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CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL AGENDA

Public Notice

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POSTED CITY SECRETARY  
DALLAS, TX

September 26, 2012

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)  
(La Información General Y Reglas De Cortesía Que Deben Observarse  
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

## General Information

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

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

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

## Rules of Courtesy

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

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

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

## Informacion General

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

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

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

## Reglas de Cortesia

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

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

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

**AGENDA**  
**CITY COUNCIL MEETING**  
**SEPTEMBER 26, 2012**  
**CITY OF DALLAS**  
**1500 MARILLA**  
**COUNCIL CHAMBERS, CITY HALL**  
**DALLAS, TEXAS 75201**  
**9:00 A. M.**

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the September 12, 2012 City Council Meeting

CONSENT AGENDA

**Business Development & Procurement Services**

2. Authorize a three-year service contract for pump overhaul and repair services - Anytime Pump Service Company dba CIE in the amount of \$1,982,978 and Allen's Electric Motor Services, Inc. in the amount of \$668,188, lowest responsible bidders of five - Total not to exceed \$2,651,166 - Financing: Water Utilities Current Funds (subject to annual appropriations)
3. Authorize a seven-year service contract for rental and maintenance of vehicle wash systems at the fleet service centers - ProTech Service Co. LLC in the amount of \$1,322,588 and Grant Sales, Inc. in the amount of \$740,200, most advantageous proposers of two - Total not to exceed \$2,062,788 - Financing: Current Funds (subject to annual appropriations)

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

4. Authorize the purchase of five trench shoring shields - Efficiency Production, Inc., lowest responsible bidder of two - Not to exceed \$133,366 - Financing: Water Utilities Current Funds
5. Authorize the purchase of five skid-steer loaders, four tar melters and one MK 1 broom for Street Services - Clark Equipment Company dba Bobcat Company in the amount of \$244,944, Crafcot Texas, Inc. in the amount of \$189,096 and R.B. Everett & Company in the amount of \$121,584 through the Texas Association of School Boards (BuyBoard) - Total not to exceed \$555,624 - Financing: Current Funds
6. Authorize the purchase of one floor scrubber for Convention and Event Services - Tennant Sales and Service Company through the General Services Administration - Not to exceed \$126,218 - Financing: Convention and Event Services Current Funds
7. Authorize a three-year master agreement for the purchase of cast iron fittings - Morrison Supply Company in the amount of \$200,000, Municipal Water Works Supply L.P. in the amount of \$200,000 and Fortiline, Inc. in the amount of \$100,000, lowest responsible bidders of four - Total not to exceed \$500,000 - Financing: Water Utilities Current Funds

**City Auditor's Office**

8. Authorize the City Auditor's Fiscal Year 2013 Audit Plan as required by paragraph 4(b) of Resolution No. 79-0723, previously approved on February 28, 1979, and as amended by Resolution No. 90-4027, previously approved on December 12, 1990 - Financing: No cost consideration to the City

**City Controller's Office**

9. An ordinance authorizing **(1)** the issuance and sale of City of Dallas, Texas, General Obligation Refunding Bonds, Series 2012, in an aggregate principal amount not to exceed \$260,000,000; **(2)** establishing parameters regarding the sale of the Bonds; and **(3)** execution of the Bond Purchase Agreement, and all matters related thereto - Not to exceed \$579,055 - Financing: 2012 General Obligation Refunding Bonds

**Court & Detention Services**

10. Authorize payment to Dallas County for processing and housing prisoners at the Lew Sterrett Criminal Justice Center, pursuant to Amendment No. 4 to the Criminal Justice Center Memorandum of Agreement with Dallas County, previously approved on June 11, 1997, by Resolution No. 97-1995, for the period October 1, 2012 through September 30, 2013 - Not to exceed \$8,228,943 - Financing: Current Funds (subject to appropriations)

