

ANNOTATED AGENDA
CITY COUNCIL MEETING
MAY 23, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)
[12-1364]

Agenda Item/Open Microphone Speakers
[12-1365]

VOTING AGENDA

1. Approval of Minutes of the May 9, 2012 City Council Meeting
[12-1366; APPROVED]

CONSENT AGENDA
[12-1367; APPROVED]

Aviation

2. Authorize **(1)** a three-year extension of the Parking Services Concession Contract with APA Parking Services, L.P. for the period September 1, 2014 through August 31, 2017; **(2)** modifications to the contract with APA Parking Services, L.P. related to the provision of a new premium valet service, including an increase in the contractual percentage rental rate paid to the City of Dallas from 90.25% to 91.25%; and **(3)** an increase in the Dallas Love Field valet parking rate from \$17 per day to \$21 per day - Estimated Revenue: \$990,000
[12-1368; APPROVED]

CONSENT AGENDA (Continued)

Business Development & Procurement Services

3. Authorize a four-year service contract for inspections and preventative maintenance for all central utility plant equipment at Love Field Airport - The Brandt Companies, LLC, most advantageous proposer of four - Not to exceed \$199,466 - Financing: Aviation Current Funds (subject to annual appropriations)
[12-1369; APPROVED]
4. Authorize an acquisition contract for the purchase and installation of a theatrical dimming/architectural lighting control system for the Majestic Theatre - A V Pro, Inc., lowest responsible bidder of four - Not to exceed \$179,759 - Financing: Majestic Theatre Improvement Funds
[12-1370; APPROVED]
5. Authorize the purchase of four multi-tasking snow removal vehicles and one deicer system for Aviation to support flights at Love Field - Southwest International Trucks, Inc. in the amount of \$1,593,608 and Wausau Equipment Company, Inc. in the amount of \$54,636, lowest responsible bidders of two - Total not to exceed \$1,648,244 - Financing: Aviation Capital Construction Funds
[12-1371; APPROVED]
6. Authorize the purchase of six roll-off dewatering containers for Water Utilities - East Texas Mack Sales, LLC. dba B&C Body Company, lowest responsible bidder of four - Not to exceed \$76,170 - Financing: Water Utilities Current Funds
[12-1372; APPROVED]
7. Authorize a two-year master agreement for lumber, plywood, sheetrock and building materials - Big D Lumber Company in the amount of \$635,999, Craddock Lumber Co. in the amount of \$517,650 and Comade, Inc. in the amount of \$58,456, lowest responsible bidders of five - Total not to exceed \$1,212,105 - Financing: Current Funds (\$1,011,890), Water Utilities Current Funds (\$163,410) and Stormwater Drainage Management Current Funds (\$36,805)
[12-1373; APPROVED]

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

8. Authorize a three-year master agreement for paint and sundries to be used for maintaining various City facilities and equipment - The Sherwin Williams Company in the amount of \$168,823, Glidden Professional Paint Center in the amount of \$155,975, Kwal Howells, Inc. in the amount of \$151,732, PPG Architectural Finishes in the amount of \$140,081, Pioneer Manufacturing Company, Inc. in the amount of \$114,132, Kelly Moore Paint Company, Inc. in the amount of \$65,357 and Motion Industries, Inc. in the amount of \$15,397, lowest responsible bidders of seven - Total not to exceed \$811,497 - Financing: Current Funds (\$450,170), 2011-12 Community Development Block Grant Funds (\$129,046), Water Utilities Current Funds (\$95,117), Convention and Event Services Current Funds (\$62,164), Aviation Current Funds (\$40,000) and Stormwater Drainage Management Current Funds (\$35,000)
[12-1374; APPROVED]
9. Authorize a three-year master agreement for computer desktop software, network management products, design and presentation software - SHI Government Solutions, Inc. through the Department of Information Resources, State of Texas Cooperative contract - Not to exceed \$2,400,000 - Financing: Current Funds
[12-1375; APPROVED]

