

AGENDA
CITY COUNCIL MEETING
DECEMBER 8, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[10-2980]**

Agenda Item/Open Microphone Speakers **[10-2981]**

VOTING AGENDA

1. Approval of Minutes of the November 10, 2010 City Council Meeting **[10-2982; APPROVED]**

CONSENT AGENDA **[10-2983; APPROVED]**

Aviation

2. Authorize a second amendment to Lease No. 1 and third amendment to Lease No. 2 with Signature Flight Support to reduce the annual rental revenue in the amount of approximately \$513,387 from the pre-November 1, 2009 rate of \$2,045,028 to approximately \$1,531,641 in consideration of \$7,000,000 in capital improvements to be expended within ten years and reimburse, through rental credits over the next year, with signature payments in the amount of approximately \$1,059,050 at Dallas Love Field - Estimated Annual Revenue: \$1,531,641 **[10-2984; APPROVED]**

Business Development & Procurement Services

3. Authorize a three-year service contract for inspection, maintenance and repair of the existing fire alarm system at Dallas Love Field Airport - SimplexGrinnell, LP through the Texas Multiple Award Schedule contract - Not to exceed \$187,905 - Financing: Aviation Current Funds (subject to annual appropriations) **[10-2985; APPROVED]**

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

4. Authorize the purchase of audio and visual equipment to replace the video wall system in the Fusion Center at Jack Evans Police Headquarters - Audio Fidelity Communication Corp. dba The Whitlock Group, through the Department of Information Resources, State of Texas Cooperative Contract - Not to exceed \$311,495 - Financing: U. S. Department of Homeland Security Grant Funds **[10-2986; APPROVED]**

City Attorney's Office

5. Authorize settlement of the lawsuit styled Julie Anne London v. The City of Dallas, Cause No. 10-00794-D - Not to exceed \$12,000 - Financing: Current Funds **[10-2987; APPROVED]**
6. Authorize settlement of the lawsuit styled Braulio Xolio v. City of Dallas, Cause No. 10-01780-C - Not to exceed \$13,000 - Financing: Current Funds **[10-2988; APPROVED]**
7. Authorize settlement of the lawsuit styled Claudette Drake, Individually and as Next Friend of Sashambry Hollins, a minor v. City of Dallas, Cause No. 10-03831-B - Not to exceed \$21,500 - Financing: Current Funds **[10-2989; APPROVED]**
8. Authorize payment of annual software maintenance in support of the CityLaw performance-based tracking system from Cycom Data Systems, Inc. for the period November 1, 2010 through October 31, 2011 - Not to exceed \$51,745 - Financing: Current Funds (subject to appropriations) **[10-2990; APPROVED]**
9. Authorize Supplemental Agreement No. 1 to the professional services contract with The Lawton Law Firm, P.C., for additional expert services related to the request by Atmos Pipeline - Texas (Atmos), a division of Atmos Energy Corporation, to increase its city gate service (CGS) and pipeline transportation (PT) rates filed September 17, 2010 with the Railroad Commission of Texas - Not to exceed \$49,000, from \$25,000 to \$74,000 - Financing: Current Funds (the full amount is reimbursable by Atmos subject to approval by the Railroad Commission of Texas) **[10-2991; APPROVED]**

Economic Development

10. Authorize the City Manager to enter into an Interlocal Agreement with the Dallas/Fort Worth International Airport Board and the cities of Euless and Fort Worth to share revenue derived from the Euless municipal hotel occupancy tax collected from hotels located at Dallas/Fort Worth International Airport - Financing: No cost consideration to the City **[10-2992; APPROVED]**

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

11. Authorize modifications to the Permanent Supportive Housing (PSH) Program Statement to: **(1)** remove references to a goal to create an exact number of PSH units; **(2)** provide for City consideration of assistance for PSH units when existing units have been absorbed and services for existing units are stabilized; **(3)** encourage developers and applicants to brief key neighborhood and community groups; **(4)** provide for staff to notify the City Council when staff receives PSH project proposals seeking City assistance; and **(5)** provide maximum level of funding per PSH unit and a minimum percentage of PSH units required for multifamily projects for developers willing to provide PSH units and seeking assistance from City programs - Financing: No cost consideration to the City **[10-2993; DEFFERED BY COUNCILMEMBER MARGOLIN]**
12. Authorize **(1)** the acceptance of a grant from the U. S. Department of Justice to provide substance abuse treatment and re-integration services to adult ex-offenders with minor children and families for the period October 1, 2010 through September 30, 2012; **(2)** the establishment of appropriations in the amount of \$291,690; and **(3)** execution of the grant agreement - Not to exceed \$291,690 - Financing: U. S. Department of Justice Grant Funds **[10-2994; APPROVED]**
13. Authorize **(1)** the acceptance of a grant from the U. S. Department of Justice to provide re-entry services (pre-release and post-release) to adult and juvenile ex-offenders, ages 18 years and older for the period October 1, 2010 through September 30, 2011; **(2)** execution of a contract between the City of Dallas and Safer Dallas Better Dallas/DOORS; and **(3)** execution of the grant agreement - Not to exceed \$1,000,000 - Financing: U. S. Department of Justice Grant Funds (\$750,000) and Current Funds (\$250,000) **[10-2995; DELETED ON THE ADDENDUM]**
14. Authorize **(1)** Supplemental Agreement No. 1 to the contract with Metro Dallas Homeless Alliance. previously approved on April 14, 2010, by Resolution No. 10-0864, to provide use of software and to retrieve information from the system provide training and technical support on the Homeless Management and Information System; and **(2)** the revised contract term from April 1, 2010 through June 30, 2012 - Not to exceed \$60,889, from \$75,000 to \$135,889 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds **[10-2996; APPROVED]**
15. Authorize Supplemental Agreement No. 1 to the contract with The Family Place, Inc. for emergency shelter services to provide a safe haven for victims of family violence while locating permanent housing for the period October 1, 2010 through September 30, 2011 - Not to exceed \$15,200, from \$44,900 to \$60,100 - Financing: 2010-11 Emergency Shelter Grant Funds **[10-2997; APPROVED]**
16. Authorize Supplemental Agreement No. 2 to the Homelessness Prevention and Rapid Re-Housing contract with Legal Aid of NorthWest Texas, Inc. to reduce the contract amount for the period October 1, 2009 through September 30, 2011 - Not to exceed (\$65,000), from \$207,025 to \$142,025 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds **[10-2998; APPROVED]**

