

**ANNOTATED AGENDA  
CITY COUNCIL MEETING  
OCTOBER 8, 2013  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBER, CITY HALL  
DALLAS, TEXAS 75201  
9:05 A.M. – 1:45 P.M.**

Invocation and Pledge of Allegiance (Council Chamber)  
**[13-1750]**

Agenda Item/Open Microphone Speakers  
**[13-1751]**

VOTING AGENDA

1. Approval of Minutes of the September 25, 2013 City Council Meeting  
**[13-1752; APPROVED]**

CONSENT AGENDA  
**[13-1753; APPROVED]**

**Business Development & Procurement Services**

2. Authorize a three-year master agreement for emergency and non-emergency medical supplies - Bound Tree Medical, LLC in the amount of \$3,805,786, MMS A Medical Supply Company in the amount of \$352,829, Kentron Health Care, Inc. in the amount of \$390,033, Guardian EMS Products in the amount of \$346,417, Sovereign Medical, Inc. in the amount of \$155,310 and Henry Schein, Inc. in the amount of \$18,254, lowest responsible bidders of ten - Total not to exceed \$5,068,629 - Financing: Current Funds (\$4,988,327) and Water Utilities Current Funds (\$80,302)  
**[13-1754; APPROVED]**
3. Authorize a three-year master agreement for fiberglass manholes, manhole inserts and wastewater access chambers - L.F. Manufacturing, Inc. in the amount of \$227,122, HD Supply Waterworks, LTD in the amount of \$39,650 and Doug Meadows Co. LLC in the amount of \$18,140, lowest responsible bidders of three - Total not to exceed \$284,912 - Financing: Water Utilities Current Funds  
**[13-1755; APPROVED]**

CONSENT AGENDA (Continued)

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

4. Authorize a three-year master agreement for fire-fighting foam for Fire-Rescue - Casco Industries, Inc., lowest responsible bidder of three - Not to exceed \$1,704,473 - Financing: Current Funds  
**[13-1756; APPROVED]**
5. Authorize Supplemental Agreement No. 1 to increase the service contract with AAF-McQuay, Inc. dba McQuay International for centrifugal chiller maintenance at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$101,503, from \$913,580 to \$1,015,083 - Financing: Convention and Event Services Current Funds (subject to appropriations)  
**[13-1757; APPROVED]**

**City Attorney's Office**

6. Authorize settlement of the lawsuit styled The Estate of Yolanda Guzman et al. v. City of Dallas and Oncor Electric Delivery Company LLC, Cause No. DC-11-11338-E - Not to exceed \$400,000 - Financing: Current Funds  
**[13-1758; APPROVED]**

**Office of Financial Services**

7. Authorize payment of annual membership fees and continuation of arrangements for providing specialized municipal-related services to the Airports Council International - North America in the amount of \$55,000, Dallas Regional Mobility Coalition in the amount of \$50,000, Gartner, Inc. (IT Executives and Leaders) in the amount of \$90,681, North Central Texas Council of Governments in the amount of \$120,742, North Texas Commission in the amount of \$91,020, The Steering Committee of Cities Served by Oncor in the amount of \$131,635, Texas Coalition of Cities For Utility Issues in the amount of \$52,654, Texas Municipal League in the amount of \$53,083, Water Environment Research Foundation in the amount of \$83,374, and Water Research Foundation in the amount of \$246,959 - Total not to exceed \$975,148 - Financing: Current Funds (\$589,815), Aviation Current Funds (\$55,000) and Water Utilities Current Funds (\$330,333)  
**[13-1759; DEFERRED BY COUNCILMEMBER HILL]**

**Office of Management Services**

8. Authorize the acceptance of a grant from the U.S. Department of Homeland Security under the Emergency Management Performance Grant Program for the period October 1, 2012 through March 31, 2014 - Not to exceed \$214,711 - Financing: U.S. Department of Homeland Security Grant Funds  
**[13-1760; APPROVED AS AN INDIVIDUAL ITEM]**

CONSENT AGENDA (Continued)

