OCTOBER 10, 2012 CITY COUNCIL ADDENDUM
CERTIFICATION

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated October 10, 2012. 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

10/5/12
Date

Bruce Scha for Edward Scott
Edward Scott
City Controller

10/5/12
Date

RECEIVED
2012 OCT -5 PM 4:31
CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, OCTOBER 10, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

REVISED 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	
	CLOSED SESSION	
	MINUTES	Item 1
	CONSENT AGENDA	Items 2 - 25
	CONSENT ADDENDUM	Items 1 - 6

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier	Items 26 - 35
than 9:15 a.m.	Addendum Items 7 - 8

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.	Items 36 - 45

ADDENDUM
CITY COUNCIL MEETING
OCTOBER 10, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

Closed Session 6ES
Attorney Briefings (Sec. 551.071 T.O.M.A.)
- De Los Santos et al v. City of Dallas, Civil Action No. 3:12-cv-2596

CONSENT ADDENDUM

City Attorney's Office

1. Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C - Financing: This action has no cost consideration to the City

Office of Financial Services

2. Authorize **(1)** amendments to the 2012 City Calendar; **(2)** an amendment to the City's designated observance day for September 11th Remembrance Day; and **(3)** adoption of the 2013 City Calendar - Financing: No cost consideration to the City

Police

3. An ordinance amending Chapter 28 of the Dallas City Code to provide regulations governing the operation of motor vehicles near vulnerable road users - Financing: No cost consideration to the City

Public Works Department

4. Authorize the purchase of furniture for the Dallas Judicial Center located at 2014 Main Street - WRG LLC., through US Communities Government Purchasing Alliance - Not to exceed $740,000 - Financing: 2006 Bond Funds

5. Ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road - Not to exceed $192,661 - Financing: 2006 Bond Funds

ADDENDUM
CITY COUNCIL MEETING
OCTOBER 10, 2012

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction

6. An ordinance amending Ordinance No. 28037, as amended by Ordinance Nos. 28441 and 28620, which abandoned a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, to extend the final replat and dedication requirement from two years to three years - Revenue: $5,400 plus the $20 ordinance publication fee

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

7. A resolution designating absences by Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen, Councilmember Linda Koop and Councilmember Sandy Greyson as being for "official city business" - Financing: No cost consideration to the City

DESIGNATED PUBLIC SUBSIDY MATTERS

Sustainable Development and Construction

8. Authorize a Chapter 380 economic development grant agreement with the North Dallas Chamber of Commerce pursuant to the City of Dallas Public/Private Partnership Program for a Valley View/Galleria Area Planning Study - Not to exceed $250,000 - Financing: Public/Private Partnership Funds

CORRECTION:

Park & Recreation

11. Authorize a public hearing to be held on ~~November 12, 2012~~ November 14, 2012, to receive comments on the proposed use of a portion of Turtle Creek Greenbelt, totaling approximately 1,584 square feet of land, for the installation of a stormwater pipe and outfall to serve adjacent stormwater runoff needs - Financing: No cost consideration to the City

ADDENDUM DATE October 10, 2012

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			N/A	C	ATT, IGS, MGT	NC	NA	NA	Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C
2			N/A	C	OFS	NC	NA	NA	Authorize amendments to the 2012 City Calendar; an amendment to the City's designated observance day for September 11th Remembrance Day; and adoption of the 2013 City Calendar
3			All	C	POL	NC	NA	NA	An ordinance amending Chapter 28 of the Dallas City Code to provide regulations governing the operation of motor vehicles near vulnerable road users
4			14	C	PBW, CDS	$740,000.00	NA	NA	Authorize the purchase of furniture for the Dallas Judicial Center located at 2014 Main Street
5			7	C	PBW, FIR	$192,661.00	100.00%	100.00%	Ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road
6			5	C	DEV	REV $5,400	NA	NA	An ordinance amending Ordinance No. 28037, as amended by Ordinance Nos. 28441 and 28620, which abandoned a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, to extend the final replat and dedication requirement from two years to three years
7			All	I	SEC	NC	NA	NA	A resolution designating absences by Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmembers Dwaine Caraway, Vonciel Jones Hill, Jerry Allen, Linda Koop and Sandy Greyson as being for "official city business"
8			11	I	DEV, ECO	GT	NA	NA	Authorize a Chapter 380 economic development grant agreement with the North Dallas Chamber of Commerce pursuant to the City of Dallas Public/Private Partnership Program for a Valley View/Galleria Area Planning Study

TOTAL $932,661.00

ADDENDUM ITEM # 1

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

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office
Office of Management Services
Intergovernmental Services

CMO: Thomas P. Perkins, Jr., 670-3491
Jeanne Chipperfield, 670-7804
Mary K. Suhm, 670-5306

MAPSCO: N/A

SUBJECT

Authorize an amendment to the mineral lease between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration, L.L.C - Financing: This action has no cost consideration to the City

BACKGROUND

The City of Dallas, the City of Fort Worth, and the Dallas/Fort Worth International Airport Board (Board) are in litigation with Chesapeake Exploration, L.L.C. The original claims were based on the measure of royalties and the measure of retained tracts. On April 16, 2012, the parties entered into a partial settlement agreement, covering the measure of retained tracts. The parties now propose a settlement to resolve the measure of royalties dispute, which is the only remaining claim.

The proposed settlement agreement will settle the measure of royalties dispute on the following terms:

Back Royalties: Chesapeake will pay the Board $5,000,000.00 for production from the first date of production through June 2012 and be released from all royalty liability for that period.

Future Index: Beginning with July 2012 production, royalties will be based on the higher of (a) proceeds actually received by Chesapeake or (b) the index price for Natural Gas Pipeline Company of America-Texok Zone, as published in Platt's Insider FERC's Natural Gas Report (the Index) less $0.35 (the Adjusted Index).

BACKGROUND (Continued)

2012 (July-December) Price Guarantee: From July 2012 to December 2012, Chesapeake guarantees that royalties payable to the Board will be at least $60,000.00 per month higher than they would have been if based on proceeds received from Chesapeake's current marketer, Louis Dreyfus. In the event Chesapeake ceases to sell to Louis Dreyfus, then the royalties paid to the Board will be at least $60,000.00 per month higher than it would have been if based on the published Carthage daily midpoint price less $0.65 on a weighted average basis for all natural gas sold during the month.

Limited Liability of Working Partners: All working interest partners will no longer have joint and several liability for the entire lease. The liability of the working interest partners will be limited to their proportion of ownership. Chesapeake will continue to have joint and several liability for all lease obligations.

An amendment to the mineral lease is necessary to change the manner of calculating royalties and to limit the liability of the working partners.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 5, 2011, the Dallas/Fort Worth International Airport Board recommended that the Cities of Dallas and Fort Worth approve partial settlement with Chesapeake.

On December 14, 2011, the Dallas City Council authorized an amendment to the mineral lease with Chesapeake to effect a partial settlement of disputes that arose under the Lease, by Resolution No. 11-3238.

On March 1, 2012, the Dallas/Fort Worth International Airport Board recommended that the Cities of Dallas and Fort Worth approve an amended partial settlement agreement with Chesapeake.

On April 11, 2012, the Dallas City Council authorized an amendment to the mineral lease by and between the City of Dallas, the City of Fort Worth, the Dallas/Fort Worth International Airport Board, and Chesapeake Exploration LLC, that is necessary to effect a partial settlement of disputes that arose under the Lease, by Resolution No. 12-1035.

On September 6, 2012, the Board approved the proposed settlement and amendment to the mineral lease.

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

On September 25, 2012, the City Council of the City of Fort Worth approved the amendment to the mineral lease, by Resolution No. 4135-09-2012.

Council was briefed in closed session on October 3, 2012.

FISCAL INFORMATION

No cost consideration to the City.

WHEREAS, the Cities of Fort Worth and Dallas, together with the Dallas/Fort Worth International Airport Board ("Board") entered into a Mineral Lease ("Lease") with Chesapeake Exploration, L.L.C. for property located on Dallas/Fort Worth International Airport; and,

WHEREAS, the Lease sets forth the manner of calculation of royalties; and,

WHEREAS, the Lease provides that the minority working partners shall be jointly and severally liable for the entire Lease; and,

WHEREAS, the parties to the Lease have been in litigation in Tarrant County, Texas regarding the contractual measure of royalties and retained tracts; and,

WHEREAS, the retained tracts issue was previously resolved via a partial settlement agreement; and,

WHEREAS, the parties have tentatively reached a full and final settlement regarding the contractual measure of royalties; and,

WHEREAS, as part of this full and final settlement, the parties have agreed to release the working interest partners from joint and several liability for lease obligations for the entire lease, and to limit their liability for lease obligations in proportion to their ownership;

WHEREAS, on September 6, 2012, the Board approved the proposed settlement and amendment to the mineral lease;

WHEREAS, on September 25, 2012, the City Council of the City of Fort Worth approved the amendment to the lease; **NOW, THEREFORE,**

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

Section 1. The City Manager is hereby authorized to execute an amendment to the Lease providing that the royalties will be based on the higher of (a) proceeds actually received by Chesapeake or (b) the index price for Natural Gas Pipeline Company of America - Texok Zone, as published in Platt's Inside FERC's Gas Market Report less $0.350 and that the working interest partners will be liable for lease obligations in proportion to their lease ownership.

Section 2. 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.

ADDENDUM ITEM # 2

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

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize **(1)** amendments to the 2012 City Calendar; **(2)** an amendment to the City's designated observance day for September 11th Remembrance Day; and **(3)** adoption of the 2013 City Calendar - Financing: No cost consideration to the City

BACKGROUND

Resolution No. 89-3796 requires the City Council to adopt an annual calendar. Resolution No. 90-2673 establishes the annual July recess. The City Calendar includes all City Council briefing and agenda meetings, budget briefings and workshops, Council Committee meetings, and City holidays. The City Calendar is available on the City's website at www.dallascityhall.com and is made available in the Office of Financial Services to all citizens who request copies.

Amendment of the 2012 calendar includes canceling the City Council meetings on October 17, November 12, and November 26, 2012 and adding a City Council meeting on November 14, 2012.

The 2009 State Legislature enacted legislation (HB 2113) which requires that at least one holiday for fire fighters shall be designated as a September 11th remembrance day. The City of Dallas designated the Friday after Thanksgiving as "September 11th Remembrance Day" on September 23, 2009, by Resolution No. 09-2372. This observance will be moved to September 11th and recognized by uniform employees of the City as a floating holiday.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The City Council designated the Friday after Thanksgiving as the official City observance day for the September 11th Remembrance Day on September 23, 2009, by Resolution No. 09-2372.

The City Council was briefed on the 2012 City Calendar on October 19, 2011.

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

The City Council approved the 2012 City Calendar on October 26, 2011, by Resolution No. 11-2881.