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

17. Authorize Supplemental Agreement No. 2 to increase the contract with Nexus Recovery Center, Inc. previously approved on August 26, 2009, by Resolution No. 09-2075, for the period October 1, 2010 through September 30, 2011 - Not to exceed \$65,000, \$358,519 to \$423,519 - Financing: 2008-09 Homeless Prevention and Rapid Re-Housing Program Grant Funds **[10-2999; APPROVED]**
18. Authorize the fifth amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2009 through December 1, 2010 - Not to exceed \$693,847, from \$16,221,474 to \$16,915,321 - Financing: Department of State Health Services Grant Funds **[10-3000; APPROVED]**

Human Resources

19. Authorize a contract with Dallas Area Rapid Transit for the purchase of 384 annual passes in support of the City's clean air initiative - Not to exceed \$157,752 - Financing: Current Funds (to be reimbursed by participating employees) **[10-3001; APPROVED]**

Office of Management Services

20. Authorize renewal of the professional service contract for initial registration and re-registration of City departments to International Organization for Standardization 9001:2008, 14001:2004 and OHSAS 18001:2007 standards with Bureau Veritas Certification North America for the period November 2010 through November 12, 2013 - Not to exceed \$574,275 - Financing: Current Funds (subject to annual appropriations) **[10-3002; APPROVED]**

Park & Recreation

21. Authorize a contract for a new loop trail and connecting sidewalks at Tietze Park located at 3700 Skillman Street - LDM Investments, Inc. dba LDM Design and Construction, lowest responsible bidder of twelve - Not to exceed \$254,808 - Financing: 2006 Bond Funds **[10-3003; APPROVED]**
22. Authorize a contract for a new pavilion and site furnishings at Cotillion Park located at 3600 Barnes Bridge Road - RoeschCo Construction, Inc., best value proposer of five - Not to exceed \$282,000 - Financing: 2006 Bond Funds **[10-3004; APPROVED]**
23. Authorize a contract for a new pavilion at Umphress Park located at 7700 Umphress Road - MetalMan Design/Build Corporation, best value proposer of five - Not to exceed \$281,854 - Financing: 2003 Bond Funds **[10-3005; APPROVED]**

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

24. Authorize a contract for a playground replacement and replacement of the existing multi-use court at Walford Park located at 1700 North Haskell Avenue - Henneberger Construction, Inc., lowest responsible bidder of eleven - Not to exceed \$107,730 - Financing: 2006 Bond Funds **[10-3006; APPROVED]**
25. Authorize a contract for Phase II for a trail reconstruction to include erosion control improvements, new asphalt loop trail, and landscaping at Bachman Lake Park located at 3500 Northwest Highway - Riverway Contractors and Management, Inc., lowest responsible bidder of seven - Not to exceed \$604,600 - Financing: 2006 Bond Funds **[10-3007; APPROVED]**
26. Authorize a contract for relocation and restoration of the WPA-era stone pavilion to include removal of the existing parking lot and driveway; and replacement with new parallel parking; construction of new sidewalks; and repair and restoration of stone benches, tables and walls Stevens Park located at 1005 North Montclair Avenue - Gilbert May, Inc. dba Phillips/May Corporation, best value proposer of thirteen - Not to exceed \$457,758 - Financing: 2003 Bond Funds **[10-3008; APPROVED]**
27. Authorize a contract for restoration of historic WPA stone walls, stairs, terraces, tables, fireplaces and walkways; and reconstruction of the existing vehicular entry road with a new gateway at Reverchon Park located at 3505 Maple Avenue - Hasen Design Build and Development dba Hasen Construction Services, best value proposer of six - Not to exceed \$1,446,121 - Financing: 2003 Bond Funds **[10-3009; APPROVED]**
28. Authorize Supplemental Agreement No. 1 to the professional services contract with Kimley-Horn and Associates, Inc. for preparation of an aquatic facilities master plan to guide programming, site locations, renovations, new construction and a transition plan for aquatic facilities - Not to exceed \$185,000, from \$23,900 to \$208,900 - Financing: 2006 Bond Funds **[10-3010; APPROVED AS AN INDIVIDUAL ITEM]**
29. Authorize Supplemental Agreement No. 3 to the professional services contract with McAfee3 Architects for reimbursable expenses, additional irrigation design and roof consulting at Samuell-Grand Tennis Center located at 6200 East Grand Avenue - Not to exceed \$7,504, from \$122,560 to \$130,064 - Financing: 2006 Bond Funds **[10-3011; APPROVED]**

