

AGENDA
CITY COUNCIL MEETING
MAY 25, 2011
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) **[11-1274]**

Agenda Item/Open Microphone Speakers **[11-1275]**

VOTING AGENDA

1. Approval of Minutes of the April 27, 2011 City Council Meeting **[11-1276; APPROVED]**

CONSENT AGENDA **[11-1277; APPROVED]**

Business Development & Procurement Services

2. Authorize an increase in the master agreement with AT&T through the State of Texas Department of Information Resources to extend the contract term for one year for the purchase of Cisco communication equipment and SmartNet maintenance through August 13, 2012 - Not to exceed \$2,435,185, from \$4,500,000 to \$6,935,185 - Financing: Current Funds **[11-1278; APPROVED AS AN INDIVIDUAL ITEM]**
3. Authorize a professional services contract to develop a citywide collaborative emergency response plan for Continuity of Operations and Continuity of Government for the City - Science Applications International Corporation, through the Houston-Galveston Area Council of Governments - Not to exceed \$100,000 - Financing: U.S. Department of Homeland Security Grant Funds **[11-1279; APPROVED]**
4. Authorize the purchase of three aerial trucks and eleven fire pumpers for Dallas Fire-Rescue - Metro Fire Apparatus Specialists, Inc., through the Houston-Galveston Area Council of Governments - Not to exceed \$8,251,000 - Financing: 2010 Certificates of Obligation (\$7,752,000) and 2006 Bond Funds (\$499,000) **[11-1280; APPROVED]**

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

5. Authorize payment of an agreed judgment in the lawsuit styled Andrea Thompson-Powell v. City of Dallas, Cause No. 09-15331-E - Not to exceed \$51,881 - Financing: Current Funds **[11-1281; APPROVED]**
6. Authorize Supplemental Agreement No. 1 to the professional services contract with Fitch & Associates for additional expert witness services necessary in the Medicare audit of ambulance services - Not to exceed \$35,000, from \$25,000 to \$60,000 - Financing: Current Funds **[11-1282; APPROVED]**

Equipment & Building Services

7. Authorize **(1)** the acceptance of the Heavy-Duty Vehicle and Equipment Grant from the North Central Texas Council of Governments to purchase and install auxiliary electric power systems on twenty-four heavy-duty trucks in order to reduce emissions due to vehicle idling for the period February 17, 2011 through July 31, 2011; and **(2)** execution of the grant agreement - Not to exceed \$211,404 - Financing: Texas Commission on Environmental Quality Grant Funds **[11-1283; APPROVED]**

Fire

8. Authorize **(1)** the acceptance of a grant from the U.S. Department of Homeland Security under the 2009 Assistance to Firefighters Grant for driver and officer training, swift water rescue training, and a wellness/fitness program for the period October 1, 2010 through September 30, 2012 in the amount of \$1,645,508 with a cash match from the City in the amount of \$411,377; and **(2)** execution of the grant agreement - Not to exceed \$2,056,885 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds (\$1,645,508) and Current Funds (\$411,377) (subject to appropriations) **[11-1284; APPROVED]**
9. Authorize a two-year contract with El Centro Community College for reimbursement of Fire Department training costs for the period September 1, 2011 through August 31, 2013 - Revenue: \$275,188 **[11-1285; APPROVED]**

Office of Management Services

10. Approval of the Forty-Fifth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011A (the "2011A Bonds"), subject to certain parameters - Financing: No cost consideration to the City **[11-1286; APPROVED; ORDINANCE 28194]**
11. Approval of the Forty-Sixth Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Bonds, Series 2011B (the "2011B Bonds"), subject to certain parameters - Financing: No cost consideration to the City **[11-1287; APPROVED; ORDINANCE 28195]**

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

12. Approval of the Forty-Seventh Supplemental Concurrent Bond Ordinance authorizing the issuance of Dallas/Fort Worth International Airport Joint Revenue Refunding Bonds, Series 2011C, Series 2011D, Series 2011E, Series 2011F, Series 2011G, Series 2011H (the "2011C, 2011D, 2011E, 2011F, 2011G, 2011H Bonds"), subject to certain parameters - Financing: No cost consideration to the City [**11-1288; APPROVED; ORDINANCE 28196**]

Park & Recreation

13. Authorize a contract for construction of a new pavilion at Webb Chapel Park located at 11428 Cromwell Drive - Phoenix I Restoration and Construction, Ltd., best value proposer of six - Not to exceed \$271,990 - Financing: 2006 Bond Funds [**11-1289; APPROVED**]
14. Authorize a contract for interior renovation, roof replacement, exterior repairs, and HVAC replacement at Anita Martinez Recreation Center located at 3212 North Winnetka Avenue - The Warrior Group, Inc., best value proposer of nine - Not to exceed \$1,141,895 - Financing: 2003 Bond Funds (\$200,000) and 2006 Bond Funds (\$941,895) [**11-1290; APPROVED**]
15. Authorize a contract for playground replacements at Kiest Park located at 3080 South Hampton Road and Sugarberry Park located at 7102 Sugarberry Road - Jay Davis Company, Inc. dba JDC Construction Co., lowest responsible bidder of eleven - Not to exceed \$287,707 - Financing: 2006 Bond Funds [**11-1291; APPROVED**]
16. Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with Sally Johnson Architect, LLC for schematic design through construction administration services for interior and exterior renovations, roof repair and mechanical upgrades at Walnut Hill Recreation Center; and **(2)** reprogramming of the 2006 Bond Funds originally allocated for Fair Oaks Park pavilion to Walnut Hill Recreation Center located at 10011 Midway Road - Not to exceed \$38,780, from \$206,245 to \$245,025 - Financing: 2006 Bond Funds [**11-1292; APPROVED**]
17. Authorize Supplemental Agreement No. 2 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide for engineering and surveying services to include revisions of the final plat and setting field monuments associated with easements required by Building Inspection at NorthBark Park located at 4900 Gramercy Oaks Boulevard - Not to exceed \$3,900, from \$24,900 to \$28,800 - Financing: 2003 Bond Funds [**11-1293; APPROVED**]