CONSENT AGENDA (Continued)**Economic Development**

11. Authorize **(1)** the creation of a non-profit corporation to be named Dallas Entrepreneur Network (the "Corporation") to carry out programs to promote entrepreneurial activities and small business development in the City of Dallas; **(2)** approval of the Corporation's certificate of formation, and bylaws; **(3)** approval of the Corporation's initial board of directors; **(4)** the City Manager to file the Corporation's certificate of formation with the Secretary of the State of Texas; and **(5)** disbursement of up to \$635,000 related to SourceLink operations; acceptance and deposit of any and all funds received from outside sources; and the additional transfers and reimbursements for costs associated with SourceLink program - Not to exceed \$635,000 - Financing: Source Link Initiative Funds
12. Authorize a First Amendment to the City of Dallas Regional Center (CDRC) Management Contract between the City and Civitas Capital Management, LLC, a Texas limited liability company, previously approved on June 24, 2009, by Resolution No. 09-1689, which authorized the management of the EB-5 Program - Financing: No cost consideration to the City

**Routh Street Underpass Sustainable Development Infrastructure Project**

**Note:** Item Nos. 13 and 14 must be considered collectively.

13. \* Authorize **(1)** an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer, Routh Street Underpass, LLC, for the costs of design and construction of the Routh Street Underpass Sustainable Development Infrastructure Project in an amount not to exceed \$1,001,910; and **(2)** the receipt and deposit of funds in the amount of \$1,001,910 from the North Central Texas Council of Governments - Not to exceed \$1,001,910 - Financing: North Central Texas Council of Governments Grant Funds
14. \* Authorize **(1)** a Development Agreement with Routh Street Underpass, LLC, for reimbursement of the costs of design and construction of the Routh Street Underpass Sustainable Development Infrastructure Project; and **(2)** the establishment of appropriations in the amount of \$1,001,910 in the Routh Street Underpass COG SD Fund - Not to exceed \$1,001,910 - Financing: North Central Texas Council of Governments Grant Funds

CONSENT AGENDA (Continued)**Economic Development** (Continued)**Lake Highlands TOD Multimodal Connectivity Sustainable Development Infrastructure Project****Note:** Item Nos. 15, 16 and 17 must be considered collectively.

15. \* Authorize **(1)** an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse Dallas County, for the costs of design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project in an amount not to exceed \$2,774,222; and **(2)** the receipt and deposit of funds in the amount of \$2,774,222 from the North Central Texas Council of Governments - Not to exceed \$2,774,222 - Financing: North Central Texas Council of Governments Grant Funds
16. \* Authorize **(1)** a Development Agreement with PC LH Land Partners, LP, in support of the design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project; and **(2)** the receipt and deposit of funds in the amount of \$346,778 from PC LH Land Partners, LP in the Lake Highlands TOD Multimodal Connectivity Project Fund - Not to exceed \$346,778 - Financing: Private Funds
17. \* Authorize **(1)** a Project Specific Agreement with Dallas County for reimbursement of the costs of design, right-of-way acquisition, and construction of the Lake Highlands Transit Oriented Development Multimodal Connectivity Sustainable Development Infrastructure Project; **(2)** the establishment of appropriations in the amount of \$2,774,222 in the Lake Highlands TOD Multimodal Connectivity Project Fund; and **(3)** the establishment of appropriations in the amount of \$346,778 in the Lake Highlands TOD Multimodal Connectivity Project Fund - Not to exceed \$3,121,000 - Financing: North Central Texas Council of Governments Grant Funds (\$2,774,222) and Private Funds (\$346,778) (to be advanced by PC LH Land Partners, LP for reimbursement to Dallas County for eligible Project costs)

**The Collective Sustainable Development Infrastructure Project****Note:** Item Nos. 18 and 19 must be considered collectively.

