

AGENDA
CITY COUNCIL MEETING
NOVEMBER 10, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[10-2794]**

Agenda Item/Open Microphone Speakers **[10-2795]**

VOTING AGENDA

1. Approval of Minutes of the October 26, 2010 City Council Meeting **[10-2796; APPROVED]**

CONSENT AGENDA **[10-2797; APPROVED]**

Business Development & Procurement Services

2. Authorize a three-year consignment services contract for the sale of confiscated eight-liner gambling machines for Police - CDN Systems, LLC, most advantageous proposer of three - Estimated Annual Revenue: \$491,730 (Revenue share 70% for complete units sold, 55% for units decommissioned and sold as parts and 50% for recycled units) **[10-2798; APPROVED]**
3. Authorize a two-year master agreement for metal beam guard rails, dome posts and guard rail components - Dallas Lite & Barricade in the amount of \$278,695 and Roadrunner Traffic Supply, Inc. in the amount of \$51,125, lowest responsible bidders of three - Total not to exceed \$329,820 - Financing: Current Funds **[10-2799; APPROVED]**

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

4. Authorize a three-year master agreement for original equipment manufacturers parts and accessories for water treatment equipment for Water Utilities - Environmental Improvements in the amount of \$300,000, Pierce Pump Company, L.P. in the amount of \$114,286, Master Pumps & Equipment in the amount of \$171,429, Hartwell Environmental Corporation in the amount of \$85,714, Simba Industries in the amount of \$85,714, Hach Company in the amount of \$28,572 and ITT Water & Wastewater USA Flygt Products in the amount of \$28,571, lowest responsible bidders of seven - Total not to exceed \$814,286 - Financing: Water Utilities Current Funds **[10-2800; APPROVED]**
5. Authorize a three-year citywide master agreement for protective clothing and gear - Security Safety & Supply, Inc. in the amount of \$463,947, Lone Star Safety & Supply, Inc. in the amount of \$370,328, Globe Electric Supply Co., Inc. in the amount of \$130,684, Saf-T-Glove, Inc. in the amount of \$123,877, Access MediaWorks, Inc. dba Access Supplies & Equipment in the amount of \$123,292, Safety Supply, Inc. in the amount of \$123,248, The Strong Group, Inc. in the amount of \$80,051, BKW Environmental in the amount of \$56,134, Fisher Scientific Co. LLC in the amount of \$37,407, Regali, Inc. in the amount of \$20,648 and Trinity Tape & Marking LLC in the amount of \$5,274, lowest responsible bidders of thirteen - Total not to exceed \$1,534,890 - Financing: Current Funds (\$863,785), Aviation Current Funds (\$21,000) and Water Utilities Current Funds (\$650,105) **[10-2801; APPROVED]**
6. Authorize a three-year service contract for internet database access to pawn shop property transactions - LeadsOnline, LLC, Sole Source - Not to exceed \$86,400 - Financing: Current Funds (\$57,600) (subject to annual appropriations) and Urban Area Security Initiative Grant Funds (\$28,800) **[10-2802; APPROVED]**
7. Authorize an increase to the service contract with Verizon Wireless for commercial wireless communication services and equipment in the Dallas Metropolitan Statistical Area through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed \$1,562,000, from \$4,800,000 to \$6,362,000 - Financing: Current Funds **[10-2803; APPROVED]**
8. Authorize **(1)** an acquisition contract for the purchase and implementation of an event and venue management software for Convention and Events Services in the amount of \$190,871; and **(2)** a four-year service contract for maintenance and support in the amount of \$107,024 - Ungerboeck Systems International, most advantageous proposer of two - Total not to exceed \$297,895 - Financing: Convention and Event Services Current Funds (\$107,024) (subject to annual appropriations) and Convention and Event Services Capital Construction Funds (\$190,871) **[10-2804; APPROVED]**
9. Authorize the purchase and installation of a spacesaver mobile storage system for the Children's Center at the J. Erik Jonsson Central Library - Southwest Solutions Group, Inc. through the Texas Multiple Award Schedule Contract - Not to exceed \$103,553 - Financing: 2006 Bond Funds **[10-2805; APPROVED]**

