

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

Invocation and Pledge of Allegiance (Council Chambers) **[12-1248]**

Agenda Item/Open Microphone Speakers **[12-1249]**

VOTING AGENDA

1. Approval of Minutes of the April 25, 2012 City Council Meeting **[12-1250; APPROVED]**

CONSENT AGENDA **[12-1251; APPROVED]**

**Business Development & Procurement Services**

2. Authorize a three-year service contract for internal pipe joint seal - Miller Pipeline, LLC, lowest responsible bidder of two - Not to exceed \$577,742 - Financing: Water Utilities Current Funds (subject to annual appropriations) **[12-1252; APPROVED]**
3. Authorize a two-year master agreement for bagged cement and cement related items to be utilized citywide - Simba Industries, Inc. in the amount of \$662,589, Crafcot Texas, Inc. in the amount of \$207,026 and Hi-Standard Equipment & Supply Company in the amount of \$112,095, lowest responsible bidders of three - Total not to exceed \$981,710 - Financing: Current Funds (\$710,472), Water Utilities Current Funds (\$132,986) and Stormwater Drainage Management Current Funds (\$138,252) **[12-1253; APPROVED]**
4. Authorize a three-year master agreement for heating, ventilation and air conditioning parts and supplies for various City facilities - Johnson Supply & Equipment, lowest responsible bidder of three - Not to exceed \$1,488,700 - Financing: Current Funds **[12-1254; APPROVED]**

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

5. Authorize settlement of the lawsuit styled Young Chevrolet, Inc. et al, v. Texas Commission on Environmental Quality, Cause No. D-1-GN-10-000772 - Not to exceed \$11,000 - Financing: Current Funds **[12-1255; APPROVED]**

**Economic Development**

6. An ordinance amending the TOD TIF District Project Plan Ordinance No. 27854, as amended, to clarify eligible costs that may be included in the Affordable Housing TIF Budget category - Financing: No cost consideration to the City **[12-1256; APPROVED; ORDINANCE 28641]**
7. Authorize an amendment to the development agreement for the Lancaster Urban Village Project located in the TOD TIF District, previously approved on May 10, 2010, by Resolution Nos. 10-1259 and 10-1260, as amended, to: **(1)** divide the total funding dedication from the TOD TIF District of up to \$8,492,273 and development obligations into two separate agreements between the City and City Wide Community Development Corporation's affiliates Lancaster Urban Village Commercial, LLC in the amount of \$7,742,000 and Lancaster Urban Village Residential, LLC in the amount of \$750,273 without cross-defaults; and **(2)** authorize the Director of the Office of Economic Development to make any other structural modifications necessary to close the remaining sources of financing for the project - Financing: No cost consideration to the City **[12-1257; APPROVED]**

**Housing/Community Services**

8. Authorize **(1)** the acceptance of a grant from the U.S. Department of Housing and Urban Development to provide housing placement and rental assistance for ex-offenders with HIV/AIDS through Project Reconnect for the period January 1, 2013 through December 31, 2015; **(2)** establishment of appropriations in the amount of \$746,853; and **(3)** execution of the grant agreement - Not to exceed \$746,853 - Financing: Competitive Housing Opportunities for Persons with AIDS Grant Funds **[12-1258; APPROVED]**
9. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by Eric Miller Homes, Inc. for the construction of an affordable house; **(2)** the sale of 1 vacant lot located at 1501 Barry Avenue from Dallas Housing Acquisition and Development Corporation to Eric Miller Homes, Inc.; and **(3)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City **[12-1259; APPROVED]**
10. Authorize **(1)** the sale of one vacant lot located at 531 Nomas Street from the Dallas Housing Acquisition and Development Corporation to Edith Coria; and **(2)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City **[12-1260; APPROVED]**

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

11. Authorize **(1)** the sale of two vacant lots located at 1742 Avenue B and 1806 Avenue B from the Dallas Housing Acquisition and Development Corporation to Cayetano Hernandez; and **(2)** execution of a release of lien for any non-tax liens that may have been filed by the City - Financing: No cost consideration to the City [**12-1261; APPROVED**]

**Office of Financial Services**

12. Authorize a public hearing to be held on May 23, 2012 to receive comments on the proposed FY 2012-13 Operating, Capital, Grant, and Trust budgets - Financing: No cost consideration to the City [**12-1262; APPROVED**]

