

AGENDA
CITY COUNCIL MEETING
JANUARY 13, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[10-0130]**

Agenda Item/Open Microphone Speakers **[10-0131]**

VOTING AGENDA

1. Approval of Minutes of the December 9, 2009 City Council Meeting **[10-0132; APPROVED]**

CONSENT AGENDA **[10-0133; APPROVED]**

Business Development & Procurement Services

2. Authorize a two-year service contract for voice and data cable installation services to connect computers and phones at new and existing City facilities - AAA Data Communications, Inc., lowest responsible bidder of eight - Not to exceed \$1,150,850 - Financing: Current Funds (subject to annual appropriations) **[10-0134; APPROVED]**
3. Authorize **(1)** a two-year service contract for exercise equipment maintenance services at City facilities with Fit Supply, LLC in the amount of \$11,833; and **(2)** a two-year master agreement for exercise equipment with Comm-Fit L.P. in the amount of \$221,681, Power Systems, Inc. in the amount of \$76,189, Body Works Fitness Equipment, Inc. in the amount of \$43,084, Pro Star Sports, Inc. in the amount of \$1,903 and Sport Supply Group, Inc. in the amount of \$95, lowest responsible bidders of ten - Total not to exceed \$354,785 - Financing: Current Funds (subject to annual appropriations) **[10-0135; APPROVED]**

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

4. Authorize a three-year master agreement for polyethylene bags, recycling bags, trash can liners and zipper lock storage bags - All American Poly Co. in the amount of \$1,076,293, Central Poly Corporation in the amount of \$392,083, Best Products Company, Inc. in the amount of \$142,856 and Interboro Packaging Corporation in the amount of \$16,829, lowest responsible bidders of six - Total not to exceed \$1,628,061 - Financing: Current Funds (\$1,604,671) and Water Utilities Current Funds (\$23,390) **[10-0136; APPROVED]**
5. Authorize **(1)** a one-year master agreement for fleet vehicles and equipment with Southwest International Trucks, Inc. in the amount of \$2,098,258, Sam Pack's Five Star Ford in the amount of \$1,230,044, Dallas Freightliner, Inc. in the amount of \$172,376, Kirby-Smith Machinery, Inc. in the amount of \$164,825, Conley Lott Nichols of Texas, Inc. in the amount of \$162,730, Reliable Chevrolet in the amount of \$139,367, East Texas Mack Sales, LLC dba B & C Body Co. in the amount of \$62,896, Friendly Chevrolet Co. in the amount of \$35,285 and Landmark Equipment Co. in the amount of \$14,895, lowest responsible bidders of thirteen; and **(2)** the interim financing of Sanitation fleet replacement and landfill equipment rebuilds - Total not to exceed \$4,080,676 - Financing: Current Funds (\$2,037,212), Water Utilities Current Funds (\$1,146,964), Aviation Current Funds (\$28,502) and Water Utilities Capital Construction Funds (\$867,998) (to be reimbursed with interest upon the receipt of proceeds from the sale of future equipment acquisition contractual obligations) **[10-0137; APPROVED]**
6. Authorize a three-year master agreement for water meter access hatches for Dallas Water Utilities - U.S.F. Fabrication, Inc., lowest responsible bidder of three - Not to exceed \$860,664 - Financing: Water Utilities Current Funds **[10-0138; APPROVED]**
7. Authorize a three-year service contract for labor and parts to be used for refuse bodies, truck transmissions and differentials - Equipment Southwest, Inc. in the amount of \$3,278,272, Texan Waste Equipment dba Heil of Texas in the amount of \$2,233,172, Truck Parts Specialists in the amount of \$938,070, The Around the Clock Freightliner Group, LLC in the amount of \$172,000 and RLS Services, Inc. in the amount of \$92,500, lowest responsible bidders of eight - Total not to exceed \$6,714,014 - Financing: Current Funds (subject to annual appropriations) **[10-0139; APPROVED]**
8. Authorize a three-year service contract for maintenance, testing, repair services, and parts for the uninterruptible power supply system and emergency power distribution equipment at City Hall - Square D Company, only bidder - Not to exceed \$1,145,910 - Financing: Current Funds (subject to annual appropriations) **[10-0140; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

9. Authorize settlement of a claim filed by State Farm Insurance, as subrogee of Jack Jones, Claim No. 08220477 - Not to exceed \$24,227 - Financing: Current Funds **[10-0141; APPROVED]**

CONSENT AGENDA (Continued)**City Attorney's Office** (Continued)