Police

30. Authorize application for and acceptance of the 2010-12 Bulletproof Vest Partnership grant from the U.S. Department of Justice, Office of Justice Programs for partial reimbursement of approved bulletproof vest purchases for the period April 1, 2010 through August 31, 2012 - Not to exceed \$199,617 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds **[10-3012; APPROVED]**

CONSENT AGENDA (Continued)**Police** (Continued)

31. Authorize **(1)** an application for and the acceptance of the Community Oriented Policing Services (COPS) Child Sexual Predator Program (CSPP) from the U. S. Department of Justice Grant Funds to improve sex offender management for the period of September 1, 2010 through August 31, 2012; and **(2)** the execution of the grant agreement - Not to exceed \$419,971 - Financing: U. S. Department of Justice, Office of Community Oriented Policing Services Grant Funds **[10-3013; APPROVED]**

Public Works & Transportation

32. Authorize a contract with Ark Contracting Services, LLC, lowest responsible bidder of five, for the construction of Bridge Repair and Modification Group 10-01 (list attached) - Not to exceed \$1,293,670 - Financing: 2006 Bond Funds (\$316,416) and Water Utilities Capital Improvement Funds (\$977,254) **[10-3014; APPROVED]**
33. Authorize a professional services contract with Fitzgerald Collaborative for architectural and engineering services for design and construction administration services of the Bexar Street Redevelopment Investment Center located at the southwest corner of Bexar Street and Hooper Street - Not to exceed \$164,953 - Financing: 2010 Certificates of Obligation **[10-3015; APPROVED]**

Sanitation Services

34. Authorize **(1)** the acceptance of a grant from the North Central Texas Council of Governments in the amount of \$60,000 to conduct the second phase of the heavy bulk and brush study; and **(2)** an increase to the contract with R. W. Beck, previously approved by Administrative Action No. 09-2894 on November 17, 2009, for a bulk and brush study - Not to exceed \$80,000, from \$24,900 to \$104,900 - Financing: North Central Texas Council of Governments Solid Waste Grant Funds (\$60,000) and Current Funds (\$20,000) **[10-3016; APPROVED]**

Sustainable Development and Construction

35. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the Estate of Valrie Campbell, Russell Pattinson and Catalinga Zuniga of 3 tracts of land containing a total of approximately 20,400 square feet located on Peabody Avenue between Edgewood and Kimble Streets for the construction of Fire Station No. 6 - Not to exceed \$201,000 (\$196,000 plus closing costs not to exceed \$5,000) - Financing: 2006 Bond Funds **[10-3017; APPROVED]**
36. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from TKD Mapleshade, LLC of 3 tracts of land containing a total of approximately 49,649 square feet of land located near Creek and Crosstimbers Drives for the Upper McKamy Flood Control Improvements - Not to exceed \$302,394 (\$297,894 plus closing costs not to exceed \$4,500) - Financing: 2003 Bond Funds **[10-3018; APPROVED]**

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

37. Authorize **(1)** support for the proposed Texas Department of Transportation (TxDOT) design for I-35E from I-635 to U.S. 380 which includes managed toll lanes; **(2)** the use of innovative financing mechanisms, including public private-partnerships, to complete the I-35E improvements in five to seven years; **(3)** statutory authority for TxDOT to enter into public-private partnerships for the purpose of seeking competitive proposals and awarding the of the planned improvements for I-35E; and **(4)** expedited approval of authorization for TxDOT to construction enter into public-private partnerships with an effective date in the first quarter of calendar year 2011 - Financing: No cost consideration to the City **[10-3019; APPROVED AS AN INDIVIDUAL ITEM]**
38. A resolution authorizing conveyance of a storm drainage easement containing approximately 18,550 square feet of land to the State of Texas for the construction and maintenance of storm water drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Henry M. Chandler Drive and Farm to Market Road 740 - Revenue: \$44,525 **[10-3020; APPROVED]**
39. Authorize moving expense and rental assistance payments for Rosalba Zavala in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 710 Packard Street for future City facilities - Not to exceed \$16,100 - Financing: 2006 Bond Funds **[10-3021; APPROVED]**
40. Authorize moving expense and replacement housing payments for Nora Gonzalez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 803 Buick Avenue for future City facilities - Not to exceed \$33,800 - Financing: 2006 Bond Funds **[10-3022; APPROVED]**
41. Authorize moving expense and replacement housing payments for Frances Pedroza in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2939 Gloyd Street for future City facilities - Not to exceed \$39,900 - Financing: 2006 Bond Funds **[10-3023; APPROVED]**
42. Authorize moving expense and replacement housing payments for Benjamin Gomez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 911 Pontiac Avenue for future City facilities - Not to exceed \$41,600 - Financing: 2006 Bond Funds **[10-3024; APPROVED]**
43. Authorize moving expense and replacement housing payments for Lillian Ford in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 2836 Alex Street for future City facilities - Not to exceed \$42,900 - Financing: 2006 Bond Funds **[10-3025; APPROVED]**
44. An ordinance abandoning a portion of CityPlace West Boulevard to Blackburn Central Holdings, L.P., the abutting owner, containing approximately 1,452 square feet of land located near its intersection with U.S. Highway 75, authorizing the quitclaim, and providing for the dedication of approximately 16,997 square feet of land needed for street right-of-way - Revenue: \$5,400 plus the \$20 ordinance publication fee **[10-3026; APPROVED; ORDINANCE 28063]**

