

AGENDA
CITY COUNCIL MEETING
MAY 26, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[10-1278]**

Agenda Item/Open Microphone Speakers **[10-1279]**

VOTING AGENDA

1. Approval of Minutes of the May 12, 2010 City Council Meeting **[10-1280; APPROVED]**

CONSENT AGENDA [10-1281; APPROVED]

Business Development & Procurement Services

2. Authorize a one-year master agreement for fleet vehicles - Sam Pack's Five Star Ford, lowest responsible bidder of two - Not to exceed \$97,405 - Financing: Commercial Auto Theft Funds **[10-1282; APPROVED]**
3. Authorize a three-year master agreement for energy efficient light bulbs and tubes for City facilities - Voss Lighting in the amount of \$701,013, Facility Solutions Group, Inc. in the amount \$117,229, Simba Industries in the amount of \$9,978 and eBulb, Inc. in the amount \$4,102, lowest responsible bidders of seven - Total not to exceed \$832,322 - Financing: Current Funds (\$655,722), Convention and Event Services Current Funds (\$110,000) and Water Utilities Current Funds (\$66,600) **[10-1283; APPROVED]**
4. Authorize a three-year master agreement for replacement belts for specialized Water Utilities machinery - National Filter Media dba Filter Belts in the amount of \$66,840, Process Solutions, Inc. in the amount of \$35,805 and Asten Johnson Specialty Holdings, Inc. dba Sitos Texas in the amount of \$956, lowest responsible bidders of six - Total not to exceed \$103,601 - Financing: Water Utilities Current Funds **[10-1284; APPROVED]**

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

5. Authorize a three-year master agreement for the purchase of battery backup systems for traffic signals - Paradigm Traffic Systems, Inc., lowest responsible bidder of four - Not to exceed \$594,084 - Financing: Current Funds (to be reimbursed by the North Central Texas Council of Governments) **[10-1285; APPROVED]**
6. Authorize a two-year service contract, with one twelve-month renewal option, for title and loan closing services for the Home Repair Program - All America Title Services, Inc., most advantageous proposer of four - Not to exceed \$319,880 - Financing: 2009-10 Community Development Block Grant Funds (subject to annual appropriations) **[10-1286; APPROVED]**
7. Authorize the purchase of one asphalt recycler, one vibratory roller and one bulldozer from Holt Texas Ltd. in the amount of \$1,039,884; and one rotoboom truck with Southwest International Trucks, Inc. in the amount of \$121,388 through Texas Association of School Boards (BuyBoard) - Total not to exceed \$1,161,272 - Financing: 2008 Equipment Acquisition Contractual Obligation Notes (\$449,985) and 2010 Combination Tax and Revenue Certificates of Obligation (\$711,287) **[10-1287; APPROVED AS AN INDIVIDUAL ITEM]**

City Attorney's Office

8. Authorize settlement of the lawsuit styled Timothy Neeper v. City of Dallas, Cause No. DC-09-14338-M - Not to exceed \$6,800 - Financing: Current Funds **[10-1288; APPROVED]**
9. Authorize settlement of a claim filed by Empower Insurance Group, as subrogee of Derek Neal, and GeoVera Specialty Insurance Service, as subrogee of Derek and Roshanda Neal, Claim No. 10266375, seeking compensation for property damages - Not to exceed \$24,000 - Financing: Current Funds **[10-1289; APPROVED]**

Economic Development

10. Authorize the release of lien on real property located at 5322 Bexar Street, Dallas, Texas 75215 held as collateral for a loan made by the South Dallas/Fair Park Trust Fund to Classy Hair Design in the amount of \$9,200 - Financing: No cost consideration to the City **[10-1290; APPROVED]**
11. Authorize **(1)** a public hearing to be held on June 23, 2010 to receive comments concerning the creation of the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Knox Street area, 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, **(2)** a resolution approving creation of the District for seven years and approval of the District's Service Plan for 2011-2017 - Financing: No cost consideration to the City **[10-1291; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Equipment & Building Services**

12. Authorize an increase in the contract with Phoenix 1 Restoration and Construction, Ltd. to replace the failing insulated glass panes at the Women's Museum located at 3800 Parry Avenue - Not to exceed \$39,979, from \$330,135 to \$370,114 - Financing: 2003 Bond Funds **[10-1292; APPROVED]**
13. Authorize the City Manager to: **(1)** accept best and final electricity offers for Groups 1 and 2 from the seven short-listed Retail Electric Providers; Constellation New Energy, Inc., GDF SUEZ Energy Resources NA, Inc., Gexa Energy, L.P., Reliant Energy Retail Services, LLC, Sempra Energy Solutions, LLC, Texas General Land Office, and TXU Energy Retail Company, LLC.; **(2)** enter into two electric services contract(s) with preferred Retail Electric Provider(s) for a period of 24 or 36 months under advisement of the City's energy consultant; and **(3)** lock prices for all groups for the contract term - Total not to exceed \$154,814,000 for 24-month contracts or \$232,221,000 for 36-month contracts - Financing: Current Funds (subject to annual appropriations) **[10-1293; DEFERRED NOT LONGER THAN 30 DAYS]**