The City Council was briefed on the amendments to the 2012 City Calendar and the 2013 City Calendar on October 3, 2012.

FISCAL INFORMATION

No cost consideration to the City.

October 10, 2012

WHEREAS, it is the desire of the City to improve the efficiency of our municipal operations by adopting an annual City Calendar; and

WHEREAS, it is the responsibility of the City Manager's Office to prepare an annual City Calendar each year for the upcoming calendar year; and

WHEREAS, the annual City Calendar should be presented to the City Council for adoption in October of each year for the upcoming calendar year; and

WHEREAS, the annual City Calendar should include all City Council briefing and agenda meetings, budget briefings and workshops, Council Committee meetings, and City holidays; and

WHEREAS, the City Calendar should be updated periodically to incorporate any additions and/or changes in the schedule of meetings; and

WHEREAS, the City Calendar should be made available to all citizens, upon request, in the Office of Financial Services;

Now, Therefore,

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

Section 1. That the Dallas City Council amends Resolution No. 11-2881, passed on October 26, 2011, to cancel the City Council meetings on October 17, November 12, and November 26, 2012 and add a City Council meeting on November 14, 2012.

Section 2. That the Dallas City Council amends Resolution No. 09-2372, passed on September 23, 2009, to change the observance for September 11th Remembrance Day, from the Friday after Thanksgiving to September 11.

Section 3. That the Dallas City Council adopts the amended 2012 City Calendar per Attachment A and the 2013 City Calendar per Attachment B.

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 if Dallas, and it is accordingly so resolved.

October

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
	1 Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**2**	**3** Council Briefing 9:00am	**4**	**5**	**6**
7	**8** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**9**	**10** Council Agenda 9:00am	**11**	**12**	**13**
14	**15** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**16**	**17** City Council Meeting Canceled ~~Briefing~~ ~~9:00am~~	**18**	**19**	**20**
21	**22** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**23**	**24** Council Agenda 9:00am	**25**	**26**	**27**
28	**29**	**30**	**31** Fifth Wednesday – No City Council Meeting			

Note: Council Agenda Meetings are held in Council Chambers and Council Briefing and Committee meetings are held in Room 6ES

2012

November

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
				1	**2**	**3**
4	**5** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**6**	**7** Council Briefing 9:00am	**8**	**9**	**10**
11	**12** Council Committee Meetings Canceled Council Agenda Meeting Canceled ~~9:00am~~ Veteran's Day Parade	**13** Texas Municipal League Annual Conference – Grapevine, TX	**14** ~~City~~ Council Agenda ~~Meeting Moved to November 12th~~ 9:00am Texas Municipal League Annual Conference – Grapevine, TX	**15** Texas Municipal League Annual Conference – Grapevine, TX	**16** Texas Municipal League Annual Conference – Grapevine, TX	**17**
18	**19** Council Committee Meetings Canceled	**20**	**21** City Council Meeting Canceled	**22** Thanksgiving Day City Holiday	**23** September 11th Remembrance Day/Day after Thanksgiving Day City Holiday	**24**
25	**26** Council Committee Meetings Canceled Council Agenda Meeting Canceled ~~9:00am~~	**27** National League of Cities Conference – Boston, MA	**28** City Council Agenda Meeting Moved to November 26th National League of Cities Conference – Boston, MA	**29** National League of Cities Conference – Boston, MA	**30** National League of Cities Conference – Boston, MA	

Note: Council Agenda Meetings are held in Council Chambers and Council Briefing and Committee meetings are held in Room 6ES

2012

December

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
						1 National League of Cities Conference – Boston, MA
2	**3** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**4**	**5** Council Briefing 9:00am	**6**	**7**	**8** Eight Days of Hanukkah (Begins at Sundown)
9 Hanukkah	**10** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**11**	**12** Council Agenda 9:00am	**13**	**14**	**15**
16	**17** Council Committee Meetings Canceled	**18**	**19** City Council Meeting Canceled	**20**	**21**	**22**
23	**24** Council Committee Meetings Canceled	**25** Christmas Day City Holiday	**26** City Council Meeting Canceled	**27**	**28**	**29**
30	**31**					

Note: Council Agenda Meetings are held in Council Chambers and Council Briefing and Committee meetings are held in Room 6ES

2012

January

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
		1 New Year's Day City Holiday	**2** City Council Meeting Canceled	**3**	**4**	**5**
6	**7** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**8**	**9** Council Agenda 9:00am	**10**	**11**	**12**
13	**14** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**15** 1st Semi-Annual Campaign Finance Report Due	**16** Council Briefing 9:00am	**17** U.S. Conference of Mayors Washington, DC Winter Meeting	**18** U.S. Conference of Mayors Washington, DC Winter Meeting	**19** U.S. Conference of Mayors Washington, DC Winter Meeting
20	**21** Council Committee Meetings Canceled Martin Luther King, Jr. Day City Holiday	**22**	**23** Council Agenda 9:00am	**24** Council-Staff Planning Session 2:00pm	**25** Council-Staff Planning Session 9:00am	**26**
27	**28** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**29**	**30** Fifth Wednesday – No City Council Meeting	**31**		

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

February

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
					1	**2**
3	**4** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**5**	**6** Council Briefing 9:00am Budget Workshop	**7**	**8**	**9**
10	**11** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**12**	**13** Council Agenda 9:00am	**14**	**15**	**16**
17	**18** Council Committee Meetings Moved Presidents' Day City Holiday	**19** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**20** Council Briefing 9:00am	**21**	**22**	**23**
24	**25** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**26**	**27** Council Agenda 9:00am	**28**		

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

March

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
					1	**2**
3	**4** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**5**	**6** Council Briefing 9:00am (Adjourn by 2:00pm) Legislative Reception - Austin	**7**	**8**	**9** National League of Cities Conference – Washington, D.C
10 National League of Cities Conference – Washington, D.C	**11** Council Committee Meetings Canceled Council Recess National League of Cities Conference – Washington, D.C	**12** Council Recess National League of Cities Conference – Washington, D.C	**13** City Council Meeting Canceled Council Recess National League of Cities Conference – Washington, D.C	**14** Council Recess	**15** Council Recess	**16**
17	**18** Council Committee Meetings Canceled Council Recess	**19** Council Recess	**20** City Council Meeting Canceled Council Recess	**21** Council Recess	**22** Council Recess	**23**
24	**25** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment (Adjourn by 2pm) Passover (Begins at Sundown)	**26** Passover Second Night Seder	**27** Council Agenda 9:00am Budget Public Hearing	**28**	**29** Good Friday	**30**
31 Easter						

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

April

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
	1 Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**2**	**3** Council Briefing 9:00am	**4**	**5**	**6**
7	**8** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**9**	**10** Council Agenda 9:00am	**11** 30th Day Before Election – Campaign Finance Report Due	**12**	**13**
14	**15** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**16**	**17** Council Briefing 9:00am	**18**	**19**	**20**
21	**22** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**23**	**24** Council Agenda 9:00am	**25**	**26**	**27**
28	**29** Early Voting Begins	**30**				

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

May

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
			1 Council Briefing 9:00am	**2**	**3** 8th Day Before Election – Campaign Finance Report Due	**4**
5	**6** Council Committee Meetings Canceled	**7** Early Voting Ends	**8** City Council Meeting Canceled	**9**	**10**	**11** Election Day
12	**13** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**14**	**15** Council Briefing 9:00am Budget Workshop	**16**	**17**	**18**
19	**20** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**21**	**22** Council Agenda 9:00am Budget Public Hearing Canvass of Election Results (subject to change) Call Runoff Election (if Necessary)	**23**	**24**	**25**
26	**27** Council Committee Meetings Canceled Memorial Day City Holiday	**28**	**29** Fifth Wednesday – No City Council Meeting Early Runoff Voting Begins (if Necessary)	**30**	**31** 8th Day Before Runoff – Campaign Finance Report Due	

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

June

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
						1
2	**3** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**4**	**5** Council Briefing 9:00am	**6**	**7**	**8**
9	**10** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**11** Early Runoff Voting Ends (if Necessary)	**12** Council Agenda 9:00am	**13**	**14**	**15** Runoff Election (if Necessary)
16	**17** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**18**	**19** Council Briefing 9:00am Budget Workshop	**20**	**21** U.S. Conference of Mayors Las Vegas, NV	**22** U.S. Conference of Mayors Las Vegas, NV
23 U.S. Conference of Mayors Las Vegas, NV	**24** Council Committee Meetings Canceled Canvass of Runoff Election (subject to change) City Council Inauguration and Other Meetings U.S. Conference of Mayors Las Vegas, NV	**25**	**26** Council Agenda 9:00am	**27**	**28**	**29**
30						

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

July

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
	1 Council Recess Per Resolution 90-2673 Passed August 22, 1990	**2**	**3** Council Recess Per Resolution 90-2673 Passed August 22, 1990	**4** Independence Day City Holiday	**5**	**6**
7	**8** Council Recess Per Resolution 90-2673 Passed August 22, 1990	**9** Ramadan (Begins at Sundown)	**10** Council Recess Per Resolution 90-2673 Passed August 22, 1990 Ramadan	**11**	**12**	**13**
14	**15** Council Recess Per Resolution 90-2673 Passed August 22, 1990 2nd Semi-Annual Campaign Finance Report Due	**16**	**17** Council Recess Per Resolution 90-2673 Passed August 22, 1990	**18**	**19**	**20**
21	**22** Council Recess Per Resolution 90-2673 Passed August 22, 1990	**23**	**24** Council Recess Per Resolution 90-2673 Passed August 22, 1990	**25**	**26**	**27**
28	**29**	**30**	**31**			

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

August

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
				1	**2**	**3**
4	**5** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**6**	**7** Council Briefing 9:00am	**8**	**9**	**10**
11	**12** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**13** 9:00am Council Budget Workshop Presentation of City Manager's Recommended Budget Budget Town Hall Meetings Begin	**14** Council Agenda 9:00am	**15**	**16**	**17**
18	**19** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**20**	**21** Council Briefing 9:00am Budget Workshop	**22**	**23**	**24**
25	**26** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**27** 9:00am Council Budget Workshop	**28** Council Agenda 9:00am Budget Public Hearing	**29**	**30** Budget Town Hall Meetings End	**31**

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

September

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
1	**2** Council Committee Meetings Moved Labor Day City Holiday/Cesar E. Chavez Day	**3** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**4** Council Briefing 9:00am (Adjourn by 2:00pm) Vote to Adopt Budget 1st Reading Rosh Hashanah (Begins at Sundown)	**5** Rosh Hashanah	**6** Rosh Hashanah	**7**
8	**9** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**10** 9:00am Council Budget Amendments Workshop	**11** Council Agenda 9:00am September 11th Remembrance Day	**12**	**13** Yom Kippur (Begins at Sundown)	**14** Yom Kippur
15	**16** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**17**	**18** Council Briefing 9:00am Budget Adoption 2nd Reading	**19**	**20**	**21**
22	**23** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**24**	**25** Council Agenda 9:00am	**26**	**27**	**28**
29	**30**					

