

AGENDA
CITY COUNCIL MEETING
MAY 13, 2009
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[09-1150]**

Agenda Item/Open Microphone Speakers **[09-1151]**

VOTING AGENDA

1. Approval of Minutes of the April 22, 2009 City Council Meeting **[09-1152; APPROVED]**

CONSENT AGENDA **[09-1153; APPROVED]**

Business Development & Procurement Services

2. Authorize the purchase of chemical detection and identification equipment for Dallas Fire-Rescue - BST Technologies, LLC, lowest responsible bidder of two - Not to exceed \$125,885 - Financing: Urban Area Security Initiative Grant Funds **[09-1154; APPROVED]**
3. Authorize a twelve-month service contract for landscaping at five City owned Central Business District parking lots - Expressions by Susan, Inc., lowest responsible bidder of three - Not to exceed \$62,293 - Financing: Current Funds **[09-1155; APPROVED]**
4. Authorize a twenty-four-month service contract to provide armed and unarmed security guards to patrol and protect City facilities - Ruiz Protective Service, Inc. in the amount of \$8,488,664 and Giadador Holdings, Inc. DBA Dog World Services in the amount of \$2,576,406, lowest responsible bidders of seventeen - Total not to exceed \$11,065,070 - Financing: Current Funds (\$2,576,406), Convention Center Current Funds (\$4,778,568), Water Utilities Current Funds (\$3,710,096) (subject to annual appropriations) **[09-1156; APPROVED AS AN INDIVIDUAL ITEM]**

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

5. Authorize a twenty-four-month master agreement for the purchase of brass fittings - Municipal Water Works Supply, L.P. in the amount of \$1,421,480, Mueller Company LTD. in the amount of \$1,069,860, Four Star Hose & Supply, Inc. in the amount of \$853,588, and The Ford Meter Box Company, Inc. in the amount of \$70,924, lowest responsible bidders of four - Total not to exceed \$3,415,852 - Financing: Current Funds (\$2,500), Water Utilities Current Funds (\$3,413,352) **[09-1157; APPROVED AS AN INDIVIDUAL ITEM]**
6. Authorize a forty-eight-month master agreement for air diffusers for sludge basins at Water Utilities Central Wastewater Treatment Plant - Siemens Water Technologies Corp. in the amount of \$750,000 and Environmental Dynamics, Inc. in the amount of \$217,500, lowest responsible bidders of three - Total not to exceed \$967,500 - Financing: Water Utilities Current Funds **[09-1158; APPROVED]**
7. Authorize a twelve-month service contract for utility bills review services - Utilities Analyses, Inc. and Net Results Group, Inc., most advantageous proposers of three - Estimated Revenue: \$5,000,000 **[09-1159; APPROVED AS AN INDIVIDUAL ITEM]**
8. Authorize an increase in the existing contract with Burst Communications, Inc. for **(1)** the design, upgrade to existing equipment, installation of new media equipment in the amount of \$1,275,374, and **(2)** a thirty-six month maintenance agreement for a 3D virtual studio for the Public, Educational, and Government Cable in the amount of \$138,015 - Total not to exceed \$1,413,389, from \$2,600,000 to \$4,013,389 - Financing: Public Educational and Governmental Access Funds **[09-1160; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

9. Authorize settlement of the lawsuit styled Leticia M. Martinez v. City of Dallas, Cause No. 08-05849-B - Not to exceed \$13,500 - Financing: Current Funds **[09-1161; APPROVED]**
10. Authorize a professional services contract with the law firm of Bell, Nunnally & Martin, L.L.P., for representation of the City in the lawsuit styled Helen Watts v. City of Dallas, Cause No. 08-13000, for claims made against the City on behalf of city employees Sherri Lopez, Leanne Siri-Edwards, and Sheila Schulte-De Albrecht, and any lawsuits subsequently filed related to these claims - Not to exceed \$275,000 - Financing: Current Funds **[09-1162; APPROVED]**

Department of Development Services

11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Arturo Avalos, Eleazar Avalos and the Korean Senior Citizen's Association of Dallas for two tracts of land containing a total of approximately 1,270 square feet located near the intersection of Brockbank Drive and Bynum Avenue for the Brockbank Drive Street Improvement Project - \$10,668 (\$8,698 plus closing costs not to exceed \$1,970) - Financing: 2006 Bond Funds **[09-1163; APPROVED]**

