

AGENDA
CITY COUNCIL MEETING
FEBRUARY 22, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers) [12-0520]

Agenda Item/Open Microphone Speakers [12-0521]

VOTING AGENDA

1. Approval of Minutes of the February 8, 2012 City Council Meeting [12-0522; **APPROVED**]

CONSENT AGENDA [12-0523; **APPROVED**]

Business Development & Procurement Services

2. Authorize a service contract for the refurbishment of aqua bar guard filter screens for Dallas Water Utilities - Filterone USA, LLC in the amount of \$2,737,263 and Alltech Engineering Corporation in the amount of \$235,309, lowest responsible bidders of two - Total not to exceed \$2,972,572 - Financing: Water Utilities Current Funds [12-0524; **APPROVED**]
3. Authorize a three-year service contract for grounds maintenance services at parks, airports and other City owned properties - Good Earth Corporation in the amount of \$2,389,573, JBa Land Management LLC in the amount of \$216,036 and BIO Landscape & Maintenance, Inc. in the amount of \$31,812, lowest responsible bidders of four - Total not to exceed \$2,637,421 - Financing: Current Funds (\$2,309,617) and Aviation Current Funds (\$327,804) (subject to annual appropriations) [12-0525; **APPROVED**]

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

4. Authorize a three-year service contract for grounds maintenance services for medians, rights-of-way and vacant lots and residential properties - Good Earth Corporation in the amount of \$4,529,004 and JBa Land Management, LLC in the amount of \$1,638,772, lowest responsible bidders of four - Total not to exceed \$6,167,776 - Financing: Current Funds (subject to annual appropriations) **[12-0526; APPROVED]**
5. Authorize a three-year service contract for litter pick up services at City parks - Good Earth Corporation, lowest responsible bidder of six - Not to exceed \$6,975,173 - Financing: Current Funds (subject to annual appropriations) **[12-0527; CORRECTED ON THE ADDENDUM; APPROVED]**
6. Authorize a one-year service contract for wildlife trapping services on City properties - 911 Wildlife, LLC, lowest responsible bidder of two - Not to exceed \$136,850 - Financing: Current Funds **[12-0528; APPROVED]**

Note: Item Nos. 7 and 8
must be considered collectively.

Water Conservation Program

7. * Authorize a five-year service contract for water consumption audits for industrial, commercial and institutional facilities - Alan Plummer and Associates, Inc., most advantageous proposer of four - Not to exceed \$742,309 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[12-0529; APPROVED]**
8. * A resolution authorizing the implementation and guidelines for a rebate program for industrial, commercial and institutional water utilities customers - Not to exceed an annual budget of \$2,000,000 - Financing: Water Utilities Current funds (subject to annual appropriations) **[12-0530; APPROVED]**

City Attorney's Office

9. Authorize payment of a judgment in the lawsuit styled Heather Stewart v. City of Dallas, Cause No. 05-04952-L - Not to exceed \$149,889 - Financing: Current Funds **[12-0531; APPROVED]**

Economic Development**FY 2011 Tax Increment Financing Zone Annual Reports**

10. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Two, (Cityplace Area TIF District), submitted by the Cityplace Area TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0532; APPROVED]**

CONSENT AGENDA (Continued)**Economic Development (Continued)****FY 2011 Tax Increment Financing Zone Annual Reports (Continued)**

11. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Three, (Oak Cliff Gateway TIF District), submitted by the Oak Cliff Gateway TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0533; APPROVED]**
12. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Four, (Cedars TIF District), submitted by the Cedars TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0534; APPROVED]**
13. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Five, (City Center TIF District), submitted by the City Center TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0535; APPROVED]**
14. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Six, (Farmers Market TIF District), submitted by the Farmers Market TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and to the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0536; APPROVED]**
15. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seven, (Sports Arena TIF District), submitted by the Sports Arena TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0537; APPROVED]**
16. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eight, (Design District TIF District), submitted by the Design District TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0538; APPROVED]**

CONSENT AGENDA (Continued)**Economic Development (Continued)****FY 2011 Tax Increment Financing Zone Annual Reports (Continued)**

17. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nine, (Vickery Meadow TIF District), submitted by the Vickery Meadow TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0539; APPROVED]**
18. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Ten, (Southwestern Medical TIF District), submitted by the Southwestern Medical TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0540; APPROVED]**
19. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eleven, (Downtown Connection TIF District), submitted by the Downtown Connection TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the chief executive officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0541; APPROVED]**
20. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Twelve, (Deep Ellum TIF District), submitted by the Deep Ellum TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0542; APPROVED]**
21. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Thirteen, (Grand Park South TIF District), submitted by the Grand Park South TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to other taxing jurisdictions which participate in the District, and to the Attorney General of Texas, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0543; APPROVED]**
22. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fourteen, (Skillman Corridor TIF District), submitted by the Skillman Corridor TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0544; APPROVED]**

CONSENT AGENDA (Continued)**Economic Development** (Continued)**FY 2011 Tax Increment Financing Zone Annual Reports** (Continued)

23. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Fifteen, (Fort Worth Avenue TIF District), submitted by the Fort Worth Avenue TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and to the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0545; APPROVED]**
24. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Sixteen, (Davis Garden TIF District), submitted by the Davis Garden TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0546; APPROVED]**
25. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Seventeen, (TOD TIF District), submitted by the TOD TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0547; APPROVED]**
26. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Eighteen, (Maple/Mockingbird TIF District), submitted by the Maple/Mockingbird TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District, and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0548; APPROVED]**
27. * A resolution accepting the FY 2011 Annual Report on the status of Tax Increment Financing Reinvestment Zone Number Nineteen, (Cypress Waters TIF District), submitted by the Cypress Waters TIF District's Board of Directors, and authorizing the City Manager to submit the annual report to the Chief Executive Officer of each taxing jurisdiction that levies taxes on real property in the District and the State Comptroller, as required by state law - Financing: No cost consideration to the City **[12-0549; APPROVED]**

Housing/Community Services

28. Authorize the release of lien on a secured, no interest, forgivable loan with Legacy Counseling Center, Inc. for non-substantial rehabilitation at Legacy Founders Cottage located at 828 South Tyler Street in the amount of \$6,734 - Financing: No cost consideration to the City **[12-0550; APPROVED]**

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

29. Authorize the acceptance of additional grant funds from the Dallas Housing Finance Corporation for the purpose of providing warranty home repairs for low-income qualified homeowners under the Home Repair Program and appropriating the funds for home repairs - Not to exceed \$50,000, from \$163,272 to \$213,272 - Financing: Dallas Housing Finance Corporation Grant Funds [**12-0551; APPROVED**]
30. Authorize **(1)** preliminary adoption of Substantial Amendment No. 13 to the FY 2008-12 Consolidated Plan Budget to: **(a)** accept \$433,200 in Emergency Solutions Grant funds; **(b)** realign \$10,000 under the Essential Services and Operations to Homeless Prevention; **(c)** reprogram \$1,000,000 in Community Development Block Grant funds from the Residential Development/Acquisition Loan Program to the Mortgage Assistance Program; and **(d)** adopt the City of Dallas Affordable Rent Schedule as the City's overall maximum standard for determining affordable rents and the maximum HOME Investment Partnerships Act (HOME) rent levels for accomplishment and goal requirements required in the Consolidated Plan; and **(2)** a public hearing to be held on March 28, 2012 to receive comments on the proposed amendments - Not to exceed \$1,443,200 - Financing: 2011-12 Emergency Solutions Grants Funds (\$433,200), 2011-12 Emergency Shelter Grant Funds (\$10,000), 2005-06 Community Development Block Grant Funds (\$109,535), 2006-07 Community Development Block Grant Funds (\$300,000), 2008-09 Community Development Block Grant Funds (\$249,671), 2009-10 Community Development Block Grant Funds (\$258,768) and 2010-11 Community Development Block Grant Funds (\$82,026) [**12-0552; APPROVED**]
31. Authorize renewal of the tri-party contract grant agreement between the City of Dallas, the U.S. Department of Housing and Urban Development, and the Dallas Housing Authority for the Shelter Plus Care Grant which provides rental assistance funds to be distributed by the Dallas Housing Authority for single room occupancy of homeless persons living with HIV/AIDS at Hillcrest House located at 834 North Marsalis Avenue for the period May 12, 2012 through May 11, 2013 - Total not to exceed \$374,016 - Financing: U.S. Department of Housing and Urban Development Grant Funds [**12-0553; APPROVED**]
32. Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed sale of one unimproved property acquired by the taxing authorities from the Sheriff to East Dallas Community Organization ("EDCO"), a qualified non-profit organization, under the HB110 process of the City's Land Transfer Program and the release of the City's non-tax liens included in the foreclosure judgment and post-judgment non-tax liens, if any (list attached) - Financing: No cost consideration to the City [**12-0554; APPROVED**]
33. Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2011 through March 31, 2012 - Not to exceed \$80,060, from \$7,332,423 to \$7,412,483 - Financing: Department of State Health Services Grant Funds [**12-0555; APPROVED**]

