

**ANNOTATED AGENDA
CITY COUNCIL MEETING
JANUARY 14, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:07 A.M. – 2:54 P.M.**

Invocation and Pledge of Allegiance (Council Chamber)
[15-0100]

Agenda Item/Open Microphone Speakers
[15-0101]

VOTING AGENDA

1. Approval of Minutes of the December 10, 2014 City Council Meeting
[15-0102; APPROVED]

CONSENT AGENDA
[15-0103; APPROVED]

Aviation

2. Authorize the fifth amendment to the lease with MLT Development Co. to add approximately 1.229 acres of unimproved land and increase the annual rent in the amount of approximately \$21,412, from \$318,777 to \$340,189 at Dallas Love Field - Estimated Annual Revenue: \$21,412
[15-0104; APPROVED]
3. Authorize Supplemental Agreement No. 2 to the professional services contract with Ricondo & Associates, Inc. for on-call airport planning and advisory services for the Dallas Airport Systems - Not to exceed \$2,250,000, from \$5,181,791 to \$7,431,791 - Financing: Aviation Capital Construction Funds
[15-0105; APPROVED]

Business Development & Procurement Services

4. Authorize an Intergovernmental Agreement with The University of Texas at Arlington, a State University to provide the service of Texas Manufacturing Assistance Center, a Texas state agency for a one-year service contract for occupational safety and health training with The University of Texas at Arlington/Texas Manufacturing Assistance Center - Not to exceed \$268,400 - Financing: Current Funds (subject to appropriations)
[15-0106; APPROVED]

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

5. Authorize a three-year master agreement for sodium hexametaphosphate to be used by Water Utilities - Shannon Chemical Corporation, lowest responsible bidder of four - Not to exceed \$390,800 - Financing: Water Utilities Current Funds
[15-0107; APPROVED]

6. Authorize **(1)** a three-year master agreement for the purchase of park amenities, supplies and playground equipment parts for Park and Recreation - The Play Well Group, Inc. in the amount of \$356,586, Mistral Security, Inc. in the amount of \$220,000, Most Dependable Fountains, Inc. in the amount of \$177,616, Victor Stanley, Inc. in the amount of \$158,872, Recreation Consultants of Texas in the amount of \$111,000, Lea Park & Play, Inc. in the amount of \$107,000, Pioneer Manufacturing Company in the amount of \$72,000, BSN Sports in the amount of \$70,000, Gail's Flags & Golf Course Accessories, Inc. in the amount of \$70,000, Landscape Forms, Inc. in the amount of \$64,140, Webuildfun, Inc. in the amount \$35,000 and ZW USA, INC. dba Zero Waste USA in the amount of \$16,380, lowest responsible bidders of fourteen; and **(2)** a three-year master agreement for the purchase of park amenities, supplies and playground equipment parts for Park and Recreation - The Play Well Group, Inc. in the amount of \$219,000, Victor Stanley, Inc. in the amount of \$56,000 and Gametime c/o Total Recreation Products, Inc. in the amount of \$51,000, through the Texas Association of School Boards (BuyBoard) - Total not to exceed \$1,784,594 - Financing: Current Funds
[15-0108; APPROVED]

7. Authorize an acquisition contract for the purchase, installation and a three-year warranty of one x-ray inspection system for the Love Field Sally Port - Rapiscan Systems, Inc. through the Texas Multiple Award Schedule - Not to exceed \$96,925 - Financing: Aviation Current Funds (subject to appropriations)
[15-0109; APPROVED]

8. Authorize an increase to the service contract with CDM Smith, Inc. for maintenance and support for the supervisory control and data acquisition systems at five water and wastewater treatment plants - Not to exceed \$388,750, from \$1,555,000 to \$1,943,750 - Financing: Water Utilities Current Funds (subject to annual appropriations)
[15-0110; APPROVED]

CONSENT AGENDA (Continued)

Fire

9. Authorize an annual payment in the amount of \$125,000 for the next five years to Dallas/Fort Worth (D/FW) International Airport to provide basic, live fire drills and advanced specialized aircraft/fire training to aircraft-rescue firefighters at Dallas Love Field and Dallas Executive Airport - Not to exceed \$625,000 - Financing: Current Funds (to be reimbursed by Aviation, subject to annual appropriations)
[15-0111; APPROVED]