Police

18. Authorize an application for the Violence Against Women Formula Grant from the Office of the Governor, Criminal Justice Division in the amount of \$45,980 to provide sufficient services to reach all eligible crime victims for the period September 1, 2011 through August 30, 2012 - Financing: No cost consideration to the City [**11-1294; APPROVED**]

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

19. Authorize a contract with SYB Construction Company, Inc., lowest responsible bidder of nine, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-612 (list attached) - Not to exceed \$1,405,067 - Financing: 2006 Bond Funds (\$1,051,096), Water Utilities Capital Construction Funds (\$3,068) and Water Utilities Capital Improvement Funds (\$350,903) **[11-1295; APPROVED]**
20. Authorize a contract with SYB Construction Company, Inc., lowest responsible bidder of eight, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-616A (list attached) - Not to exceed \$397,357 - Financing: 2003 Bond Funds (\$365,604), Water Utilities Capital Construction Funds (\$725) and Water Utilities Capital Improvement Funds (\$31,028) **[11-1296; APPROVED]**
21. Authorize a contract with McMahon Contracting, L.P., lowest responsible bidder of nine, for the construction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-616B (list attached) - Not to exceed \$1,327,655 - Financing: 2006 Bond Funds (\$1,109,204), Water Utilities Capital Construction Funds (\$11,650) and Water Utilities Capital Improvement Funds (\$206,801) **[11-1297; APPROVED]**
22. Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of 11, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-619 (list attached) - Not to exceed \$1,999,007 - Financing: 2006 Bond Funds (\$1,516,296), Water Utilities Capital Construction Funds (\$10,556) and Water Utilities Capital Improvement Funds (\$472,155) **[11-1298; APPROVED]**
23. Authorize a contract with SYB Construction Company, Inc., lowest responsible bidder of seven, for the reconstruction of alley paving, drainage, water and wastewater main improvements for Alley Reconstruction Group 06-2026-N (list attached) - Not to exceed \$987,987 - Financing: 2006 Bond Funds (\$688,346), Water Utilities Capital Improvement Funds (\$296,769) and Water Utilities Capital Construction Funds (\$2,872) **[11-1299; APPROVED]**
24. Authorize a contract with SYB Construction Company, Inc., lowest responsible bidder of nine, for the reconstruction of alley paving, drainage, water and wastewater main improvements for Alley Reconstruction Group 06-2026-S (list attached) - Not to exceed \$918,943 - Financing: 2006 Bond Funds (\$584,348), Water Utilities Capital Improvement Funds (\$328,159) and Water Utilities Capital Construction Funds (\$6,436) **[11-1300; APPROVED]**
25. Authorize a professional services contract with Neel-Schaffer, Inc. for the engineering design of Pedestrian Group 06-3013 (list attached) - Not to exceed \$150,945 - Financing: 2006 Bond Funds (\$100,309), 2006-07 Community Development Block Grant Reprogramming Funds (\$34,986) and Water Utilities Capital Improvement Funds (\$15,650) **[11-1301; APPROVED]**

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

26. Authorize **(1)** the termination of the existing Interlocal Agreement with the Texas Department of Transportation for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard, previously approved on January 28, 2004, by Resolution No. 04-0410; and **(2)** a Local Project Advance Funding Agreement with and payment to the Texas Department of Transportation for the City's share of the design and construction costs for the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard - Not to exceed \$7,139,658 - Financing: 2006 Bond Funds **[11-1302; APPROVED]**
27. Authorize **(1)** alley paving for the alley between Goodwin Avenue and Vanderbilt Avenue from Laneri Avenue to Glencoe Street; provide for partial payment of alley construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 22, 2011, to receive comments - Financing: No cost consideration to the City **[11-1303; APPROVED]**
28. Authorize **(1)** alley paving, wastewater main improvements and installation of a storm drainage system for Alley Group 06-1124; provide for partial payment of alley construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 22, 2011, to receive comments (list attached) - Financing: No cost consideration to the City **[11-1304; APPROVED]**
29. Authorize an increase in the construction contract with Turner Construction Company, assigned to the Dallas Center for the Performing Arts Foundation, Inc. for construction management, to increase the capacity of the Stage House air conditioning system for the Annette Strauss Artist Square Project - Not to exceed \$122,493, from \$5,630,137 to \$5,752,630 - Financing: 2003 Bond Funds **[11-1305; APPROVED]**
30. Authorize an increase in the contract with Omega Contracting, Inc. for additional roadway paving and an increase in quantities of structural soil and fill materials for streetscaping and utility improvements for Main Street from Harwood Street to Good Latimer Expressway - Not to exceed \$400,277, from \$2,260,027 to \$2,660,304 - Financing: 2003 Bond Funds (\$138,416) and Water Utilities Capital Improvement Funds (\$261,861) **[11-1306; APPROVED]**
31. Authorize an increase in the contract with Texas Standard Construction, Ltd. for additional replacement of sidewalks, curbs and gutters and partial pavement repairs for the West Dallas Sidewalk Group 2010-01 (list attached) - Not to exceed \$87,700, from \$373,569 to \$461,269 - Financing: 2009-10 Community Development Block Grant Funds **[11-1307; APPROVED]**