**Office of Management Services**

13. Authorize **(1)** an application for and acceptance of the FY2012 Edward Byrne Memorial Justice Assistance Grant from the U.S. Department of Justice to be used for a broad range of activities to help control and prevent crime, and to improve the criminal justice system for the period October 1, 2011 through September 30, 2015; **(2)** execution of the Fiscal Agency and Funds Sharing Agreement between the City of Dallas, Dallas County, and eligible units of local government; and **(3)** execution of the grant agreement - Not to exceed \$1,034,178 - Financing: U.S. Department of Justice, Bureau of Justice Assistance Grant Funds [**12-1263; APPROVED**]

**Park & Recreation**

14. Authorize a twenty-year development and maintenance agreement, with one consecutive five-year renewal option, with Alamo Manhattan Carlisle, LLC for the development and maintenance of a pedestrian bridge and landscape improvements for the purpose of connecting an adjacent development at 3009 Carlisle Street to the Katy Trail - Financing: No cost consideration to the City [**12-1264; APPROVED**]
15. Authorize a twenty-year development and maintenance agreement, with one consecutive five-year renewal option, with Houseman Building, LLC for the development and maintenance of outdoor seating improvements to Akard Park located at 410 North Akard Street - Financing: No cost consideration to the City [**12-1265; APPROVED**]
16. Authorize a contract for the Garland Road improvements including deceleration lanes and median modifications, associated with parking and The Rory Meyers Children's Adventure Garden at the Dallas Arboretum located at 8525 Garland Road - Axis Contracting, Inc., lowest responsible bidder of nine - Not to exceed \$354,768 - Financing: 2006 Bond Funds [**12-1266; APPROVED**]

CONSENT AGENDA (Continued)**Police**

17. Authorize **(1)** the application for and acceptance of the "Click It or Ticket" Mobilization Grant from the Texas Department of Transportation for a safety belt enforcement initiative for the period March 1, 2012 through September 30, 2012 in the amount of \$39,978; **(2)** a City contribution of pension and Federal Insurance Contributions Act costs in the amount of \$11,574; and **(3)** execution of the grant agreement - Total not to exceed \$51,552 - Financing: Current Funds (\$11,574) and Texas Department of Transportation Grant Funds (\$39,978) **[12-1267; APPROVED]**

**Public Works Department**

18. Authorize a contract with Texas Standard Construction, Ltd., lowest responsible bidder of five, for the construction of concrete sidewalks, driveways and landscape improvements on Herbert Street from Canada Drive to Toronto Street - Not to exceed \$159,211 - Financing: 2008-09 Community Development Block Grant Funds (\$27,449), 2009-10 Community Development Block Grant Funds (\$85,009), 2009-10 Community Development Block Grant Reprogramming Funds (\$41,152) and Water Utilities Capital Construction Funds (\$5,601) **[12-1268; APPROVED]**
19. Authorize a contract with AMX Veterans Specialty Services, LLC for Design/Build, Phase 1, design services for the Dalfort Demolition Project at Dallas Love Field - Not to exceed \$570,529 - Financing: Aviation Capital Construction Funds **[12-1269; APPROVED]**
20. Authorize an increase in the contract with McMahon Contracting, L.P. for additional water main work, installation of a handicap ramp and other miscellaneous items needed for construction of Street Group 06-454 consisting of Oldgate Lane from Garland Road to Diceman Drive and Laneri Avenue from Merrimac Avenue to Mercedes Avenue - Not to exceed \$189,342, from \$1,152,203 to \$1,341,545 - Financing: 2006 Bond Funds (\$71,736), Water Utilities Capital Construction Funds (\$13,140) and Water Utilities Capital Improvement Funds (\$104,466) **[12-1270; APPROVED]**
21. Authorize Supplemental Agreement No. 6 to the contract with HNTB Corporation to provide additional engineering services for modification of design elements of the Sylvan Avenue Bridge over the Trinity River from Gallagher Street to Irving Boulevard including storm drainage, illumination, retaining walls and fencing, and additional professional services during the construction phase of the project - Not to exceed \$290,059, from \$5,290,372 to \$5,580,431 - Financing: 2003 Bond Funds **[12-1271; APPROVED]**