18. \* Authorize **(1)** an agreement with the North Central Texas Council of Governments and the State of Texas to obtain funding to reimburse a private developer, The Park at Kessler, LP for the costs of construction of the Collective Sustainable Development Infrastructure Project in an amount not to exceed \$1,986,250; and **(2)** the receipt and deposit of funds in the amount of \$1,986,250 from the North Central Texas Council of Governments - Not to exceed \$1,986,250 - Financing: North Central Texas Council of Governments Grant Funds
19. \* Authorize **(1)** a Development Agreement with The Park at Kessler, LP for reimbursement of the costs of construction of the Collective Sustainable Development Infrastructure Project; and **(2)** the establishment of appropriations in the amount of \$1,986,250 in the Collective COG SDI Project Fund - Not to exceed \$1,986,250 - Financing: North Central Texas Council of Governments Grant Funds

CONSENT AGENDA (Continued)**Economic Development** (Continued)

20. Authorize the first renewal option for eight Business Assistance Centers (BACs) for a twelve-month service contract to provide technical assistance, incubator space and other eligible support services to low-to-moderate income persons owning or starting microenterprises listed herein for each contract as follows: **(1)** Greater Dallas Hispanic Chamber of Commerce (BAC#1) located at 4622 Maple Avenue in an amount not to exceed \$80,000; **(2)** Inncity Community Development Corporation (BAC#2) located at 4907 Spring Avenue in an amount not to exceed \$80,000; **(3)** Greater Dallas Hispanic Chamber of Commerce (BAC#3) located at 2060 Singleton Boulevard in an amount not to exceed \$80,000; **(4)** Greater Dallas Hispanic Chamber of Commerce (BAC#4) located at 400 South Zang Boulevard in an amount not to exceed \$80,000; **(5)** Business Assistance Center, Inc. (BAC#5) located at 1201 West Camp Wisdom Road in an amount not to exceed \$80,000; **(6)** Greater Dallas Asian American Chamber of Commerce/Multi-Ethnic Education and Economic Development Center (BAC#6) located at 7610 North Stemmons Freeway in an amount not to exceed \$80,000; **(7)** Organization of Hispanic Contractors DBA Regional Hispanic Contractors Association (BAC#7) located at 2210 West Illinois Avenue in an amount not to exceed \$80,000; and **(8)** Greater Dallas Indo American Chamber of Commerce (BAC#8) located at 2750 West Northwest Highway in an amount not to exceed \$80,000 - Total not to exceed \$640,000 - Financing: 2012-13 Community Development Block Grant Funds

**Fair Housing**

21. Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development (HUD) for the Fair Housing Assistance Program to process, investigate and conciliate housing discrimination complaints, administrative costs and HUD required staff training for the period October 1, 2012 through September 30, 2013; and **(2)** the execution of any and all documents related to the grant - Not to exceed \$361,943 - Financing: U.S. Department of Housing and Urban Development Grant Funds

**Fire**

22. Authorize **(1)** the acceptance of a grant from the U.S. Department of Homeland Security under the 2011 Assistance to Firefighters Grant Program - Fire Prevention and Safety Grants for smoke alarm campaign program for the period August 9, 2012 through August 8, 2013; and **(2)** execution of the grant agreement - Not to exceed \$68,000 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds

**Housing/Community Services**

23. Authorize contracts with child care providers for the City Child Care Services for the period October 1, 2012 through September 30, 2013 (list attached) - Not to exceed \$67,755 - Financing: 2012-13 Community Development Block Grant Funds

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

24. Authorize a contract with the Department of State Health Services for the continuation of the Special Supplemental Nutrition Program for Women, Infants, and Children for the period October 1, 2012 through March 31, 2013 - Not to exceed \$7,252,189 - Financing: Department of State Health Services Grant Funds

**Human Resources**

25. Authorize Supplemental Agreement No. 1 to exercise the first of two one-year renewal options of the professional services contract with Buck Consultants, LLC, for benefits consulting and actuarial services extending the term through September 30, 2013 - Not to exceed \$250,000, from \$1,000,000 to \$1,250,000 - Financing: Employee Benefits Current Funds

**Park & Recreation**

26. Authorize the rejection of bids received for construction of a loop trail and park improvements at Cherrywood Park located at 5400 Cedar Springs Road - Financing: No cost consideration to the City

