

AGENDA
CITY COUNCIL MEETING
JUNE 8, 2011
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) [11-1500]

Agenda Item/Open Microphone Speakers [11-1501]

VOTING AGENDA

1. Approval of Minutes of the May 25, 2011 City Council Meeting [11-1502; **APPROVED**]

CONSENT AGENDA [11-1503; **APPROVED**]

Aviation

2. A resolution authorizing the ceremonial designation of Herb Kelleher Way to a portion of Cedar Springs Road from Mockingbird Lane to the Dallas Love Field Terminal - Financing: No cost consideration to the City [11-1504; **APPROVED AS AN INDIVIDUAL ITEM**]
3. Authorize **(1)** an application for and acceptance of an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to perform Rolling Dynamic Deflectometer testing at Dallas Executive Airport as part of the capital improvement projects under TxDOT's State Block Grant Program, for TxDOT to assume responsibility for administering the FAA's Airport Improvement Program grants at airports classified as "other than primary" airports; **(2)** a TxDOT match of 90% of project costs under the State Block Grant Program in an amount not to exceed \$144,000; **(3)** a 10% local match of the project costs in an amount not to exceed \$16,000; and **(4)** execution of the grant agreement for the period July 2011 through July 2012 - Not to exceed \$160,000 - Financing: Aviation Capital Construction Funds (\$16,000) and Texas Department of Transportation Grant Funds (\$144,000) [11-1505; **APPROVED**]

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

4. Authorize a three-year service contract for yard waste grinding service at the City's landfill and transfer stations - National Waste Management, Inc., lowest responsible bidder of four - Not to exceed \$1,689,000 - Financing: Current Funds (subject to annual appropriations) **[11-1506; APPROVED]**
5. Authorize a three-year service contract to remove and install reflective pavement marking and reflective lane striping - Striping Technology, LP, lowest responsible bidder of four - Not to exceed \$3,381,897 - Financing: Current Funds (subject to annual appropriations) **[11-1507; APPROVED]**
6. Authorize a five-year service contract for janitorial service at City Hall and various Equipment and Building Services locations - Member's Building Maintenance in the amount of \$3,946,539 and Oriental Building Services, Inc. in the amount of \$2,483,508, most advantageous proposers of ten - Total not to exceed \$6,430,047 - Financing: Current Funds (subject to annual appropriations) **[11-1508; APPROVED]**
7. Authorize Supplemental Agreement No. 1 to increase the service contract with Systems Research and Applications Corporation for five years to allow access to a nationwide web-based system utilized by Police and to track gang activity to extend the contract term through March 31, 2016, Sole Source - Not to exceed \$100,000, from \$149,720 to \$249,720 - Financing: Current Funds (subject to annual appropriations) **[11-1509; APPROVED]**
8. Authorize a three-year consultant contract, with a three-year renewal option, for participation in the Emergency Interruptible Load Service Program and the Commercial Load Management Program - Comverge, Inc., most advantageous proposer of four - Estimated Annual Revenue: \$105,400 **[11-1510; APPROVED]**
9. Authorize a one-year master agreement for clamps, couplings, sleeves and adapters - Municipal Water Works Supply L.P. in the amount of \$137,430, HD Supply Waterworks, LTD in the amount of \$73,770 and Powerseal Pipeline Products Corp. in the amount of \$31,747, lowest responsible bidders of three - Total not to exceed \$242,947 - Financing: Water Utilities Current Funds **[11-1511; APPROVED]**
10. Authorize a three-year master agreement for cast iron fittings - HD Supply Waterworks, LTD in the amount of \$160,000 and Mainline Supply Company in the amount of \$150,000, lowest responsible bidders of three - Total not to exceed \$310,000 - Financing: Water Utilities Current Funds **[11-1512; APPROVED]**
11. Authorize **(1)** a three-year master agreement for fire equipment tools and parts for Dallas Fire-Rescue - Casco Industries, Inc. in the amount of \$204,000 and Metro Fire Apparatus Specialists, Inc. in the amount of \$33,000; and **(2)** a three-year service contract for the repair of fire equipment tools for Dallas Fire-Rescue - Casco Industries, Inc. in the amount of \$112,500 and Metro Fire Apparatus Specialists, Inc. in the amount of \$17,400, lowest responsible bidders of three - Total not to exceed \$366,900 - Financing: Current Funds (subject to annual appropriations) **[11-1513; APPROVED]**