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

October

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
		1	**2** Council Briefing 9:00am	**3**	**4**	**5**
6	**7** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit	**8** Council Agenda 9:00am Texas Municipal League Annual Conference –Austin, TX	**9** City Council Meeting Moved to October 8th Texas Municipal League Annual Conference –Austin, TX	**10** Texas Municipal League Annual Conference –Austin, TX	**11** Texas Municipal League Annual Conference –Austin, TX	**12**
13	**14** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**15**	**16** Council Briefing 9:00am	**17**	**18**	**19**
20	**21** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**22**	**23** Council Agenda 9:00am	**24**	**25**	**26**
27	**28** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment	**29**	**30** Fifth Wednesday – No City Council Meeting	**31**		

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

November

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
					1	**2**
3	**4** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**5**	**6** Council Briefing 9:00am	**7**	**8**	**9**
10	**11** Council Committee Meetings Canceled Veteran's Day	**12** Council Agenda 9:00am National League of Cities Conference – Seattle, WA	**13** City Council Meeting Moved to November 12th National League of Cities Conference – Seattle, WA	**14** National League of Cities Conference – Seattle, WA	**15** National League of Cities Conference – Seattle, WA	**16** National League of Cities Conference – Seattle, WA
17	**18** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**19**	**20** Council Briefing 9:00am	**21**	**22**	**23**
24	**25** Council Committee Meetings Canceled	**26**	**27** City Council Meeting Canceled Eight Days of Hanukkah (Begins at Sundown)	**28** Thanksgiving Day City Holiday Hanukkah	**29** Day after Thanksgiving Day City Holiday	**30**

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

December

Sun	*Mon*	*Tue*	*Wed*	*Thu*	*Fri*	*Sat*
1	**2** Council Committees: 9:00am-Economic Development 11:00am-Housing 1:00pm-Budget, Finance & Audit 3:00pm-Arts, Culture & Libraries	**3**	**4** Council Briefing 9:00am	**5**	**6**	**7**
8	**9** Council Committees: 9:30am-Quality of Life & Government Services 11:00am-Public Safety 1:00pm-Transportation & Environment 3:00pm-Trinity River Corridor Project	**10**	**11** Council Agenda 9:00am	**12**	**13**	**14**
15	**16** Council Committee Meetings Canceled	**17**	**18** City Council Meeting Canceled	**19**	**20**	**21**
22	**23** Council Committee Meetings Canceled	**24**	**25** City Council Meeting Canceled Christmas Day City Holiday	**26**	**27**	**28**
29	**30**	**31**				

2013

Note: Council Agenda meetings are held in Council Chambers and Council Briefing and committee meetings are held in room 6ES at Dallas City Hall

ADDENDUM ITEM # 3

KEY FOCUS AREA: Public Safety Improvements and Crime Reduction

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): All

DEPARTMENT: Police

CMO: A. C. Gonzalez, 671-8925

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 28 of the Dallas City Code to provide regulations governing the operation of motor vehicles near vulnerable road users - Financing: No cost consideration to the City

BACKGROUND

The proposed ordinance would require the operator of a motor vehicle to: (1) vacate the lane occupied by a vulnerable road user when passing, and reenter the lane occupied by the vulnerable road user only after passing at a safe distance; (2) not turn right in front of a vulnerable road user unless safely clear of the vulnerable road user; and (3) not throw items at a vulnerable road user. A vulnerable road user includes operators of bicycles, hand cycles, unicycles, and other human-powered wheeled vehicles on a street or highway. A motor vehicle operator violating the ordinance may be subject to a fine not to exceed $500. The motor vehicle operator is provided a defense if the vulnerable road user was not complying with laws governing the operation of bicycles on streets and highways. A defense is also provided if the motor vehicle operator cannot change lanes because of a physical barrier or obstruction or because the change of lanes would be unlawful, and then passes the vulnerable road user at a safe speed and distance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

10/4/12

ORDINANCE NO. _____

An ordinance adding Division 5 to Article VI of CHAPTER 28, "MOTOR VEHICLES AND TRAFFIC," of the Dallas City Code; defining terms; providing requirements for the safety of vulnerable road users; 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:

SECTION 1. That Article VI, "Operation of Vehicles," of CHAPTER 28, "MOTOR VEHICLES AND TRAFFIC," of the Dallas City Code is amended by adding a new Division 5, "Operation of Vehicles near Vulnerable Road Users," to read as follows:

"**Division 5. Operation of Vehicles near Vulnerable Road Users.**

SEC. 28-58.1. DEFINITION.

In this division, VULNERABLE ROAD USER means a person operating a bicycle, hand cycle, unicycle, or other human-powered wheeled vehicle on a street or highway.

SEC. 28-58.2. PROTECTION OF VULNERABLE ROAD USERS.

(a) The operator of a motor vehicle commits an offense if, while passing a vulnerable road user on a street or highway, he:

(1) fails to entirely vacate the lane occupied by the vulnerable road user; or

(2) re-enters the lane occupied by the vulnerable road user before having passed the vulnerable road user at a safe distance.

(b) The operator or passenger of a motor vehicle commits an offense if he knowingly throws or projects any object or substance at or against a vulnerable road user.

(c) The operator of a motor vehicle commits an offense if he overtakes a vulnerable road user traveling in the same direction and subsequently makes a right-hand turn in front of the vulnerable road user unless the operator is safely clear of the vulnerable road user, taking into account the speed at which the vulnerable road user is traveling and the braking requirements of the vehicle making the right-hand turn.

(d) It is a defense to prosecution under Subsections (a) and (c) that, at the time of the offense, the vulnerable road user was acting in violation of a city ordinance or state or federal law regulating the operation of bicycles.

(e) It is a defense to prosecution under Subsection (a)(1) if the operator of the motor vehicle:

(1) was unable to move into an adjacent lane of the street or highway due to a physical barrier or obstruction or because the change of lanes would have violated a city ordinance or state or federal law; and

(2) passed the vulnerable road user at a safe speed and distance."

SECTION 2. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed $500.

SECTION 3. That Chapter 28 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. 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 5. 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_____

CB/DCC/00002

ADDENDUM ITEM # 4

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

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): 14

DEPARTMENT: Public Works Department
Court & Detention Services

CMO: Jill A. Jordan, P.E., 670-5299
A. C. Gonzalez, 671-8925

MAPSCO: 45L

SUBJECT

Authorize the purchase of furniture for the Dallas Judicial Center located at 2014 Main Street - WRG LLC., through US Communities Government Purchasing Alliance - Not to exceed $740,000 - Financing: 2006 Bond Funds

BACKGROUND

The Municipal Building Annex located at 2014 Main Street is currently being renovated into the Dallas Judicial Center. When completed, this facility will house Court and Detention Services, including administration, public transaction counter, bonds and correspondence, records, attorneys, accounting, twelve courtrooms and associated judicial administration. The purchase and installation of furniture for Phase I, which included the third and fourth floors, was awarded on December 14, 2011. The construction of Phase I was completed, the furniture was installed and City employees occupied their new offices at the end of August 2012.

Construction of Phase II includes portions of the first and second floors and is scheduled to be completed and ready for occupancy in November 2012. Phase III, the last phase of construction, includes the remaining portions of the first and second floors, is scheduled to be completed and ready for occupancy in February 2013. This action will authorize the purchase and installation of furniture from WRG, LLC. for Phases II and III for the first and second floors of the Dallas Judicial Center.

US Communities Government Purchasing Alliance conforms to the requirements of the Texas statues that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, they receive bids from manufactures and dealers throughout the United States.

ESTIMATED SCHEDULE OF PROJECT

Begin Installation	November 2012
Complete Installation	February 2013

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a service contract with WRG LLC. in the amount of $800,000 on December 14, 2011, by Resolution No. 11-3346.

FISCAL INFORMATION

2006 Bond Funds - $740,000

ETHNIC COMPOSITION

WRG LLC

Hispanic Female	1	Hispanic Male	4
African American Female	0	African American Male	4
Other Female	3	Other Male	2
White Female	29	White Male	17

OWNER(S)

