

**ANNOTATED AGENDA
CITY COUNCIL MEETING
JANUARY 9, 2013
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:05 A.M. – 2:11 P.M.**

Invocation and Pledge of Allegiance (Council Chambers)
[13-0100]

Agenda Item/Open Microphone Speakers
[13-0101]

VOTING AGENDA

1. Approval of Minutes of the December 12, 2012 City Council Meeting
[13-0102; APPROVED WITH CORRECTIONS]

CONSENT AGENDA
[13-0103; APPROVED]

Business Development & Procurement Services

2. Authorize a three-year service contract for landscape maintenance at nine Police properties - Good Earth Corporation in the amount of \$180,199 and Jimmy Douglas Weldon dba Weldon's Lawn and Tree in the amount of \$71,555, lowest responsible bidders of four - Total not to exceed \$251,754 - Financing: Current Funds (subject to annual appropriations)
[13-0104; APPROVED]
3. Authorize a five-year service contract for the collection and recycling of various materials - Okon Metals, Inc., highest responsible bidder of five - Estimated Annual Revenue: \$475,665
[13-0105; APPROVED]
4. Authorize a three-year master agreement for animal microchips for Dallas Animal Services - Intervet, Inc. dba Merck Animal Health, lowest responsible bidder of three - Not to exceed \$349,200 - Financing: Current Funds
[13-0106; APPROVED]

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

5. Authorize a three-year master agreement for the purchase of quicklime - Texas Lime Company, lowest responsible bidder of three - Not to exceed \$24,416,000 - Financing: Water Utilities Current Funds
[13-0107; APPROVED]

City Attorney's Office

6. Authorize Supplemental Agreement No. 1 to the professional services contract with Exam Works, Inc. to continue to provide independent review services to assist in evaluating medical and health related claims for accuracy and legitimacy - Not to exceed \$50,000, from \$50,000 to \$100,000 - Financing: Current Funds
[13-0108; APPROVED]

Housing/Community Services

7. Authorize Supplemental Agreement No. 1 to the contract with Shared Housing Center, Inc. to extend the term of the contract through September 30, 2013 for emergency shelter services to homeless families and an increase in the contract amount - Not to exceed \$7,562, from \$48,005 to \$55,567 - Financing: 2011-12 Emergency Shelter Grant Funds
[13-0109; APPROVED]

Office of Financial Services

8. Authorize Supplemental Agreement No. 2 to the professional services contract with Diversified Utility Consultants, Inc. for expert consulting services and testimony in matters related to Atmos Energy Mid-Tex Division's Dallas Annual Rate Review filing - Not to exceed \$80,000, from \$110,000 to \$190,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)
[13-0110; APPROVED]

Park & Recreation

9. Authorize a contract for a playground replacement at Friendship Park located at 12700 Hornbeam Drive - Parkscape Construction, Inc., lowest responsible bidder of four - Not to exceed \$149,425 - Financing: 2006 Bond Funds
[13-0111; APPROVED]

CONSENT AGENDA (Continued)

Park & Recreation (Continued)

10. Authorize a contract for construction of a new hike and bike trail at Five Mile Creek Trail from Glendale Park to Arden Terrace Park - MACVAL Associates, LLC, lowest responsible bidder of ten - Not to exceed \$1,635,006 - Financing: 2006 Bond Funds (\$776,723) and Texas Parks and Wildlife Grant Funds (\$858,283)
[13-0112; APPROVED]
11. Authorize a professional services contract with Dan Shipley Architect, Inc. for design services for a new maintenance building for Luna Vista Golf Course at L.B. Houston Sports and Nature Complex located at 11223 Luna Road - Not to exceed \$74,805 - Financing: 2006 Bond Funds
[13-0113; APPROVED]
12. Authorize an increase in the contract with Rogers O'Brien Construction Company, Ltd. to upgrade soil growing medium for four adult soccer fields; upgrade pump house buildings from metal to split-face concrete block; install asphalt in lieu of crushed concrete in main parking areas; install mow strip along retaining wall; extend drainage channel along Spangler Road to Rail Road; reduce loop trail and lighting; delete retaining wall under west end of Walnut Hill; and deletion of entry sign at Elm Fork Athletic Complex located at 2100 Walnut Hill Lane - Not to exceed \$232,108, from \$18,266,286 to \$18,498,394 - Financing: 2006 Bond Funds
[13-0114; APPROVED]

