistance Center Project in the amount of $11,327, from $1,647,034.00 to $1,658,361.00; and,

WHEREAS, on September 12, 2006, Administrative Action No. 06-3535 authorized Supplemental Agreement No. 4 to the contract with CamargoCopeland Architects, LLP for the addition of design services for all off site utilities on the new Homeless Assistance Center project in the amount of $19,052, from $1,658,361.00 to $1,677,413.00; and,
WHEREAS, on December 13, 2006, Resolution No. 06-3450 authorized settlement in lieu of proceeding with condemnation of TXU Electric Delivery Company for a tract of land containing approximately 100,056 square feet located near the intersection of St. Louis Street and Park Avenue for the proposed Homeless Assistance Center Project in an amount not to exceed $50,000, for a total purchase price of $250,000; and,

WHEREAS, on January 7, 2007, Administrative Action No. 07-0241 authorized Supplemental Agreement No. 5 to the contract with CamargoCopeland in the amount of $25,000, increasing the contract from $1,677,413.00 to $1,702,413.00; and,

WHEREAS, on January 24, 2007, Resolution No. 07-0350 authorized a contract with Satterfield & Pontikes Construction, Inc. for the construction of the new Homeless Assistance Center in the amount of $16,497,590; and,

WHEREAS, on March 28, 2007, Resolution No. 07-0957 authorized a contract with Gordon Huether + Partners for $155,000 for public art for the project; and,

WHEREAS, on March 28, 2007, Resolution No. 07-0958 authorized Supplemental Agreement No. 6 to the contract with CamargoCopeland in the amount of $295,828, increasing the contract from $1,702,413.00 to $1,998,241.00; and,

WHEREAS, on March 28, 2007, Resolution No. 07-1020 authorized a contract with TXU for utility relocation in the amount of $75,000.00; and,

WHEREAS, on May 30, 2007, Administrative Change Order No. 07-1623 authorized Change Order No. 1 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $19,584, increasing the contract from $16,497,590 to $16,517,174; and,

WHEREAS, on May 30, 2007, Administrative Change Order No. 07-1622 authorized Change Order No. 2 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $12,393, increasing the contract from $16,517,174 to $16,529,567; and,

WHEREAS, on June 11, 2007, Administrative Change Order No. 07-1656 authorized Change Order No. 3 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $10,532, increasing the contract from $16,529,567 to $16,540,099; and,

WHEREAS, on June 13, 2007, Resolution No. 07-1763 authorized a contract with Workplace Resource for FFE for the project in the amount of $514,201.97; and,

WHEREAS, on June 13, 2007, Resolution No. 07-1764 authorized a contract with Business Interiors for FFE for the project in the amount of $304,829.47; and,
WHEREAS, on June 28, 2007, Administrative Change Order No. 07-1912 authorized Change Order No. 4 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $24,993, increasing the contract from $16,540,099 to $16,565,092; and,

WHEREAS, on August 8, 2007, Resolution No. 07-2189 authorized Change Order No. 5 for an increase in the contract with Satterfield & Pontikes Construction, Inc. for additional plumbing necessary for medical casework sinks, the removal of a subterranean brick-lined cistern, and a credit for economy found in pier operations for the construction of the new Homeless Assistance Center to be located at 1818 Corsicana Street, in the amount of $27,919, from $16,565,092 to $16,593,011; and,

WHEREAS, on August 23, 2007, Administrative Action No. 07-2886 authorized Supplemental Agreement No. 7 to the contract with CamargoCopeland in the amount of $12,931, increasing the contract from $1,998,241.00 to $2,011,172.00; and,

WHEREAS, on October 3, 2007, Administrative Change Order No. 07-2916 authorized Change Order No. 6 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $21,938, increasing the contract from $16,593,011 to $16,614,949; and,

WHEREAS, on October 5, 2007, Administrative Change Order No. 07-2915 authorized Change Order No. 7 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $18,462, increasing the contract from $16,614,949 to $16,633,411; and,

WHEREAS, on November 15, 2007, Administrative Change Order No. 07-3445 authorized Change Order No. 8 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $19,849, increasing the contract from $16,633,411 to $16,653,260; and,

WHEREAS, on December 12, 2007, Resolution No. 07-3722 authorized Change Order No. 9 for an increase in the contract with Satterfield & Pontikes Construction, Inc. for the security and access control systems for the new Homeless Assistance Center to be located at 1818 Corsicana Street, in the amount of $257,825, from $16,653,260 to $16,911,085; and,

WHEREAS, on January 18, 2008, Administrative Change Order No. 08-0250 authorized Change Order No. 10 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $21,832 , increasing the contract from $16,911,085 to $16,932,917; and,

WHEREAS, on January 18, 2008, Administrative Change Order No. 08-0501 authorized Change Order No. 11 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $22,335, increasing the contract from $16,932,917 to $16,955,252; and,
WHEREAS, on March 11, 2008, Administrative Change Order No. 08-0804 authorized Change Order No. 12 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $23,982, increasing the contract from $16,955,252 to $16,979,234; and,

WHEREAS, on March 12, 2008, Administrative Change Order No. 08-0805 authorized Change Order No. 13 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $24,177, increasing the contract from $16,979,234 to $17,003,411; and,

WHEREAS, on March 12, 2008, Administrative Change Order No. 08-0806 authorized Change Order No. 14 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $23,024, increasing the contract from $17,003,411 to 17,026,435; and,

WHEREAS, on April 22, 2008, Administrative Change Order No. 08-1039 authorized Change Order No. 15 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $15,576, increasing the contract from $17,026,435 to $17,042,011; and,

WHEREAS, on April 24, 2008, Administrative Change Order No. 08-1188 authorized Change Order No. 16 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $10,840, increasing the contract from $17,042,011 to $17,052,851; and,

WHEREAS, on May 14, 2008, Administrative Change Order No. 08-1334 authorized Change Order No. 17 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $24,971, increasing the contract from $17,052,851 to $17,077,822; and,

WHEREAS, on May 29, 2008, Administrative Change Order No. 08-1610 authorized Change Order No. 18 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $21,861, increasing the contract from $17,077,822 to $17,099,683; and,

WHEREAS, it is now necessary to authorize an (1) increase in the contract with Satterfield & Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street in the amount of $235,180, from $17,099,683 to $17,334,863, (2) extension of the substantial completion date to May 20, 2008; and, (3) increase in appropriations in the Homeless Facilities Fund in the amount of $250,000.