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

10. Authorize the purchase of 50 digital headsets for Police - Television Equipment Associates, Inc., through the General Services Administration - Not to exceed \$74,933 - Financing: U.S. Department of Homeland Security Grant Funds **[10-2806; APPROVED]**
11. Authorize the purchase of a water analyzer and accessories for Water Utilities - Spectro Analytical Instruments, Inc., lowest responsible bidder of three - Not to exceed \$95,332 - Financing: Water Utilities Current Funds **[10-2807; APPROVED]**
12. Authorize the purchase of specialized explosive detection and hazmat equipment for Dallas Fire-Rescue - Smiths Detection, Inc. in the amount of \$27,000, Canberra Dover, Inc. in the amount of \$107,994, Scanna MSC, Inc. in the amount of \$35,573 and Remotec, Inc. in the amount of \$181,516, lowest responsible bidders of four - Total not to exceed \$352,083 - Financing: U.S. Department of Homeland Security Grant Funds **[10-2808; APPROVED]**
13. Authorize **(1)** Supplemental Agreement No. 1 to increase the contract with Dell Marketing, LP for Microsoft software through the State of Texas Department of Information Resources in the amount of \$553,113, from \$3,684,522 to \$4,237,635; and **(2)** renewal of a five-year, three month enterprise agreement for Microsoft software through the State of Texas Department of Information Resources with Dell Marketing, LP in the amount of \$2,796,674 - Total not to exceed \$3,349,787 - Financing: Current Funds (subject to annual appropriations) **[10-2809; APPROVED AS AN INDIVIDUAL ITEM]**
14. Authorize a five-year service contract for the workers' compensation Certified Network - Injury Management Organization, Inc., most advantageous proposer of three - Not to exceed \$3,170,329 - Financing: Current Funds (subject to annual appropriations) **[10-2810; APPROVED]**
15. Authorize **(1)** Supplemental Agreement No. 3 to extend the contract with Tristar Risk Management for two-months for workers' compensation and third party liability claims administration and related cost containment services for the period December 1, 2010 through January 31, 2011 in the amount of \$421,733, from \$11,971,853 to \$12,393,586; and **(2)** a five-year service contract for self insured liability and workers' compensation third party claims administration and related medical cost containment services with JI Specialty Services, Inc., most advantageous proposer of seven in the amount of \$8,620,838 - Total not to exceed \$9,042,571 - Financing: Current Funds (subject to annual appropriations) **[10-2811; APPROVED]**

City Attorney's Office

16. Authorize Supplemental Agreement No. 1 to the professional services contract with LB Advantage d/b/a Review Med Audit for additional expert witness services necessary in personal injury lawsuits and claims - Not to exceed \$50,000, from \$25,000 to \$75,000 - Financing: Current Funds **[10-2812; APPROVED]**

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

17. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Mounce, Green, Myers, Safi, Paxson & Galatzan, for additional legal services in matters related to Railroad Commission of Texas Gas Utilities Docket No. 10000, Atmos Pipeline-Texas Statement of Intent to change the Rate CGS and Rate PT of Atmos Pipeline-Texas (APT), a division of Atmos Energy Corporation - Not to exceed \$165,000, from \$25,000 to \$190,000 - Financing: Current Funds (the full amount is reimbursable by Atmos Pipeline Texas subject to approval by the Railroad Commission of Texas) **[10-2813; APPROVED]**

City Controller's Office

18. Authorize the annual adoption of the City's Investment Policy regarding funds under the City's control and the investment strategies for each of the funds under the City's management - Financing: No cost consideration to the City **[10-2814; APPROVED]**

Code Compliance

19. An ordinance amending Chapter 31 of the Dallas City Code to revise notice requirements, compliance timelines, cost assessments, and defenses related to city regulations for graffiti removal in order to be consistent with state law - Financing: No cost consideration to the City **[10-2815; APPROVED; ORDINANCE 28048]**

Communication and Information Services

20. Authorize **(1)** ratification of one-year of maintenance and technical support services contract with ViON Corporation in the amount of \$167,965; and **(2)** Supplemental Agreement No. 2 to increase the service contract with ViON Corporation for an additional year of maintenance and technical support in the amount of \$228,208 - Total not to exceed \$396,173, from \$3,100,000 to \$3,496,173 - Financing: Current Funds (subject to appropriations) **[10-2816; APPROVED]**

Economic Development

21. Authorize a New Markets Tax Credit (NMTC) transaction, between the Dallas Development (DDF) Fund and its subsidiaries, US Bank, N.A. (US Bank) and its subsidiaries, and Matthews Southwest and its partners (Developer) for the restoration and development of historic property located at 1325 South Lamar Street into a boutique hotel (Project) - Financing: No cost consideration to the City **[10-2817; APPROVED]**

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

22. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Builders of Hope Community Development Corporation for the construction of affordable houses; **(2)** the sale of 4 vacant lots from Dallas Housing Acquisition and Development Corporation to Builders of Hope Community Development Corporation; and **(3)** execution of a release of non-tax liens included in the foreclosure judgment, pre-judgment non-tax liens not included in the judgment, and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City **[10-2818; APPROVED]**
23. Authorize an Interlocal Agreement with Dallas County Hospital District d/b/a Parkland Health & Hospital System to provide geriatric health services to low and moderate income seniors age 60 and older for the period October 1, 2010 through September 30, 2011 - Not to exceed \$129,677 - Financing: 2010-11 Community Development Block Grant Funds **[10-2819; APPROVED]**

Library

24. Authorize **(1)** the acceptance of a grant from the First Lady's Family Initiative for Texas, a program of The Barbara Bush Texas Fund for Family Literacy, for expansion of the adult literacy efforts into a family literacy program at the Martin Luther King Jr. Branch Library; and **(2)** execution of the grant agreement - Not to exceed \$44,906 - Financing: The Barbara Bush Texas Fund for Family Literacy Grant Funds **[10-2820; APPROVED AS AN INDIVIDUAL ITEM]**
25. Authorize **(1)** the acceptance of a federal grant through the Texas State Library and Archives Commission for expansion of the literacy instruction program, "La Familia Leyendo Juntos; The Family Reading Together", for parents and K-3 children at the Fretz Park, Lochwood and Hampton-Illinois Branch Libraries; and **(2)** execution of the grant agreement - Not to exceed \$75,000 - Financing: Texas State Library and Archives Commission Grant Funds **[10-2821; APPROVED]**
26. Authorize **(1)** the acceptance of a Loan Star Libraries Grant from the Texas State Library and Archives Commission for improving public access to library resources and services at the Dallas Public Library for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$239,379 - Financing: Loan Star Libraries Grant Funds **[10-2822; APPROVED]**
27. Authorize **(1)** the acceptance of a federal grant through the Texas State Library for the continuation of interlibrary loan services for the period September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$305,412 - Financing: Texas State Library and Archives Commission Grant Funds **[10-2823; APPROVED]**