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

45. An ordinance abandoning a portion of Forest Springs Drive to DFS-Villas at Castle Hills, LLC, SRE-Villas at Castle Hills, LLC, and DLM-Villas at Castle Hills, LLC, the abutting owners, containing approximately 66,537 square feet of land located near the intersection of Forest Springs Drive and Abrams Road, authorizing the quitclaim, and providing for the dedication of approximately 66,537 square feet of land needed for public open space - Revenue: \$5,400 plus the \$20 ordinance publication fee **[10-3027; APPROVED; ORDINANCE 28064]**

Water Utilities

46. Authorize a Master Utility Adjustment Agreement with LBJ Infrastructure Group LLC and Trinity Infrastructure, LLC for water and wastewater main relocations and adjustments in Interstate Highway 635 (Lyndon B. Johnson Freeway) from Luna Road to U.S. Highway 75 (Central Expressway) and in Interstate Highway 35E (Stemmons Freeway) from Northwest Highway to Valwood Parkway - Not to exceed \$240,000 - Financing: Water Utilities Current Funds (to be reimbursed by LBJ Infrastructure Group LLC and Trinity Infrastructure, LLC) **[10-3028; APPROVED]**
47. Authorize a thirty-year contract with the City of The Colony to continue providing treated water for the period November 5, 2010 through November 4, 2040 - Estimated Annual Revenue: \$1,500,000 **[10-3029; APPROVED]**
48. Authorize an Advanced Funding Agreement with the Water Research Foundation to fund the City's cost share as part of a multi-agency collaboration on a Water Quality Improvements pilot project study entitled "Optimizing Engineered Biofiltration" - Not to exceed \$150,000 - Financing: Water Utilities Capital Construction Funds **[10-3030; APPROVED]**
49. Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a lake evaporation station on Lake Lewisville, a pharmaceutical and personal care products water quality study, and a Zebra Mussel Study on Lake Ray Hubbard from December 8, 2010 through September 30, 2011 - \$329,404 - Financing: Water Utilities Current Funds **[10-3031; APPROVED]**
50. Authorize **(1)** an eighteen-month master agreement for water and wastewater small services installations in the amount of \$2,419,295; **(2)** a contract for the installation of water and wastewater mains at 7 locations in the amount of \$2,597,300 (list attached); and **(3)** an eighteen-month master agreement for water and wastewater mainline extensions and emergency mainline installations at various locations in the amount of \$1,799,450 with Atkins Bros. Equipment Co., Inc., lowest responsible bidder of seven - Total not to exceed \$6,816,045 - Financing: Water Utilities Capital Improvement Funds (\$2,597,300) and Water Utilities Capital Construction Funds (\$4,218,745) **[10-3032; APPROVED]**

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

51. 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) **[10-3033; INDIVIDUAL; APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**

Mayor and City Council

52. An ordinance amending Chapter 31 of the Dallas City Code to: **(1)** define terms; **(2)** prohibit multiple registered sex offenders from residing in the same dwelling unit, with certain defenses; **(3)** update references to state law in current city restrictions on specified sex offenders; **(4)** clarify crimes that cause a person to be designated as a specified sex offender; **(5)** provide a grandfather clause; and **(6)** provide a penalty not to exceed \$500 - Financing: No cost consideration to the City **[10-3034; APPROVED; ORDINANCE 28065]**

Sustainable Development and Construction

53. Authorize an appeal of the City Plan Commission's decision to approve a minor amendment to the development plan and landscape plan for Planned Development District No. 771 on the south line of Lovers Lane, west of Inwood Road and east of Linwood Avenue - M090-057 - Financing: No cost consideration to the City **[10-3035; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION

Public Works & Transportation

54. An ordinance amending Section 43-136 of Chapter 43 of the Dallas City Code to authorize the Director of Public Works and Transportation to promulgate regulations and operational standards governing the shared use of the public right-of-way by transportation uses (including streetcars) and public service providers - Financing: No cost consideration to the City **[10-3036; APPROVED; ORDINANCE 28066]**

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

55. Authorize a nine-month Chapter 380 grant agreement, with four one-year renewal options, with World Affairs Council of Dallas / Fort Worth, the most advantageous proposer of two, for economic development and protocol services for the period January 1, 2011 through September 30, 2011 - Not to exceed \$150,000 - Financing: Public/Private Partnership Funds (subject to annual appropriations) **[10-3037; APPROVED]**
56. Authorize an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with International Bazaar, Inc., related to the remodeling of the Big T Plaza Shopping Center located at 4515 Village Fair Drive - Not to exceed \$200,000 - Financing: 2006 Bond Funds **[10-3038; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

