

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

Invocation and Pledge of Allegiance (Council Chambers) **[09-2190]**

Agenda Item/Open Microphone Speakers **[09-2191]**

VOTING AGENDA

1. Approval of Minutes of the August 26, 2009 City Council Meeting **[09-2192; APPROVED]**

CONSENT AGENDA **[09-2193; APPROVED]**

Business Development & Procurement Services

2. Authorize a three-year master agreement for air relief valves and parts - Municipal Valve & Equipment Co., Inc. in the amount of \$87,000, Hugh M. Cunningham, Inc. in the amount of \$87,000 and Utility Supply of America dba Blue Book in the amount of \$32,000, lowest responsible bidders of three - Total not to exceed \$206,000 - Financing: Current Funds (\$14,250), Water Utilities Current Funds (\$191,750) **[09-2194; APPROVED]**
3. Authorize a three-year master agreement for the purchase of pumps - Pierce Pump Co. L.P. in the amount of \$200,440, Master Pumps & Equipment in the amount of \$25,805, Utility Supply of America dba Blue Book in the amount of \$25,944, MaCaulay Controls Co. in the amount of \$20,000, and Anytime Pump Service Co. dba CIE in the amount of \$19,000, lowest responsible bidders of five - Total not to exceed \$291,189 - Financing: Water Utilities Current Funds **[09-2195; APPROVED]**
4. Authorize a three-year master agreement for "shelf-ready" audio visual materials for the Dallas Public Library - Midwest Tape, LLC., lowest responsible bidder of two - Not to exceed \$4,989,228 - Financing: Current Funds **[09-2196; APPROVED]**

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

5. Authorize a three-year master agreement for uninterruptible power supply system batteries - TKC Enterprises, Inc. dba. Batteries Plus, lowest responsible bidder of three - Not to exceed \$348,928 - Financing: Current Funds (\$248,928), U.S. Department of Homeland Security, Governor's Division of Emergency Management Grant Funds (\$100,000) **[09-2197; APPROVED]**
6. Authorize a three-year service contract for street sweeping services - Flagship Sweeping Services, Inc., lowest responsible bidder of five - Not to exceed \$1,460,815 - Financing: Current Funds **[09-2198; APPROVED AS AN INDIVIDUAL ITEM]**
7. Authorize a three-year service contract for repair, rebuilding, diagnostic testing and maintenance of electric motors - Shermco Industries, Inc., lowest responsible bidder of five - Not to exceed \$6,664,000 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[09-2199; APPROVED]**

City Attorney's Office

8. Authorize Supplemental Agreement No. 2 to the professional services contract with the certified public accounting firm of Lightfoot Guest Moore & Co., P.C., for additional expert litigation support services, including consultation, document review, deposition, and testimony in the lawsuit styled AHF Community Development LLC v. City of Dallas et al., Civil Action No. 3:06-CV-01035-D - Not to exceed \$31,000, from \$80,000 to \$111,000 - Financing: Current Funds **[09-2200; APPROVED]**

Communication and Information Services

9. Authorize **(1)** an amendment to the contract with Maximus, Inc. to renew the current Application Service Provider (ASP) agreement to extend the contract term for a period of five years in an amount not to exceed \$390,000; and **(2)** the purchase of additional software, hardware and professional services in the amount of \$270,000 with Maximus, Inc., through the General Services Administration Cooperative contract - Total not to exceed \$660,000 - Financing: Current Funds (subject to annual appropriations) **[09-2201; APPROVED]**
10. Authorize an amendment to the agreement with BMC Software, Inc. for maintenance of the existing software being used to automatically run computer programs and reporting of system failures for mainframe and enterprise applications - Not to exceed \$96,662, from \$3,036,648 to \$3,133,310 - Financing: Current Funds **[09-2202; APPROVED]**

Department of Development Services

11. Authorize moving expense and rental assistance payments for Ligio Vasquez as a result of an official written offer of just compensation to purchase real property at 338 West Tenth Street for the North Oak Cliff Branch Library Project - Not to exceed \$9,898 - Financing: 2006 Bond Funds **[09-2203; APPROVED]**

