

RECEIVED

2011 FEB 11 PM 3:15

CITY SECRETARY
DALLAS, TEXAS



COUNCIL AGENDA

Public Notice

110107

POSTED CITY SECRETARY
DALLAS, TX

February 23, 2011

DATE

(FOR GENERAL INFORMATION AND RULES OF COURTESY PLEASE SEE OPPOSITE SIDE.)

(LA INFORMACIÓN GENERAL Y REGLAS DE CORTESÍA QUE DEBEN OBSERVARSE

DURANTE LAS ASAMBLEAS DEL CONSEJO MUNICIPAL APARECEN EN EL LADO OPUESTO, FAVOR DE LEERLAS.)

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 before 9:00 a.m. on the meeting date. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner CityCable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 9 de la mañana del día de la asamblea. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesia

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 23, 2011
ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 68

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 69 - 70

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 71 - 76

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

AGENDA
CITY COUNCIL MEETING
FEBRUARY 23, 2011
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the February 9, 2011 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

2. Authorize **(1)** the acceptance of the Transportation, Community and System Preservation Grant Funds (TXDOT); **(2)** the establishment of appropriations for the Transportation, Community and System Preservation Grant Funds (TXDOT) in the amount of \$400,000; and **(3)** an eighteen-month professional services contract for the Complete Streets Initiative with Kimley-Horn and Associates, Inc. in the amount of \$795,000, most advantageous proposer of five - Total not to exceed \$795,000 - Financing: North Central Texas Council of Governments Grant Funds (\$400,000) and Transportation, Community and System Preservation Program Grant Funds (\$395,000)
3. Authorize a two-year master agreement for self-contained breathing apparatus, thermal imagers, parts and accessories for Dallas Fire-Rescue - Hoyt Enterprises, Inc. dba Hoyt Breathing Air Products in the amount of \$296,861 and Metro Fire Apparatus Specialists, Inc. in the amount of \$84,788, lowest responsible bidders of four - Total not to exceed \$381,649 - Financing: Current Funds

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

4. Authorize a three-year service contract for grounds maintenance at Hensley Field - Good Earth Corporation, lowest responsible bidder of five - Not to exceed \$185,250 - Financing: Current Funds (\$39,250) and Naval Air Station Redevelopment Funds (\$146,000) (subject to annual appropriations)

City Attorney's Office

5. Authorize settlement of the lawsuit styled Brady Johnson v. Ronald Brown and City of Dallas, Cause No. 09-06694-C - Not to exceed \$7,500 - Financing: Current Funds
6. Authorize settlement of the lawsuit styled Anthony Raye Lyles v. City of Dallas, Cause No. 10-05470-I - Not to exceed \$9,000 - Financing: Current Funds
7. Authorize settlement of the lawsuit styled Ken Jones and Douglas Holbert v. The City of Dallas, Cause No. 09-14503-H - Not to exceed \$23,900 - Financing: Current Funds

Economic Development

8. Authorize a New Markets Tax Credit (NMTC) transaction, between the Dallas Development Fund (DDF) and its subsidiaries, JPMorgan Chase, N.A. (JPMC) and its subsidiaries, and the Kroger Co. and its affiliates (Developer) for the redevelopment of property located at 4901 Maple Street into a full service grocery store - Financing: No cost consideration to the City

FY 2010 Tax Increment Financing Zone Annual Reports

9. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
10. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Economic Development (Continued)

FY 2010 Tax Increment Financing Zone Annual Reports (Continued)

11. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
12. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
13. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
14. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
15. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Economic Development** (Continued)**FY 2010 Tax Increment Financing Zone Annual Reports** (Continued)

16. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
17. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
18. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
19. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
20. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

CONSENT AGENDA (Continued)**Economic Development** (Continued)**FY 2010 Tax Increment Financing Zone Annual Reports** (Continued)

21. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
22. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
23. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
24. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City
25. * A resolution accepting the FY 2010 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City