Fire

14. Authorize **(1)** a Memorandum of Understanding with the Washington State Association of Fire Marshals for Dallas Fire Rescue's participation as a sub-recipient in a grant from the Department of Homeland Security; **(2)** the acceptance of goods valued at \$60,000 for the distribution of smoke alarms and fire prevention education materials; **(3)** the receipt and deposit of funds in the amount of \$45,000 in the Homeland Security Grant Fund; and **(4)** the establishment of appropriations in the amount of \$45,000 in the Homeland Security Grant Fund for reimbursement of personnel expenses for the period August 28, 2009 through August 27, 2010 - Not to exceed \$105,000 - Financing: U.S. Department of Homeland Security Grant Funds **[10-1294; APPROVED]**

Housing/Community Services

15. Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$154,027 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for homeless families and single homeless persons for the period December 1, 2010 through November 30, 2011; **(2)** a local match in an amount not to exceed \$9,978; and **(3)** execution of the grant agreement - Total not to exceed \$164,005 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$154,027) and Current Funds (\$9,978) (subject to appropriations) **[10-1295; APPROVED]**
16. Authorize **(1)** the acceptance of a Transitional Supportive Housing Grant in the amount of \$257,606 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for families and single homeless persons for the period October 1, 2010 through September 30, 2011; **(2)** a local match in an amount not to exceed \$15,866; and **(3)** execution of the grant agreement - Total not to exceed \$273,472 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$257,606) and Current Funds (\$15,866) (subject to appropriations) **[10-1296; APPROVED]**

CONSENT AGENDA (Continued)**Housing/Community Services (Continued)**

17. Authorize **(1)** the acceptance of a Permanent Supportive Housing Grant in the amount of \$701,906 from the U.S. Department of Housing and Urban Development to provide tenant-based rental assistance and case management for single chronically homeless persons for the period October 1, 2010 through September 30, 2011; **(2)** a local match in an amount not to exceed \$36,981; and **(3)** execution of the grant agreement - Total not to exceed \$738,887 - Financing: U.S. Department of Housing and Urban Development Grant Funds (\$701,906) and Current Funds (\$36,981) (subject to appropriations) **[10-1297; APPROVED]**
18. Authorize **(1)** preliminary adoption of Substantial Amendment No. 5 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP) to amend the Program Statement to include Activity 3- Acquisition, Redevelopment, & Sale of Foreclosed/Abandoned Properties; **(2)** the Reprogramming of \$2,500,000 from Activity 2-Acquisition, Rehabilitation, & Sell/Rent Foreclosed Properties Program (ARSR) to Activity 3-Acquisition, Redevelopment, & Sale of Foreclosed Properties; and **(3)** a public hearing to be held on June 23, 2010 to receive comments on Substantial Amendment No. 5 to the Consolidated Plan - Financing: No cost consideration to the City **[10-1298; APPROVED]**
19. Authorize **(1)** a public hearing to be held on June 23, 2010 to receive comments on the proposed private sale by quitclaim deed of one unimproved property acquired by the taxing authorities from the Sheriff's Sale to Forest Heights Neighborhood Development Corporation, a qualified non-profit organization; and at the close of the public hearing, **(2)** consideration of approval of the sale of this property (list attached) - Financing: No cost consideration to the City **[10-1299; APPROVED]**
20. Authorize a modification to Resolution No. 09-2521, previously approved on October 14, 2009, to provide for an economic development grant rather than an economic development loan for exterior and interior building improvements to 5050 Bexar Street, a neighborhood serving retail/grocery business located within the Bexar Street Redevelopment Corridor - Not to exceed \$105,000 - Financing: 2006 Bond Funds **[10-1300; APPROVED]**

Office of Financial Services

21. Authorize a resolution extending the City Council's decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment for the period May 28, 2010 through July 12, 2010 - Financing: No cost consideration to the City **[10-1301; APPROVED]**