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

12. Authorize moving expense and rental assistance payments for Thomas Ramirez as a result of an official written offer of just compensation to purchase real property at 20833 North State Highway 34 for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project - Not to exceed \$15,790 - Financing: Water Utilities Capital Construction Funds **[09-1164; APPROVED]**
13. An ordinance abandoning a portion of a water easement to The St. Alcuin Montessori School, the abutting owner, containing approximately 7,123 square feet of land located near the intersection of Whitley Lane and Churchill Way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[09-1165; APPROVED; ORDINANCE 27530]**
14. An ordinance abandoning certain air rights above a portion of Caroline Street to GPI Gables Partners, LP and LG Cedar Springs LP, the abutting owners, containing approximately 137 square feet of air space located near its intersection with Cedar Springs Road and authorizing the quitclaim - Revenue: \$12,250 plus the \$20 ordinance publication fee **[09-1166; APPROVED; ORDINANCE 27531]**

Economic Development

15. Authorize appointment of two Directors to the Dallas Development Fund Board, created to allow the City to apply for a New Markets Tax Credit allocation - Financing: No cost consideration to the City **[09-1167; APPROVED]**
16. Authorize a management contract for management of the EB-5 Program City of Dallas Regional Center - Civitas Capital Management, LLC, most advantageous proposer of three - Financing: No cost consideration to the City **[09-1168; DELETED ON THE ADDENDUM]**

Efficiency Team

17. Authorize an eighteen-month professional services contract with The University of Texas at Arlington/Texas Manufacturing Assistance Center for implementation of an ISO 9001 Quality Management System, Phase III - Not to exceed \$83,000 - Financing: Current Funds **[09-1169; APPROVED]**

Environmental & Health Services

18. Authorize **(1)** the acceptance of a grant from the Texas Commission on Environmental Quality to operate and maintain whole air samplers and conduct air monitoring activities in Dallas for the period September 1, 2009 through August 31, 2010; and **(2)** execution of the grant agreement - Not to exceed \$293,562 - Financing: Texas Commission on Environmental Quality Grant Funds **[09-1170; APPROVED]**

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

19. Authorize **(1)** the acceptance of a Shelter Plus Care Grant from the U.S. Department of Housing and Urban Development in the amount of \$89,520 to provide sponsor-based rental assistance for permanent housing for homeless veterans with disabilities for the period October 1, 2009 through September 30, 2010; **(2)** a contract with Operation Relief Center, Inc. to provide sponsor-based rental assistance; and **(3)** execution of the grant agreement - Not to exceed \$89,520 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1171; APPROVED]**
20. Authorize **(1)** a Memorandum of Understanding between the City of Dallas and the Community Council of Greater Dallas to provide transportation for people with disabilities for the period May 1, 2009 through October 13, 2012; **(2)** the receipt and deposit of funds from the Community Council of Greater Dallas in the amount of \$225,000; **(3)** the establishment of appropriations in the amount of \$225,000; and **(4)** a local match in an amount not to exceed \$100,000 - Not to exceed \$325,000 - Financing: Community Council of Greater Dallas Grant Funds (\$225,000) and Current Funds (\$100,000) (subject to appropriations) **[09-1172; APPROVED]**
21. Authorize an Interlocal Agreement with Texas Woman's University to provide students the opportunity to participate in the professional sanitarian internship program for the period June 1, 2009 through August 15, 2009, to learn about food protection and assist the Food Protection and Education Division with an avenue for recruiting qualified sanitarians to the City - Financing: No cost consideration to the City **[09-1173; APPROVED]**
22. Authorize a thirty-two-month Interlocal Agreement with Dallas County Community College District on behalf of El Centro Community College to provide opportunities for students enrolled in the Licensed Vocational Nursing Program and Associate Nursing Degree Program to gain practical experience in clinical services in the City of Dallas Public Health Clinics for the period January 1, 2009 through September 1, 2011 - Financing: No cost consideration to the City **[09-1174; APPROVED]**
23. Authorize the third amendment to the contract with the Texas Commission on Environmental Quality to **(1)** accept additional grant funds to operate and maintain two ambient air monitoring stations in Rockwall and Dallas Counties; and **(2)** extend the term of the contract for the period September 1, 2009 through August 31, 2010 - Not to exceed \$25,958, from \$103,894 to \$129,852 - Financing: Texas Commission on Environmental Quality Grant Funds **[09-1175; APPROVED]**

