

AGENDA
CITY COUNCIL MEETING
APRIL 22, 2009
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[09-1040]**

Agenda Item/Open Microphone Speakers **[09-1041]**

VOTING AGENDA

1. Approval of Minutes of the April 8, 2009 City Council Meeting **[09-1042; APPROVED]**

CONSENT AGENDA **[09-1043; APPROVED]**

Business Development & Procurement Services

2. Authorize a twenty-four-month master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water - Pencoco, Inc., lowest responsible bidder of two - Not to exceed \$1,354,476 - Financing: Water Utilities Current Funds **[09-1044; APPROVED]**
3. Authorize a thirty-six-month service contract for the removal of excavated materials from Water Utilities facilities and work sites - Herdez Trucking, Inc., lowest responsible bidder of five - Not to exceed \$2,232,650 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[09-1045; APPROVED AS AN INDIVIDUAL ITEM]**

Department of Development Services

4. Authorize the deposit of a Special Commissioners' Award in Cause No. cc-08-01777-d, City of Dallas v. John Radovich, pending in the Dallas County Court at Law No. 4, for acquisition of approximately 19,838 square feet of land located near the intersection of Trunk and Birmingham Avenues for construction of the Trunk Avenue wastewater improvements - \$29,179 - Financing: Water Utilities Capital Construction Funds **[09-1046; APPROVED]**

CONSENT AGENDA (Continued)**Department of Development Services (Continued)**

5. Authorize the quitclaim of 14 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$79,641 **[09-1047; APPROVED AS AMENDED]**
6. Authorize moving expense and rental assistance payments for Angelina Arriaza and Hector Quintero in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1007 Packard Street for the new Dallas Police Academy - Not to exceed \$13,900 - Financing: 2003 Bond Funds (\$1,300) and 2006 Bond Funds (\$12,600) **[09-1048; APPROVED]**
7. Authorize moving expense and rental assistance payments for Guillermo DeLeon and Delia Ortiz in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2514 Chrysler Drive for the new Dallas Police Academy - Not to exceed \$17,590 - Financing: 2003 Bonds Funds **[09-1049; APPROVED]**
8. Authorize moving expense and rental assistance payments for Juan Cindo and Rebecca Cazares in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2503 Cadillac Drive for the new Dallas Police Academy - Not to exceed \$17,470 - Financing: 2003 Bond Funds **[09-1050; APPROVED]**
9. Authorize moving expense and rental assistance payments for Nathaniel Coffield in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2506 Chrysler Drive for the new Dallas Police Academy - Not to exceed \$16,850 - Financing: 2003 Bonds Funds **[09-1051; APPROVED]**
10. Authorize adoption of the Dallas Arts District Strategic Assessment and Action Plan, which defines issues, establishes goals and makes recommendations related to urban design, planning, parking and district governance and coordination for the Dallas Arts District area - Financing: No cost consideration to the City **[09-1052; APPROVED AS AN INDIVIDUAL ITEM]**

Environmental & Health Services

11. Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing and supportive services for homeless persons with disabilities for the period October 1, 2009 through September 30, 2010; and **(2)** execution of the grant agreement - Not to exceed \$914,280 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1053; APPROVED]**
12. Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development to provide tenant based rental assistance for permanent housing for homeless persons with disabilities for the period May 1, 2009 through April 30, 2010; and **(2)** execution of the grant agreement - Not to exceed \$476,640 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1054; APPROVED]**

CONSENT AGENDA (Continued)**Environmental & Health Services (Continued)**

13. Authorize **(1)** the renewal to the contract with the U.S. Department of Housing and Urban Development for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority to homeless persons living with HIV/AIDS for single room occupancy at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2009 through May 11, 2010; and **(2)** execution of the grant agreement - Total not to exceed \$386,304 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1055; APPROVED]**
14. Authorize a fifty-two-month Interlocal Agreement with the Dallas County Hospital District d/b/a Parkland Health & Hospital System to provide guidance and assistance to routine postpartum women who are breastfeeding for the period January 1, 2009 through May 31, 2013 - Financing: No cost consideration to the City **[09-1056; APPROVED]**