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

28. Authorize **(1)** the acceptance of the 2010 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Area Security Initiative, the State Homeland Security Program, the Metropolitan Medical Response System and the Citizen Corp Program to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period August 1, 2010 through April 30, 2013; and **(2)** execution of the grant agreement - Not to exceed \$10,112,072 - Financing: U. S. Department of Homeland Security Grant Funds **[10-2824; APPROVED]**

Public Works & Transportation

29. Authorize **(1)** the receipt and deposit of funds in the amount of \$130,000 from the NEC Lake June & Masters, L.P. for the construction of a traffic signal at the Torre Vista Shopping Center driveway at Lake June Road; and **(2)** an increase in appropriations in the amount of \$130,000 in the Capital Projects Reimbursement Fund - Not to exceed \$130,000 - Financing: Capital Project Reimbursement Funds **[10-2825; APPROVED]**
30. Authorize a contract with DMI Corp., Decker Mechanical, lowest responsible bidder of five, for the construction of renovations to the chilled water loop and Central Plant No. 3 at the Dallas Convention Center - Not to exceed \$1,402,328 - Financing: 2009 Convention Center Revenue Bonds **[10-2826; APPROVED]**
31. Authorize an increase in the contract with Ken-Do Contracting, L.P. for the construction of reinforced concrete sidewalks, barrier free ramps, curbs, gutters, drive approaches, and water and wastewater appurtenance adjustments for Sidewalk Improvement Group 06-139 (list attached) - Not to exceed \$240,000, from \$1,408,715 to \$1,648,715 - Financing: 2006 Bond Funds **[10-2827; APPROVED]**

Sanitation Services

32. Authorize the acceptance of a grant from the North Central Texas Council of Governments' Heavy-Duty Vehicle and Equipment Program to offset the purchase cost for two wheel loaders - Not to exceed \$182,500 - Financing: North Central Texas Council of Governments' Heavy Duty-Vehicle & Equipment Grant Funds **[10-2828; APPROVED]**

Sustainable Development and Construction

33. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Thomas W. Haeussler and Patricia A. Haeussler of approximately 78,118 square feet improved with a commercial business located in Dallas County near the intersection of Ravenview and Kleburg Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$230,000 (\$224,600 plus closing costs not to exceed \$5,400) - Financing: Water Utilities Capital Improvement Funds **[10-2829; APPROVED]**

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

34. A resolution declaring approximately 4,422 square feet of City-owned land located near the intersection of Mike Street and Singleton Boulevard unwanted and unneeded and authorizing its advertisement for sale by sealed bid with no minimum bid specified - Financing: No cost consideration to the City **[10-2830; APPROVED]**
35. Authorize the deposit of a Special Commissioners' Award and settlement of the condemnation suit City of Dallas v. Jose DeJesus Esparza, et al, Cause No. cc-10-03084-b, in County Court at Law No. 2, for acquisition from Jose DeJesus Esparza of approximately 48,048 square feet of land improved land located near the intersection of Fitzhugh Avenue and Carl Street for the replacement Fire Station No. 44 Project - \$392,000 - Financing: 2006 Bond Funds **[10-2831; APPROVED]**
36. Authorize moving expense and replacement housing payments for Javier Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 702 Pontiac Avenue for future City facilities - Not to exceed \$23,500 - Financing: 2006 Bond Funds **[10-2832; APPROVED]**
37. An ordinance granting a private license to DLD Properties, Ltd. for the use of a total of approximately 85 square feet of aerial space to install and maintain two projecting, attached video board signs over portions of Main and Elm Streets near their intersection with Four Way Place - Revenue: \$2,000 annually plus the \$20 ordinance publication fee **[10-2833; APPROVED; ORDINANCE 28049]**
38. An ordinance granting a private license to 1600 Main Street Holdings, LP for the use of approximately 1549 square feet of land to use and maintain a subsurface utility vault under a portion of Commerce Street near its intersection with Akard Street - Revenue: \$3,067 annually plus the \$20 ordinance publication fee **[10-2834; APPROVED; ORDINANCE 28050]**
39. An ordinance repealing Ordinance No. 25463 and granting a private license to Sewell Village Cadillac Company, Inc. to maintain the existing licensed access drive, decorative steel fencing, guard house kiosk, a parking area, landscaping and storm drainage facilities and to install and maintain a monument sign over a portion of Lemmon Avenue right-of-way located near its intersection with Lovers Lane - Revenue: \$59,944 annually plus the \$20 ordinance publication fee **[10-2835; APPROVED; ORDINANCE 28051]**