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

12. An ordinance **(1)** amending Ordinance No. 19251; and **(2)** granting a revocable license to AT&T Communications of Texas, Incorporated for the use of approximately 845 square feet of land to utilize and maintain subsurface conduits under portions of Bryan and McKell Streets rights-of-way - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[09-2204; APPROVED; ORDINANCE 27646]**
13. An ordinance abandoning a portion of Pacific Avenue right-of-way to Block 809 Properties, Ltd., the abutting owner, containing approximately 4,375 square feet of land located near the intersection of Pacific and Haskell Avenues and authorizing the quitclaim - Revenue: \$43,750 plus the \$20 ordinance publication fee **[09-2205; APPROVED; ORDINANCE 27647]**

Economic Development

14. Authorize **(1)** approval of the Deep Ellum Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Deep Ellum Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Deep Ellum Public Improvement District (District) for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2206; APPROVED]**
15. Authorize **(1)** approval of the Dallas Downtown Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Dallas Downtown Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Dallas Downtown Improvement District for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2009 assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2207; APPROVED]**

CONSENT AGENDA (Continued)**Economic Development** (Continued)

16. Authorize **(1)** approval of the Lake Highlands Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Lake Highlands Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Lake Highlands Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2009 assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2208; APPROVED]**
17. Authorize **(1)** approval of the Oak Lawn-Hi Line Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Oak Lawn-Hi Line Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Oak Lawn-Hi Line Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and, at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2009 assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2209; APPROVED]**
18. Authorize **(1)** approval of the Prestonwood Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Prestonwood Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Prestonwood Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2009 assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2210; APPROVED]**

CONSENT AGENDA (Continued)**Economic Development (Continued)**

19. Authorize **(1)** approval of the South Side Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the South Side Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the South Side Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2009 assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2211; APPROVED]**
20. Authorize **(1)** approval of the Uptown Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Uptown Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Uptown Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2009 assessment roll with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2212; APPROVED]**
21. Authorize **(1)** approval of the Vickery Meadow Public Improvement District Service Plan for 2010; **(2)** a public hearing to be held on September 23, 2009, to receive comments concerning the annual assessment rate for the Vickery Meadow Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the Vickery Meadow Public Improvement District for the purpose of providing supplemental public services and improvements, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing; **(3)** consideration of an ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District, approving and adopting the 2009 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2010; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City **[09-2213; APPROVED]**

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

22. Authorize the third amendment to the contract with the Department of State Health Services to accept additional grant funds for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2008 through September 30, 2009 - Not to exceed \$959,977, from \$13,405,876 to \$14,365,853 - Financing: Department of State Health Services Grant Funds **[09-2214; APPROVED]**

Housing

23. Authorize a secured, no interest loan with a maturity date of October 1, 2012 pursuant to the Neighborhood Stabilization Program in the amount of \$739,300 to Bilingual Real Estate Services, Inc. for 50% of the acquisition costs, related acquisition costs and rehabilitation of a minimum of 10 foreclosed homes up to a total of 15 foreclosed homes, all built after 1978, located in one or more of the ten Mapsco pages designated as areas of greatest need for the Neighborhood Stabilization Program - Not to exceed \$739,300 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds **[09-2215; APPROVED]**
24. Authorize a secured, no interest loan with a maturity date of October 1, 2012 pursuant to the Neighborhood Stabilization Program in the amount of \$1,100,000 to Altura Homes DFW, LP for 50% of the acquisition costs, related acquisition costs and rehabilitation of a minimum of 10 foreclosed homes up to a total of 20 foreclosed homes, all built after 1978, located in one or more of the ten Mapsco pages designated as areas of greatest need for the Neighborhood Stabilization Program - Not to exceed \$1,100,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds **[09-2216; APPROVED]**
25. Authorize a secured, no interest loan with a maturity date of October 1, 2012 pursuant to the Neighborhood Stabilization Program in the amount of \$1,050,000 to SCB Investments, Inc. for 50% of the acquisition costs, related acquisition costs and rehabilitation of a minimum of 10 foreclosed homes up to a total of 15 foreclosed homes, all built after 1978, located in one or more of the ten Mapsco pages designated as areas of greatest need for the Neighborhood Stabilization Program - Not to exceed \$1,050,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds **[09-2217; APPROVED]**
26. Authorize a secured, no interest loan with a maturity date of October 1, 2012 pursuant to the Neighborhood Stabilization Program in the amount of \$1,750,000 to Enterprise Community Partners, Inc. for 50% of the acquisition costs, related acquisition costs and rehabilitation of a minimum of 10 foreclosed homes up to a total of 25 foreclosed homes, all built after 1978, located in one or more of the ten Mapsco pages designated as areas of greatest need for the Neighborhood Stabilization Program - Not to exceed \$1,750,000 - Financing: 2008-09 Neighborhood Stabilization Program Grant Funds **[09-2218; APPROVED]**