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

32. Authorize Supplemental Agreement No. 2 to the professional services contract with TranSystems Corporation to provide additional engineering design and surveying services to add the Deep Ellum Streetscape Project to Streetscape Group 06-3010 (list attached) - Not to exceed \$694,859, from \$412,171 to \$1,107,030 - Financing: 2003 Bond Funds (\$301,088), 2006 Bond Funds (\$293,791) and Water Utilities Capital Improvement Funds (\$99,980) **[11-1308; APPROVED]**
33. Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with GSR Andrade Architects, Inc. to provide architectural and engineering services for design and construction administration for the Central Receiving Facility at Dallas Love Field in the amount of \$506,650, from \$24,500 to \$531,150; and **(2)** an increase in appropriations in the amount of \$713,895 in the Aviation Capital Construction Fund for design and professional services, city administration, and other owner's costs - Not to exceed \$506,650 - Financing: Aviation Capital Construction Funds **[11-1309; APPROVED]**
34. Authorize **(1)** Supplemental Agreement No. 15 to the contract with Jacobs Engineering Group, Inc. for additional design and construction administration services for the relocation of the airfield lighting vaults at Dallas Love Field in the amount of \$100,145, from \$4,642,567 to \$4,742,712; and **(2)** an increase in appropriations in the amount of \$100,145 in the Aviation Capital Construction Fund - Not to exceed \$100,145 - Financing: Aviation Capital Construction Funds **[11-1310; APPROVED]**

Sustainable Development and Construction

35. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Ruth Ferguson, Don Ray Ferguson, Ronald James Ferguson, Rickey Bernard Ferguson, Tamara Leashawn Ferguson and Geneva Anderson of approximately 6,585 square feet of land located near Luzon and Dutch Harbor Streets for the Street Realignment and Connection between Luzon and Corregidor Project - Not to exceed \$11,500 (\$10,000 plus closing costs not to exceed \$1,500) - Financing: 2003 Bond Funds **[11-1311; APPROVED]**
36. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gene Dunston of approximately 1,528 square feet of land located near Harry Hines Boulevard and Burbank Street for the Burbank Street Improvements Project - Not to exceed \$12,752 (\$11,002 closing costs not to exceed \$1,750) - Financing: 2003 Bond Funds **[11-1312; APPROVED]**
37. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Maxine Johnson of approximately 5,266 square feet of land improved with a single family residence located near the intersection of Bexar Street and Bethurum Avenue for the Bexar Street Improvement Project - Not to exceed \$23,000 (\$21,500 plus closing costs not to exceed \$1,500) - Financing: 2003 Bond Funds **[11-1313; APPROVED]**

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

38. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from AP-Prescott Twin Sixties, LP of approximately 1,796 square feet of land located near Twin Sixties Drive and U.S. 75 Central Expressway for the Katy Trail, Phase VI Project - Not to exceed \$121,900 (\$120,000 plus closing costs not to exceed \$1,900) - Financing: 2006 Bond Funds **[11-1314; APPROVED]**
39. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Behringer Harvard Mockingbird Commons, LLC of approximately 1,418 square feet of land located near Mockingbird Lane and U.S. 75 Central Expressway for the Katy Trail, Phase VI Project - Not to exceed \$132,500 (\$130,000 plus closing costs not to exceed \$2,500) - Financing: 2006 Bond Funds **[11-1315; APPROVED]**
40. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Eugene Ellis Edmonds and Ruth Edmonds of approximately 2,896 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$3,449 (\$1,448 plus closing costs not to exceed \$2,001) - Financing: Water Utilities Capital Improvement Funds **[11-1316; APPROVED]**
41. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Paul Wainwright and Ruby Wainwright of a tract of land containing approximately 27,782 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$17,000 (\$13,891 plus closing costs not to exceed \$3,109) - Financing: Water Utilities Capital Improvement Funds **[11-1317; APPROVED]**
42. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Warren Lynch and Jeanne Lynch of approximately two acres of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$60,041 (\$57,722 plus closing costs not to exceed \$2,319) - Financing: Water Utilities Capital Improvement Funds **[11-1318; APPROVED]**
43. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 7586 Mountain Creek Parkway, LLC of approximately 23,639 square feet of land located near the intersection of Mountain Creek Parkway and Clark Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$121,054 (\$118,195 plus closing costs not to exceed \$2,859) - Financing: Water Utilities Capital Improvement Funds **[11-1319; APPROVED]**
44. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from White Property Co. #2 LTD of approximately 155,138 square feet of land located near the intersection of Telephone Road and Dizzy Dean Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$130,110 (\$124,110 plus closing costs not to exceed \$6,000) - Financing: Water Utilities Capital Improvement Funds **[11-1320; APPROVED]**