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

34. Authorize a public hearing to be held on March 28, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City **[12-0556; APPROVED]**

Park & Recreation

35. Authorize a contract for a stone entry feature and sign, landscaping and lighting at the La Vista Drive intersection and landscaping at the Munger Boulevard intersection located at the Swiss Avenue Medians - Denali Construction Services, LLC, lowest responsible bidder of four - Not to exceed \$68,310 - Financing: 2006 Bond Funds **[12-0557; APPROVED]**
36. Authorize **(1)** a multi-faceted construction manager at risk contract for: **(a)** improvements at Elm Fork Gun Range; **(b)** tennis court renovations at L.B. Houston Tennis Center; **(c)** renovation of the L.B. Houston Golf Course including erosion control and drainage, greens contouring and replacement, soil preparation, fairway sculpting and grassing, landscaping; and **(d)** upgrade of the existing golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road with Rogers-O'Brien Construction Company, Ltd., best value proposer of three for the Guaranteed Maximum Price of \$4,770,259; and **(2)** an amendment to the management agreement with Mickey Ray Piersall to define roles, responsibilities and compensation as a result of the closure of L.B. Houston Golf Course for renovation in the amount of \$205,275 - Total not to exceed \$4,975,534 - Financing: 2003 Bond Funds (\$540,526), 2006 Bond Funds (\$3,629,733), Golf Improvement Funds (\$705,275) and Park Improvement Funds (\$100,000) **[12-0558; APPROVED AS AN INDIVIDUAL ITEM]**
37. Authorize Supplemental Agreement No. 1 to the professional services contract with Dan Shipley Architect, Inc. for design development through construction administration services for renovations of the golf course clubhouse at L.B. Houston Golf Course located at 11223 Luna Road - Not to exceed \$72,855, from \$22,550 to \$95,405 - Financing: 2003 Bond Funds **[12-0559; APPROVED]**
38. Authorize an increase in the contract with Speed Fab-Crete Corporation for new storefront and doors in meeting rooms, replacement of drywall, upgrade HVAC controls, demolition and replacement of light fixtures, and replacement of HVAC units at Kidd Springs Recreation Center located at 700 West Canty Street - Not to exceed \$133,039, from \$1,188,565 to \$1,321,604 - Financing: 2006 Bond Funds **[12-0560; APPROVED]**

Police

39. Authorize **(1)** public hearings to be held on March 28, 2012 and April 25, 2012 to receive comments on the renewal of the Dallas juvenile curfew ordinance; and at the close of the public hearing on April 25, 2012, **(2)** consideration of an ordinance amending Chapter 31 of the Dallas City Code to re-adopt and continue in effect the Dallas juvenile curfew ordinance to provide daytime and nighttime curfew hours for minors - Financing: No cost consideration to the City **[12-0561; APPROVED]**

CONSENT AGENDA (Continued)**Police (Continued)**

40. Authorize **(1)** the application for and acceptance of the Law Enforcement and Service Provider Multidisciplinary Anti-Trafficking Task Forces grant from the U.S. Department of Justice, Office of Justice Programs as a sub-grantee in the amount of \$150,000 to provide a proactive program to address the problem of human trafficking, for the period October 1, 2011 through September 30, 2013; **(2)** In-Kind contributions in the amount of \$166,886; and **(3)** execution of the grant agreement - Total not to exceed \$316,886 - Financing: U.S. Department of Justice Grant Funds (\$150,000) and In-Kind Contributions (\$166,886) (subject to annual appropriations) **[12-0562; APPROVED]**
41. Authorize a fourth amendment to the lease agreement with Dallas Children's Advocacy Center to extend the lease for an additional one-year period for the continued use of approximately 3,731 square feet of office space and five parking spaces located at 3611 Swiss Avenue near its intersection with Gordon Street by the Police Department's Youth and Family Crimes Division for the period January 1, 2012 through December 31, 2012 - Total not to exceed \$49,250 - Financing: Current Funds (subject to annual appropriations) **[12-0563; APPROVED]**