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

12. Authorize **(1)** an acquisition contract for the purchase and implementation of a volunteer management software system in the amount of \$31,750; and **(2)** a three-year service contract for maintenance and support in the amount of \$31,130 - Samaritan Software, LLC dba Samaritan Technologies, most advantageous proposer of three - Total not to exceed \$62,880 - Financing: Recreation Center Program Funds (\$49,120) (subject to annual appropriations) and 2009 Urban Area Security Initiative Grant Funds (\$13,760) **[11-1514; APPROVED]**
13. Authorize a five-year concession contract for operation of the food and beverage concessions at the Harry S. Moss Park soccer complex for Park and Recreation - Lake Highlands Soccer Association, only proposer - Estimated Annual Revenue: \$2,400 **[11-1515; APPROVED AS AN INDIVIDUAL ITEM]**
14. Authorize Supplemental Agreement No. 1 to the contract with Health Texas Provider Network dba MedProvider through June 30, 2012 to increase the scope of the contract to include heavy metal testing, hepatitis B screening and qualitative HIV testing for firefighters assigned to the Hazardous Materials Response Team - Not to exceed \$195,744, from \$1,565,954 to \$1,761,698 - Financing: Current Funds (subject to annual appropriations) **[11-1516; APPROVED]**

City Attorney's Office

15. Authorize settlement of the lawsuit styled Homero Salas v. City of Dallas, Cause No. 10-07509-B - Not to exceed \$10,750 - Financing: Current Funds **[11-1517; APPROVED]**
16. Authorize settlement of a claim filed by Ana Romero, Claim No. LDPD-10-00004-01-31 - Not to exceed \$12,000 - Financing: Current Funds **[11-1518; APPROVED]**
17. Authorize settlement of the lawsuit styled Warren Quinlan v. Claude Adams and City of Dallas, Cause No. 09-09884-A - Not to exceed \$30,000 - Financing: Current Funds **[11-1519; APPROVED]**
18. Authorize settlement of a claim filed by Nettie Glover, Claim No. 11298786, seeking compensation for the death of her son - Not to exceed \$125,000 - Financing: Current Funds **[11-1520; APPROVED]**

Office of Cultural Affairs

19. Authorize renewal of the contract with the Museum of African American Life and Culture to provide a cultural awareness program for low-to moderate-income youth in the southern Dallas area for the period June 9, 2011 through July 29, 2011 - Not to exceed \$46,000 - Financing: 2010-11 Community Development Block Grant Funds **[11-1521; APPROVED]**

Park & Recreation

20. Authorize a contract for construction of a new hike and bike trail known as the Northaven Trail, from Preston Road to Valleydale Drive - RoeschCo Construction, Inc., best value proposer of ten - Not to exceed \$1,602,000 - Financing: 2006 Bond Funds **[11-1522; APPROVED]**