Water Utilities

40. Authorize a five-year contract, with two five-year renewal options, with the Carrollton-Farmers Branch Independent School District to provide untreated water from Lake Lewisville for greenhouse and experimental farm watering at their Outdoor Learning Center facility located in Dallas County - Estimated Annual Revenue: \$477 **[10-2836; APPROVED]**
41. Authorize a five-year contract, with two five-year renewal options, with the City of Allen to provide untreated water from Lake Ray Hubbard for irrigation of the Chase Oaks Golf Club located in Collin County - Estimated Annual Revenue: \$30,754 **[10-2837; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities (Continued)****Lake Palestine Connection - Integrated Pipeline (IPL) Project**

42. * Authorize a Financing Agreement with Tarrant Regional Water District ("TRWD") for the implementation of the integrated pipeline project which will deliver water from Lake Palestine to Dallas - Financing: This action has an estimated capital expense of \$832,300,000 over a fifty-year period, all funds to come from the Dallas Water Utilities Current Funds **[10-2838; APPROVED AS AN INDIVIDUAL ITEM]**
43. * Authorize a Second Amendment to the Interlocal Cooperation Contract (ICC) with Tarrant Regional Water District (TRWD) to include a "Fair Opportunities Purchasing/Contracting Policy" and to approve Dallas' share of costs for preliminary engineering work for raw water transmission facilities from Lake Palestine to the City of Dallas, pursuant to Dallas' Long Range Water Supply Plan - Not to exceed \$1,400,000, from \$3,007,622 to \$4,407,622 - Financing: Water Utilities Capital Construction Funds **[10-2839; APPROVED AS AN INDIVIDUAL ITEM]**
44. Ratify an emergency purchase of fabricated steel pipe liner to repair a water main located adjacent to Highway 80 within Sunnyvale, Texas, north of Collins Road - Hanson Concrete Products, Inc. - Not to exceed \$56,176 - Financing: Water Utilities Capital Improvement Funds **[10-2840; APPROVED]**

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

45. 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) **[10-2841 AND 10-2842; INDIVIDUAL AND FULL COUNCIL; APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**
46. Receive the report of the Canvassing Committee and adopt a resolution accepting the Canvassing Committee's report declaring the results of the November 2, 2010 special election on whether to legalize "the legal sale of beer and wine for off-premise consumption only" and on whether to legalize "the legal sale of mixed beverages in restaurants for food and beverages certificate holders only" - Financing: No cost consideration to the City **[10-2843; CORRECTED ON THE ADDENDUM; APPROVED]**

Mayor and City Council

47. A resolution to condemn all bullying, harassment, and intimidation in schools in the City of Dallas - Financing: No cost consideration to the City (via Councilmember Jasso, Deputy Mayor Pro Tem Medrano, Mayor Pro Tem Caraway and Councilmembers Salazar, Davis, Atkins, and Hunt) **[10-2844; TABLED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**Sustainable Development and Construction**

48. Authorize a historic preservation tax exemption for the Dallas Coffin Company Building located at 1325 South Lamar Street for a ten-year period on 100% of the land and structure value - Revenue: First year tax revenue foregone estimated at \$49,733 (Estimated revenue foregone for ten years is \$497,330) **[10-2845; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

49. Authorize a three-year master agreement for multi-band mobile and portable subscriber radios for public safety - Motorola, Inc., most advantageous proposer of two - Not to exceed \$8,723,971 - Financing: Urban Area Security Initiative Grant Funds **[10-2846; APPROVED]**

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

50. Authorize an amendment to the development agreement with Lang Partners, LLC, previously approved on November 9, 2009, by Resolution Nos. 09-2816 and 09-2817, in Tax Increment Financing Reinvestment Zone Number Three (Oak Cliff Gateway TIF District) to: **(1)** extend the project deadline to begin construction from September 30, 2010 to March 31, 2011; **(2)** extend the project deadline to complete construction from December 31, 2011 to June 30, 2012; and **(3)** increase the TIF reimbursement from \$5,500,000 to \$7,250,000 - Not to exceed \$1,750,000, from \$5,500,000 to \$7,250,000 - Financing: Oak Cliff Gateway TIF District Funds **[10-2847; APPROVED]**

Housing/Community Services

51. Authorize an amendment to the Reconstruction/SHARE Program loan approved on September 22, 2010 by Resolution No. 10-2418, for the property located at 3206 Arizona Avenue by approving a one time waiver of the Reconstruction/SHARE Program guidelines that limit the refinancing amount of liens to \$5,900, and to allow refinancing of a lien on the property in the amount of \$7,800, thereby reducing the reconstruction cost of the property to \$85,600 for a total loan amount not to exceed \$93,400 - Financing: No cost consideration to the City **[10-2848; APPROVED]**
52. Authorize the second Loan Modification to the Community Development Block Grant (CDBG) Loan Agreement and the HOME Loan Agreement with Kaminski Holding, Inc., to: **(1)** increase the CDBG Loan Agreement from \$550,000 to \$597,500 with Kaminski Holdings, Inc. and change the amount to be repaid from \$400,000 to \$447,500 to be repaid over 20 years with 3% interest for construction development financing for the commercial portion of a mixed-use building at 5208 Bexar Street; **(2)** increase the HOME Loan Agreement with Kaminski Holdings, Inc. from \$550,000 to \$597,500 and change the amount to be repaid from \$550,000 to \$597,500 to be repaid over 20 years with 3% interest for construction of six affordable rental housing units at 5208 Bexar Street as part of a mixed-use building; and **(3)** decrease the developer equity requirement from \$145,000 to \$85,000 - Not to exceed \$95,000 - Financing: 2002-03 Community Development Block Grant Funds (\$31,614), 2008-09 Community Development Block Grant Funds (\$15,886) and 1998-99 HOME Funds (\$47,500) **[10-2849; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS
Sustainable Development and Construction