**Sanitation Services**

22. Authorize a professional services contract for the design and construction oversight of a sector of waste cell 6 at McCommas Bluff Landfill - Biggs & Mathews Environmental, Inc., most advantageous proposer of four - Not to exceed \$447,875 - Financing: Current Funds (subject to annual appropriations) **[12-1272; APPROVED]**

CONSENT AGENDA (Continued)

**Sustainable Development and Construction**

- 23. Authorize the quitclaim of 42 properties acquired by the taxing authorities from the Sheriff's Sale to the highest bidders (list attached) - Revenue: \$496,273 [**12-1273; APPROVED**]
- 24. An ordinance amending Ordinance No. 26903 which closed a portion of Elihu Street located near its intersection with Trunk Avenue, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit and to extend the dedication requirement of needed right-of-way from 120 days to five years - Financing: No cost consideration to the City [**12-1274; APPROVED; ORDINANCE 28642**]

**Water Utilities**

- 25. Authorize **(1)** an eighteen-month master agreement for water and wastewater small services installations in the amount of \$2,585,440; **(2)** a contract for the installation of water and wastewater mains at six locations in the amount of \$1,073,332 (list attached); and **(3)** an eighteen-month master agreement for water and wastewater mainline extensions and emergency mainline installations at various locations in the amount of \$2,214,535 with Barson Utilities, Inc., lowest responsible bidder of seven - Total not to exceed \$5,873,307 - Financing: Water Utilities Capital Improvement Funds (\$1,073,332) and Water Utilities Capital Construction Funds (\$4,799,975) [**12-1275; APPROVED**]
- 26. Ratify an increase in the contract with Archer Western Construction, LLC for emergency construction work to restore earthen slope embankment sections of the Forney Dam Spillway (Lake Ray Hubbard) - Not to exceed \$145,532, from \$436,000 to \$581,532 - Financing: Water Utilities Capital Improvement Funds [**12-1276; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

- 27. 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) [**12-1277; APPOINTMENTS MADE TO BOARDS**]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

## DESIGNATED PUBLIC SUBSIDY MATTERS

**Economic Development**

28. Authorize a public hearing to be held on May 23, 2012 to receive comments on amendments to Tax Increment Financing Reinvestment Zone Number Seven (Sports Arena TIF District) and the Project and Reinvestment Zone Financing Plans for the Sports Arena TIF District to: **(1)** add two new sub-districts within the Sports Arena TIF District: **(a)** Riverfront Gateway Sub-district and **(b)** West Dallas Sub-district; **(2)** increase the geographical area of the Sports Arena TIF District to add approximately: **(a)** 4.5 acres to the Victory Sub-district (generally the original Sports Arena TIF District boundary); **(b)** 33 acres in the Riverfront Gateway Sub-district; and **(c)** 89.2 acres in the West Dallas Sub-district; **(3)** extend the termination date of the Sports Arena TIF District for a 10 year period from the City Council established termination date of December 31, 2018, to December 31, 2028, for the Victory Sub-district and establish a termination date for the Riverfront Gateway and West Dallas Sub-districts of December 31, 2042; **(4)** decrease the percentage of tax increment contributed by the City of Dallas during the extended term of the TIF District and establish other taxing jurisdictions participation percentages; **(5)** increase the Sports Arena TIF District budget from \$25,498,568 NPV (approximately \$46,961,785 total dollars) to \$94,409,005 NPV (approximately \$273,599,175 total dollars), an increase of \$68,910,432 NPV (approximately \$176,675,605 total dollars); **(6)** create an Economic Development TIF Grant Program within the District and adopt program guidelines; and **(7)** make corresponding modifications to the Sports Arena TIF District boundary, budget and Project and Reinvestment Zone Financing Plans; and at the close of the hearing, consideration of an ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24023, previously approved on August 25, 1999, to reflect these amendments - Financing: No cost consideration to the City [**12-1278; APPROVED**]

**Housing/Community Services**

29. Authorize the execution of a Loan Agreement with West Dallas Community Centers, Inc. (WDCC) for the renovation of recreational facilities located at 3232 Bataan Street - Not to exceed \$85,000 - Financing: 2011-12 Community Development Block Grant Funds [**12-1279; APPROVED**]