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

21. Authorize an agreement with Atmos Energy Corporation for relocation of a gas pipeline in the vicinity of the Katy Trail, Phase VI - Not to exceed \$37,574 - Financing: 2006 Bond Funds [**11-1523; APPROVED**]
22. Authorize the first amendment to Contract No. 582-11-86427 with the Texas Commission on Environmental Quality to accept additional state grant funds to continue the Rockwall Ambient Air Monitoring Program for the period September 1, 2011 through August 31, 2012 - Not to exceed \$26,812, from \$26,811 to \$53,623 - Financing: Texas Commission on Environmental Quality Grant Funds [**11-1524; APPROVED**]
23. Authorize the first amendment to Contract No. 582-11-86432 with the Texas Commission on Environmental Quality for additional grant funds for particulate matter 2.5, carbon monoxide and sulfur dioxide trace gas ambient air monitoring network activities for the period September 1, 2011 through August 31, 2012 - Not to exceed \$67,587, from 67,586 to \$135,173 - Financing: Texas Commission on Environmental Quality Grant Funds [**11-1525; APPROVED**]
24. Authorize the second amendment to Contract No. 582-10-86403 with Texas Commission on Environmental Quality to accept additional federal grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2011 through August 31, 2012 - Not to exceed \$422,360, from \$700,328 to \$1,122,688 - Financing: Texas Commission on Environmental Quality Grant Funds [**11-1526; APPROVED**]
25. Authorize **(1)** the second amendment to Contract No. 582-10-90257 with the Texas Commission on Environmental Quality to accept additional state grant funds in the amount of \$530,421 to continue the Air Pollution Compliance program to provide investigation services and complaint response extending the term of the contract for the period September 1, 2011 through August 31, 2012; and **(2)** a local match in an amount not to exceed \$261,252 - Not to exceed \$791,673, from \$1,583,346 to \$2,375,019 - Financing: Texas Commission on Environmental Quality Grant Funds (\$530,421) and Current Funds (\$261,252) (subject to annual appropriations) [**11-1527; APPROVED**]
26. Authorize **(1)** the acceptance of a grant from the Texas Commission on Environmental Quality for the Ambient Air Monitoring Program for the period September 1, 2011 through August 31, 2013, in the amount of \$366,570; **(2)** a local match in an amount not to exceed \$180,548 over the two-year period; and **(3)** execution of the grant agreement - Not to exceed \$547,118 - Financing: Texas Commission on Environmental Quality Grant Funds (\$366,570) and Current Funds (\$180,548) (subject to annual appropriations) [**11-1528; APPROVED**]
27. Authorize **(1)** the receipt and deposit of funds from Dallas Area Rapid Transit for the installation, maintenance, and removal of a temporary traffic signal at Forest Park Road and Inwood Road intersection in an amount not to exceed \$55,347; and **(2)** an increase in appropriations in the amount of \$55,347 in the Capital Projects Reimbursement Fund - Not to exceed \$55,347 - Financing: Capital Projects Reimbursement Funds [**11-1529; APPROVED**]

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

28. Authorize **(1)** the receipt and deposit of funds in the amount of \$42,478 from Southern Methodist University for the relocation of a traffic signal cabinet and cabling for the traffic signal located on North Central Expressway at Mockingbird Lane; and **(2)** an increase in appropriations in the amount of \$42,478 in the Capital Projects Reimbursement Fund - Not to exceed \$42,478 - Financing: Capital Projects Reimbursement Funds **[11-1530; APPROVED]**
29. Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of eight, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 06-622 (list attached) - Not to exceed \$3,527,405 - Financing: 2006 Bond Funds (\$2,800,787), Water Utilities Capital Construction Funds (\$33,875) and Water Utilities Capital Improvement Funds (\$692,743) **[11-1531; APPROVED]**
30. Authorize **(1)** Supplemental Agreement No. 1 to the professional services contract with Pierce Goodwin Alexander and Linville, Inc. to provide additional design services for the Snow and Ice Removal Facility at Dallas Love Field in the amount of \$141,255, from \$272,446 to \$413,701; and **(2)** an increase in appropriations in the amount of \$141,255 in the Aviation Capital Construction Fund - Not to exceed \$141,255 - Financing: Aviation Capital Construction Funds (\$56,926) and Aviation Passenger Facility Charge Funds (\$84,329) **[11-1532; APPROVED]**

Sustainable Development and Construction

31. Authorize acquisition, from Dallas Independent School District, of an easement covering approximately 20,473 square feet of land improved with paved parking located near the intersection of Westmoreland Road and Mapleleaf Lane for the Kiestwood Hike & Bike Trail Project - Not to exceed \$79,300 (\$77,670 plus closing costs not to exceed \$1,630) - Financing: 2003 Bond Funds **[11-1533; APPROVED]**
32. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Madie Davis of a tract of land containing approximately 4,609 square feet located near the intersection of Telephone and Bonnie View Roads for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$7,000 (\$4,839 plus closing costs not to exceed \$2,161) - Financing: Water Utilities Capital Improvement Funds **[11-1534; APPROVED]**
33. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Roy Burklow, James Rabe, Dale Rabe and Felicia Peirce of two tracts of land containing a total of approximately 47,908 square feet located near the intersection of Lawson Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$235,000 (\$230,016 plus closing costs not to exceed \$4,984) - Financing: Water Utilities Capital Improvement Funds **[11-1535; APPROVED]**