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

45. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from White Property Co. #2 LTD of approximately 64,424 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$230,484 (\$225,484 plus closing costs not to exceed \$5,000) - Financing: Water Utilities Capital Improvement Funds **[11-1321; APPROVED]**
46. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Purvis T. Welch and Robbie Lee Hale of a tract of land containing approximately 301,937 square feet of land located near the intersection of Garden Grove Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$231,000 (\$225,599 plus closing costs not to exceed \$5,401) - Financing: Water Utilities Capital Improvement Funds **[11-1322; APPROVED]**
47. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Progressive Relocation of Texas, L.P. and Devin Phillips of approximately nine acres of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$487,376 (\$482,791 plus closing costs not to exceed \$4,585) - Financing: Water Utilities Capital Improvement Funds **[11-1323; APPROVED]**
48. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 635-120 JV of three tracts of land containing a total of approximately 495,023 square feet located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$932,479 (\$922,479 plus closing costs not to exceed \$10,000) - Financing: Water Utilities Capital Improvement Funds **[11-1324; APPROVED]**
49. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 1,751 square feet from Rhonda Martinez, Christine Soto and Roger Paul Cecil located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$8,000 (\$6,500 plus closing costs not to exceed \$1,500) - Financing: Water Utilities Capital Improvement Funds **[11-1325; APPROVED]**
50. Authorize the deposit of a Special Commissioners' Award in City of Dallas v. Michael W. Brandt, Cause No. cc-09-03725-c, pending in the County Court at Law No. 3, for acquisition from Michael W. Brandt of approximately 1,460 square feet of land located at the intersection of Wheelock and Brockbank Drives for the Brockbank Street Improvements Project - Not to exceed \$34,000 (\$32,500 plus closing costs not to exceed \$1,500) - Financing: 2006 Bond Funds **[11-1326; APPROVED]**
51. Authorize moving expense and rental assistance payments for Ashley Brown as a result of an official written offer of just compensation to purchase real property at 2463 West Five Mile Parkway for the Five Mile Parkway Voluntary Purchase Program Project - Not to exceed \$7,500 - Financing: 2006 Bond Funds **[11-1327; APPROVED]**

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

52. Authorize moving expense and replacement housing payments for Tony Garza in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1003 LaSalle Drive for future City facilities - Not to exceed \$31,600 - Financing: 2006 Bond Funds **[11-1328; APPROVED]**
53. Authorize moving expense and replacement housing payments for Charlie Herron as a result of an official written offer of just compensation to purchase real property at 1505 Prater Road for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$36,801 - Financing: Water Utilities Capital Construction Funds **[11-1329; APPROVED]**
54. Authorize an environmental deed restriction prohibiting exposure to and the use of groundwater without the express written pre-approval of the State of Texas under a portion of city-owned land containing approximately 6,350 square feet located near the intersection of Mockingbird Lane and Quebec Street, subject to the receipt of an Innocent Landowner Certificate in favor of the City for the affected site from the Texas Commission on Environmental Quality - Revenue: \$1,000 **[11-1330; APPROVED]**
55. Authorize the execution of Quitclaim Deeds for 40 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 a sheriff's sale to the highest bidders (list attached) - Revenue: \$380,957 **[11-1331; APPROVED]**
56. An ordinance amending Ordinance No. 28129, which abandoned a portion of Atwood Street, to Gina Diane Bishop Corwin and Jeffrey Ray Bishop, by altering the preamble and Sections 10, 11 and 12 - Financing: No cost consideration to the City **[11-1332; APPROVED; ORDINANCE 28197]**

Trinity Watershed Management

57. Authorize acquisition, including the exercise of the right of eminent domain. if such becomes necessary, from Kirk O. Mears of two tracts of land containing a total of approximately 1,920 square feet located on Patrick Drive near its intersection with Blessing Drive for the installation of drainage improvements for the Rush Creek Flood Protection and Storm Drainage Improvement Project - Not to exceed \$7,504 (\$5,504 plus closing costs not to exceed \$2,000) - Financing: 2006 Bond Funds **[11-1333; APPROVED]**
58. Authorize a professional services contract for the design of the western gateway to the Continental Pedestrian Bridge - Wallace Roberts & Todd, LLC, most advantageous proposer of nine - Not to exceed \$287,774 - Financing: 2006 Bond Funds **[11-1334; APPROVED]**
59. Authorize a contract for the construction of erosion control improvements for five sites at 2118-2132 Clarksdale Drive, 2102-2103 Healey Drive, 8022 Claremont Drive, 8220 Coolgreene Drive and 8165-8171 Hunnicut Road - ARK Contracting Services, LLC, lowest responsible bidder of six - Not to exceed \$851,923 - Financing: 2006 Bond Funds (\$744,330) and Water Utilities Capital Construction Funds (\$107,593) **[11-1335; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities**

60. Authorize Utility Adjustment Agreement Amendment No. 1 with LBJ Infrastructure Group LLC and Trinity Infrastructure, LLC, for water and wastewater main relocations and adjustments in Interstate Highway 635 (Lyndon B. Johnson Freeway) from Luna Road to U.S. Highway 75 (Central Expressway) and in Interstate Highway 35E (Stemmons Freeway) from Northwest Highway to Valwood Parkway for the Interstate Highway 635 Managed Lanes Project - Not to exceed \$331,574 - Financing: Water Utilities Current Funds (\$114,074) (to be reimbursed by LBJ Infrastructure Group LLC and Trinity Infrastructure, LLC) and Water Utilities Capital Improvement Funds (\$217,500) **[11-1336; APPROVED]**
61. Authorize a contract for the installation of water and wastewater mains at 34 locations (list attached) - Camino Construction, L.P., lowest responsible bidder of nine - Not to exceed \$7,191,857 - Financing: Water Utilities Capital Improvement Funds **[11-1337; APPROVED]**
62. Authorize an increase in the contract with Archer Western Contractors, Ltd. for additional work associated with the ozone completion improvements at the Elm Fork Water Treatment Plant - Not to exceed \$119,544, from \$5,743,400 to \$5,862,944 - Financing: Water Utilities Capital Improvement Funds **[11-1338; APPROVED]**
63. Authorize an increase in the contract with John Burns Construction Company of Texas, Inc. for additional work associated with the installation of a 20-inch recycled water main extension from the Cedar Crest Golf Course to the Dallas Zoo, Phase 1 - Not to exceed \$100,549, from \$2,792,409 to \$2,892,958 - Financing: Water Utilities Capital Improvement Funds **[11-1339; APPROVED]**