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

26. Authorize **(1)** an agreement with and acceptance of funds from OneStar Foundation, Inc. for the Texas Renewing Our Communities Account grant in the amount of \$40,000 to support capacity building initiatives for local nonprofit organizations for the period November 1, 2010 through September 30, 2011; **(2)** a contract between the City of Dallas and the Center for Nonprofit Management in the amount of \$36,000 to provide nonprofit capacity building services for the period November 1, 2010 through September 30, 2011; and **(3)** execution of the grant agreement - Not to exceed \$40,000 - Financing: Texas Renewing Our Communities Account Grant Funds
27. Authorize a ten-year lease agreement with Lancaster Crossing, L.L.C. for approximately 5,000 square feet of office space located at 8702 South Lancaster Road to be used as a Women, Infants and Children Clinic for the period of May 1, 2011 through April 30, 2021 - Not to exceed \$804,000 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations)

Office of Financial Services

28. Authorize **(1)** an extension through September 30, 2011 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement; **(2)** preliminary adoption of the FY 2010-11 Consolidated Plan Reprogramming Budget #2 for the Community Development Block Grant Recovery (CDBG-R) Funds; and **(3)** a public hearing to be held on April 13, 2011 to receive comments on the proposed use of funds - Financing: No cost consideration to the City
29. Authorize a public hearing to be held on March 9, 2011 to receive comments in preparation of the FY 2011-12 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City

Office of Management Services

30. A resolution adopting the City's Federal Legislative Agenda for the 112th Congress - Financing: No cost consideration to the City
31. A resolution repealing Resolution No. 07-1608, previously approved on May 23, 2007, authorizing the City Attorney and City Manager to settle the lawsuit styled Ash Grove Texas, L.P. v. City of Dallas, et al., Cause No. 3:08-CV-02114-O in the U. S. District Court for the Northern District of Texas, and establishing a policy to give a preferential bid evaluation of all cement produced by vendors who are in compliance with all applicable environmental standards for the emission of nitrogen oxides (NOx) and operate kilns with emissions that are a specific amount below the applicable state standard, depending on the type of kiln operated - Financing: No cost consideration to the City

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

32. Authorize a contract for fabrication and installation of interpretative historical signage for the Esplanade area at Fair Park located at 3809 Grand Avenue - Phoenix I Restoration and Construction, Ltd., best value proposer of two - Not to exceed \$302,000 - Financing: 2006 Bond Funds (\$151,000) and Preserve America Grant Funds (\$151,000)
33. Authorize a contract for interior renovation at Fretz Recreation Center located at 6950 Belt Line Road - The Warrior Group, Inc., best value proposer of seven - Not to exceed \$713,327 - Financing: 2006 Bond Funds

Public Works & Transportation

34. Authorize a professional services contract with BRW Architects, Inc. to provide architectural and engineering services for design and construction administration of the Fire Station No. 32 replacement facility located at 7007 West Benning Avenue - Not to exceed \$395,000 - Financing: 2006 Bond Funds
35. Authorize a professional services contract with VAI Architects, Inc. for architectural and engineering design services and construction administration of the Park Forest Branch Library replacement facility located at 3728 High Vista Drive - Not to exceed \$451,470 - Financing: 2006 Bond Funds
36. Authorize **(1)** a contract with J.C. Commercial, Inc. for the construction of a new Snow and Ice Removal Facility at Dallas Love Field in an amount not to exceed \$3,577,277; and **(2)** an increase in appropriations in the amount of \$3,950,727 in the Aviation Capital Construction Fund for construction, testing, commissioning and other contract administration costs - Total not to exceed \$3,950,727 - Financing: Aviation Passenger Facility Charge Funds (\$3,000,000) and Aviation Capital Construction Funds (\$950,727)
37. Authorize a service agreement with ONCOR Electric Delivery for connecting new electrical services for pedestrian lights on Elm Street from Akard Street to Ervay Street - Not to exceed \$26,302 - Financing: 2006 Bond Funds
38. Authorize an increase in the contract with Jeske Construction Company for the construction of additional paving and storm drainage improvements for Street Reconstruction Group 06-615 - Not to exceed \$203,113, from \$1,425,522 to \$1,628,635 - Financing: 2003 Bond Funds (\$52,766), 2005 Certificates of Obligation (\$109,378) and 2006 Bond Funds (\$40,969)
39. Authorize Supplemental Agreement No. 4 to the professional services contract with Hayden Consultants, Inc. for a wastewater study for Riverfront Boulevard from Commerce Street to Corinth Street - Not to exceed \$109,488, from \$1,813,656 to \$1,923,144 - Financing: Water Utilities Capital Construction Funds