Police

13. Authorize **(1)** the acceptance of supplemental funding for the 2012/2013 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University - San Marcos in the amount of \$2,625 for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2012 through August 31, 2013; and **(2)** execution of the grant agreement - Not to exceed \$2,625, from \$62,400 to \$65,025 - Financing: Texas Comptroller's Tobacco Compliance Grant Funds
[13-0115; APPROVED AS AN INDIVIDUAL ITEM]

Street Services

14. Authorize **(1)** the receipt and deposit of funds in the amount of \$20,750 from Wal-Mart Stores Texas, L.P. for equipment, material and labor costs provided by the City related to the construction of a traffic signal at West Ledbetter Drive and Vista Wood Boulevard; and **(2)** an increase in appropriations in the amount of \$20,750 in the Capital Projects Reimbursement Fund - Not to exceed \$20,750 - Financing: Capital Projects Reimbursement Funds
[13-0116; APPROVED]

CONSENT AGENDA (Continued)

Street Services (Continued)

15. An ordinance amending Chapter 28 of the Dallas City Code to: **(1)** regulate the speed and direction of vehicles on certain streets, expressways, and freeways; **(2)** designate school traffic zones; and **(3)** designate one-way streets and alleys (list attached) - Financing: No cost consideration to the City
[13-0117; APPROVED AS AN INDIVIDUAL ITEM; ORDINANCE 28871]

Sustainable Development and Construction

16. Authorize acquisition from Francisco R. Vazquez and Manuela A. Vazquez of approximately 282,936 square feet of land located in Dallas County for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$116,000 (\$113,174 plus closing costs and title expenses not to exceed \$2,826) - Financing: Water Utilities Capital Improvement Funds
[13-0118; APPROVED]
17. Authorize acquisition from Linda Earline Presley of approximately 5,720 square feet of land improved with a 934 square foot single-family residence located near the intersection of Gloyd and Childers Streets for future City facilities - Not to exceed \$20,000 (\$17,700 plus closing costs and title expenses not to exceed \$2,300) - Financing: 2006 Bond Funds
[13-0119; APPROVED]

Water Utilities

18. Authorize a three-year franchise agreement, with a three-year renewal option, between the City of Rockwall and Big D Boat Club, LLC for watercraft rentals from the docks at The Harbor of Rockwall and at Chandlers Landing Marina on Lake Ray Hubbard - Estimated Annual Revenue: \$3,000
[13-0120; APPROVED]
19. Authorize an increase in the contract with Eagle Contracting, L.P. for emergency construction work to repair Sedimentation Basin No. 2 at the Elm Fork Water Treatment Plant - Not to exceed \$2,594,164, from \$15,542,931 to \$18,137,095 - Financing: Water Utilities Capital Improvement Funds
[13-0121; APPROVED]
20. Authorize Supplemental Agreement No. 3 to the professional services contract with CH2M HILL Engineers, Inc. to provide additional engineering services for the implementation of the Contamination Warning System pilot program and related components within the Water Utilities Department - Not to exceed \$656,945, from \$9,431,828 to \$10,088,773 - Financing: U.S. Environmental Protection Agency Grant Funds (\$305,215) and Water Utilities Capital Construction Funds (\$351,730)
[13-0122; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

21. 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)
[13-0123; INDIVIDUAL APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]

Sustainable Development and Construction

22. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Robert L. Kelsoe of a tract of land containing approximately 2,173 square feet of land located near the intersection of Kingsland Road and Horizon Hills Drive for the Southwest 120/96-inch Water Transmission Pipeline Project - Not to exceed \$7,432 (\$5,432 plus closing costs and title expenses not to exceed \$2,000) - Financing: Water Utilities Capital Improvement Funds
[13-0124; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT
[13-0125; APPROVED]

23. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 262 with Historic Overlay District No. 31 on the west corner of Maple Avenue and Oak Lawn Avenue
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised development plan, revised landscape plan and conditions
Z112-286(MW)
[13-0126; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28872]
24. A public hearing to receive comments regarding an application for and an ordinance granting amendments to the development plan, landscape plan, and conditions for Planned Development District No. 252 on the east line of Inwood Road, north of the Eastward Prolongation of Willow Lane
Recommendation of Staff and CPC: Approval, subject to a revised development plan, revised landscape plan and revised conditions
Z112-296(RB)
[13-0127; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28873]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES – CONSENT (Continued)

25. A public hearing to receive comments regarding an application for and an ordinance granting an IR Industrial Research District on property zoned an MC-3 Multiple Commercial District along the northwest line of Mockingbird Lane, northeast of Maple Avenue
Recommendation of Staff and CPC: Approval
Z112-301(RB)
[13-0128; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28874]

26. A public hearing to receive comments regarding an application for and an ordinance granting an Historic District Overlay on property zoned Planned Development District No. 701 on the south side of Grady Niblo Parkway, southeast of the intersection of Grady Niblo Parkway and Spur 408
Recommendation of Staff and CPC: Approval, subject to preservation criteria
Z112-317(MD)
[13-0129; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28875]

27. 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 3,500 square feet or less on property zoned CR Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue
Recommendation of Staff and CPC: Approval of the D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions
Z112-326(JH)
[13-0130; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL FEBRUARY 13, 2013]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL

28. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict and an ordinance granting a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the west side of Riveredge Drive, south of Irving Boulevard
Recommendation of Staff and CPC: Approval of a new subdistrict, subject to conditions and approval of a Specific Use Permit for an outside entertainment and recreation venue for a three-year period, subject to a site plan and conditions
Z112-291(MW)
[13-0131; DELETED ON THE ADDENDUM]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

29. 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 of greater than 3,500 square feet on property zoned Planned Development District No. 7 with a D Liquor Control Overlay on the north side of Centerville Road, southeast of Garland Road
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
Z112-305(MW)
Note: This item was considered by the City Council at a public hearing on December 12, 2012, and was taken under advisement until January 9, 2013, with the public hearing open.
[13-0132; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCES 28876 AND 28877]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL

30. A public hearing to receive comments regarding an application for and an ordinance granting an IM Industrial Manufacturing District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an IR Industrial/Research District on the south line of Ryan Road, east of Luna Road
Recommendation of Staff: Denial
Recommendation of CPC: Approval, subject to deed restriction volunteered by the applicant
Z112-268(RB)
[13-0133; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JANUARY 23, 2013]

31. 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, and an ordinance terminating Specific Use Permit No. 1671 for Multiple Family Uses on the west line of Harry Hines Boulevard and the east line of the Houston Street Extension
Recommendation of Staff and CPC: Approval, subject to a conceptual plan, Houston Street Tree Plan, and conditions, and approval of the termination of Specific Use Permit No. 1671
Z112-276(RB)
[13-0134; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 28878 AND 28879]

32. A public hearing to receive comments regarding an application for and an ordinance granting a new Planned Development Subdistrict for multifamily uses on property zoned Subdistrict A within Planned Development District No. 468, the Oak Cliff Gateway Special Purpose District, on the southeast corner of Greenbriar Lane and Dealey Avenue
Recommendation of Staff: Approval, subject to staff recommended conceptual plan and staff recommended conditions
Recommendation of CPC: Approval, subject to a conceptual plan and conditions
Z123-101(JH)
[13-0135; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 28880]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