City Attorney's Office

10. Authorize settlement of the lawsuit styled Stephanie Masciocchi v. City of Dallas, Cause No. cc-11-00737-A - Not to exceed \$40,000 - Financing: Current Funds
[12-1376; APPROVED]
11. Authorize settlement and payment of a judgment in the lawsuit styled Bonifacio Fonseca and Salvador Acosta v. City of Dallas, Cause No. CC-09-09713-C - Not to exceed \$72,742 - Financing: Current Funds
[12-1377; APPROVED]

CONSENT AGENDA (Continued)

Economic Development (Continued)

12. Authorize **(1)** a public hearing to be held on June 13, 2012 to receive comments concerning the creation of a Tourism Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Dallas area, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on hotel room-nights sold at Dallas hotels with 100 or more rooms; and at the close of the hearing, **(2)** a resolution approving the creation of the District for five years and approval of the District's Service Plan for 2012-2016 - Financing: No cost consideration to the City
[12-1378; APPROVED]

13. Authorize, subject to the approval of the creation of the Tourism PID: **(1)** approval of the Tourism Public Improvement District Service Plan for 2012; **(2)** a public hearing to be held on June 13, 2012 to receive comments concerning the annual assessment rate for the Tourism Public Improvement District, in accordance with Chapter 372 of the Texas Local Government Code, for the purpose of increasing hotel activities within the City of Dallas, to be funded by a special assessment on hotel room-nights sold at Dallas hotels with 100 or more rooms; and at the close of the hearing, **(3)** consideration of 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 2012; fixing charges and liens against the property in the District and against the owners thereof; providing for the collection of the 2012 assessment; and providing an effective date - Financing: No cost consideration to the City
[12-1379; APPROVED]

14. Authorize **(1)** a public hearing to be held on June 13, 2012 to receive comments concerning the renewal of the Uptown Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the Uptown area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, **(2)** a resolution approving creation of the District for seven years and approval of the District's Service Plan for 2013-2019 - Financing: No cost consideration to the City
[12-1380; APPROVED]

CONSENT AGENDA (Continued)

Economic Development (Continued)

15. Authorize **(1)** a public hearing to be held on June 13, 2012 to receive comments concerning the renewal of the South Side Public Improvement District (District), in accordance with Chapter 372 of the Texas Local Government Code, for the South Side area, for the purpose of providing supplemental public services, to be funded by assessments on real property and real property improvements in the District; and at the close of the hearing, **(2)** a resolution approving creation of the District for seven years and approval of the District's Service Plan for 2013-2019 - Financing: No cost consideration to the City
[12-1381; APPROVED]

Housing/Community Services

16. Authorize a modification to the Business Incentive Program Statement to increase the grant amount from \$20,000 to \$25,000 per business and allow for all Community Development Block Grant eligible neighborhood serving businesses to apply for the grant where at least fifty-one percent of the residents residing in the residential area are low to moderate income (Area Benefit) - Financing: No cost consideration to the City
[12-1382; APPROVED]

Office of Financial Services

17. An ordinance authorizing rates to be charged by Atmos Energy Corp. Mid-Tex Division (Atmos) pursuant to its January 13, 2012 Dallas Annual Rate Review (DARR) filing - Financing: No cost consideration to the City
[12-1383; APPROVED; ORDINANCE 28653]

Park & Recreation

18. Authorize a contract for interior renovation and expansion at Samuell-Grand Recreation Center located at 6200 East Grand Avenue - J.C. Commercial, Inc., best value proposer of nine - Not to exceed \$2,150,777 - Financing: 2006 Bond Funds
[12-1384; APPROVED]

CONSENT AGENDA (Continued)

Park & Recreation (Continued)

19. Authorize **(1)** a contract for traffic signals at the intersection of Garland Road and Whittier Avenue and the intersection of Garland Road and the entrance of The Rory Meyers Children's Adventure Garden; this work is associated with parking and The Rory Meyers Children's Adventure Garden at the Dallas Arboretum located at 8525 Garland Road; and **(2)** assignment of the management of the contract to the Dallas Arboretum and Botanical Society - Durable Specialties, Inc., lowest responsible bidder of four - Not to exceed \$191,800 - Financing: 2006 Bond Funds
[12-1385; APPROVED]