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

22. Authorize **(1)** the acceptance of a Brownfield Cleanup Grant from the North Central Texas Council of Governments in the amount of \$200,000; **(2)** the City's required match of \$50,000 for the grant will be provided with funding from the construction award; **(3)** the receipt and deposit of funds from the North Central Texas Council of Governments in the amount of \$200,000 in the NCTCOG - Brownfield Cleanup Grant Fund; **(4)** an increase in appropriations in the amount of \$200,000 in the NCTCOG - Brownfield Cleanup Grant Fund; **(5)** execution of the grant agreement; and **(6)** a contract for site environmental remediation at Belo Garden located at 1014 Main Street - USA Environment, L.P., best value proposer of four - Not to exceed \$1,666,191 - Financing: 1995 Bond Funds (\$380,232), 1998 Bond Funds (\$31,688), 2003 Bond Funds (\$802,426), 2006 Bond Funds (\$251,845) and NCTCOG - Brownfield Cleanup Grant Funds (\$200,000) **[10-1302; APPROVED]**
23. Authorize a professional services contract with Kevin Sloan Studio, LLC for schematic design through construction administration services for a pavilion renovation at Casa Linda Park located at 1500 San Saba Drive - Not to exceed \$31,312 - Financing: 2006 Bond Funds **[10-1303; APPROVED]**
24. Authorize a professional services contract with Perkins+Will for schematic design through construction administration services for a pavilion replacement at Fair Oaks Park located at 7600 Fair Oaks Avenue - Not to exceed \$45,073 - Financing: 2006 Bond Funds **[10-1304; DEFERRED BY COUNCILMEMBER MARGOLIN]**
25. Authorize **(1)** a five-year horticulture services nursery contract, with one five-year renewal option, with Southwest Perennials, Inc. for the period June 1, 2010 through May 31, 2015 to operate the Greenhouse facility in Crawford Park located at 8740 Elam Road in consideration of providing bedding plants valued at approximately \$45,000 annually; and, **(2)** receipt and deposit of funds from Southwest Perennials, Inc. for greenhouse utility charges in the amount of approximately \$45,000 - Not to exceed \$45,000 - Financing: Current Funds (subject to appropriations) **[10-1305; DELETED ON THE ADDENDUM]**
26. Authorize **(1)** a public hearing to be held on June 9, 2010 to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, re-establish standards of care for certain city youth programs in compliance with State Law; and at the close of the hearing, **(2)** approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City **[10-1306; APPROVED]**

Public Works & Transportation

27. Authorize a Local Project Advance Funding Agreement with the Texas Department of Transportation for the construction of an eastbound IH 20 exit ramp to southbound Clark Road - Not to exceed \$500,000 - Financing: 2006 Bond Funds **[10-1307; APPROVED]**

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

28. Authorize Supplemental Agreement No. 1 to the professional services contract with Brockett, Davis, Drake, Inc. to provide additional survey services for the Bachman Lake Park Pedestrian Bridge Project at Northwest Highway - Not to exceed \$18,005, from \$58,255 to \$76,260 - Financing: 2006 Bond Funds **[10-1308; APPROVED]**
29. Authorize Supplemental Agreement No. 1 to the professional services contract with URS Corporation (formerly doing business as Washington Group International, Inc.) to provide additional engineering design and surveying services for the drainage improvement project in the Hawthorne Avenue and Bowser Avenue area - Not to exceed \$39,930, from \$95,107 to \$135,037 - Financing: 2003 Bond Funds **[10-1309; APPROVED]**

Sanitation Services

30. Authorize the City to request grant funding under the North Central Texas Council of Governments' Request for Project Applications for the Regional Solid Waste Local Project Funding Program - Financing: No cost consideration to the City **[10-1310; APPROVED]**
31. Ratify emergency hiring of debris collection contractors to assist city crews in collecting snow storm debris - National Waste Management Services in an amount not to exceed \$372,018 and Raynor Shine in an amount not to exceed \$961,415 - Total not to exceed \$1,333,433 - Financing: Current Funds **[10-1311; APPROVED AS AN INDIVIDUAL ITEM]**
32. Authorize **ordinances** granting three franchises for solid waste collection and hauling, pursuant to Chapter XIV, of the City Charter, and Chapter 18, Article IV, of the Dallas City Code (list attached) - Estimated Annual Revenue: \$3,000 **[10-1312; APPROVED; ORDINANCE 27881, 27882 AND 27883]**

Sustainable Development and Construction

33. Authorize acquisition, from Terry Fivecoat, of approximately 15,888 square feet of land improved with a single-family dwelling located near the intersection of Glenclyff Drive and San Leon Avenue under the Flood Protection and Storm Drainage Voluntary Purchase Program - Not to exceed \$75,000 (\$72,000 plus closing costs not to exceed \$3,000) - Financing: 2006 Bond Funds **[10-1313; APPROVED]**
34. Authorize settlement in lieu of proceeding further with condemnation in City of Dallas vs. John Radovich, et al, Cause No. cc-08-01777-d, pending in the County Court at Law No. 4, for acquisition from John Radovich for approximately 17,364 square feet of land located near the intersection of Trunk and Birmingham Avenues for the Trunk Avenue Wastewater Improvements Project - Not to exceed \$23,321 - Financing: Water Utilities Capital Construction Funds **[10-1314; APPROVED]**