Fire

24. Authorize a two-year contract with El Centro Community College for reimbursement of Fire Department training costs from September 1, 2009 to August 31, 2011 - Revenue: \$350,000 **[09-1176; APPROVED]**

CONSENT AGENDA (Continued)**Housing**

25. Authorize acquisition of one parcel improved with an occupied residential structure located at 2611 Anderson Street for the proposed Bexar Street Redevelopment Project which is being implemented as part of the Neighborhood Investment Program (list attached) - \$48,000 (\$46,000 plus closing costs not to exceed \$2,000) - Financing: 2002-03 Community Development Block Grant Funds **[09-1177; APPROVED]**
26. Authorize the acquisition of fourteen unimproved lots located on 9th Street near Starr Street through the Residential Development Acquisition Loan Program - \$304,000 (\$300,000 plus closing costs not to exceed \$4,000) - Financing: 2002-03 Community Development Block Grant Funds (\$4,000) and 2004-05 Community Development Block Grant Funds (\$300,000) **[09-1178; APPROVED AS AN INDIVIDUAL ITEM]**
27. Authorize the reconstruction on-site of three homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 2780 East Ann Arbor Avenue in the amount of \$87,500, 9922 Royce Drive in the amount of \$87,500, and 3410 El Benito Drive in the amount of \$87,500 - Total not to exceed \$262,500 - Financing: 2007-08 Community Development Block Grant Funds **[09-1179; APPROVED]**
28. Authorize an amendment to Resolution No. 09-0789, previously approved on March 25, 2009, to change the name of the contractor, to reconstruct on-site one home in accordance with the Reconstruction/SHARE Program Statement requirements for the property located at 1422 Harlandale Avenue - Not to exceed \$87,500 - Financing: 2006-07 Community Development Block Grant Funds **[09-1180; APPROVED]**
29. Authorize **(1)** a public hearing to be held on June 24, 2009 to receive comments on the proposed City of Dallas submission of an application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant (CDBG) Section 108 Guarantee Loan Program loan in the amount of \$15,254,000 to fund a loan to 5630 SMU Boulevard LP for the land acquisition, site work and Section 108 Interest Reserve Funds for the development of the Shamburger Development mixed-use project including 9,100 square feet of bottom floor retail space and 417 apartment homes above at the southwest corner of SMU (formerly Yale) Boulevard and Greenville Avenue with 104 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD; and **(2)** at the close of the public hearing, consideration of submission of an application to HUD for a CDBG Section 108 Guarantee Loan Program loan to 5630 SMU Boulevard LP in an amount not to exceed \$15,254,000 - Financing: No cost consideration to the City **[09-1181; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Intergovernmental Services**

30. Authorize **(1)** an application for and acceptance of the American Recovery and Reinvestment Act: Edward Byrne Memorial Justice Assistance Grant in the amount of \$9,158,669 from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period March 1, 2009 through February 28, 2013; **(2)** execution of the Fiscal Agency Agreement between the City of Dallas, Dallas County, and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$9,158,669 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Funds **[09-1182; APPROVED AS AN INDIVIDUAL ITEM]**
31. Authorize the acceptance of a 2008 Buffer Zone Protection Program grant from the U.S. Department of Homeland Security, through its agent, the Governor's Division of Emergency Management, to be used for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City for the period September 1, 2008 through December 31, 2010 - Not to exceed \$386,000 - Financing: Buffer Zone Protection Grant Funds **[09-1183; APPROVED]**

Office of Emergency Management

32. Authorize a Memorandum of Understanding with the Texas Forest Service to authorize City of Dallas employees who have completed advanced Incident Command training and serve on the North Central Texas Regional Incident Management Team to respond, as requested by the Texas Forest Service, to assist at major disasters or large-scale emergencies such as hurricanes, major flooding, wildland fires, or other emergency situations that may occur across the State or the Country - Financing: No cost consideration to the City **[09-1184; APPROVED]**