CONSENT AGENDA (Continued)**Housing (Continued)**

27. Authorize the reconstruction on-site of five homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 2702 Scotland Drive in the amount of \$87,500, 215 Terrace Drive in the amount of \$87,500, 3234 Alaska Avenue in the amount of \$87,500, 3206 Rose Lane in the amount of \$87,500 and 3709 Nomias Street in the amount of \$87,500 - Total not to exceed \$437,500 - Financing: 2007-08 Community Development Block Grant Funds (\$175,000), 2008-09 Community Development Block Grant Funds (\$112,806) and 2007-08 Home Funds (\$149,694) **[09-2219; APPROVED]**

Library

28. Authorize **(1)** the acceptance of a federal grant through the Texas State Library for Family Literacy Programs for the period September 1, 2009 through August 31, 2010; and **(2)** execution of the grant agreement - Not to exceed \$75,000 - Financing: Texas State Library and Archives Commission Grant Funds **[09-2220; APPROVED AS AN INDIVIDUAL ITEM]**

Park & Recreation

29. Ratify an emergency purchase for crowd management services for the Fair Park Fourth of July Event - Platinum Event Services, Inc. - \$39,806 - Financing: Current Funds **[09-2221; APPROVED]**

Public Works & Transportation

30. Authorize professional services contracts with 2 consulting firms for the engineering design of 5 alley reconstruction projects, 3 storm drainage projects, and 4 street petition projects (list attached) - \$804,809 - Financing: 2003 Bond Funds (\$156,150), 2006 Bond Funds (\$516,717), and Water Utilities Capital Improvement Funds (\$131,942) **[09-2222; APPROVED]**
31. Authorize a contract for the construction of sidewalk paving, and water adjustment improvements for Sidewalk Group 03-135 (list attached) - Ken-Do Contracting, L.P., lowest responsible bidder of five - Not to exceed \$308,068 - Financing: 2003 Bond Funds (\$307,218) and Water Utilities Capital Construction Funds (\$850) **[09-2223; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize a contract for the construction of the Oak Cliff Cultural Center located at 223 West Jefferson Boulevard with Mart, Inc., best value proposer of nine - Not to exceed \$702,184 - Financing: 2003 Bond Funds **[09-2224; APPROVED]**
33. Authorize an increase in the contract with MACVAL Associates, LLC, for the construction of reinforced concrete pavement, storm drainage, and water and wastewater main improvements for Raydell Place from Schooldell Drive to Barnett Avenue - Not to exceed \$48,561, from \$527,835 to \$576,396 - Financing: 2003 Bond Funds **[09-2225; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities**