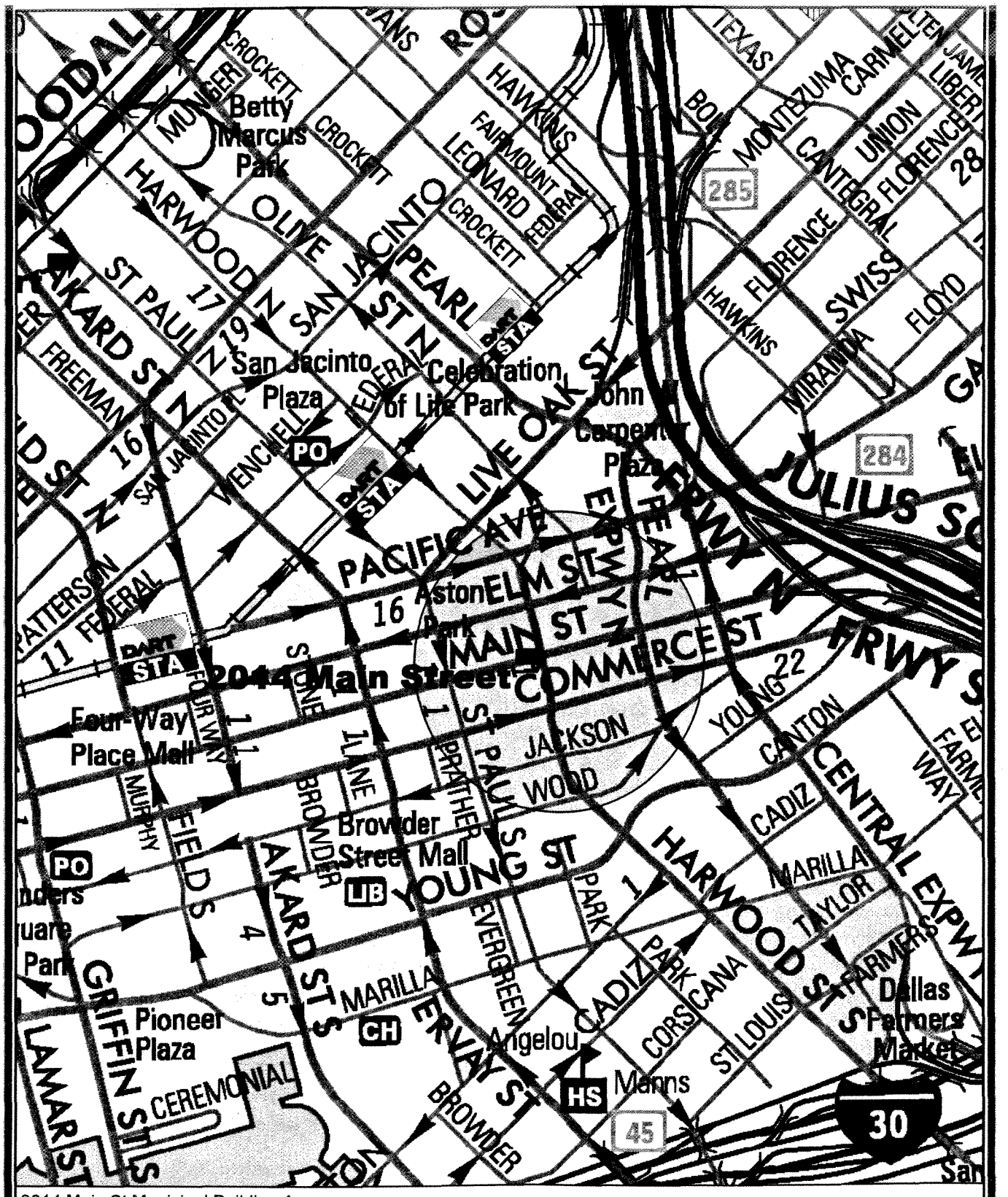
WRG LLC

Mark Bauer, President

MAP

Attached

2014 Main St Municipal Building Annex Renovation



2014 Main St Municipal Building Annex

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October 10, 2012

WHEREAS, on December 14, 2011, Resolution No. 11-3346 authorized a service contract with WRG, LLC. through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for Phase I of the Dallas Judicial Center located at 2014 Main Street in an amount not to exceed $800,000.00; and,

WHEREAS, it is necessary to proceed with the purchase and installation of furniture for Phases II and III of the Dallas Judicial Center located at 2014 Main Street; and,

WHEREAS, it is now desirable to authorize a purchase order with WRG, LLC. through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for Phases II and III of the Dallas Judicial Center located at 2014 Main Street in an amount not to exceed $740,000.00.

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 a purchase order with WRG, LLC. through the U.S. Communities Government Purchasing Alliance for the purchase and installation of furniture for Phases II and III of the Dallas Judicial Center located at 2014 Main Street in an amount not to exceed $740,000.00.

Section 2. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for the purchase and installation of furniture for Phases II and III of the Dallas Judicial Center located at 2014 Main Street. 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:

2006 Bond Funds
Fund 1T60, Dept. PBW, Unit T830, Act. CFCR
Object 4710, Program # PB06T830, PO PBW 00000107001
Vendor # VC0000010239
U.S. Communities Contract # AG0607
In an amount not to exceed $740,000.00

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.

ADDENDUM ITEM # 5

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): 7

DEPARTMENT: Public Works Department
Fire

CMO: Jill A. Jordan, P.E., 670-5299
A. C. Gonzalez, 671-8925

MAPSCO: 47J

SUBJECT

Ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road - Not to exceed $192,661 - Financing: 2006 Bond Funds

BACKGROUND

This action will authorize an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue (DFR) Vehicle Maintenance Facility located at 5000 Dolphin Road. The existing roof suffered recent hail damage that has resulted in water infiltration to the interior of the facility. The damage has required the removal of approximately half the facility from service and has reduced DFR's ability to adequately maintain fire and rescue vehicles. Roof replacement is necessary to restore the full service capability of the Maintenance Facility.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction	October 2012
Complete Construction	December 2012

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

2006 Bond Funds - $192,661

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Texas Roof Management, Inc.

Hispanic Female	0	Hispanic Male	89
African-American Female	0	African-American Male	0
White Female	0	White Male	0
Other Female	6	Other Male	5

OWNER(S)

Texas Roof Management, Inc.

Catherine L. Awtrey, President/Secretary

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road - Not to exceed $192,661 - Financing: 2006 Bond Funds

Texas Roof Management, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	Amount	Percent
Total local contracts	$192,661.00	100.00%
Total non-local contracts	$0.00	0.00%
TOTAL CONTRACT	$192,661.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

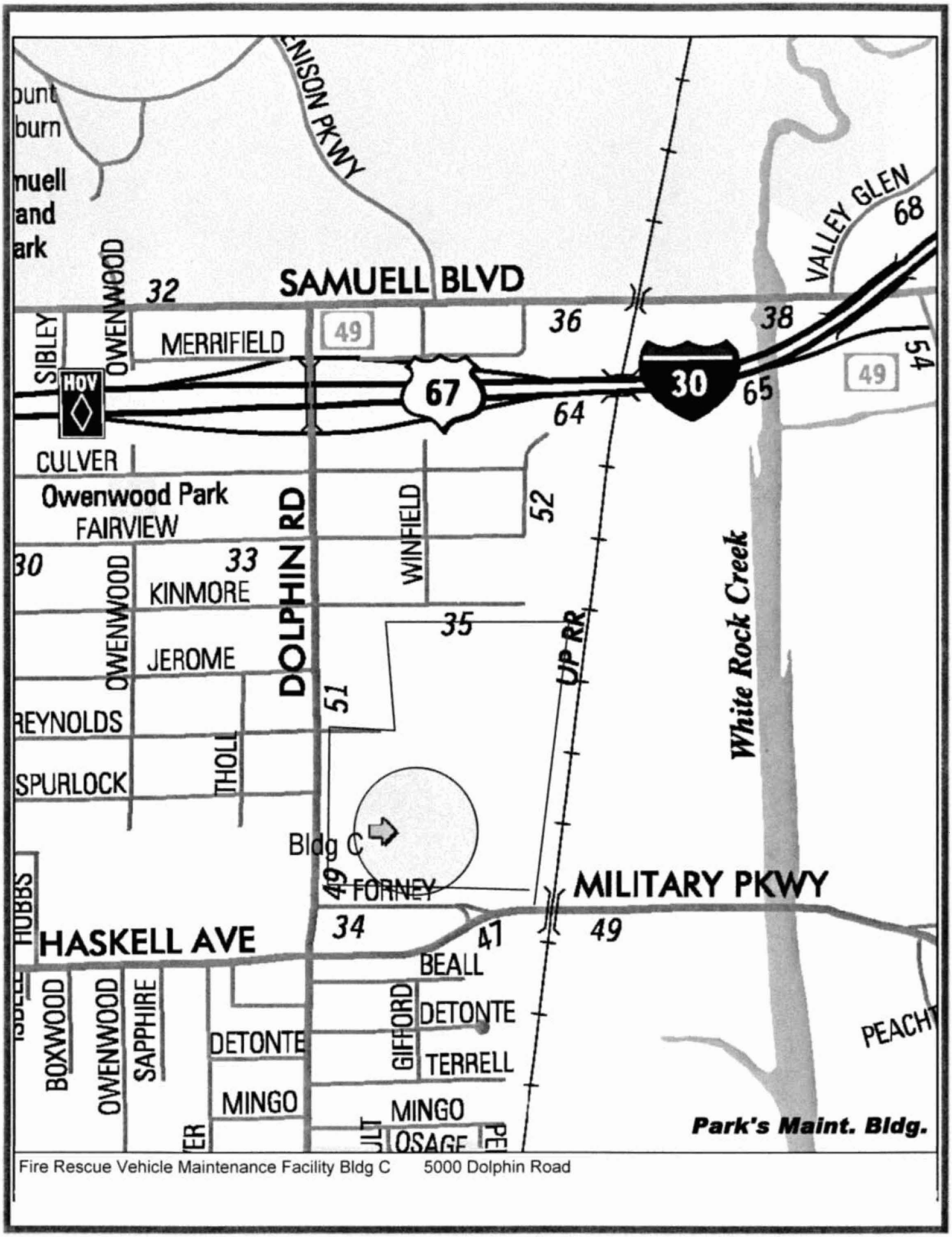
Local	Certification	Amount	Percent
Texas Roof Management, Inc.	WFWB53848N0613	$176,261.00	91.49%
Crenshaw Consulting Group, LP	WFWB54361N0713	$16,400.00	8.51%
Total Minority - Local		$192,661.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	Local	Percent	Local & Non-Local	Percent
African American	$0.00	0.00%	$0.00	0.00%
Hispanic American	$0.00	0.00%	$0.00	0.00%
Asian American	$0.00	0.00%	$0.00	0.00%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$192,661.00	100.00%	$192,661.00	100.00%
Total	$192,661.00	100.00%	$192,661.00	100.00%



Fire Rescue Vehicle Maintenance Facility Bldg C 5000 Dolphin Road

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October 10, 2012

WHEREAS, a need was identified for roof repair and replacement on various City-owned facilities; and,

WHEREAS, the need to perform emergency roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility was identified; and,

WHEREAS, Texas Roof Management, Inc. submitted a proposal for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility; and,

WHEREAS, it is necessary to ratify an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road in an amount not to exceed $192,661.

Now, Therefore,

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

Section 1. That an emergency construction contract with Texas Roof Management, Inc. for roof replacement on the Dallas Fire Rescue Vehicle Maintenance Facility located at 5000 Dolphin Road in an amount not to exceed $192,661 is hereby ratified as an emergency expenditure.

Section 2. That the City Controller is authorized to disburse funds in accordance with the terms and conditions of the contract from:

Public Safety Facilities Fund
Fund 7T33, Dept. PBW, Unit P756 , Act. MMCF
Obj. 4310, Program # PB06P756, CT PBW06P756A1
Vendor # 354710, in an amount not to exceed $192,661

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.

ADDENDUM ITEM # 6

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): 5

DEPARTMENT: Sustainable Development and Construction

CMO: Ryan S. Evans, 670-3314

MAPSCO: 65C

SUBJECT

An ordinance amending Ordinance No. 28037, as amended by Ordinance Nos. 28441 and 28620, which abandoned a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners, to extend the final replat and dedication requirement from two years to three years - Revenue: $5,400 plus the $20 ordinance publication fee

BACKGROUND

This item authorizes the amendment of Ordinance No. 28037, as amended by Ordinance Nos. 28441 and 28620, which abandoned a portion of Denley Drive and street easements to City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., the abutting owners. This amendment will allow for the extension of the final replat and dedication requirement from two years to three years.

PRIOR ACTION /REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 11, 2012, City Council approved Ordinance No. 28620 which extended the final replat and dedication requirement from 545 days to two years.

On October 10, 2011, City Council approved Ordinance No. 28441 which extended the final replat and dedication requirement from one year to 545 days.

On October 13, 2010, City Council approved Ordinance No. 28037.