57. Authorize an economic development grant agreement pursuant to Chapter 380 of the Texas Local Government Code in accordance with the City's Public/Private Partnership Program - Business Development Grant Program with Bishop Arts Village, LLC, related to the acquisition of real estate and development of certain property within the City of Dallas - Not to exceed \$2,000,000 - Financing: 2006 Bond Funds **[10-3039; APPROVED]**

Housing/Community Services

58. Authorize the reconstruction on-site of three homes in accordance with the Reconstruction/SHARE Program Statement requirements for properties located at 4107 Furey Street in the amount of \$93,400; 1551 East Ohio Avenue in the amount of \$93,400 and 1215 Woodview Lane in the amount of \$93,400 - Total not to exceed \$280,200 - Financing: 2009-10 Community Development Block Grant Reprogramming Funds **[10-3040; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES – INDIVIDUAL

59. A public hearing to receive comments regarding an application for and an ordinance granting an LI Light Industrial District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an NO(A) Neighborhood Office District located on the northwest corner of Waterview Parkway and Cullum Street **[10-3041; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28067]**
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z090-248(MG)
60. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1419 for an Industrial (outside) use for an asphalt batching plant on property zoned an IM Industrial Manufacturing District, at the terminus of Z Street, east of Luna Road **[10-3042; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JANUARY 12, 2011]**
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals of additional ten-year periods, subject to a site plan and conditions
Z090-232(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL (Continued)

- 61. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the Tract V portion of Planned Development District No. 314, the Preston Center Special Purpose Center, and an ordinance granting an amendment to the site plan for Specific Use Permit No. 744 for a bank with a drive-in window on the north line of Weldon Howell Parkway between Douglas Avenue and Westchester Drive

[10-3043; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE NOS. 28068 AND 28069]

Recommendation of Staff: Approval of an amendment to the Tract V portion of Planned Development District No. 314, subject to a revised development plan and staff conditions and approval of an alternate site plan to Specific Use Permit No. 744, subject to a site plan B

Recommendation of CPC: Approval of an amendment to the Tract V portion of Planned Development District No. 314, subject to a revised development plan and conditions and approval of an alternate site plan to Specific Use Permit No. 744, subject to a site plan B

Z090-225(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

- 62. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an utility or government installation other than listed on property within Tract A of Planned Development District 468, the Oak Cliff Gateway Special Purpose District, on the east side of Beckley Avenue at the terminus of I-30 Frontage Road **[10-3044; HEARING CLOSED; DENIED WITHOUT PREJUDICE]**

Recommendation of Staff & CPC: Approval for an eight-year period, subject to a site plan and conditions

Z090-183(WE)

Note: This item was considered by the City Council at public hearings on September 22 and October 13, 2010, and was taken under advisement until December 8, 2010, with the public hearing open.

DESIGNATED ZONING CASES - INDIVIDUAL

- 63. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for MU-3 Mixed Use District Uses on property zoned an MU-3 Mixed Use District on the northeast corner of North Central Expressway and Twin Sixties Drive **[10-3045; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28070]**

Recommendation of Staff: Approval, subject to a conceptual plan, Zone 2 development plan, a Zone 3 development plan, and staff's recommended conditions, and no change in zoning for that portion of the property under new ownership

Recommendation of Staff and CPC: Approval, subject to a conceptual plan, Zone 2 development plan, a Zone 3 development plan, and conditions, and no change in zoning for that portion of the property under new ownership

Z067-284(RB)

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

64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on south side of Jefferson Boulevard, east of Hardy Road adjacent to the water canal in the westernmost quadrant of the Hensley Field Airport and Naval Base **[10-3046; DELETED ON THE ADDENDUM]**
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing site plan, operation plan for drilling, operation plan for production and conditions
Recommendation of CPC: Denial
Z090-211(WE)
65. A public hearing to receive comments regarding a City Plan Commission authorized hearing to determine proper zoning relative to appropriate sign standards in the Arts District Special Provision Sign District including, but not limited to, provisions to allow video board signs, LED signs, and construction barricade signs in an area generally bounded by Harwood Street to the southwest, Woodall Rodgers Freeway to the northwest, Routh Avenue to the east, and Ross Avenue to the southeast and an ordinance granting revisions to the Arts District Special Provision Sign District **[10-3047; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28071]**
Recommendation of Staff and CPC: Approval
SPSD089-002

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

66. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District and a resolution accepting deed restrictions volunteered by the applicant on the east side of Maple Avenue, between Inwood Road and Butler Street **[10-3048; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL MARCH 9, 2011]**
Recommendation of Staff and CPC: Approval of the MU-3 Mixed Use District and approval of the deed restrictions volunteered by the applicant
Z090-169(WE)
Note: This item was considered by the City Council at a public hearing on October 26, 2010, and was taken under advisement until December 8, 2010, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

- 67. A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code providing that the Geographic Information System (GIS) shall be the official zoning map of the city; deleting airport flight overlay districts; and providing that height is restricted according to FAA regulations and an ordinance granting the revisions **[10-3049; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28072]**

Recommendation of Staff: Approval

Recommendation of CPC: Approval, subject to the following change; under the definition of "Legal Height" adding "whichever is more restrictive" at the end of the definition