10. Authorize settlement of the lawsuit styled Debra Cenicerros and Monserrat Saucedo v. The City of Dallas, Cause No. 09-01688-F - Not to exceed \$8,500 - Financing: Current Funds **[10-0142; APPROVED]**
11. Authorize settlement of the lawsuit styled Hilda Zarate v. City of Dallas, Cause No. 08-02760-E - Not to exceed \$9,500 - Financing: Current Funds **[10-0143; APPROVED]**

Equipment & Building Services

12. Authorize a contract for facility pavement repairs to the Northeast Transfer Station located at 7677 Fair Oaks Avenue, Southwest Transfer Station located at 4610 Westmoreland Road and the McCommas Bluff Landfill located at 5100 Youngblood Road - Master Construction and Engineering, Inc., lowest responsible bidder of three - Not to exceed \$315,832 - Financing: 2006 Bond Funds **[10-0144; DEFERRED UNTIL JANUARY 27, 2010]**
13. Authorize a contract for the construction of storage bays and shelving for vehicle parts, fluids and accessories stored at the Police Auto Pound located at 1955 Vilbig Road - Jordan's Weld Shop and Electronics, lowest responsible bidder of four - Not to exceed \$53,435 - Financing: Current Funds (to be reimbursed by Stormwater Drainage Management Funds) **[10-0145; APPROVED]**
14. Authorize a contract for building repairs and improvements to remediate water infiltration at the Women's Museum located at 3800 Parry Avenue - Phoenix 1 Restoration and Construction, Ltd., lowest responsible bidder of five - Not to exceed \$330,135 - Financing: 2003 Bond Funds (\$85,135) and 2006 Bond Funds (\$245,000) **[10-0146; APPROVED]**

Human Resources

15. Authorize an Interlocal Agreement with Cooperative Personnel Services (CPS), a California-based public sector agency, to designate a representative to serve on the CPS - Joint Exercise Partnership Agreement Board, and, as a board member, the City is eligible for grant funds regarding organizational initiatives to include training, uniform testing and other consulting services - Financing: No cost consideration to the City **[10-0147; APPROVED AS AMENDED]**

Library

16. Authorize **(1)** the acceptance of a grant from the U.S. Department of Education for an Improvement of Education Grant to support the Every Child Ready to Read program at the Dallas Public Library for the period September 25, 2009 through August 10, 2011; and **(2)** execution of the grant agreement - \$214,000 - Financing: Improvement of Education Grant Funds **[10-0148; APPROVED]**

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

17. Authorize the optional redemption of the Sports Arena Project Tax Exempt Special Tax Revenue Bonds, Series 1998A in an amount not to exceed \$4,370,000 in principal and Sports Arena Project Taxable Special Tax Revenue Bonds, Series 1998B in an amount not to exceed \$2,810,000 in principal plus call premium total of \$35,900 - Total not to exceed \$7,215,900 - Financing: Sports Arena Project Surplus Debt Redemption Funds (\$6,358,686) and Sports Arena Debt Service Reserve Funds (\$857,214) **[10-0149; APPROVED]**

Park & Recreation

18. Authorize a three-year agreement with The Belo Foundation for the display fountain at Ferris Plaza located at 400 South Houston Street for the term January 14, 2010 through January 13, 2013 - Revenue: \$40,662 **[10-0150; APPROVED AS AMENDED]**
19. Authorize a professional services contract with Armstrong Berger for schematic design through construction administration services for a playground replacement and security lighting at Fox Hollow Park located at 5701 FM Road 1382 - Not to exceed \$26,390 - Financing: 2006 Bond Funds **[10-0151; APPROVED]**
20. Authorize a professional services contract with GSR Andrade Architects, Inc. for schematic design through construction administration services for parking lot improvements, renovation of the open air gymnasium, and restoration of the existing pavilion at Hamilton Park; and interior renovation and roof replacement at Willie B. Johnson Recreation Center located at 12225 Willowdell Drive - Not to exceed \$129,630 - Financing: 2006 Bond Funds **[10-0152; APPROVED]**
21. Authorize a professional services contract with Hayden Consultants, Inc. for schematic design through construction administration services for expansion of the existing parking lots at Exall Recreation Center located at 1355 Adair Street and at Park in the Woods Recreation Center located at 6800 Mountain Creek Parkway - Not to exceed \$41,448 - Financing: 2006 Bond Funds **[10-0153; APPROVED AS AN INDIVIDUAL ITEM]**
22. Authorize a professional services contract with La Terra Studio, Inc. for schematic design through construction administration services for playground replacements at Kiest Park located at 3080 South Hampton Road and Sugarberry Park located at Sugarberry at Big Stone Gap - Not to exceed \$33,225 - Financing: 2006 Bond Funds **[10-0154; APPROVED]**
23. Authorize a professional services contract with Talley Associates, Inc. for schematic design through construction administration services for playground expansion at J.J. Lemmon Park located at 6100 J.J. Lemmon Road; playground replacements at Fruitdale Park located at 4400 Vandervoort Drive and at Ricketts Branch Park located at 7300 Albert Williams Drive; and a loop trail at Seaton Park located at 3200 Seaton Drive - Not to exceed \$62,371 - Financing: 2006 Bond Funds **[10-0155; APPROVED]**