34. Authorize an Interlocal Agreement with Dallas Central Appraisal District for access to the City of Dallas' utility customer information - Financing: No cost consideration to the City **[09-2226; APPROVED]**
35. Authorize a contract for the renovation and conversion of existing buildings into a maintenance building and plant control room along with additional system improvements at the Bachman Water Treatment Plant - Archer Western Contractors, Ltd., lowest responsible bidder of three - \$14,269,000 - Financing: Water Utilities Capital Improvement Funds (\$14,076,000) and Buffer Zone Protection Grant Funds (\$193,000) **[09-2227; APPROVED]**
36. Authorize a professional services contract with APM & Associates, Inc. to provide engineering design services for the renewal of water and wastewater mains at 70 locations (list attached) - \$1,902,500 - Financing: Water Utilities Capital Improvement Funds **[09-2228; APPROVED AS AN INDIVIDUAL ITEM]**
37. Authorize a professional services contract with Lockwood, Andrews & Newnam, Inc. to provide engineering design services for the renewal of water and wastewater mains at 36 locations (list attached) - \$998,267 - Financing: Water Utilities Capital Improvement Funds **[09-2229; APPROVED]**
38. Authorize a thirty-six-month service contract for pavement repairs at various locations throughout the city - NPL Construction Co., lowest responsible bidder of four - Not to exceed \$20,473,941 - Financing: Water Utilities Capital Construction Funds (\$16,565,469) and Current Funds (\$3,908,472) (subject to annual appropriations) **[09-2230; APPROVED]**
39. Authorize an increase in the contract with Archer Western Contractors, Ltd., for additional work associated with the construction of effluent filters expansion and rehabilitation improvements at the Central Wastewater Treatment Plant - Not to exceed \$246,353, from \$19,733,000 to \$19,979,353 - Financing: Water Utilities Capital Improvement Funds **[09-2231; APPROVED]**

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

40. 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) **[09-2232; NO APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

Environmental & Health Services

41. Authorize a secured, no interest, forgivable loan agreement with Supportive Housing, Inc. as Owner and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas as Project Sponsor, to provide for non-substantial rehabilitation at Ewing Center located at 731 North Ewing Avenue and Revlon Apartments located at 720 North Lancaster Avenue for the period October 1, 2009 through September 30, 2010 - Not to exceed \$161,500 - Financing: 2009-10 Housing Opportunities for Persons with AIDS Grant Funds **[09-2233; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Department of Development Services**ZONING CASES – CONSENT [09-2234]

42. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to create two tracts within Planned Development District No. 183 for MU-3 Mixed Use District uses on the southeast corner of North Haskell Avenue and North Central Expressway **[09-2235; DELETED ON ADDENDUM]**
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, streetscape tree plan and conditions
Z089-135(WE)
43. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1, located on the north side of C.F. Hawn Freeway, west of Jim Miller Road **[09-2236; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27648]**
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods; subject to a site plan and conditions
Z089-198(MAW)
44. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a vehicle display, sales and service use on property within Subdistrict 2 of Planned Development District No. 535, the C.F. Hawn Special Purpose District No. 3, located on the southeast corner of C.F. Hawn Freeway and St. Augustine Drive **[09-2237; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27649]**
Recommendation of Staff and CPC: Approval for a three-year period with eligibility for automatic renewal for additional three-year periods; subject to a site plan and conditions
Z089-199(MAW)

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

45. A public hearing to receive comments regarding an application for and an ordinance granting a new subarea to allow the tower/antenna for cellular communication use on property within Subarea A of Planned Development District No. 326, the West Lovers Lane Planned Development District, located on the north side of Lovers Lane, east of Linwood Avenue **[09-2238; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27650]**
Recommendation of Staff and CPC: Approval of a new subarea within Planned Development District No. 326, the West Lovers Lane Planned Development District, subject to a development plan and conditions
Z089-200(MAW)
46. A public hearing to receive comments regarding a Landmark Commission authorized hearing to consider expansion of the Junius Heights Historic District Overlay No. 128, Tract C, on property zoned Planned Development District No. 99 on the east corner of Gaston Avenue and Huntley Street and an ordinance granting the expansion **[09-2239; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27651]**
Recommendation of Staff and CPC: Approval, subject to Amendments to Exhibits
Z089-228(MW)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

47. A public hearing to receive comments regarding an application for the creation of a new Subarea (Subarea 2A) on property within the Subarea 2 portion of Planned Development District No. 363 for Residential, Office and Retail uses on the northeast line of Merlin Street, north of Grand Avenue **[09-2240; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED TO DENY]**
Recommendation of Staff: Approval, subject to a conceptual plan and conditions
Recommendation of CPC: Denial
Z089-169(RB)
Note: This item was considered by the City Council at a public hearing on June 24, 2009, and was taken under advisement until September 9, 2009, with the public hearing open.