PUBLIC HEARINGS AND RELATED ACTIONS**Sustainable Development and Construction**ZONING CASES – CONSENT [12-1280; APPROVED]

30. 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. 1526 for a private school on property zoned an R-7.5(A) Single Family District on the southwest corner of Abrams Road and Kenwood Avenue **[12-1281; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28643]**  
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, landscape plan, traffic management plan and conditions  
Z112-124(JH)
31. A public hearing to receive comments regarding an application for and an ordinance granting an Historic District Overlay on property zoned an R-7.5 Single Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of Maple Springs Boulevard at the terminus of Stoneleigh Avenue **[12-1282; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28644]**  
Recommendation of Staff and CPC: Approval, subject to preservation criteria  
Z112-141(MD)
32. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet use on property within Subdistrict 2B of Planned Development District No. 714, the West Commerce Street/Ft. Worth Avenue Special Purpose District, with a D-1 Liquor Control Overlay on the west side of Sylvan Avenue, north of the Dallas-Fort Worth Turnpike (I-30) **[12-1283; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28645]**  
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  
Z112-152(WE)
33. A public hearing to receive comments regarding an application for and an ordinance granting an LC Light Commercial Subdistrict and a resolution accepting deed restrictions volunteered by the applicant on property zoned a TH-3 Townhome Subdistrict in Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southeast side of Vagas Street, north of Harry Hines Boulevard **[12-1284; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28646]**  
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant  
Z112-180(MW)

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

34. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the southwest corner of Hatcher Street and Crozier Street **[12-1285; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28647]**  
Recommendation of Staff and CPC: Approval for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions  
Z112-181(MW)
35. A public hearing to receive comments regarding an application for and an ordinance granting for the renewal of Specific Use Permit No. 1696 for an alcoholic beverage establishment limited to a bar, lounge, or tavern on property zoned Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Elm Street, east of Crowdus Street **[12-1286; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28648]**  
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions  
Z112-184(WE)
36. A public hearing to receive comments regarding an application for and a resolution terminating deed restrictions on property zoned an RR Regional Retail District on the southeast corner of North Central Expressway and Walnut Hill Lane **[12-1287; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED]**  
Recommendation of Staff and CPC: Approval  
Z112-187(MW)
37. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Contractor's maintenance yard on property within the Subdistrict 1 portion of Planned Development District No. 535, the C. F. Hawn Special Purpose District No. 3, on the southwest line of C. F. Hawn Freeway, southeast of Cade Road **[12-1288; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28649]**  
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  
Z112-189(RB)

DESIGNATED ZONING CASES - INDIVIDUAL

38. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for I-2 Industrial Subdistrict uses on property zoned an I-2 Industrial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the west corner of Harry Hines Boulevard and Payne Street **[12-1289; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28650]**  
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions  
Z112-171(WE)



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction (Continued)**

DESIGNATED ZONING CASES – UNDER ADVISEMENT - INDIVIDUAL

39. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Planned Development District No. 811 on property zoned Planned Development District No. 811, an IR Industrial Research District, an R-7.5(A) Single Family District, and a RR Regional Retail District on property generally bounded by Interstate 30, Westmoreland Road, Ft. Worth Avenue and Pinnacle Park Boulevard [12-1290; **HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28651**]

Recommendation of Staff and CPC: Approval, subject to a conceptual plan, street sections, conceptual open space plan, and conceptual topography plan, and conditions Z112-117(JH)

Note: This item was considered by the City Council at a public hearing on April 25, 2012, and was taken under advisement until May 9, 2012, with the public hearing open.

MISCELLANEOUS HEARINGS

**Housing/Community Services**

40. A public hearing to receive comments on Substantial Amendment No. 14 to amend the 2008-09 through 2012-13 Consolidated Plan and the 2011-12 Action Plan for U.S. Department of Housing and Urban Development Funds to incorporate additional City priority needs, resources, and eligible activities including **(1)** job creation as an enumerated Community Development Block Grant (CDBG) activity to expand economic opportunities for low-and moderate-income persons and **(2)** identification of the use of Section 108 Guarantee Loan Program funds for the Lake Highlands Town Center Project as an eligible CDBG economic development activity providing permanent full-time jobs held by approximately 394 low-and moderate-income persons; and at the close of the public hearing, authorize final adoption of Substantial Amendment No. 14 - Financing: No cost consideration to the City [12-1291; **HEARING CLOSED; APPROVED**]

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

ADDITIONS:

Closed Session [**12-1292; HELD**]

6ES

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

- Legal issues regarding operations of golf pros with which the City has contracts.