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

34. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Roy Burklow, James Rabe, Dale Rabe and Felicia Peirce of four tracts of land containing a total of approximately 117,743 square feet located near the intersection of Lawson Road and Interstate Highway 20 for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$417,000 (\$412,100 plus closing costs not to exceed \$4,900) - Financing: Water Utilities Capital Improvement Funds **[11-1536; APPROVED]**
35. Authorize a license agreement with Oncor for the use of Oncor right-of-way to construct and maintain portions of the proposed Kiestwood Hike & Bike Trail from Kiest Park to Rio Grande Avenue - Financing: No cost consideration to the City **[11-1537; APPROVED]**
36. Authorize moving expense and replacement housing payments for Isiah Turner as a result of an official written offer of just compensation to purchase real property at 1827 Fernwood Avenue for the Fernwood Erosion Control Project - Not to exceed \$32,456 - Financing: 2003 Bond Funds **[11-1538; APPROVED]**
37. An ordinance granting a private license to LU12 Dallas Oak Lawn V, L.P. for the use of approximately 16 square feet of aerial space to install and maintain one awning over a portion of Hi Line Drive near its intersection with Turtle Creek Boulevard - Revenue: \$1,000 annual fee plus the \$20 ordinance publication fee **[11-1539; APPROVED; ORDINANCE 28222]**
38. An ordinance granting a WMU-5 Walkable Mixed Urban Use District with a Shopfront Overlay on part of Tract A and all of Tract B and a Height Modification Overlay on property zoned as a CC Community Commercial Subdistrict within Planned Development District No. 595, and a WR-5 Walkable Urban Residential District with a Height Modification Overlay on Tracts C and D on property zoned as an MF-1(A) Multifamily Subdistrict within Planned Development District No. 595, on four separate tracts: **(1)** northwest line of Park Row Avenue between J. B. Jackson Boulevard and Trunk Avenue; **(2)** northwest line of Grand Avenue between Fourth Avenue and Trunk Avenue; **(3)** southeast line of Elihu Street south of Fourth Avenue; and **(4)** northwest line of Elihu Street south of Fourth Avenue - Financing: No cost consideration to the City **[11-1540; APPROVED; ORDINANCE 28223]**

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

39. 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) **[11-1541; INDIVIDUAL; APPOINTMENT MADE TO BOARDS AND COMMISSIONS]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

40. Authorize a public hearing to be held on June 22, 2011 to receive comments to consider an amendment to the Tax Increment Financing Reinvestment Zone Number Four (Cedars TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) to: **(1)** extend the term of the TIF District for a 10 year period from December 31, 2012 through December 31, 2022; **(2)** decrease the City of Dallas' participation after tax year 2012 from 100% to 90%; **(3)** direct the City Manager to negotiate an increase in Dallas County's participation rate after tax year 2012 from 65% to 75% and to execute an amendment to the Interlocal Agreement between the City of Dallas and Dallas County to reflect such increase; **(4)** amend the Cedars TIF Infrastructure Improvements - Street Construction/Streetscape/ Water/Wastewater/Drainage Improvements/ East-West Corridor Construction budget line item to include Public Open Spaces and Economic Development Grants; and **(5)** make corresponding modifications to the Cedars Project Plan to reflect these amendments - Financing: No cost consideration to the City [**11-1542; APPROVED**]

Note: Item Nos. 41 and 42
must be considered collectively.