FISCAL INFORMATION

Revenue: $5,400 plus the $20 ordinance publication fee

OWNERS

City Wide Development Corporation

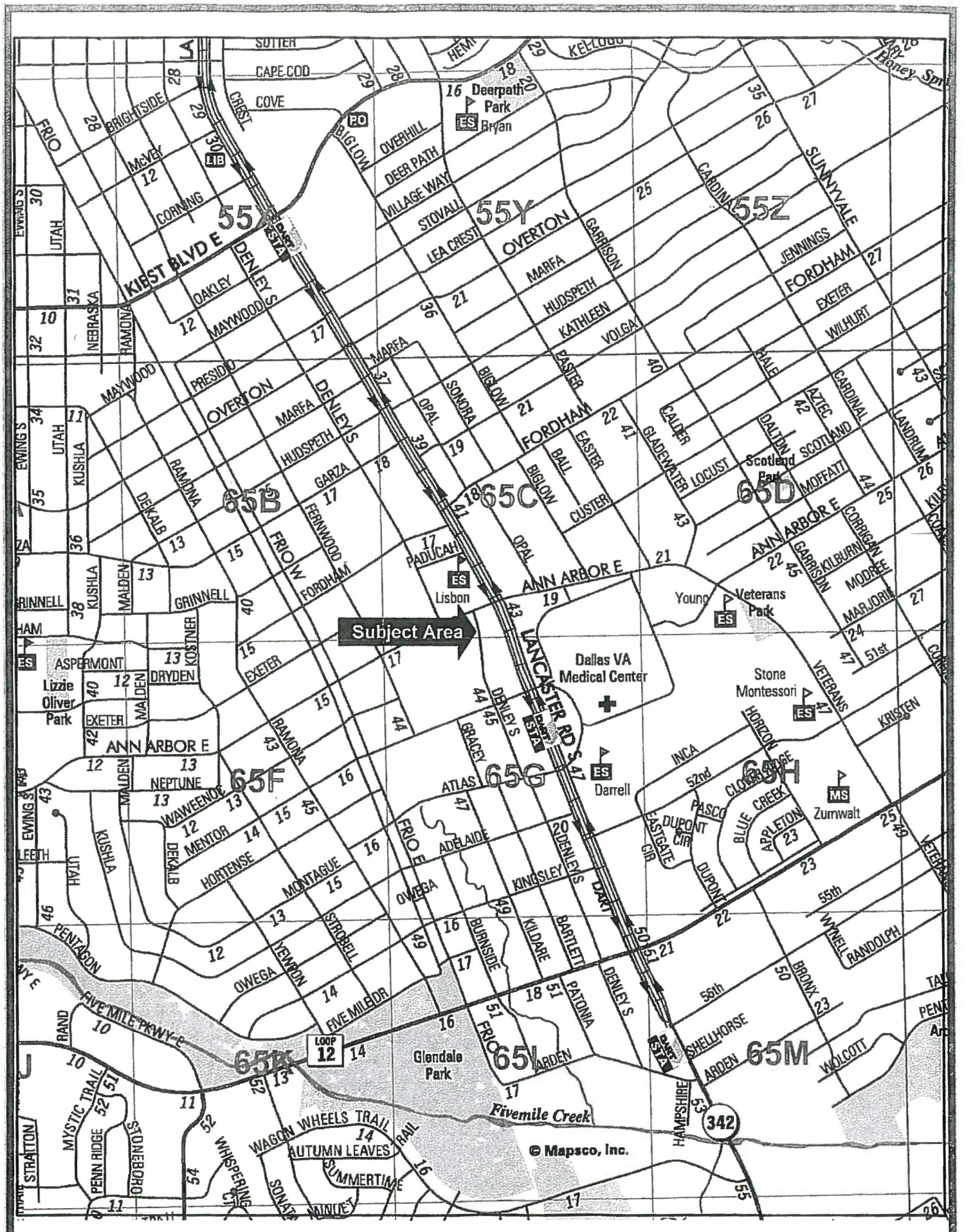
Sherman Roberts, President

The Urban League of Greater Dallas and North Central Texas, Inc.

Beverly Mitchell-Brooks, PhD., President

MAPS

Attached



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65C MAPSCO

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N
Lancaster Road
Denley Drive
Ann Arbor Avenue
4326
A/4326
4326
Denley Drive
Abandonment
Street ROW and Street easements
Street ROW Dedication

ORDINANCE NO._____

An ordinance amending Ordinance No. 28037, as amended by Ordinance No's. 28441 and 28620, by altering Section 9 thereof; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a saving clause; and providing an effective date.

ooo0ooo

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

SECTION 1. That Ordinance No. 28037, adopted by the City Council of the City of Dallas on October 13, 2010, as amended by Ordinance No. 28441, adopted on October 10, 2011, as amended by Ordinance No. 28620, adopted on April 11, 2012, be and the same is hereby amended by altering Section 9 to read as follows:

> "**SECTION 9.** That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within [~~one year~~] [~~545 days~~] [~~two years~~] three years of the effective date of this ordinance showing the [~~fee simple~~] dedication by easement of not less than 13,102 square of needed right-of-way in City Block A/4326. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**."

SECTION 2. That as consideration for amending Ordinance No. 28037, as amended by Ordinance No's. 28441 and 28620, City Wide Community Development Corporation and The Urban League of Greater Dallas and North Central Texas, Inc., agree to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 ($5,400.00) DOLLARS** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

SECTION 3. That the City Controller is authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund 0625, Department BMS, Unit 8888, Revenue Source 8416.

SECTION 4. That the terms and conditions of Ordinance No. 28037, as amended by Ordinance No's. 28441 and 28620, shall remain in full force and effect except as amended hereby.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Sustainable Development and Construction, or designee. Upon receipt of the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Sustainable Development and Construction or designee shall deliver to **GRANTEE** a certified copy of this ordinance. The Director of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

SECTION 6. That this ordinance shall 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

THERESA O'DONNELL
Director of Sustainable Development and Construction

BY _____
Assistant Director

Passed _____.

ADDENDUM ITEM # 7

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

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Rosa A. Rios, 670-5654

MAPSCO: N/A

SUBJECT

A resolution designating absences by Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen, Councilmember Linda Koop and Councilmember Sandy Greyson as being for "official city business" - Financing: No cost consideration to the City

BACKGROUND

Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city councilmember, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city councilmember's compensation...for that year will be reduced proportionately by the number of meetings missed... Meetings missed by a city councilmember while he or she is on official business of the city and at the direction of the city council will not be counted towards the percentage of meetings missed for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business."

Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a councilmember for (1) attending a meeting or conference of a professional organization or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the councilmember has been appointed by the mayor, or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city councilmember for purposes of determining the councilmember's annual compensation.

BACKGROUND (continued)

Section 4.11 (c) of the City Council Rules of Procedure provides that in addition to those absences automatically considered to be on "official city business at the direction of the city council," under Section 4.11(b) above, the city council may by resolution designate whenever a councilmember's absence is for official city business and not counted as a missed meeting for purposes of determining the councilmember's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

October 10, 2012

WHEREAS, Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city councilmember, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city councilmember's compensation … for that year will be reduced proportionately by the number of meetings missed…. Meetings missed by a city councilmember while he or she is on official business of the city and at the direction of the city council will not be counted towards the percentage of meetings missed for which compensation reduction is required… but will be counted as though the member had attended the meetings that are missed while so engaged in city business; and

WHEREAS, Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a councilmember for (1) attending a meeting or conference of a professional organization or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the councilmember has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city councilmember for purposes of determining the councilmember's annual compensation; and

WHEREAS, Section 4.11 (c) of the City Council Rules of Procedure provides that in addition to those absences automatically considered to be on "official city business at the direction of the city council," under Section 4.11(b) above, the city council may by resolution designate whenever a councilmember's absence is for official city business and not counted as a missed meeting for purposes of determining the councilmember's annual compensation under Chapter III, Section 4 of the Dallas City Charter; and

WHEREAS, Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen and Councilmember Linda Koop participated in an event as noted in **Exhibit A** attached, which required them to miss part/or all of a city council meeting and/or briefing and Councilmember Linda Koop and Councilmember Sandy Greyson participated in a meeting as noted in **Exhibit A** attached, which required them to miss part/or all of a city council committee meeting; and

WHEREAS, the purpose for participating in the event required Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen and Councilmember Linda Koop to miss part/or all of a city council meeting and/or briefing, and Councilmember Linda Koop and Councilmember Sandy Greyson to miss part/or all of a city council committee meeting, noted in **Exhibit A** attached. **Now**, **Therefore**,

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

October 10, 2012

SECTION 1. That, in accordance with Chapter III, Section 4(e) of the Dallas City Charter and Section 4.11(c) of the City Council Rules of Procedure, the purpose for Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen and Councilmember Linda Koop being absent from part/or all of a city council meeting and/or briefing and Councilmember Linda Koop and Councilmember Sandy Greyson to miss part/or all of a city council committee meeting, noted in **Exhibit A** attached, is hereby deemed to be for "official city business" and the absence will not be counted against Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen, Councilmember Linda Koop and Councilmember Sandy Greyson in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 2. That, in accordance with Section 4.11 of the City Council Rules of Procedure, the City Secretary shall maintain a record of this absence so that such absence will not count against Mayor Pro Tem Pauline Medrano, Deputy Mayor Pro Tem Tennell Atkins, Councilmember Dwaine Caraway, Councilmember Vonciel Jones Hill, Councilmember Jerry Allen, Councilmember Linda Koop and Councilmember Sandy Greyson in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

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.