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

35. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 442,400 square feet from 635-Dowdy Venture, located near the intersection of Interstate Highway 20 and Dowdy Ferry Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$365,000 (\$358,880 plus closing costs not to exceed \$6,120) - Financing: Water Utilities Capital Improvement Funds **[10-1315; APPROVED]**
36. An ordinance amending Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code by amending Sections 405 and 414; eliminating registration fees for plumbing contractors as required by state law; providing a saving clause; providing a severability clause; and providing an effective date - Estimated Revenue Foregone: \$30,000 **[10-1316; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 27884]**
37. An ordinance granting a private license to the Dallas Black Dance Theatre for the use of approximately 170 square feet of land to install, use and maintain two subsurface conduits under a portion of Forbes Street near its intersection with Arts Plaza - Revenue: \$1,000 annually plus the \$20 ordinance publication fee **[10-1317; APPROVED; ORDINANCE 27885]**
38. An ordinance abandoning portions of a street easement and water and wastewater easement to PC LH Land Partners, L.P., the abutting owner, containing a total of approximately 7,780 square feet of land located near the intersection of Skillman Street and Sedgwick Drive and authorizing the quitclaim - Revenue: \$10,800 plus the \$20 ordinance publication fee **[10-1318; APPROVED; ORDINANCE 27886]**
39. An ordinance amending Ordinance No. 27555 to Next Block-Dallas I, L.P to extend the final replat requirement from one year to three years - Revenue: \$5,400 plus the \$20 ordinance publication fee **[10-1319; APPROVED; ORDINANCE 27887]**

Trinity Watershed Management

40. Authorize **(1)** a construction contract with Massana Construction Inc., lowest responsive bidder of eight, for the construction of a concrete multipurpose trail, construction of new bridge structures, rehabilitation of existing historic structure into a bike/pedestrian crossing and other miscellaneous work necessary to complete the project for the Santa Fe Trestle Hike and Bike Trail Improvement Project in an amount not to exceed \$5,575,149; **(2)** the receipt and deposit of funds in the Santa Fe Trail Grant Fund from the Texas Department of Transportation in an amount not to exceed \$3,547,603; **(3)** an increase in appropriations in the amount of \$3,547,603 in the Santa Fe Trail Grant Fund - Total not to exceed \$5,575,149 - Financing: 1998 Bond Funds (\$2,027,546) and Santa Fe Trail Grant Funds (\$3,547,603) **[10-1320; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)**Trinity Watershed Management (Continued)**

41. Authorize settlement in lieu of proceeding with condemnation of an unimproved tract of land containing approximately 7,000 square feet from M.H. Now, LLC located near the intersection of Colonial Avenue and Starks Avenue for the Trinity Parkway - Not to exceed \$14,000 (\$12,000 plus closing costs not to exceed \$2,000) - Financing: 1998 Bond Funds **[10-1321; APPROVED]**

Water Utilities

42. Authorize a contract for the installation of water and wastewater mains at 43 locations (list attached) - Atkins Bros. Equipment Co., Inc., lowest responsible bidder of eight - \$8,687,100 - Financing: Water Utilities Capital Improvement Funds (\$8,676,960) and 2003 Bond Funds (\$10,140) **[10-1322; APPROVED]**
43. Authorize an increase in the contract with Archer Western Contractors, Ltd., for additional work associated with the construction of new pumping facilities and with modifications to existing structures at the Sunset Pump Station - Not to exceed \$257,067, from \$22,739,000 to \$22,996,067 - Financing: Water Utilities Capital Improvement Funds **[10-1323; APPROVED]**
44. Authorize an increase in the contract with BAR Constructors, Inc. for constructability and schedule changes at the East Side Water Treatment Plant expansion to 540 million gallons per day, Part B, Transfer Pump Station No. 3 - Not to exceed \$377,125, from \$38,520,700 to \$38,897,825 - Financing: Water Utilities Capital Improvement Funds **[10-1324; APPROVED]**
45. Authorize Supplemental Agreement No. 1 to the professional services contract with Freese and Nichols, Inc. for engineering services to address some of the recommendations of the Eastern Dam inspections and to comply with the Texas Commission on Environmental Quality regulations - Not to exceed \$294,906, from \$550,388 to \$845,294 - Financing: Water Utilities Capital Construction Funds **[10-1325; APPROVED]**
46. Ratify emergency repairs to the Chlorine Scrubber tanks at the East Side Water Treatment Plant with Carbon Silica Partners, LP, dba Diamond Fiberglass - Not to exceed \$326,000 - Financing: Water Utilities Capital Construction Funds **[10-1326; 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) **[10-1327 AND 10-1328; FULL AND INDIVIDUAL; APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Mayor and City Council

- 48. An ordinance amending Chapter 7 of the Dallas City Code to require a person who takes possession of a stray dog to attempt to locate the dog's owner - Financing: No cost consideration to the City [**10-1329; APPROVED; ORDINANCE 27888**]

Public Works & Transportation

- 49. Authorize approval of the recommended plan for the proposed alignment of Chalk Hill Road from West Davis Street to 800' south of the I-30 eastbound Frontage Road and Chalk Hill Road from the I-30 westbound Frontage Road to Singleton Boulevard, from its current alignment to the proposed alignment - Financing: No cost consideration to the City [**10-1330; APPROVED**]

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Note: Item Nos. 50 and 51 must be considered collectively.