**Police**

9. Authorize **(1)** an application for and acceptance of the City of Dallas NIBIN Program from the Office of the Governor, Criminal Justice Division, to provide aid in finding crime linkages and provide additional resources to the National Integrated Ballistic Information Network Program for the period September 1, 2013 through August 31, 2014; **(2)** an In-kind contribution in the amount of \$19,514; and **(3)** execution of the grant agreement - Not to exceed \$99,514 - Financing: Office of the Governor, Criminal Justice Division Grant Funds (\$80,000) and In-Kind Contributions (\$19,514)  
**[13-1761; APPROVED]**
10. Authorize an agreement between the North Central Texas Council of Governments and the City of Dallas, Dallas Police Department to facilitate training as part of the North Central Texas Urban Shield Regional Exercise at the Dallas Independent School District building located at 1403 Corinth Street, Dallas, Texas for the period November 9-10, 2013 - Financing: No cost consideration to the City  
**[13-1762; APPROVED]**

**Public Works Department**

11. Authorize a contract with Gilbert May Inc. dba Phillips/May Corp., best value proposer of three, for the construction of interior improvements to C Lobby and Prefunction, Lower C Meeting Rooms, C Ballroom, and C/D/E associated restrooms at the Kay Bailey Hutchison Convention Center Dallas - Not to exceed \$11,879,291 - Financing: 2009 Convention Center Revenue Bonds  
**[13-1763; APPROVED AS AN INDIVIDUAL ITEM]**
12. Authorize Supplemental Agreement No. 12 to the professional services contract with HNTB Corporation to provide full time, on-site construction administration and construction observation services to facilitate a schedule change to accommodate the Federal Aviation Administration's flight check schedule for the Runway Safety Area Enhancement Project, Phase 2 and to allow for the changes to the project schedules for the Taxiway "A", "B", and "D" Reconstruction and Taxiway "A", "B", and "M" Shoulder Reconstruction Projects at Dallas Love Field - Total not to exceed \$233,426, from \$4,474,029 to \$4,707,455 - Financing: Aviation Capital Construction Funds (\$53,893) and Federal Aviation Administration Airport Improvement Program Grant Funds (\$179,533)  
**[13-1764; APPROVED]**

CONSENT AGENDA (Continued)

**Sanitation Services**

13. Authorize a three year professional services contract with Terracon Consultants, Inc. to conduct monthly, quarterly and annual environmental compliance monitoring, as well as routine operations and maintenance of the Landfill Gas Collection (LFG) system at the Deepwood and Loop 12 Landfill sites located at 6500 Great Trinity Forest (formerly 6500 South Highway Loop 12) - Not to exceed \$688,000 - Financing: Current Funds (subject to annual appropriations)  
**[13-1765; APPROVED]**

**Street Services**

14. Authorize **(1)** the receipt and deposit of funds in the amount of \$22,680 from QuikTrip Corporation for material, equipment and labor provided by the City for the traffic signal upgrade at Lloyd Drive and Preston Road (SH 289); and **(2)** an increase in appropriations in the amount of \$22,680 in the Capital Projects Reimbursement Fund - Not to exceed \$22,680 - Financing: Capital Projects Reimbursement Funds  
**[13-1766; APPROVED]**
15. Authorize **(1)** an Interlocal Agreement with the Texas Department of Transportation (TxDOT) to provide cost reimbursement for labor, material and equipment to be supplied by the City for costs incurred while operating and assisting with the maintenance of traffic signals impacted by TxDOT's Horseshoe Project (list attached); and **(2)** the establishment of appropriations in the amount of \$397,275 in the Texas Department of Transportation Grant Fund - Total not to exceed \$397,275 - Financing: Texas Department of Transportation Grant Funds  
**[13-1767; APPROVED]**