Now, Therefore,

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

June 25, 2008
Section 1. That the City Manager is hereby authorized an (1) increase in the contract with Satterfield & Pontikes Construction, Inc. for additional structural steel, extension of high pressure gas service to the site, accommodation of existing utilities in conflict due to unforeseen site conditions, and a credit for using painted cement board material instead of prefinished metal panels, for the construction of the new Homeless Assistance Center located at 1818 Corsicana Street in the amount of $235,180, from $17,099,683 to $17,334,863, (2) extension of the substantial completion date to May 20, 2008; and, (3) increase in appropriations in the Homeless Facilities Fund in the amount of $250,000.

Section 2. That the City Manager is hereby authorized to increase appropriations in the Homeless Assistance Facilities Fund, Fund 6S43, Dept. PBW, Unit R980, Obj. 4310 in the amount of $250,000.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Homeless Assistance Facilities Fund
Fund 6S43, Dept. PBW, Unit. R980, Act. HOAF
Obj. 4310, Program #PB03R980, CT PBW03R980D1
Vendor #500425, in an amount not to exceed $235,180

Section 4. 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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Terry Williams, OCMC, Room 321
Environmental and Health Services Department
Office of Financial Services
City Attorney
Controller's Office, Sherrian Parham, 4BN
Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for measuring, testing and adjusting of the mechanical system test and balance contract, Phase 2 for the Homeless Assistance Center - Not to exceed $34,100, from $24,600 to $58,700 - Financing: 2005 Bond Funds

BACKGROUND

In the 2003 Bond Program, the citizens of Dallas approved an initial $3,000,000 funding for a new Homeless Assistance Center. An additional $23.8 million was approved by voters in 2005 to fully fund the project. Total bond funds available for this project were $26.8M. On April 30, 2008, Administrative Action No. 08-1335 authorized a contract with Campos Engineering, Inc. for Phase 1 test and balance services for the project mechanical systems in the amount of $24,600. This action will authorize Supplemental Agreement No. 1 for Phase 2 of the test and balance contract necessary for acceptance of the work, increasing the contract with Campos Engineering, Inc. to $34,100, from $24,600 to $58,700.

ESTIMATED SCHEDULE OF PROJECT

Began Design       December 2005
Completed Design   October 2006
Began Construction February 2007
Completed Construction May 2008

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Briefed to City Council on February 2, 2005.

Authorize site acquisition on April 13, 2005, by Resolution No. 05-1238.
PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

Authorized Supplemental Agreement No. 1 to the contract with CamargoCopeland Architects, LLP for programming and design services on June 22, 2005, by Resolution No. 05-1985.

Briefed to City Council on August 3, 2005.

Briefed to City Council on August 17, 2005.

Authorized a special election to create funding for the project on August 24, 2005, by Ordinance No. 26095.

Authorized design contract award to CamargoCopeland Architects, LLP on December 5, 2005, by Resolution No. 05-3374.

Authorized the preparation of $23,800,000 in bond sales and appropriated $23,950,666 for the project on April 12, 2006, by Resolution No. 06-1093.

Authorized site acquisition of a parcel located near the intersection of St. Louis Street and Park Avenue on May 24, 2006, by Resolution No. 06-1517.

Authorized settlement in lieu of proceeding with condemnation for site acquisition on December 13, 2006, by Resolution No. 06-3450.

Authorized a construction contract with Satterfield & Pontikes Construction, Inc. on January 24, 2007, by Resolution No. 07-0350.

Authorized Change Order No. 5 to construction contract with Satterfield & Pontikes Construction, Inc. on August 8, 2007, by Resolution No. 07-2189.

Authorized Change Order No. 9 to construction contract with Satterfield & Pontikes Construction, Inc. on December 12, 2007, by Resolution No. 07-3722.

FISCAL INFORMATION

2005 Bond Funds - $34,100

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<th>Description</th>
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<td>Design</td>
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<td>Project Expenses</td>
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<td>Land Cost</td>
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<td>Construction</td>
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<td>Supplemental Agreement No. 1 (this action)</td>
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<td>Miscellaneous (FFE/IT/Contingency)</td>
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<td>Single Resident Occupancy dedication</td>
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<td><strong>Total Project</strong></td>
<td><strong>$27,050,000</strong></td>
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MWBE INFORMATION

See attached.

ETHNIC COMPOSITION

Campos Engineering, Inc.

African-American Female 0  African-American Male 0
Hispanic Female 1  Hispanic Male 6
White Female 4  White Male 15
Other Female 0  Other Male 2

OWNER(S)

Campos Engineering, Inc.

Joe D. Campos, P.E., President

MAP

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for measuring, testing and adjusting for Phase 2 of the mechanical system test and balance contract for the Homeless Assistance Center - Not to exceed $34,100, from $24,600 to $58,700 - Financing: 2005 Bond Funds

Campos Engineering, Inc. is a local, minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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<td>Local contracts</td>
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<tr>
<td>Non-local contracts</td>
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</tr>
<tr>
<td><strong>TOTAL THIS ACTION</strong></td>
<td><strong>$34,100.00</strong></td>
<td><strong>100.00%</strong></td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

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<th>Percent</th>
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<tr>
<td>Campos Engineering, Inc.</td>
<td>$34,100.00</td>
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Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<td>Amount</td>
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<td>WBE</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>$34,100.00</strong></td>
<td><strong>100.00%</strong></td>
</tr>
</tbody>
</table>
WHEREAS, in the 2003 Bond Program, the citizens of Dallas approved initial funding for the design and construction of a Homeless Assistance Center; and,

