

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

Invocation and Pledge of Allegiance (Council Chambers) **[11-0620]**

Agenda Item/Open Microphone Speakers **[11-0621]**

VOTING AGENDA

1. Approval of Minutes of the February 23, 2011 City Council Meeting **[11-0622; APPROVED]**

CONSENT AGENDA [11-0623]

Business Development & Procurement Services

2. Authorize a one-year master agreement for dipotassium orthophosphate (chemical for corrosion control) to be used by Water Utilities - Carus Corporation, lowest responsible bidder of five - Not to exceed \$1,122,300 - Financing: Water Utilities Current Funds **[11-0624; APPROVED]**
3. Authorize a three-year master agreement for Geographic Information System software and maintenance - Environmental Systems Research Institute, through the Department of Information Resources - Not to exceed \$846,347 - Financing: Current Funds (\$672,497) and Water Utilities Current Funds (\$173,850) **[11-0625; APPROVED]**
4. Authorize a three-year master agreement for solar powered school zone flashers and 24-hour warning flasher assemblies parts and accessories - K & K Systems, Inc., lowest responsible bidder of six - Not to exceed \$652,000 - Financing: Current Funds **[11-0626; APPROVED]**

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

5. Authorize a one-year service contract to provide micro-surfacing and slurry seal - Viking Construction, Inc. in the amount of \$2,163,000 and NyMac Enterprises, Inc. in the amount of \$1,007,600, lowest responsible bidders of three - Total not to exceed - \$3,170,600 - Financing: Current Funds **[11-0627; APPROVED]**
6. Authorize a service contract to repair the ozone generator at the Elm Fork Water Treatment Plant - Fin-Tek Corporation dba Finnegan-Reztek, Inc., lowest responsible bidder of two - Not to exceed \$158,955 - Financing: Water Utilities Capital Construction Funds **[11-0628; APPROVED]**
7. Authorize a three-year service contract for automotive body and collision repair - Graff Chevrolet in the amount of \$4,301,250, Martin's Paint & Body Shop in the amount of \$3,416,490, Eddie's Mechanic & Body Repair, Inc. in the amount of \$2,936,250, Six Construct, Inc. dba Budget Auto Body Shop in the amount of \$2,067,825, First Class Auto, Inc. in the amount of \$1,121,930 and All-Pro Collision Center in the amount of \$948,850, lowest responsible bidders of fifteen - Total not to exceed \$14,792,595 - Financing: Current Funds (subject to annual appropriations) **[11-0629; APPROVED]**
8. Authorize a three-year master agreement for radio tower repair services - AmChel Communications, Inc., lowest responsible bidder of two - Not to exceed \$165,341 - Financing: Current Funds (subject to annual appropriations) **[11-0630; APPROVED]**
9. Authorize a three-year service contract to provide transportation starter services at Dallas Love Field - Highpoint Enterprises, lowest responsible bidder of three - Not to exceed \$609,790 - Financing: Aviation Current Funds (subject to annual appropriations) **[11-0631; APPROVED]**
10. Authorize a five-year service contract for computer mainframe software license maintenance and support - Computer Associates International, Inc., through the State of Texas Department of Information Resources - Not to exceed \$727,674 - Financing: Current Funds (subject to annual appropriations) **[11-0632; APPROVED]**
11. Authorize the purchase of three pre-owned semi-trucks for Dallas Fire-Rescue - Texas Kenworth dba MHC Kenworth Dallas, most advantageous proposer of three - Not to exceed \$151,413 - Financing: 2009-10 Governor's Division of Emergency Management Grant Funds **[11-0633; APPROVED]**
12. Authorize the purchase of seven CNG and twenty-five hybrid electric sedans for Police, Code Compliance and Dallas Fire-Rescue from Sonic-Lute Riley L.P. dba Lute Riley Honda in the amount of \$183,470 and Sam Pack's Five Star Ford in the amount of \$687,475, lowest responsible bidders of three - Total not to exceed \$870,945 - Financing: 2006 Equipment Acquisition Contractual Obligation Notes (\$131,050), 2007 Equipment Acquisition Contractual Obligation Notes (\$640,945) and U.S. Department of Energy - Alternative Fuel & Advanced Technology Grant Funds (\$98,950) **[11-0634; APPROVED]**

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

13. Authorize Supplemental Agreement No. 7 to increase the service contract with TriTech Software Systems for three-years for on-site technical support of the Computer Aided Dispatch and VisiNet Mobile systems - Not to exceed \$410,376, from \$10,819,193 to \$11,229,569 - Financing: Current Funds (subject to appropriations) **[11-0635; APPROVED]**