Equipment & Building Services

15. Authorize a professional services contract with ProForma Architecture, Inc., to provide architectural services for the design and construction administration of the Downtown Branch Library to be located on the first floor of the J. Erik Jonsson Central Library at 1515 Young Street - Not to exceed \$258,616 - Financing: 2006 Bond Funds **[09-1057; APPROVED]**
16. Authorize a construction contract for chiller replacement at the Science Place 1 IMAX Theater located at 1318 South Second Avenue - Kahn Heating and Air Conditioning Company dba Kahn Mechanical Contractors, lowest responsible bidder of seven - Not to exceed \$614,800 - Financing: 2007 Certificates of Obligation **[09-1058; APPROVED AS AN INDIVIDUAL ITEM]**

Housing

17. Authorize the private sale under the Land Assembly process through the Land Transfer Program, pursuant to the provisions of Chapter 34 of the Texas Property Tax Code, by quitclaim deed of one unimproved property located at 3104 Rochester Street, acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization and execution of a release of non-tax liens included in the seizure warrant and post-judgment non-tax liens, if any (list attached) - Revenue: \$1,000 **[09-1059; APPROVED]**

Library

18. Authorize the acceptance of an award from the AT&T Foundation through the Friends of the Dallas Public Library, Inc. for Teen Center Programs - \$270,625 - Financing: Private Funds **[09-1060; APPROVED]**

CONSENT AGENDA (Continued)**Office of Financial Services**

19. Authorize an amendment to the 2009 City Calendar to cancel the City Council Briefing Meeting currently scheduled for May 6, 2009 and the Council Committee Meetings currently scheduled for April 27, May 4, and 5, 2009 - Financing: No cost consideration to the City **[09-1061; APPROVED]**

Park & Recreation

20. Authorize **(1)** reprogramming of the 2003 Bond Funds originally allocated for the master plan at Stephen J. Hay School; and **(2)** a contract for the renovation of the existing pavilion, repairs to the existing concrete parking lot, new sidewalks, landscaping, irrigation, portable toilet enclosure, tennis practice wall, and site furnishings at Cole Park located at 4000 Cole Avenue - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of five - \$709,333 - Financing: 2003 Bond Funds (\$512,333) and 2006 Bond Funds (\$197,000) **[09-1062; APPROVED]**
21. Authorize a contract for the construction of a new playground at Preston Hollow Park located at 6600 Park Lane - Parkscape Construction, Inc., lowest responsible bidder of five - \$117,097 - Financing: 2006 Bond Funds **[09-1063; APPROVED]**
22. Authorize a professional services contract with GGO Architects Corporation for schematic design through construction administration services for interior renovation and heating, ventilation and air conditioning controls at Fretz Recreation Center located at 6950 Belt Line Road - \$67,775 - Financing: 2006 Bond Funds **[09-1064; APPROVED AS AN INDIVIDUAL ITEM]**
23. Authorize a professional services contract with McAfee3 Architects for schematic design through construction administration services for expansion of the recreation center at Samuell-Grand Recreation Center located at 6200 East Grand Avenue - \$194,000 - Financing: 2006 Bond Funds **[09-1065; APPROVED]**
24. Authorize a professional services contract with The Broussard Group, Inc. dba TBG Partners for schematic design through construction administration services for playground replacement and security lighting at Fireside Park located at 8600 Fireside Drive - \$41,092 - Financing: 2006 Bond Funds **[09-1066; APPROVED AS AN INDIVIDUAL ITEM]**
25. Authorize an increase in the contract with Dean Electric, Inc. dba Dean Construction, for the installation of gabions on East Lawther Drive; and the relocation of electrical service, additional pier drilling at bridges, deletion of wetland planting, credit for not installing light poles, and other miscellaneous items on West Lawther Drive at White Rock Lake Park located at 8300 Garland Road - Not to exceed \$135,175, from \$4,813,744 to \$4,948,919 - Financing: 2003 Bond Funds (\$2,857) and 2006 Bond Funds (\$132,318) **[09-1067; APPROVED]**