WHEREAS, at the conclusion of a selection process, the firm of CamargoCopeland Architects, LLP was chosen as the most qualified firm to provide professional services for this project; and,

WHEREAS, on June 6, 2005, Administrative Action No. 05-1659 authorized a (programming) contract with CamargoCopeland Architects, LLP to provide limited professional services in conjunction with pre-programming for the New Homeless Assistance Center in the amount of $25,000.00; and,

WHEREAS, on June 22, 2005, Resolution No. 05-1985 authorized Supplemental Agreement No. 1 to the (programming) contract with CamargoCopeland Architects, LLP to provide final programming and conceptual design services for the Homeless Assistance Center, in an amount not to exceed $25,000.00, from $229,448.00 to $254,448.00; and,

WHEREAS, on October 10, 2005, Administrative Action No. 05-2869 authorized Supplemental Agreement No. 2 to the (programming) contract with CamargoCopeland Architects, LLP to provide additional professional services in conjunction with programming and conceptual design for the Homeless Assistance Center, in an amount not to exceed $14,303.00, from $254,448.00 to $268,751.00; and,

WHEREAS, on December 5, 2005, Resolution No. 05-3374 authorized a professional services contract with CamargoCopeland Architects, LLP to provide schematic design, design development, preparation of construction bid documents, bid evaluation and construction administration for the Homeless Assistance Center to be located near the intersection of St. Louis Street and St. Paul Street in an amount not to exceed $1,638,234.00; and,

WHEREAS, on December 7, 2005, Administrative Action No. 05-3715 authorized Supplemental Agreement No. 3 to the (programming) contract with CamargoCopeland Architects, LLP in an amount not to exceed $24,985, from $268,751.00 to $293,736.00; and,

WHEREAS, on December 7, 2005, Administrative Action No. 05-3716 authorized Supplemental Agreement No. 4 to the (programming) contract with CamargoCopeland Architects, LLP in an amount not to exceed $25,000, from $293,736.00 to $318,736.00; and,
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WHEREAS, on June 8, 2006, Administrative Action No. 06-1636 authorized Supplemental Agreement No. 1 to the professional services contract with CamargoCopeland Architects, LLP to provide a commissioning agent for LEED certification of the Homeless Assistance Center in an amount not to exceed $8,800.00, from $1,638,234.00 to $1,647,034.00; and,

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WHEREAS, the consultant withdrew their proposal for Supplemental Agreement No. 2 prior to executing the contracts and therefore, the contract remained unchanged at $1,647,034.00; and,

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WHEREAS, on August 8, 2007 Resolution 07-2189 authorized Change Order No. 5 for an increase in the contract with Satterfield & Pontikes Construction, Inc. for additional plumbing necessary for medical casework sinks, the removal of a subterranean brick-lined cistern, and a credit for economy found in pier operations for the construction of the new Homeless Assistance Center to be located at 1818 Corsicana Street, in the amount of $27,919, from $16,565,092 to $16,593,011; and,

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WHEREAS, on March 12, 2008, Administrative Change Order No. 08-0805 authorized Change Order No. 13 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $24,177, increasing the contract from $16,979,234 to $17,003,411; and,

WHEREAS, on March 12, 2008, Administrative Change Order No. 08-0806 authorized Change Order No. 14 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $23,024, increasing the contract from $17,003,411 to 17,026,435; and,

WHEREAS, on April 22, 2008, Administrative Change Order No. 08-1039 authorized Change Order No. 15 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $15,576, increasing the contract from $17,026,435 to $17,042,011; and,

WHEREAS, on April 24, 2008, Administrative Change Order No. 08-1188 authorized Change Order No. 16 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $10,840, increasing the contract from $17,042,011 to $17,052,851; and,

WHEREAS, on April 30, 2008, Administrative Action No. 08-1335 authorized a contract with Campos Engineering, Inc. in the amount of $24,600 for test and balance services at the new Homeless Assistance Center; and,

WHEREAS, on May 14, 2008, Administrative Change Order No. 08-1334 authorized Change Order No. 17 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $24,971, increasing the contract from $17,052,851 to $17,077,822; and,

WHEREAS, on May 29, 2008, Administrative Change Order No. 08-1610 authorized Change Order No. 18 to the contract with Satterfield & Pontikes Construction, Inc. in the amount of $21,861, increasing the contract from $17,077,822 to $17,099,683; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the contract with Campos Engineering, Inc. for measuring, testing and adjusting for Phase 2 of the mechanical system test and balance contract for the Homeless Assistance Center in an amount not to exceed $34,100, increasing the contract from $24,600 to $58,700.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:
Section 1. That the City Manager is hereby authorized to increase the contract with Campos Engineering, Inc. for measuring, testing and adjusting of the mechanical system test and balance contract, Phase 2 for the Homeless Assistance Center in an amount not to exceed $34,100, increasing the contract from $24,600 to $58,700.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Homeless Assistance Facilities Fund  
Fund 6S43, Dept. PBW, Unit R980, Act. HOAF  
Obj. 4112, Program #PB03R980, CT PBW03R980H2  
Vendor #129578, in an amount not to exceed $34,100

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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101  
Public Works and Transportation, Terry Williams, OCMC, Room 321  
Environmental and Health Services Department  
Office of Financial Services  
Controller's Office, Sherrian Parham, 4BN  
City Attorney
SUBJECT

Authorize Supplemental Agreement No. 1 to the contract with Michael Baker Jr., Inc. to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I - $53,983, from $68,858 to $122,841 - Financing: 2006-2007 Community Development Grant Funds

BACKGROUND

On October 24, 2007, Resolution No. 07-3171 authorized a professional services with Michael Baker, Jr., Inc. for the Spring Avenue (Phase I) Redevelopment Project which includes the 4700-4900 block of Spring Avenue and the 4800-4900 block of Brashear Street. Spring Avenue is located within the Neighborhood Investment Program target area Census Track 25.00. In partnership with Inner City Development Corporation (ICDC), a Community Housing Development Organization (CHDO), the City will facilitate the acquisition of dilapidated properties along Spring Avenue and Brashear Street for redevelopment.