Downtown Connection TIF District

- 50. * Authorize **(1)** a development agreement with TIF Hotel, Inc. to provide funding for the development and redevelopment of 1600 and 1604 Main Street, 1417-19 Commerce Street, 1503 Commerce Street, 1505 Commerce Street, and 1511 Commerce Street located in Tax Increment Financing Reinvestment Zone Eleven (Downtown Connection TIF District) for the expansion of the Joule Hotel; and **(2)** the Downtown Connection TIF District Board of Directors to dedicate future tax increment revenue of the Downtown Connection TIF District in an amount not to exceed \$16,712,215 plus a TIF Grant in an amount not to exceed \$3,946,335 for a total incentive amount not to exceed \$20,658,550 - Total not to exceed \$20,658,550 - Financing: Downtown Connection TIF District Funds [**10-1331; APPROVED**]
- 51. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse TIF Hotel, Inc., for eligible expenditures pursuant to the development agreement with TIF Hotel, Inc. - Financing: No cost consideration to the City [**10-1332; APPROVED**]
- 52. Authorize an assignment of the development agreement with Hamilton Fidelity, LP related to the redevelopment of the Fidelity Union Life Buildings located at 1507 Pacific, 1511 Bryan and 318 North Akard Streets in Tax Increment Financing Reinvestment Zone Five (City Center TIF District) in an amount not to exceed \$9,000,000 to Prudential Commercial Property Holding Company, LLC - Financing: No cost consideration to the City [**10-1333; APPROVED AS AMENDED**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

Note: Item Nos. 53 and 54 must be considered collectively.

Cityplace Area TIF District

- 53. * Authorize **(1)** the optional redemption of Cityplace Area TIF District Special Tax Revenue Bonds: **(a)** Series 1998 in an amount not to exceed \$1,285,000 in principal plus interest due of \$31,714; **(b)** Series 2000 in an amount not to exceed \$1,455,000 in principal plus interest due of \$36,403; and **(c)** Series 2004 in an amount not to exceed \$2,660,000 in principal plus interest due of \$39,969; and **(2)** the Cityplace Area TIF District Board of Directors to dedicate up to \$5,508,086 from Cityplace Area TIF District Funds and/or Tax Increment Bond Funds - Total not to exceed \$5,508,086 - Financing: Cityplace Area TIF District Funds and/or Tax Increment Bond Funds **[10-1334; APPROVED]**
- 54. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Two (Cityplace Area TIF District) to redeem Cityplace Area TIF District Special Tax Revenue Bonds: **(a)** Series 1998 in an amount not to exceed \$1,285,000 in principal plus interest due of \$31,714; **(b)** Series 2000 in an amount not to exceed \$1,455,000 in principal plus interest due of \$36,403; and **(c)** Series 2004 in an amount not to exceed \$2,660,000 in principal plus interest due of \$39,969 for a total not to exceed \$5,508,086 - Financing: No cost consideration to the City **[10-1335; APPROVED]**

Housing/Community Services

- 55. Authorize the reconstruction on-site of four homes in accordance with the Reconstruction/SHARE Program Statement requirements for the properties located at 1323 Amos Street in the amount of \$93,400, 3306 Mojave Drive in the amount of \$93,400, 3038 Modree Avenue in the amount of \$93,400 and 3618 Chicago Street in the amount of \$93,400 - Total not to exceed \$373,600 - Financing: 2008-09 Community Development Block Grant Funds **[10-1336; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

56. A public hearing to receive comments regarding an application for and an ordinance granting renewal of and amendment to Specific Use Permit No. 1682 for an Alcoholic beverage establishment for a Private club-bar on property zoned a CR Community Retail District at the southeast corner of Midway Road and Frankford Road **[10-1337; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27889]**
Recommendation of Staff: Approval for a three-year period, subject to a site plan and staff's recommended conditions
Recommendation of CPC: Approval for a period to terminate on November 12, 2011, subject to a site plan and conditions
Z089-238(RB)
Note: This item was considered by the City Council at a public hearing on May 12, 2010, and was held under advisement until May 26, 2010, with the public hearing open.
57. A public hearing to receive comments regarding an application for the creation of a new subdistrict within the Light Mixed Use Subdistrict portion of Planned Development District No. 631, the West Davis Special Purpose District on the northeast corner of West Davis Street and Dwight Avenue with consideration being given to granting a Machine shop use by Specific Use Permit and an ordinance granting an amendment to the Light Mixed Use Subdistrict within Planned Development District No. 631 and an ordinance granting a Specific Use Permit for a Machine shop use **[10-1338; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 27890 AND 27891]**
Recommendation of Staff: Approval of an amendment to the existing Light Mixed Use Subdistrict within Planned Development District No. 631 to permit the requested use by Specific Use Permit, subject to staff's recommended conditions and a revised West Davis Special Purpose District and Subdistrict Boundary Map, and approval of a Specific Use Permit for a three-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions, in lieu of the applicant's request to create a new subdistrict within Planned Development District No. 631 and permitting the requested use by right
Recommendation of CPC: Approval of an amendment to the existing Light Mixed Use Subdistrict within Planned Development District No. 631 to permit the requested use by Specific Use Permit, subject to conditions and a revised West Davis Special Purpose District and Subdistrict Boundary Map, and approval of a Specific Use Permit for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions, in lieu of the applicant's request to create a new subdistrict within Planned Development District No. 631 and permitting the requested use by right
Z089-203(RB)
Note: This item was considered by the City Council at a public hearing on May 12, 2010, and was held under advisement until May 26, 2010, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL

- 58. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 741 for mixed uses on property zoned Planned Development District No. 741 and an A(A) Agricultural District with Specific Use Permit No. 3 for a power plant on a portion of the property and with Specific Use Permit No. 517 for commercial radio transmitting station and towers on a portion of the property, north of Hackberry Lane and east of Belt Line Road **[10-1339; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED WITH THE ORDINANCE TO COME BACK ON JUNE 9, 2010]**
Recommendation of Staff and CPC: Approval subject to a conceptual plan and conditions, with retention of Specific Use Permit No. 3 and Specific Use Permit No. 517
Z090-103(DC)

DEVELOPMENT CODE AMENDMENTS - CONSENT

- 59. A public hearing to receive comments regarding an application for the consideration of an amendment to Chapter 51A, Section 51A-4.501, the Dallas Development Code, allowing demolition of historic structures pursuant to a court order; allowing the fire marshal to summarily abate hazards; and re-numbering certain subsections of Section 51A-4.501 and an ordinance granting the amendments **[10-1340; DEFERRED NOT LONGER THAN 30 DAYS]**
Recommendation of Staff: Approval
Recommendation of CPC: Approval, subject to Zoning Ordinance Advisory Committee recommendation
DCA089-002

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

- 60. A public hearing to receive comments regarding an application for the consideration of amendments to Chapter 51A, Section 3.102(a) Creation; membership; appointment, the Dallas Development Code, to amend regulations pertaining to Board of Adjustment panel size and the start date of members to conform to the City Charter and an ordinance granting the amendments **[10-1341; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 27892]**
Recommendation of Staff: Approval
Recommendation of CPC: Denial of amendments to amend regulations pertaining to Board of Adjustment panel size, and approval of an amendment to establish the start date of the two-year term for the city plan commissioners, board of adjustment members, and landmark commissioners from September 1 to October 1 to conform to the City Charter
DCA078-014

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)
MISCELLANEOUS HEARINGS

Housing/Community Services

61. A public hearing to receive comments on the proposed private sale by quitclaim deed of two unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance For Habitat, Inc. a qualified non-profit organization; and at the close of the public hearing, authorize **(1)** the private sale under the HB110 process through the Land Transfer Program, as provided for by Section 253.010 of the Texas Local Government Code, by quitclaim deed of two unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Dallas Neighborhood Alliance For Habitat, Inc., a qualified non-profit organization; and **(2)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$2,000 **[10-1342; HEARING CLOSED; APPROVED]**
62. A public hearing to receive comments on the proposed private sale by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Builders of Hope Community Development Corporation, a qualified non-profit organization; and at the close of the public hearing, authorize **(1)** the private sale under the HB110 process through the Land Transfer Program, as provided for by Section 253.010 of the Texas Local Government Code, by quitclaim deed of four unimproved properties acquired by the taxing authorities from the Sheriff's Sale to Builders of Hope Community Development Corporation, a qualified non-profit organization; and **(2)** execution of a release of non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Revenue: \$8,774 **[10-1343; HEARING CLOSED; APPROVED]**

Office of Financial Services

63. A public hearing to receive comments in preparation of the FY 2010-11 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[10-1344; HEARING CLOSED]**

Park & Recreation

64. A public hearing to receive comments on the proposed use of a portion of Runyon Creek Greenbelt, totaling approximately 8,170 square feet of land, for the installation of an 18-inch wastewater line to serve the University of North Texas System Dallas campus; and at the close of the hearing, consideration of a resolution authorizing the use - Revenue: \$27,600 **[10-1345; HEARING CLOSED; APPROVED]**

Trinity Watershed Management

65. A public hearing to receive comments regarding an ordinance amending Article V, "Flood Plain and Escarpment Zone Regulations," of Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code to clarify that final inspections or certificates of occupancy will not be withheld for properties in a floodplain (FP) with building permits that were obtained prior to such designation, to establish fees for fill permits in interior drainage areas, and to describe the process for removal of an FP designation from an interior drainage area, and other related matters - Financing: No cost consideration to the City **[10-1346; HEARING CLOSED; ORDINANCE 27893]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 26, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a five-year service contract for the collection of delinquent City accounts - Progressive Financial Services, Inc., highest responsible bidder of four - Estimated Net Annual Revenue: \$2,598,000 (Current Funds (\$429,550), Water Utilities Current Funds (\$1,943,450) and Stormwater Drainage Management Funds (\$225,000) **[10-1347; APPROVED AS AN INDIVIDUAL ITEM]**