EXHIBIT A
CITY COUNCIL MEMBER(S)
TRIPS – REQUEST ABSENT ON OFFICIAL CITY BUSINESS

COUNCILMEMBER	TRIP/EVENT	LOCATION	DATE	PURPOSE	MEETING(S) MISSED	STATUS
Pauline Medrano	Hispanic Heritage Month	Washington, DC	09/26/2012	Represented the City of Dallas	City Council Briefing Meeting – 09/26/2012	Complete
Tennell Atkins	Economic Development Meeting	Panama City, Panama	10/03/2012	Representing the City of Dallas	City Council Briefing Meeting – 10/3/2012	Complete
Dwaine Caraway	Funeral of retired Dallas Fireman	Dallas City Hall	10/3/2012	Funeral of retired Dallas Fireman	City Council Briefing Meeting – 10/3/2012	Complete
Vonciel Jones Hill	Economic Development Meeting	Panama City, Panama	10/03/2012	Representing the City of Dallas	City Council Briefing Meeting – 10/3/2012	Complete
Jerry Allen	The Movement Day Conference	New York, NY	09/26/2012	Represented the City of Dallas	City Council Briefing Meeting – 09/26/2012	Complete
Linda Koop	Economic Development Meeting	Panama City, Panama	10/03/2012	Representing the City of Dallas	City Council Briefing Meeting – 10/3/2012	Complete
Linda Koop	Trinity River Corridor Committee	Dallas City Hall	10/08/2012	Meeting regarding transportation issues	Trinity River Corridor Committee – 10/8/2012	Complete
Sandy Greyson	La Bajada Zoning Case	Dallas City Hall	09/11/2012	Work related to the La Bajada Zoning Case	Transportation & Environment Committee Meeting – 09/11/2012	Complete
Sandy Greyson	La Bajada Zoning Case	Dallas City Hall	09/11/2012	Work related to the La Bajada Zoning Case	Public Safety Committee Meeting – 09/11/2012	Complete

ADDENDUM ITEM # 8

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): 11

DEPARTMENT: Sustainable Development and Construction
Office of Economic Development

CMO: Ryan S. Evans, 670-3314

MAPSCO: M14 P14 J15 K15 N15 P15

SUBJECT

Authorize a Chapter 380 economic development grant agreement with the North Dallas Chamber of Commerce pursuant to the City of Dallas Public/Private Partnership Program for a Valley View/Galleria Area Planning Study - Not to exceed $250,000 - Financing: Public/Private Partnership Funds

BACKGROUND

The Valley View – Galleria area, located at the confluence of two major transportation corridors, is one of Dallas' major regional business centers with significant Class A office space, strong destination retail, as well as several high quality hotels. The Dallas North Tollway registers over 550,000 vehicles per day and the LBJ Freeway, currently undergoing improvements, provides access to more than 250,000 vehicles daily. This area is identified as a key growth area in the City of Dallas Strategic Engagement Plan as well as the *forwardDallas!* Comprehensive Plan. Further, this site fulfills the City Council's citywide "megasite" redevelopment opportunity area within the Economic Vibrancy KFA.

The City has defined the area between the Dallas North Toll Road to the west, Preston Road to the east, LBJ freeway to the south and Southern Boulevard to the north (see attached map) as the focus for planning consideration. Several factors make this area a prime candidate for special planning attention and economic development interest:

- Area economic significance and potential – While the Galleria Mall continues to be a strong destination retail site, the adjacent Valley View site and some of its surrounding properties have declined. Recent change in the ownership of much of the Valley View mall property provides a catalytic opportunity to plan for positive change.

BACKGROUND (continued)

- Improvements to LBJ freeway – Reconstruction of the LBJ Freeway will be completed by early 2016. This major enhancement will add capacity to LBJ freeway with 8 free lanes and 6 managed lanes. While this construction work is resulting in a near-term slow-down in surrounding leasing and development activity, it is also generating significant longer term development interest as evidenced by zoning change requests, thus providing a unique window of opportunity for planning.

- Other planned capital improvements – Other planned improvements in the area include streetscape enhancements to Alpha Road funded through the 2006 City Bond Program, and plans by NCTCOG and DART to establish commuter rail service along the Cottonbelt Corridor though a public-private partnership.

- Area stakeholder buy-in – Area stakeholders recognize this area as prime for change and have already been engaging with the North Dallas Chamber and the City in working toward a planning process for the area.

In the interest of promoting economic development and a positive planning outcome through a public-private partnership, the North Dallas Chamber of Commerce has brought representative property and business owners within this area to the table. During 2011 the North Dallas Chamber led a series of stakeholder meetings. This private stakeholder group understood the opportunities for the area and charged itself with taking the lead in creating a unified vision and implementation plan for economic growth in this area. The group reviewed proposals from several local and national planning teams and is now poised to move forward with development of an area plan.

The proposed Valley View – Galleria Area Plan will establish a comprehensive vision to guide future private investment, economic development and public infrastructure investments in a coordinated fashion towards an optimal outcome in terms of tax base, quality of life, and accessibility. In particular, the plan will focus on urban design, land use and transportation and will serve as the basis for the City to undertake an area-wide rezoning to ensure a sound regulatory framework that encourages economic development consistent with the vision. Absent such a vision and zoning framework for this critical growth area, the City will lack an adequate means to ensure that future development, as well as requests for zoning changes and economic development incentives by individual property owners or developers, will ultimately maximize public benefit.

Authorizing a Chapter 380 Economic Development Grant in the amount of $250,000 to the North Dallas Chamber of Commerce will enable it to spearhead this planning effort in partnership with the City.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item was presented to the Economic Development Committee on October 1, 2012.

FISCAL INFORMATION

$250,000 – Public/Private Partnership Funds

MAP

Attached.

Valley View – Galleria Area Planning Study Area Boundary

WHEREAS, the City recognizes the importance of its role in local economic development; and

WHEREAS, the City of Dallas has identified the area between the Dallas North Toll Road to the west, Preston Road to the east, LBJ freeway to the south and Southern Boulevard to the north as a special area for economic development and planning consideration in the Strategic Engagement Plan and the *forwardDallas!* Comprehensive Plan; and

WHEREAS, there are significant public improvements underway or planned for the area as well as private sector development interest as evidenced by requests for zoning changes and land acquisitions; and

WHEREAS, during 2011 the North Dallas Chamber of Commerce led a series of meetings with representative stakeholders within this area and has built preliminary consensus around the need for a unified vision to guide private development, economic growth and public infrastructure improvement; and

WHEREAS, the City, pursuant to Resolution No. 12-1520 approved by the City Council on June 13, 2012: (1) adopted revised Public/Private Partnership Program – Guidelines & Criteria, which established certain guidelines and criteria for the use of City incentive programs for private development projects; and (2) established programs for making loans and grants of public money to promote local economic development and to stimulate business and commercial activity in the City of Dallas pursuant to the Economic Development Programs provisions under Chapter 380 of the Texas Local Government Code, (the "Act"); and

WHEREAS, on June 13, 2012, the City Council elected to continue its participation in economic development grants pursuant to Chapter 380 of the Texas Local Government Code by Resolution No. 12-1520, as amended; and

WHEREAS, the North Dallas Chamber of Commerce is poised to proceed with contracting for professional expertise to lead a planning study within this special area for economic development and land use consideration subject to funding assistance from the City of Dallas; and

WHEREAS, the City desires to enter into an economic development grant agreement with the North Dallas Chamber of Commerce for a planning study that will promote and guide future development within the Valley View – Galleria area with the potential for reimbursement from future development or districts created in the area.

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 a Chapter 380 economic development grant agreement with the North Dallas Chamber of Commerce pursuant to the City of Dallas Public/Private Partnership Program for a Valley View – Galleria Area Planning Study in an amount not to exceed $250,000.

Section 2. That the economic development grant agreement shall provide, among other provisions:

(a) A condition that the North Dallas Chamber of Commerce select a lead design, planning or architecture firm to study and develop an Area Plan for the area between the Dallas North Toll Road to the west, Preston Road to the east, LBJ freeway to the south and Southern Boulevard to the north and otherwise depicted on **Exhibit A**.

(b) That the grant shall be dispersed in scheduled payments based on meeting certain required milestones and timelines for the Area Plan as set forth in the grant agreement.

(c) That the Area Plan shall include a strategy for implementation wherein specific steps to accomplish the vision such as regulatory changes and strategic public investments are described.

Section 3. That the City Controller is hereby authorized to accept and deposit reimbursement of the grant funds in an amount not to exceed $250,000 in Fund 0352, Department ECO, Unit 9992, Activity PPPF, Revenue Source 8476 from one or more of the following potential future sources should they materialize: a tax increment finance district fund; a public improvement district; or, private sources in conjunction with an authorized development agreement with a developer.

Section 4. That the City Controller is hereby authorized to encumber and disburse funds from: Fund 0352, Department ECO, Unit 9992, Object 3016, Activity PPPF, Encumbrance No. ECO9992L197, Vendor No. VS0000074095, in an amount not to exceed $250,000.

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.

Exhibit A

Dallas North Tollway
Noel Road
Montfort Drive
(private drive)
Spring Valley Road
Preston Road
Southern Blvd
Alpha Road
James Temple
Montfort Drive
635
Dallas North Tollway
Preston Road

REVISED AGENDA ITEM # 11

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Paul D. Dyer, 670-4071

MAPSCO: 45-B

SUBJECT

Authorize a public hearing to be held on ~~November 12, 2012~~ November 14, 2012 to receive comments on the proposed use of a portion of Turtle Creek Greenbelt, totaling approximately 1,584 square feet of land, for the installation of a stormwater pipe and outfall to serve adjacent stormwater runoff needs - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns approximately 24 acres of land located in Uptown Dallas known as Turtle Creek Greenbelt. Classified as a linear park, it is developed with a hike and bike trail and associated appurtenances.

The City of Dallas Department of Sustainable Development and Construction has requested a reservation of approximately 1,584 square feet of land for the installation of a stormwater pipe and outfall. This storm sewer will be constructed in association with an adjacent private development and will outfall into Turtle Creek, via an underground pipe crossing the park land.

The private developer will construct this improvement and the City of Dallas Trinity Watershed Management Department will own and maintain the storm sewer. The Department of Development Sustainable Development and Construction and the developer have planned this improvement in close cooperation with the Park Department. All impacted landscape will be replaced as necessary in compliance with plans approved by the Park Department.

In compliance with the law, the City 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.

BACKGROUND (Continued)

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/REVIEW (Council, Boards, Commissions)

The Park and Recreation Board authorized a public hearing on September 20, 2012.