TOD TIF District

41. * Authorize **(1)** a development agreement with Southern Methodist University to dedicate future TIF revenues for TIF eligible project costs related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a trail connection in Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District); and **(2)** the TOD TIF District Board of Directors to dedicate up to \$400,000 from future TOD TIF District revenues in accordance with the development agreement - Not to exceed \$400,000 - Financing: TOD TIF District Funds [**11-1543; APPROVED**]
42. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Seventeen (TOD TIF District) to reimburse Southern Methodist University up to \$400,000 for certain TIF-eligible project costs related to reimbursement of a local match associated with a North Central Texas Council of Governments Sustainable Development Grant for pedestrian improvements along SMU Boulevard and a Katy Trail connection in the TOD TIF District - Financing: No cost consideration to the City [**11-1544; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

Note: Item Nos. 43, 44, 45 and 46 must be considered collectively.

Cypress Waters TIF District

43. * An ordinance **(1)** approving the Project Plan and Reinvestment Zone Financing Plan for Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); and **(2)** authorizing a participation agreement with Dallas County for Tax Increment Financing Reinvestment Zone Number Nineteen - Financing: No cost consideration to the City [**11-1545; APPROVED; ORDINANCE 28224**]
44. * Authorize the establishment of the City of Dallas Cypress Waters TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters 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 Cypress Waters TIF District - Financing: No cost consideration to the City [**11-1546; APPROVED**]
45. * Authorize **(1)** a development agreement with Billingsley LD, Ltd. to: **(a)** dedicate future TIF revenues for TIF eligible project costs related to the Cypress Waters Phase I development located at the northeast quadrant of South Belt Line Road and Hackberry Road in Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District); **(b)** participate in the construction costs of certain water infrastructure improvements not to exceed thirty percent of the actual contract costs for such water and wastewater infrastructure improvements, pursuant to Section 212.071 of the Local Government Code subject to future appropriations from Dallas Water Utilities; and **(c)** participate in the cost of the engineering in an amount not to exceed \$221,220 for Cypress Waters Phase I eligible water and wastewater infrastructure; and **(2)** the Cypress Waters TIF District Board of Directors to dedicate an amount not to exceed \$9,757,267 plus an additional grant in an amount not to exceed five percent of such dedication net of DWU participation costs as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan - Not to exceed \$9,978,487 - Financing: Cypress Waters TIF District Funds (\$9,757,267) and Water Utilities Capital Improvement Funds (\$221,220) [**11-1547; APPROVED**]
46. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Nineteen (Cypress Waters TIF District) to reimburse Billingsley LD, Ltd. a principal amount not to exceed \$9,757,267 plus an additional grant in an amount not to exceed five percent of such dedication, net of DWU participation costs as necessary and convenient to the implementation of the Cypress Waters TIF District Project Plan and related to the Cypress Waters Phase I development located at the northeast quadrant of South Belt Line Road and Hackberry Road in the Cypress Waters TIF District - Financing: No cost consideration to the City [**11-1548; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)**MoneyGram International Inc.**

Note: Item Nos. 47 and 48
must be considered collectively.

47. * Authorize an amendment to Resolution No. 10-2621, previously approved on October 13, 2010, related to a 10-year business personal property tax abatement with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) to: **(1)** change the executive job creation requirement date from March 31, 2011 to be met by April 15, 2012; and **(2)** provide for termination of the 10-year business personal property tax abatement in the event that the executive and total job creation requirement is not met by April 15, 2012 and maintained thereafter - Revenue: First year revenue estimated at \$26,301; ten-year revenue estimated at \$144,656 (Estimated revenue foregone for a ten-year new business personal property abatement estimated at \$118,354) **[11-1549; APPROVED]**
48. * Authorize an amendment to Resolution No. 10-2622, previously approved on October 13, 2010, related to a Chapter 380 Economic Development Grant with MoneyGram International Inc. and/or its affiliates and subsidiaries (MPSI) to: **(1)** change the executive job creation requirement date from March 31, 2011 to be met by April 15, 2012; and **(2)** decrease the amount of the Chapter 380 economic development grant from \$278,500 to \$125,325; and **(3)** provide for the termination of the Chapter 380 Economic Development Grant in the event that the executive and total job creation requirement is not met by April 15, 2012 and maintained thereafter - Not to exceed \$125,325 - Financing: Public/Private Partnership Funds **[11-1550; APPROVED]**