Public Works Department

42. Authorize Supplemental Agreement No. 4 to the professional services contract with HKS, Inc. for architectural, engineering, interior design, roof inspections, drainage system video investigation, and construction administration services for the Dallas Convention Center Facility Improvement Program - Not to exceed \$1,217,060, from \$4,251,551 to \$5,468,611 - Financing: 2009 Convention Center Revenue Bonds **[12-0564; APPROVED]**

Street Services

43. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation to provide cost reimbursement for traffic signal improvements at the intersections of Sylvan Avenue at Irving Boulevard and Sylvan Avenue at the park access ramp; and **(2)** the establishment of appropriations in the amount of \$44,927 in the Texas Department of Transportation Grant Fund - Total not to exceed \$44,927 - Financing: Texas Department of Transportation Grant Funds **[12-0565; APPROVED]**

Sustainable Development and Construction

44. An ordinance amending Ordinance No. 26908 which closed portions of South Boulevard and Trezevant Street located near their intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit (DART) and to extend the dedication requirement of needed right-of-way from one year to three years - Financing: No cost consideration to the City **[12-0566; APPROVED; ORDINANCE 28551]**

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

45. An ordinance amending Ordinance No. 27602 which closed a portion of Cullum Lane located near the intersection of Harry Hines Boulevard and Cullum Lane, to extend the deadline from 120 days to one year to receive approval from Dallas Area Rapid Transit (DART) - Financing: No cost consideration to the City **[12-0567; APPROVED; ORDINANCE 28552]**
46. An ordinance correcting Chapter 51A, Dallas Development Code: Ordinance No. 19455, of the Dallas City Code, as amended, by correcting Sections 51A-1.105, "Fees," 51A-4.203, "Industrial Uses," 51A-4.501, "Historic Overlay District," 51A-4.605, "Design Standards," 51A-4.702, "Planned Development (PD) District Regulations," 51A-4.803, "Site Plan Review," 51A-7.603, "Applications," 51A-7.909, "Attached Non-Premise District Activity Videoboard Signs," 51A-7.913, "Construction Barricade Signs," 51A-7.930, "Supergraphic Signs," 51A-7.1212, "Cultural Institution Digital Signs," 51A-7.1214, "Construction Barricade Signs," 51A-10.131, "Application of Division," and 51A-10.135, "Alternative Methods of Compliance With Tree Replacement Requirements" - Financing: No cost consideration to the City **[12-0568; APPROVED; ORDINANCE 28553]**
47. An ordinance correcting Chapter 51P, Dallas Development Code: Planned Development District Regulations, of the Dallas City Code, as amended by correcting Article 114, Division S-79 of Article 193, Article 272, Article 317, Article 631, Article 770, and Article 799 - Financing: No cost consideration to the City **[12-0569; APPROVED; ORDINANCE 28554]**
48. An ordinance correcting **(1)** Historic Overlay District No. 67; **(2)** Historic Overlay District No. 68; **(3)** Planned Development District No. 601; **(4)** Planned Development District No. 462; **(5)** a municipal setting designation at 5417, 5422, 5427, 5430, 5432, 5502, 5506, 5512, and 5514 Redfield Street and 2231, 2241, and 2311 Butler Street; **(6)** Planned Development District No. 770; **(7)** creating Planned Development Subdistrict No. 84 within Planned Development District No. 193; **(8)** a municipal setting designation at 2504, 2506, 2514, 2518, 2522, 2602, 2606, and 2610 Bomar Avenue, 6010 Forest Park Road, and 5919, 5925, and 6102 Maple Avenue; **(9)** Specific Use Permit No. 1749; **(10)** Specific Use Permit No. 1450; **(11)** Planned Development District No. 745; **(12)** Planned Development District No. 816; **(13)** Ordinance 27799 which rezoned a tract of land from R-7.5(A) Single Family District to CS Commercial Service District; **(14)** Specific Use Permit No. 1766; **(15)** Specific Use Permit No. 1804; **(16)** Specific Use Permit No. 1816; **(17)** Planned Development District No. 780; and **(18)** Specific Use Permit No. 1915 - Financing: No cost consideration to the City **[12-0570; APPROVED; ORDINANCE 28555]**

Trinity Watershed Management

49. Authorize Supplemental Agreement No. 2 to the Local Project Advance Funding Agreement with the Texas Department of Transportation for construction administration services for the Santa Fe Trestle Hike and Bike Trail Improvement Project - Not to exceed \$12,000, from \$24,000 to \$36,000 - Financing: 1998 Bond Funds **[12-0571; APPROVED]**