ZONING CASES – CONSENT [10-2850]

53. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IR Industrial Research District on the north line of Singleton Boulevard, east of Pluto Street **[10-2851; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JANUARY 12, 2011]**
Recommendation of Staff: Approval of an IM Industrial Manufacturing District, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions
Z090-124(RB)
54. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new Subdistrict (Subdistrict 5A) and an ordinance granting a Specific Use Permit for a Vehicle storage lot and a Vehicle display, sales, and service use on property within the Subdistrict 5 portion of Planned Development District No. 533, the C. F. Hawn Special Purpose District No. 1, on the northeast line of CF Hawn Freeway, northwest of Lovejoy Drive **[10-2852; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 28052 AND 28053]**
Recommendation of Staff and CPC: Approval of a new Subdistrict 5A, subject to conditions, and approval of a Specific Use Permit for a Vehicle storage lot and a Vehicle display, sales, and service use for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site and landscape plan and conditions
Z090-142(RB)
55. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open enrollment charter school on property zoned an R-7.5(A) Single Family District, located on the north side of Bruton Road, east of Masters Drive **[10-2853; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28054]**
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions
Z090-177(WE)
56. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a general merchandise or food store greater than 100,000 square feet on property zoned an MU-3 Mixed Use District on the northeast corner of Goldmark Drive and Midpark Road **[10-2854; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28055]**
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan, landscape plan and conditions
Z090-209(WE)

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

57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) use within Planned Development District No. 619 for mixed uses on the south side of Main Street, west of Ervay Street **[10-2855; HEARING CLOSED; DENIED WITHOUT PREJUDICE]**
Recommendation of Staff & CPC: Approval for a two-year period, subject to a site plan and conditions
Z090-174(WE)
Note: This item was considered by the City Council at a public hearing on September 22, 2010, and was taken under advisement until November 10, 2010, with the public hearing open.

DESIGNATED ZONING CASES - INDIVIDUAL

58. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning on property zoned Subdistrict 1, within Planned Development District No. 298, the Bryan Place Special Purpose District, on the northeast corner of Ross Avenue and McCoy Street with consideration given to appropriate zoning for the area including use, development standards, and other appropriate regulations that would allow for a vehicle or engine repair use in addition to the uses currently permitted and an ordinance granting a new subdistrict within Planned Development District No. 298, and an ordinance granting a Specific Use Permit **[10-2856; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE NOS. 28056 AND 28057]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval of a new subdistrict, subject to conditions and approval of a Specific Use Permit for a vehicle or engine repair use for a ten-year period with eligibility for an automatic renewal for one additional two-year period, subject to a site plan and conditions
Z090-192(CG)
59. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Specific Use Permit No. 1789 for a Medical clinic limited to a dental clinic, on property within the Subarea 1A portion of Planned Development District No. 316, the Jefferson Area Special Purpose District, on property at the north side of Jefferson Boulevard, west of Madison Street **[10-2857; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28058]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a site plan and conditions
Z090-222(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

TOD TIF District

Note: Item Nos. 60 and 61 must be considered collectively.

- 60. * A public hearing to receive comments on an amendment to Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) boundary and Project Plan and Reinvestment Zone Financing Plan (Project Plan) to increase the geographic area of the TOD TIF District in the Lancaster Corridor Sub-District to include properties located at 2809, 2815, 2901, 2911, 2915, 2919, 2935, 3005, 3011, 3015, 3023, 3025, and 3039 Lancaster Road located on the western frontage of Lancaster Road between Corning Avenue and Saner Avenue - Financing: No cost consideration to the City [**10-2858; HEARING CLOSED**]

- 61. * An ordinance amending Ordinance Nos. 27432, previously approved on December 10, 2008, as amended and 27854, previously approved on April 14, 2010, to increase the geographic area of the TOD TIF District in the Lancaster Corridor Sub-District to include properties located at 2809, 2815, 2901, 2911, 2915, 2919, 2935, 3005, 3011, 3015, 3023, 3025, and 3039 Lancaster Road located on the western frontage of Lancaster Road between Corning Avenue and Saner Avenue - Financing: No cost consideration to the City [**10-2858; APPROVED; ORDINANCE 28059**]

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session [**10-2859; HELD**]
6ES

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

- City of Dallas v. Carback's Valley View L.P., et al., Cause No. 07-03884-C
- City of Dallas v. James H. Addison, et al., Cause No. 06-12538-A
- Legal issues involving the local option elections on sale of alcoholic beverages under the Texas Election Code