MISCELLANEOUS HEARINGS

Mayor and City Council

33. A public hearing to receive comments on authorizing a public hearing to determine proper zoning on property zoned an R-5(A) Single Family District, a CS Commercial Service District with Specific Use Permit No. 1701 for commercial motor vehicle parking, and an IR Industrial Research District on approximately 21 acres generally located on the north side of Singleton Boulevard between Bataan Street to the west and Beckley Avenue/Canada Drive to the east and south of Pueblo Street with consideration given to appropriate zoning for the subject site to allow for mixed uses and consideration of applying Neighborhood Stabilization Overlay No. 13 to property zoned an R-5(A) Single Family District on the east side of Bataan Street and the north side of the unimproved right-of-way for Fairfield Street - Financing: No cost consideration to the City (via Mayor Pro Tem Medrano, Deputy Mayor Pro Tem Atkins, and Councilmembers Jasso, Alonzo, Koop and Greyson)
[13-0136; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL JANUARY 23, 2013]

Park & Recreation

34. A public hearing to receive comments on declaring Maryland Park unneeded and unwanted as a municipal park and the proposed sale of the park as surplus property, located at 3925 Maryland Avenue, and containing approximately 12,000 square feet; and at the close of the public hearing, consideration of a resolution declaring the property unneeded and unwanted as a municipal park and offering it for sale as surplus property - Financing: No cost consideration to the City
[13-0137; HEARING CLOSED; APPROVED]

Sustainable Development and Construction

35. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Northwest Bible Church required by Section 6-4 of the Dallas City Code to allow a restaurant with a mixed beverage permit pursuant to Chapter 28 of the Texas Alcoholic Beverage Code with a food and beverage certificate [MAC Acquisition, LLC] on property on the south side of West Northwest Highway between Douglas Avenue and the Dallas North Tollway - Financing: No cost consideration to the City
[13-0138; HEARING CLOSED; APPROVED AS AMENDED]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

MISCELLANEOUS HEARINGS (Continued)

36. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the St. Mark's School of Texas required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's on-premise permit for a general merchandise or food store greater than 10,000 square feet [Central Market] on property on the south side of Royal Lane, east of Preston Road - Financing: No cost consideration to the City
[13-0139; HEARING CLOSED; APPROVED AS AMENDED]

**ANNOTATED ADDENDUM
CITY COUNCIL MEETING
JANUARY 9, 2013
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201**

ADDITIONS:

CONSENT ADDENDUM

Business Development & Procurement Services

1. Authorize **(1)** an acquisition contract for the purchase and installation of hardware and software for an automated license plate recognition system for Police in the amount of \$603,622; **(2)** a five-year service contract for maintenance and support of the automated license plate recognition system in the amount of \$146,462; and **(3)** a five-year master agreement for additional hardware and software to add additional cameras in the amount of \$2,489,894 - Iron Sky, Inc., most advantageous proposer of eight - Total not to exceed \$3,239,978 - Financing: Confiscated Monies Funds (\$750,084) and Current Funds (\$2,489,894) (subject to annual appropriations)
[13-0140; APPROVED AS AN INDIVIDUAL ITEM]

ITEMS FOR INDIVIDUAL CONSIDERATION

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

2. Authorize an amendment to Resolution No. 12-1056, previously approved on April 11, 2012, to increase original Chapter 380 economic development grant agreement with Thrash Memorial Funeral Home, LLC by \$50,000 in consideration of expanding the immediate adjacent site located at 4848 South Lancaster Road in Dallas, TX for more productive and desirable redevelopment related to the renovation and reuse of commercial property located at 4830 South Lancaster Road in Dallas, Texas - Not to exceed \$50,000 - Financing: Public/Private Partnership Funds
[13-0141; APPROVED]

DELETION:

Sustainable Development and Construction

28. A public hearing to receive comments regarding an application for and an ordinance granting a new subdistrict and an ordinance granting a Specific Use Permit for an outside entertainment and recreation venue on property zoned Subdistrict 1A within Planned Development District No. 621, the Old Trinity and Design District Special Purpose District on the west side of Riveredge Drive, south of Irving Boulevard
Recommendation of Staff and CPC: Approval of a new subdistrict, subject to conditions and approval of a Specific Use Permit for an outside entertainment and recreation venue for a three-year period, subject to a site plan and conditions
Z112-291(MW)
[13-0131]