Office of Financial Services

33. A resolution extending the City Council's decision deadline for Atmos Energy Corp., Mid-Tex Division's (Atmos) proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment from May 26, 2009 until July 10, 2009 - Financing: No cost consideration to the City **[09-1185; APPROVED]**
34. Authorize a public hearing to be held on May 27, 2009 to receive comments in preparation of the FY 2009-10 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[09-1186; APPROVED]**

Park & Recreation

35. Authorize a professional services contract with Dan Shipley Architect, Inc. for schematic design through construction administration services for interior renovation of the facility and heating, ventilation and air conditioning upgrades at Pleasant Oaks Recreation Center located at 8700 Greenmound Avenue - \$137,329 - Financing: 2006 Bond Funds **[09-1187; APPROVED]**

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

36. Authorize a professional services contract with Jacobs Engineering Group, Inc. for the preparation of an updated master plan to include site analysis and program development, historic research and guidelines, and conceptual studies at Kiest Park located at 3080 South Hampton Road - \$60,800 - Financing: 2006 Bond Funds **[09-1188; APPROVED]**
37. Authorize an increase in the contract with Phoenix I Restoration and Construction, Ltd. for additional concrete demolition; modifications to structural, electrical, mechanical, and plumbing; additional plaster work, and historic paint analysis for the Texas Discovery Gardens in Fair Park, located at 3601 Martin Luther King Jr. Boulevard - Not to exceed \$145,999, from \$5,046,128 to \$5,192,127 - Financing: 2006 Bond Funds (\$138,268) and Capital Gifts, Donation and Development Funds (\$7,731) **[09-1189; APPROVED]**
38. Authorize an increase in the contract with Rogers-O'Brien Construction Company, Ltd. for credit on building permit fees paid by the Park and Recreation Department for the reconstruction of the Esplanade fountain and Parry Avenue gate restoration, credit for payment of Oncor relocation fees; increasing the pipe sizes of sanitary sewer and storm drainage; adding additional structural piers to slab stabilization plates for the Esplanade fountain; and the addition of irrigation and landscaping along Parry Avenue at Fair Park - Not to exceed \$47,098, from \$12,664,365 to \$12,711,463 - Financing: 2006 Bond Funds **[09-1190; APPROVED]**

Police

39. Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Duncanville regarding the provisions of law enforcement services in geographical areas located within the cities of Dallas and Duncanville for the period May 13, 2009 through May 12, 2010 - Financing: No cost consideration to the City **[09-1191; APPROVED AS AN INDIVIDUAL ITEM]**
40. Authorize an Interlocal Agreement and a Memorandum of Understanding with the City of Grand Prairie to provide mutual law enforcement services within specified territorial boundaries dividing the cities of Dallas and Grand Prairie for the period May 13, 2009 through May 12, 2010 - Financing: No cost consideration to the City **[09-1192; APPROVED AS AN INDIVIDUAL ITEM]**

Public Works & Transportation

41. Authorize approval of the recommended plan for the proposed alignment of Inland Port (Street) from Langdon Road to the Hutchins city limits - Financing: No cost consideration to the City **[09-1193; APPROVED AS AN INDIVIDUAL ITEM]**
42. Authorize an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements on IH35E at Northwest Highway and Storey Road - Not to exceed \$68,108 - Financing: Texas Department of Transportation Grant Funds **[09-1194; APPROVED]**

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

43. Authorize a professional services contract with Brockette, Davis, Drake, Inc. for preliminary engineering design of the proposed pedestrian bridge from Bachman Lake Park spanning Northwest Highway and intersection improvements - Not to exceed \$58,255 - Financing: 2006 Bond Funds **[09-1195; APPROVED]**
44. Authorize professional services contracts with Civil Associates, Inc. and Pacheco Koch Consulting Engineers for the engineering design of 1 flood management project and 1 streetscape/urban design project (list attached) - Not to exceed \$544,256 - Financing: 2006 Bond Funds (\$484,829) and Water Utilities Capital Construction Funds (\$59,427) **[09-1196; APPROVED]**
45. Authorize a contract for construction of an animal clinic oxygen delivery system at the Animal Services and Adoption Center located at 1818 North Westmoreland Road with H-B Construction, Inc., best value proposer of two - Not to exceed \$74,112 - Financing: 2003 Bond Funds **[09-1197; APPROVED AS AN INDIVIDUAL ITEM]**