**Police**

27. Authorize payment to Dallas County Schools from monies collected in the Child Safety Fund to be used in accordance with the Interlocal Agreement with Dallas County Schools to administer the school crossing guard program on behalf of the City approved by Resolution No. 12-1388, previously approved on May 23, 2012 for the period May 23, 2012 through June 24, 2042 in an amount not to exceed 90% of the annual amount of the monies collected in the Child Safety Fund - Not to exceed \$978,261 - Financing: Current Funds (subject to annual appropriations)
28. Authorize renewal of the Interlocal Agreement with Dallas County, through Southwestern Institute of Forensic Sciences at Dallas, for the provision of forensic, drug, toxicological, environmental, and physical evidence analysis, and other similar medical/forensic analytical services for the period October 1, 2012 through September 30, 2013 - Not to exceed \$3,800,000 - Financing: Confiscated Monies Funds (\$2,000,000) and Current Funds (\$1,800,000) (subject to appropriations)
29. Authorize **(1)** the application for and acceptance of the 2012/2013 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University - San Marcos in the amount of \$62,400 for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2012 through August 31, 2013; and **(2)** execution of the grant agreement - Not to exceed \$62,400 - Financing: Texas Comptroller's Tobacco Compliance Grant Funds



CONSENT AGENDA (Continued)**Public Works Department**

30. Authorize **(1)** an Advance Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of improvements on Riverfront Boulevard from Cadiz Street to Continental Avenue; **(2)** the receipt and deposit of Regional Toll Revenue funds from the Texas Department of Transportation in an amount not to exceed \$29,127,713; and **(3)** the establishment of appropriations in the amount of \$29,127,713 in the Regional Toll Revenue Fund - Not to exceed \$29,127,713 - Financing: Regional Toll Revenue Funds
31. Authorize a contract with Jeske Construction Company, lowest responsible bidder of eight, for the reconstruction of street paving, storm drainage and water and wastewater main improvements for Street Reconstruction Group 13 on Pueblo Street from Sylvan Avenue to Bataan Street and Forsythe Drive from Gayglen Drive to Komalty Drive - Not to exceed \$1,018,818 - Financing: 2006 Bond Funds (\$696,228), Water Utilities Capital Construction Funds (\$21,285) and Water Utilities Capital Improvement Funds (\$301,305)
32. Authorize a contract with Mario Sinacola and Sons Excavating, Inc., lowest responsible bidder of ten, for the construction of street paving, storm drainage and water and wastewater main improvements for the Merrifield Road Extension - Not to exceed \$1,519,173 - Financing: 1998 Bond Funds (\$338,840) and 2006 Bond Funds (\$1,180,333)
33. Authorize an increase in the contract with Texas Standard Construction, Ltd. for the construction of additional paving, storm drainage and water and wastewater main improvements to extend the original paving and main replacement limits for Street Reconstruction Group 06-622 on Fordham Road from Bonnie View Road to Hale Boulevard - Not to exceed \$428,109, from \$3,527,405 to \$3,955,514 - Financing: 2006 Bond Funds (\$195,122), Water Utilities Capital Construction Funds (\$4,160) and Water Utilities Capital Improvement Funds (\$228,827)
34. Authorize Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. for design of gateway improvements, bridge overlook, parking lot and trailhead connector for Cedar Crest Bridge - Not to exceed \$124,840, from \$549,945 to \$674,785 - Financing: 1998 Bond Funds

**Sustainable Development and Construction**

35. Authorize a third amendment to the lease agreement with Continental Electronics Corporation to extend the lease for an additional five-year period for the continued use of approximately 28,000 square feet of warehouse and office space and 127 secured parking spaces located at 8231 and 8239 Hoyle Avenue near its intersection with Buckner Boulevard for the period October 1, 2012 through September 30, 2017 - Total not to exceed \$552,900 - Financing: Water Utilities Current Funds (subject to annual appropriations)

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

36. An ordinance granting a Specific Use Permit for a convenience store with drive-through on property zoned a CR Community Retail District on the south side of West Clarendon Drive, west of Hampton Road - Z112-191 - Financing: No cost consideration to the City
37. An ordinance abandoning a sanitary sewer main easement, two water and sanitary sewer main easements, two water main easements and two floodway and utility easements to PC Village Apartments Dallas, L.P., the abutting owner, containing a total of approximately 161,940 square feet of land located near the intersection of Northwest Highway and Skillman Street - Revenue: \$7,400 plus the \$20 ordinance publication fee