CONSENT AGENDA (Continued)**Police**

24. Authorize a Professional Services Agreement with Dallas County for the Dallas Police Department to participate in the Grants to Encourage Arrest Program to assist victims of domestic violence and to increase accountability of perpetrators of family violence for the period August 1, 2009 through July 31, 2011 - Financing: No cost consideration to the City **[10-0156; APPROVED]**

Public Works & Transportation**LBJ/Skillman DART Station
Pedestrian Bridge**

Note: Item Nos. 25 and 26
must be considered collectively.

25. * Authorize payment to the Texas Department of Transportation for the City's share of construction costs for the LBJ/Skillman DART Station Pedestrian Bridge project - Not to exceed \$1,698,829 - Financing: 2003 Bond Funds **[10-0157; APPROVED]**
26. * Authorize a license agreement with Dallas Area Rapid Transit for the use of their right-of-way to construct and maintain a pedestrian bridge and walkway from the LBJ/Skillman DART station to Audelia Road - Financing: No cost consideration to the City **[10-0158; APPROVED]**
27. Authorize a contract for the construction of street paving and storm drainage for Stedman Drive from existing concrete pavement north of Stedman Circle to Davenport Road - Texas Standard Construction, Ltd., lowest responsible bidder of ten - Not to exceed \$241,187 - Financing: 2003 Bond Funds (\$201,187) and 2006 Bond Funds (\$40,000) **[10-0159; APPROVED]**
28. Authorize a contract for the construction of street paving, storm drainage, water and wastewater adjustments for Street Group 06-448 (list attached) - Texas Standard Construction, Ltd., lowest responsible bidder of ten - Not to exceed \$455,827 - Financing: 2006 Bond Funds (\$439,352), Water Utilities Capital Construction Funds (\$6,475), and Water Utilities Capital Improvement Funds (\$10,000) **[10-0160; APPROVED]**
29. Authorize an increase in the contract with McMahon Contracting, L.P. for the modification of light poles, additional traffic marking, and the adjustment of the existing storm drain system for the Dallas Center for the Performing Arts Phase, 2B project - Not to exceed \$47,626, from \$3,216,634 to \$3,264,260 - Financing: 2003 Bond Funds **[10-0161; APPROVED]**
30. Authorize Supplemental Agreement No. 1 to the professional services contract with APM & Associates, Inc. for additional engineering services for Dickerson Street from McCallum Boulevard to Frankford Road - Not to exceed \$59,800, from \$279,258 to \$339,058 - Financing: 2006 Bond Funds **[10-0162; APPROVED]**

CONSENT AGENDA (Continued)**Sustainable Development and Construction**

31. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from David Horton and Darla Horton of approximately 15,040 square feet of land improved with a single family dwelling located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$66,925 (\$65,000 plus closing costs not to exceed \$1,925) - Financing: Water Utilities Capital Improvement Funds **[10-0163; APPROVED]**
32. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Thomas Day and June Day of approximately 15,980 square feet of land improved with a single family dwelling located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$72,000 (\$70,000 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds **[10-0164; APPROVED]**
33. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Donald Zeno and Donette Zeno of approximately 15,980 square feet of land improved with a single family dwelling located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$84,041 (\$82,000 plus closing costs not to exceed \$2,041) - Financing: Water Utilities Capital Improvement Funds **[10-0165; APPROVED]**
34. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Albert A. Perry and Cinda J. Perry of approximately 17,047 square feet of land improved with a single family dwelling located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$85,050 (\$83,000 plus closing costs not to exceed \$2,050) - Financing: Water Utilities Capital Improvement Funds **[10-0166; APPROVED]**
35. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruby Annabel Salazar of three tracts of land containing a total of approximately 42,336 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$86,668 (\$84,672 plus closing costs not to exceed \$1,996) - Financing: Water Utilities Capital Improvement Funds **[10-0167; APPROVED]**
36. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kenneth Ray White of approximately 47,497 square feet of land improved with a dog kennel business located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$271,305 (\$268,288 plus closing costs not to exceed \$3,017) - Financing: Water Utilities Capital Improvement Funds **[10-0168; APPROVED]**

CONSENT AGENDA (Continued)**Sustainable Development and Construction (Continued)**

37. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 635-Dowdy Venture of approximately 442,400 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$353,000 (\$348,880 plus closing costs not to exceed \$4,120) - Financing: Water Utilities Capital Improvement Funds **[10-0169; APPROVED]**
38. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Graue Properties, Ltd. of three tracts of land containing a total of approximately 425,058 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$1,946,688 (\$1,931,688 plus closing costs not to exceed \$15,000) - Financing: Water Utilities Capital Improvement Funds **[10-0170; APPROVED]**
39. Authorize the quitclaim of 40 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$272,608 **[10-0171; APPROVED]**
40. An ordinance abandoning portions of water main, public utilities, sanitary sewer and storm water easements to Sikka Investments LLC, the abutting owner, containing a total of approximately 18,380 square feet of land located near the intersection of Polk Street and Marvin D. Love Freeway - Revenue: \$5,400 plus the \$20 ordinance publication fee **[10-0172; APPROVED; ORDINANCE 27778]**
41. An ordinance abandoning a portion of a water main easement to Friendly Access Self Storage, Ltd., the abutting owner, containing approximately 64 square feet of land located near the intersection of Coit Road and McCallum Boulevard - Revenue: \$5,400 plus the \$20 ordinance publication fee **[10-0173; APPROVED; ORDINANCE 27779]**
42. An ordinance granting a private license to First Baptist Church of Dallas, Texas for the use of approximately 2,283 square feet of air space to install and maintain a pedestrian skybridge above portions of St. Paul Street located near its intersection with Wenchell Street - Revenue: \$14,845 annually plus the \$20 ordinance publication fee **[10-0174; APPROVED; ORDINANCE 27780]**

Trinity Watershed Management

43. Authorize **(1)** a professional services contract with Morris Architects to provide a replacement cost study of the Dawson State Jail; **(2)** the receipt and deposit of funds from CHPD, LP in an amount not to exceed \$13,225; and **(3)** an increase in appropriations in the amount of \$13,225 in the Capital Gifts Donations and Development Fund - Total not to exceed \$26,450 - Financing: Capital Gifts Donations and Development Funds (\$13,225) and 2006 Bond Funds (\$13,225) **[10-0175; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities**

44. Authorize an amendment to the Interlocal Agreement with the Trinity River Authority, North Texas Municipal Water District, and the Tarrant Regional Water District to continue the evaluation of instream flow requirements on Trinity River Basin water rights - \$10,000 - Financing: Water Utilities Capital Construction Funds **[10-0176; APPROVED]**
45. Authorize Supplemental Agreement No. 4 to the Reciprocal Agreement Emergency Treated Water Supply contract with the Dallas County Park Cities Municipal Utilities District (Dallas County Park Cities MUD) to relocate an existing emergency treated water interconnect - Financing: No cost consideration to the City **[10-0177; APPROVED]**
46. Authorize an increase in the agreement with the State of Texas, acting through the Texas Department of Transportation for water and wastewater main relocations in Northwest Highway from west of Lawther Drive to east of Goforth Drive - Not to exceed \$104,038, from \$3,052,425 to \$3,156,463 - Financing: Water Utilities Capital Improvement Funds **[10-0178; APPROVED]**

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

47. 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) **[10-0179 AND 10-0180; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**

Sustainable Development and Construction

48. Authorize a zoning application on property with delinquent taxes located at 3606 and 3610 Bryan Street - Financing: No cost consideration to the City **[10-0181; DELETED ON THE ADDENDUM]**

DESIGNATED PUBLIC SUBSIDY MATTERS**Economic Development**

49. Authorize an amendment to the development agreement with Deep Ellum Warehouses, Ltd., previously approved on November 12, 2007, by Resolution Nos. 07-3359 and 07-3360 in Tax Increment Financing Reinvestment Zone Number Twelve (Deep Ellum TIF District) to: **(1)** split the project into two phases: Phase I - private improvements; and Phase II - public infrastructure improvements on Hill Avenue; **(2)** extend the deadline for Phase II of the project from December 31, 2008 to June 30, 2010; **(3)** add Phase III to the project and allocate an additional \$80,000 in TIF funds for Phase III improvements related to the redevelopment of 3927 Benson Street; and **(4)** amend Exhibit B and add Exhibit C1 - Not to exceed \$80,000 from \$515,000 to \$595,000 - Financing: Deep Ellum TIF District Funds **[10-0182; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