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a two-year contract for asbestos abatement and demolition services for City and non-City owned structures as required - F. Hall Mowing in the amount of \$2,108,134, Coverall Management & Associates, Inc. in the amount of \$1,359,589, Lindamood Demolition, Inc. in the amount of \$2,254,833 and RNDI Companies, Inc. in the amount of \$1,509,986, lowest responsible bidders of seven - Total not to exceed \$7,232,542 - Financing: Current Funds (\$6,128,441) (subject to annual appropriations) and 1998 Bond Funds (\$1,104,101) [**10-2860; APPROVED**]
2. Authorize a five-year service contract for arbitrage rebate calculation and compliance services beginning January 1, 2011 through December 31, 2016 - First Southwest Asset Management, Inc., most advantageous proposer of seven - Not to exceed \$190,000 - Financing: Current Funds (\$118,750), Convention and Event Services Current Funds (\$4,750) and Water Utilities Current Funds (\$66,500) (subject to annual appropriations) [**10-2861; APPROVED**]
3. Authorize **(1)** ratification of one-year of on-line newspaper database and microfilm service for Dallas Public Library in the amount of \$125,195; and **(2)** a two-year service contract for access to an on-line newspaper database service and microfilm service for Dallas Public Library in the amount of \$307,399 - NewsBank, Inc., Sole Source - Total not to exceed \$432,594 - Financing: Current Funds (subject to annual appropriations) [**10-2862; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Business Development & Procurement Services (Continued)

4. An ordinance authorizing the issuance of City of Dallas, Texas General Obligation Commercial Paper Notes Series 2010A, Series 2010B, and Series 2010C short term obligations in an aggregate principal amount not to exceed \$350,000,000; authorizing such short term obligations to be issued, sold, and delivered in the form of commercial paper notes; making certain covenants and agreements in connection therewith; establish the tenor of the program to be for the issuance of the remaining \$575,775,000 in the 2006 Bond Program and the remaining \$34,537,600 in the 1998 Bond Program, which is estimated to be within a three-year period; resolving other matters related to the issuance, sale, security and delivery of such short term obligations, including: **(1)** a thirty-six-month \$150,000,000 Credit Agreement with J.P. Morgan Chase Bank, N.A., a thirty-six-month \$100,000,000 Credit Agreement with U.S. Bank National Association, and a thirty-six-month \$100,000,000 Credit Agreement with Wells Fargo Bank, N.A.; **(2)** the appointment of U.S. Bank National Association as the Issuing and Paying Agent and authorizing the execution of the Issuing and Paying Agent Agreement, and **(3)** the appointment of Jefferies & Company, Inc. as the dealer and authorizing the execution of a Dealer Agreement; approving the payment of issuance costs in connection with the issuance of the short term obligations; approving the use of an Offering Memorandum in connection with the sale of the short term obligations; and providing an effective date - Total not to exceed \$7,597,150 (\$570,100 upfront closing costs plus annual fees of \$2,342,350 for a three years) - Financing: Current Funds (subject to annual appropriations) **[10-2863; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 28060]**
5. Authorize a nine-month concession contract for food and beverage services at the Majestic Theater for the period November 1, 2010 through July 31, 2011 - Culinaire International, Inc. - Estimated Revenue: \$37,500 **[10-2864; APPROVED]**
6. Authorize a thirty-one month extension to the concession contract with Culinaire International, Inc. for food and beverage services at the Morton H. Meyerson Symphony Center for the period January 1, 2011 through July 31, 2013, under the same terms and conditions, including estimated annual revenues - Estimated Revenue: \$817,000 **[10-2865; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

City Controller's Office

Note: Addendum Item Nos. 7 and 8 must be considered collectively.

Co-Financial Advisor Contracts

7. * Authorize a nine-month extension of the professional services contract with First Southwest Company to serve as co-financial advisor and provide financial advisory services - Financing: Co-financial advisory fees to be paid from general obligation bond proceeds or Water Utilities Current Funds, contingent upon completion of each bond sale [**10-2866; APPROVED**]
8. * Authorize a nine-month extension of the professional services contract with Estrada Hinojosa & Company, Inc. to serve as co-financial advisor and provide financial advisory services - Financing: Co-financial advisory fees to be paid from general obligation bond proceeds or Water Utilities Current Funds, contingent upon completion of each bond sale [**10-2867; APPROVED**]

Economic Development

9. Authorize the Dallas Housing Finance Corporation (DHFC) to drawdown \$50,000,000 of tax-exempt bond allocation from the 2010 Private Activity Bond Volume Cap from the Texas Bond Review Board to: **(1)** convert \$25,000,000 into \$6,250,000 Mortgage Credit Certificate (MCC's) Authority to provide MCCs and approve the plan related to that financing; and **(2)** use \$25,000,000 for a Standard Single Family Mortgage Revenue Bond Program to provide a below market interest rate and 3½% down payment assistance, at a later date if the market conditions are economically feasible (and if not, to convert this \$25,000,000 into a second MCC Program at a later date) for low-to-moderate income first-time homebuyers purchasing homes in the City of Dallas - Financing: No cost consideration to the City [**10-2868; APPROVED**]