CONSENT AGENDA (Continued)**Water Utilities**

50. Authorize a short-term contract with Luminant Generation Company LLC for untreated water service for the period January 1, 2012 through December 31, 2013 - Estimated Annual Revenue: \$1,229,892 **[12-0572; APPROVED]**

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

51. 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) **[12-0573; INDIVIDUAL; APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**

Trinity Watershed Management

52. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from James C. Campbell of a tract of land containing approximately 2,745 square feet located near the intersection of Fisher Road and Trammel Drive for drainage improvements associated with Rush Creek culvert replacements for the Rush Creek Local Drainage Relief and Utility Relocation Project - Not to exceed \$13,000 (\$10,157 plus closing costs and title expenses not to exceed \$2,843) - Financing: 2006 Bond Funds **[12-0574; APPROVED]**

ITEMS FOR FURTHER CONSIDERATION**City Controller's Office**

53. Authorize **(1)** establishment of a non-profit corporation, the City of Dallas Education Finance Corporation, for the purpose of financing or refinancing of educational facilities and/or housing facilities incidental to education facilities; **(2)** approval of the Corporation's certificate of formation and bylaws; **(3)** appointment of the Corporation's initial Board of Directors; **(4)** the Mayor to execute and deliver a certificate approving the bonds to be issued for the benefit of Uplift Education, a Texas non-profit corporation, and the facilities to be financed with the proceeds of the bonds for the purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and **(5)** the City Manager to file the Corporation's certificate of formation with the Secretary of State - Financing: No cost consideration to the City **[12-0575; CORRECTED ON THE ADDENDUM; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

54. Authorize an amendment to the development agreement with the Kessler Theater, LLC, previously approved on November 9, 2009, by Resolution No. 09-2762-01, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Kessler Theater project to July 1, 2012 - Financing: No cost consideration to the City **[12-0576; APPROVED]**
55. Authorize an amendment to the development agreement with GFD Opportunity II, LLC, previously approved on April 28, 2010, by Resolution No. 10-1098, in Tax Increment Financing Reinvestment Zone Number Sixteen (Davis Garden TIF District) to extend the deadlines related to the completion of the Hillside West project and modify the developer's fees for the project from an amount not to exceed the lesser of \$1,784,744 or 11% of the total cost of the project improvements to an amount not to exceed 11% of the total cost of the project improvements - Financing: No cost consideration to the City **[12-0577; APPROVED]**

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES – CONSENT [12-0578; APPROVED]

56. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of less than 3,500 square feet on property zoned Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, with a D Liquor Control Overlay on the southwest corner of South Buckner Boulevard and Umphress Road **[12-0579; HEARING CLOSED; STAFF RECOMMENDATION FOLLOWED; ORDINANCE NOS. 28556 AND 28557]**
Recommendation of Staff: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Recommendation of CPC: Approval of a D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions
Z112-123(MW)
57. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an open-enrollment charter school on property zoned an NO(A) Neighborhood Office District and a CR Community Retail District, on the northwest corner of Camp Wisdom Road and Westmoreland Road **[12-0580; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28558]**
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan, traffic management plan, and conditions
Z112-133(RB)

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

58. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a hotel or motel use on property zoned Subdistrict B Historic Core within Planned Development District No. 225, the State Thomas Special Purpose District with Historic Overlay No. 25, on the north corner of Thomas Avenue and Fairmount Street **[12-0581; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28559]**
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a site plan and conditions
Z112-135(CH)

ZONING CASES - INDIVIDUAL

59. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 572 for a public school other than an open-enrollment charter school on the southeast corner of Pleasant Valley Drive and Chimney Hill Lane **[12-0582; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28560]**
Recommendation of Staff and CPC: Approval, subject to a development plan, traffic management plan and conditions.
Z112-137(WE)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

60. A public hearing to receive comments regarding an application for and an ordinance granting an NS(A) Neighborhood Service District on property zoned an R-7.5(A) Single Family District on the north side of Lake June Road, west of St. Augustine Road **[12-0583; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28561]**
Recommendation of Staff and CPC: Approval
Z112-118(WE)
Note: This item was considered by the City Council at a public hearing on February 8, 2012, and was taken under advisement until February 22, 2012, with the public hearing open.
61. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a public school other than an open-enrollment charter school and D(A) Duplex District uses on property zoned an D(A) Duplex District and a CS Commercial Service District on the south corner of South Barry Avenue and Philip Avenue, and certain lots in an area generally bounded by South Fitzhugh Avenue, Philip Avenue, South Barry Avenue and Gurley Avenue **[12-0584; HEARING CLOSED; APPROVED AS AMENDED WITH ORDINANCE TO COME BACK]**
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan, traffic management plan and conditions
Z101-342(WE)
Note: This item was considered by the City Council at a public hearing on January 25, 2012, and was taken under advisement until February 22, 2012, with the public hearing open.