CONSENT AGENDA (Continued)**Park & Recreation (Continued)**

26. Authorize a public hearing to be held on May 13, 2009 to receive comments on the proposed use of a portion of California Crossing Park and L.B. Houston Greenbelt for **(1)** a corrected 50-foot wide permanent sanitary sewer easement; **(2)** a 150-foot wide temporary construction easement; and **(3)** a 30-foot wide temporary access easement in association with the Trinity River Authority's expansion of the Elm Fork wastewater interceptor system - Financing: No cost consideration to the City **[09-1068; APPROVED]**
27. Authorize a public hearing to be held on May 13, 2009 to receive comments on the proposed use of a portion of L.B. Houston Greenbelt for **(1)** a permanent maintenance easement consisting of approximately 1.4 acres; and **(2)** a temporary construction easement consisting of .69 acres in association with the Trinity River Authority's expansion of the Elm Fork wastewater interceptor system along the south bank of the Elm Fork of the Trinity River - Financing: No cost consideration to the City **[09-1069; APPROVED]**
28. Authorize a public hearing to be held on May 13, 2009 to receive comments on the proposed use of a portion of the Elm Fork Greenbelt located at 1204 Storey Lane by Dallas Area Rapid Transit for a public mass transit easement, consisting of approximately 1.73 acres, to allow the expansion of the light rail transit system to DFW Airport - Financing: No cost consideration to the City **[09-1070; APPROVED]**

Police

29. Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad/17 grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile burglary and theft program for the period September 1, 2009 through August 31, 2010 - Not to exceed \$507,847 (local match in the amount of \$139,658 will be required if awarded and an in-kind contribution in the amount of \$512,686 will be provided by the Dallas Police Department) - Financing: No cost consideration to the City **[09-1071; CORRECTED ON THE ADDENDUM; APPROVED AS AN INDIVIDUAL ITEM]**
30. Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period May 11, 2009 through May 31, 2009, in the amount of \$134,985; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$39,079; and **(3)** execution of the grant agreement - Total not to exceed \$174,064 - Financing: Current Funds (\$39,079), Texas Department of Transportation Grant Funds (\$134,985) **[09-1072; APPROVED]**
31. Authorize application for and acceptance of the 2008-09 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Bureau of Justice Assistance for partial reimbursement of approved bulletproof vest purchases for the period April 1, 2008 through September 30, 2010 - \$94,818 - Financing: U.S. Department of Justice Grant Funds **[09-1073; APPROVED]**

CONSENT AGENDA (Continued)**Public Works & Transportation**

32. Authorize payment to Dallas Independent School District in accordance with the terms of the development agreement approved on September 8, 2004, for the design and construction of the replacement Jimmy Tyler Brashear Hampton Illinois Joint Library located at 2951 South Hampton Road - \$5,377,203 - Financing: 2003 Bond Funds (\$5,033,884) and 2006 Bond Funds (\$343,319) **[09-1074; APPROVED AS AN INDIVIDUAL ITEM]**
33. Authorize **(1)** a contract for Union Station exterior door replacement with IDG Services, Inc., the lowest responsible bidder of three, in an amount not to exceed \$353,685; and **(2)** assignment of the contract to Hunt - Woodbine Realty Corporation as the City's construction manager for all purposes, including contract administration, inspection, supervision and coordination of construction work - Not to exceed \$353,685 - Financing: 2006 Bond Funds **[09-1075; APPROVED AS AMENDED]**
34. Authorize **(1)** sidewalk paving for Sidewalk Group 06-138; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 10, 2009, to receive comments (list attached) - Financing: No cost consideration to the City **[09-1076; APPROVED]**
35. Authorize Supplemental Agreement No. 2 to the contract with Alan Plummer Associates, Inc., for additional engineering design of wetlands associated with the Pavaho Stormwater Wetland Supplemental Environmental Project downstream of Sylvan Avenue along the west bank of the Trinity River within and near the Dallas floodway - Not to exceed \$130,773, from \$307,513 to \$438,286 - Financing: Current Funds **[09-1077; APPROVED]**
36. Authorize **(1)** Supplemental Agreement No. 7 to the contract with Huitt-Zollars, Inc. to provide additional engineering services for final design of storm drainage facilities for the McKinney Avenue Trolley Olive Street Extension project in the amount of \$21,080, from \$2,768,761 to \$2,789,841; and **(2)** the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$6,956 in the Capital Projects Reimbursement Fund; and **(3)** an increase in appropriations in the amount of \$6,956 in the Capital Projects Reimbursement Fund - Total not to exceed \$21,080 - Financing: 2006 Bond Funds (\$14,124) and Capital Projects Reimbursement Funds (\$6,956) **[09-1078; APPROVED]**