50. Authorize an amendment to the development agreement with Fairways at La Reunion, LLC and/or its affiliates, previously approved on January 28, 2009, by Resolution Nos. 09-0286 and 09-0287, in Tax Increment Financing Reinvestment Zone Number Fifteen (Fort Worth Avenue TIF District) to: **(1)** extend the project deadline to begin construction of the Courtyards at La Reunion from August 30, 2009 to October 31, 2010 and to extend the project deadline to complete construction of the Courtyards at La Reunion from December 31, 2010 to February 29, 2012; **(2)** allow new construction in lieu of rehabilitation for the Courtyards at La Reunion; **(3)** replace Exhibit B-1, B-3, C-1, C-3, and F with amended Exhibit B-1, B-3, C-1 and C-3; **(4)** remove the Brazos Bank Building and its associated Exhibits B-2, C-2, and F from the development requirements; and **(5)** amend the Fort Worth Avenue TIF Allocation Policy - Financing: No cost consideration to the City **[10-0183; APPROVED]**

Housing/Community Services

51. Authorize Supplemental Agreement No. 1 to the contract with Community Council of Greater Dallas to increase the payment amount for additional training on the Homeless Management and Information System for the period October 1, 2009 through March 31, 2010 - Not to exceed \$9,800, from \$25,000 to \$34,800 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds **[10-0184; APPROVED]**
52. Authorize the reconstruction on-site of two homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 2923 Cypress Avenue in the amount of \$87,500 and 1215 Iowa Avenue in the amount of \$87,500 - Total not to exceed \$175,000 - Financing: 2005-06 Community Development Block Grant Funds (\$16,833) and 2007-08 Community Development Block Grant Funds (\$158,167) **[10-0185; APPROVED]**
53. Authorize **(1)** preliminary adoption of FY 2009-10 Consolidated Plan Substantial Amendment No. 2 to reprogram **(a)** FY 2006-07 Community Development Block Grant Funds from Downtown Mortgage Assistance Program to Bexar Street Mixed-Use Project in the amount of \$475,800 and Reconstruction/SHARE Program in the amount of \$1,474,200; and **(b)** FY 2009-10 HOME Investment Partnership Funds from Reconstruction/SHARE program to Bexar Street Mixed Use Project in the amount of \$1,346,200; and **(2)** a public hearing to be held on February 24, 2010 to receive comments on Substantial Amendment No. 2 to the FY 2009-10 Consolidated Plan - Total not to exceed \$3,296,200 - Financing: 2006-07 Community Development Block Grant Funds (\$1,950,000) and 2009-10 Home Investment Partnership Program Grant Funds (\$1,346,200) **[10-0186; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Sustainable Development and Construction

54. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from PBH Investments, LLC of eight parcels of land containing a total of approximately 72 square feet, located near the intersection of Hugo and Woodside Streets for the State-Thomas TIF Infrastructure Improvement Project - Not to exceed \$4,897 (\$3,888 plus closing costs not to exceed \$1,009) - Financing: State-Thomas TIF District Funds **[10-0187; APPROVED]**
55. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from PBH Investments, LLC of approximately 275 square feet of land located near the intersection of Hugo and Woodside Streets for the State-Thomas TIF Infrastructure Improvement Project - Not to exceed \$15,892 (\$14,850 plus closing costs not to exceed \$1,042) - Financing: State-Thomas TIF District Funds **[10-0188; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES – CONSENT [10-0189]

56. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for vehicle display, sales and service use on property zoned Planned Development District No. 534, the C.F. Hawn Special Purpose District No. 2, with a Dry D-1 Liquor Control Overlay on the south side of C.F. Hawn Freeway, west of Cliffview Drive **[10-0190; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27781]**
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 Z089-206(MAW)
57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the installation of a non-premise district activity video board on property zoned Planned Development District No. 619 in an area generally bounded by Elm Street, Akard Street, Main Street and Stone Place **[10-0191; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27782]**
Recommendation of Staff: Approval for a five-year period, subject to a site plan and conditions
Recommendation of CPC: Approval for a six-year period, subject to a site plan and conditions
Z089-264(KB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

58. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1566 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, on the south side of C.F. Hawn Freeway, between Prairie Creek Road and South St. Augustine Road **[10-0192; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27783]**
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
Z089-268(OTH)
59. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Medical clinic on property within the Tract 1A portion of Planned Development District No. 316, the Jefferson Area Special Purpose District, on property at the northwest corner of Jefferson Boulevard and Madison Street **[10-0193; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27784]**
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z089-270(RB)
60. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract 3 of Planned Development District No. 508 for CH Clustered Housing, MF-2(A) Multifamily, LO-1 Limited Office, MU-1 Mixed Use District uses on the southwest corner of Goldman Street and Bickers Street **[10-0194; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27785]**
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z089-276(WE)
61. A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1691 for a Bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest line of Exposition Avenue, east of Ash Lane **[10-0195; HOLD UNDER ADVISEMENT UNTIL JANUARY 27, 2010]**
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z089-279(RB)
62. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and R-7-5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District in an area bounded by Beckley Avenue, West Corning Avenue, Toluca Avenue and West McVey Avenue **[10-0196; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27786]**
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z089-285(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Sustainable Development and Construction (Continued)**ZONING CASES - INDIVIDUAL