DCA101-002

- 68. A public hearing to receive comments regarding consideration of amendments to Chapter 51, Chapter 51A and Chapter 51P, the Dallas Development Code, to change the name of Development Services to Sustainable Development and Construction; name the managing director of the Office of Environmental Quality as the director over municipal setting designations; and including the Department of Trinity Watershed Management in the municipal setting designation process and an ordinance granting the revisions **[10-3050; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28073]**

Recommendation of Staff and CPC: Approval

DCA101-001

MISCELLANEOUS HEARINGS

Housing/Community Services

- 69. A public hearing to receive comments on Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the Neighborhood Stabilization Program (NSP); and at the close of the hearing, authorize final adoption of Substantial Amendment No. 7 to the FY 2008-09 Consolidated Plan for the NSP to: **(1)** 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; **(2)** the receipt and deposit of program income in an amount not to exceed \$2,200,000 generated from NSP activities; and **(3)** 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 - Estimated Revenue: \$2,200,000 **[10-3051; HEARING CLOSED; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Cypress Waters TIF District

Note: Item Nos. 70 and 71
must be considered collectively.

- 70. * A public hearing to receive comments concerning the creation of Tax Increment Financing Reinvestment Zone Number Nineteen for the Cypress Waters area, to be known as the Cypress Waters TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City [**10-3052; HEARING CLOSED**]

- 71. * An ordinance establishing Tax Increment Financing Reinvestment Zone Number Nineteen to be known as the Cypress Waters TIF District under the authority of the Tax Increment Financing Act, as amended (V.T.C.A, Tax Code Chapter 311) - Financing: No cost consideration to the City [**10-3052; APPROVED; ORDINANCE 28074**]

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

Aviation

1. Authorize execution of a Memorandum of Agreement with the U.S. Customs and Border Protection Agency for inspection services at Dallas Love Field - Total not to exceed \$250,000 - Financing: Aviation Current Funds (costs to be recovered through implementation of an International Arrivals Fee) **[10-3053; APPROVED]**

Business Development & Procurement Services

2. Authorize the purchase of three bulldozers - Holt Texas Ltd. through Texas Association of School Boards (BuyBoard) - Not to exceed \$1,769,697 - Financing: 2010 Equipment Acquisition Notes (\$1,142,502) and 2010 Certificates of Obligation (\$627,195) **[10-3054; APPROVED]**
3. Authorize **(1)** an acquisition contract for the purchase and implementation of software and hardware for an electronic citation system in the amount of \$509,676; **(2)** a five-year service contract for maintenance and support for an electronic citation system in the amount of \$93,900, and **(3)** a five-year master agreement for additional hardware and software for the expansion of the electronic citation system in the amount of \$4,751,446 - Brazos Technology Corporation, most advantageous proposer of two - Total not to exceed \$5,355,022 - Financing: Current Funds (\$4,835,446) (subject to annual appropriations) and 2010 Certificates of Obligation (\$519,576) **[10-3055; APPROVED AS AN INDIVIDUAL ITEM]**
4. Authorize **(1)** a one-year contract, with four renewal options, with the Southern Dallas Development Corporation, most advantageous proposer of one, to administer the Business Revolving Loan Program, for the purpose of servicing and making loans to area businesses and creating and/or retaining jobs for low-to-moderate income persons, in accordance with Department of Housing and Urban Development (HUD) regulations; and **(2)** any unexpended balances of program income and allocations from prior contract years be rolled over to continue the Business Revolving Loan Program - Financing: No cost consideration to the City **[10-3056; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Economic Development

5. Authorize a service contract to provide logistics workforce training curriculum through a Workforce Investment Act Grant for the period May 1, 2010 through October 31, 2011 - The Manufacturing Skills Standards Council (MSSC), most advantageous proposer of three - Not to exceed \$56,600 - Financing: U.S. Department of Labor, Employment and Training Administration Grant Funds **[10-3057; APPROVED]**

Mayor and City Council

6. An ordinance amending Chapter 31 of the Dallas City Code to: **(1)** define terms; **(2)** establish the Central Business District solicitation-free zone, the Deep Ellum solicitation-free zone, the Uptown solicitation-free zone, and the Victory solicitation-free zone; **(3)** ban outdoor solicitations in solicitation-free zones, with certain defenses; and **(4)** provide a penalty not to exceed \$500 - Financing: No cost consideration to the City **[10-3058; APPROVED; ORDINANCE 28075]**

Office of Financial Services

7. Authorize adjustments to appropriations for various multi-year funds and to authorize the City Manager to implement those adjustments - Financing: No cost consideration to the City **[10-3059; APPROVED]**
8. A resolution **(1)** confirming that a public hearing was held on December 8, 2010 for the Mission Economic Development Corporation (the MEDC) with respect to the issuance of bonds in an aggregate principal amount not to exceed \$55,000,000 by the MEDC to finance or refinance the cost of acquiring, constructing, rehabilitating, developing, improving and equipping certain capital improvements, infrastructure and equipment relating to the McCommas Bluff landfill gas processing facilities, and **(2)** requesting MEDC exercise its powers within the City for the purpose of issuing bonds to finance or refinance the project - Financing: No cost consideration to the City **[10-3060; APPROVED]**

Office of Management Services

9. Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2009 through September 30, 2010 - Not to exceed \$180,338 - Financing: U.S. Department of Homeland Security Grant Funds **[10-3061; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Office of Management Services (Continued)