Trinity River Corridor Project

46. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Roy J. Lohden, of five unimproved tracts of land containing approximately 50 acres located near the intersection of Cedar Crest Boulevard and Pontiac Avenue for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$169,000 (\$165,000 plus closing costs not to exceed \$4,000) - Financing: Private Funds **[09-1198; APPROVED]**

Water Utilities

47. Authorize a contract for the installation of water and wastewater mains at 15 locations (list attached) - P & E Contractors, Inc., lowest responsible bidder of eight - \$5,799,730 - Financing: Water Utilities Capital Improvement Funds **[09-1199; APPROVED]**
48. Authorize an increase in the professional services contract with Burgess & Niple, Inc. f/k/a GSWW, Inc. for the additional design of 3,230 feet of wastewater mains in the Ferris Branch Creek, Jackson Branch Creek, and surrounding area - Not to exceed \$99,365, from \$1,861,577 to \$1,960,942 - Financing: Water Utilities Capital Improvement Funds **[09-1200; APPROVED]**

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

49. 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) **[09-1201 AND 09-1202; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**City Secretary's Office (Continued)**

50. Consideration and appointment of members to the Dallas Area Rapid Transit Board of Directors for Places 3, 4, 5, 6, 7, and 8 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) (List of nominees is available in the City Secretary's Office) **[09-1203; APPOINTMENTS MADE TO BOARD]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [09-1204]

51. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new Subdistrict within Subdistrict B in the North Zone within Planned Development District No. 521 for mixed uses and an ordinance granting a Specific Use Permit for gas drilling and a resolution accepting deed restrictions volunteered by the applicant, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway) **[09-1205; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 10, 2009]**
Recommendation of Staff: Approval, of a new Subdistrict within Subdistrict B, subject to a conceptual plan and conditions and approval of a Specific Use Permit for gas drilling for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production and conditions subject to deed restriction volunteered by the applicant
Recommendation of CPC: Approval, of a new Subdistrict within Subdistrict B, subject to a conceptual plan and conditions and approval of a Specific Use Permit for gas drilling for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production and conditions subject to deed restriction volunteered by the applicant
Z078-248(WE)
52. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for gas drilling within Subdistrict B in the North Zone within Planned Development District No. 521 for mixed uses and a resolution accepting deed restrictions volunteered by the applicant, east of Mountain Creek Parkway, north of Interstate 20 (Lyndon B. Johnson Freeway) **[09-1206; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 10, 2009]**
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production, and conditions and deed restrictions volunteered by the applicant
Recommendation of CPC: Approval for a twenty-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing/original condition plan, a site/operation plan for drilling, a site/operation plan for production, and conditions and deed restrictions volunteered by the applicant
Z078-313(WE)

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

53. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Office showroom/warehouse on property within the Subdistrict 6 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, on the northeast line of CF Hawn Freeway, northwest of Lovejoy Drive **[09-1207; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27532]**
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
Z089-131(RB)
54. A public hearing to receive comments regarding an application for and an ordinance granting an NO(A) Neighborhood Office District and an ordinance granting the termination of a portion of Specific Use Permit No. 159 for a library use on property zoned an R-7.5(A) Single Family District on the south side of West Illinois Avenue, east of Hampton Road **[09-1208; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NO . 27533 AND 27534]**
Recommendation of Staff and CPC: Approval
Z089-139(MAW)
55. A public hearing to receive comments regarding an application for and a resolution accepting an amendment to the deed restrictions volunteered by the applicant on property zoned an RR Regional Retail District on the north side of Chenault Street between Buckner Boulevard and Dilido Road **[09-1209; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED]**
Recommendation of Staff and CPC: Approval
Z089-140(MAW)
56. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 75 on the northwest corner of Scyene Circle and South Buckner Boulevard **[09-1210; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27535]**
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z089-148(OTH)
57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District, at the west corner of Haskell Avenue and San Jacinto Street **[09-1211; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27536]**
Recommendation of Staff and CPC: Approval, for a three-year period, subject to a site plan and conditions
Z089-149(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Department of Development Services (Continued)