20. Authorize an increase in the contract with Speed Fab-Crete Corporation for furniture, fixtures and equipment, video monitoring system, millwork replacement and other miscellaneous items at Jaycee/Zaragoza Recreation Center located at 3114 Clymer Street - Not to exceed \$103,466, from \$1,072,979 to \$1,176,445 - Financing: 2006 Bond Funds
[12-1386; APPROVED]

Police

Automated School Bus Stop Arm Enforcement Program

Note: Item Nos. 21 and 22 must be considered collectively.

21. * An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** create a civil offense and a civil penalty for unlawfully passing a stopped school bus with its stop arm extended and red lights flashing; **(2)** provide certain defenses and presumptions; and **(3)** provide for photographic enforcement and administrative adjudication of school bus stop arm violations - Financing: No cost consideration to the City
[12-1387; APPROVED; ORDINANCE 28654]

22. * Authorize **(1)** an Interlocal Agreement with Dallas County Schools to administer and enforce the Automated School Bus Stop Arm Enforcement Program; and **(2)** an Interlocal Agreement with Dallas County Schools to administer the School Crossing Guard Program - Financing: No cost consideration to the City
[12-1388; APPROVED]

CONSENT AGENDA (Continued)

Public Works Department

23. Authorize an increase in the contract with Tiseo Paving Company for additional water and wastewater main improvements and other miscellaneous items needed for construction of Street Group 06-453 consisting of Kimsey Drive from Maple Avenue to Dead End and St. Mary Avenue from Terry Street to Garland Avenue - Not to exceed \$54,055, from \$987,054 to \$1,041,109 - Financing: 2003 Bond Funds (\$10,735), Water Utilities Capital Construction Funds (\$10,555) and Water Utilities Capital Improvement Funds (\$32,765)
[12-1389; APPROVED]
24. Authorize Supplemental Agreement No. 5 to the professional services contract with Michael Baker, Jr., Inc. to modify the design contract for the Spring Avenue Redevelopment Project - Not to exceed \$34,805, from \$640,421 to \$675,226 - Financing: 2006-07 Community Development Block Grant Reprogramming No. 2 Funds (\$30,285) and Water Utilities Capital Improvement Funds (\$4,520)
[12-1390; APPROVED]

Sustainable Development and Construction

25. Authorize the deposit of a Special Commissioners' Award in City of Dallas vs. Estate of Tom B. Jackson II, et al, pending in the County Court at Law No. 4, for acquisition from Tom B. Jackson II of approximately 7,848 square feet of land enclosed with a chain link fence located near the intersection of Fitzhugh Avenue and Lagow Street for the Fire Station No. 44 Replacement Project - Not to exceed \$39,500 (\$37,700 plus closing costs and title expenses not to exceed \$1,800) - Financing: 2006 Bond Funds
[12-1391; APPROVED]
26. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 1,528 square feet from Eugene Dunston located near the intersection of Harry Hines Boulevard and Burbank Street for the Burbank Street Improvements Project - Not to exceed \$24,002 (\$21,002 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2003 Bond Funds
[12-1392; APPROVED]