FLOODPLAIN APPLICATIONS

Public Works & Transportation

48. A public hearing to receive comments regarding the application for and approval of a fill permit and removal of the floodplain (FP) prefix from 1.7 acres of 2.8 acres of land located at 5440 Rhodes Road, and 4737, 4751 and 4753 Simpson Stuart Road, within the floodplain of Lower Fivemile Creek, Fill Permit 09-01 - Financing: No cost consideration to the City **[09-2241; HEARING CLOSED; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Department of Development Services

49. 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 Weichsel Farm Limited Partnership, Mockingbird Partners, LP, and Viceroy Cedar, LP located near the intersection of Mockingbird Lane and Collville Avenue and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Weichsel Farm Limited Partnership 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 **[09-2242; HEARING CLOSED; APPROVED; ORDINANCE 27652]**
Recommendation of Staff: Approval
50. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by GE Betz, Inc. located near the intersection of Mockingbird Lane and Cedar Springs Road and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to GE Betz, 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 **[09-2243; HEARING CLOSED; APPROVED; ORDINANCE 27653]**
Recommendation of Staff: Approval

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

ADDITIONS:

CONSENT ADDENDUM

Business Development and Procurement

Beverage Services & Products Contract

Note: Addendum Item Nos. 1 and 2 must be considered collectively.

1. * Authorize a five-year service contract for beverage services with the most advantageous proposer of two - The American Bottling Company dba Dr Pepper Bottling Company of Texas - Estimated Revenue: \$2,325,000 **[09-2244; APPROVED AS AN INDIVIDUAL ITEM]**
2. * Authorize a five-year master agreement for beverage products with the most advantageous proposer of two - The American Bottling Company dba Dr Pepper Bottling Company of Texas - Not to exceed \$250,000 - Financing: Current Funds **[09-2245; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

3. Authorize a professional services contract with the consulting firm of Halff Associates, Inc., for boundary surveying services necessary in the lawsuit styled Grand Homes 2005, L.P. v. City of Dallas, et al., Case No. 08-14769-K - Not to exceed \$200,360 - Financing: Water Utilities Capital Construction Funds **[09-2246; APPROVED]**

Department of Development Services

4. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Park Lane Properties, LLC of approximately 175,089 square feet of land improved with a multi-family complex located near the intersection of Park Lane and Ridgecrest Road for the construction of the Vickery Meadows Branch Library - Not to exceed \$3,144,000 (\$3,120,000 plus closing costs not to exceed \$24,000) - Financing: 2006 Bond Funds **[09-2247; APPROVED]**
5. An ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District, an IR Industrial Research District, an MF-1(A) Multifamily District and an MF-2(A) Multifamily District in an area generally bound by Interstate 30, Westmoreland Road, Fort Worth Avenue and Pinnacle Park Boulevard - Z089-202 - Financing: No cost consideration to the City **[09-2248; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27654]**

**ADDENDUM
CITY COUNCIL MEETING
SEPTEMBER 9, 2009**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Equipment & Building Services

6. Authorize a Design/Build contract to correct electrical and lighting deficiencies and renovations to the heating and air conditioning systems for the Police Property Warehouse located at 1726 Baylor Street - DMI Corporation, most advantageous proposer of three - Not to exceed \$460,000 - Financing: Current Funds **[09-2249; APPROVED AS AN INDIVIDUAL ITEM]**

Office of Emergency Management

7. Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2008 to September 30, 2009 - Not to exceed \$180,338 - Financing: U.S. Department of Homeland Security Grant Funds **[09-2250; APPROVED]**

