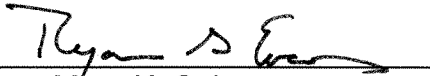


**MAY 2, 2007 CITY COUNCIL AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Agenda dated May 2, 2007. 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

4-27-07

Date



Edward Scott
City Controller

4-27-7

Date

RECEIVED

2007 APR 27 PM 5: 57

CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

May 2, 2007

DATE

(FOR GENERAL INFORMATION AND RULES OF COURTESY PLEASE SEE OPPOSITE SIDE.)
(LA INFORMACIÓN GENERAL Y REGLAS DE CORTESÍA QUE DEBEN OBSERVARSE
DURANTE LAS ASAMBLEAS DEL CONSEJO MUNICIPAL APARECEN EN EL LADO OPUESTO, FAVOR DE LEERLAS.)

General Information

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

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

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

Rules of Courtesy

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

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

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

Informacion General

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

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

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

Reglas de Cortesia

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

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

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

AGENDA
CITY COUNCIL BRIEFING
WEDNESDAY, MAY 2, 2007
CITY HALL
1500 MARILLA
DALLAS, TEXAS 75201
9:00 A.M.

9:00 am Moment of Silence and Pledge of Allegiance 6ES

Special Presentations

Open Microphone Speakers

VOTING AGENDA 6ES

1. Approval of Minutes of the April 18, 2007 City Council Meeting
2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

Business Development & Procurement Services

3. Authorize **(1)** the acceptance of a donation from the Hillcrest Foundation Trust in the amount of \$50,000; and **(2)** the purchase of thirty infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue Department from Metro Fire Apparatus Specialty, best value bidder of seven, in an amount not to exceed \$317,100 - Total not to exceed \$317,100 - Financing: Current Funds (\$267,100) and Hillcrest Foundation Trust Funds (\$50,000)

Mayor and Council Office

4. A resolution to authorize the City Manager to negotiate and enter into a development agreement with Pacific 2004 Holdings Ltd., the developer of the Tower Petroleum Building redevelopment project (Mayor Pro Tem Hill and Councilmembers Blaydes, Salazar, Natinsky and Thornton-Reese)

Briefings 6ES

- A. Kiosk Installation Status
- B. Group Facilities Task Force Update

AGENDA
CITY COUNCIL BRIEFING
WEDNESDAY, MAY 2, 2007

Lunch - 11:45 am - 1:15 pm - Update on Performing Arts Center Capital Campaign
and Tour of Preview Center

Briefings (Continued) 6ES

- C. ISO 9001: Quality Management System Progress Report
- D. New Planning and Zoning Initiatives
- E. CPR/AED Training

Closed Session 6ES

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

- Craig D. Ross v. The City of Dallas, Cause No. cc-05-08552-d
- William Trussell v. City of Dallas, Cause No. 06-08449-J
- Love Terminal Partners, LP, et al. v. City of Dallas, et al.,
Appeal No. 05-07-00383; Love Terminal Partners, LP, et al. v.
City of Dallas, et al., Cause No. 06-10182-E (Consolidated with 06-11650-E);
Love Terminal Partners, L.P. et al. v. City of Dallas, Texas, et al.,
Civil Action No. 3:06-CV-1279-D; Small Community Airlines, Inc. v.
City of Dallas, et. al., Cause No. 07-02540-E; the acquisition of certain
leasehold interests at Dallas Love Field with addresses of 7701 and 7777
Lemmon Avenue, including the exercise of eminent domain if necessary
- Proposed development agreement for the Tower Petroleum Building
between the City and Pacific 2004 Holdings, Ltd.; Noir Brothers
Restaurants, Inc. v. City of Dallas, Tx., Civil Action No. 3:06-CV-1885-P
- Legal issues regarding Internal Revenue Service examination
of city debt issue

Real Property Deliberations (Sec. 551.072 T.O.M.A.)