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

62. A public hearing to receive comments regarding an application for an MF-2(A) Multifamily District with deed restrictions volunteered by the applicant on property zoned a CR Community Retail District with a D-1 Liquor Control Overlay, on the northeast line of Lawnview Avenue, south of Forney Road [**12-0585; HEARING OPEN; REMAND TO CITY PLAN COMMISSION**]
Recommendation of Staff and CPC: Approval of an MF-1(A) Multifamily District in lieu of the requested MF-2(A) Multifamily District, subject to deed restrictions volunteered by the applicant, and retention of the D-1 Liquor Control Overlay
Z101-196(RB)
63. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for Mixed Uses on property zoned an MU-2 Mixed Use District and an MF-2(A) Multifamily District, and an ordinance terminating Specific Use Permit No. 1621 for a Child-care facility and Private school on both sides of Westmoreland Road, north of Wheatland Road [**12-0586; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 28562 AND 28563**]
Recommendation of Staff and CPC: Approval, subject to a Tract 1 development plan/Tract 2 conceptual plan, a Tract 3 development plan, traffic management plan, and conditions, and approval of the termination of Specific Use Permit No. 1621
Z101-335(RB)

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 22, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session [**12-0587; HELD**]

6ES

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

- Tommy Eugene Aycock v. City of Dallas, Texas, Civil Action No. 3:09-cv-0591-M
- Thomas Hannon v. David L. Nevitt, et al., Civil Action No. 3:09-cv-0066-N
- Legal issues involving Columbia Packing Company

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize a three-year master agreement for concealable body armor vests, alterations and accessories for Police personnel - Galls, LLC in the amount of \$1,710,996 and C & G Police Supply dba C & G Wholesale in the amount of \$55,000, lowest responsible bidders of six - Total not to exceed \$1,765,996 - Financing: Current Funds [**12-0588; APPROVED**]

Fire

2. Authorize **(1)** the acceptance of a grant from the Texas Department of State Health Services - EMS Local Projects Grant for the period October 15, 2011 through August 31, 2012; and **(2)** execution of the contract agreement - Not to exceed \$4,412 - Financing: Texas Department of State Health Services - EMS Local Projects Grant Funds [**12-0589; APPROVED**]
3. Authorize an Interlocal Agreement with the City of Houston for Incident Command Development training for Dallas Fire-Rescue officers and drivers at Houston Fire Department's Val Jahnke Training Facility - Not to exceed \$63,700 - Financing: U.S. Department of Homeland Security Assistance to Firefighters Grant Funds [**12-0590; APPROVED**]

Public Works Department

4. Authorize the purchase of furniture for the Dallas Convention Center - Martin Brattrud, Inc. in the amount of \$156,690 and Teknion LLC in the amount of \$181,170, through the Texas Multiple Award Schedules - Total not to exceed \$337,860 - Financing: 2009 Convention Center Revenue Bonds [**12-0591; APPROVED**]

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 22, 2012**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction

5. Authorize the quitclaim of 17 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$38,210 [**12-0592; APPROVED**]
6. A resolution authorizing the rejection of the only bid received from GreatLots, LLC for tax foreclosure property located at 3411 Myrtle Street - Financing: No cost consideration to the City [**12-0593; APPROVED**]
7. An ordinance abandoning portions of a drainage easement and an inlet easement to Anland North L.P., Anland North II L.P. and Anland North Commercial L.P., the abutting owners, containing a total of approximately 4,450 square feet of land located near the intersection of Victory Avenue and All Star Way and providing for the dedication of a total of approximately 20,961 square feet of needed land - Revenue: \$5,400 plus the \$20 ordinance publication fee [**12-0594; APPROVED; ORDINANCE 28564**]