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

40. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Rhonda Martinez, Christine Soto and Roger Paul Cecil of approximately 1,751 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$4,427 (\$2,627 plus closing costs not to exceed \$1,800) - Financing: Water Utilities Capital Improvement Funds
41. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tejas Investors of approximately 8,412 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$10,332 (\$8,832 plus closing costs not to exceed \$1,500) - Financing: Water Utilities Capital Improvement Funds
42. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Tejas Investors of approximately 19,967 square feet of land located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$22,965 (\$20,965 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds
43. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lucille Joy Frank, Trustee of the David A. Frank Testamentary Trust, Katherine F. Gayle and Susan Gayle Needham, Co-Trustees of the Katherine F. Gayle Living Trust, Carolyn Parker Schum, Trustee of the Schum Living Trust and Sandra Parker Adams of approximately 19,714 square feet of land located near the intersection of Telephone and Ray Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$16,000 (\$13,800 plus closing costs not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds
44. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Isidoro Lopez of approximately 45,199 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$31,779 (\$29,379 plus closing costs not to exceed \$2,400) - Financing: Water Utilities Capital Improvement Funds
45. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eung Pyo Choi, Heung Soon Choi and Heung Soo Lim of approximately 61,512 square feet of land located near the intersection of Lasater and Lawson Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$37,711 (\$35,511 plus closing costs not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds

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

46. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Edward L. Handlin and Lafaye Handlin of approximately 78,633 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$55,000 (\$51,111 plus closing costs not to exceed \$3,889) - Financing: Water Utilities Capital Improvement Funds
47. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from G & G Development Partnership of approximately 89,744 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$69,808 (\$67,308 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds
48. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from G & G Development Partnership of approximately 101,942 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$78,956 (\$76,456 plus closing costs not to exceed \$2,500) - Financing: Water Utilities Capital Improvement Funds
49. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruby Fay Dickey of approximately 22,493 square feet of improved land located near the intersection of Kleberg and Ravenview Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$140,000 (\$135,000 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds
50. Authorize the execution of Quitclaim Deeds for 31 properties that were acquired by the taxing entities (the City of Dallas; the State of Texas; the County of Dallas; and Dallas Independent School District) from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$378,473
51. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 86,218 square feet from Ola M. Redmon and Frank T. Hawkins located near the intersection of Wintergreen Road and Chapman Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$88,218 (\$86,218 plus closing costs not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds
52. Authorize moving expense and replacement housing payments for Hugo Rivera and Rosario Rivera in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 724 Packard Street for future City facilities - Not to exceed \$24,200 - Financing: 2006 Bond Funds