Housing/Community Services

49. Authorize **(1)** a renewal extension modification of a housing reconstruction loan from the Estate of Jaylee Strange to Builders of Hope Community Development Corporation; and **(2)** an amendment to the terms of the loan to a 15-year forgivable loan with 0% interest and allow Builder's of Hope CDC to rent or sell 2207 Mountain Lake to person(s) with incomes at or below 80% of Area Median Family Income (AMFI) - Financing: No cost consideration to the City **[11-1551; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES – CONSENT [11-1552]

50. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment for a bar, lounge or tavern and a commercial amusement (inside) for a dance hall within Planned Development District No. 619 for mixed uses, on the northwest corner of North Field Street and Main Street **[11-1553; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28225]**
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plans and conditions
Z090-198(WE)
51. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1753 for a Liquor store within the Subarea 8 portion of Planned Development District No. 298, the Bryan Area Special Purpose District, at the west corner of Haskell Avenue and San Jacinto Street **[11-1554; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28226]**
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal of additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval for a two-year period subject to a site plan and conditions
Z101-160(JH)
52. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Phase I within Planned Development District No. 114 on the northeast corner of Belt Line Road and Prestonwood Boulevard **[11-1555; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28227]**
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z101-178(JH)
53. 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 use of 3,500 square feet or less on property zoned RR Regional Retail District with a D-1 Liquor Control Overlay at the southwest corner of South Loop 12 / Great Trinity Forest Way and C. F. Hawn Freeway / US 175 **[11-1556; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28228]**
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for additional five-year periods, subject to a site plan and conditions
Z101-202(JH)
54. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an MO-2 Mid-Range Office District on the west line of Coit Road, south of Belt Line Road **[11-1557; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28229]**
Recommendation of Staff and CPC: Approval
Z101-206(RB)

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

55. A public hearing to receive comments regarding an application for and an ordinance granting a TH-2(A) Townhouse District on property zoned an R-1ac(A) Single Family District on the east line of Club Hill Drive, south of Club Hill Court **[11-1558; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28230]**
Recommendation of Staff and CPC: Approval
Z101-210(RB)
56. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict within Planned Development District No. 621 on property zoned Subdistrict 1 within Planned Development District No. 621 on the northwest corner of Pace Street and Farrington Street **[11-1559 HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28231]**
Recommendation of Staff and CPC: Approval, to conditions
Z101-214(JH)
57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the north side of Commerce Street, west of Pryor Street **[11-1560; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28232]**
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z101-219(WE)
58. A public hearing to receive comments regarding an application for and an ordinance granting an Historic District Overlay on property zoned Planned Development District No. 682 in an area generally bound by Eighth Street, Crawford Street, Ninth Street, and Beckley Avenue **[11-1561; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28233]**
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z101-232(MD)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

59. 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 **[11-1562; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE NOS. 28234 AND 28235]**
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)
Note: This item was considered by the City Council at a public hearing on May 25, 2011, and was taken under advisement until June 8, 2011, with the public hearing open.

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

60. 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 **[11-1563; HEARING CLOSED; DENIED WITHOUT PREJUDICE]**

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 public hearings on April 27 and May 25, 2011, and was held under advisement until June 8, 2011, with the public hearing open.

DESIGNATED ZONING CASES - INDIVIDUAL

61. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for retail and office uses on property zoned a TH-1(A) Townhouse District, on the north side of Northwest Highway, west of Midway Road **[11-1564; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28236]**

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a development plan and conditions
Z101-224(WE)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

62. 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 **[11-1565; HEARING CLOSED; STAFF RECOMMENDATION FOLLOWED; ORDINANCE TO COME BACK AT A LATER DATE]**

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)

Note: This item was considered by the City Council at a public hearing on May 25, 2011, and was taken under advisement until June 8, 2011, with the public hearing open.