Water Utilities

37. Authorize a contract for the installation of water and wastewater mains at 29 locations (list attached) - Barson Utilities, Inc., lowest responsible bidder of ten - \$5,324,778 - Financing: Water Utilities Capital Improvement Funds (\$5,296,422) and 2003 Bond Funds (\$28,356) **[09-1079; APPROVED]**

CONSENT AGENDA (Continued)

Water Utilities (Continued)

38. Authorize an increase in the contract with Archer Western Contractors, Ltd., for additional work on the secondary clarifier unit, air piping, and ozone Supervisory Control and Data Acquisition iFIX software at the Elm Fork Water Treatment Plant - Not to exceed \$417,473, from \$5,307,000 to \$5,724,473 - Financing: Water Utilities Capital Improvement Funds **[09-1080; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

39. 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) **[09-1081; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR FURTHER CONSIDERATION

Public Works & Transportation

40. Authorize approval of the recommended plan for the proposed alignment of Central Expressway from Commerce Street to Live Oak Street, from its current alignment to the proposed alignment of Central Expressway - Financing: No cost consideration to the City **[09-1082; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Department of Development Services

ZONING CASES – CONSENT [09-1083]

41. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for R-5(A) Single Family District uses and an open enrollment charter school and an ordinance granting the termination of Specific Use Permit No. 1245 for a private school on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, with Specific Use Permit No. 1245 on a portion of the request site, on the north side of Myrtle Street, between Metropolitan Avenue and Romine Avenue **[09-1084; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCES NO. 27517 AND 27518]**
Recommendation of Staff and CPC: Approval of a Planned Development District, subject to a development plan and conditions and approval of termination of Specific Use Permit No. 1245
Z089-112(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Department of Development Services (Continued)**ZONING CASES - CONSENT (Continued)

42. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1496 for an open-enrollment charter school on property zoned an IR Industrial Research District, on the southeast corner of Joseph Hardin Drive and Exchange Service Drive **[09-1085; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 10, 2009]**
Recommendation of Staff and CPC: Approval for a five-year period, with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions
Z089-115(RB)
43. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a local utility on property zoned an R-7.5(A) Single Family District and bounded by Sunset Avenue, Chalmers Street, Alden Avenue and Superior Street **[09-1086; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27519]**
Recommendation of Staff and CPC: Approval for a permanent time period; subject to a site plan and conditions
Z089-128(MAW)
44. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Alcoholic beverage establishment for a Bar, lounge, or tavern within the Subdistrict B portion of Planned Development District No. 619 with Historic Overlay No. H/87 at the northwest corner of Main Street and Four Way Place **[09-1087; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27520]**
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z089-130(RB)
45. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a private-club bar on property zoned an IR Industrial Research District on the east side of Emerald Street, between Crown Road and Harcourt Street, west of the Stemmons Freeway (I-35E) access road **[09-1088; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27521]**
Recommendation of Staff and CPC: Approval for a two-year period subject to a site plan and conditions
Z089-137(OTH)
46. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1431 for a Tower/antenna for cellular communication on property zoned a CR Community Retail District on property southeast of Abrams Road, northeast of Northwest Highway **[09-1089; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27522]**
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions
Z089-144(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Department of Development Services (Continued)**ZONING CASES - CONSENT (Continued)

47. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1500 for a Vehicle display, sales, and service use on property within Planned Development District No. 629 for MU-3 Mixed Use District Uses on the northeast corner of North Central Expressway and Bonner Drive **[09-1090; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27523]**

Recommendation of Staff: Approval for a two-year period, subject to a site plan and conditions