Economic Development

2. Authorize a master agreement with Cypress Waters Land Development, LLC, an affiliate of Billingsley Development Corporation, to outline recommended public financial incentives and developer obligations related to the development of a 1,661 acre site located in the northwest area of Dallas known as Cypress Waters - Financing: No cost consideration to the City **[10-1348; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize **(1)** a management services contract with Dallas Development Fund (DDF) to administer and manage any allocations of New Markets Tax Credit (NMTC) awarded by the United States Treasury Community Development Financing Institutions (CDFI) Fund; **(2)** acceptance of NMTC fees consisting of 1% of Qualified Equity Investments pursuant to closing and collection by DDF; and **(3)** acceptance of payment of or reimbursement to the City for costs for outside assistance or legal counsel required in association with the program - Estimated Revenue: \$550,000 **[10-1349; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

ITEMS FOR FURTHER CONSIDERATION

Office of Financial Services

4. Authorize an increase in the Over 65 and Disabled Persons Homestead Property Tax Exemption from \$64,000 to \$70,000 beginning with the ~~2009~~ 2010 tax year - Estimated Annual Revenue Loss: (\$2,600,000) **[10-1350; DEFERRED BY COUNCILMEMBER ATKINS]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 26, 2010**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

- 5. Authorize **(1)** the establishment of the Pleasant Grove Economic Development Program pursuant to Chapter 380 of the Texas Local Government Code (the "Act") to make loans and grants to promote local economic development in the Pleasant Grove community of Dallas; and **(2)** a Chapter 380 grant agreement in an amount not to exceed \$75,000 with Pleasant Grove Mission Possible, Inc. (PGMP) to implement the first phase of the Pleasant Grove Economic Development Program to fund the marketing and design work aimed at improving the image and perception of the Pleasant Grove community thereby encouraging future business and commercial activities within the area - Not to exceed \$75,000 - Financing: Public/Private Partnership Funds **[10-1351; APPROVED]**

Note: Addendum Item Nos. 6 and 7 must be considered collectively.

DalPark Garage

- 6. * Authorize an amendment to the parking agreement with Central Parking System of Texas, Inc., now DalPark Partners, Ltd., parking operator of the DalPark Garage, previously approved by Resolution No. 03-1923, on June 25, 2003, in Tax Increment Financing Reinvestment Zone Number Five (City Center TIF District) to: **(1)** extend the term of the agreement by five years from July 1, 2010 to June 30, 2015; **(2)** reduce the City's rate per space from \$101.24 to \$90 per space / per month; **(3)** reduce the number of public, short-term parking spaces from 225 spaces to 150 spaces; and **(4)** increase the public's hourly rate per space from \$1.00 per hour to \$1.50 per hour for the first four hours - Not to exceed \$820,000 - Financing: City Center TIF District Funds **[10-1352; APPROVED]**
- 7. * Authorize the receipt and deposit of estimated monthly average parking revenue of \$11,063 from DalPark Partners, Ltd. over a five-year period - Estimated Parking Revenue: \$663,780 **[10-1353; APPROVED]**

Housing/Community Services

- 8. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit allocation for Hillside West Seniors Project located at 32 Pinnacle Park Boulevard, which is located in a census tract that has more than 30% housing tax credit units per households in the census tract as established by the U.S. Census Bureau, pursuant to Sec. 50.6(g) of the 2010 Qualified Allocation Plan (QAP), for the acquisition and new construction of the proposed 130-unit multifamily residential development - Financing: No cost consideration to the City **[10-1354; APPROVED]**
Recommendation of Staff: Approval

**ADDENDUM
CITY COUNCIL MEETING
MAY 26, 2010**

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES – CONSENT [10-1355

9. A public hearing to receive comments regarding an application for a Specific Use Permit for an Open-enrollment Charter School on property zoned a CA-1(A) Central Area District with Specific Use Permit No. 1638 on a portion of property bounded by Lamar Street, McKinney Avenue, Laws Street, and Munger Avenue **[10-1356; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 27894]**
Recommendation of Staff and CPC: Approval for a five-year period, with eligibility for automatic renewal of additional five-year periods, subject to a site plan, traffic management plan, and conditions
Z090-157(RB)

DELETION:

Park & Recreation

25. Authorize **(1)** a five-year horticulture services nursery contract, with one five-year renewal option, with Southwest Perennials, Inc. for the period June 1, 2010 through May 31, 2015 to operate the Greenhouse facility in Crawford Park located at 8740 Elam Road in consideration of providing bedding plants valued at approximately \$45,000 annually; and **(2)** receipt and deposit of funds from Southwest Perennials, Inc. for greenhouse utility charges in the amount of approximately \$45,000 - Not to exceed \$45,000 - Financing: Current Funds (subject to appropriations) **[10-1305]**

Tax Foreclosure and Seizure Property Resale
Agenda Item #19

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>	<u>Council District</u>
1.	3604 Parnell Street	Forest Heights Neighborhood Development Corporation	46W	\$25,130.00	\$2,230.25	V	PD-595	7