10. An ordinance authorizing the Dallas/Fort Worth International Airport Board to act as an agent of the City for the limited purpose of creating and issuing a Temporary North Texas Regional Limousine Permit/Decal for Super Bowl XLV and the waiver of certain provisions of Chapter 10A of the Dallas City Code to allow for such temporary permitting - Financing: No cost consideration to the City **[10-3062; APPROVED; ORDINANCE 28076]**

Police

11. Authorize **(1)** an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement grant in the amount of \$99,984 from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods, for the period December 21, 2010 through September 5, 2011; **(2)** a City match of pension and Federal Insurance Contributions Act costs in the amount of \$27,496 and indirect costs in the amount of \$7,011; and **(3)** execution of the grant agreement - Total not to exceed \$134,491 - Financing: Current Funds (\$34,507) and Texas Department of Transportation Grant Funds (\$99,984) **[10-3063; APPROVED]**

Public Works & Transportation

12. Authorize a contract with Phoenix 1 Restoration and Construction, Ltd. for repairs to the Concert Hall pocket doors at the Meyerson Symphony Center located at 2301 Flora Street - Not to exceed \$72,000 - Financing: 2006 Bond Funds **[10-3064; APPROVED]**
13. Authorize a contract with JC Commercial, Inc., best value proposer of six, for the construction of the new White Rock Hills Branch Library located at 9150 Ferguson Road - Not to exceed \$4,255,000 - Financing: 2006 Bond Funds **[10-3065; APPROVED]**
14. Authorize a contract with Lee Lewis Construction, Inc., lowest responsible bidder of four, for the construction of Upper Level D Meeting Rooms at the Dallas Convention Center - Not to exceed \$12,609,000 - Financing: 2009 Convention Center Revenue Bonds **[10-3066; APPROVED]**
15. Authorize an increase in the contract with Texas Standard Construction, Ltd. to the Bridge Repair and Modification Group 09-01 project for the construction of three additional bridge repair and modification locations (list attached) - Not to exceed \$256,556, from \$1,510,648 to \$1,767,204 - Financing: 2003 Bond Funds (-\$8,214) and 2006 Bond Funds (\$264,770) **[10-3067; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works & Transportation (Continued)

16. Authorize **(1)** Supplemental Agreement No. 9 to the professional services contract with HNTB Corporation to provide additional engineering design services for the Taxiway "L" extension, Taxiway "C" reconstruction, the Runway Safety Area Phase II Project, Taxiways "A", "B" and "D" reconstruction, and Runway 13L/31R joint reseal and pavement rehabilitation at Dallas Love Field Airport in the amount of \$962,661, from \$3,422,230 to \$4,384,891; and **(2)** an increase in appropriations in the amount of \$1,240,661 in the Federal Aviation Administration Airport Improvement Program Grant Fund for testing, city administration and other owner's expenses - Not to exceed \$962,661 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$640,067), Aviation Passenger Facility Charge Funds (\$572,964) and Aviation Capital Construction Funds (\$27,629) **[10-3068; APPROVED]**

Sustainable Development and Construction

17. Authorize a five-year License Agreement with Aids Arms, Inc., as licensee, for the license and non-exclusive use of 30 parking spaces situated on approximately 13,250 square feet of city-owned land located at 210 Sunset Avenue - Annual Revenue: \$7,200 **[10-3069; APPROVED]**
18. Authorize the deposit of a Special Commissioners' Award and settlement of the condemnation suit City of Dallas v. Thomas Wurtz and Teresa Wurtz, et al, Cause No. cc-10-01184-a, in County Court at Law No. 1, for acquisition from Thomas Wurtz and Teresa Wurtz of approximately 18,956 square feet of land improved with a 1,799 square foot single family residence located near the intersection of Jim Miller Road and Toland Street for the replacement Fire Station No. 32 - \$114,500 - Financing: 2006 Bond Funds **[10-3070; APPROVED]**
19. Authorize execution of a Reciprocal Access Agreement with the Dallas Convention Center Hotel Corporation with respect to the connector bridge between the Dallas Convention Center and the Dallas Convention Center Hotel, providing for: **(1)** the granting of an easement to permit construction and use of a portion of the connector bridge over City property; and **(2)** the purchase of an easement from the Dallas Convention Center Hotel Corporation defining the rights of the City to access and use the connector bridge - Not to exceed \$2,895,276 - Financing: 2009 Convention Center Revenue Bonds **[10-3071; APPROVED AS AN INDIVIDUAL ITEM]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

- 20. An ordinance providing for the closure and vacation of a portion of an alley, containing approximately 1,145 square feet of land located near the intersection of Sylvan Avenue and Canada Drive - Financing: No cost consideration to the City **[10-3072; APPROVED; ORDINANCE 28077]**
- 21. An ordinance abandoning a portion of an alley to the City of Dallas, the abutting owner, for the Oncor transition facility containing approximately 2,186 square feet of land located near the intersection of Sylvan Avenue and Canada Drive - Revenue: \$5,400 plus the \$20 ordinance publication fee **[10-3073; APPROVED; ORDINANCE 28078]**
- 22. Authorize Supplemental Agreement No. 2 to the professional services contract with Birkhoff, Hendricks and Carter, L.L.P. to provide additional engineering and survey services for Alley Reconstruction Group 06-2027 (list attached) - Not to exceed \$35,000, from \$208,039 to \$243,039 - Financing: 2003 Bond Funds **[10-3074; APPROVED]**

Water Utilities

- 23. Authorize a contract with the North Texas Municipal Water District to purchase a short-term, interim untreated water supply for the period December 1, 2010 through December 31, 2010 - Estimated Revenue: \$482,276 **[10-3075; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

Public Works & Transportation

Chalk Hill Road from West Davis Street to Singleton Boulevard

Note: Addendum Item Nos. 24 and 25 must be considered collectively.