FISCAL INFORMATION

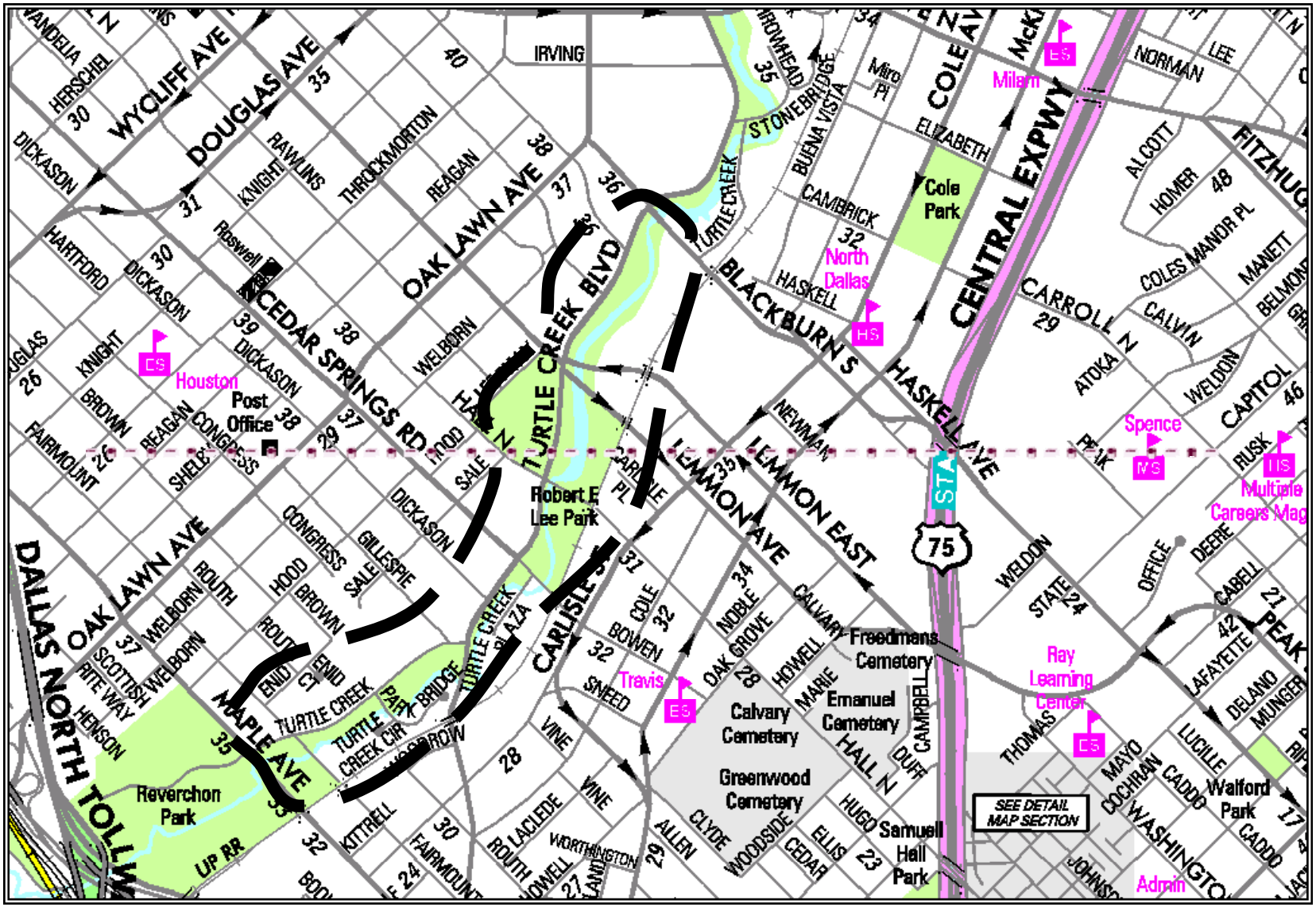
No cost consideration to the City.

MAPS

Attached

Turtle Creek Greenbelt

Council District 14



Mapsco #s 35-T,U,W,X,Y and 45-A,B,E

October 10, 2012

WHEREAS, the City of Dallas owns land in Dallas known as the Turtle Creek Greenbelt, which was acquired for park purposes and has been maintained as park land; and

WHEREAS, the City of Dallas Sustainable Development and Construction Services Department has requested the use of approximately 1,584 square feet of land, as described on Exhibit A, for the installation of a segment of a storm sewer line and outfall to serve adjacent property, and the Park and Recreation Board is agreeable to providing the property for this use; 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 Turtle Creek Greenbelt.

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 ~~November 12, 2012~~ November 14, 2012.

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.

DRAINAGE EASEMENT
SITUATED IN BLOCK 993
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
WILLIAM GRIGSBY SURVEY, ABSTRACT NO. 501
CITY OF DALLAS, DALLAS COUNTY, TEXAS

BEING 1,584 square foot (0.036 acre) tract of land situated in the James Sylvester Survey, Abstract No. 1383 and the William Grigsby Survey, Abstract No. 501, City Block 993, City of Dallas, Dallas County, Texas and being part of a tract of land described in Warranty Deed to the City of Dallas, recorded in 1647, Page 380, Deed Records of Dallas County, Texas and part of a tract of land described in Warranty Deed to the City of Dallas, recorded in Volume 1493, Page 572, Deed Records of Dallas County, Texas and being more particularly described as follows:

COMMENCING at a "X" cut in concrete found at the intersection of the southwest right-of-way line of Cedar Springs Road (a variable width right-of-way) and the northwest right-of-way line of Turtle Creek Boulevard (a variable width right-of-way);

THENCE South 4°58'04" West, a distance of 102.15 feet to a "PK" nail set in the northwest line of the first referenced City of Dallas tract and in the northeast bound lane of Turtle Creek Boulevard;

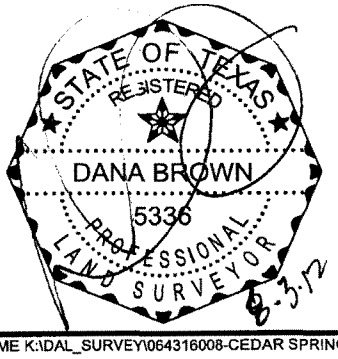
THENCE departing said northwest line, the following courses and distances:

South 55°46'57" East, a distance of 48.84 feet to a 5/8" iron rod with "KHA" cap set for corner;
South 6°27'14" West, at a distance of 55.84 feet, passing a "X" cut in concrete set for reference, continuing, in all a total distance of 65.84 feet to a point in Turtle Creek;
North 83°32'46" West, a distance of 15.00 feet to a point in Turtle Creek;
North 6°27'14" East, at a distance of 10.00 feet, passing a "X" cut in concrete set for reference, continuing, in all a total distance of 56.78 feet to a 5/8" iron rod with "KHA" cap set for corner;
North 55°46'57" West, a distance of 39.80 feet to a "PK" nail set in said northwest line;

THENCE with said northwest line, North 34°16'26" East, a distance of 15.00 feet to the **POINT OF BEGINNING** and containing 1,584 square feet or 0.036 acres of land.

Bearing system based on a bearing of South 34°16'26" West for the northwest right-of-way line of Turtle Creek Boulevard according to Certificate as to Title recorded in Instrument No. 201200004228, Official Public Records of Dallas County, Texas.

(For SPRG use only)
Reviewed By: _____
Date: _____
SPRG NO: _____



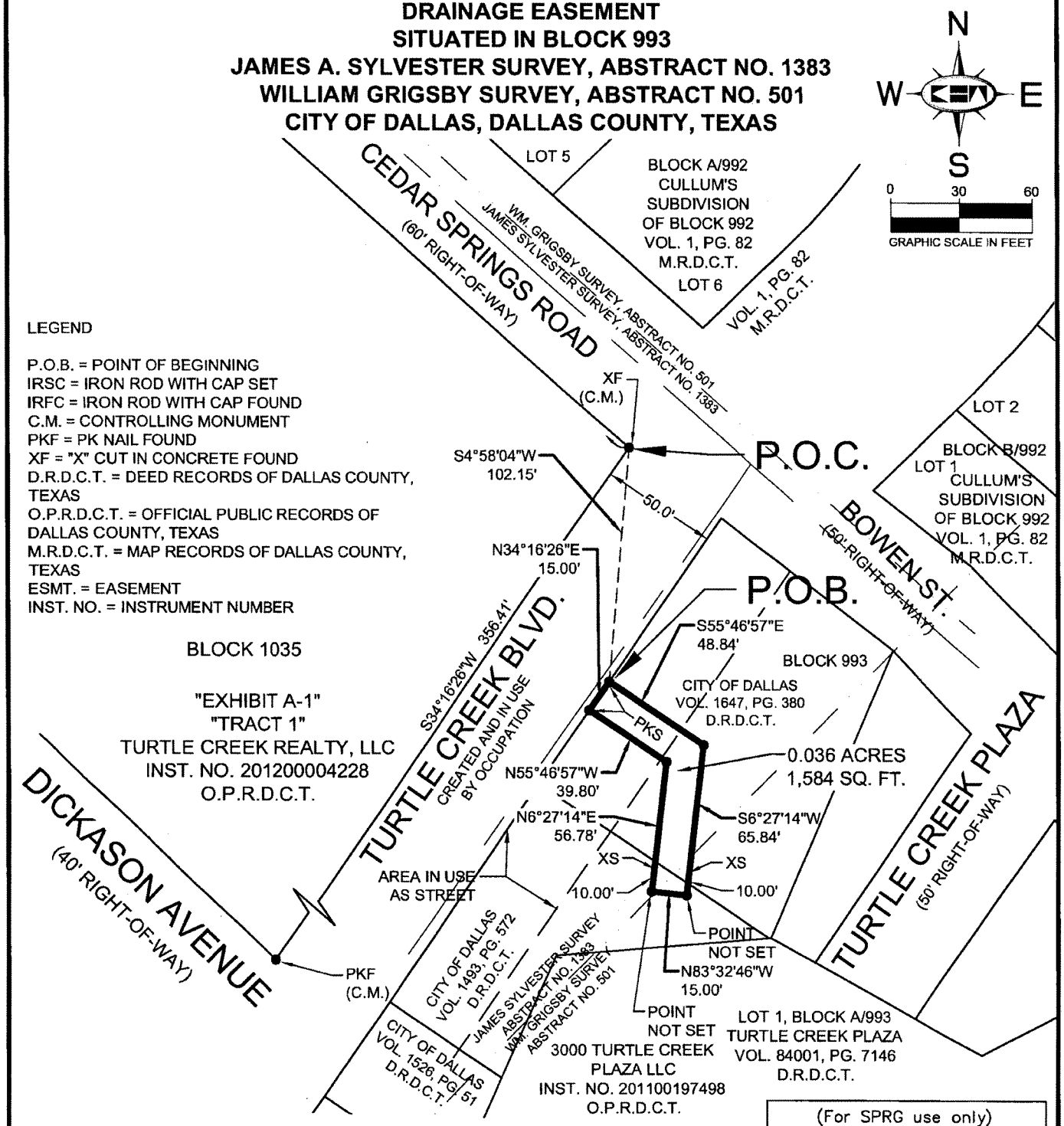
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5336

Kimley-Horn and Associates, Inc.
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
N/A	SRD	DAB	AUG. 2012	064316008	1 OF 2

PLOTTED BY DUNN, STACY 8/3/2012 8:22 AM DWG NAME K:\DAL_SURVEY\064316008-CEDAR SPRINGS\DWG\064316008-CEDAR SPRINGS OFFSITE DRAINAGE.DWG LAST SAVED 8/3/2012

DRAINAGE EASEMENT
SITUATED IN BLOCK 993
JAMES A. SYLVESTER SURVEY, ABSTRACT NO. 1383
WILLIAM GRIGSBY SURVEY, ABSTRACT NO. 501
CITY OF DALLAS, DALLAS COUNTY, TEXAS



LEGEND

P.O.B. = POINT OF BEGINNING
IRSC = IRON ROD WITH CAP SET
IRFC = IRON ROD WITH CAP FOUND
C.M. = CONTROLLING MONUMENT
PKF = PK NAIL FOUND
XF = "X" CUT IN CONCRETE FOUND
D.R.D.C.T. = DEED RECORDS OF DALLAS COUNTY, TEXAS
O.P.R.D.C.T. = OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T. = MAP RECORDS OF DALLAS COUNTY, TEXAS
ESMT. = EASEMENT
INST. NO. = INSTRUMENT NUMBER

BLOCK 1035

"EXHIBIT A-1"
"TRACT 1"
TURTLE CREEK REALTY, LLC
INST. NO. 201200004228
O.P.R.D.C.T.