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

27. Authorize settlement in lieu of proceeding with condemnation of a tract of land containing approximately 2,690 square feet from Eugene Dunston located near the intersection of Harry Hines Boulevard and Burbank Street for the Burbank Street Improvements Project - Not to exceed \$48,020 (\$45,020 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2003 Bond Funds
[12-1393; APPROVED]
28. An ordinance abandoning a portion of a sanitary sewer easement to William A. Anderson, the abutting owner, containing approximately 96 square feet of land located near the intersection of Club Hill Drive and Club Hill Court - Revenue: \$5,400 plus the \$20 ordinance publication fee
[12-1394; APPROVED; ORDINANCE 28655]
29. An ordinance closing a portion of Jamison Drive near the intersection of Jamison Drive and Northwest Highway and providing for the dedication of approximately 4,968 square feet of land needed for a new cul-de-sac - Financing: No cost consideration to the City
[12-1395; APPROVED; ORDINANCE 28656]
30. An ordinance amending Ordinance No. 26764, which closed a portion of Fielder Court located near the intersection of Denton Drive and Fielder Court, to extend the dedication requirement of needed right-of-way from 120 days to five years - Financing: No cost consideration to the City
[12-1396; APPROVED; ORDINANCE 28657]
31. An ordinance amending Ordinance No. 26904, which closed a portion of Pacific Avenue located near the intersection of Parry and Pacific Avenues, to extend the deadline from 120 days to 180 days to receive approval from Dallas Area Rapid Transit - Financing: No cost consideration to the City
[12-1397; APPROVED; ORDINANCE 28658]
32. An ordinance amending Ordinance No. 26905, which closed a portion of Peabody Avenue located near the intersection of Trunk and Peabody Avenues, 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
[12-1398; APPROVED; ORDINANCE 28659]

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

33. An ordinance amending Ordinance No. 26906, which closed a portion of Tuskegee Street located near the intersection of Trunk Avenue and Tuskegee Street, 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
[12-1399; APPROVED; ORDINANCE 28660]
34. An ordinance amending Ordinance No. 26907, which closed portions of Carpenter Avenue and Reed Lane located near the intersection of Reed Lane and Scyene Road, 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
[12-1400; APPROVED; ORDINANCE 28661]

Water Utilities

35. Authorize a contract for the construction of electrical improvements at the Dallas section of the Central Wastewater Treatment Plant - Archer Western Construction, LLC, lowest responsible bidder of four - Not to exceed \$10,698,250 - Financing: Water Utilities Capital Improvement Funds
[12-1401; APPROVED]
36. Authorize Supplemental Agreement No. 1 to the professional services contract with Gupta & Associates, Inc. for construction administration and start-up services associated with electrical improvements at the Dallas section of the Central Wastewater Treatment Plant - Not to exceed \$488,926, from \$930,078 to \$1,419,004 - Financing: Water Utilities Capital Improvement Funds
[12-1402; APPROVED]
37. Authorize Supplemental Agreement No. 2 to the professional services contract with Half Associates, Inc. for additional engineering services related to a water transmission main from the Eastside Water Treatment Plant to the City of Hutchins west corporate limits - Not to exceed \$1,967,534, from \$9,057,797 to \$11,025,331 - Financing: Water Utilities Capital Improvement Funds
[12-1403; APPROVED]

CONSENT AGENDA (Continued)

Water Utilities (Continued)

38. Authorize Supplemental Agreement No. 3 to the professional services contract with AECOM Technical Services, Inc. f/k/a AECOM USA Group, Inc. to provide additional engineering services for the design of a water transmission main from the City of Hutchins west corporate limits to the Sorcey Pump Station - Not to exceed \$2,083,985, from \$10,009,120 to \$12,093,105 - Financing: Water Utilities Capital Improvement Funds
[12-1404; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

39. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)
[12-1405; APPOINTMENTS MADE TO BOARDS]

Office of Financial Services

40. Authorize **(1)** preliminary adoption of the FY 2012-13 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$25,942,114 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$15,755,740; **(b)** HOME Investment Partnerships Program in the amount of \$4,750,686; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$4,060,375; and **(d)** Emergency Solutions Grant in the amount of \$1,375,313; **(2)** preliminary adoption of the FY 2011-12 Reprogramming Budget in the amount of \$1,335,137; and **(3)** a public hearing to be held on June 13, 2012 to receive comments on the proposed use of funds - Financing: No cost consideration to the City
[12-1406; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES – CONSENT
[12-1407]

41. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Tract I of Planned Development District No. 375 on the west side of North Central Expressway between Lemmon Avenue and Blackburn Street
[12-1408; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28662]
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z112-150(MW)