Water Utilities

8. Authorize a contract for erosion control along the Trinity River south of Loop 12 and west of Riverwood Road, Phase II - Davis Construction, Inc. d/b/a DCI Contracting, Inc., lowest responsible bidder of three - Not to exceed \$2,834,505 - Financing: Water Utilities Capital Improvement Funds [**12-0595; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

9. A resolution designating an absence by Councilmember Carolyn R. Davis as being for "official city business" - Financing: No cost consideration to the City [**12-0596; APPROVED**]

Mayor and City Council

10. An ordinance amending Chapter 6, Section 6-4 of the Dallas City Code to amend the area exempted from the spacing requirements for alcohol permits from certain protected uses to include the Deep Ellum / Near East Side Special Purpose District - Financing: No cost consideration to the City (via Mayor Rawlings) [**12-0597; APPROVED; ORDINANCE 28565**]

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 22, 2012**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

11. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for 1400 Belleview, LP located at 1401 Browder Street for the acquisition and new construction of the proposed 164-unit multifamily residential development for low income families - Financing: No cost consideration to the City **[12-0598; APPROVED]**
Recommendation of Staff: Approval

12. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for 1701 Canton - EVERgreen Residences located at 1701 Canton Street for the acquisition and new construction of the proposed 130-unit multifamily residential development for low income permanent supportive housing for families - Financing: No cost consideration to the City **[12-0599; APPROVED]**
Recommendation of Staff: Approval

13. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Cadillac Apartments located at the southwest corner of Cadiz and South Ervay Streets for the acquisition and new construction of the proposed 164-unit multifamily residential development for low income permanent supportive housing - Financing: No cost consideration to the City **[12-0600; APPROVED]**
Recommendation of Staff: Approval

14. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Hatcher Square located at 4600 Scyene Road for the acquisition and new construction of the proposed 136-unit multifamily residential development for low income families - Financing: No cost consideration to the City **[12-0601; APPROVED]**
Recommendation of Staff: Approval

15. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Haven Cove located at 1810 High Hill Boulevard for the acquisition, rehabilitation and new construction of the proposed 250-unit multifamily residential development for low income families - Financing: No cost consideration to the City **[12-0602; NO ACTION TAKEN]**
Recommendation of Staff: Denial

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 22, 2012**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Housing/Community Services (Continued)

16. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Kleberg Commons located at 12700 Kleberg Road for the acquisition and new construction of the proposed 200-unit multifamily residential development for low income families - Financing: No cost consideration to the City **[12-0603; NO ACTION TAKEN]**
Recommendation of Staff: Denial

17. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Buckner Retirement Village located at 4800 Samuel Boulevard for acquisition, rehabilitation and new construction of the proposed 198-unit multifamily residential development for low income senior housing - Financing: No cost consideration to the City **[12-0604; NO ACTION TAKEN]**
Recommendation of Staff: Denial

18. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for Lawnview Cottages located at 4120 Lawnview Avenue for the acquisition and new construction of the proposed 120-unit multifamily residential development for low income senior housing - Financing: No cost consideration to the City **[12-0605; NO ACTION TAKEN]**
Recommendation of Staff: Denial

19. Authorize a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) allocation for The Vistas at Wonderview located at 2600 Wonderview Way for the acquisition and new construction of the proposed 120-unit multifamily residential development for low income senior housing - Financing: No cost consideration to the City **[12-0606; NO ACTION TAKEN]**
Recommendation of Staff: Denial

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 22, 2012**

CORRECTIONS:

Business Development & Procurement Services

5. Authorize a three-year service contract for litter pick up and refuse collection services at City parks - Good Earth Corporation, lowest responsible bidder of six - Not to exceed \$6,975,173 - Financing: Current Funds (subject to annual appropriations) **[12-0527]**

City Controller's Office

53. Authorize **(1)** establishment of a non-profit corporation, the ~~City of Dallas~~ North Texas Education Finance Corporation, for the purpose of financing or refinancing of educational facilities and/or housing facilities incidental to education facilities; **(2)** approval of the Corporation's certificate of formation and bylaws; **(3)** appointment of the Corporation's initial Board of Directors; **(4)** the Mayor to execute and deliver a certificate approving the bonds to be issued for the benefit of Uplift Education, a Texas non-profit corporation, and the facilities to be financed with the proceeds of the bonds for the purpose of satisfying the requirements of Section 147(f) of the Internal Revenue Code of 1986, as amended; and **(5)** the City Manager to file the Corporation's certificate of formation with the Secretary of State - Financing: No cost consideration to the City **[12-0575]**