

AGENDA
CITY COUNCIL MEETING
JANUARY 9, 2008
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[08-0120]**

Agenda Item/Open Microphone Speakers **[08-0121]**

VOTING AGENDA

1. Approval of Minutes of the December 12, 2007 City Council Meeting **[08-0122; APPROVED]**

CONSENT AGENDA **[08-0123; APPROVED]**

Aviation

2. Authorize a nine-year and nine-month lease with the Federal Aviation Administration for approximately 211 square feet of technical space for equipment placement in the air traffic control tower at Dallas Executive Airport - Annual Revenue: \$1,266 **[08-0124; APPROVED]**

Business Development & Procurement Services

3. Authorize a professional engineering and consulting services contract to conduct a wireless communications vulnerability assessment study - RCC Consultants, Inc., most advantageous proposer of two - Not to exceed \$249,991 - Financing: Urban Area Security Initiative Grant Funds **[08-0125; APPROVED]**
4. Authorize an eighteen-month professional services contract for Phase II to implement an ISO 9001 Quality Management System - The University of Texas at Arlington/Texas Manufacturing Assistance Center, Interlocal Agreement - Not to exceed \$215,000 - Financing: Current Funds **[08-0126; APPROVED]**

CONSENT AGENDA (Continued)**Business Development & Procurement Services (Continued)**

5. Authorize a thirty-six-month master agreement for chemicals to clean water treatment filters and flumes at three water treatment plants - Chemrite, Inc. in the amount of \$670,794 and Sunbelt Pools, Inc. in the amount of \$98,366, lowest responsible bidders of two - Total not to exceed \$769,160 - Financing: Water Utilities Current Funds **[08-0127; APPROVED]**
6. Authorize a twenty-four-month master agreement for the purchase of plumbing supplies, pipe and pipe fittings - Ferguson Enterprises, Inc. in the amount of \$370,978, Municipal Water Works Supply, L.P. in the amount of \$337,160, and HD Supply Waterworks, Ltd. in the amount of \$41,675, lowest responsible bidders of three - Total not to exceed \$749,813- Financing: Water Utilities Current Funds **[08-0128; APPROVED AS INDIVIDUAL ITEM]**
7. Authorize the purchase of two pad mounted mobile transformers with trailers to be used by Dallas Water Utilities - Brandon and Clark, Inc., lowest responsible bidder of four - Not to exceed \$462,592 - Financing: Water Utilities Capital Construction Funds **[08-0129; APPROVED]**

City Attorney's Office

8. Authorize settlement of a claim filed by Veva Enterprise, Inc., Claim No. 07176968 - Not to exceed \$15,087 - Financing Current Funds **[08-0130; APPROVED]**
9. Authorize annual software maintenance in support of the CityLaw performance-based tracking system from Cycom Data Systems, Inc., for the period November 1, 2007 through October 31, 2008 - Sole Source - Not to exceed \$45,468 - Financing: Current Funds **[08-0131; APPROVED]**
10. Authorize an ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2007-10-269 to amend the Construction and Fire Prevention Standards Resolution, previously approved by Resolution No. 88-147, as amended, to adopt the 2005 National Electrical Code and certain 2006 series model codes published by the International Code Council, Inc., and to amend the overall gas exploration and production program contained in Part Nine - Oil and Gas Exploration and Production of the Construction and Fire Prevention Standards Resolution - Financing: No cost consideration to the City **[08-0132; DELETED ON THE ADDENDUM]**

Code Compliance

11. Authorize moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Gloria Alardin in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$50,100 - Financing: 2003 Bond Funds (\$35,100) and Deerfield Housing Funds (\$15,000) **[08-0133; APPROVED AS INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)
Code Compliance (Continued)