42. A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District on property zoned an A(A) Agricultural District, southwest of Irving Boulevard, northwest of Pump Plant B Road
[12-1409; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28663]
Recommendation of Staff and CPC: Approval
Z112-186(JH)

43. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Phase 1a and 1b portion of Planned Development District No. 121 for TH-4 Townhouse District Uses and GR General Retail District Uses on the southwest corner of Walnut Hill Lane and North Central Expressway
[12-1410; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28664]
Recommendation of Staff and CPC: Approval, subject to a Phase 1a and 1b development plan and conditions
Z112-203(RB)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES – CONSENT (Continued)

44. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a community center and R-7.5(A) Single Family District uses on property zoned an R-7.5(A) Single Family District on the southeast corner of Gaston Avenue and Loving Avenue
[12-1411; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28665]
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z112-199(JH)

ZONING CASES - INDIVIDUAL

45. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Child-care facility on property zoned an MF-2(A) Multifamily District, on the south corner of Wilhurt Avenue and Kolloch Drive
[12-1412; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28666]
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to a revised site plan and conditions
Z112-176(RB)

DESIGNATED ZONING CASES - INDIVIDUAL

46. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 766 for a CR Community Retail District on the northwest corner of Northwest Highway and Hillcrest Road
[12-1413; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28667]
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to a development plan, landscape plan and conditions
Z101-363(WE)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES – INDIVIDUAL (Continued)

47. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for a Truck stop and certain MC-1 Multiple Commercial District Uses on property zoned an MC-1 Multiple Commercial District on the northwest corner of Loop 12 and West Davis Street
[12-1414; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28668]
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z112-168(RB)
48. A public hearing to receive comments regarding an application for and an ordinance granting an MU-2 Mixed Use District on property zoned an IR Industrial Research District on the northeast corner of Research Row and Wadley Lane
[12-1415; HEARING CLOSED; DENIED WITHOUT PREJUDICE]
Recommendation of Staff and CPC: Approval
Z112-185(JH)
49. 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
[12-1416; DELETED ON THE ADDENDUM]
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a five-year period, subject to a site plan and conditions
Z112-157(OTH)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

DEVELOPMENT CODE AMENDMENTS - CONSENT

50. A public hearing to receive comments regarding consideration of amendments to Section 51A-7.703 of the Development Code to include the ability to request a special exception to the regulations in Section 51A-7.305(d) regarding window signs and an ordinance granting the amendments
[12-1417; DELETED ON THE ADDENDUM]
Recommendation of Staff and CPC: Approval
DCA101-007

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Mayor and City Council

51. A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned Planned Development District No. 316, the Jefferson Area Special Purpose District, including Specific Use Permit Numbers 1065, 1155, 1383, 1584 and 1789, and a portion of Specific Use Permit No. 1553 on property generally bounded by an alley between Tenth Street and Sunset Street on the north, Beckley Avenue on the east, an alley between Page Avenue and Twelfth Street on the south, and an alley between Polk Street and Willomet Avenue on the west, with consideration given to appropriate zoning for the area including use, development standards, parking, landscape, sign, and other appropriate regulations - Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, and Councilmembers Alonzo, Griggs, Jasso and Koop)
[12-1418; HEARING CLOSED; APPROVED]

Office of Financial Services

52. A public hearing to receive comments on the proposed FY 2012-13 Operating, Capital, Grant and Trust budgets - Financing: No cost consideration to the City
[12-1419; HEARING CLOSED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Office of Management Services

53. A public hearing to receive comments on a proposed municipal setting designation (MSD) to prohibit the use of groundwater as potable water beneath property owned by Terrapark IV, L.P. located near the intersection of Ross Avenue and Harwood Street and adjacent street rights-of-way, authorize issuance of an MSD ordinance, and support the issuance of an MSD certificate to Terrapark IV, L.P. by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City
[12-1420; HEARING CLOSED; APPROVED; ORDINANCE 28669]
Recommendation of Staff: Approval