Recommendation of CPC: Approval for a five-year period, subject to a site plan and conditions
Z089-116(RB)

ZONING CASES - INDIVIDUAL

48. A public hearing to receive comments regarding an application for a Planned Development District for Multifamily uses on property zoned an MF-2(A) Multifamily District in an area bounded by Cabell Drive, Ashby Street, Lafayette Street and Peak Street and an area on the south side of Lafayette Street between Ashby Street and Peak Street **[09-1091; DELETED ON THE ADDENDUM]**

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

Recommendation of CPC: Denial without prejudice
Z089-105(MAW)

49. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for commercial motor vehicle parking on property zoned a CS Commercial Service District on the northwest corner of Chalk Hill Road and Fitchburg Street **[09-1092; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27524]**

Recommendation of Staff: Denial

Recommendation of CPC: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions
Z089-138(WE)

50. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District on the north side of Meadow Road, west of Greenville Avenue with consideration given to an MU-2 Mixed Use District **[09-1093; DELETED ON THE ADDENDUM]**

Recommendation of Staff: Approval of an MU-2 Mixed Use District in lieu of a Planned Development District.

Recommendation of CPC: Approval of a Planned Development District for Mixed Uses, subject to a conceptual plan and conditions
Z089-141(MAW)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
Department of Development Services (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

51. A public hearing to receive comments regarding an application for a Specific Use Permit for a recycling buy-back center use on property zoned an IM Industrial Manufacturing District on the northwest side of Hickory Street, east of Malcolm X Boulevard **[09-1094; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL MAY 22, 2009]**
Recommendation of Staff and CPC: Denial
Z078-289(JH)
Note: This item was considered by the City Council at a public hearing on January 14, 2009, and was taken under advisement until April 22, 2009, with the public hearing open.

MISCELLANEOUS HEARINGS

Department of Development Services

52. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by Arrow Magnolia International, Inc. located near the intersection of Rodney and Grissom Lanes and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Arrow Magnolia International, 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 **[09-1095; HEARING CLOSED; APPROVED; ORDINANCE 27525]**
Recommendation of Staff: Approval
53. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by Ben E. Keith Company; Dale Family Limited Partnership; Paper Tubes & Sales, Inc.; Southwestern Bell Telephone Company dba AT&T Texas; John Dale; Lawrence B. Dale; Virginia Dale; Steck No. 2, L.P.; Coca Cola Company; Oncor Electric Delivery Company; and Truett-Worrall Co. located near the intersection of Wyche Boulevard and Record Crossing Road and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Ben E. Keith Company; Dale Family Limited Partnership; Paper Tubes & Sales, Inc.; John Dale; Lawrence B. Dale; Virginia Dale; Steck No. 2, L.P.; and Truett-Worrall Company 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 **[09-1096; HEARING CLOSED; APPROVED; ORDINANCE 27526]**
Recommendation of Staff: Approval

Police

54. A public hearing to receive comments on the renewal of the Dallas juvenile curfew ordinance with certain modifications establishing daytime curfew hours for minors in addition to the current nighttime curfew hours for minors and, at the close of the hearing, consideration of an ordinance amending Chapter 31 of the Dallas City Code to readopt with certain modifications and continue in effect the Dallas juvenile curfew ordinance - Financing: No cost consideration to the City **[09-1097; APPROVED AS AMENDED; ORDINANCE 27527]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 22, 2009
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session **[09-1098; HELD]**

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

- City of Dallas, Texas et al. v. H. Dale Hall, et al., No. 08-10890
- Legal issues involving claims by Fire Department employees Leanne Siri-Edwards, Sherri Lopez, Sheila Schulte-De Albrecht, and the lawsuit styled Helen Watts v. City of Dallas, Cause No. 08-13000

CONSENT ADDENDUM

City Attorney's Office

1. Authorize an increase in the professional services contract with the law firm of Akin Gump Strauss Hauer & Feld, L.L.P., for additional legal services necessary in the lawsuit styled Terrell Bolton v. City of Dallas, Texas, No. 08-704 - Not to exceed \$5,000, from \$25,000 to \$30,000 - Financing: Current Funds **[09-1099; APPROVED]**