Park & Recreation

14. Authorize a professional services contract with Good, Fulton & Farrell Architects for schematic design through construction administration services for upgrades to the main electrical service, lighting, controls and a new fire alarm system at Fair Park Pan American Arena located at Admiral Nimitz Circle and Martin Luther King, Jr. Boulevard - Not to exceed \$78,158 - Financing: Texas Department of Agriculture Grant Funds **[11-0636; APPROVED]**
15. Authorize a professional services contract with Jacobs Engineering Group, Inc. for schematic design through construction administration services for reconstruction of the hike and bike trail at Kiest Park located at 3080 South Hampton Road - Not to exceed \$140,870 - Financing: 2006 Bond Funds **[11-0637; APPROVED]**
16. Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for a conceptual planning study for parking and traffic circulation at Winfrey Point and along East Lawther Drive at White Rock Lake Park located at 8300 Garland Road - Not to exceed \$100,330 - Financing: 2006 Bond Funds **[11-0638; APPROVED]**
17. Authorize **(1)** Supplemental Agreement No. 6 to the professional services contract with Thomas Balsley Associates for additional design services for Main Street Garden Park located at 1920 Main Street in the amount of \$41,335, from \$1,012,773 to \$1,054,108; and **(2)** an increase in appropriations in the amount of \$41,335 in the Capital Gifts, Donation and Development Fund - Not to exceed \$41,335 - Financing: Capital Gifts, Donation and Development Funds **[11-0639; APPROVED]**

Police

18. Authorize **(1)** the acceptance of a grant from the Dallas Downtown Improvement District to provide outreach services for hard-to-reach and chronically homeless individuals who reside within the Central Business District for the period October 1, 2010 through March 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$70,844 - Financing: Downtown Improvement District Homeless Outreach Funds **[11-0640; APPROVED]**
19. Authorize **(1)** the application for and acceptance of the Transnational Criminal Group grant from the U.S. Department of Justice through the Office of the Governor, Criminal Justice Division in the amount of \$300,000 to Dallas Police Department's Gang Unit for the period October 1, 2010 through September 30, 2011; and **(2)** execution of the grant agreement - Not to exceed \$300,000 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds **[11-0641; APPROVED]**

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

20. Authorize a service agreement with ONCOR Electric Delivery for installation of pedestrian lights on Carbondale Street from Linfield Road to South Loop 12 - Not to exceed \$70,532 - Financing: 2003 Bond Funds **[11-0642; APPROVED]**
21. Authorize a contract with JRJ Paving, L.P., lowest responsible bidder of four, for the construction of pavement surface improvements for Asphaltic Concrete Street Resurfacing for 2011 (list attached) - Not to exceed \$16,287,911 - Financing: 2003 Bond Funds (\$649,354), 2006 Bond Funds (\$15,491,107), Water Utilities Capital Construction Funds (\$62,450) and Capital Construction Funds (\$85,000) **[11-0643; APPROVED]**
22. Authorize a contract with McMahon Contracting, LP, lowest responsible bidder of eight, for the construction of street paving, storm drainage, lighting, water and wastewater main improvements for Street Reconstruction Group 06-616 (list attached) - Not to exceed \$2,666,406 - Financing: 2006 Bond Funds (\$1,880,384), Water Utilities Capital Construction Funds (\$29,891) and Water Utilities Capital Improvement Funds (\$756,131) **[11-0644; APPROVED]**
23. Authorize **(1)** a contract for the purchase of theater equipment for the Annette Strauss Artist Square with SECOA, Inc., lowest responsible bidder of four, in the amount of \$1,135,633; and **(2)** assignment of the contract to the Dallas Center for the Performing Arts Foundation, Inc. as the City's agent and construction manager for all purposes, including contract administration, inspection, supervision and coordination of installation work - Not to exceed \$1,135,633 - Financing: 2003 Bond Funds **[11-0645; APPROVED]**
24. Authorize **(1)** a professional services contract with Camp Dresser & McKee, Inc. for engineering planning services for the Love Field Master Drainage Plan at Dallas Love Field in an amount not to exceed \$1,884,500; and **(2)** an increase in appropriations in the amount of \$1,969,500 in the Aviation Capital Construction Fund for engineering planning services, testing, and other contract administration costs - Total not to exceed \$1,969,500 - Financing: Aviation Capital Construction Funds **[11-0646; APPROVED]**
25. Authorize a professional services contract with McAfee3 Architects to provide architectural and engineering services for design and construction administration of the Fire Station No. 44 replacement facility located at the intersection of South Fitzhugh Avenue and Lagow Street - Not to exceed \$380,000 - Financing: 2006 Bond Funds **[11-0647; APPROVED]**
26. Authorize a professional services contract with Perkins + Will - CRA, LLP to provide architectural and engineering services for design and construction administration for the Fire Station No. 27 replacement facility located at the southwest corner of Douglas Avenue and Northwest Highway - Not to exceed \$605,000 - Financing: 2006 Bond Funds **[11-0648; APPROVED]**