**Sustainable Development and Construction**

16. Authorize acquisition from Raymondo M. Garcia, Maria M. Garcia aka Maria M. Fuller and Florentino J. Hernandez, of approximately 15,000 square feet of land located near the intersection of San Leon Avenue and Glencliff Drive for the San Leon Avenue Project - Not to exceed \$8,000 (\$6,000, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds  
**[13-1768; APPROVED]**
17. Authorize a moving and related expenses-nonresidential payment for Tip Top Big Dog Inc. dba Tini Bar, who has been displaced as a direct result of real property acquisition of the property at 2224 Elm Street, to be used in conjunction with the Central Expressway from Commerce to Live Oak Realignment Project - Not to exceed \$77,021 - Financing: 2003 Bond Funds  
**[13-1769; HOLD UNDER ADVISEMENT UNTIL OCTOBER 23, 2013 BY COUNCILMEMBER KINGSTON]**

CONSENT AGENDA (Continued)

**Sustainable Development and Construction** (Continued)

18. An ordinance abandoning a portion of Pavillion Street to Twin Lakes Plaza, L.P., the abutting owner, containing a total of approximately 3,974 square feet of land, located near its intersection with Flora Street, and authorizing the quitclaim - Revenue: \$5,400, plus the \$20 ordinance publication fee  
**[13-1770; APPROVED; ORDINANCE 29166]**

**Trinity Watershed Management**

19. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the lawsuit styled City of Dallas v. Ike Stearn et al, Cause No. CC-13-02713-D, pending in County Court at Law No. 4, for acquisition from Ike Stearn, et al, of 6,145 square feet of land located near the intersection of Stokes Street and Hull Avenue for the South Central/Joppa Gateway Project; and **(2)** settlement of the lawsuit for an amount not to exceed the amount of the Special Commissioners award - Not to exceed \$5,525 (\$3,525 being the amount of the award, plus closing costs and title expenses not to exceed \$2,000); an increase of \$1,375 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds  
**[13-1771; APPROVED]**
20. Authorize **(1)** an increase in the contract with Sedalco/MetalMan Design/Build Corporation, A Joint Venture, to provide for signage; fire suppression system, fire lines, fire alarm systems, and emergency lighting at the covered arenas; communications conduits; switchgear for kitchen equipment; and revised domestic water lines at the Texas Horse Park, in the amount of \$581,700; **(2)** the receipt and deposit of funds from the Texas Horse Park Fund of The Dallas Foundation in the amount of \$350,000; and **(3)** the establishment of appropriations in the Texas Horse Park Fund of The Dallas Foundation in the amount of \$350,000 - Total not to exceed \$581,700, from \$10,683,100 to \$11,264,800 - Financing: General Obligation Commercial Paper Funds (\$481,700) and the Dallas Foundation Grant Funds (\$100,000)  
**[13-1772; APPROVED AS AN INDIVIDUAL ITEM]**

**Water Utilities**

21. Authorize a Project Utility Adjustment Agreement with Pegasus Link Constructors, LLC for water and wastewater main relocations and adjustments in Interstate Highway 30 (Dallas-Fort Worth Turnpike) from Sylvan Avenue to Lamar Street and in Interstate Highway 35E (Stemmons Freeway) from 6th Street to Commerce Street (Horseshoe Project) - Not to exceed \$382,812 - Financing: Water Utilities Current Funds (to be reimbursed by Pegasus Link Constructors, LLC)  
**[13-1773; APPROVED]**

CONSENT AGENDA (Continued)

**Water Utilities (Continued)**

22. Authorize an increase in the contract with Archer Western Construction, LLC for additional work associated with the rehabilitation of the Carrollton, California Crossing, and Frasier Dams - Not to exceed \$877,518, from \$3,646,050 to \$4,523,568 - Financing: Water Utilities Capital Improvement Funds  
**[13-1774; APPROVED]**

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

23. 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)  
**[13-1775; INDIVIDUAL AND FULL COUNCIL APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]**

DESIGNATED PUBLIC SUBSIDY MATTERS

**Housing/Community Services**

24. Authorize an amendment to Resolution No.13-0458, previously approved on February 27, 2013, to support an application for 4% low income housing tax credits (LIHTC) to the Texas Department of Housing & Community Affairs (TDHCA) for the proposed project to be located at 4623 South Lancaster Road, for a multifamily residential development for low income families - Financing: No cost consideration to the City  
**[13-1776; DELETED ON THE ADDENDUM]**