ZONING CASES - INDIVIDUAL

- 58. A public hearing to receive comments regarding an application for the renewal of Specific Use Permit No. 1609 for potentially incompatible industrial uses with outside storage on property zoned an IM Industrial Manufacturing District on the west side of Spangler Road, between Ryan Road and Walnut Hill Lane **[09-1212; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 10, 2009]**
Recommendation of Staff: Approval for a two year period, subject to a site plan and staff's recommended conditions
Recommendation of CPC: Denial
Z078-312(WE)

- 59. A public hearing to receive comments regarding an application for and an ordinance granting an expansion of, and amendment to, Planned Development District No. 757 for an open enrollment charter school and R-5(A) Single Family District uses on property zoned Planned Development District No. 757, an A(A) Agricultural District, and an R-7.5(A) Single Family District on the north side of Wheatland Road between Mask Drive and Houston School Road **[09-1213; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 10, 2009]**
Recommendation of Staff: Approval, subject to a development plan/landscape plan and staff's recommended conditions
Recommendation of CPC: Approval, subject to a development plan/landscape plan and CPC recommended conditions
Z089-122(WE)

BENEFIT ASSESSMENT HEARINGS

Public Works & Transportation

- 60. A benefit assessment hearing to receive comments on sidewalk paving for Sidewalk Group 06-137, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a contract for the construction - Procon Paving and Construction, Inc., lowest responsible bidder of 16 (list attached) - Not to exceed \$168,349 - Financing: 2006 Bond Funds (\$159,749) and Water Utilities Capital Construction Funds (\$8,600) **[09-1214; HEARING CLOSED; APPROVED; ORDINANCE 27537]**

FLOODPLAIN APPLICATIONS

Public Works & Transportation

- 61. A public hearing to receive comments regarding the application for and approval of a fill permit and removal of the floodplain (FP) prefix from 1.07 acres of a 2.58 acres tract of land located at 4215, 4223, 4245, 4255 Shorecrest Drive, currently in the floodplain of Bachman Creek, Fill Permit 08-04 - Financing: No cost consideration to the City **[09-1215; HEARING CLOSED; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Environmental & Health Services

62. A public hearing to receive comments on a substantial amendment to the FY2008-09 Consolidated Plan Budget and Action Plan regarding the Federal Stimulus Homeless Prevention and Rapid Re-Housing Program Funds; and at the close of the hearing, authorize final adoption of the substantial amendment - Not to exceed \$7,187,357 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1216; HEARING CLOSED; APPROVED]**

Mayor and City Council

63. Consideration of authorization of a public hearing to amend the *forwardDallas!* Comprehensive Plan to incorporate the UNT-Dallas Area Plan - Financing: No cost consideration to the City (via Deputy Mayor Pro Tem Caraway and Councilmembers Atkins, Jones Hill, Koop and Natinsky) **[09-1217; HEARING CLOSED; APPROVED]**

Park & Recreation

64. A public hearing 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, and at the close of the hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City **[09-1218; HEARING CLOSED; APPROVED]**
65. A public hearing to receive comments on **(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; and at the close of the public hearing, consideration of a resolution authorizing the use - Estimated Revenue: \$19,500 **[09-1219; HEARING CLOSED; APPROVED]**
66. A public hearing to receive comments on **(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 and at the close of the public hearing, consideration of a resolution authorizing the use - Financing: No cost consideration to the City **[09-1220; HEARING CLOSED; APPROVED]**

Public Works & Transportation

67. A public hearing to receive comments regarding an amendment to Chapter 51A, "Dallas Development Code", Section 51A-10.102, of the Dallas City Code to adopt the Collin County Flood Insurance Rate Maps which become effective on June 2, 2009, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City **[09-1221; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL MAY 27, 2009]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 13, 2009
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session **[09-1222; HELD]**

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

- United States v. Donald W. Hill, et al., Criminal Case No. 3:07-cr-00289-M (N.D. Texas)
- City of Dallas v. Reliance Asset Trust, et al., Cause No. 06-13872-D
- Atmos Energy Corporation, Mid-Tex Division's Statement of Intent to Increase Gas Utility Rates within the Incorporated Areas of the City of Dallas
- Legal issues relating to water right matters pending before the Texas Commission on Environmental Quality and any other related matters.