12. Authorize **(1)** the City Manager to execute Release of Builder's and Mechanic's Lien Contract and Deed of Trust and Termination of Deed Restrictions and proceed with acquisition of property; and **(2)** moving expense and replacement housing payments and disbursement of funds from the Mortgage Assistance Program to fund part of the replacement housing payment for Gwendolyn Alexander in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$18,700 - Financing: 2003 Bond Funds **[08-0134; APPROVED AS AN INDIVIDUAL ITEM]**
13. Authorize **(1)** the City Manager to execute Release of Builder's and Mechanic's Lien Contracts and Deeds of Trust and Termination of Deed Restrictions and proceed with acquisition of property; and **(2)** moving expense and replacement housing payments for Anita L. Davis in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$20,000 - Financing: 2003 Bond Funds **[08-0135; APPROVED AS AN INDIVIDUAL ITEM]**
14. Authorize **(1)** the City Manager to execute Release of Builder's and Mechanic's Lien Contract and Deed of Trust and Termination of Deed Restrictions and proceed with acquisition of property; and **(2)** moving expense and replacement housing payments for Velma L. Harper in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property for the new Dallas Police Academy - Not to exceed \$31,200 - Financing: 2003 Bond Funds **[08-0136; APPROVED AS AN INDIVIDUAL ITEM]**

Department of Development Services

15. Authorize consent to the creation of a Municipal Utility District to be known as Brooklyn Crossing Municipal Utility District No. 1 within the City of Dallas' extraterritorial jurisdiction to include approximately 98 acres on property located in Kaufman County, east of Lake Ray Hubbard - Financing: No cost consideration to the City **[08-0137; APPROVED]**
16. An ordinance abandoning portions of Trunk Avenue to Tall Cotton Properties, Ltd. and Patricia L. Stahl, the abutting owners, containing a total of approximately 4,904 square feet of land located near its intersection with Elm Street, and authorizing the quitclaim and providing for the dedication of approximately 442 square feet of land needed for street right-of-way - Revenue: \$72,080 plus the \$20 ordinance publication fee **[08-0138; ORDINANCE 27053; APPROVED]**
17. An ordinance abandoning a portion of a sanitary sewer easement to Anland 2A, L.P., the abutting owner, containing approximately 3,792 square feet of land located near the intersection of Victory Avenue and Lamar Street - Revenue: \$5,400 plus the \$20 ordinance publication fee **[08-0139; ORDINANCE 27054; APPROVED]**

Police

18. Authorize revisions to Rule XXIII of the Civil Service Code of Rules and Regulations related to requirements for Trainee Police Officers - No cost consideration to the City **[08-0140; APPROVED]**

CONSENT AGENDA (Continued)**Police (Continued)**

19. Authorize a Memorandum of Understanding between the Dallas Police Department Family Violence Unit and the Dallas Independent School District Child Abuse/Domestic Violence Office to participate in a family violence prevention education program for elementary school students - Financing: No cost consideration to the City **[08-0141; APPROVED AS INDIVIDUAL ITEM]**

Public Works & Transportation

20. Authorize a contract for the reconstruction of street paving, storm drainage, water and wastewater main improvements on Endicott Lane from Moberly Lane to 833 feet east of Moberly Lane - RKM Utility Services, Inc., lowest responsible bidder of six - \$820,921 - Financing: 2003 Bond Funds (\$542,220) and Water Utilities Capital Construction Funds (\$278,701) **[08-0142; APPROVED AS INDIVIDUAL ITEM]**
21. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on Elam Road at Masters Drive in an amount not to exceed \$15,828; and **(2)** a local match in an amount not to exceed \$3,957 - Total not to exceed \$19,785 - Financing: Texas Department of Transportation Grant Funds (\$15,828), Current Funds (\$3,957) **[08-0143; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION**City Secretary's Office**

22. 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) **[08-0144 AND 08-0145 FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR FURTHER CONSIDERATION**Code Compliance**

23. Authorize an actual reasonable moving and related expenses-nonresidential payment for Joseph R. Story, dba Pallet Repair Services, who will be displaced as a direct result of real property acquisition of the property at 1301 McDonald Street, Bay #2, to be used in conjunction with the Trinity River Corridor Project to be paid once City has obtained proof that Pallet Repair Services has vacated the premises - Not to exceed \$106,050 - Financing: 1998 Bond Funds **[08-0146; CORRECTED ON THE ADDENDUM; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES - INDIVIDUAL