63. A public hearing to receive comments regarding an application for and an ordinance granting a Neighborhood Stabilization Overlay (NSO) on property zoned an R-7.5(A) Single Family District in an area generally bounded by the centerline of the alleys north and south of Desco Drive, between Hillcrest Road on the east and Edgemere Street on the west **[10-0197; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27787]**
Recommendation of Staff and CPC: Approval
Z089-284(CG)

DESIGNATED ZONING CASES - INDIVIDUAL

64. A public hearing to receive comments regarding a City Plan Commission authorized hearing on property zoned a portion of Subarea No. 1 and a portion of Subarea No. 2 within Planned Development District No. 366, the Buckner Special Purpose District, with consideration being given to and an ordinance granting a new Subarea within Planned Development District No. 366 on the east side of Buckner Boulevard between Military Parkway and Ricardo Drive **[10-0198; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27788]**
Recommendation of Staff and CPC: Approval, subject to conditions
Z089-204(DC)
65. A public hearing to receive comments regarding an application for a Specific Use Permit for a Bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest corner of Elm Street and Good Latimer Expressway **[10-0199; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27789]**
Recommendation of Staff: Approval for a two-year period, subject to a site plan and staff's recommended conditions
Recommendation of CPC: Denial
Z089-266(RB)

DEVELOPMENT CODE AMENDMENTS - CONSENT

66. A public hearing to receive comments regarding consideration of amendments to Chapter 51A, the Dallas Development Code, to amend Section 51A-4.221; amending the definition of "adult cabaret" and adding a new definition for "adult cabaret entertainment" to make those definitions in 51A identical to the definitions in Chapter 41A and an ordinance granting the amendments **[10-0200; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27790]**
Recommendation of Staff and CPC: Approval
DCA090-001

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

67. A public hearing 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 Section 108 Guarantee Loan Program loan in the amount of \$5,500,000 to fund a loan for Lang Partners, LLC for the acquisition of property at 1340 Plowman Avenue and to fund interest reserve, public infrastructure, demolition and site improvements for development of 260 apartment units with 52 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 retail and office space; and at the close of the public hearing, authorize **(1)** submission of the application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Lang Partners, LLC in an amount not to exceed \$5,500,000; and **(2)** the City Manager to submit the application and take necessary actions in connection with the application submission - Financing: No cost consideration to the City **[10-0201; HEARING CLOSED; APPROVED]**
68. A public hearing 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 \$7,600,000 to fund a loan for FC Continental Complex, L.P., for the conversion of a vacant commercial building at 1810 Commerce Street into 199 apartment units with 40 units for individuals and families with incomes at 80% or less of Area Median Family Income as established by HUD and to fund an interest reserve; and at the close of the public hearing, authorize **(1)** submission of the application to HUD for a CDBG Section 108 Guarantee Loan Program loan for FC Continental Complex, L.P., in an amount not to exceed \$7,600,000; and **(2)** the City Manager to submit the application and take necessary actions in connection with the application submission - Financing: No cost consideration to the City **[10-0202; HEARING CLOSED; APPROVED]**

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Office of Management Services

69. 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 Minyard Food Stores, Inc. located near the intersection of Martin Luther King, Jr. and Robert B. Cullum Boulevards and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Minyard Food Stores, 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 **[10-0203; HEARING CLOSED; APPROVED; ORDINANCE 27791]**
Recommendation of Staff: Approval

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 13, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session **[10-0204; HELD]**

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

- April Gilliland, et al. v. City of Dallas, Civil Action No. 3:09-CV-2137-N
- Legal issues involving enforcement of the City's sign ordinance

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize **(1)** the trade-in of sixty-six pickup trucks; and **(2)** acceptance of sixty-six 2010 model year pickup trucks for fleet vehicle replacements at zero cost consideration and a revenue amount of \$131,630 - Friendly Chevrolet Co., highest responsible bidder of three - Revenue: \$131,630 **[10-0205; APPROVED AS AN INDIVIDUAL ITEM]**

Civil Service

2. Authorize **(1)** a six-month extension of three contracts for Administrative Law Judges (ALJ) for Willie Crowder, Kimberly Lonergan and William Messer for the period of January 1, 2010 through June 30, 2010 to hear employee appeals of terminations and demotions; and **(2)** contracts with each ALJ in the amount of \$3,000 each - Total not to exceed \$9,000 - Financing: Current Funds (\$4,500 to be reimbursed by appealing employees) **[10-0206; APPROVED]**