**Trinity Watershed Management**

38. Authorize the deposit of a Special Commissioners' Award in the lawsuit styled, City of Dallas vs. Wes Ratcliff, et al., Cause No. cc-11-05622-b, for acquisition from Wes Ratcliff, of an unimproved tract of land containing approximately 7175 square feet located on Comal Street at its intersection with Cliff Street for the Dallas Floodway Project - Not to exceed \$30,800 (\$28,700 plus closing costs and title expenses not to exceed \$2,100) - Financing: 2006 Bond Funds
39. Authorize an increase to the existing construction contract with BAR Constructors, Inc. for additional modifications to the proposed outfall, outfall pipe and air vent system, fire alarm system, and other miscellaneous items necessary for the construction of the Levee Drainage System - Pavaho Sump - Not to exceed \$229,320, from \$26,622,652 to \$26,851,972 - Financing: 2006 Bond Funds

**Water Utilities**

40. Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a lake evaporation station on Lake Lewisville, a pharmaceutical and personal care products water quality study and a Zebra Mussel sampling and study on each of the reservoirs in the Dallas water supply system from October 1, 2012 through September 30, 2013 - Not to exceed \$512,028 - Financing: Water Utilities Current Funds
41. Authorize **(1)** a professional services contract with HDR Engineering, Inc. to prepare the City's Long Range Water Supply Plan Study to the Year 2070 and beyond, in the amount of \$3,890,000; and **(2)** the acceptance of a grant from the United States Bureau of Reclamation in the amount of \$198,000 to evaluate additional reuse opportunities to the Dallas downtown and surrounding areas - Not to exceed \$3,890,000 - Financing: Water Utilities Capital Construction Funds (\$198,000 to be reimbursed by the Recycled Water Feasibility Study Grant Funds)

CONSENT AGENDA (Continued)

**Water Utilities (Continued)**

42. Authorize Supplemental Agreement No. 4 to the professional services contract with Jacobs Engineering Group, Inc. to provide construction management services for construction contracts related to the East Side Water Treatment Plant and the Bachman Water Treatment Plant - Not to exceed \$3,961,527, from \$12,936,546 to \$16,898,073 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

43. 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)

**Sustainable Development and Construction**

44. An ordinance amending Section 6-4 of Chapter 6 of the Dallas City Code to amend the standards for approval of applications for variances from the spacing requirements for alcohol permits - Financing: No cost consideration to the City
45. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from AP-Prescott Twin Sixties GP, LLC of approximately 1,796 square feet of land located near the intersection of Twin Sixties Drive and North Central Expressway for the Katy Trail Phase VI Project - Not to exceed \$122,500 (\$120,000 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds
46. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Premier Place of Dallas, L.P. of approximately 3,798 square feet of land located near the intersection of Twin Sixties Drive and North Central Expressway for the Katy Trail Phase VI Project - Not to exceed \$268,000 (\$265,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds
47. 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 the intersection of Mockingbird Lane and North Central Expressway for the Katy Trail Phase VI Project - Not to exceed \$132,500 (\$130,000 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)**Sustainable Development and Construction** (Continued)

48. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from American Fund US Investment GP LLC of approximately 3,392 square feet of land located near the intersection of Mockingbird Lane and North Central Expressway for the Katy Trail Phase VI Project - Not to exceed \$642,500 (\$636,000 plus closing costs and title expenses not to exceed \$6,500) - Financing: 2006 Bond Funds

**Trinity Watershed Management**

49. Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, from C.E. Burdine of an unimproved tract of land and a temporary construction easement containing a total of approximately 1031 square feet located near the intersection of North Beckley Avenue and West Commerce Street for the Beckley Avenue Improvement Project - Not to exceed \$5,664 (\$3,664 plus closing costs and title expenses not to exceed \$2,000) - Financing: 1998 Bond Funds
50. Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, from Hinckley, Inc., Hinckley Cold Storage, Inc. and Hinckley Family Trust of an unimproved tract of land containing approximately 1.5 acres located at the intersection of Hill Avenue and IH 30 for the Mill Creek Drainage Relief System Project - Not to exceed \$490,000 (\$485,000 plus closing costs and title expenses not to exceed \$5,000) - Financing: 2006 Bond Funds