(For SPRG use only)
Reviewed By: _____
Date: _____
SPRG NO: _____

NOTES

Bearing system based on a bearing of South 34°16'26" West for the northwest right-of-way line of Turtle Creek Boulevard according to Certificate as to Title recorded in Instrument No. 201200004228, Official Public Records of Dallas County, Texas.

All easement corners are a 5/8" Iron rod with "KHA" cap set unless otherwise noted.

Kimley-Horn and Associates, Inc.
12750 Merit Drive, Suite 1000
Dallas, Texas 75251
Tel. No. (972) 770-1300
Fax No. (972) 239-3820

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 60'	SRD	DAB	AUG. 2012	064316008	2 OF 2

PLOTTED BY DUNN, STACY 8/3/2012 8:22 AM DWG NAME K:\DAL_SURVEY\064316008-CEDAR SPRINGS\DWG\064316008-CEDAR SPRINGS OFFSITE DRAINAGE.DWG LAST SAVED 8/3/2012

REVISED AGENDA ITEM # 21

KEY FOCUS AREA: Better Cultural, Arts and Recreational Amenities

AGENDA DATE: October 10, 2012

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management
Public Works Department

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: ~~45 Y and~~ 55 C

SUBJECT

Authorize an increase in the construction contract with Massana Construction Inc. for the Moore Park Gateway Project to remove an additional retaining wall, relocate and combine electrical services, add additional drainage pipe, revise the concrete mix, and add a vapor barrier behind all of the retaining walls – Not to exceed $94,957, from $1,612,360 to $1,707,317 – Financing: 1998 Bond Funds ($1,512) and Private Funds ($93,445)

BACKGROUND

On February 27, 2008 the City authorized the acceptance of the donation from the Hoblitzelle Foundation through the Trinity Trust Foundation to advance design and construction of Moore Park. On June 22, 2011, the City of Dallas awarded the contract for the construction of the Moore Park Gateway Project. The construction has been ongoing since January 2012 and is nearing completion. Changes to the contract are needed to remove an additional retaining wall, relocate and combine electrical services, add additional drainage pipe, revise the concrete mix, and add a vapor barrier behind all of the retaining walls.

This action will authorize Change Order No. 1 to the construction contract for the increased items for the Moore Park Gateway Project.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	January 2012
Complete Construction	November 2012

PRIOR ACTION/REVIEW (COUNCIL BOARDS, COMMISSIONS)

Authorized the acceptance of the donation from the Hoblitzelle Foundation through the Trinity Trust Foundation on February 27, 2008, by Resolution No. 08-0685.

Authorized a contract with Massana Construction Inc. for the construction of site improvements including pavilion, walkways, pedestrian bridges, land forms, amphitheater, parking area, landscaping and other miscellaneous items necessary to complete the project for the Moore Park Gateway Project on June 22, 2011, by Resolution No. 11-1818.

FISCAL INFORMATION

Private Funds - $93,445.00
1998 Bond Funds - $1,512.00

Original Contract Amount	$1,612,360.00
Change Order No. 1 (this action)	$94,957.00
Total Project Cost	$1,707,317.00

M/WBE INFORMATION

See attached

ETHNIC COMPOSITION

Massana Construction Inc.

Hispanic Female	0	Hispanic Male	24
African-American Female	0	African-American Male	3
White Female	3	White Male	31
Other Female	0	Other Male	1

OWNER(S)

Massana Construction Inc.

Mark Massmann, President
Christell Bakken, Corporate Secretary

MAPS

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize an increase in the construction contract with Massana Construction Inc. for the Moore Park Gateway Project to remove an additional retaining wall, relocate and combine electrical services, add additional drainage pipe, revise the concrete mix, and add a vapor barrier behind all of the retaining walls – Not to exceed $94,957, from $1,612,360 to $1,707,317 – Financing: 1998 Bond Funds ($1,512) and Private Funds ($93,445)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	Amount	Percent
Local contracts	$279.10	0.29%
Non-local contracts	$94,667.90	99.71%
TOTAL THIS ACTION	$94,947.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

Local	Certification	Amount	Percent
West Texas Rebar Placers, Inc.	HMDB52531Y0213	$279.10	100.00%
Total Minority - Local		$279.10	100.00%

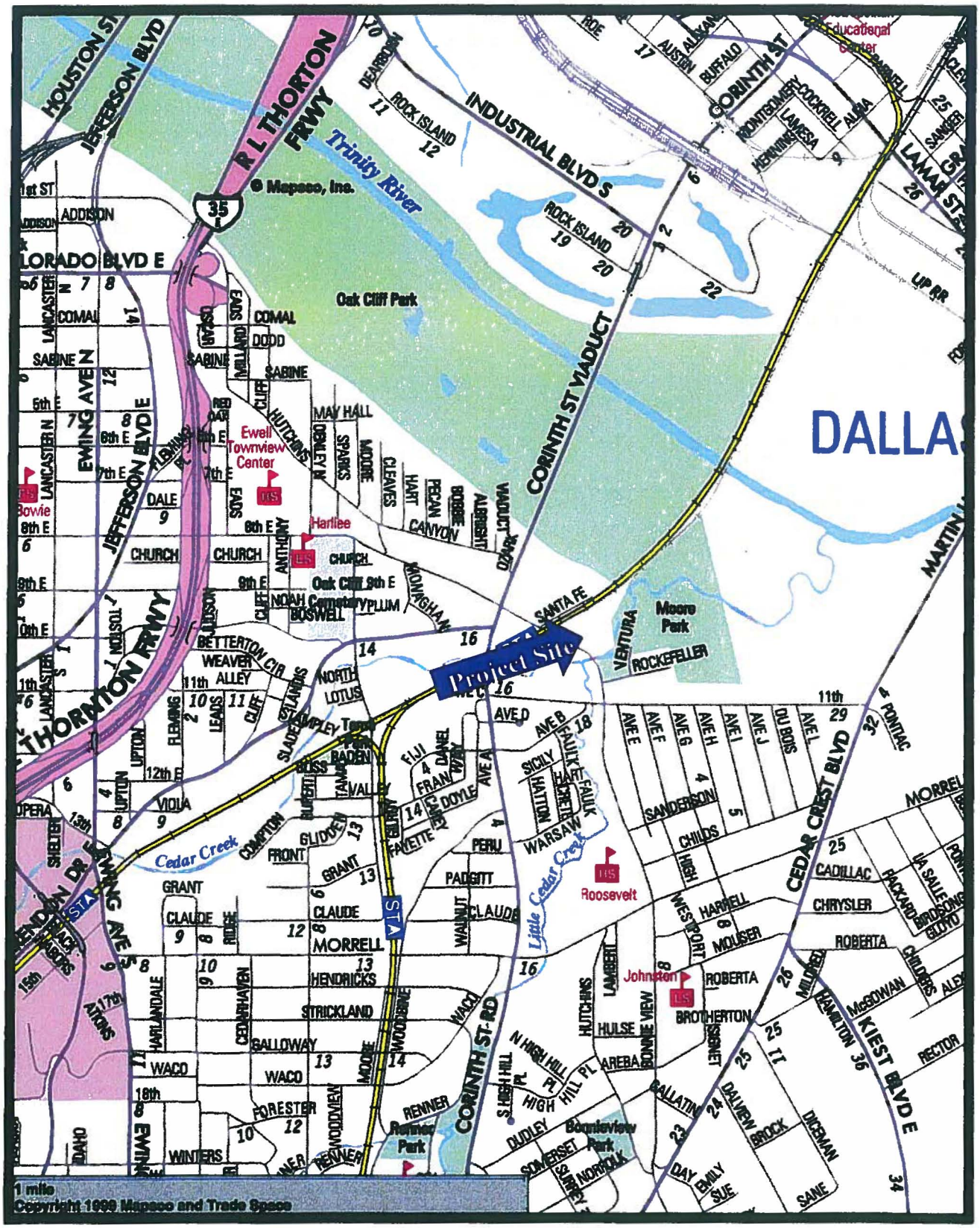
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	Amount	Percent	Amount	Percent
African American	$0.00	0.00%	$14,790.00	0.87%
Hispanic American	$279.10	0.29%	$218,981.10	12.83%
Asian American	$0.00	0.00%	$76,940.80	4.51%
Native American	$0.00	0.00%	$0.00	0.00%
WBE	$0.00	0.00%	$223,662.30	13.10%
Total	$279.10	0.29%	$534,374.20	31.30%

Moore Park Gateway



Mapsco 55C

October 10, 2012

WHEREAS, the Trinity Trust Foundation applied on behalf of the project for a donation from the Hoblitzelle Foundation to provide additional enhancements for the Moore Park Gateway; and

WHEREAS, on February 27, 2008, by Resolution No. 08-0685, authorized the acceptance of the donation from the Hoblitzelle Foundation through the Trinity Trust Foundation; and

WHEREAS, on June 22, 2011, by Resolution No. 11-1818, Massana Construction Inc. was awarded a contract for Moore Park Gateway Project, in an amount not to exceed $1,612,360; and

WHEREAS, it is now desirable to authorize Change Order No. 1 to increase the construction contract with Massana Construction Inc. to remove an additional retaining wall, relocate and combine electrical services, add additional drainage pipe; revise the concrete mix and add a vapor barrier behind all of the retaining walls for Moore Park Gateway Project in an amount not to exceed $94,957.00, from $1,612,360.00 to $1,707,317.00.

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 an increase in the construction contract with Massana Construction Inc. to remove an additional retaining wall, relocate and combine electrical services, add additional drainage pipe, revise the concrete mix and add a vapor barrier behind all of the retaining walls for the Moore Park Gateway Project in an amount not to exceed $94,957.00, from $1,612,360.00 to $1,707,317.00.

Section 2. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Moore Park Gateway Donation Fund
Fund DM14, Dept. TWM, Unit. P430, Act. TRPP
Obj. 4599, Program No. PB98N966, Encumbrance No. PBW98N966I4
Vendor #VS0000054478, in an amount not to exceed $93,445.00

Trinity River Corridor Project Fund
Fund 9P14, Dept. PBW, Unit. N966, Act. TRPP
Obj. 4599, Program No. PB98N966, Encumbrance No. PBW98N966I4
Vendor #VS0000054478, in an amount not to exceed $ 1,512.00

Total $94,957.00

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.