24. A public hearing to receive comments regarding an application for a Planned Development Subdistrict for MF-2 uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multifamily Subdistrict on the northeast side of Cedar Springs Road, on both sides of Hudnall Street
Recommendation of Staff: Approval, subject to a conceptual plan and conditions
Recommendation of CPC: Denial [08-0147; DELETED ON THE ADDENDUM]
Z067-187(JH)
25. A public hearing to receive comments regarding an application for an MU-1 Mixed Use District on the western half of the site, and an MF-3(A) Multifamily District on the eastern half of the site with deed restrictions volunteered by the applicant on the entire site, on property zoned an MF-1(A) Multifamily District, in an area bounded by Lovers Lane, Amesbury Drive, Milton Street, and Matilda Street
Recommendation of Staff: Approval of an MU-1 Mixed Use District on the western half of the property and an MF-3(A) on the eastern half of the property and a strip along Milton Street on the western side of the property, subject to deed restrictions volunteered by the applicant on the entire property.
Recommendation of CPC: Denial [08-0148; DELETED ON THE ADDENDUM]
Z067-259(OTH)
26. A public hearing to receive comments regarding an application for and an ordinance granting a Neighborhood Stabilization Overlay (NSO) on property zoned an R-5(A) Single Family District in an area generally bounded by Lee Street, Pershing Street, Henderson Avenue and Homer Street and including both sides of Pershing and Homer (Cochran Heights) **[08-0149; HEARING CLOSED; ORDINANCE 27055 CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z067-318(MF)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

27. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subdistrict within Planned Development District No. 714, West Commerce Street/ Fort Worth Avenue Special Purpose District, on property zoned a TH-3(A) Townhouse District on the northeast corner of the terminus of Folsom Street, north of Fort Worth Avenue, east of Willomet Avenue **[08-0150; HEARING CLOSED; ORDINANCE 27056; APPROVED AS AMENDED]**
Recommendation of Staff and CPC: Approval, subject to conditions
Z067-272(OTH)
Note: This item was considered by the City Council at a public hearing on December 12, 2007, and was taken under advisement until January 9, 2008, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL (Continued)

- 28. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a bar, lounge or tavern and an inside commercial amusement for a live music venue on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest corner of Elm Street and Crowds Street **[08-0151; HEARING CLOSED; ORDINANCE 27057; APPROVED AS AMENDED]**
Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a three-year period, subject to a site plan and conditions
Z067-336(JH)
Note: This item was considered by the City Council at a public hearing on December 12, 2007, and was taken under advisement until January 9, 2008, with the public hearing open.

MISCELLANEOUS HEARINGS

Department of Development Services

Municipal Setting Designation at 6211 and 6303 Cedar Springs Road

Note: Item Nos. 29 and 30 must be considered collectively.

- 29. * A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater beneath property owned by Sewell Corporation, Inc. and Sewell Village Cadillac Company, Inc. located near the intersection of Cedar Springs Road and Manor Way and adjacent street rights-of-way - Financing: No cost consideration to the City **[08-0152; HEARING CLOSED]**
- 30. * An ordinance authorizing support of the issuance of a municipal setting designation to Sewell Corporation, Inc. and Sewell Village Cadillac Company, Inc. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City **[08-0152; ORDINANCE 27058; APPROVED]**
Recommendation of Staff: Approval

**ADDENDUM
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ADDITIONS:
CONSENT ADDENDUM

Civil Service

1. Authorize **(1)** the reappointment of three Administrative Law Judges (ALJ), Willie Crowder, Kimberly Lonergan and William Messer for the period January 1, 2008 through December 31, 2009, to hear employee appeals of terminations and demotions; and, **(2)** contracts with each ALJ in the amount of \$8,000 each - Total not to exceed \$24,000 - Financing: Current Funds (\$12,000 to be reimbursed by the appealing employees) **[08-0153; APPROVED]**