MISCELLANEOUS HEARINGS

Office of Financial Services

63. A public hearing to receive comments on the Proposed FY 2011-12 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds and the Proposed FY 2010-11 Reprogramming Budget - Financing: No cost consideration to the City **[11-1566; HEARING CLOSED]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Sustainable Development and Construction

64. A public hearing to receive comments regarding the 2011 Dallas Bike Plan and a resolution adopting the plan document to serve as a policy guide to benefit the citizens of Dallas - Financing: No cost consideration to the City [**11-1567; HEARING CLOSED; APPROVED**]

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development**Davis Garden TIF District**

Note: Item Nos. 65, 66, 67, 68 and 69 must be considered collectively.

65. * A public hearing to receive comments on amendments to the Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) Project Plan and Reinvestment Zone Financing Plan (Project Plan) - Financing: No cost consideration to the City [**11-1568; HEARING CLOSED**]
66. * An ordinance amending Ordinance Nos. 26799, as amended and 27090, as amended, authorizing amendments to the Project Plan and Reinvestment Zone Financing Plan ("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 - Financing: No cost consideration to the City [**11-1568; APPROVED; ORDINANCE 28237**]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)**Davis Garden TIF District** (Continued)

Note: Item Nos. 65, 66, 67, 68 and 69 must be considered collectively.

67. * Authorize the establishment of the City of Dallas Davis Garden TIF District Grant Program to implement the Project Plan and Reinvestment Zone Financing Plan (Project Plan) for Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden 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 Davis Garden TIF District - Financing: No cost consideration to the City **[11-1569; APPROVED]**
68. * Authorize **(1)** a development agreement with SLF III - The Canyon TIF, L.P., "SLF." to dedicate future TIF revenues for eligible project costs and for an economic development grant pursuant to the Davis Garden TIF District Grant Program to support the development of the Canyon in Oak Cliff located in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) and to participate through Dallas Water Utilities (DWU) in the costs of certain water and wastewater infrastructure improvements subject to future appropriation from current funds and pursuant to the provisions of Dallas City Code Chapter 49, Section 62(j); and **(2)** the Davis Garden TIF District Board of Directors to dedicate up to \$69,808,000 plus an additional grant up to \$59,067,756 - Not to exceed \$128,875,756 (\$69,808,000 plus an additional grant up to \$59,067,75) - Financing: Davis Garden TIF District Funds **[11-1570; APPROVED]**
69. * A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse the SLF III - The Canyon TIF, L.P., "SLF" up to \$69,808,000 plus an additional grant up to \$59,067,756 pursuant to the Davis Garden TIF District Grant Program for total funding not to exceed \$128,875,756 supporting the development of the Canyon in Oak Cliff located in the Davis Garden TIF District - Financing: No cost consideration to the City **[11-1571; APPROVED]**

**ADDENDUM
CITY COUNCIL MEETING
JUNE 8, 2011
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session [**11-1572; NOT HELD**]

6ES

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

- Legal issues involving the Wright Amendment Reform Act and merger of Southwest Airlines and AirTran

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize the purchase of twenty-four vehicle-specific anti-idling auxiliary power units for Equipment and Building Services - Xtreme Power Systems LLC, lowest responsible bidder of two - Not to exceed \$106,277 - Financing: Texas Commission on Environmental Quality Grant Funds [**11-1573; APPROVED**]

City Attorney's Office

2. Authorize settlement of attorney fees and expenses attributable to settled False Claims Act allegations in the lawsuit styled United States & Texas ex rel. Doug Moore, et al. v. City of Dallas, et al., Civil Action No. 3:09-CV-1452-O-BH - Not to exceed \$129,324 - Financing: Current Funds [**11-1574; APPROVED**]
3. Authorize settlement in lieu of proceeding further with condemnation in City of Dallas v. 11900 Marsh Lane, L.P., et al., Cause No. 10-08752-C, pending in the County Court at Law No. 3, for acquisition from 11900 Marsh Lane, L.P. of approximately 101,828 square feet of land located near the intersection of Marsh Lane and High Vista Drive for the Park Forest Branch Library Project - Not to exceed \$806,000 (\$799,000 plus closing costs not to exceed \$7,000) - Financing: 2006 Bond Funds [**11-1575; APPROVED**]