- 24. * Authorize Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc., for additional engineering and survey services on Chalk Hill Road from West Davis Street to 800 feet south of IH 30 eastbound frontage road - Not to exceed \$54,552, from \$464,096 to \$518,648 - Financing: 2006 Bond Funds **[10-3076; APPROVED]**
- 25. * Authorize Supplemental Agreement No. 1 to the professional services contract with PB Americas, Inc. dba Parson Brinckerhoff Americas, Inc., for additional engineering and survey services on Chalk Hill Road from IH 30 westbound frontage road to Singleton Boulevard - Not to exceed \$181,487, from \$507,618 to \$689,105 - Financing: 2006 Bond Funds (\$176,519) and Water Utilities Capital Improvement Funds (\$4,968) **[10-3077; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Sustainable Development and Construction

26. Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Bank of America, N.A. as Trustee, et al, Cause No. cc-10-02807-A, pending in the County Court at Law No. 1, for acquisition from Bank of America, N.A. as Trustee for Earle Clark Caruth of approximately 29 acres located near the intersection of Spangler Road and Manana Drive for the Elm Fork Athletic Complex Project - \$2,400,000 - Financing: 1998 Bond Funds (\$608,791), 2006 Bond Funds (\$1,041,209), 2003 Bond Funds (\$250,000) and Texas Parks and Wildlife Grant Funds (\$500,000) **[10-3078; APPROVED]**

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

27. Authorize a second amendment to the development agreement with INCAP Master Development, LLC, previously approved on May 28, 2008, by Resolution No. 08-1585, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** extend the completion deadline for the design of the median improvements component from December 31, 2010 to December 31, 2011; **(2)** extend the completion deadline for the median improvements from December 31, 2011 to December 31, 2012; **(3)** allow the funds designated for median improvements to be used for streetscape or other public improvements at an alternative location within the Davis Garden TIF District subject to the Davis Garden TIF Board's approval; and **(4)** approve the assignment of the development agreement from INCAP to Stratford Land Fund III, L.P. or its affiliates or any other party approved by the Director without obligation to own or develop the six apartment complex sites that comprise approximately thirty acres of land located in the Davis Garden TIF District - Financing: No cost consideration to the City **[10-3079; APPROVED AS AMENDED]**

Housing/Community Services

28. Authorize an amendment to Resolution No. 07-0522, previously approved on February 14, 2007, to: **(1)** allow the assignment of the agreement to Frazier HS, LP; and **(2)** increase the grant amount with Frazier HS, LP to further environmental remediation and demolition in the Frazier-Scyene area in the amount of \$275,000, from \$750,000 to \$1,025,000 - Not to exceed \$275,000 - Financing: 2006 Bond Funds **[10-3080; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
DECEMBER 8, 2010**

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

29. A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code, to create a new convenience store with drive-through use, appropriate standards for the use and amendments to other uses to clarify what establishments would be classified as a convenience store with drive-through use **[10-3081; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NO. 28079]**
Recommendation of Staff and CPC: Approval
DCA101-003

DELETIONS:

Housing/Community Services

13. Authorize **(1)** the acceptance of a grant from the U. S. Department of Justice to provide re-entry services (pre-release and post-release) to adult and juvenile ex-offenders, ages 18 years and older for the period October 1, 2010 through September 30, 2011; **(2)** execution of a contract between the City of Dallas and Safer Dallas Better Dallas/DOORS; and **(3)** execution of the grant agreement - Not to exceed \$1,000,000 - Financing: U. S. Department of Justice Grant Funds (\$750,000) and Current Funds (\$250,000) **[10-2995]**

Sustainable Development and Construction

64. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for gas drilling and production on property zoned an IR Industrial Research District on south side of Jefferson Boulevard, east of Hardy Road adjacent to the water canal in the westernmost quadrant of the Hensley Field Airport and Naval Base **[10-3046]**
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewal of additional ten-year periods, subject to an existing site plan, operation plan for drilling, operation plan for production and conditions
Recommendation of CPC: Denial
Z090-211(WE)

December 8, 2010

15

Bridge Repair and Modification Group 10-01
Agenda Item #32

Location

Council District

Lake June Road over Prairie Creek
Simpson Stuart Road over Five Mile Creek

5
8

Installation of Water and Wastewater Mains at 7 Locations
Agenda Item #50

District 3

Commerce Street from Manila Road to Lone Star Drive

District 5

Catskill Street from Friendship Drive to Pocono Trail

Districts 5 and 8

Friendship Drive from Catskill Street to Rain Forest Drive

District 6

Conklin Street from Muncie Avenue south
Muncie Avenue from Sylvan Avenue to Crossman Avenue

District 9

Barnes Bridge Road from southeast of Milhof Drive to northwest of Swaffar Drive
Barnes Bridge Road from Dunaway Drive to Delford Circle