- Acquisition of certain leasehold interests at Dallas Love Field with
addresses of 7701 and 7777 Lemmon Avenue, including the exercise
of eminent domain if necessary

Open Microphone Speakers 6ES

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

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

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

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

PUBLIC MEETINGS FOR MAY 1 - MAY 15, 2007

Thursday, May 3, 2007

Civil Service Board

8:30 a.m.

City Hall Suite 1C-South

Community Development Commission

6:00 p.m.

City Hall Room 6ES

KEY FOCUS AREA: Public Safety & Homeland Security

AGENDA DATE: May 2, 2007

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 **(1)** the acceptance of a donation from the Hillcrest Foundation Trust in the amount of \$50,000; and **(2)** the purchase of thirty infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue Department from Metro Fire Apparatus Specialty, best value bidder of seven, in an amount not to exceed \$317,100 - Total not to exceed \$317,100 - Financing: Current Funds (\$267,100) and Hillcrest Foundation Trust Funds (\$50,000)

BACKGROUND

This purchase will provide thirty infrared thermal imaging cameras for the Dallas Fire-Rescue Department to use during search and rescue, fire suppression and other mitigation efforts by the firefighters when responding to calls involving a fire.

The thermal imaging cameras will be used by firefighters to assess a fire by measuring the temperature and locate the hottest areas of the fire. They will also assist the firefighter in detecting the movement of a fire and the potential of it spreading. The thermal imaging cameras allow fire personnel to see through smoke and darkness which can greatly increase their ability to navigate through their environment, locate trapped citizens and detect further hazards such as structural damage caused by the fire.

Currently, the Dallas Fire-Rescue Department has 21 thermal imaging cameras in operation. The Dallas Fire-Rescue Department responded to 114,585 emergency calls in fiscal 05-06.

The evaluation criteria used for this best value bid was thirty percent for price, fifteen percent for experience and references, twenty percent for the ability of the units to meet the Fire Departments needs, and thirty-five percent on a field test evaluation. The field test was conducted by 5 members of the Dallas Fire-Rescue Department who tested all the units submitted in a controlled live fire evaluation.

BACKGROUND (Continued)

The bid was evaluated by a five member committee, three representatives from Dallas Fire-Rescue Department and two from Dallas Police Department.

Prices received during this best value bid process were compared to the Houston-Galveston Area Council, an interlocal cooperative purchasing program, and found that our bid prices were the most advantageous for the City. Fifty-thousand dollars of cost of this purchase will be funded through donations made by the Hillcrest Foundation Trust.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$267,100.00 - Current Funds
\$ 50,000.00 - Hillcrest Foundation Trust Funds

M/WBE INFORMATION

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

6 - 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 Fire Apparatus Specialty

Hispanic Female	0	Hispanic Male	2
Black Female	0	Black Male	1
Other Female	0	Other Male	0
White Female	3	White Male	22

BID INFORMATION

The following bids were received and opened on April 19, 2007. This purchase is being awarded to the best value bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Score</u>	<u>Amount of Bid</u>
*Metro Fire Apparatus Specialty	6125 Nordling Rd Houston, TX 77076	86.2	\$317,100.00
Metro Fire Apparatus Specialty	6125 Nordling Rd Houston, TX 77076	85.6	\$224,850.00
Metro Fire Apparatus Specialty	6125 Nordling Rd Houston, TX 77076	75.4	\$392,400.00
Casco Ind., Inc.	116 W. Eules Blvd., Suite 10 Eules, TX 76040	74.2	\$204,900.00
Municipal Emergency Services	2805 West Eules Blvd. Eules, TX 76040	62.0	\$179,970.00
Municipal Emergency Services	2805 West Eules Blvd. Eules, TX 76040	50.4	\$224,850.00
International Safety Instruments, Inc.	922 Hurricane Shoals Lawrenceville, GA 30043		Non-responsive**

**International Safety Instruments, Inc. was deemed non-responsive for failure to submit an evaluation unit and documentation about their product.

Note: Metro Fire Apparatus Specialty submitted three different models for evaluation while Municipal Emergency Services submitted two different models for consideration.