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

53. Authorize moving expense and rental assistance payments for Maria Arellano in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1010 LaSalle Drive for future City facilities - Not to exceed \$10,200 - Financing: 2006 Bonds Funds
54. Authorize moving expense and replacement housing payments for Victor Lopez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1022 LaSalle Drive for future City facilities - Not to exceed \$24,600 - Financing: 2006 Bond Funds
55. Authorize moving expense and replacement housing payments for Gabriel Monsivais and Mary Monsivais in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1026 LaSalle Drive for future City facilities - Not to exceed \$31,300 - Financing: 2006 Bond Funds
56. Authorize moving expense and replacement housing payments for Olivia Rodriguez in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1007 LaSalle Drive for future City facilities - Not to exceed \$38,700 - Financing: 2006 Bond Funds
57. An ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-5(A) Single Family District on the northeast line of Bonnie View Road, south of Highland Hills Drive - Z090-145 - Financing: No cost consideration to the City
58. An ordinance abandoning a portion of an alley to 10300 North Central, L.L.C., the abutting owner, containing approximately 328 square feet of land located near the intersection of Blair Road and North Central Expressway and authorizing the quitclaim - Revenue: \$5,400 plus the \$20 ordinance publication fee
59. An ordinance abandoning a portion of Atwood Street to Gina Diane Bishop Corwin and Jeffrey Ray Bishop, the abutting owners, containing a total of approximately 9,244 square feet of land located near the intersection of Atwood and Corinth Streets, authorizing the quitclaim, and providing for the dedication of approximately 35,866 square feet of land needed for fire lane and water easements - Revenue: \$33,741 plus the \$20 ordinance publication fee

Trinity Watershed Management

60. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Wes Ratcliff of an unimproved tract of land containing approximately 7,175 square feet located on Comal Street at its intersection with Cliff Street for the Dallas Floodway Project - Not to exceed \$16,100 (\$14,300 plus closing costs not to exceed \$1,800) - Financing: 2006 Bond Funds

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

61. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Fernando Martinez and Jose Jesus Martinez of an unimproved tract of land containing approximately 3.89 acres located on Canada Drive near its intersection with Winnetka Avenue for the Dallas Floodway Project - Not to exceed \$14,938 (\$12,438 plus closing costs not to exceed \$2,500) - Financing: 2006 Bond Funds
62. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Loshel Company of an unimproved tract of land containing approximately 11.3 acres located on Lamar Street near its intersection with Emery Street for the Trinity Parkway portion of the Trinity River Corridor Project - Not to exceed \$398,400 (\$394,400 plus closing costs not to exceed \$4,000) - Financing: 1998 Bond Funds
63. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Loshel Company of three tracts of land containing a total of approximately 10.3 acres located near the intersection of Lamar and Marburg Streets for the Trinity Parkway portion of the Trinity River Corridor Project - Not to exceed \$1,137,600 (\$1,127,600 plus closing costs not to exceed \$10,000) - Financing: 1998 Bond Funds
64. Authorize a contract for the construction of erosion control improvements for Erosion Control Group 06-807 - Craig Olden, Inc., lowest responsible bidder of six - Not to exceed \$789,317 - Financing: Water Utilities Capital Improvement Funds (\$74,188) and 2006 Bond Funds (\$715,129)
65. Authorize an increase to the existing construction services contract with BAR Constructors, Inc. for additional drilled pier concrete reinforcement, removal of a concrete wing wall and additional pump discharge modeling on the Pavaho Pump Station of the Trinity River Corridor Project - Not to exceed \$90,382, from \$26,532,270 to \$26,622,652 - Financing: 2006 Bond Funds

Water Utilities

66. A resolution that: **(1)** expresses a commitment on behalf of the City of Dallas to provide adequate resources and funding to operate its Pretreatment Program; and **(2)** assures the Environmental Protection Agency and Texas Commission Environmental Quality that the City has sufficient funding resources and qualified technical and managerial personnel to carry out the functions, authorizations, and procedures specified in the City's pretreatment program as set forth in Article IV of Chapter 49 of the Dallas City Code, as amended - Financing: No cost consideration to the City
67. Authorize a forty-year contract with Luminant Generation Company LLC, for untreated water service for the period January 1, 2011 through December 31, 2050 - Estimated Revenue: \$76,778,757

CONSENT AGENDA (Continued)

Water Utilities (Continued)

- 68. Authorize Supplemental Agreement No. 3 to the professional services contract with HDR Engineering, Inc. to provide additional hydrologic and engineering services in support of an amendment to Dallas' Lake Ray Hubbard water rights permit - Not to exceed \$297,500, from \$568,000 to \$865,500 - Financing: Water Utilities Capital Construction Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

- 69. 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)