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

27. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Viceroy Investments, LLC of approximately 1,293 square feet of land located near the intersection of Burbank Street and Mohawk Drive for the Burbank Street Improvements Project - Not to exceed \$7,019 (\$5,819 plus closing costs not to exceed \$1,200) - Financing: 2003 Bond Funds [**11-0649; APPROVED**]
28. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Viceroy Regal, LP of approximately 2,231 square feet of land located near the intersection of Burbank Street and Mohawk Drive for the Burbank Street Improvements Project - Not to exceed \$11,540 (\$10,040 plus closing costs not to exceed \$1,500) - Financing: 2003 Bond Funds [**11-0650; APPROVED**]
29. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jorge Garcia of approximately 3,286 square feet of land located near the intersection of Burbank Street and Huron Drive for the Burbank Street Improvements Project - Not to exceed \$27,012 (\$25,012 plus closing costs not to exceed \$2,000) - Financing: 2003 Bond Funds [**11-0651; APPROVED**]
30. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gene Dunston of approximately 2,690 square feet of land located near the intersection of Harry Hines Boulevard and Burbank Street for the Burbank Street Improvements Project - Not to exceed \$39,020 (\$37,020 plus closing costs not to exceed \$2,000) - Financing: 2003 Bond Funds [**11-0652; APPROVED**]
31. Authorize acquisition from Connell David and Henrietta David of approximately 5,889 square feet of land improved with a single family dwelling located near the intersection of Aztec Drive and Custer Road for the Locust Avenue Project - Not to exceed \$28,500 (\$26,000 plus closing costs not to exceed \$2,500) - Financing: 2006 Bond Funds [**11-0653; APPROVED**]

Water Utilities

32. Authorize a contract for the installation of water and wastewater mains at 33 locations (list attached) - Omega Contracting, Inc., lowest responsible bidder of eight - Not to exceed \$7,249,913 - Financing: Water Utilities Capital Improvement Funds [**11-0654; APPROVED**]

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

33. 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) [**11-0655; BOARD OFFICER APPOINTMENT**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Sustainable Development and Construction

34. An ordinance amending Chapter 59, Dallas Energy Conservation Code, of the Dallas City Code, as amended; adopting with certain changes the 2009 Edition of the International Energy Conservation Code of the International Code Council, Inc.; regulating the construction, enlargement, alteration, repair, demolition, use, and maintenance of construction work in the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City **[11-0656; APPROVED; ORDINANCE 28138]**

ITEMS FOR FURTHER CONSIDERATION

Office of Management Services

35. 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 **[11-0657; CORRECTED ON THE ADDENDUM; APPROVED]**

Sustainable Development and Construction

36. 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 **[11-0658; APPROVED; ORDINANCE 28139]**

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

37. 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 Houseman Building L.L.C., related to the remodeling of the Houseman Building located at 400 North Akard Street - Not to exceed \$200,000 - Financing: Public/Private Partnership Funds **[11-0659; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

38. Authorize an amendment to the development agreement with Reserve at Stutz Road, LLC, previously approved on August 25, 2010, by Resolution Nos. 10-2165 and 10-2166, in Tax Increment Financing Reinvestment Zone Number Eighteen (Maple/Mockingbird TIF District) to extend project deadlines for obtaining: **(1)** a construction permit from December 31, 2010 to June 30, 2011; **(2)** a Certificate of Acceptance from December 31, 2011 to June 30, 2012; and **(3)** an Operating and Maintenance Agreement from December 31, 2011 to June 30, 2012 and to allow for additional extensions of project deadlines up to 6 months for good cause and additional consideration, subject to the Maple/Mockingbird TIF District Board of Director's approval and final authorization by the Director of the Office of Economic Development - Financing: No cost consideration to the City [**11-0660; APPROVED**]

**Downtown Connection TIF District -
Atmos Complex Redevelopment**

Note: Item Nos. 39 and 40 must be considered collectively.