Office of Financial Services

8. First reading of the appropriation ordinances for the proposed FY 2009-10 City of Dallas Operating, Grants and Trusts, and Capital Budgets - Financing: No cost consideration to the City **[09-2251; APPROVED; ORDINANCES 27655 AND 27656]**
9. Authorize an amendment to the 2009 City Calendar to change the meeting time of the City Council Budget Amendment Workshop, currently scheduled for September 14, 2009, from 9:00 a.m. to 10:00 a.m. - Financing: No cost consideration to the City **[09-2252; APPROVED AS AMENDED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

ITEMS FOR FURTHER CONSIDERATION

Public Works & Transportation

10. Authorize **(1)** sidewalk paving for Sidewalk Group 03-137; 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 ~~September 23, 2009~~ October 28, 2009, to receive comments (list attached) - Financing: No cost consideration to the City **[09-2253; APPROVED]**

**ADDENDUM
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DELETION:

Department of Development Services

ZONING CASES - CONSENT

42. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to create two tracts within Planned Development District No. 183 for MU-3 Mixed Use District uses on the southeast corner of North Haskell Avenue and North Central Expressway **[09-2235]**
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, streetscape tree plan and conditions
Z089-135(WE)

Professional Services Contracts with 2 Consulting Firms
Agenda Item #30

	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Alley Reconstruction Improvements</u>			
Alley at Carry Back Circle and Texas Utilities right-of-way from Pensive Drive to T-alley	13	LIM & Associates, Inc.	\$13,500.00
Alley between 3144 Catamore Lane and Woodwind Lane from Dundee Drive including T-alley	13	LIM & Associates, Inc.	\$55,240.00
Alley between 11001 Cromwell Drive from Royal Lane to Cromwell Drive	13	LIM & Associates, Inc.	\$37,300.00
Alley between Talisman Drive from Wildflower Drive to Caraway Drive	13	LIM & Associates, Inc.	\$30,450.00
Alley between Whitehall Drive from Jubilee Trail from Shans Street to Cromwell Drive	13	LIM & Associates, Inc.	\$45,170.00
<u>Storm Drainage Improvements</u>			
Ash Creek Estates at Meadow Way	7	LIM & Associates, Inc.	\$64,100.00
Peavy Road at Galway Drive to Fuller Drive	9	LIM & Associates, Inc.	\$37,070.00
1667 Sylvan Avenue	3	LIM & Associates, Inc.	\$53,350.00
<u>Street Petition Improvements</u>			
Fairport Road from Murdock Road to Dowdy Ferry Road	8	ARS Engineers, Inc.	\$89,707.96
Helena Avenue from Elam Road to Jeane Street	5	ARS Engineers, Inc.	\$195,008.43
Pleasant Vista Drive from Elam Road to Silver Meadow Drive (alley) and Pleasant Hills Drive	8	ARS Engineers, Inc.	\$126,870.52
San Leon Avenue from Glencliff Drive to to dead end	5	ARS Engineers, Inc.	\$56,951.61

Sidewalk Group 03-135
Agenda Item #31

<u>Sidewalk Improvements</u>	<u>Council District</u>
Keeneland Parkway (south side only) from existing sidewalk east of Vista Real Drive to Duncanville Road	3
South Vernon Avenue (west side only) from Monssen Drive to Owensons Drive	3
Moonglow Drive (leave outs) from Lazy River Drive to Indian Summer Trail to Blue Moon Drive to Red Bird Lane	5
Elam Road (leave outs) from Jim Miller Road to Myers Circle to C.F. Hawn Freeway (U.S. 175)	5
Old Hickory Trail (west side only) from existing sidewalk south of Stoneview Drive to Green Court Apartments	8