Park & Recreation

54. A public hearing to receive comments on readopting and continuing in effect Chapter 12, "City Youth Program Standards of Care," of the Dallas City Code, to re-establish standards of care for certain City-sponsored youth programs in compliance with State law, and, at the close of the hearing, approval of an ordinance to readopt Chapter 12 of the Dallas City Code - Financing: No cost consideration to the City
[12-1421; HEARING CLOSED; APPROVED; ORDINANCE 28670]

Trinity Watershed Management

55. A public hearing to receive comments regarding an amendment to Chapter 51A, "Dallas Development Code", Section 51A-5.102, of the Dallas City Code to adopt the Kaufman County maps which become effective on July 3, 2012, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City
[12-1422; HEARING CLOSED; APPROVED; ORDINANCE 28671]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Sports Arena TIF District

Note: Item Nos. 55 and 57
must be considered collectively.

56. * A public hearing 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 \$68,910,437 NPV (approximately \$226,637,390 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 map, budget and Project and Reinvestment Zone Financing Plans - Financing: No cost consideration to the City
[12-1423; CORRECTED ON THE ADDENDUM; HEARING CLOSED; APPROVED]
57. * An ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to reflect these amendments - Financing: No cost consideration to the City
[12-1424; CORRECTED ON THE ADDENDUM; APPROVED; ORDINANCE 28672]

**ANNOTATED ADDENDUM
CITY COUNCIL MEETING
MAY 23, 2012
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM
[12-1367; APPROVED]

Aviation

1. A resolution authorizing **(1)** the issuance, sale, and delivery of Love Field Airport Modernization Corporation (“LFAMC” or “Issuer”) special facilities revenue bonds, Series 2012, guaranteed by Southwest Airlines Co. (“Southwest”); **(2)** the LFAMC to enter into a first amendment to the special facilities agreement, a first supplemental trust indenture, and a bond purchase agreement; **(3)** the City Manager to enter into a first amendment to the special facilities agreement and a first amendment to the revenue credit agreement; and **(4)** other actions by the LFAMC and the City Manager deemed necessary in connection with the foregoing - Financing: No cost consideration to the City
[12-1425; APPROVED]

City Attorney's Office

2. Authorize settlement of the lawsuit styled Andrew Collins v. Paul Bauer, et al., Civil Action No. 3:11-cv-0877-B - Not to exceed \$500,000 - Financing: Current Funds
[12-1426; APPROVED]
3. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Walker Bright P.C., for additional legal services necessary to represent the City in the lawsuit styled Andrew Collins v. Paul Bauer et al., Civil Action No. 3:11-cv-0877-B - Not to exceed \$5,000, from \$25,000 to \$30,000 - Financing: Current Funds
[12-1427; APPROVED]

CONSENT ADDENDUM (Continued)

City Attorney's Office (Continued)

4. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Brown & Hofmeister, L.L.P., for additional legal services necessary to represent the City in the lawsuit styled Andrew Collins v. Paul Bauer et al., Civil Action No. 3:11-cv-0877-B - Not to exceed \$7,500, from \$25,000 to \$32,500 - Financing: Current Funds
[12-1428; APPROVED]
5. Authorize Supplemental Agreement No. 1 to the professional services contract with the law firm of Joe C. Tooley, Attorneys and Counselors, for additional legal services necessary to represent the City in the lawsuit styled Andrew Collins v. Paul Bauer et al., Civil Action No. 3:11-cv-0877-B - Not to exceed \$15,000, from \$25,000 to \$40,000 - Financing: Current Funds
[12-1429; APPROVED]