## ITEMS FOR FURTHER CONSIDERATION

**Public Works Department****Dickerson Street - McCallum Boulevard  
to Frankford Road**

**Note:** Item Nos. 51 and 52  
must be considered collectively.

51. \* Authorize a contract with Tiseo Paving Company, lowest responsible bidder of eight, for the construction of street paving, storm drainage, landscape, water and wastewater main improvements for Dickerson Street from McCallum Boulevard to Frankford Road - Not to exceed \$3,394,986 - Financing: 2006 Bond Funds (\$2,176,124), Water Utilities Capital Construction Funds (\$59,605) and Water Utilities Capital Improvement Funds (\$1,159,257)
52. \* Authorize a License Agreement with Dallas Area Rapid Transit for the realignment and reconstruction of the railroad crossing on Dickerson Street from McCallum Boulevard to Frankford Road - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

## DESIGNATED PUBLIC SUBSIDY MATTERS

**Economic Development****L'Oréal Distribution Center**

**Note:** Item Nos. 53, 54, 55 & 56 must be considered collectively.

53. \* Authorize a real property tax abatement agreement with Ridge South Dallas I, LLC for the purpose of granting a ten-year abatement of 90 percent of the taxes on the added value to the real property near Telephone Road and Dallas Avenue for a commercial warehouse distribution facility in accordance with the City's Public/Private partnership Program - Revenue: First year revenue estimated at \$10,361; ten-year revenue estimated at \$103,610 (Estimated revenue forgone for a ten-year new real property abatement estimated at \$932,490)
54. \* Authorize a Chapter 380 economic development grant agreement with L'Oréal USA S/D, Inc. to provide support of a new commercial warehouse distribution facility near Telephone Road and Dallas Avenue in accordance with the City's Public/Private Partnership Program - Not to exceed \$1,800,000 - Financing: Public/Private Partnership Funds
55. \* Authorize an infrastructure cost participation agreement with Ridge South Dallas I, LLC for necessary public infrastructure and other land development costs for property near Telephone Road and Dallas Avenue - Not to exceed \$2,000,000 - Financing: 2006 Bond Funds
56. \* Authorize an application to the Office of the Governor Economic Development and Tourism through the Economic Development Bank nominating L'Oréal USA S/D, Inc. located near Telephone Road and Lancaster Avenue in Dallas to receive designation as an Enterprise Project under the Texas Enterprise Zone Act, as amended (Government Code, Chapter 2303) - Financing: No cost consideration to the City

**Note:** Item Nos. 57 and 58 must be considered collectively.

**Patriot Tower**

57. \* Authorize a 90 percent real property tax abatement agreement for 10 years with Encore Office, LLC located on 2.7 acres within Reinvestment Zone Number Five at 350 North Saint Paul Street in Dallas pursuant to the City's Public/Private Partnership Program - Revenue: First year revenue estimated at \$31,880; ten-year revenue estimated at \$318,800 (Estimated revenue foregone for ten-year real property tax abatement estimated at \$2,869,200)
58. \* Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Encore Office, LLC. in an amount up to \$2,000,000 associated with the acquisition of and improvements to Patriot Tower located at 350 North Saint Paul Street in Dallas - Not to exceed \$2,000,000 - Financing: Public/Private Partnership Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

## DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

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

**Note:** Item Nos. 59 and 60 must be considered collectively.

59. \* Authorize **(1)** a development agreement with Davis Street Market, LP to dedicate future TIF revenues for eligible project costs related to environmental remediation, affordable housing, infrastructure and public right-of-way improvements located at 701 and 715 West Davis Street in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District); and **(2)** the Davis Garden TIF District Board of Directors to dedicate up to \$4,000,000 from future Davis Garden TIF District revenues in accordance with the development agreement - Not to exceed \$4,000,000 - Financing: Davis Garden TIF District Funds
60. \* A resolution declaring the intent of Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to reimburse Davis Street Market, LP up to \$4,000,000 for certain TIF-eligible project costs related to environmental remediation, affordable housing, infrastructure and public right-of-way improvements at 701 and 715 West Davis Street in the Davis Garden TIF District - Financing: No cost consideration to the City