Sustainable Development and Construction

3. An ordinance granting a Specific Use Permit for a pedestrian skybridge on property zoned a CA-1(A) Central Area-1 District with an SP Pedestrian Overlay on North St. Paul Street between Federal Street and San Jacinto Street - Z089-173 - Financing: No cost consideration to the City **[10-0207; APPROVED; ORDINANCE 27792]**

Water Utilities

4. Authorize a contract for the construction of erosion control at Faulkner Point - BAR Constructors, Inc., lowest responsible bidder of nine - Not to exceed \$2,396,635 - Financing: Water Utilities Capital Improvement Funds **[10-0208; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 13, 2010**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

Office of Financial Services

5. An ordinance granting a franchise to Atmos Energy Corporation for a term of fifteen years to provide gas utility services within the City and providing for compensation - Estimated Annual Revenue: \$12,000,000 [**10-0209; APPROVED; ORDINANCE 27793**]

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

6. Authorize the Dallas Development Fund (DDF) to accept a New Markets Tax Credit (NMTC) allocation from the United States Treasury Department's Community Development Financial Institutions (CDFI) Fund and enter into an allocation agreement with the CDFI Fund - Financing: No cost consideration to the City [**10-0210; APPROVED**]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

7. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 166 for a College, Private school, Multiple-family residential uses, and the Establishment for the care of alcoholic, narcotic, or psychiatric patients, on property on the west side of La Prada Drive, south of Blythe Drive [**10-0211; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27794**]
Recommendation of Staff and CPC: Approval, subject to an Area 1 development plan/Area 2 conceptual plan and conditions, and approval of rescinding the existing development plan Z090-104(RB)

DESIGNATED ZONING CASES - INDIVIDUAL

8. A public hearing to receive comments regarding consideration of amendments to the Downtown Special Provision Sign District to allow for one midlevel premise sign for every 100 feet in building height in an area generally bounded by Woodall Rogers to the north, Interstate 45/US 75 to the east, Interstate 30/R.L. Thornton to the south and Interstate 35/Stemmons Freeway to the west [**10-0212; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27795**]
Recommendation of Staff and CPC: Approval
SPSD090-001

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 13, 2010**

DELETION:

Sustainable Development and Construction

48. Authorize a zoning application on property with delinquent taxes located at 3606 and 3610 Bryan Street - Financing: No cost consideration to the City **[10-0181]**

January 13, 2010

14

Street Group 06-448
Agenda Item #28

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
North Bagley Street	from Goodman Street to Dead-End	6
Goodman Street	from North Bagley Street to North Morocco Avenue	6