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

- 70. Authorize a secured, no interest, forgivable loan pursuant to the Residential Development Acquisition Loan Program in the amount of \$850,000 to BOHUSA for acquisition and related acquisition costs of one improved property located at 2120 52nd Street for the rehabilitation of a 64-unit facility for affordable housing - Not to exceed \$850,000 - Financing: 2009-10 Community Development Block Grant Funds

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

- 71. A public hearing to receive comments regarding an application for and ordinance granting an amendment to the development plan and conditions for Planned Development District No. 543 for a Public school and R-7.5(A) Single Family District Uses, with Historic District Designation (H/53 and H/120) in an area generally bounded by Glasgow Drive, Reiger Avenue, Paulus Avenue, and Covington Lane
Recommendation of Staff: Approval, subject to a development plan, traffic management plan, and conditions
Recommendation of CPC: Approval, subject to a development plan and conditions
Z090-237(RB)
- 72. A public hearing to receive comments regarding an application for and an ordinance granting an NO(A) Neighborhood Office District on property zoned an R-7.5(A) Single Family District on the southeast corner of Marine Way and Stillwell Boulevard
Recommendation of Staff and CPC: Approval
Z090-239(WE)

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

73. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Financial institution with drive-in window on property within the Subdistrict 1A portion of Planned Development District No. 621, the Old Trinity and Design District Special Purpose District, located on the west corner of Riverfront Boulevard and Leslie Street
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 and conditions
Z090-244(RB)
74. 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 a Potentially incompatible industrial use for Metal refining on the south line of Andjon Drive, west of Harry Hines Boulevard
Recommendation of Staff and CPC: Approval of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for a Potentially incompatible industrial use for Metal refining for a five-year period, with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z090-253(RB)

FLOODPLAIN APPLICATIONS

Trinity Watershed Management

75. A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix of approximately 0.94 acres of the current 8.16 acres of land located at 7300 Valley View Lane within the floodplain of White Rock Creek; Fill Permit 10-01 - Financing No cost consideration to the City

MISCELLANEOUS HEARINGS

Office of Management Services

76. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Loshel Company located near the intersection of Lamar and Pine Streets and adjacent street rights-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Gold Metal Recyclers, Ltd. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval

Tax Foreclosure and Seizure Warrant Property Resale
Agenda Item #50

<u>Parcel No.</u>	<u>Address</u>	<u>Highest Bidder</u>	<u>VAC/IMP</u>	<u>Acreege Amount (Land)</u>	<u>Struck off Amount</u>	<u># Bids Rec'd</u>	<u>Min Bid Amount</u>	<u>High Bid Amount</u>	<u>DCAD Value</u>	<u>Council District</u> <u>Zoning</u>
1	2881 56th Street	Kingsford Housing, LLC	IMP	0.2164	\$17,730	4	\$6,600	\$10,077.00	\$29,740	R-7.5(A) 8
2	4837 Baldwin Street	Denice Fuller and Lynne Doughty	IMP	0.0941	\$13,718	1	\$5,200	\$5,300.00	\$24,400	PD 595 7
3	5702 Bon Air Drive	Kingsford Housing, LLC	IMP	0.1837	\$9,693	1	\$9,600	\$12,777.00	\$21,600	R-7.5(A) 8
4	4610 Brixey Drive	Monty Gamber	IMP	0.3691	\$48,790	1	\$20,000	\$22,150.00	\$48,790	R-10(A) 5
5	3903 Carl Street	Martin Wiggins	IMP	0.1550	\$34,201	1	\$17,100	\$17,251.00	\$68,300	PD 595 7
6	3821 Colonial Avenue	Leslie D. Rios	IMP	0.1400	\$14,001	1	\$3,500	\$4,501.75	\$32,020	PD 595 7
7	2736 Custer Drive	Nolberto Ornelas	IMP	0.1969	\$25,770	3	\$9,500	\$13,050.00	\$25,770	R-5(A) 4
8	3114 South Denley Drive	Kingsford Housing, LLC	IMP	0.1722	\$15,145	1	\$11,300	\$12,777.00	\$28,890	R-7.5(A) 8
9	2103 Empire Central Place	St. Claire Holdings, LLC	IMP	0.6729	\$222,961	1	\$55,000	\$91,550.00	\$437,110	IR 2
10	2803 Farragut Street	Nolberto Ornelas	IMP	0.0826	\$6,029	1	\$3,000	\$5,500.00	\$11,990	PD 595 7
11	1103 Galloway Avenue	Kingsford Housing, LLC	IMP	0.1607	\$37,450	6	\$12,500	\$15,777.00	\$19,800	R-5(A) 4
12	809 South Glasgow Drive	Manuel Gonzalez	IMP	0.1664	\$39,123	6	\$19,500	\$26,606.06	\$78,900	PD 134 2
13	4339 Hamilton Avenue	Leslie D. Rios	IMP	0.1416	\$17,293	1	\$3,750	\$3,801.51	\$20,470	PD 595 7
14	3730 Happy Canyon Drive	Kingsford Housing, LLC	IMP	0.1494	\$17,424	6	\$8,700	\$21,777.00	\$39,220	R-5(A) 8
15	7121 Harold Walker Drive	Gloria S. Benitez	IMP	0.1343	\$35,578	2	\$17,750	\$23,000.00	\$70,730	R-7.5(A) 8
16	6415 Kemrock Drive	Kingsford Housing, LLC	IMP	0.1377	\$13,934	1	\$10,500	\$13,777.00	\$27,800	R-5(A) 8
17	4502 Verdun Avenue	George Rubio, Jr.	IMP	0.1377	\$15,076	1	\$7,500	\$9,129.61	\$32,550	PD 595 7
18	719 Winters Street	Steven Gardner	IMP	0.1957	\$15,853	5	\$12,500	\$15,499.00	\$54,320	R-7.5(A) 4
19	817 6th Street	Joseph D. Whitney	VAC	0.1148	\$6,000	1	\$6,000	\$6,161.00	\$10,000	PD 468 1
20	5213 Bourquin Street	Jeffery D. Smith	VAC	0.1333	\$21,750	1	\$1,375	\$1,400.00	\$2,750	R-5(A) 7
21	1815 Browder Street	Nancy Figueroa	VAC	0.2086	\$27,840	2	\$12,000	\$16,150.00	\$37,120	PD 317 2
22	3522 Easy Street	Laura Acosta	VAC	0.1400	\$15,250	5	\$5,000	\$9,107.00	\$18,290	IR 6
23	3526 Easy Street	D Realty Investments, Inc.	VAC	0.1400	\$14,728	6	\$5,000	\$8,177.00	\$18,290	IR 6
24	1903 Idaho Avenue	Felipe T. Guel	VAC	0.1668	\$13,000	1	\$4,875	\$5,000.00	\$13,000	R-7.5(A) 4
25	3523 Jane Lane	D Realty Investments, Inc.	VAC	0.1435	\$15,630	5	\$5,000	\$8,177.00	\$18,750	IR 6
26	3527 Jane Lane	D Realty Investments, Inc.	VAC	0.1435	\$15,630	5	\$5,000	\$8,177.00	\$18,750	IR 6
27	900009 Prater Road	Lee J. Schmitt	VAC	0.3432	\$25,932	1	\$2,500	\$2,850.00	\$14,200	R-7.5(A) 8
28	1403 Seegar Street	Laura Acosta	VAC	0.0551	\$7,200	1	\$5,400	\$8,110.00	\$9,600	PD 317 2
29	1405 Seegar Street	Nancy Figueroa	VAC	0.1822	\$21,799	1	\$10,000	\$16,150.00	\$31,750	PD 317 2
30	1409 Seegar Street	Laura Acosta	VAC	0.0911	\$11,910	1	\$7,900	\$8,111.00	\$15,880	PD 317 2
31	1717 Southerland Avenue	Nolberto Ornelas	VAC	2.1010	\$148,673	1	\$12,500	\$13,500.00	\$45,750	MF-2(A) 4

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.