PUBLIC HEARINGS AND RELATED ACTIONS

**Sustainable Development and Construction**

ZONING CASES - CONSENT  
**[13-1777; APPROVED]**

25. 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 3,500 square feet or less on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay on the southwest corner of Forney Road and South Buckner Boulevard  
Recommendation of Staff: Approval 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 for a two-year period, subject to a site plan and conditions  
Z123-279(WE)  
**[13-1778; HEARING OPEN; HOLD UNDER ADVISEMENT UNTIL OCTOBER 23, 2013 BY COUNCILMEMBER CALLAHAN]**
26. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1853 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the northeast corner of Royal Lane and North Stemmons Freeway  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions  
Z123-281(AB)  
**[13-1779; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29167]**
27. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1871 for the sale of alcoholic beverages in conjunction with a general merchandise store 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the northeast corner of Lake June Road and Holcomb Road  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to conditions  
Z123-297(WE)  
**[13-1780; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29168]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction** (Continued)

ZONING CASES - CONSENT (Continued)

28. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment use for a bar, lounge, or tavern on property within Tract A of Planned Development District No. 269, the Deep Ellum/Near East Side Special Purpose District, on the south side of Elm Street, west of North Crowdus Street  
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions  
Z123-299(WE)  
**[13-1781; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29169]**
29. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to the Tract 6a Development Plan and an ordinance granting a Specific Use Permit for an underground walkway and on property zoned Planned Development District No. 287 on the southeast line of Garland Road, north of Lakeland Drive  
Recommendation of Staff and CPC: Approval of an amendment to the Tract 6a Development Plan and approval of a Specific Use Permit for permanent period, subject to a site plan and conditions  
Z123-319(MW)  
**[13-1782; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCES 29170 AND 29171]**
30. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1719 for an office use on property zoned Area 2 within Planned Development District No. 465, the Arlington Park Special Purpose District on the south side of Record Crossing Road, west of Yellowstone Road  
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject to revised conditions  
Z123-336(JH)  
**[13-1783; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29172]**



PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

**Sustainable Development and Construction (Continued)**

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

31. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1863 for the sale of alcoholic beverages in conjunction with a general merchandise or food store use 3,500 square feet or less on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the north side of Scyene Road, west of Jim Miller Road  
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewal for additional five-year periods, subject to staff conditions  
Z123-282(JH)  
Note: This item was considered by the City Council at a public hearing on September 25, 2013, and was taken under advisement until October 8, 2013, with the public hearing open  
**[13-1784; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 29173]**
32. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1896 for the sale of alcoholic beverages in conjunction with a general merchandise or food store 3,500 square feet or less on property zoned an RR-D-1 Regional Retail District with a D-1 Liquor Control Overlay on the south of Lake June Road, east of Temple Cliff Drive  
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  
Z123-288(WE)  
Note: This item was considered by the City Council at a public hearing on September 25, 2013, and was taken under advisement until October 8, 2013, with the public hearing open  
**[13-1785; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 29174]**

MISCELLANEOUS HEARINGS

**Office of Management Services**

33. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath properties owned by the City of Dallas and Darling International, Inc. located southwest of the Trinity River, north of Cedar Crest Boulevard and extending southeast to just north of East Overton Road; and an ordinance authorizing support of the issuance of a municipal setting designation to the City of Dallas by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated properties as potable water - Financing: No cost consideration to the City  
Recommendation of Staff: Approval  
**[13-1786; HEARING CLOSED; APPROVED; ORDINANCE 29175]**

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

**Office of Management Services** (Continued)

34. A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by CCH Lamar Partners I, L.P. located near the intersection of South Lamar Street and Memorial Drive, and an ordinance authorizing support of the issuance of a municipal setting designation to CCH Lamar Partners I, 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  
Recommendation of Staff: Approval  
**[13-1787; HEARING CLOSED; APPROVED; ORDINANCE 29176]**

**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 Sam Houston Elementary School 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 [Ai Sushi Grill] on property fronting the southwest line of Cedar Springs Road, and the northwest line of Knight Street - Financing: No cost consideration to the City  
**[13-1788; HEARING CLOSED; APPROVED AS AMENDED]**