VOTING AGENDA

1. Consideration of a motion to suspend Section 6.1(c)(1) of the City Council Rules of Procedure and allow the public hearings scheduled on the agenda for the May 27, 2009 city council meeting to be conducted no earlier than 12:00 noon instead of no earlier than 1:00 p.m. (Two-thirds vote of city council members present required) **[09-1223; APPROVED]**

CONSENT ADDENDUM

Aviation

2. Authorize an application to the Federal Aviation Administration to impose a Passenger Facility Charge of \$4.50 per enplaned passenger to provide funding for nine new capital improvement projects at Dallas Love Field - Estimated Revenue: \$304,000,000 **[09-1224; APPROVED AS AN INDIVIDUAL ITEM]**

Department of Development Services

3. Authorize moving expense and rental assistance payments for 46 eligible residents in the Delux Inn as a result of an official written offer of just compensation to purchase real property at 3111 North Stemmons Freeway to be used in conjunction with the Trinity Parkway Project (list attached) - Not to exceed \$647,984 - Financing: 1998 Bond Funds **[09-1225; APPROVED AS AN INDIVIDUAL ITEM]**

Office of Cultural Affairs

4. Authorize a 20-year lease agreement with DSM Management Group, Inc., with an option to extend the term for 4 additional 5-year periods, for a city-owned facility in Fair Park known as the Music Hall located at 909 First Avenue for their continued use, operation and management to provide and bring music and theatrical performances to Dallas under the direction of the Office of Cultural Affairs for the period July 1, 2009 through June 30, 2029 - Annual Revenue: \$1 **[09-1226; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 13, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Office of Financial Services

5. Authorize **(1)** preliminary adoption of a substantial amendment to the FY2008-09 Consolidated Plan Budget and Action Plan regarding Community Development Block Grant - Recovery Program Funds (Federal Stimulus); and **(2)** a public hearing to be held on May 27, 2009 to receive public comments on the substantial amendment - Not to exceed \$4,700,469 - Financing: U.S. Department of Housing and Urban Development Grant Funds **[09-1227; APPROVED AS AN INDIVIDUAL ITEM]**

Park & Recreation

6. Authorize an increase to the contract with The Gilbert Construction Group, Inc. for casing structural piers and applying anti-graffiti sealant for the new pavilion at Ferguson Park located at 1900 Gross Road; and mechanical and filtration system enhancements to the existing spraygrounds at Campbell Green Park located at 16600 Hillcrest Road, Pemberton Hill Park located at 6424 Elam Road, Daniieldale Park located at 500 West Wheatland Road, Ferguson Park located at 1900 Gross Road, Lake Highlands North Park located at 9344 Church Road, Mildred L. Dunn Park located at 3300 Carpenter Avenue, Ridgewood Park located at 6818 Fisher Road, and Umphress Park located at 7700 Umphress Road - Not to exceed \$239,570, from \$1,321,851 to \$1,561,421 - Financing: 2003 Bond Funds (\$20,981) and 2006 Bond Funds (\$218,589) **[09-1228; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS

Police

7. A public hearing to receive comments on the modification of the Dallas juvenile curfew ordinance to establish daytime curfew hours for minors and, at the close of the hearing, consideration of an ordinance amending Chapter 31 of the Dallas City Code to adopt daytime curfew hours - Financing: No cost consideration to the City **[09-1229; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27538]**
Note: This item was considered by the City Council at public hearings held on March 25, 2009 and April 22, 2009 and postponed the vote on this item until May 13, 2009, with the public hearing left open.

May 13, 2009

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**ADDENDUM
CITY COUNCIL MEETING
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DELETION:

Economic Development

16. Authorize a management contract for management of the EB-5 Program City of Dallas Regional Center - Civitas Capital Management, LLC, most advantageous proposer of three - Financing: No cost consideration to the City **[09-1168]**