**Housing/Community Services**

61. Authorize **(1)** an amendment to the Mortgage Assistance Program (MAP) for FY 2012-13 to: **(a)** change categories of assistance to include existing homes and Community Housing Development Organizations and **(b)** authorize the City Manager, or a designee, to review portfolio loans for appropriate affordability compliance and release those loans that have met those compliance requirements; and **(2)** an extension of the FY 2011-12 MAP contract with Enterprise Community Partners through December 31, 2012 - Financing: No cost consideration to the City

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

62. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and an expansion of Specific Use Permit No. 1522 for an open-enrollment charter school on property zoned an RR Regional Retail District on the south side of West Ledbetter Drive, west of Hampton Road  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan, traffic management plan and conditions  
Z090-208(OTH)

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

63. 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 greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the north side of Lake June Road, west of Masters Road  
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  
Z112-245(JH)

ZONING CASES - INDIVIDUAL

64. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1771 for a vehicle display, sales and service use on property within Subdistrict 3 of Planned Development District No. 533, the C.F. Hawn Special Purpose District No. 1 on the north side of C.F. Hawn Freeway, west of Jim Miller Road  
Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals 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  
Z112-275(MW)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

65. A public hearing to receive comments regarding an application for and an ordinance granting a renewal of Specific Use Permit No. 1813 for a recycling collection center on property zoned an IR Industrial Research District on the northeast corner of Sylvan Avenue and Fabrication Street  
Recommendation of Staff and CPC: Approval for a two-year period, subject to conditions  
Z112-259(WE)  
Note: This item was considered by the City Council at a public hearing on September 12, 2012, and was taken under advisement until September 26, 2012, with the public hearing open.

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

66. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for multifamily uses on property zoned an MF-1(A) Multifamily District on the southwest corner of Skillman Street and Sandhurst Lane and both sides of Amesbury Drive  
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, street sections and conditions  
Z112-225(JH)
67. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development Subdistrict No. 91 for Multiple Family Subdistrict uses within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Cedar Springs Road and Herschel Avenue  
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions  
Z112-266(WE)

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

68. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and renewal of Specific Use Permit No. 1609 for a potentially incompatible industrial (outside) use, limited to concrete and asphalt crushing, on property zoned an IM Industrial Manufacturing District, located on the west side of Spangler Road, north of Manana Drive  
Recommendation of Staff: Denial  
Recommendation of CPC: Approval for a five-year period, subject to a site plan and conditions  
Z112-157(OTH)  
Note: This item was considered by the City Council at public hearings on June 27, 2012, August 8, 2012 and September 12, 2012 and was taken under advisement until September 26, 2012, with the public hearing open.

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

69. Consideration of amendments to Chapter 51 and Chapter 51A, "Dallas Development Code, as amended," by amending off-street parking requirements for certain uses, amending parking special exception requirements, amending parking lot tree requirements, providing for administrative parking reductions, and allowing a taxidermist use in industrial districts and an ordinance granting the amendments  
Recommendation of Staff and CPC: Approval  
DCA090-010



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

## MISCELLANEOUS HEARINGS

**Economic Development****Deep Ellum Public Improvement District**

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

70. \* A public hearing to receive comments regarding the 2012 annual assessment rate for the Deep Ellum Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Deep Ellum Public Improvement District for the purpose of providing supplemental services and improvements, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
71. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Deep Ellum Public Improvement District (District); approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Dallas Downtown Improvement District**

**Note:** Item Nos. 72 and 73 must be considered collectively.

72. \* A public hearing to receive comments regarding the 2012 annual assessment rate for the Dallas Downtown Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, (the Act) for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
73. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Dallas Downtown Improvement District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Not to exceed \$579,427 - Financing: Current Funds (subject to appropriations)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development (Continued)**