Office of Financial Services

4. Authorize a resolution suspending the effective date and extending the City Council's decision deadline for Atmos Energy Corp., Mid-Tex Division's proposed new Gas Reliability Infrastructure Program (GRIP) Interim Rate Adjustment for the 45 day period May 9, 2011 through June 23, 2011 - Financing: No cost consideration to the City [**11-1576; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
JUNE 8, 2011**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Park & Recreation

5. Authorize an increase in the contract with Sunbelt Pools, Inc. for installation of an identification sign adjacent to U.S. Highway 67 Service Road at Bahama Beach Water Park located at 1895 Campfire Circle; removal and replacement of all ceramic tile and removal of excess concrete behind existing plaster at Bonnie View Pool located at 2100 Huntingdon Avenue; removal and replacement of entry steps at Exline Pool located at 2525 Pine Street; and removal of concrete behind existing plaster and installation of swimming lane marker tiles at Lake Highlands North Pool located at 9344 Church Road - Not to exceed \$132,601, from \$677,488 to \$810,089 - Financing: 2006 Bond Funds **[11-1577; APPROVED AS AN INDIVIDUAL ITEM]**

Police

6. Authorize acceptance of the Violence Against Women Formula Grant from the Office of the Governor, Criminal Justice Division to provide sufficient services to reach all eligible crime victims for the period March 1, 2011 through June 30, 2011 - Not to exceed \$45,980 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds **[11-1578; APPROVED]**

Sanitation Services

7. Authorize **(1)** the acceptance of a grant from the North Central Texas Council of Governments in the amount of \$77,901 for Sanitation Services to conduct a recycling pilot program for multi-use developments (commercial/residential properties) for the period September 2010 through June 2011; **(2)** a local In-Kind Contribution in the amount of \$37,000; and **(3)** execution of the grant agreement - Total not to exceed \$114,901 - Financing: Texas Commission on Environmental Quality Grant Funds (\$77,901) and In-Kind Contribution (\$37,000) **[11-1579; APPROVED]**

Sustainable Development and Construction

8. An ordinance granting a Planned Development District for mixed uses subject to conditions, a conceptual plan, and urban design guidelines on property zoned an R-7.5(A) Single Family District on the east line of Coit Road, south of Frankford Road - Financing: No cost consideration to the City **[11-1580; POSTPONED UNTIL JUNE 22, 2011]**
9. An ordinance amending Article VII, "Sign Regulations," Chapter 51A, the Dallas Development Code and Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code to: **(1)** amend regulations pertaining to detached non-premise signs (billboards); **(2)** provide appropriate regulations for digital billboards; and **(3)** establish an annual registration fee - Financing: No cost consideration to the City **[11-1581; APPROVED AS AMENDED; ORDINANCE 28238]**

**ADDENDUM
CITY COUNCIL MEETING
JUNE 8, 2011**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

Mayor and City Council

10. An ordinance amending Chapter 15A of the Dallas City Code to: **(1)** define terms; and **(2)** clarify which persons are restricted from making campaign contributions to city council members and city council candidates during specified time periods relating to designated zoning cases, designated public subsidy matters, and city contracts - Financing: No cost consideration to the City [**11-1582; APPROVED; ORDINANCE 28239**]

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

11. Authorize **(1)** the acceptance of \$8,492,000 of Community Development Block Grant Section 108 Guaranteed Loan funds (Section 108 Loan funds) from the U.S. Department of Housing and Urban Development (HUD) for the Lancaster Urban Village community economic development project; **(2)** a loan agreement with City Wide Community Development Corporation (City Wide CDC) in the amount of \$8,492,000 of Section 108 funds for the Lancaster Urban Village community economic development project including public infrastructure, sitework, commercial development, residential development, and development of a parking garage for a mixed-use, transit-oriented development along the South Lancaster Road corridor across from the Veterans Affairs Medical Center (V.A.) at the southwest quadrant of the intersection of South Lancaster Road and Ann Arbor Avenue, and for a loan interest reserve; **(3)** the City Manager, to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for the Section 108 funds; and **(5)** the City Controller to deposit and disburse funds from an identified account - Total not to exceed \$8,492,000 - Financing: Community Development Block Grant Section 108 Guaranteed Loan Funds [**11-1583; APPROVED**]