The project envisages a mix of commercial/retail and mixed use development along Spring Avenue and residential development on Brashear Street. ICDC will also develop 51 housing units on Dallas Housing Authority (DHA) property that fronts Spring Avenue on the west side. These streets are located within the Neighborhood Investment Program target area. The Neighborhood Investment Program was created to focus and leverage resources in designated target areas within the City of Dallas. This is implemented through focused housing assistance, enhanced code enforcement, public infrastructure improvements and other public and/or private investment.
BACKGROUND (Continued)

The Housing Department requested that a Market Analysis, Community Engagement Process and four (4) additional stakeholder meetings be added to this phase. The Market Analysis will determine the type and amount of retail and multi-family development the Spring Avenue Focus Area can support. The Community Engagement Process includes data gathering, develop and present preliminary concept, finalize design and master plan recommendation and document community engagement process.

This action authorizes Supplemental Agreement No. 1 to the professional services contract with Michael Baker, Jr., Inc. to add a market analysis, four additional stakeholder meetings, and Community Engagement Process for the Spring Avenue redevelopment project, Phase I.

ESTIMATE SCHEDULE OF PROJECT

Begin Project July 2008
Complete Project September 2008

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering design services on October 24, 2007, by Resolution No. 07-3171.

FISCAL INFORMATION

2006-2007 Community Development Grant Funds - $53,983.00

Design
Concept Design - Phase I $ 68,858.00
Supplemental Agreement (this action) $ 53,983.00

Total $122,841.00

M/WBE INFORMATION

See attached.
ETHNIC COMPOSITION

Michael Baker Jr., Inc.

<p>| | | | |</p>
<table>
<thead>
<tr>
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</table>

OWNER(S)

Michael Baker Jr., Inc.

Don M. Treude, P.E., Vice President

MAP

Attached.
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the contract with Michael Baker Jr., Inc. to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I - $53,983, from $68,858 to $122,841 - Financing: 2006-2007 Community Development Grant Funds

Michael Baker, Jr., Inc. is a non-local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use their own workforce.

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

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<td></td>
<td>Amount</td>
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</tr>
<tr>
<td>Total</td>
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<td>0.00%</td>
</tr>
</tbody>
</table>
WHEREAS, on October 24, 2007, Resolution No. 07-3171 authorized a professional services contract for engineering services for developing a community conceptual plan with pedestrian oriented design concepts for the Spring Avenue redevelopment project, Phase I; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the contract with Michael Baker, Jr., Inc. to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I, in the amount of $53,983.00, from $68,858.00 to $122,841.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the contract with Michael Baker, Jr., Inc. to add a market analysis, four additional stakeholder meetings, and community engagement process for the Spring Avenue redevelopment project, Phase I, in the amount of $53,983.00, from $68,858.00 to $122,841.

Section 2. That the City Controller is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Southern Sector Development
Fund 06R2, Dept. HOU, Unit 4468, Act. SSUD
Obj. 4111, Program No PBNIP007, CT PBWNIP0071L1
Vendor #VS0000006818, in an amount not to exceed $53,983.00

Section 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the City of Dallas and it is accordingly so resolved.

Distribution: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Modesta Pena, OCMC, Room 307
City Controller's Office, Sherrian Parham, 4BN
Office of Financial Services/Community Development, 4FS
KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Public Works & Transportation

CMO: Ramon F. Miguez, P.E., 670-3308

MAPSCO: 44G K

SUBJECT

Authorize Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide final design of paving, drainage, bridge replacement improvements, and preparation of construction plans for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - $3,497,207, from $1,521,128 to $5,018,335 – Financing: 2003 Bond Funds

BACKGROUND

The HNTB Corporation is under contract with the City of Dallas for design of the Sylvan Bridge from Gallagher Street to Irving Boulevard. Since the original contract was for preliminary design and environmental documentation, a supplemental agreement with HNTB is now necessary to prepare the final engineering design and construction drawings.

This project will replace the three existing, two-lane bridge structures on Sylvan Avenue (main channel, south levee, and north levee) with one continuous six-lane bridge spanning the entire width of the floodway. The existing bridge structure does not meet current design standards and is frequently closed due to flooding.

Replacement of the Sylvan Avenue bridges was included in the federal Off-System Bridge Replacement and Rehabilitation program. This program provides federal funding for design and construction of new or rehabilitated bridge structures. The City’s matching funds were provided in the 2003 and 2006 Bond Programs in the amounts of $4,502,029 and $9,827,510, for a total of $14,329,539.

With the preliminary design and lay out for the proposed bridge completed, final design including geotechnical investigations, supplemental environmental studies and documentation, utility coordination, hydraulic modeling, and preparation of construction plans is now necessary. Upon completion of the design and availability of necessary construction funding, TxDOT will let and manage construction of the project.
BACKGROUND (Continued)

This action will authorize the supplemental agreement with HNTB Corporation to provide the required design services. Future council action will be required to authorize payment to TxDOT for construction funding.

ESTIMATED SCHEDULE OF PROJECT

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<thead>
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<th>Event</th>
<th>Dates</th>
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<tr>
<td>Complete Design</td>
<td>October 2009</td>
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<tr>
<td>Begin Construction</td>
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<tr>
<td>Complete Construction</td>
<td>March 2010</td>
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PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with HNTB on May 24, 1989, by Resolution 89-1591.

Authorized Master Interlocal Agreement with Dallas County on November 11, 1992, by Resolution 92-3863.

Authorized Supplemental Agreement to Interlocal Agreement with Dallas County on January 12, 1994, by Resolution 94-0212.

Authorized Supplemental Agreement No. 1 with HNTB on January 12, 1994, by Resolution 94-0213.

Authorized Supplemental Agreement No. 2 with HNTB on January 28, 2004, by Resolution 04-0409.