City Secretary's Office

2. An ordinance amending Ordinance Nos. 27490, 27502, and 27503, which ordered the May 9, 2009 general election and special elections, in order to change certain election day polling locations and early voting locations - Financing: No cost consideration to the City **[09-1100; APPROVED; ORDINANCE 27528]**

Economic Development

**Lancaster Corridor Neighborhood
Investment Program Area**

Note: Addendum Item Nos. 3 and 4 must be considered collectively

3. * Authorize a Chapter 380 economic development forgivable loan agreement with City Wide Community Development Corporation for development and related cost including land assemblage for a skills training center for the Dallas Urban League, mixed-use retail, housing, office and other commercial use in the Lancaster Corridor Neighborhood Investment Program Area from Stella Avenue north of Lancaster Road to Simpson Stuart/Camp Wisdom Road south of Lancaster Road - Not to exceed \$3,000,000 - Financing: Public/Private Partnership Funds **[09-1101; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 22, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Economic Development (Continued)

**Lancaster Corridor Neighborhood
Investment Program Area** (Continued)

Note: Addendum Item Nos. 3 and 4
must be considered collectively

4. * Authorize a Chapter 380 economic development forgivable loan agreement with Sapphire Road Holdings and Investment for development and related cost including land assemblage for mixed-use retail, housing, office and other commercial use in the Lancaster Corridor Neighborhood Investment Program Area from Stella Avenue north of Lancaster Road to Simpson Stuart/Camp Wisdom Road south of Lancaster Road - Not to exceed \$2,000,000 - Financing: 2006 Bond Funds **[09-1102; APPROVED AS AN INDIVIDUAL ITEM]**

Environmental & Health Services

5. Authorize **(1)** preliminary adoption of a substantial amendment to the FY2008-09 Consolidated Plan Budget and Action Plan regarding Homeless Prevention and Rapid Re-Housing Program Funds; and **(2)** a public hearing to be held on May 13, 2009 to receive public comments on the substantial amendment - Not to exceed \$7,187,357 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1103; APPROVED AS AN INDIVIDUAL ITEM]**

Office of Cultural Affairs

6. Authorize renewal of the contract with the Museum of African American Life and Culture to provide a cultural awareness program for low-to moderate-income youth in the southern Dallas area for the period June 8, 2009 through July 31, 2009 - Not to exceed \$46,000 - Financing: 2008-09 Community Development Block Grant Funds **[09-1104; APPROVED]**
7. Authorize the fourth amendment to the Morton H. Meyerson Symphony Center Use Agreement with the Dallas Symphony Association, Inc. (DSA), a Texas nonprofit corporation, to **(1)** adopt a plan for joint scheduling at the Meyerson and the adjoining Annette Strauss Artists Square; **(2)** provide the Association with four annual no-rental fee event dates at Annette Strauss Artists Square for the period ending August 31, 2019; **(3)** modify the proportionate utility payments by City and DSA; **(4)** set the parking fee that the DSA will pay for the use of 140 parking spaces to be used by DSA staff; and **(5)** extend the term of the agreement to August 31, 2049 - Financing: No cost consideration to the City **[09-1105; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 22, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation

8. Authorize an increase in the contract with McCarthy Building Companies, Inc. to establish the Guaranteed Maximum Price for Phase II construction services for the construction of the City Performance Hall - Not to exceed \$31,384,455, from \$215,400 to \$31,599,855 - Financing: 2003 Bond Funds (\$57,359) and 2006 Bond Funds (\$31,327,096) **[09-1106; APPROVED AS AN INDIVIDUAL ITEM]**

Sanitation Services

9. Authorize an increase in appropriations in the amount of \$386,078 in the Sanitation Waste Cell Sinking Fund - Financing: No cost consideration to the City **[09-1107; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Economic Development