Housing/Community Services

10. Authorize **(1)** preliminary adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP) to: **(a)** amend the Program Statement, Attachment A, Activity 1, Terms for Grants and Loans to modify provisions with respect to the AR Program from a tiered grant/loan to a homebuyer to a flat grant up to \$25,000 per homebuyer; **(b)** the receipt and deposit of program income in an amount not to exceed \$2,200,000 generated from NSP activities; and **(c)** the establishment of appropriations in an amount not to exceed \$2,200,000 in the NSP Program Income Fund to be used for other eligible activities; and **(2)** a public hearing to be held on December 8, 2010 to receive comments on Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the NSP - Total not to exceed \$2,200,000 - Financing: Neighborhood Stabilization Program Income Funds [**10-2869; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Office of Financial Services

11. Authorize a professional services contract with Diversified Utility Consultants, Inc., for expert consulting services and testimony in matters related to the "Statement of Intent to Change the Rate CGS and Rate PT of Atmos Pipeline - Texas", filed September 17, 2010 - Total not to exceed \$140,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy) **[10-2870; APPROVED]**

Park & Recreation

12. Authorize **(1)** a multi-faceted construction contract for: **(a)** Coombs Creek erosion control; **(b)** renovation of the Stevens Park Golf Course to include drainage, bridge construction, cart paths, soil preparation, grassing, and landscaping; **(c)** installation of a recycled water irrigation system and pump station in coordination with Dallas Water Utilities; and **(d)** construction of a service center maintenance facility and cart building at Stevens Park Golf Course located at 1005 North Montclair Avenue with Wadsworth Golf Construction Company, best value proposer of seven in the amount of \$7,997,917; **(2)** an increase in appropriations in the Stevens Park Golf Course Improvement Fund in the amount of \$3,500,000; **(3)** a loan from Dallas Water Utilities Capital Construction Fund in the amount of \$3,500,000 to be repaid from golf revenue; and **(4)** an amendment to the golf professional concession contract with James R. Henderson to define roles, responsibilities, compensation and reimbursement for personal services performed and costs incurred during the premises closure including, but not limited to security, insurance, staffing to close and re-open the restaurant and pro shop and increased unemployment taxes as a result of the closure of Stevens Park Golf Course for renovation in the amount of \$186,713 - Total not to exceed \$8,184,630 - Financing: 2003 Bond Funds (\$1,000,000), 2006 Bond Funds (\$3,497,917), Stevens Park Golf Course Improvement Funds (\$3,500,000) and Golf Improvement Funds (\$186,713) **[10-2871; APPROVED AS AN INDIVIDUAL ITEM]**

Police

13. Authorize **(1)** the application for and acceptance of the 2010 Project Safe Neighborhood/Anti-Gang initiative grant in the amount of \$50,000 from the U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Assistance for gang unit officer and Southeast Division patrol officer overtime reimbursement to combat gangs, and guns and drug activity for the period October 1, 2010 through September 30, 2011; **(2)** an In-kind contribution match in the amount of \$14,475; and **(3)** execution of the grant agreement - Total not to exceed \$64,475 - Financing: U.S. Department of Justice Grant Funds (\$50,000) and In-Kind Contributions (\$14,475) **[10-2872; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Police (Continued)

14. Authorize **(1)** an application for and acceptance of the Criminal Justice Projects Grant from the Office of the Governor, Criminal Justice Division, to provide aid in finding crime linkages and provide additional resources to the 10-70-20 Crime Reduction Program for the period of September 1, 2010 through August 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$155,255 - Financing: Office of the Governor, Criminal Justice Division Grant Funds **[10-2873; APPROVED]**

Public Works & Transportation

15. Authorize **(1)** a professional services contract with BDS Technologies, Inc. for land surveying services to plat the Dallas Love Field Airport in an amount not to exceed \$605,178; and **(2)** an increase in appropriations in the amount of \$670,178 in the Aviation Capital Construction Fund - Total not to exceed \$670,178 - Financing: Aviation Capital Construction Funds **[10-2874; APPROVED]**
16. Authorize a contract with Ken-Do Contracting, L.P., lowest responsible bidder of ten, for the reconstruction of sidewalks, curb and gutter, drive approaches and water and wastewater adjustments for Sidewalk Replacement Group 02-2010 (list attached) - Not to exceed \$373,803 - Financing: 2006 Bond Funds (\$347,953) and Water Utilities Capital Construction Funds (\$25,850) **[10-2875; APPROVED]**
17. Authorize **(1)** a contract with Trane U.S., Inc., best value proposer of four, for lighting, heating ventilation and air conditioning control system upgrades at 96 City facilities in the amount of \$1,800,000 (list attached); **(2)** the receipt and deposit of rebate funds in an amount not to exceed \$300,000 from Oncor; and **(3)** an increase in appropriations for the deposit of rebate funds in the amount of \$300,000 in the Energy Management Fund - Not to exceed \$1,800,000 - Financing: Energy Efficiency Conservation Block Grant Funds **[10-2876; APPROVED]**
18. Authorize Supplemental Agreement No. 1 to the professional services contract with Wallace Roberts & Todd, LLC to provide engineering design and surveying services for intersection improvements at North Beckley Avenue and West Commerce Street - Not to exceed \$477,811, from \$24,975 to \$502,786 - Financing: 1998 Bond Funds (\$404,751) and Water Utilities Capital Improvement Funds (\$73,060) **[10-2877; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation (Continued)