Renewal of Water and Wastewater Mains at 70 Locations
Agenda Item #36

District 1

Alley between 12th Street and Alden Avenue from Alden Avenue west
Alley between Coombs Creek Drive and Virginia Boulevard from Irwindell Boulevard southwest
Alley between Thomasson Drive and Stewart Drive from Tyler Street to Sylvan Avenue
Irwindell Boulevard from Coombs Creek Drive northwest
Nolte Drive from Clarendon Drive to Tyler Street
Texas Drive from Westmoreland Road to Ravinia Drive

District 2

Alley between Ann Avenue and Peak Street from Terry Street to Santa Fe Avenue
Alley between Cristler Avenue and Glasgow Drive from Gurley Avenue to Cristler Avenue
Alley between Culver Street and Fairview Avenue from west of St. Charles Avenue east
Alley between East Grand Avenue and Philip Avenue from Bank Street northeast
Alley between Fletcher Street and Haskell Avenue from Parry Avenue northwest
Alley between Kinmore Street and Jerome Street from St. Charles Avenue to Dolphin Road
Alley between Reynolds Avenue and Spurlock Street from Owenwood Avenue east
Alley between Riveredge Drive and Oak Lawn Avenue from Irving Boulevard to Levee Street
Beeman Avenue from Jerome Street to Fairview Avenue
Birch Street from Carroll Avenue to Bank Street
Canton Street from Henry Street to Malcolm X Boulevard
Cisco Street from East Side Avenue to Columbia Avenue
East Side Avenue from Carroll Avenue to Fitzhugh Avenue
Grigsby Avenue from Ross Avenue to Gaston Avenue
Haskell Avenue from Parry Avenue to Terry Street
Levee Street from Riveredge Drive to Oak Lawn Avenue
Munger Avenue from Peak Street southwest
Peak Street from Capitol Avenue to Munger Avenue
Prairie Avenue from East Side Avenue to Columbia Avenue
Terry Street from Haskell Avenue northeast
Worth Street from Carroll Avenue to Fitzhugh Avenue

District 3

Alley between Colorado Boulevard and Old Orchard Drive from Hampton Road east
Alley between Davis Street and Overcrest Street from Hartsdale Drive to Cliffdale Avenue
Counts Boulevard from Jefferson Boulevard northeast
Nob Hill Place from Kessler Canyon Drive southeast

District 4

Easement between Prosperity Avenue and Fordham Road from Bonnie View Road southwest
Easement west of Hunnicut Road from Samuell Boulevard south
Loop 12 (Ledbetter Drive) from Interstate Highway 35E (R.L. Thornton Freeway) east
Ohio Avenue from Alabama Avenue to Arizona Avenue

Renewal of Water and Wastewater Mains at 70 Locations
Agenda Item #36 (Continued)

District 5

Alley between Aurora Street and Gaylord Drive from Prichard Lane southwest
Cypress Avenue from Scyene Road to Briggs Street
Kilburn Avenue from C.L. Veasey Boulevard to Underwood Street
Kilburn Avenue from Sunnyvale Street to Underwood Street
Old Homestead Drive from Odeneal Street to Prairie Creek Road
Singing Hills Drive from Minuet Lane northwest
St. Augustine Drive from Bruton Road to Briggs Street
St. Augustine Drive from Dale Glade Drive to Angelus Road
Underwood Street from Kilburn Avenue to Modree Avenue
Wilhurt Avenue from west of Balch Drive southwest

District 7

4th Avenue from Ash Lane to Parry Avenue
Canal Street from Foreman Street to Mitchell Street
Grand Avenue from J.B. Jackson Jr. Boulevard (4th Avenue) northeast
Hamilton Avenue from Foreman Street northeast
J.B. Jackson Jr. Boulevard (4th Avenue) from Gunter Avenue to Parry Avenue
Lamar Street from Grand Avenue to Sanger Avenue
Le Clerc Avenue from Collins Avenue to Wahoo Street
Mitchell Street from Frank Street to Collins Avenue
Reed Lane from Electra Street to 2nd Avenue
Spring Avenue from Foreman Street to Le Clerc Avenue
Spring Avenue from Foreman Street to Carter Street
Wahoo Street from Le Clerc Avenue to Carter Street
Ware Street from Rowan Avenue to Barry Avenue