39. * Authorize an amendment to the development agreement with Hamilton Atmos, LP for the redevelopment of 1900 Jackson Street, 1916 Jackson Street, 301 South Harwood Street, 1915 Wood Street, and 1815 Wood Street, the Atmos Complex, previously approved on October 22, 2008, by Resolution No. 08-2919 and 08-2920, in Tax Increment Financing Reinvestment Zone Number Eleven (Downtown Connection TIF District) to: **(1)** develop the Atmos Complex in two Phases; **(2)** increase the total number of units from approximately 220 units to a minimum of 87,000 square feet of residential space for Phase I (approximately 107 units) and a minimum of 115,000 square feet of residential space (approximately 123 units) for Phase II; **(3)** increase the number of affordable units from 23 units to a minimum of 87,000 square feet of affordable residential space (approximately 107 units) for Phase I and a minimum of 46,000 square feet of affordable residential space (approximately 63 units for Phase II); **(4)** change the deadline to obtain a building permit for the project from April 20, 2011 to June 1, 2011 for Phase I and June 1, 2015 for Phase II; **(5)** change the date to obtain a certificate of occupancy for the project from February 28, 2013 to February 28, 2013 for Phase I and December 31, 2016 for Phase II; **(6)** change TIF funding from a principal of \$12,560,401 plus interest for a maximum total incentive not to exceed \$23,000,000 to an amount not to exceed \$15,000,000 plus interest for a total incentive not to exceed \$23,000,000 for Phases I and II; **(7)** change the due dates for the remaining option fee payment from April 20, 2011 to June 1, 2011; and **(8)** change the method of reimbursement to reflect the district's Increment Allocation policy approved by the Downtown Connection TIF District Board of Directors on September 16, 2009 - Not to exceed \$23,000,000 - Financing: Downtown Connection TIF District Funds [**11-0661; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

Downtown Connection TIF District - Atmos Complex Redevelopment (Continued)

Note: Item Nos. 39 and 40 must be considered collectively.

- 40. * A resolution declaring the intent of Tax Increment Financing District Reinvestment Zone Number Eleven (Downtown Connection TIF District) to reimburse Hamilton Atmos, LP in an amount not to exceed \$15,000,000 plus interest for a total amount not to exceed \$23,000,000 for TIF-eligible project costs pursuant to the development agreement with Hamilton Atmos, LP - Financing: No cost consideration to the City **[11-0662; APPROVED]**

Housing/Community Services

- 41. Authorize **(1)** a public hearing to be held on April 13, 2011 to receive comments on a City of Dallas proposal to submit an amended application to the U.S. Department of Housing and Urban Development (HUD) for a Community Development Block Grant Section 108 Guarantee Loan Program loan in the amount of \$11,750,000 to fund a loan for Hamilton Atmos LP for development of the Atmos Lofts project for conversion of 3 vacant commercial buildings located at 301 South Harwood Street, 1815 Wood Street, and 1915 Wood Street into a mixed-use project including 9,500 square feet of bottom floor retail space, 123 apartment homes above the retail space with 63 apartment units deed restricted for 15 years for affordability to families with incomes at 80% or less of Area Median Family Income as established by HUD, and a parking garage and to fund site work, housing rehabilitation, and interest reserve; and at the close of the public hearing, **(2)** consideration of an amended application to HUD for a CDBG Section 108 Guarantee Loan Program loan for Hamilton Atmos LP in an amount not to exceed \$11,750,000 - Financing: No cost consideration to the City **[11-0663; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES – CONSENT **[11-0664; APPROVED]**

- 42. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an industrial (inside) use for light manufacturing on property zoned Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the east side of Rock Island Street, north of Bessemer Street **[11-0665; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28140]**
Recommendation of Staff and CPC: Approval for a five-year period, subject to a site plan and conditions
Z101-114(OTH)

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

43. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan and conditions for Planned Development District No. 315 for a Mini-warehouse use and LO-1 Limited Office District Uses on the south line of Forest Lane, west of Marsh Lane **[11-0666; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28141]**
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z090-184(RB)
44. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1692 for a Bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the southwest line of Exposition Avenue, west of Parry Avenue **[11-0667; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28142]**
Recommendation of Staff and CPC: Approval for a three-year period, subject to a site plan and conditions
Z101-126(RB)
45. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an NO(A) Neighborhood Office District on the northwest line of Garrett Avenue, northwest of Ross Avenue **[11-0668; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28143]**
Recommendation of Staff and CPC: Approval
Z101-130(RB)

ZONING CASES - INDIVIDUAL

46. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Bail bonds office on property zoned as Planned Development District No. 784, the Trinity River Corridor Special Purpose District, at the southwest corner of Reunion Boulevard and the Interstate 35 southbound access road **[11-0669; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28144]**
Recommendation of Staff: Approval for a two-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Z090-229(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

- 47. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant and an ordinance granting a Specific Use Permit for an Outside salvage or reclamation use on property zoned an IR Industrial Research District on the north line of Singleton Boulevard, east of Pluto Street **[11-0670; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL APRIL 13, 2011]**

Recommendation of Staff: Approval of an IM Industrial Manufacturing District, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions

Recommendation of CPC: Approval of an IM Industrial Manufacturing District, subject to deed restrictions volunteered by the applicant, and approval of a Specific Use Permit for an Outside salvage or reclamation use for a two-year period with eligibility for automatic renewal for additional three-year periods, subject to a site plan and conditions

Z090-124(RB)

Note: This item was considered by the City Council at public hearings on November 10, 2010 and January 12, 2011, and was taken under advisement until March 9, 2011, with the public hearing open.