Authorized an Interlocal Agreement with TxDOT on January 28, 2004, by Resolution 04-0410.

Authorized Supplemental Agreement No. 3 with HNTB on September 12, 2007, by Resolution 07-2581.

FISCAL INFORMATION

2003 Bond Funds - $3,497,207

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Agenda Date 06/25/2008 - page 2
**MWBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

HNTB Corporation

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<tr>
<th>Ethnic Group</th>
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**OWNER(S)**

HNTB Corporation

Jerry D. Holder, Jr., P.E., Vice President
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide final design of paving, drainage, bridge replacement improvements, and preparation of construction plans for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - $3,497,207, from $1,521,128 to $5,018,335 – Financing: 2003 Bond Funds

HNTB Corporation is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

---

LOCAL/NON-LOCAL CONTRACT SUMMARY

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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

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Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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<tr>
<td>WBE</td>
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<td>Total</td>
<td>$1,032,503.00</td>
<td>29.63%</td>
<td>$1,032,503.00</td>
</tr>
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</table>
Sylvan Avenue

Mapsco 44 G, K
WHEREAS, on May 24, 1989, Resolution No. 89-1591 authorized a professional services contract with Howard Needles Tammen and Bergendoff (currently HNTB Corporation) to provide engineering services for Sylvan Avenue Bridge from Gallagher Street to Irving Boulevard in the amount of $152,396; and,

WHEREAS, on November 11, 1992, Resolution No. 92-3863 authorized Dallas County and the City of Dallas to enter into a Master Interlocal Agreement for the City of Dallas to support and cooperate in the implementation of Dallas County's 1991 Bond Program in which the Sylvan Avenue Bridge from Canada Drive to Irving Boulevard was included; and,

WHEREAS, on January 12, 1994, Resolution No. 94-0212 authorized a Supplemental Agreement to the Master Interlocal Agreement with Dallas County to authorize Dallas County to pay $771,105 for engineering services required to provide preliminary design services for the Sylvan Avenue Bridge from Canada Drive to Irving Boulevard; and,

WHEREAS, on January 12, 1994, Resolution No. 94-0213 authorized Supplemental Agreement No. 1 to the contract with HNTB Corporation for additional professional design services for the Sylvan Avenue Bridge from Canada Drive to Irving Boulevard in the amount of $771,105, from $152,396 to $923,501; and,

WHEREAS, replacement of the Sylvan Avenue bridges over the Trinity River was included in the Off-system Federal-Aid Bridge Replacement and Rehabilitation Program in September 2000; and, as a federal aid project, total redesign or major modifications to the current design are required to bring the design of the Sylvan Avenue Bridge over the Trinity River to the current standards of the Texas Department of Transportation (TxDOT); and,

WHEREAS, on January 28, 2004, Resolution No. 04-0409 authorized Supplemental Agreement No. 2 to the contract with HNTB Corporation to provide additional professional services for the schematics and environmental documentation necessary for the design of paving, drainage, and bridge replacement improvements of the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard in an amount not to exceed $546,127, increasing the contract from $923,501 to $1,469,628; and,

WHEREAS, on January 28, 2004, Resolution No. 04-0410 authorized an Interlocal Agreement with TxDOT; and,

WHEREAS, on September 12, 2007, Resolution No. 07-2581 authorized Supplemental Agreement No. 3 to the contract with HNTB Corporation to provide a catalog of aesthetic treatment options for the Sylvan Bridge over the Trinity River from Gallagher Street to Irving Boulevard in an amount not to exceed $51,500, increasing the contract from $1,469,628 to $1,521,128; and,
WHEREAS, it is now necessary to authorize Supplemental Agreement No. 4 to the contract with HNTB to provide final design of paving, drainage, bridge replacement improvements, and preparation of construction plans.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 4 to the contract with HNTB Corporation to provide final design of paving, drainage, bridge replacement improvements, and preparation of construction plans for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard in an amount not to exceed $3,497,207, increasing the contract from $1,521,128 to $5,018,335, after it has been approved as to form by the City Attorney.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

- Street and Transportation Improvements Fund
  Fund 3R22, Dept. PBW, Unit R520, Act. INGV
  Obj. 4111, Program #PB03R520, CT PBW03R520D1-01
  Vendor #090096, in an amount not to exceed $1,167,666.00

- Street and Transportation Improvements Fund
  Fund 5R22, Dept. PBW, Unit R520, Act. INGV
  Obj. 4111, Program #PB03R520, CT PBW03R520D1-02
  Vendor #090096, in an amount not to exceed $2,329,541.00

Total in an amount not to exceed $3,497,207.00

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: Public Works and Transportation, Jean Mitchell, OCMC, Room 101
Public Works and Transportation, Dawna Brown, 1500 Marilla, L1BS
Controller's Office, Sherrian Parham, 1500 Marilla, 4BN
City Attorney
AGENDA ITEM # 75

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: June 25, 2008

COUNCIL DISTRICT(S): 9

DEPARTMENT: Public Works & Transportation

CMO: Ramon F. Miguez, P.E., 670-3308

MAPSCO: 38F

SUBJECT

Authorize a public hearing to be held on August 13, 2008, to receive comments regarding an application to close Whitehaven Drive at the alley south of Lake Gardens Drive under provisions of the City's Residential Street Closure Policy - Financing: No cost consideration to the City

BACKGROUND

On September 19, 2007, an application was received to close Whitehaven Drive at the alley south of Lake Gardens Drive to through vehicular traffic under provisions of the City's Residential Street Closure Policy. The application is from residents of the area who want to prohibit potential cut-through traffic from using their street.

The Policy includes a process that requires a public hearing on the application.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to City.