District 8

St. Augustine Drive from Silver Meadow Drive to Elam Road
Tamalpais Drive from Apache Lane to Masters Drive

District 12

Saint Anne Court from Saint Anne Street north
Saint Anne Street from Meadowcreek Drive to Southpoint Drive
Vicarage Court from Saint Anne Street north

District 13

Douglas Avenue from Deloache Avenue to Park Lane

Renewal of Water and Wastewater Mains at 70 Locations
Agenda Item #36 (Continued)

District 14

Alley between Hammond Avenue and Vivian Avenue from Tenison Memorial Road and San Mateo Boulevard

Ash Lane from Clermont Avenue to Glasgow Drive

Easement between East Grand Avenue and Hammond Avenue from west of Blair Boulevard

Lindsley Avenue from Glasgow Drive to Newell Avenue

Pearson Drive from Gaston Avenue to Country Club Circle

Tenison Memorial Road from East Grand Avenue northwest

Renewal of Water and Wastewater Mains at 36 Locations
Agenda Item #37

District 6

California Crossing Road from Luna Road west
Luna Road from California Crossing Road northeast
Reeder Road from Crown Road to Harry Hines Boulevard
Shady Trail from north of Myrtle Springs Avenue north
Spowles Street from Crown Road to Royal Lane
Spur 348 (Northwest Highway) from California Crossing Road to Loop 12 (Walton Walker Boulevard)
Walnut Hill Lane from Interstate Highway 35E (Stemmons Freeway) west

District 11

Dallas North Tollway from Celestial Road to Belt Line Road
Easement between Churchill Way and Willow Lane from Archdale Drive to Hillcrest Road
Grayport Drive from north Woodbriar Drive to south Woodbriar Drive
Harvest Glen Drive from Rolling Vista Drive to Regalbluff Drive
Regalbluff Drive from Woodbriar Drive to Harvest Glen Drive
Roaring Springs Lane from Tahoe Drive northeast
Rolling Vista Drive from Woodbriar Drive to Harvest Glen Drive
Spring Valley Road from Dallas Parkway to Noel Road
Stonebrook Circle from east of Ridgeview Circle to west of Ridgeview Circle
Tahoe Drive from Roaring Springs Lane to Thistle Lane
Woodbriar Drive from Harvest Glen Drive to Grayport Drive

District 12

Lynworth Drive from Chattington Drive to Meandering Way

District 13

Forest Lane from Bankway Lane to High Meadow Drive
Lennox Lane from Lindhurst Avenue north
Marsh Lane from Forest Lane to High Meadow Drive
North Lindhurst Avenue from Strait Lane west
Princess Lane from Royal Club Lane to Marquis Lane
Rockmoor Court from Rockmoor Drive northeast
Seguin Drive from Marsh Lane to Mixon Drive
Shady Oak Lane from Timber Trail Drive southeast
Shelterwood Circle from Shelterwood Lane east
Shelterwood Lane from Northaven Road south
Strait Lane from Dorset Road to Lindhurst Avenue

Renewal of Water and Wastewater Mains at 36 Locations
Agenda Item #37 (Continued)

District 13 (Continued)

Timber Trail Drive from Woodleigh Drive south
Wildflower Drive from Talisman Drive to Webb Chapel Road
Williamstown Road from Jamestown Road west
Woodleigh Court from Woodleigh Drive northwest

District 14

Alley between Columbia Avenue and East Side Avenue from Fulton Street to Beacon Street

Sidewalk Group 03-137
Addendum Item #10

<u>Sidewalk Improvements</u>	<u>Council District</u>
Marsh Lane (east side only) from Park Lane to Walnut Hill Lane	13
Marsh Lane (east side only) from Almazan Drive to Bolivar Drive to Cortez Drive to Durango Drive to Davilla Drive to Highgrove Drive to Clover Lane to Dunhaven Road to La Joya Drive to Van Ness Lane to Manana Drive to Park Lane	6