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CITY SECRETARY
DALLAS, TEXAS

ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, MAY 22, 2013
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.

REVISED ORDER OF BUSINESS

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 69

CONSENT ADDENDUM

Items 1 - 11

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m

Items 70 - 80
Addendum Items 12 - 18

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 81 - 104
Addendum Items 19 - 21

Public Notice

130513

POSTED CITY SECRETARY
DALLAS, TX

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CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

Closed Session

6ES

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

- Legal issues regarding gas drilling and production

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

- Personnel issues involving City Manager and City Attorney.

CONSENT ADDENDUM

City Attorney's Office

1. Authorize settlement of the lawsuit styled Thomas Hannon v. David L. Nevitt, et al., Civil Action No. 3:09-CV-0066-N - Not to exceed \$412,823 - Financing: Current Funds

Convention and Event Services

2. An ordinance repealing Chapter 29 and amending Chapters 29A and 42A of the Dallas City Code to: **(1)** eliminate requirements, regulations, procedures and other provisions relating to the municipal produce market; and **(2)** provide requirements and exceptions for the Dallas Farmers Market in city code provisions governing neighborhood farmers markets and special events - Financing: No cost consideration to the City

Housing/Community Services

3. Authorize an amendment to Resolution No.13-0459, previously approved on February 27, 2013, to extend the land-lease agreement between the City of Dallas and Serenity Place Apartments, L.P. from 35 years to 55 years for City of Dallas owned property to be developed as Serenity Place Apartments located at 3124 South Denley Drive - Revenue: \$200

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ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Note: Item Nos. 4 and 5 must be considered collectively.

Texas Horse Park

Office of Cultural Affairs

4. Authorize a contract with Curtis R. Patterson for the fabrication and installation of a site-specific artwork at the front entrance of the Texas Horse Park located at 811 Pemberton Hill Road - Not to exceed \$136,220 - Financing: 2006 Bond Funds

Park & Recreation

5. Authorize **(1)** the receipt and deposit of funds from the Hillcrest Foundation Trust in an amount not to exceed \$200,000; **(2)** the establishment of appropriations in the amount of \$200,000; and **(3)** a contract for construction of the Texas Horse Park located at 811 Pemberton Hill Road - Sedalco/MetalMan Design/Build Corporation, A Joint Venture, best value proposer of seven - Not to exceed \$10,883,100 - Financing: General Obligation Commercial Paper Funds (\$10,683,100) and Hillcrest Foundation Trust Funds (\$200,000)

Office of Financial Services

6. Authorize **(1)** preliminary adoption of the FY 2013-14 Consolidated Plan Budget for U.S. Department of Housing and Urban Development Grant Funds in an estimated amount of \$26,286,472 for the following programs and estimated amounts: **(a)** Community Development Block Grant in the amount of \$15,065,098; **(b)** HOME Investment Partnerships Program in the amount of \$4,700,686; **(c)** Housing Opportunities for Persons with AIDS in the amount of \$4,060,375; **(d)** Emergency Solutions Grant in the amount of \$1,375,313; and **(e)** estimated Program Income in the amount of \$1,085,000; **(2)** preliminary adoption of the FY 2012-13 Reprogramming Budget in the amount of \$773,873; and **(3)** a public hearing to be held on June 12, 2013 to receive comments on the proposed use of funds - Financing: No cost consideration to the City

**ADDENDUM
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MAY 22, 2013**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction

7. Authorize a thirty-nine year lease agreement with Dallas Convention Center Hotel Development Corporation for approximately 116,261 square feet of land located near the intersection of Young and Lamar Streets, the initial term of the Lease will commence on June 1, 2013, with two (2), five (5) year extension periods upon mutual agreement of the parties - Annual Revenue: \$697,600 (guaranteed minimum), plus an additional percentage rent equal to 100% of net profits from ancillary development
8. A resolution authorizing **(1)** the conveyance of an easement containing a total of approximately 68 acres of land to Dallas Area Rapid Transit (DART) for the purpose of constructing and operating an extension of its light rail transit system into the Dallas/Fort Worth (DFW) International Airport property; and **(2)** accepting conveyance from DART to DFW Airport of two perpetual easements containing a total of approximately 21,000 square feet of land across the Cotton Belt railway for roadway and utility purposes - Financing: No cost consideration to the City
9. An ordinance abandoning a portion of Marilla Street, St. Louis Street, Paris Street and four alleys to the City of Dallas, the abutting owner, for the development of the Farmers Market containing a total of approximately 65,550 square feet of land, located near the intersection of Harwood and Marilla Streets - Financing: No cost consideration to the City

Trinity Watershed Management

10. Authorize a contract for the construction of the Continental Avenue Bridge and West Dallas Gateway Improvements - Gibson & Associates, Inc., lowest responsible bidder of three - Not to exceed \$8,347,936 - Financing: Private Funds (\$5,030,030), General Obligation Commercial Paper Funds (\$3,263,100) and 2006 Bond Funds (\$54,806)
11. Authorize **(1)** a construction contract with Ratliff Hardscape, Ltd., lowest responsive bidder of thirteen, for the construction of 3.6 miles of multipurpose trail including stone bench rest areas for the AT&T Trail Project in an amount of \$1,910,453; and **(2)** authorize a license agreement with ONCOR to allow the trail to be built and maintained within the ONCOR right-of-way for a portion of the AT&T Trail - Not to exceed \$1,910,453 - Financing: Private Funds