Personnel Matters (Sec. 551.074 T.O.M.A.)

- Review and evaluations of City Council appointees

CONSENT ADDENDUM [12-1251; APPROVED]

**Public Works Department**

1. Authorize a construction contract with Special Fire Systems, Inc., lowest responsible bidder of two, for the installation of new fire protection and suppression systems at the Dallas Museum of Art located at 1807 Harwood Street - Not to exceed \$324,086 - Financing: 2006 Bond Funds [**12-1293; APPROVED**]

ITEMS FOR INDIVIDUAL CONSIDERATION

**Human Resources**

2. Authorize **(1)** civilian salary adjustments effective May 30, 2012 in an amount not to exceed \$1,420,551 in the General Fund and an amount not to exceed \$999,934 in various enterprise, internal service, and special revenue funds; and **(2)** an increase in appropriations in the General Fund in an amount not to exceed \$1,420,551 and in various enterprise and special revenue funds in an amount not to exceed \$113,872 - Total not to exceed \$2,420,485 - Financing: Current Funds (\$1,590,700), Water Utilities Current Funds (\$432,784), Various Special Revenue Funds (\$168,173), Building Inspection Current Funds (\$72,111), Aviation Current Funds (\$59,480), Stormwater Drainage Management Current Funds (\$58,357), Convention and Event Services Current Funds (\$32,478) and WRR Current Funds (\$6,402) [**12-1294; APPROVED**]
3. Authorize an increase in the annual base salary of City Attorney Thomas P. Perkins, Jr. in the amount of \$4,836, from \$234,120 to \$238,956 plus the associated pension contribution in the amount of \$444 for a total annual additional cost of \$5,280, effective May 9, 2012 - Financing: Current Funds [**12-1295; APPROVED AS AMENDED**]

**ADDENDUM  
CITY COUNCIL MEETING  
MAY 9, 2012**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

**Human Resources** (Continued)

4. Authorize an increase in the annual base salary of City Manager Mary K. Suhm in the amount of \$25,100, from \$265,617 to \$290,717, plus the associated pension contribution in the amount of \$2,307, effective May 9, 2012 and an increase in the deferred compensation account in the amount of \$4,000 from \$4,000 to \$8,000 for a total additional cost of \$31,407 - Financing: Current Funds **[12-1296; APPROVED]**

**DESIGNATED PUBLIC SUBSIDY MATTERS**

**Housing/Community Services**

5. Authorize the Third Modification Agreement to the Community Development Block Grant Economic Development Loan with Kaminski Holdings, Inc. to: **(1)** increase the loan amount from \$597,500 to \$629,000; **(2)** change the amount of the forgivable portion of the loan from \$150,000 to \$298,905 over a five year period beginning with full occupancy of the retail space; and **(3)** set the repayment terms for the \$330,095 balance to be repaid to allow for interest only payments from January 15, 2013 through January 14, 2018 and principal and interest payments amortized monthly at 3% to begin January 15, 2018 and continue for 15 years for the commercial portion of a mixed-use building at 5208 Bexar Street - Total not to exceed \$31,500 - Financing: 2003-04 Community Development Block Grant Reprogramming Funds **[12-1297; APPROVED]**
6. Authorize the Fourth Modification to the HOME Investment Partnership Housing Development Loan with Hai Tak Enterprises, Inc. to: **(1)** change the amount of the forgivable portion of the loan from \$270,700 to \$509,620; and **(2)** set the repayment terms for the \$383,080 balance to be repaid to allow for interest only payments from January 15, 2013 through January 14, 2018 and principal and interest payments amortized monthly at 3% to begin January 15, 2018 and continue for 15 years for the residential portion of the mixed-use building at 5203 Bexar Street - Financing: No cost consideration to the City **[12-1298; APPROVED]**