- 48. 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 **[11-0671; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL APRIL 13, 2011]**

Recommendation of Staff and CPC: Approval

Z090-239(WE)

Note: This item was considered by the City Council at a public hearing on February 23, 2011, and was taken under advisement until March 9, 2011, with the public hearing open.

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

- 49. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Fraternal Organization and office use on property zoned an R-10(A) Single Family District with consideration given to a Specific Use Permit for a Fraternal Organization on property on the west side of Stults Road, south of Forest Lane **[11-0672; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED TO DENY]**

Recommendation of Staff: Approval of a Planned Development District for a Fraternal Organization and office use, subject to the conditions and approval of Specific Use Permit for a Fraternal Organization for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, landscape plan and conditions

Recommendation of CPC: Denial

Z090-221(WE)

Note: This item was considered by the City Council at public hearings on January 12 and February 9, 2011, and was taken under advisement until March 9, 2011, with the public hearing open.

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

50. 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 **[11-0673; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 22, 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 public hearings on October 26 and December 8, 2010, and was taken under advisement until March 9, 2011, with the public hearing open.

BENEFIT ASSESSMENT HEARINGS

Public Works & Transportation

51. A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements for Brockbank Drive from Lombardy Lane to Bynum Avenue to 600 feet north of Wheelock Street, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with JRJ Paving, L.P., lowest responsible bidder of seven - Not to exceed \$2,547,177 - Financing: 2006 Bond Funds (\$1,972,887), Water Utilities Capital Improvement Funds (\$520,534) and Water Utilities Capital Construction Funds (\$53,756) **[11-0674; HEARING CLOSED; APPROVED; ORDINANCE 28145]**

MISCELLANEOUS HEARINGS

Office of Financial Services

52. A public hearing to receive comments in preparation of the FY 2011-12 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City **[11-0675; HEARING CLOSED]**

Trinity Watershed Management

53. A public hearing to receive comments regarding an ordinance amending the comprehensive plan of the City of Dallas to incorporate the West Dallas Urban Structure and Guidelines and a resolution adopting the West Dallas Urban Structure and Guidelines for the area generally located north of Interstate 30, west and south of the Trinity River, and east of Sylvan Avenue - Financing: No cost consideration to the City **[11-0676; HEARING CLOSED; APPROVED; ORDINANCE 28146]**

**ADDENDUM
CITY COUNCIL MEETING
MARCH 9, 2011
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session [**11-0677; HELD**]

6ES

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

- Legal issues involving Chapter 254 of the Texas Health and Safety Code
- Legal issues regarding ordinances regulating signs on public property
- Legal issues involving the DFW Airport general counsel position

CONSENT ADDENDUM

Aviation

1. Authorize an application for and acceptance of a grant from the Federal Aviation Administration (FAA) for the federal share of the eligible capital improvements at Dallas Love Field - Not to exceed \$4,357,853 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds [**11-0678; APPROVED**]

Business Development & Procurement Services

2. Authorize a one-year service contract, with two one-year extension options, for median maintenance and mowing of Texas Department of Transportation rights-of-way within the corporate boundaries of Dallas - BIO Landscape & Maintenance, Inc., lowest responsible bidder of four - Not to exceed \$2,181,263 - Financing: Current Funds (subject to annual appropriations) [**11-0679; APPROVED**]
3. Authorize **(1)** Supplemental Agreement No. 2 to increase the contract with AT&T (formerly SBC DataComm, Inc.) for telecommunication services including voice (dial tone) and data network services, network management, monitoring, maintenance, perimeter security, and related services; and **(2)** an extension of the contract term by eight months - Total not to exceed \$3,790,199, from \$71,190,633 to \$74,980,832 - Financing: Current Funds (subject to annual appropriations) [**11-0680; APPROVED**]

Convention and Event Services

4. A resolution authorizing **(1)** execution of the Other Events Trust Fund Agreement with the Texas Comptroller of Public Accounts for the benefit of the 2011 TicketCity Classic Bowl Game for the period December 8, 2010 through December 31, 2011; and **(2)** the acceptance and deposit of funds from the Dallas Convention & Visitors Bureau in the amount of \$56,798 to be deposited in the Other Events Trust Fund with the State Comptroller of Public Accounts - Financing: This action has no cost consideration to the City [**11-0681; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
MARCH 9, 2011**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Fire

5. Authorize **(1)** a Memorandum of Understanding with the American Heart Association; and **(2)** the acceptance of a grant from the American Heart Association (AHA) for participation in a Dallas County cardiac arrest study entitled the AHA Dallas Caruth Initiative by providing de-identified patient care data for the period October 1, 2011 through September 30, 2012 - Not to exceed \$131,000 - Financing: American Heart Association Grant Funds [**11-0682; APPROVED**]