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ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

12. Receive the report of the Ad Hoc City Council Canvassing Committee and adopt a resolution and order accepting the canvassing committee's report declaring the results of the May 11, 2013 general election for members of the City Council and special election - Financing: No cost consideration to the City
13. An ordinance ordering a runoff election to be held in the City of Dallas, on Saturday, June 15, 2013, for the purpose of electing members of the City Council to represent Places 5 and 14, in which no candidate received a majority of the votes in the general election held on Saturday, May 11, 2013 - Financing: No cost consideration to the City
14. A resolution authorizing an increase in the joint elections agreement and election services contract between the City of Dallas, Dallas County, and various other jurisdictions within Dallas County, for the conduct of a runoff election to be held on Saturday, June 15, 2013, in an amount not to exceed \$408,636, to cover the cost of the June 15, 2013 city council runoff election - Not to exceed \$408,636, from \$449,708 to \$858,344 - Financing: Current Funds
15. A resolution approving the appointment of citizens to serve as election judges for the June 15, 2013 runoff election - Financing: No cost consideration to the City
16. A resolution authorizing the Mayor to appoint an Ad Hoc City Council Canvassing Committee to review the returns of the June 15, 2013 runoff election, and submit a canvass report to the full City Council on Monday, June 24, 2013 - Financing: No cost consideration to the City
17. A resolution designating an absence by Councilmember Delia Jasso as being for "official city business" - Financing: No cost consideration to the City

Housing/Community Services

18. Authorize a conditional grant agreement in the amount of \$890,000 with Rudolph Edwards to provide funding for the construction of a commercial building at 3103 South Lancaster Road in accordance with the Lancaster Corridor Economic Development Program - Not to exceed \$890,000 - Financing: 2006 Bond Funds (\$470,055) and General Obligation Commercial Paper Funds (\$419,945)

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ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

DESIGNATED ZONING CASES - INDIVIDUAL

19. A public hearing to receive comments regarding an application for and an ordinance granting **(1)** a Planned Development District for MU-3 Mixed Use District uses on property zoned a GO(A) General Office District, an MU-3 (SAH) Mixed Use District (Affordable) and a portion of Subdistrict E in Planned Development District No. 305, Cityplace, on the northeast corner of North Central Expressway and North Carroll Avenue; and for an ordinance granting **(2)** a new subdistrict on property zoned Subdistrict E within Planned Development District No. 305 on the east side of North Central Expressway between North Carroll Avenue and North Haskell Avenue
Recommendation of Staff and CPC: Approval of a Planned Development District for Mixed Use District uses, subject to a conceptual plan and conditions, and approval of a new subdistrict within Planned Development District No. 305, subject to conditions
Z112-265(MW)

20. An application for and an ordinance granting an amendment to Planned Development District No. 759 for RR Regional Retail District uses in an area generally bounded by West Mockingbird Lane, Forest Park Road, Empire Central and Maple Avenue
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z123-177(WE)

FLOODPLAIN APPLICATIONS

Trinity Watershed Management

21. A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 8.73 acres of the current 185.39 acres of land located at 6300 Trinity Forest Way, within the floodplain of the Trinity River and Stream 4B5, Fill Permit 13-01 - Financing No cost consideration to the City

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CORRECTIONS:

Sustainable Development and Construction

49. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Tomaino Properties, L.P., et al., Cause No. CC-12-06590-B, pending in County Court at Law No. 2 for acquisition from Tomaino Properties, L.P. of approximately 12,389 square feet of land located near the intersection of Elm Street and Cesar Chavez Boulevard for the Central Expressway from Commerce to Live Oak Realignment Project, and **(2)** settlement of the lawsuit for an amount not to exceed the amount of the award - Not to exceed \$808,785 (\$805,285, being the amount of the award, plus closing costs and title expenses not to exceed \$3,500) - Financing: General Obligation Commercial Paper Funds

Office of Economic Development

102. * Authorize Supplemental Agreement No. 2, an amendment to the development agreement with Ricchi Dallas Investments, LLC, for the renovation of 1600 Pacific Avenue, previously approved on October 26, 2010 by Resolution Nos. 10-2767 and 10-2768, to: **(1)** require only the completion of Stage 1 and a portion of Stage 2 work inclusive of renovation of elevator systems, roof, windows, restoration of the exterior of the building and installation of core components of a new heating and air conditioning system; **(2)** allow project's eligibility for reimbursement of TIF funding previously committed in 2010 of up to \$12,870,200 (\$8,830,000 plus interest in an amount not to exceed \$4,040,200) to be effective upon acquisition and closing of a construction loan for the LTV Tower Building by 1600 Pacific Landlord, LLC; **(3)** establish an acquisition and project construction financing closing date; and **(4)** establish that if 1600 Pacific Landlord, LLC, does not acquire and close construction financing for the LTV Tower Building by established acquisition and financing closing date, amendments (1) and (2) shall be void and the Certificate of Occupancy Date defined in the existing development agreement with Ricchi Dallas Investments, LLC, as amended, shall be extended - Financing: No cost consideration to the City