OWNER

Metro Fire Apparatus Specialty

Craig N. Russell, President
Paulette Bazan, Secretary

GOOD FAITH EFFORT PLAN SUMMARY

PROJECT: Authorize **(1)** the acceptance of a donation from the Hillcrest Foundation Trust in the amount of \$50,000; and **(2)** the purchase of thirty infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue Department from Metro Fire Apparatus Specialty, best value bidder of seven, in an amount not to exceed \$317,100 - Total not to exceed \$317,100 - Financing: Current Funds (\$267,100) and Hillcrest Foundation Trust Funds (\$50,000)

Metro Fire Apparatus Specialty 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

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$317,100.00	100.00%
TOTAL CONTRACT	\$317,100.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

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

May 2, 2007

WHEREAS, the purchase of 30 infrared thermal imaging cameras will be funded by the City in an amount not to exceed \$267,100.00 and the remainder of the cost will be supported by a donation from Hillcrest Foundation Trust;

NOW, THEREFORE,

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

Section 1. That the City Manager hereby accepts a donation from the Hillcrest Foundation Trust in the amount of \$50,000; and authorizes the purchase of thirty infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue Department from Metro Fire Apparatus Specialty (339015) in an amount not to exceed \$317,100.00.

Section 2. That the City Manager be authorized to establish the appropriations and deposit funds of a donation from Hillcrest Foundation Trust in the amount of \$50,000.00 in:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>REVENUE SOURCE</u>
0287	DFD	2034	4790	8411

Section 3. That the Purchasing Agent is authorized, upon appropriate requisition, to issue a purchase order for 30 infrared thermal imaging cameras for search and rescue operations conducted by the Dallas Fire-Rescue 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 4. That the City Controller be authorized to transfer funds in an amount not to exceed \$50,000 from Fund 0287, Department DFD, Unit 2034, Object 4790 to Fund 0001, Department DFD, Unit 2020, Object 4790.

Section 5. That the City Controller is authorized to disburse funds, from the following appropriation, in an amount not to exceed \$317,100.00:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>
0001	DFD	2020	4790	RQS-DFD-00000024009

May 2, 2007

Section 6. 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:

Business Development and Procurement Services, 3FS

Office of Financial Services, 4FN

Fire

Memorandum



CITY OF DALLAS

DATE March 21, 2007

TO Laura Miller
Mayor

SUBJECT Tower Petroleum Building Redevelopment Project

Pursuant to Rule 6.2(a) of the City Council Rules of Procedure of the City of Dallas, the minimum of five undersigned Members of the City Council of the City of Dallas hereby request that the following item be placed on the first available voting agenda of the City Council scheduled at least 30 calendar days after your receipt of this request. This item is the following:

A City Council Resolution to authorize the City Manager to negotiate and enter into a Development Agreement with The Pillar Group, the developer of the Tower Petroleum Building redevelopment project.

Further, the undersigned members of the City Council respectfully request that the Board of Directors of the Downtown Connection Tax Increment Financing District, which has already voted to approve this item, take no further action upon this matter until such time as the City Council has considered it on a voting agenda.

We appreciate your consideration in this regard.

Handwritten signature of Donald W. Hill in black ink.

Donald W. Hill
Mayor Pro Tem
District 5

Handwritten signature of Bill Blaydes in black ink.

Bill Blaydes
Councilmember
District 10

Handwritten signature of Steve Salazar in black ink.

Handwritten signature of Ron Watkins in black ink.

Handwritten signature of Markie Poston Reese in black ink.

KEY FOCUS AREA: Economic Development

AGENDA DATE: May 2, 2007

SUBMITTED BY: Donald W. Hill, Mayor Pro Tem
Bill Blaydes
Maxine Thornton-Reese
Ron Natinsky
Steve Salazar

SUBJECT

A resolution to authorize the City Manager to negotiate and enter into a development agreement with Pacific 2004 Holdings Ltd., the developer of the Tower Petroleum Building redevelopment project (Mayor Pro Tem Hill and Councilmembers Blaydes, Salazar, Natinsky and Thornton-Reese)