Park & Recreation

6. Authorize an increase in the contract with Rogers-O'Brien Construction Company, Ltd. for **(1)** additions and changes to include: additional excavation and grading; removal of additional type 2 landfill waste, common fill; enhanced root-zone soil mix for 10 soccer fields; hydromulching; redesigned irrigation system; additional bus parking; driveway, retaining wall foundation, and electrical system modifications; new front entry sign; and other miscellaneous items; and **(2)** partial credits to include: modifications to four soccer fields including reduction of lighting, sod, turf and soil mix; deletion of pavilion C and associated parking at Elm Fork Athletic Complex located at 2100 Walnut Hill Lane - Not to exceed \$1,891,847, from \$16,374,440 to \$18,266,287 - Financing: 2006 Bond Funds
[12-1430; APPROVED]
7. Authorize Supplemental Agreement No. 12 to the design-build contract for Phase II of the contract with Heery International, Inc. to establish the Guaranteed Maximum Price No. 12 for plumbing and lighting improvements at the Cotton Bowl Stadium in Fair Park located at 3750 Midway Plaza - Not to exceed \$830,034, from \$57,690,723 to \$58,520,757- Financing: Fair Park Improvement Funds
[12-1431; APPROVED]

CONSENT ADDENDUM (Continued)

Street Services

8. Authorize **(1)** an amendment to the Interlocal Agreement with the North Central Texas Council of Governments to provide traffic engineering services to update traffic signal timings and provide funding for traffic signal equipment at 11 locations (list attached); **(2)** an increase in appropriations in the amount of \$215,100, from \$38,800 to \$253,900 in the North Central Texas Council of Governments Grant Fund; **(3)** an additional local match in the amount of \$11,640 for the City's portion of the project; and **(4)** acceptance of funds from Methodist Health System for their portion of the local match in the amount of \$27,940 - Total not to exceed \$215,100 - Financing: North Central Texas Council of Governments Grant Funds (\$175,520), Current Funds (\$11,640) and Private Funds (\$27,940)
[12-1432; APPROVED AS AN INDIVIDUAL ITEM]

Sustainable Development and Construction

9. An ordinance abandoning an alley to Behringer Harvard Fairmount Project Owner, LP, the abutting owner, containing approximately 6,750 square feet of land located near the intersection of Fairmount Avenue and Throckmorton Street and authorizing the quitclaim - Revenue: \$100,238 plus the \$20 ordinance publication fee
[12-1433; APPROVED; ORDINANCE 28673]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

10. A resolution designating absences by Councilmember Jerry Allen and Councilmember Ann Margolin as being for "official city business" - Financing: No cost consideration to the City
[12-1434; APPROVED]

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

11. Authorize a forgivable loan to Defenders of Freedom for the development of affordable housing for veterans to be located at 8714 and 8718 Diceman Drive - Not to exceed \$200,000 - Financing: 2010-11 HOME Investment Partnership Program Grant Funds
[12-1435; APPROVED]

**ANNOTATED ADDENDUM
CITY COUNCIL MEETING
MAY 23, 2012**

CORRECTION:

Economic Development

Sports Arena TIF District

Note: Item Nos. ~~55~~ 56 and 57
must be considered collectively.

56. * A public hearing 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 \$68,910,437 NPV (approximately \$226,637,390 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 map, budget and Project and Reinvestment Zone Financing Plans - Financing: No cost consideration to the City
[12-1423; HEARING CLOSED; APPROVED]
57. * An ordinance amending Ordinance No. 23688, previously approved on October 28, 1998, and Ordinance No. 24002, previously approved on August 25, 1999, to reflect these amendments - Financing: No cost consideration to the City
[12-1424; APPROVED; ORDINANCE 28672]

**ANNOTATED ADDENDUM
CITY COUNCIL MEETING
MAY 23, 2012**

DELETIONS:

Sustainable Development and Construction

49. 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
[12-1416]
Recommendation of Staff: Denial
Recommendation of CPC: Approval for a five-year period, subject to a site plan and conditions
Z112-157(OTH)
50. A public hearing to receive comments regarding consideration of amendments to Section 51A-7.703 of the Development Code to include the ability to request a special exception to the regulations in Section 51A-7.305(d) regarding window signs and an ordinance granting the amendments
[12-1417]
Recommendation of Staff and CPC: Approval
DCA101-007