Housing/Community Services

6. Authorize the continued occupancy under the lease agreement with Jess Baroukh L.L.C. for approximately 5,000 square feet of office space located at 2645 South Lancaster Road for the operation of the Women, Infants and Children Clinic through May 31, 2011 - Total not to exceed \$7,500 - Financing: Department of State Health Services Grant Funds (subject to annual appropriations) [**11-0683; APPROVED**]

Office of Management Services

7. Authorize **(1)** the acceptance of a 2009 Buffer Zone Protection Plan grant in an amount not to exceed \$388,000 for the period April 1, 2009 through August 31, 2011 from the Department of Homeland Security through its agent, the Texas Division of Emergency Management, to provide funding for costs associated with securing critical infrastructure and key resource sites to prevent acts of terrorism within the City; **(2)** the acceptance of a 2010 Buffer Zone Protection Plan grant in an amount not to exceed \$950,000 for the period June 1, 2010 through May 31, 2012; and **(3)** execution of the grant agreements with the Texas Division of Emergency Management (the State Administrative Agency) - Total not to exceed \$1,338,000 - Financing: U.S. Department of Homeland Security Grant Funds [**11-0684; APPROVED**]

Public Works & Transportation

8. Authorize a contract with Ratcliff Constructors, LP, best value proposer of two, for the construction of the 2014 Main Street Municipal Building Annex Renovation - Not to exceed \$8,859,334 - Financing: 1998 Bond Funds (\$98,000) and 2006 Bond Funds (\$8,761,334) [**11-0685; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
MARCH 9, 2011**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

9. Ratify emergency work performed on an existing service contract with Young's General Contracting, Inc. for additional hydromulch and lime stabilization located within the specific buffer areas along the Trinity River Levee System - Not to exceed \$191,627 - Financing: Stormwater Drainage Management Funds [**11-0686; APPROVED AS AN INDIVIDUAL ITEM**]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

May 2011 Election

10. * An ordinance amending Ordinance No. 20231, as amended, to adopt certain new election precincts - Financing: No cost consideration to the City [**11-0687; APPROVED; ORDINANCE 28147**]
11. * An ordinance ordering a general election to be held in the City of Dallas on Saturday, May 14, 2011, for the purpose of electing the Mayor and 14 members of the City Council to represent Districts 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and 15 for the term beginning June 27, 2011 - Financing: No cost consideration to the City [**11-0688; APPROVED; ORDINANCE 28148**]
12. * A resolution authorizing a joint election agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas, Collin, Denton and Rockwall Counties, for the conduct of a joint election to be held on Saturday, May 14, 2011 - Not to exceed \$850,000 - Financing: Current Funds [**11-0689; APPROVED**]
13. * A resolution approving the appointment of citizens to serve as election judges for the May 14, 2011, joint election and the June 18, 2011, runoff election, if necessary - Financing: No cost consideration to the City [**11-0690; APPROVED**]
14. * A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the May 14, 2011 general election and submit a canvass report to the full City Council on Wednesday, May 25, 2011 - Financing: No cost consideration to the City [**11-0691; APPROVED**]
15. * A resolution appointing a precinct election officer serving in an election precinct as a member of the early voting ballot board for the May 14, 2011 City Council General Election - Financing: No cost consideration to the City [**11-0692; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
MARCH 9, 2011**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

16. Authorize a public hearing to be held on April 13, 2011 to receive comments concerning the creation of City of Dallas Reinvestment Zone No. 75 located at 3333 Dan Morton Drive, Dallas, Texas; and at the close of the hearing, consideration of **(1)** an ordinance creating City of Dallas Reinvestment Zone No. 75; **(2)** a 90 percent business personal property tax abatement for ten years with Dean Foods Company and/or its subsidiary WhiteWave Foods Company; and **(3)** a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Dean Foods Company and/or its subsidiary WhiteWave Foods Company in an amount up to \$250,000 associated with retaining and expanding the company's operations in Southern Dallas - Financing: No cost consideration to the City **[11-0693; APPROVED]**

Note: Addendum Item Nos. 17, 18, 19 and 20 must be considered collectively.

Skillman Corridor TIF District

17. * An ordinance amending the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District) to: **(1)** modify the TIF Project Plan budget to reflect Economic Development Grants as an eligible item; and **(2)** authorize an amendment to Ordinance No. 26534, previously approved on December 13, 2006, to reflect this modification - Financing: No cost consideration to the City **[11-0694; APPROVED; ORDINANCE 28149]**
18. * Authorize the establishment of the City of Dallas Skillman Corridor TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) pursuant to Chapter 311 of the Texas Tax Code, V.T.C.A. to be administered by the City of Dallas - Office of Economic Development to promote economic development within the Skillman Corridor TIF District - Financing: No cost consideration to the City **[11-0695; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
MARCH 9, 2011**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

Skillman Corridor TIF District
(Continued)

Note: Addendum Item Nos. 17, 18, 19 and 20 must be considered collectively.