10. An ordinance amending the Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District) Project Plan and Reinvestment Zone Financing Plan, previously approved on August 29, 2005 by Ordinance No. 26096, to **(1)** amend the Affordable Housing Policy to (a) permit additional assistance in the form of affordable housing economic development grants to those projects providing affordable housing units, (b) extend the eligibility date for additional affordable housing assistance to projects which are approved by City Council from December 31, 2008 to December 31, 2011, (c) update the household income limit charts contained within to reflect the Dallas Area Median Household Income Limits for 2009; and **(2)** revise the budget to (a) reprogram \$515,000 from the Retail Initiative/Streetscape Improvements budget line item to a new Downtown Area Plan budget line item, and (b) update Exhibit G to reflect the reprogramming and new budget line item - Financing: No cost consideration to the City **[09-1108; APPROVED; ORDINANCE 27529]**
11. Authorize **(1)** a professional services contract for preparation of the long-range strategic area plan and implementation of the "Dallas Downtown Area Plan" with Moore Iacofano Goltsman, Inc., most advantageous proposer of five; **(2)** an increase in appropriations in the amount of \$512,464 in the Downtown Connection TIF District Fund; and **(3)** the receipt and deposit of funds from the Downtown Dallas Development Authority in an amount not to exceed \$512,464 - Not to exceed \$512,464 - Financing: Downtown Connection TIF District Funds **[09-1109; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
APRIL 22, 2009**

CORRECTION:

Police

29. Authorize application for the continuation of the Commercial Auto Theft Interdiction Squad/17 grant from the Texas Automobile Burglary & Theft Prevention Authority to provide a specialized proactive automobile burglary and theft program for the period September 1, 2009 through August 31, 2010 - Not to exceed \$507,847 (local match in the amount of ~~\$139,658~~ \$114,050 will be required if awarded and an in-kind contribution in the amount of ~~\$512,686~~ \$544,620 will be provided by the Dallas Police Department) - Financing: No cost consideration to the City **[09-1071]**

DELETIONS:

Department of Development Services

ZONING CASES - INDIVIDUAL

48. A public hearing to receive comments regarding an application for a Planned Development District for Multifamily uses on property zoned an MF-2(A) Multifamily District in an area bounded by Cabell Drive, Ashby Street, Lafayette Street and Peak Street and an area on the south side of Lafayette Street between Ashby Street and Peak Street **[09-1091]**
Recommendation of Staff: Approval, subject to a development plan, landscape plan and conditions
Recommendation of CPC: Denial without prejudice
Z089-105(MAW)
50. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MF-1(A) Multifamily District and an MF-2(A) Multifamily District on the north side of Meadow Road, west of Greenville Avenue with consideration given to an MU-2 Mixed Use District **[09-1093]**
Recommendation of Staff: Approval of an MU-2 Mixed Use District in lieu of a Planned Development District.
Recommendation of CPC: Approval of a Planned Development District for Mixed Uses, subject to a conceptual plan and conditions
Z089-141(MAW)

Tax Foreclosure and Seizure Warrant Property Resale
Agenda Item #5

<u>Parcel No.</u>	<u>Address</u>	<u>Highest Bidder</u>	<u>VAC/IMP (Land)</u>	<u>Square Footage</u>	<u>Struck off Amount</u>	<u># Bids Rec'd</u>	<u>Minimum Bid Amount</u>	<u>High Bid Amount</u>	<u>DCAD Value</u>	<u>Council District</u>	<u>Zoning</u>
1.	3820 Atlanta	Linda Hunter-Mooney	IMP	3,780	\$8,719	2	\$1,000	\$1,526	\$19,530	PD 595	7
2.	2064 Ben Hur	Oak Hill Assembly Church	VAC	7,500	\$8,000	1	\$4,000	\$7,525	\$4,000	R-7.5(A)	8
3.	2420 Birmingham	Demolia Peterson	IMP	6,500	\$9,833	3	\$2,500	\$3,500	\$27,700	PD 595	7
4.	2307 Eugene	Choya Alexander	IMP	10,500	\$17,646	2	\$4,400	\$7,151	\$30,930	PD 595	7
5.	1334 Exeter	Rodney McNeely	IMP	8,700	\$20,014	1	\$6,750	\$9,500	\$38,000	R-7.5(A)	4
6.	1543 Exeter	Ismael Aguilar	IMP	9,625	\$13,501	6	\$6,750	\$8,000	\$39,350	R-7.5(A)	4
7.	1800 Kirnwood	Glenn Gill	VAC	16,425	\$22,500	1	\$3,500	\$5,100	\$16,380	R-7.5(A)	5
8.	1515 Mentor	Johnny Breaux	IMP	8,450	\$25,970	4	\$3,250	\$4,100	\$33,000	R-7.5(A)	4
9.	4322 Penelope	Eugene R. Caldwell, Jr.	IMP	6,010	\$10,077	1	\$1,000	\$1,200	\$19,940	R-5(A)	7
10.	3314 Rutledge	Jeffrey Norman	VAC	7,500	\$3,750	3	\$1,000	\$1,389	\$3,750	PD 595	7
11.	2930 SeEVERS	Jaun C. Trappett	VAC	7,500	\$8,000	1	\$8,000	\$8,399	\$15,000	R-7.5(A)	4
12.	2611 Starks	Parache' Enterprises	IMP	5,675	\$12,566	3	\$1,000	\$2,902	\$16,550	PD 595	8
13.	1511 Stella	Nevin Grinnell	IMP	8,250	\$31,057	2	\$10,000	\$14,250	\$62,950	TH-3(A)	4
14.	3903 South Tyler	Glenn Gill	VAC	27,987	\$66,580	1	\$3,000	\$5,100	\$57,290	MF-2(A)	4