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

64. 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) **[11-1340; FULL COUNCIL; APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**
65. Consideration and appointment of one member to the Dallas Area Rapid Transit Board of Directors, Place 3 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A) **[11-1341; APPOINTMENT MADE TO BOARD]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

Park & Recreation

66. Authorize a contract for grading and utilities, soccer fields, parking, drives, lighting, vending and toilet pavilions, loop trail, irrigation, landscaping, fencing and site furnishings for the Elm Fork Athletic Complex located at 2200 block of Walnut Hill Lane - Rogers-O'Brien Construction Company, Ltd., best value proposer of seven - Not to exceed \$11,743,012 - Financing: 2006 Bond Funds (\$11,243,012) and Texas Parks and Wildlife Grant Funds (\$500,000) **[11-1342; DELETED ON THE ADDENDUM]**

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

67. 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 Silver Creek Investments, LLC and the Bank of DeSoto, related to the remodeling of the Glendale Shopping Center located at 4404 South Marsalis Avenue - Not to exceed \$600,000 - Financing: 2006 Bond Funds **[11-1343; APPROVED]**
68. Authorize an amendment to Section 2 of Resolution No. 11-0659, previously approved on March 9, 2011, which authorized an economic development grant agreement with Houseman Building L.L.C., related to the remodeling of the Houseman Building located at 400 North Akard Street to include acquisition costs in the minimum private investment for this project - Financing: No cost consideration to the City **[11-1344; APPROVED]**
69. Authorize an amendment to Section 2 and Section 6 of Resolution No. 11-0661, previously approved on March 9, 2011, which authorized a development agreement with Hamilton Atmos, LP. related to the Atmos Complex redevelopment project located at 1900 and 1916 Jackson Streets, 301 South Harwood Street, 1915 and 1815 Wood Streets to clarify that each phase of the Atmos Complex is independent, completion of Phase II of the project is not a requirement for reimbursement of Phase I of the project and the TIF reimbursement of \$15,000,000 plus interest up to \$8,000,000 for a total incentive amount of \$23,000,000 which is split amongst the project phases as follows: Phase I - \$3,250,000 plus interest and Phase II - \$11,750,000 plus interest - Financing: No cost consideration to the City **[11-1345; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

70. Authorize a public hearing to be held on June 8, 2011 to receive comments on amendments to the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to: **(1)** extend the term of the TIF District by a 10 year period from December 31, 2029 through December 31, 2039; **(2)** increase the City of Dallas' participation from a variable rate of 55 to 85% to a flat rate of 90%; **(3)** direct the City Manager to negotiate an increase in Dallas County's participation rate from 55% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; **(4)** increase the Davis Garden TIF District budget from \$38,267,083 to \$103,658,541 (in 2008 dollars); **(5)** modify the names of budget categories from Environmental Remediation to Environmental Remediation/Demolition, and from Parks, Open Space, Trails, Streetscape to District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar; **(6)** amend budget categories to: increase Infrastructure Improvements from \$22,074,732 to \$33,219,568, decrease Environmental Remediation/Demolition from \$6,131,870 to \$4,300,000, increase Affordable Housing from \$7,072,911 to \$11,920,435, increase Historic Façade Restoration from \$536,539 to \$1,946,858, increase District-wide Improvements - Parks, Open Space, Trails, Trolley/Streetcar from \$1,303,023 to \$4,358,953, and increase Administration and Implementation from \$1,148,008 to \$1,877,595; and **(7)** add a budget category to the TIF Project Plan for The Canyon in Oak Cliff in an amount of \$46,035,132; and at the close of the public hearing, consideration of an ordinance amending Ordinance No. 27090, previously approved on February 27, 2008, to reflect these modifications and all corresponding modifications to the Project Plan and Reinvestment Zone Financing Plan - Financing: No cost consideration to the City **[11-1346; APPROVED]**
71. Authorize **(1)** a public hearing to be held on June 22, 2011 to receive comments concerning the renewal of the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Prestonwood area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, **(2)** a resolution approving the creation of the District for seven years and approval of the District's Service Plan for 2012-2018 - Financing: No cost consideration to the City **[11-1347; APPROVED]**

Housing/Community Services

72. Authorize on-site reconstruction of four homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1829 East Overton Road in the amount of \$93,400; 5531 Alta Avenue in the amount of \$93,400; 2723 Grafton Avenue in the amount of \$93,400; and 2814 Michigan Avenue in the amount of \$93,400 - Total not to exceed \$373,600 - Financing: 2010-11 HOME Investment Partnership Program Grant Funds **[11-1348; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Housing/Community Services (Continued)

73. Authorize modifications to the Reconstruction/SHARE Program Statement to: **(1)** increase the maximum Reconstruction Program Assistance Type One loan amount from up to \$93,400 to \$103,000; **(2)** provide assistance to the extent permitted under appropriate regulations to cover the difference in the amount needed to complete an on-site reconstruction when either the contractor or property owner terminates the existing contract; and **(3)** clarification of the use of funds and deleting the one time payment of taxes in accordance with directions from U.S. Department of Housing and Urban Development (HUD) - Financing: No cost consideration to the City **[11-1349; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES – CONSENT **[11-1350; APPROVED]**

74. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and an ordinance granting a Specific Use Permit for a Metal salvage facility on property zoned an IR Industrial Research District on the northeast line of South Central Expressway, north of Loop 12 **[11-1351; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 8, 2011]**
Recommendation of Staff and CPC: Approval of an IM Industrial Manufacturing District and approval of a Specific Use Permit for a Metal salvage facility for a two-year period, with eligibility for automatic renewal for additional two-year periods, subject to a site plan and conditions
Z090-234(RB)
75. A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1395 for an Outside Salvage and Reclamation use on property zoned an IM Industrial Manufacturing District on the northeast corner of South Central Expressway (U.S. 75) and Youngblood Road **[11-1352; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28198]**
Recommendation of Staff and CPC: Approval, for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions
Z101-131(WE)

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

76. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a public school other than an open enrollment charter school and CR Community Retail District uses on property zoned an MF-2(A) Multifamily District, a CR-D Community Retail District with a Liquor Control Overlay and Planned Development District No. 366 with a Liquor Control Overlay on an interior tract of land north of Military Parkway between Scottsdale Drive and Buckner Boulevard **[11-1353; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28199]**
Recommendation of Staff and CPC: Approval, subject to conditions, a development plan, and a traffic management plan with retention of the D Liquor Control Overlay on a portion
Z101-134(MG)
77. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of 3,500 square feet or less on property zoned an RR-D Regional Retail District with a D Liquor Control Overlay at the southwest corner of West Kiest Boulevard and US 67/Marvin D. Love Freeway **[11-1354; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE NOS. 28200 AND 28201]**
Recommendation of Staff and CPC: Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions
Z101-149(JH)
78. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store of less than 3,500 square feet on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay, on the south line of C. F. Hawn Freeway, west of Silverado Drive **[11-1355; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28202]**
Recommendation of Staff and CPC: Approval for a two-year time period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z101-171(WE)
79. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1691 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 south side of Exposition Avenue, east of Ash Lane **[11-1356; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28203]**
Recommendation of Staff and CPC: Approval for a three-year period, subject to a site plan and conditions
Z101-172(MW)

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

80. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise store or food store of less than 3,500 square feet on property within Planned Development District No. 366 with a D Liquor Control Overlay, on the southeast corner of South Buckner Road (Loop 12) and Elam Road [11-1357; **HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 28204 AND 28205**]
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z101-179(WE)
81. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1757 for a Bar, lounge, or tavern and Inside commercial amusement use for a Live music venue on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the northeast corner of Elm Street and July Alley [11-1358; **HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28206**]
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z101-187(RB)
82. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a commercial amusement (inside) limited to a banquet hall, convention/display shows and receptions and a dance hall within Planned Development District No. 619 for mixed uses, on the south side of Main Street, west of Ervay Street [11-1359; **HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28207**]
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z101-190(WE)
83. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned a CC Community Commercial Subdistrict, an MF-1(A) Multifamily Subdistrict, and a R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the northwest corner of Hatcher Street and Scyene Road [11-1360; **HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28208**]
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z101-194(MG)

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

84. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an Open-enrollment Charter School on property zoned an RR Regional Retail District, on the northwest line of Marvin D. Love Freeway, southwest of Camp Wisdom Road [11-1361; **HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28209**]

Recommendation of Staff: Approval for a five-year period, with eligibility for automatic renewal of additional five-year periods, subject to a site plan, traffic management plan, and conditions

Recommendation of CPC: Approval for a period ending June 15, 2013, with eligibility for automatic renewal of additional five-year periods, subject to a site plan, traffic management plan, and conditions

Z090-220(RB)

85. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of and amendment to Specific Use Permit No. 1741 for an alcoholic beverage establishment limited to a bar, lounge, or tavern and the commercial amusement (inside) use limited to a Class A dance hall on property zoned an RS-MU Regional Service-Mixed Use Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the east side of South Lamar Street, between Starks Avenue and Haven Street, west of Central Expressway [11-1362; **HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28210**]

Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions.

Recommendation of CPC: Approval for a three-year period, subject to a site plan and conditions

Z101-175(OTH)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

86. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a vehicle storage lot within Planned Development District No. 323, the Urbandale Area Special Purpose District, on the southeast line of Forney Road, between Peachtree Street and Lawnview Avenue [11-1363; **HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 8, 2011**]

Recommendation of Staff and CPC: Approval for a three-year time period with eligibility for automatic renewals for additional three-year periods, subject to a site plan and conditions

Z101-110(WE)

Note: This item was considered by the City Council at a public hearing on April 27, 2011, and was held under advisement until May 25, 2011, with the public hearing open.

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

87. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a D(A) Duplex District on the southeast line of Garland Road, between Lunar Lane and Old Gate Lane **[11-1364; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28211]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z101-128(MG)
88. A public hearing to receive comments regarding an application for a CR Community Retail District on property zoned an R-5(A) Single Family District on the southwest corner of Chalk Hill Road and Chippewa Drive with consideration given to an NS(A) Neighborhood Service District **[11-1365; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 8, 2011]**
Recommendation of Staff: Approval of an NS(A) Neighborhood Service District in lieu of the requested CR Community Retail District
Recommendation of CPC: Denial
Z101-144(MW)
89. A public hearing to receive comments regarding an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use greater than 3,500 square feet on property zoned Subdistrict 1 within Planned Development District No. 366 with a D Liquor Control Overlay, at the northwest corner of South Buckner Boulevard and Cordell Drive **[11-1366; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JUNE 22, 2011]**
Recommendation of Staff: Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use greater than 3,500 square feet for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Denial
Z101-146(JH)
90. A public hearing to receive comments regarding an application for a D-1 Liquor Control Overlay and a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of 3,500 square feet or less on property zoned Subdistrict 2 within Planned Development District No. 366 with a D Liquor Control Overlay at the southeast corner of South Buckner Boulevard and Alto Garden Drive **[11-1367; HEARING CLOSED; APPROVED AS AMENDED WITH ORDINANCE TO COME BACK ON JUNE 22, 2011]**
Recommendation of Staff: Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise use of 3,500 square feet or less for a two-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions.
Recommendation of CPC: Denial
Z101-151(JH)