- 19. * Authorize **(1)** a development agreement with Audelia WGK, LLC to dedicate future TIF revenues for an economic development grant and other eligible project costs related to the White Rock Place development located at the southwest corner of Walnut Hill Lane and Audelia Road in Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District); and **(2)** the Skillman Corridor TIF District Board of Directors to dedicate a principal amount not to exceed \$1,915,000 plus an additional grant in lieu of interest for a maximum incentive not to exceed \$2,372,000 from future Skillman Corridor TIF District revenues in accordance with the development agreement - Not to exceed \$2,372,000 - Financing: Skillman Corridor TIF District Funds [**11-0696; APPROVED AS AMENDED**]
- 20. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Fourteen (Skillman Corridor TIF District) to reimburse Audelia WGK, LLC a principal amount not to exceed \$1,915,000 plus an additional grant in lieu of interest for a maximum incentive not to exceed \$2,372,000 for certain TIF-eligible project costs related to the White Rock Place development located at the southwest corner of Walnut Hill Lane and Audelia Road in the Skillman Corridor TIF District - Financing: No cost consideration to the City [**11-0697; APPROVED AS AMENDED**]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

- 21. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the development plan of Planned Development District No. 518, on the south corner of Oak Lawn Avenue and Maple Avenue [**11-0698; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28150**]
Recommendation of Staff and CPC: Approval, subject to a development plan Z101-102(WE)

**ADDENDUM
CITY COUNCIL MEETING
MARCH 9, 2011**

CORRECTION:

Office of Management Services

35. 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 [11-0657]

Asphaltic Concrete Street Resurfacing for 2011
Agenda Item #21

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Arapaho Road	Hillcrest Road to Meandering Way	12
Arapaho Road	Meandering Way to Coit Road	12
Bambi Street	Murdock Road to Dowdy Ferry Road	8
Barrett Drive	Jim Miller Road to Bramlett Drive at Cul-de-Sac	5
Bent Branch Lane	Firelog Lane to Flickering Shadow Drive	11
Black Gold Drive	Cash Road to Transport Drive	6
Bolero Avenue	Antler Avenue to Elam Road	5
Boundbrook Avenue	Stillwater Drive to Gladwood Lane	10
Briarnoll Drive	Carrollwood Drive to Debbe Drive	12
Bridges Street	Cul-de-Sac to Redkey Street	5
Broken Tree Trail	Deerwood Drive to Library Lane	5
Camp Wisdom Road (W)	R.L. Thornton Freeway to Woodwick Drive	5, 8
Coleshire Drive	Greenspan Avenue to Highfall Drive	5
Denley Drive (S)	Mentor Avenue to Kingsley Drive	5
Emily Road	Coit Road to Kit Lane	11
Fort Worth Avenue	IH - 30 to Edgefield Avenue	3, 6
Franklin Street (S)	Gladiolus Lane to Cul-de-Sac	3
Furlong Drive	Blue Grass Drive to 145' North of Beau Purple Drive	6
Gallagher Street	Chihuahua Street to Vilbig Road	3, 6
Gallagher Street	Westmoreland Road to Norwich Street	3
Gentry Drive	Canada Drive to Bernal Drive	3
Gladwood Lane	Pinewood Drive to Westfield Drive	10
Goldmark Drive	Midpark Road to Spring Valley Road	11

Asphaltic Concrete Street Resurfacing for 2011
Agenda Item #21 (Continued)

<u>Project</u> (Continued)	<u>Limits</u>	<u>Council District</u>
Governors Row	Empire Central to Regal Row	6
Greendale Drive	Tonawanda Drive to Bruton Road	5
Halifax Street	Mockingbird Lane to Railroad Tracks	6
Hammerly Drive	Bernal Drive to Dead End	6
Harlingen Street	Leath Street to Dead End	6
Heather Glen Drive	Lake Placid Drive to Marblehead Drive	5
Highland Glen Trail	Highland Heather Lane to Meandering Way	12
Iowa Avenue (E)	Bruck Street to Corinth Street	4
Iroquois Drive	Dead End to Chippewa Drive	6
Jefferson Boulevard (W)	Hampton Road to City Limits	1
Jim Miller Road	IH - 30 to Samuell Boulevard	4, 7
Kelly Boulevard	Frankford Road to Timber Oaks Drive	12
Kelso Drive	Beau Purple Drive to 533 Kelso Drive	6
Kimballdale Drive	Wenatchee Drive to Oak Arbor Drive	3
Kinkaid Circle	Webb Chapel Road to Cul-de-Sac	6
La Prada Drive	Oates Drive to Millmar Drive	7
La Sobrina Drive	Spring Creek Road to El Pastel Drive	12
La Verdura Drive	Alto Caro Drive to El Pastel Drive	12
Library Lane	Camp Wisdom Road to Dead End	5
Logan Street	Good Latimer Expressway to Myrtle Street	7
Los Gatos Drive	Kirnwood Drive to Dead End	5
Mary Cliff Road	Ranier Street to Kings Highway	3
Morris Street	Westmoreland Road to Furey Street	3