Tax Foreclosure and Seizure Warrant Property Resale
Agenda Item #39

<u>Parcel No.</u>	<u>Address</u>	<u>Highest Bidder</u>	<u>VAC/IMP</u>	<u>Square Footage (Land)</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>Zoning</u>	<u>Council District</u>
1.	2633 52nd Street	Edwin Moore	VAC	42,404	\$8,000	3	\$2,000	\$2,258	\$22,000	R-7.5(A)	5
2.	2641 52nd Street	Edwin Moore	VAC	42,404	\$8,000	3	\$2,000	\$2,258	\$22,000	R-7.5(A)	5
3.	1822 Angelina	Gregoria Alfaro	IMP	4,333	\$16,653	4	\$8,300	\$13,001	\$24,820	R-5(A)	3
4.	4844 Bartlett	Jesjor TX, Inc.	VAC	7,500	\$6,000	1	\$1,000	\$1,001	\$6,000	R-7.5(A)	5
5.	2607 Belknap	Kingsford Housing, LLC	IMP	7,800	\$21,947	1	\$14,000	\$14,100	\$53,230	R-7.5(A)	4
6.	5635 Bon Air	Chris Smith	VAC	71,616	\$3,000	2	\$1,500	\$2,500	\$12,000	R-7.5(A)	8
7.	9709 C. F. Hawn	Juan C. Mendoza	VAC	33,733	\$25,290	4	\$15,000	\$18,000	\$25,290	PD 535	8
8.	5127 Cardiff	Jesjor TX, Inc.	VAC	8,680	\$9,000	3	\$1,000	\$1,200	\$9,000	R-7.5(A)	8
9.	9649 Crownfield	Agustin Miranda	VAC	8,343	\$12,000	2	\$3,000	\$7,059	\$12,000	R-7.5(A)	8
10.	2510 Dell View	Kingsford Housing, LLC	VAC	10,500	\$4,750	1	\$2,700	\$2,701	\$4,750	R-10(A)	8
11.	726 Elwayne	Jhower O. Lopez	IMP	8,650	\$26,281	1	\$5,500	\$6,500	\$27,570	R-7.5(A)	5
12.	610 Ezekial	Jesjor TX, Inc.	VAC	6,000	\$5,142	1	\$1,000	\$1,277	\$15,000	R-7.5(A)	5
13.	2826 Fernwood	Leslie D. Rios	VAC	9,408	\$20,463	2	\$1,500	\$1,501.50	\$14,190	R-7.5(A)	4
14.	314 Fidelis	Barry Gardner	VAC	10,000	\$3,500	6	\$1,700	\$4,100	\$3,500	R-7.5(A)	5
15.	1335 Fordham	Kingsford Housing, LLC	VAC	8,565	\$13,206	1	\$1,300	\$1,301	\$11,500	R-7.5(A)	4
16.	1406 Glen	Jesjor TX, Inc.	VAC	7,008	\$7,000	1	\$1,000	\$1,014	\$7,000	R-7.5(A)	4
17.	3750 Golden Hills	Kari LaPrade	IMP	8,700	\$25,905	5	\$6,500	\$10,051	\$49,560	R-7.5(A)	8
18.	10706 Grady	Adelmo Becerra	VAC	16,071	\$15,000	1	\$7,500	\$9,500	\$15,000	R-7.5(A)	8
19.	2614 Grand	Jerrel Harris	VAC	8,428	\$18,260	1	\$4,500	\$5,010	\$29,950	PD 595	7
20.	772 Havenwood	Jesjor TX, Inc.	VAC	7,500	\$7,000	1	\$1,500	\$1,814	\$11,000	R-7.5(A)	8
21.	4603 Idaho	Jesjor TX, Inc.	VAC	8,280	\$16,399	1	\$1,500	\$2,014	\$12,500	R-7.5(A)	4
22.	10899 Iris	John D'Silva	VAC	4,692	\$2,500	1	\$1,500	\$1,505	\$5,000	R-10(A)	8
23.	2525 Lowery	Brittany Antionette Montgomery and Joshua Alexander Montgomery	IMP	5,000	\$11,969	1	\$2,800	\$3,100	\$24,650	PD 595	7
24.	4715 Military	Raymond Ruiz III	VAC	3,520	\$4,840	2	\$1,000	\$1,020	\$4,380	CS	7
25.	4819 Military	John Greenan	VAC	2,127	\$1,790	1	\$1,000	\$1,000	\$1,790	CS	7
26.	4024 Pampas	Erasmus Flores	IMP	6,360	\$24,897	10	\$12,400	\$20,000	\$84,360	R-7.5(A)	1
27.	4310 Penelope	Maria D. C. Molina	IMP	6,250	\$14,523	3	\$1,000	\$2,932.56	\$21,210	R-5(A)	7
28.	2836 Pennsylvania	Maria D. C. Molina	VAC	6,250	\$26,642	2	\$1,500	\$3,638.56	\$5,000	PD 595	7
29.	2747 Prosperity	Cleveland Thompson	IMP	9,250	\$22,819	1	\$2,300	\$2,800	\$37,770	R-5(A)	4
30.	8510 San Marino	Humberto Gamino	VAC	6,250	\$3,500	2	\$9,000	\$9,500	\$18,700	PD 534	8
31.	8527 San Marino	Juan R. Mendoza	VAC	21,791	\$33,080	2	\$9,000	\$10,000	\$22,050	PD 534	8
32.	131 North Seagoville	Texture Service Inc.	VAC	132,683	\$54,830	1	\$15,000	\$15,333.33	\$54,830	R-7.5(A)	8
33.	3819 Stanley Smith	Kari LaPrade	IMP	7,750	\$13,040	1	\$4,000	\$4,055	\$29,500	R-5(A)	4
34.	1511 Stella	David Kane	VAC	8,250	\$31,057	3	\$2,000	\$2,163	\$12,000	TH-3(A)	4
35.	302 Terrace	Catalino Santibanes	IMP	6,112	\$56,340	2	\$14,200	\$20,000	\$73,410	R-7.5(A)	4
36.	411 North Vernon	Lourdes Hernandez	VAC	1,238	\$8,162	1	\$2,000	\$2,200	\$10,000	R-5(A)	1
37.	4704 Victor	Yacirci J. Arreola	VAC	7,394	\$36,970	2	\$10,000	\$15,000	\$36,970	PD 98	2
38.	2746 Wilhurt	Jose Dominguez	IMP	6,250	\$27,824	4	\$4,000	\$7,500	\$40,380	R-5(A)	4
39.	1710 North Winnetka	Gerardo Galindo	VAC	5,796	\$9,300	5	\$4,500	\$11,100	\$9,300	PD 714	6
40.	132 West Woodin	Jerrel Harris	IMP	7,000	\$53,240	3	\$28,000	\$31,600	\$93,470	R-7.5(A)	4