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

91. A public hearing to receive comments regarding an application for and an ordinance granting a CS Commercial Service District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an R-7.5(A) Single Family District on the east side of Southeast Drive, north of C.F. Hawn Freeway **[11-1368; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28212]**
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restrictions volunteered by the applicant
Z101-154(MW)
92. A public hearing to receive comments regarding an application for a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of less than 3,500 square feet on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay, on the northeast corner of the intersection of Lawnview Avenue and Military Parkway **[11-1369; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; DENIED WITHOUT PREJUDICE]**
Recommendation of Staff: Approval for a two-year period with eligibility for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Denial
Z101-166(MG)
93. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for Tower/antennas for cellular communication on property zoned an MC-1 Multiple Commercial District on the south side of McCallum Boulevard, east of Preston Road **[11-1370; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE NO. 28213]**
Recommendation of Staff: Approval, for a 10-year period with eligibility for additional 10-year periods subject to a site plan and conditions
Recommendation of CPC: Denial
Z101-195(MG)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

94. A public hearing to receive comments regarding an application for and an ordinance granting an RR Regional Retail District on property zoned Planned Development District No. 22 and a resolution accepting deed restrictions volunteered by the applicant on the west line of Preston Road, south of Alpha Road **[11-1371; HEARING CLOSED; DENIED WITHOUT PREJUDICE]**
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z101-122(MG)
Note: This item was considered by the City Council at a public hearing on April 27, 2011, and was held under advisement until May 25, 2011, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)**Sustainable Development and Construction (Continued)**DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

95. A public hearing to receive comments regarding consideration of amendments to Chapter 51 and Chapter 51A, the Dallas Development Code, to create a new alternative financial establishment use, establishing which zoning districts the use will be permitted in and providing appropriate standards for the use and an ordinance granting the revisions **[11-1372; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28214]**
Recommendation of Staff and CPC: Approval
DCA090-005
96. A public hearing to receive comments regarding consideration of amendments to Article VII, "Sign Regulations," Chapter 51A, the Dallas Development Code, to amend regulations pertaining to detached non-premise signs (billboards) to provide appropriate regulations for digital billboards and an ordinance granting the revisions **[11-1373; HEARING CLOSED; APPROVED AS AMENDED WITH ORDINANCE TO COME BACK AT A LATER DATE]**
Recommendation of Staff and CPC: Approval
DCA090-008

BENEFIT ASSESSMENT HEARINGS

Public Works & Transportation

97. A benefit assessment hearing to receive comments on street paving, storm drainage, water and wastewater main improvements for Street Group 06-452, and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with RKM Utility Services, Inc., lowest responsible bidder of ten (list attached) - Not to exceed \$2,220,948 - Financing: 2006 Bond Funds (\$1,454,193), Water Utilities Capital Improvement Funds (\$725,655) and Water Utilities Capital Construction Funds (\$41,100) **[11-1374; APPROVED; ORDINANCE 28215]**

MISCELLANEOUS HEARINGS

Office of Financial Services

98. 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 **[11-1375; HEARING CLOSED]**

Office of Management Services

99. 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 Kumiva Group, LLC located near the intersection of Medical District Drive and Cass Street and adjacent street right-of-way, and an ordinance authorizing support of the issuance of a municipal setting designation to Kumiva Group, LLC 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 **[11-1376; HEARING CLOSED; APPROVED; ORDINANCE 28216]**
Recommendation of Staff: Approval

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Park & Recreation

- 100. A public hearing to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain City-sponsored youth programs in compliance with State law, and, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City [**11-1377; HEARING CLOSED; ORDINANCE 28217**]

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Note: Item Nos. 101, 102 and 103 must be considered collectively.

Home Depot U.S.A., Inc.

- 101. * A public hearing to receive comments concerning the creation of a reinvestment zone for commercial tax abatement, to be known as City of Dallas Reinvestment Zone No. 76, incorporating approximately 74 acres of property located at 2320 Beckleymeade Avenue in Dallas for the purpose of granting a economic development incentives to Home Depot U.S.A., Inc. and PR Crow I-20 II LLP - Financing: No cost consideration to the City [**11-1378; HEARING CLOSED**]
- 102. * An ordinance designating the approximately 74 acres of property located at 2320 Beckleymeade Avenue in Dallas as City of Dallas Reinvestment Zone No. 76 for the purpose of granting economic development incentives to Home Depot U.S.A., Inc. and PR Crow I-20 II LLP, establishing the boundaries of the Reinvestment Zone and providing for an effective date - Financing: No cost consideration to the City [**11-1378; APPROVED; ORDINANCE 28218**]
- 103. * Authorize **(1)** the termination of a real property tax abatement pursuant to Resolution No. 08-0928 and 08-0929 that was originally approved on March 26, 2008; and **(2)** a 75 percent business personal property tax abatement agreement for 10 years with Home Depot U.S.A., Inc. and PR Crow I-20 II LLP located on approximately 74 acres of property located at 2320 Beckleymeade Avenue in Dallas - Revenue: First year revenue estimated at \$139,475; ten-year revenue estimated at \$1,394,750 (Estimated revenue foregone for ten-year business personal property tax abatement estimated at \$4,184,250) [**11-1379; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
MAY 25, 2011
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session [**11-1380; HELD**]