Tax Foreclosure and Seizure Property Resale
Agenda Item #17

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>	<u>Council District</u>
1.	3104 Rochester	Dallas Neighborhood Alliance for Habitat	56H	\$1,000	\$1,000	V	PD 595 MF-2(A)	7

Sidewalk Group 06-138
Agenda Item #34

<u>Sidewalk Improvements</u>	<u>Council District</u>
Preston Road from LBJ Freeway to Dilbeck Lane to Spring Valley Road to Preston Oaks Road to Belt Line Road to La Cosa Drive to Alexis Drive to Hughes Lane to Regency Place to Highcourt Place to Prestondell Drive to Alpha Road to Arapaho Road	11
Walnut Hill Lane (north side only) from Airline Road to Boedeker Street	11

**Installation of Water and Wastewater Mains
at 29 Locations
Agenda Item #37**

District 13

Alley between Alta Vista Lane and Northview Lane from Midway Road to Snow White Drive
Alley between Crooked Lane and San Gabriel Drive from Bushire Drive east
Alley between Shady Hill Drive and Courtshire Drive from Midway Road to Snow White Drive
Alley between Willow Lane and Myerwood Lane from Crestline Avenue west
Bobbitt Drive from Midway Road to Bushire Drive
Clear Cove Lane from Cold Harbor Lane to Rosser Road
Cox Lane from Royal Lane to Townsend Drive
Easement between north and south Rosser Square from Rosser Square northeast
Easement east of Rosser Road from Rosser Square north
Flintridge Drive from Candlenut Lane northeast
Forest Lane from Rosser Road east
Midway Road from Myerwood Lane to Deep Valley Drive
Reaumur Drive from Les Jardins Drive north
Rosser Square from north roadway of Rosser Square to south roadway of Rosser Square
Shady Hill Drive and Cox Lane intersection
Shady Hill Drive from Midway Road to Snow White Drive
Snow White Drive from Shady Hill Drive to Courtshire Drive
Townsend Drive from Marsh Lane to Cox Lane
Weeburn Drive from Rosser Road west
Alley and easement between Aladdin Drive and Snow White Drive from Royal Lane to Sleepy Lane*
Alley between Cinderella Lane and Midway Road from Northaven Road south*
Crestline Avenue from Cedarbrush Drive to Hockaday Drive*
Crestline Avenue from Twin Post Road north*
Crestline Avenue from Thunder Road north*
Deep Valley Drive from Snow White Drive to Midway Road*
Easement east of Midway Road and south of IH-635 (LBJ Freeway) from Midway Road northeast*
Easement north of Thunder Road from Havenside Drive to Crestline Avenue*
Haydale Drive from High Summit Drive to Shady Bend Drive*
Royal Lane from Webster Terrace east*

*Trenchless Installation