

RECEIVED

2014 FEB 21 PM 6:20

CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, FEBRUARY 26, 2014
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 - 59

CONSENT ADDENDUM

Items 1 - 10

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 60 - 69
Addendum Items 11 - 13

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 70 - 84
Addendum Items 14 - 15

Public Notice

14 02 3 0

POSTED CITY SECRETARY
DALLAS, TX

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 26, 2014
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 the adoption of a resolution directing the City Manager to address disparate and unequal treatment of lesbian, gay, bisexual and transgender (LGBT) employees, residents, and their families.

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

- Discussion regarding evaluation of the performance of City Secretary Rosa Rios.
- Discussion regarding evaluation of the performance of City Auditor Craig Daniel Kinton.

CONSENT ADDENDUM

City Attorney's Office

1. Authorize settlement of the lawsuit styled H. Olivia Lord v. Dwayne A. Thompson, Civil Action No. 3:11-CV-3241-M - Not to exceed \$1,200,000 - Financing: Current Funds

Economic Development

2. A resolution authorizing approval of The City of Dallas Housing Finance Corporation (DHFC), as a conduit lender, to provide development funding in the form of a loan with funds provided by FSC Asset Administration, Inc., a sub-entity of First Southwest Company, to Wynnewood Seniors Housing II, L.P. and/or its successors and assigns, (a yet to be formed limited partnership) in an amount not to exceed \$1,750,000 in an attempt to be awarded up to fourteen (14) points under the Commitment of Development Funding from a Local Political Subdivision under Section 11.9 (d) (2) (B,C,D) of the Texas Department of Housing Community Affairs 2014 Qualified Allocation Plan, under specified terms and conditions and providing a firm commitment in this resolution for the Wynnewood Seniors, Phase II (aka High Point Seniors Phase II, which is Phase III of the Parks at Wynnewood Redevelopment) located at 1615 South Zang Boulevard, Dallas, Texas 75224 - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 26, 2014**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Housing/Community Services

3. A resolution authorizing an amendment of the Deed Restrictions placed on 6 unimproved properties sold to City Wide Community Development Corporation (list attached) - Financing: No cost consideration to the City

Park & Recreation

4. Authorize **(1)** the acceptance of the United States Economic Development Administration Grant in the amount of \$1,200,000 from the United States Economic Development Administration (EDA) for infrastructure and improvements to compliment the Briscoe Carpenter Center Project, Fair Park located at 1419 South Washington Street subject to final approval and appropriations by the EDA; **(2)** matching funds in the amount of \$1,186,945; and **(3)** an agreement with the United States Economic Development Administration - Not to exceed \$2,386,945 - Financing: United States Economic Development Administration Grant Funds (\$1,200,000) and General Obligation Commercial Paper Funds (\$1,186,945)
5. Authorize an increase in the contract with J.C. Commercial, Inc. for additional work necessary to meet code requirements, replacement of existing plumbing fixtures, plaster repairs, and other repairs at Anita Martinez Recreation Center located at 3212 North Winnetka Avenue - Not to exceed \$106,164, from \$1,064,734 to \$1,170,898 - Financing: 2006 Bond Funds (\$91,959) and 2003 Bond Funds (\$14,205)

Sustainable Development and Construction

6. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Carolyn Parker Schum, et al., Cause No. CC-13-05442-D (\$16,757, which was \$2,957 more than what was previously authorized by Council), pending in Dallas County Court at Law No. 4, to acquire approximately 19,714 square feet of land located at 3500 Telephone Road, Dallas, Texas for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$2,957, increased from \$16,000 (\$13,800, plus closing costs and title expenses not to exceed \$2,200) to \$18,957 (\$16,757, plus closing costs and title expenses not to exceed \$2,200) - Financing: Water Utilities Capital Improvement Funds

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 26, 2014**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction (Continued)

7. Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Terrell Country Club, et al., Cause No. 84264CC (\$74,000, which was \$3,589 more than what was previously authorized by Council), pending in Kaufman County Court at Law, to acquire approximately 278,813 square feet of land located at the north corner of CR-245 and Boathouse Drive, Kaufman County, Texas for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project; and (2) settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the award - Not to exceed \$6,589, increased from \$70,411 to \$77,000 (which includes \$3,000 in closing costs and title expenses not included in the original offer) (\$74,000, plus closing costs and title expenses not to exceed \$3,000) - Financing: Water Utilities Capital Improvement Funds

8. Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Main Capital Partners, L.P., et al., Cause No. CC-13-00525-A (\$30,000, which was \$21,800 more than what was previously authorized by Council), pending in Dallas County Court at Law No. 1, to acquire approximately 401,480 square feet of land located at the west side of Lawson Road, approximately 1,500 feet south of US-80, Sunnyvale, Dallas County, Texas for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project; and (2) settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the award - Not to exceed \$21,800, increased from \$11,000 to \$32,800 (\$30,000, plus closing costs and title expenses not to exceed \$2,800) - Financing: Water Utilities Capital Improvement Funds

9. Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. John Derek Gibson, et al., Cause No. 84257CC (\$305,000, which was \$37,740 more than what was previously authorized by Council), pending in Kaufman County Court at Law, to acquire approximately 69,956 square feet of land located at the south corner of FM-740 and FM-460, Kaufman County, Texas for the Lake Tawakoni 144-inch Raw Water Transmission Pipeline Project; and (2) settlement of the condemnation proceeding, and if objections are filed, the lawsuit that arises from the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$41,240, increased from \$267,260 to \$308,500 (which includes \$3,500 in closing costs and title expenses not included in the original offer) (\$305,000, plus closing costs and title expenses not to exceed \$3,500) - Financing: Water Utilities Capital Improvement Funds

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 26, 2014**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

10. A resolution authorizing the conveyance of an easement and right-of-way containing approximately 20,881 square feet of land to Oncor Electric Delivery Company, LLC for the construction, use and maintenance of electric facilities across City-owned land located on Pemberton Hill Road near its intersection with Jeane Street - Financing: No cost consideration to the City

ITEMS FOR INDIVIDUAL CONSIDERATION

Trinity Watershed Management

11. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from BNSF Railway Company, of a drainage easement containing approximately 3,000 square feet and a temporary working space easement containing approximately 61,812 square feet located near the intersection of Morrell Avenue and Sargent Road for the Trinity River Corridor Project - Upper Chain of Wetlands - Not to exceed \$5,445 (\$3,545 plus closing costs and title expenses not to exceed \$1,900) - Financing: 1998 Bond Funds

ITEMS FOR FURTHER CONSIDERATION

City Attorney's Office

12. Authorize the acceptance of a dedication from Prestonwood Golf Club, LLC, of a wastewater easement along White Rock Creek within Prestonwood Golf Club's The Creek Course in Dallas valued at \$772,000, based on an independent appraisal, in settlement of a disputed, unfiled claim for water usage - Not to exceed \$6,000 (closing costs and title expenses) - Financing: Water Utilities Capital Improvement Funds

Water Utilities

13. Authorize a five-year contract, with two five-year renewal options, with the Prestonwood Golf Club, LLC to provide untreated water for the Prestonwood Golf Club's The Hills Golf Course located in Plano, Texas, for the period February 12, 2014 through February 11, 2019 - Estimated Annual Revenue: \$46,013

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 26, 2014**

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

14. A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2014 9% Low Income Housing tax Credits for Serenity Place Apartments, a 45-unit multifamily project, located at 3124 South Denley Drive, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize **(1)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) application and allocation for Serenity Place Apartments located at 3124 South Denley Drive for the acquisition and new construction of the proposed 45-unit multifamily residential supportive housing development for low income families; **(2)** a loan in the amount of \$1,000,000 to City Wide Community Development Corporation (CWDC), or the applicant for LIHTC (Applicant) for the construction of Serenity Place Apartments, conditioned upon 2014 9% LIHTC award; **(3)** a grant in the amount of \$959,913 to CWDC, or Applicant for the construction of Serenity Place Apartments, conditioned upon 2014 9% LIHTC award; and **(4)** a predevelopment grant in the amount of \$38,000 to CWDC for costs associated with the TDHCA 9% application not conditioned upon 2014 9% LIHTC award - Not to exceed \$1,997,913 - Financing: FY13-14 CDBG Program Income #1 (\$1,744,142); 2012-13 Community Development Block Grant Funds (\$215,771) and General Obligation Commercial Paper Funds (\$38,000)

15. A public hearing to receive comments regarding an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2014 9% Low Income Housing Tax Credits for Wynnewood Senior Housing II, LP a 140-unit multifamily senior project, located at 1805 South Zang Boulevard, in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4); and at the close of the public hearing, authorize **(1)** a resolution in support of the Texas Department of Housing and Community Affairs (TDHCA) 9% low-income housing tax credit (LIHTC) application and allocation for Wynnewood Senior Housing II, LP located at 1805 South Zang Boulevard for the construction of the proposed 140-unit multifamily residential development for low income seniors; and **(2)** an amendment to the terms of a housing redevelopment loan provided for The Parks at Wynnewood located at 1910 Argentia Drive to forgive \$425,000 of the current balance of the loan conditioned on the award of 2014 9% Low Income Housing Tax Credit - Financing: No cost consideration to the City

**ADDENDUM
CITY COUNCIL MEETING
FEBRUARY 26, 2014**

CORRECTION:

Sustainable Development and Construction

69. A resolution authorizing: **(1)** the execution and conveyance of bridge and drainage easements containing approximately 36,360 square feet of land to Valwood Improvement Authority and Dallas Area Rapid Transit for the construction, maintenance and use of the bridge and drainage improvements across City-owned land located in the City of Farmers Branch; and (2) the execution and delivery to Dallas Area Rapid Transit of documents evidencing ownership of the new bridge to be constructed on said land - Financing: No cost consideration to the City

**Lots Conveyed to
City Wide Community Development Corporation
Addendum Item # 3**

<u>Parcel No.</u>	<u>Address</u>	<u>DCAD Amount</u>
1	1310 E. Corning	\$24,000
2	3106 S. Denley	\$11,000
3	3110 S. Denley	\$26,490
4	3114 S. Denley	\$23,430
5	3118 S. Denley	\$26,700
6	3122 S. Denley	\$38,990