19. Authorize Supplemental Agreement No. 1 to the design-build contract with MYCON General Contractors, Inc. for the construction of improvements at the Martin Luther King, Jr. Community Center located at 2922 Martin Luther King, Jr. Boulevard and the West Dallas Multipurpose Center located at 2828 Fish Trap Road - Not to exceed \$2,762,806, from \$344,322 to \$3,107,128 - Financing: 2006 Bond Funds (\$250,000) and 2008-09 Community Development Block Grant - Recovery Funds (\$2,512,806) **[10-2878; APPROVED]**

20. Authorize **(1)** Supplemental Agreement No. 1 to the design-build contract with Schneider Electric Buildings America, Inc. for Light Emitting Diode lighting retrofits at Thanksgiving Square, City Hall, Central Library, Meyerson Symphony Center and Jack Evans Police Headquarters in the amount of \$998,180; **(2)** the receipt and deposit of incentive funds in the amount of \$300,000; and **(3)** an increase in appropriations for the deposit of incentive funds in the amount of \$300,000 in the Energy Management Fund - Not to exceed \$998,180, from \$320,000 to \$1,318,180 - Financing: U.S. Department of Energy Grant Funds **[10-2879; APPROVED]**

Sustainable Development and Construction

21. An ordinance adopting a boundary adjustment agreement with the City of Balch Springs on property located east of Cheyenne Road between Elam Road and Lake June Road - Financing: No cost consideration to the City **[10-2880; APPROVED; ORDINANCE 28061]**

22. An ordinance abandoning portions of a water main easement, a drainage easement, three storm sewer easements, Redfield Street, Lofland Street, Tex-Oak Avenue, a street easement and an alley to Dallas County Hospital District d/b/a Parkland Health and Hospital System, the abutting owner, containing a total of approximately 83,225 square feet of land located near the intersection of Harry Hines Boulevard and Lofland Street, authorizing the quitclaim, and providing for the dedication of approximately 9,433 square feet of land needed for street right-of-way - Revenue: \$1,197,015 plus the \$20 ordinance publication fee **[10-2881; APPROVED AS AMENDED; ORDINANCE 28062]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

23. Authorize **(1)** execution of a Cooperating Technical Partners (CTP) Agreement with the Federal Emergency Management Agency (FEMA) for FY 2010-2011 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(2)** the receipt and deposit of funds in an amount not to exceed \$675,000 from FEMA; **(3)** an increase in appropriations in the amount of \$675,000 in the Capital Projects Reimbursement Fund; and **(4)** a professional services contract with Halff Associates, Inc. in the amount of \$900,000 for updating certain flood studies in accordance with the Cooperating Technical Partners (CTP) Agreement with the FEMA for Fiscal Year 2010-11 - Total not to exceed \$900,000 - Financing: 2005 Certificates of Obligation (\$225,000) and Capital Projects Reimbursement Funds (\$675,000) **[10-2882; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Sustainable Development and Construction

24. Authorize settlement in lieu of proceeding further with condemnation in City of Dallas v. Carback's Valley View, L.P., et al, Cause No. cc-07-03884-c, pending in the County Court at Law No. 3, for acquisition from Carback's Valley View, L.P., et al of two tracts of land for a total of approximately 1,879 square feet located near the intersection of Alpha Road and Montfort Drive for the Alpha Road Improvement Project and the Montfort Drive Improvement Project - \$169,235 - Financing: 1998 Bond Funds **[10-2883; APPROVED]**

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

25. Authorize an amendment to the Home Repair Program Statement for the Reconstruction/SHARE Program, previously approved on September 22, 2010 by Resolution No. 10-2465, to clarify policies for the refinancing of secured housing liens in compliance with federal regulations - Financing: No cost consideration to the City **[10-2884; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
NOVEMBER 10, 2010**

CORRECTION:

City Secretary's Office

46. Receive the report of the Canvassing Committee and adopt a resolution accepting the Canvassing Committee's report declaring the results of the November 2, 2010 special election on **(1)** whether to legalize "the legal sale of beer and wine for off-premise consumption only,"; **(2)** whether to legalize "the legal sale of mixed beverages in restaurants for food and beverages certificate holders only,"; **(3) whether to authorize the city council to sell and convey all city park land contained in Elgin B. Robertson Park; and (4) whether to authorize the city council to sell and convey approximately 25 acres of city park land contained in Joey Georgusis Park** - Financing: No cost consideration to the City **[10-2843]**

**Land Bank (DHADC) Sale of Lots
to Builders of Hope Community Development Corporation
Agenda Item #22**

<u>Property Address</u>	<u>Mapsco</u>	<u>Council District</u>
1526 Bickers Street	44J	6
1822 Bickers Street	44J	3
1911 Dennison Street	44J	3
1948 McBroom Street	44J	3

Sidewalk Improvement Group 06-139
Agenda Item #31

Sidewalk Improvements

Council District

Preston Road from Frankford Road to City Limit	12
Preston Road from Summerside Drive to Richwater Drive	12
Meandering Way from Belt Line Road to McCallum Boulevard	12
Summerside Drive from Preston Road to Campbell Road	12