6ES

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

- Love Terminal Partners, L.P. v. United States, No. 8-536-L, United States Court of Claims
- Legal issues involving Section 6.204 of the Texas Family Code and Section 46-6 of the Dallas City Code
- Andrew Collins v. Paul Bauer et al., Civil Action No. 3-11-CV-0887-B

CONSENT ADDENDUM

City Controller's Office

1. Authorize the preparation of plans for issuance in an amount not to exceed \$285,000,000 in Waterworks and Sewer System Revenue Refunding Bonds, Series 2011 - Financing: This action has no cost consideration to the City [**11-1381; APPROVED**]

Public Works & Transportation

2. Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of seven, for the construction of paving, drainage and streetscape/urban design improvements including sidewalks, curb and gutter, barrier free ramps, and water mains for Greenville Avenue from Alta Avenue to Bell Avenue - Not to exceed \$1,350,538 - Financing: 2003 Bond Funds (\$71,597), 2006 Bond Funds (\$1,125,980), Water Utilities Capital Construction Funds (\$15,812) and Water Utilities Capital Improvement Funds (\$137,149) [**11-1382; APPROVED**]
3. Authorize an increase in the construction contract with Trane U.S., Inc. for control upgrades at additional City facilities (list attached) - Not to exceed \$450,000, from \$1,800,000 to \$2,250,000 - Financing: U.S. Department of Energy Grant Funds [**11-1383; APPROVED**]
4. Authorize an increase in the construction contract with Facility Solutions Group, Inc. for lighting retrofits at additional City facilities (list attached) - Not to exceed \$597,750, from \$2,391,000 to \$2,988,750 - Financing: U.S. Department of Energy Grant Funds [**11-1384; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
MAY 25, 2011**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

5. Authorize Supplemental Agreement No. 6 to the professional services contract with HNTB Corporation for additional design analysis, additional utility and environmental investigations, and construction administration for the 100-Year Remediation Plan - Not to exceed \$3,621,053, from \$37,972,710 to \$41,593,763 - Financing: 2006 Bond Funds **[11-1385; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

May 2011 Election

6. * Receive the report of the Ad Hoc City Council Canvassing Committee and adopt a resolution and order accepting the canvassing committee's report declaring the results of the May 14, 2011 general election for members of the City Council - Financing: No cost consideration to the City **[11-1386; APPROVED]**
7. * An ordinance ordering a runoff election to be held in the City of Dallas, on Saturday, June 18, 2011, for the purpose of electing members of the City Council to represent Places 15 (Mayor) and 12, in which no candidate received a majority of the votes in the general election held on Saturday, May 14, 2011 - Financing: No cost consideration to the City **[11-1387; APPROVED; ORDINANCE 28219]**
8. * A resolution approving the appointment of citizens to serve as election judges for the June 18, 2011 runoff election - Financing: No cost consideration to the City **[11-1388; APPROVED]**
9. * A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the June 18, 2011 runoff election, and submit a canvass report to the full City Council on Monday, June 27, 2011 - Financing: No cost consideration to the City **[11-1389; APPROVED]**
10. * A resolution authorizing **(1)** an increase in the joint elections agreement and election services contract between the City of Dallas and Dallas County for the conduct of a runoff election to be held on Saturday, June 18, 2011 in an amount not to exceed \$1,175,000, from \$950,000 to \$2,125,000; **(2)** legal advertising, translation services, security and other election services in an amount not to exceed \$110,000; and **(3)** an increase in appropriations in the amount of \$1,285,000, from \$1,092,283 to \$2,377,283 in the City Secretary's Office Elections budget - Not to exceed \$1,285,000 - Financing: Contingency Reserve Funds **[11-1390; APPROVED AS AMENDED]**

**ADDENDUM
CITY COUNCIL MEETING
MAY 25, 2011**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

11. Authorize the City Manager to: **(1)** execute loan documents to provide for LifeNet Community Behavioral Healthcare or its wholly owned subsidiary, assumption of a loan on property at 4515 Live Oak Street in the amount of \$927,141 from the Prince of Wales Partnership and an amendment to the terms of the loan to a 0% interest, forgivable loan, extended through December 31, 2029; and **(2)** purchase deed restrictions from LifeNet Community Behavioral Healthcare in the amount of \$300,000 to ensure affordable, permanent supportive housing units on the 4515 Live Oak property through December 31, 2029 - Total not to exceed \$300,000 - Financing: 2005 Bond Funds **[11-1391; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

DESIGNATED ZONING CASES - INDIVIDUAL

12. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an R-7.5(A) Single Family District located on the east line of Coit Road, south of Frankford Road **[11-1392; HEARING CLOSED; APPROVED AS AMENDED WITH ORDINANCE TO COME BACK ON JUNE 8, 2011]**
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, conditions and urban design guidelines
Z101-145(MG)

DELETION:

Park & Recreation

66. Authorize a contract for grading and utilities, soccer fields, parking, drives, lighting, vending and toilet pavilions, loop trail, irrigation, landscaping, fencing and site furnishings for the Elm Fork Athletic Complex located at 2200 block of Walnut Hill Lane - Rogers-O'Brien Construction Company, Ltd., best value proposer of seven - Not to exceed \$11,743,012 - Financing: 2006 Bond Funds (\$11,243,012) and Texas Parks and Wildlife Grant Funds (\$500,000) **[11-1342]**