MAP

Attached
WHEREAS, on October 27, 1993, Resolution No. 93-4028, adopted the Policy For Closure of Local Residential Streets To Through Vehicular Traffic as a means to increase the quality of life by residents living along this street through traffic and noise reduction, crime prevention, safety concerns, etc.; and

WHEREAS, it is the intention of the City Council to hold a public hearing to consider an application for the closing of Whitehaven Drive at the alley south of Lake Gardens Drive to through vehicular traffic under provisions of the policy; and,

WHEREAS, prior to a public hearing an authorizing resolution for the public hearing is required.

Now therefore,

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

SECTION 1. That a public hearing shall be held on August 13, 2008, to receive comments on the application to close Whitehaven Drive at the alley south of Lake Gardens Drive to through vehicular traffic.

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

Distribution: Public Works and Transportation, Jean Mitchell, 320 E. Jefferson, Room 101
Financial Services
City Controller
City Attorney
SUBJECT

Authorize an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park - Not to exceed $35,000 - Financing: 1998 Bond Funds

BACKGROUND

Development of the Trinity River Corridor has been identified as a top priority of the City of Dallas. Soft surface trails are an integral part of the recreational plans for the Trinity River Corridor Project.

The Student Conservation Association (SCA) is a nonprofit national organization that offers conservation internships and summer trail crew opportunities to more than 3,000 people each year. The local branch of the SCA has agreed to construct 1.5 to 2 miles of soft surface trail in Rochester Park. This project will provide summer internships for 10 local high school students from the surrounding neighborhood near Rochester Park. This program will require trail construction four days a week and environmental education one day a week for the interns.

This action will authorize an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park. The funds will be utilized to expedite enhancements to the Great Trinity Forest recreational amenities.

ESTIMATED SCHEDULE OF PROJECT

Begin construction June 2008
Complete construction August 2008

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

This item has no prior action.
FISCAL INFORMATION

$35,000.00 – 1998 Bond Funds

MAP

Attached
WHEREAS, the 1998 Bond Program authorized funding to construct, trails, canoe launches and improve trailheads in the Great Trinity Forest; and

WHEREAS, the Student Conservation Association offers programs that provide summer internships for local high school students in a work/education format that suit projects such as construction of soft surface trails; and,

WHEREAS, the City desires to enter into an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into an agreement with the Student Conservation Association to provide in-kind services for construction of soft surface trails in Rochester Park in an amount not to exceed $35,000.

Section 2. That the City Manager is hereby authorized to execute the agreement after it has been approved as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Trinity River Corridor Project Fund
Fund 4P14, Dept. PBW, Unit N966, Activity TRPP
Object 3099, Encumbrance No. CT - PBW98N966H04
Vendor #VS0000032693, in an amount not to exceed $35,000

Section 4. 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: Trinity River Corridor Project, Bryan Kilburn, 6BS
Public Works & Transportation, Rosemary Prichard, OCMC, Room 101
City Attorney
Office of Financial Services
Subject

Authorize the application for and acceptance of a loan from the Texas Water Development Board in an amount up to $94,775,000 for financial assistance in the construction of the East Side Water Treatment Plant 540 million gallons per day clearwell expansion and yard piping improvements, a project in a multi-phased planned plant and conveyance system expansion project, to implement Dallas’ recommended strategies in the State Water Plan and also addresses regulatory requirements for adequate clearwell storage for the East Side Water Treatment Plant - Financing: Water Utilities Current Funds (approximately $6,000,000 annually for 20 years) (subject to annual appropriations)

Background

The Water Infrastructure Fund was established by Senate Bill 2 during the 77th Texas Legislative Session in 1997 to provide affordable financing for water conservation and water development projects, with emphasis on implementation of recommended strategies in the State Water Plan. However, funds were not appropriated at that time for the Water Infrastructure Fund. House Bill 1, of the 80th Legislature, appropriated funds to the Texas Water Development Board to implement the Water Infrastructure Fund for FY 2007-08 and FY 2008-09. The program offers low interest financing and deferred interest and principal payments for State Water Plan projects. Low interest loans are provided on a 20-year repayment schedule at a reduction of 200 basis points below the City’s current revenue bond interest rate. Deferred payment loans are at market rates, but payment can be deferred without penalty until construction is completed for up to ten years. The construction timeframe for these types of projects ranges from three to eight years. Participation in the Water Infrastructure Fund program will reduce Dallas’ costs for project financing and, possibly, allow the deferral of repayment to a more financially advantageous time.

Dallas will submit a loan application by July 1, 2008 for the following project: construction of clearwells and yard piping improvements to the East Side Water Treatment Plant 540 million gallons per day (MGD) expansion - $94,775,000.
BACKGROUND (Continued)

On March 9, 2005, the City Council adopted water supply strategies to meet Dallas’ future water supply needs that include water conservation, connection of existing water supplies, return flows, water reuse, water supply development, and water treatment plant expansions. These strategies were incorporated into the 2006 Region C Water Plan and the 2007 State Water Plan. The East Side Water Treatment Plant is currently operating with a clearwell capacity less than required by the Texas Commission on Environmental Quality (Ch. 290.45 Minimum Water System Capacity Requirements (Ch. 290.45 (2) (D))). In addition to inadequate clearwell storage, the existing clearwells do not contain baffles to prevent short circuiting of water. These two deficiencies are in direct contrast to current regulatory requirements and have been addressed by the clearwell design as part of the expansion to 540 MGD. The expansion to 540 MGD is required to treat the water from the soon to be connected Lake Fork water supply.

Lake Fork reservoir phase one connection is scheduled for completion in December 2008. Full implementation of the Lake Fork water connection and delivery will be multi-phased with additional capital projects including the construction of a third 144-inch Lake Tawakoni to East Side Water Treatment Plant pipeline, the expansion of the Tawakoni Balancing Reservoir, and the East Side Water Treatment Plant 540 MGD expansion. The system capacity expansion is necessary in order to convey raw water from both Lake Tawakoni and Lake Fork for treatment at the East Side Water Treatment Plant to meet future water demands for south Dallas and Dallas’ customer cities as identified in the Long Range Water Master Plan.