Department of Development Services

2. An ordinance granting an MU-2 Mixed Use District on property zoned an MF-2(A) Multifamily District and a resolution accepting revised deed restrictions volunteered by the applicant on the northeast line of Maple Avenue, northwest of Kimsey Drive - Z067-320 - Financing: No cost consideration to the City **[08-0154; ORDINANCE 27059; APPROVED]**

Fire

3. Authorize revisions to Rules XIV and XXIV of the Civil Service Code of Rules and Regulations related to promotions and requirements for Trainee Fire and Rescue Officers and Trainee Fire Prevention Officers - Financing: No cost consideration to the City **[08-0155; APPROVED]**

Office of Environmental Quality

4. Authorize Councilmember Linda Koop to replace Laura Miller as the City's representative to the Texas Clean Air Cities Coalition (TCACC) and the TCACC Steering Committee - Financing: No cost consideration to the City **[08-0156; APPROVED]**

Park & Recreation

5. Authorize an increase in the contract with Sedalco, LP for the removal of a damaged tree and installation of a signature tree near the main entrance, additional guardrails for the elevated trails and boardwalks, enhancements to the cafe, and additional electrical and plumbing upgrades for the maintenance area for the Trinity River Audubon Center - \$73,435, from \$11,715,344 to \$11,788,779 - Financing: 1998 Bond Funds **[08-0157; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 9, 2008**

ADDITIONS: (Continued)
ITEMS FOR INDIVIDUAL CONSIDERATION

Sanitation Services

- 6. Authorize the City Manager to request grant funding under the North Central Texas Council of Governments' Request for Project Applications of the Regional Solid Waste Local Project Funding Program - Financing: No cost consideration to the City **[08-0158; APPROVED]**

CORRECTION:

Code Compliance

- 23. Authorize an actual reasonable moving and related expenses-nonresidential payment for Joseph R. Story, dba Pallet Repair Services, who will be displaced as a direct result of real property acquisition of the property at 1301 McDonald Street, Bay #2, to be used in conjunction with the Trinity River Corridor Project to be paid once City has obtained proof that Pallet Repair Services has vacated the premises - Not to exceed ~~\$106,050~~ \$183,960 - Financing: 1998 Bond Funds **[08-0146]**

DELETIONS:

City Attorney's Office

- 10. Authorize an ordinance approving Dallas-Fort Worth International Airport Board Resolution No. 2007-10-269 to amend the Construction and Fire Prevention Standards Resolution, previously approved by Resolution No. 88-147, as amended, to adopt the 2005 National Electrical Code and certain 2006 series model codes published by the International Code Council, Inc., and to amend the overall gas exploration and production program contained in Part Nine - Oil and Gas Exploration and Production of the Construction and Fire Prevention Standards Resolution - Financing: No cost consideration to the City **[08-0132]**

Department of Development Services

ZONING CASES - INDIVIDUAL

- 24. A public hearing to receive comments regarding an application for a Planned Development Subdistrict for MF-2 uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on property zoned an MF-2 Multifamily Subdistrict on the northeast side of Cedar Springs Road, on both sides of Hudnall Street
Recommendation of Staff: Approval, subject to a conceptual plan and conditions
Recommendation of CPC: Denial **[08-0147]**
Z067-187(JH)

**ADDENDUM
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DELETIONS: (Continued)

Department of Development Services (Continued)

ZONING CASES - INDIVIDUAL (Continued)

25. A public hearing to receive comments regarding an application for an MU-1 Mixed Use District on the western half of the site, and an MF-3(A) Multifamily District on the eastern half of the site with deed restrictions volunteered by the applicant on the entire site, on property zoned an MF-1(A) Multifamily District, in an area bounded by Lovers Lane, Amesbury Drive, Milton Street, and Matilda Street
Recommendation of Staff: Approval of an MU-1 Mixed Use District on the western half of the property and an MF-3(A) on the eastern half of the property and a strip along Milton Street on the western side of the property, subject to deed restrictions volunteered by the applicant on the entire property. **[08-0148]**
Recommendation of CPC: Denial
Z067-259(OTH)