**Knox Street Public Improvement District**

**Note:** Item Nos. 74 and 75 must be considered collectively.

- 74. \* A public hearing to receive comments regarding the annual assessment rate for the Knox Street Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, (the Act) for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
- 75. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Lake Highlands Public Improvement District**

**Note:** Item Nos. 76 and 77 must be considered collectively.

- 76. \* A public hearing to receive comments regarding the 2012 annual assessment rate for the Lake Highlands Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
- 77. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development** (Continued)

**Oak Lawn-Hi Line Public Improvement District**

**Note:** Item Nos. 78 and 79 must be considered collectively.

- 78. \* A public hearing to receive comments regarding the annual assessment rate for the Oak Lawn-Hi Line Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
- 79. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Prestonwood Public Improvement District**

**Note:** Item Nos. 80 and 81 must be considered collectively.

- 80. \* A public hearing to receive comments regarding the annual assessment rate for the Prestonwood Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
- 81. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development** (Continued)

**South Side Public Improvement District**

**Note:** Item Nos. 82 and 83 must be considered collectively.

- 82. \* A public hearing to receive comments regarding the annual assessment rate for the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
- 83. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the South Side Public Improvement District (District); approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Uptown Public Improvement District**

**Note:** Item Nos. 84 and 85 must be considered collectively.

- 84. \* A public hearing to receive comments concerning the 2012 annual assessment rate for the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, (the Act) for the District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
- 85. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Uptown Public Improvement District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Economic Development** (Continued)

**Vickery Meadow Public Improvement District**

**Note:** Item Nos. 86 and 87 must be considered collectively.

- 86. \* A public hearing to receive comments concerning the 2012 annual assessment rate for the Vickery Meadow Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Vickery Meadow Public Improvement District for the purpose of providing supplemental services, to be funded by assessments on real property and real property improvements in the District - Financing: No cost consideration to the City
  
- 87. \* An ordinance establishing classifications for the apportionment of costs and the methods of assessing special benefits for the services and improvements to property in the Vickery Meadow Public Improvement District; approving and adopting the 2012 assessment roll on file with the City Secretary; closing the hearing and levying assessments for the cost of certain services and improvements to be provided in the District during 2013; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the assessment; and providing an effective date - Financing: No cost consideration to the City

**Child Care Services Provider Master List**  
Agenda Item #23

<u>Provider Name</u>	<u>Address</u>
DBA Armadillos to Zebras Child Care (Knoll Kids)	14045 Waterfall Way
Born2 Lead Preparatory	8837 Bonnie View Road
Missionary EKKLESIA's Learning	8502 - B Willoughby Boulevard
Bent Tree Day School	18373 Vail Street
Building Blocks	910 East Ledbetter Drive
Cornerstone Christian Learning Center/The Ranch	1050 East Camp Wisdom Road
Dallas Bethlehem Center	4410 Leland Avenue
Eastridge Academy	6310 Eastridge Drive
Hampton Rd. Nursery School	702 South Hampton Road
Healthy Beginnings	14119 Montfort Drive
Heavenly Christian Academy	11421 Shiloh Road
Heavenly Learning Center	9625 Plano Road, Suite 1700
Ideal Day Care and Learning Center	1000 East Redbird Lane
Imagination Station/Little Tots Christian Center	7221 Scyene Road
Kaleidoscope Child Development Center	19310 Midway Road
Kingdom Kids Development Center	845 South Buckner Boulevard
Kirby's Kreative Learning Center	330 South R.L. Thornton Freeway
Kreative Kids Academy, Inc.	9664 Walnut Street
Little Texans Academy	18211 Kelly Boulevard
Margie Faye Foundation	2638 South Beckley Avenue
Metropolitan Christian Academies	3430 South Polk Street
N'Goyala Community Learning Center dba American Care Academy	530 South R.L. Thornton Freeway
Park South YMCA	2500 Romine Avenue
People's Palace Learning	2825 Valley View Lane, Suite 221
Preparatory Place Academy	3846 Opal Avenue
Redbird Learning Center	7575 South Hampton Road
Shiloh Terrace Child Development Center	9810 LaPrada Drive
Stepping Stone	5904 Samuell Boulevard
TDA Child Care	4710 West Illinois Avenue

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

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