Asphaltic Concrete Street Resurfacing for 2011
Agenda Item #21 (Continued)

<u>Project</u> (Continued)	<u>Limits</u>	<u>Council District</u>
Musgrave Drive	Dead End to St. Augustine Road	5
Nomas Street	Furey Street to Esmalda Drive	3
Norma Street	Doug Drive to Jane Lane	6
Odessa Street	Tumalo Trail to Dead End	6
Pebble Valley Lane	Dead End to Masters Drive	8
Perth Street	Harry Hines Boulevard to Cul-de-Sac	6
Polk Street (S)	Camp Wisdom Road to Brogdon Lane	5, 8
Profit Drive	Chancellor Row to Premier Row	6
Red Bird Lane (E)	160' West of Sunny Crest Lane to Old Ox Road	5
Riverway Drive	Riverway Bend Circle to Bruton Road	5
Ross Avenue	Peak Street to Live Oak Street	2, 14
Shorelark Drive	Prairie Creek Road to Undercliff Drive	5
Sovereign Row	Cul-de-Sac to Dividend Drive	6
Springhaven Drive	Gardenside Drive to Amity Lane	5
Strickland Street	Denley Drive to Fernwood Avenue	4
Sunnyvale Street	Ledbetter Drive to Fifty - Second Street	5
Top Line Drive	Black Gold Drive to Irving Boulevard	6
Transport Drive	Black Gold Drive to Irving Boulevard	6
Tumalo Trail	Bernal Drive to Cul-de-Sac	6
Tyler Street	7th Street to Davis Street	1,3
Williamswood Drive	Dickerson Street to Kirkham Drive	12
Woodmont Drive	Loop 12 to Alcorn Avenue	5

March 9, 2011

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Street Reconstruction Group 06-616
Agenda Item #22

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Crown Road	from Emerald Street to Goodnight Lane	6
Dilworth Road	from Pagemill Road to Hillguard Road	10
Petal Street	11000 Block	10

Installation of Water and Wastewater Mains at 33 Locations
Agenda Item #32

District 1

Alley between Brooks Avenue and Griffith Avenue from Brooks Avenue to Adams Avenue
Alley between Delaware Avenue and Pembroke Avenue from east of Adams Avenue east
Brooks Avenue from Griffith Avenue east
Griffith Avenue from Brooks Avenue south

District 3

Alley between Pelman Street and Conrad Street from Brookhaven Drive to Interstate Highway
35E (R.L. Thornton Freeway)
Brookhaven Drive from south of Beckleywood Boulevard south
Goyens Drive from Granger Street south
Ludlow Drive from Wynnewood Drive southeast
Salerno Drive from Illinois Avenue to Polk Street
Wynnewood Drive from Ludlow Drive northeast
Wynnewood Drive from Ludlow Drive southeast

District 4

Alley between Cape Cod Drive and Cove Drive from Crest Avenue to Atoll Drive
Alley between Glen Avenue and Stella Avenue from west of Danube Drive west
Alley between Marsalis Avenue and Maryland Avenue from Brownlee Avenue to Illinois
Avenue
Alley between Maryland Avenue and Idaho Avenue from Iowa Avenue to Georgia Avenue
Brownlee Avenue from Marsalis Avenue east
Cedar Haven Avenue from Forester Drive to Waco Avenue
Crestwood Drive from Beckley Avenue to Ramsey Avenue
Denley Drive from Forester Drive to Waco Avenue
Dover Street from Maryland Avenue to Ewing Avenue
Dudley Street from Berwick Avenue to Hutchins Road
Easement east of Marsalis Avenue from Elmore Avenue southeast
Easement west of Danube Drive from Corinth Street Road northwest
Fernwood Avenue from Genoa Avenue to Edgemont Avenue
Forester Drive from Cedar Haven Avenue to Denley Drive
Missouri Avenue from east of Alaska Avenue east
Seevers Avenue from Appian Way south
Stella Avenue from Corinth Street Road west
Strickland Street from Denley Drive to Waco Avenue

District 7

11th Street from Cliff Street to Leads Street
Alley between Pine Street and Poplar Street from U.S. Highway 175 (Central Expressway) to
Waldron Avenue
Barbaree Boulevard from St. Francis Avenue to Highland Road
Stoneman Street from U.S. Highway 175 (Central Expressway) to Lamar Street

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.