**ANNOTATED ADDENDUM  
CITY COUNCIL MEETING  
OCTOBER 8, 2013  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBER, CITY HALL  
DALLAS, TEXAS 75201  
9:05 A.M. – 1:45 P.M.**

ADDITIONS:

Closed Session  
**[13-1789; HELD]**

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

- Personnel issues involving the selection of the City Manager.  
**[DISCUSSED]**
- Discuss the qualifications of candidates for the position of City Attorney.  
**[NOT DISCUSSED]**

CONSENT ADDENDUM

**Housing/Community Services**

1. Authorize **(1)** consolidation of the Shelter Plus Care II grant agreement, previously approved by Resolution No. 13-0703 on April 24, 2013 in the amount of \$475,033, and later reduced by the U. S. Department of Housing and Urban Development to \$474,589, and Shelter Plus Care I grant agreement, previously approved by Resolution No. 13-1294 on August 14, 2013 in the amount of \$923,966, into one Continuum of Care grant agreement in the amount of \$1,398,555; **(2)** modify the term of the combined Continuum of Care grant agreement to commence on October 1, 2013 through September 30, 2014; **(3)** an increase in the cash match amount in the amount of \$94,911, from \$214,917 to \$309,828; **(4)** an increase in the In-Kind Contribution in the amount of \$23,736, from \$16,075 to \$39,811; and **(5)** execution of the grant agreement by consolidation of the grants - Total not to exceed \$94,911 - Financing: Current Funds  
**[13-1790; APPROVED]**

**Public Works Department**

2. Authorize **(1)** a construction contract with EAS Contracting, LP by EAS Contracting GP, LLC, only bidder, for the reconstruction of the existing airfield guidance signage at Dallas Love Field; and **(2)** the use of Aviation Capital Construction Funds as the City's required match - Total not to exceed \$969,375 - Financing: Federal Aviation Administration Airport Improvement Program Grant Funds (\$727,031) and Aviation Capital Construction Funds (\$242,344)  
**[13-1791; APPROVED]**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

3. A resolution designating an absence by Mayor Michael Rawlings, Councilmember Adam Medrano and Councilmember Dwaine Caraway as being for "official city business" - Financing: No cost consideration to the City  
**[13-1792; APPROVED]**

**Human Resources**

4. Consideration of the qualifications of candidates for appointment to the position of City Attorney, selection of a candidate for commencement of negotiations, and authorization for the City Manager to negotiate the terms of an employment contract for the position of City Attorney  
**[13-1793; APPROVED AS AMENDED]**

ITEMS FOR FURTHER CONSIDERATION

**Sustainable Development and Construction**

5. An ordinance abandoning portions of Colorado Boulevard, an alley, railroad right-of-way and a street easement to Southern Foods Group, LLC, the abutting owner, containing a total of approximately 32,279 square feet of land, located near the intersection of Colorado Boulevard and Lancaster Avenue, and authorizing the quitclaim - Revenue: \$48,419, plus the \$20 ordinance publication fee  
**[13-1794; DEFERRED INDEFINITELY BY COUNCILMEMBER GRIGGS]**

DESIGNATED PUBLIC SUBSIDY MATTERS

**Housing/Community Services**

6. Authorize an amendment to Resolution No. 13-0732, previously approved on April 24, 2013, to increase an existing economic development loan with South Dallas/Fair Park Innerscity Community Development Corporation (ICDC) by \$100,000, from \$3,300,000 to \$3,400,000, for the completion of the construction of commercial space located at 4922 Spring Avenue as part of the redevelopment plan for the Frazier area - Not to exceed \$100,000 - Financing: 2006 Bond Funds  
**[13-1795; APPROVED]**

DELETION:

**Housing/Community Services**

24. Authorize an amendment to Resolution No.13-0458, previously approved on February 27, 2013, to support an application for 4% low income housing tax credits (LIHTC) to the Texas Department of Housing & Community Affairs (TDHCA) for the proposed project to be located at 4623 South Lancaster Road, for a multifamily residential development for low income families - Financing: No cost consideration to the City  
**[13-1776]**