The Texas Water Development Board loan application requires a certified Council resolution requesting financial assistance and authorizing application for participation in the Water Infrastructure Fund program. The application and supporting documentation must be submitted by July 1, 2008.

FISCAL INFORMATION

Water Utilities Current Funds - (approximately $6,000,000.00 annually for 20 years) (subject to annual appropriations)
WHEREAS, the Water Utilities Department is seeking a loan from the Texas Water Development Board for design and construction of water conservation and development projects for implementation of Dallas’ recommended water strategies in the State Water Plan; and,

WHEREAS, the Texas Water Development Board requires certain information as part of the application for the loan; Now, Therefore,

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

Section 1. That the City Manager and the Director of the Water Utilities Department (or his/her designee) be, and are hereby authorized representatives to the Texas Water Development Board to act on behalf of the City of Dallas. The designated representatives are authorized to apply for a loan not to exceed $94,775,000.00 from the Texas Water Development Board for design and construction of water conservation and development projects for implementation of Dallas’ recommended strategies in the State Water Plan.

Section 2. That the City Manager and the Director of the Water Utilities Department (or his/her designee), be and are hereby authorized to appear before the Texas Water Development Board on behalf of the City of Dallas and submit such other documentation as may be required by the Texas Water Development Board.

Section 3. That the City Manager and the Director of the Water Utilities Department (or his/her designee), be and are hereby authorized to enter into a contract for financial assistance with the Texas Water Development Board for said loan after having approval of the contract documents by the City Attorney.

Section 4. That the City Controller be and is hereby authorized to receive and deposit funds into the State Water Plan Fund S194, Department DWU, Unit P420, Revenue Source 6516, in an amount not to exceed $94,775,000.00.

Section 5. That the City Controller be and is hereby authorized to disburse funds of approximately $6,000,000.00 annually from Fund 0100, Department DWU, Unit 7017 for loan repayment to the Texas Water Development Board in accordance with terms of the contract.

Section 6. 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: Water-Administration, 4AN, Cheryl Glenn
Water-Contracts, 2121 Main Street, Suite 400, Karen Harbin
Water-Accounting, 5AN, Esther Darden
Office of Financial Services, 4BN, Sherrian Parham
Office of Financial Services, 4FN, Jeanne Chipperfield
SUBJECT

Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam and design of the Forney Dam and Lake Ray Hubbard improvements - $550,388 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This project consists of providing engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam. The National Dam Safety Act requires ongoing dam inspections every five years. The last inspection of these two Water Utilities Department’s dams was performed in 2003 with a subsequent report prepared in 2005.

The project also provides for the update of the Forney Dam Breach Analysis, Forney Dam Emergency Action Plan update and training, the update of the Forney Dam flood release tables and footprint, the update of the erosion control study for Lake Ray Hubbard, the determination of dam security enhancements, and the new Texas Commission on Environmental Quality Dam Safety Rule implementation recommendations.

The project also provides for the development of plans, specifications, and construction administration for improvements to the Forney Dam and inspection of the Lake Ray Hubbard shoreline. These improvements include power supply system modifications, Forney Dam Gate 14 repairs, seepage area repairs, levee and mitigation area repairs, and erosion control. The Water Utilities Department’s last inspection of the Forney Dam identified the needed repairs and replacements.

The estimated construction cost associated with this design project is $5,500,000.00.
ESTIMATED SCHEDULE OF PROJECT

Begin Design: July 2008
Complete Design: June 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$550,388.00 - Water Utilities Capital Construction Funds

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<tr>
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<td>Total</td>
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M/WBE INFORMATION

Attached

ETHNIC COMPOSITION

Freese and Nichols, Inc.

Hispanic Female 8  Hispanic Male 29
Black Female 6  Black Male 6
Other Female 2  Other Male 8
White Female 103  White Male 227

OWNER

Freese and Nichols, Inc.

Robert F. Pence, P.E., President

MAP

Attached
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Freese and Nichols, Inc. to provide engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam and design of the Forney Dam and Lake Ray Hubbard improvements - $550,388 - Financing: Water Utilities Capital Construction Funds

Freese and Nichols, Inc. is a local, non-minority firm, has signed the "Good Faith Effort" documentation and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

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<tr>
<th>Amount</th>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

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Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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<tr>
<th>Local</th>
<th>Percent</th>
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<th>Percent</th>
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</thead>
<tbody>
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<td>Hispanic American</td>
<td>$150,215.00</td>
<td>28.38%</td>
<td>$150,215.00</td>
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<tr>
<td>Asian American</td>
<td>$0.00</td>
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<tr>
<td>Native American</td>
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<tr>
<td>WBE</td>
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<tr>
<td>Total</td>
<td>$150,215.00</td>
<td>28.38%</td>
<td>$150,215.00</td>
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</table>
Dallas Water Utilities

Contract No. 08-025E
Dam Inspections (Eastern)
Engineering Services
WHEREAS, the National Dam Safety Act requires ongoing inspections of dams every five years; and,

WHEREAS, engineering services are required for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam; and,

WHEREAS, engineering services are also required for the update of the Forney Dam Breach Analysis, Forney Dam Emergency Action Plan update and training, the update of the Forney Dam flood release tables and footprint, the update of the erosion control study for Lake Ray Hubbard, and the new Texas Commission on Environmental Quality Dam Safety Rule implementation recommendations; and,

WHEREAS, engineering services are also required for the development of plans, specifications, and construction administration for specific improvements; and,

WHEREAS, Freese and Nichols, Inc., 1701 North Market Street, Suite 500, LB51, Dallas, Texas 75202, has submitted an acceptable proposal to provide these engineering services; Now, Therefore,

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

Section 1. That the proposal submitted by Freese and Nichols, Inc. in the amount of $550,388.00 be approved and the consultant be authorized to perform the required engineering services.