Franchises for Solid Waste Collection and Hauling
Agenda Item #32

Franchise Haulers

Estimated Annual Revenue

Baymon Servall, LP	\$1,000.00
Greenstar d/b/a Greenstar Mid-America	\$1,000.00
Service Waste, Inc.	<u>\$1,000.00</u>
Total	\$3,000.00

Installation of Water and Wastewater Mains at 43 Locations
Agenda Item #42

District 1

Alley between Grafton Avenue and Sharon Street from Superior Street to Hampton Road
Crawford Street from 8th Street to 9th Street
Franklin Street from Alden Avenue to Wentworth Street
Llewellyn Avenue from 9th Street to Melba Street
Melba Street from Adams Avenue to Llewellyn Avenue
Melba Street from Zang Boulevard to Bishop Avenue
Melbourne Avenue from Polk Street to Rugged Drive
Mountain Lake Road from Polk Street to Tennessee Avenue
Starr Street from 8th Street to 9th Street*
Storey Street from 9th Street to Interstate Highway 35E (R. L. Thornton Freeway)
Vernon Avenue from Centre Street to 10th Street
Wentworth Street from Montreal Avenue to Chalmers Street

District 2

Haskell Avenue from Parry Avenue to Peak Street

District 3

Barstow Boulevard from Heron Trail east
Ryan Circle from Ryan Road to Ryan Road

District 4

Missouri Avenue from Interstate Highway 35E (R.L. Thornton Freeway) to Beckley Avenue
Morrell Avenue from Ewing Avenue to Ridge Street
Owega Avenue from Pentagon Parkway to Strobel Avenue
Saner Avenue from Arizona Avenue to Frio Drive
Terrace Drive from Beckley Avenue to Interstate Highway 35E (R.L. Thornton Freeway)
Waco Avenue from Fernwood Avenue to Denley Drive

District 5

Aldenwood Drive from Lost Mirage Drive to Mirage Valley Drive
Linfield Road from Cranfill Drive to Seay Drive*
Matagorda Drive from Marblehead Drive to Key Largo Drive
Mirage Valley Drive from Aldenwood Drive to Taperwicke Drive
Racine Drive from Highcrest Drive to Highfall Drive
Riverway Circle from Riverway Drive west
Riverway Drive from Palisade Drive to Rosecliff Drive
Shorelark Drive from Prairie Creek Road to Undercliff Drive
Taperwicke Drive from Lost Mirage Drive to Mirage Valley Drive
Turf Drive from Shorelark Drive to Undercliff Drive
Ukiah Drive from Blanton Street to Lapanto Lane
Undercliff Drive from Prairie Creek Road to Shorelark Drive

Installation of Water and Wastewater Mains at 43 Locations
Agenda Item #42 (Continued)

District 6

Gallant Fox Drive from Bimebella Lane to Bimebella Lane

District 7

Morrell Avenue from Bonnie View Road to Cedar Crest Boulevard

Warren Avenue from Wendelkin Street northeast

Wendelkin Street from Pennsylvania Avenue to Warren Avenue

District 8

Edgedale Drive from Shadyway Drive to Greenspan Avenue

Fairwood Drive from Racine Drive to Woodspan Drive

Glencairn Drive from Arborcrest Drive to Longridge Drive

Longridge Drive from Larchway Drive to Glencairn Drive

Pebble Valley Lane from Masters Drive west

Weaver Street from Edd Road northwest

*Trenchless Technology

Tax Foreclosure and Seizure Property Resale
 Agenda Item #61

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsco</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/Imp</u>	<u>Zoning</u>	<u>Council District</u>
1.	1735 Nomias Street	Dallas Neighborhood Alliance For Habitat, Inc.	44J	\$10,000	\$1,000	V	R-5(A)	3
2.	3042 Dorris Drive	Dallas Neighborhood Alliance For Habitat, Inc.	56H	\$1,000	\$1,000	V	R-5(A)	7

Tax Foreclosure and Seizure Property Resale
Agenda Item #62

<u>Parcel No.</u>	<u>Address</u>	<u>Non-Profit Organization</u>	<u>Mapsc</u>	<u>DCAD Value</u>	<u>Sale Amount</u>	<u>Vac/ Imp</u>	<u>Zoning</u>	<u>Council District</u>
1.	1966 Calypso Street	Builders of Hope Community Development Corporation	44E	\$7,000.00	\$1,000.00	V	R-5(A)	3
2.	5403 Fannie Street	Builders of Hope Community Development Corporation	42U	\$18,000.00	\$5,744.70	V	R-5(A)	6
3.	3720 Nomias Street	Builders of Hope Community Development Corporation	43J	\$12,000.00	\$1,000.00	V	R-5(A)	3
4.	4020 Ranger Drive	Builders of Hope Community Development Corporation	42H	\$12,000.00	\$1,000.00	V	R-5(A)	6