Section 2. That the City Manager be and is hereby authorized to enter into Contract No. 08-025E with Freese and Nichols, Inc., for engineering services for the inspection of the Forney embankment and spillway and Tawakoni Balancing Reservoir Dam and design of the Forney Dam and Lake Ray Hubbard improvements, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller be and is hereby authorized to pay the amount of $550,388.00 from the Water Construction Fund as follows:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>ACT</th>
<th>OBJ</th>
<th>PRO</th>
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<td>WTRS</td>
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<td>708025 WW64</td>
<td>CTDWU708025EN</td>
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Freese and Nichols, Inc. (Contract No. 08-025E) - $550,388.00
Section 4. 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: Water-Administration, 4AN, Cheryl Glenn
Water-Contracts, 2121 Main Street, Suite 400, Karen Harbin
Water-Accounting, 5AN, Esther Darden
Office of Financial Services, 4PN, Jeanne Chipperfield
Office of Financial Services, 4BN, Sherrian Parham
SUBJECT

Authorize a professional services contract with Kellogg Brown & Root Services, Inc. to provide engineering services for the inspection of the Dallas Water Utilities hydraulic structures as required by the National Dam Safety Act - $997,709 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This project consists of providing engineering services for the inspection of the White Rock spillway, Frasier Dam and embankment, California Crossing Dam, Bachman embankment and spillway and Carrollton Dam. The National Dam Safety Act requires inspections of these five Water Utilities Department's dams was performed in 2003 with a subsequent report prepared in 2005.

The project also provides for the development of a regulatory required Emergency Action Plan for the Bachman embankment and spillway, review of the existing Emergency Action Plan for the White Rock spillway, and the execution of security evaluations of White Rock and Frasier Dams in accordance with the Texas Commission of Environmental Quality security criteria for dams in Texas. Additionally, the scope includes consultant services to provide review of related work by others not contracted through the City of Dallas for embankment and channel improvements at Frasier Dam.

ESTIMATED SCHEDULE OF PROJECT

Begin Design July 2008
Complete Design June 2010
PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

$997,709.00 - Water Utilities Capital Construction Funds

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<td>Total</td>
<td>$997,709.00</td>
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</table>

MWBE INFORMATION

Attached

ETHNIC COMPOSITION

Kellogg Brown & Root Services, Inc.

Hispanic Female 0 Hispanic Male 0
Black Female 1 Black Male 2
Other Female 4 Other Male 10
White Female 7 White Male 47

OWNER

Kellogg Brown & Root Services, Inc.

William P. Utt, President

MAP

Attached
GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Kellogg Brown & Root Services, Inc. to provide engineering services for the inspection of the Dallas Water Utilities hydraulic structures as required by the National Dam Safety Act - $997,709 - Financing: Water Utilities Capital Construction Funds

Kellogg Brown & Root Services, Inc. is a local, non-minority firm, has signed the "Good Faith Effort" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

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<td>$997,709.00</td>
<td>100.00%</td>
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LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

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<tr>
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<th>Amount</th>
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</table>

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

<table>
<thead>
<tr>
<th>Local</th>
<th>Percent</th>
<th>Local &amp; Non-Local</th>
<th>Percent</th>
</tr>
</thead>
<tbody>
<tr>
<td>African American</td>
<td>$30,000.00</td>
<td>3.18%</td>
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<tr>
<td>Hispanic American</td>
<td>$245,784.00</td>
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<tr>
<td>Asian American</td>
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<tr>
<td>Native American</td>
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</tr>
<tr>
<td>WBE</td>
<td>$0.00</td>
<td>0.00%</td>
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</tr>
<tr>
<td>Total</td>
<td>$275,784.00</td>
<td>29.22%</td>
<td>$275,784.00</td>
</tr>
</tbody>
</table>
Dallas Water Utilities

Contract No. 08-255E
Dam Inspection Consultant Services
(Western Dams)
Engineering Services

D1739 1
WHEREAS, the National Dam Safety Act requires ongoing inspections of dams every five years; and,

WHEREAS, engineering services are required for the inspection of the White Rock spillway, Frasier Dam and embankment, California Crossing Dam, Bachman embankment and spillway and Carrollton Dam; and,

WHEREAS, engineering services are required for the development of an Emergency Action Plan for the Bachman embankment and spillway, review of the existing Emergency Action Plan for the White Rock spillway, the execution of security evaluations of White Rock and Frasier Dams in accordance with the Texas Commission of Environmental Quality security criteria for dams in Texas, and consultant services to provide review of related work by others not contracted through the City of Dallas for embankment and channel improvements at Frasier Dam; and,

WHEREAS, Kellogg Brown & Root Services, Inc., 1444 Oak Lawn Avenue, Suite 100, Dallas, Texas 75207, has submitted an acceptable proposal to provide these engineering services; Now, Therefore,

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

Section 1. That the proposal submitted by Kellogg Brown & Root Services, Inc. in the amount of $997,709.00 be approved and the consultant be authorized to perform the required engineering services.

Section 2. That the City Manager be and is hereby authorized to enter into Contract No. 08-255E with Kellogg Brown & Root Services, Inc., to provide engineering services for the inspection of the Dallas Water Utilities hydraulic structures as required by the National Dam Safety Act, after having approval of the contract documents by the City Attorney.

Section 3. That the City Controller be and is hereby authorized to pay the amount of $997,709.00 from the Water Construction Fund as follows:

<table>
<thead>
<tr>
<th>FUND</th>
<th>DEPT</th>
<th>UNIT</th>
<th>ACT</th>
<th>OBJ</th>
<th>PRO</th>
<th>REP</th>
<th>ENCUMBRANCE</th>
<th>VENDOR</th>
</tr>
</thead>
<tbody>
<tr>
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<td>244324</td>
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</table>

Kellogg Brown & Root Services, Inc. - (Contract No. 08-255E) - $997,709.00
Section 4. 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: Water-Administration, 4AN, Cheryl Glenn
Water-Contracts, 2121 Main Street, Suite 400, Karen Harbin
Water-Accounting, 5AN, Esther Darden
Office of Financial Services, 4FN, Jeanne Chipperfield
Office of Financial Services, 4BN, Sherrian Parham