Housing/Community Services

10. Authorize a Memorandum of Understanding between the City of Dallas and the Health and Human Services Commission (HHSC) for the HHSC Community Partner Program for the purpose of assisting with Online Community-Based Application Assistance Services through the YourTexasBenefits.com for Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Medicaid, Long-term Care Services program (LTC), and Children's Health Insurance Programs (CHIP) for the period January 1, 2015 through September 30, 2016 - Financing: No cost consideration to the City
[15-0112; APPROVED]
11. Authorize an amendment to Resolution No. 14-0661, Section 2 (a), previously approved on April 23, 2014, to extend the term of the maturity date from December 21, 2014 to December 21, 2015 for the loan agreement with Dallas Housing Authority for the Turner Courts Project located at 6601 Bexar Street - Financing: No cost consideration to the City
[15-0113; APPROVED AS AN INDIVIDUAL ITEM]
12. Authorize an amendment to Resolution No. 14-1792, previously approved on October 22, 2014 to **(1)** accept additional funds in the amount of \$20,142, from \$756,818 to \$776,960 from the Texas Department of Housing and Community Affairs (TDHCA) to provide services to the homeless through the Homeless Housing and Services Program (HHSP) for the period October 1, 2014 through September 30, 2015 and execute the grant agreement; **(2)** allow Bridge Steps to count TDHCA funds towards Bridge Steps' required contribution to the Bridge operating budget for the period October 1, 2014 through September 30, 2015; **(3)** require Bridge Steps to comply with all conditions of the TDHCA grant agreement; and **(4)** increase the budget agreement with Bridge Steps from \$6,085,097 to \$6,105,239 - Total not to exceed \$20,142 - Financing: Texas Department of Housing and Community Affairs Grant Funds
[15-0114; APPROVED]

CONSENT AGENDA (Continued)

Housing/Community Services (Continued)

13. Authorize an amendment to the Mortgage Assistance Program (MAP) to modify the assistance categories as follows: **Category 1** will provide assistance up to \$14,000 with 5 year deed restrictions for Existing Homes and New Construction including non-profit and for-profit organizations; and **Category 2** will provide assistance up to \$20,000 with deed restrictions following HUD guidelines (currently 10 years if \$15,000 and above) for New Construction by Certified Housing Development Organizations (CHDO), New Construction on lots purchased from the Dallas Housing Acquisition and Development Corporation (DHADC or Land Bank) and New Development in the Neighborhood Investment Program (NIP) Areas and any other Target Areas selected by the Housing/Community Services Department - Financing: No cost consideration to the City
[15-0115; APPROVED]

Park & Recreation

14. Authorize a professional services contract with Halff Associates, Inc. for the preparation of plans and specifications to improve dam safety, shoreline erosion control and beautification at Kidd Springs Park located at 700 West Canty Street - Not to exceed \$145,337 - Financing: 2006 Bond Funds
[15-0116; APPROVED]
15. Authorize Supplemental Agreement No. 3 to the professional services contract with Dan Shipley Architects, Inc. for additional design services of a maintenance building at Luna Vista Golf Course located at 11223 Luna Road - Not to exceed \$27,804, from \$100,126 to \$127,930 - Financing: 2003 Bond Funds
[15-0117; APPROVED]

Public Works Department

16. Authorize a construction services contract with Phoenix 1 Restoration and Construction, Ltd., best value proposer of five, for the exterior renovation of the Old Municipal Building, located at 106 South Harwood Street - Not to exceed \$11,166,286 - Financing: 1998 Bond Funds
[15-0118; APPROVED]

CONSENT AGENDA (Continued)

Sustainable Development and Construction

17. An ordinance abandoning a fire lane easement and a water line easement to TKG Valencia-Midtown, LLC, the abutting owner, containing a total of 18,596 square feet of land, located near the intersection of Meadow Lane and Rambler Road - Revenue: \$5,400, plus the \$20 ordinance publication fee
[15-0119; APPROVED; ORDINANCE 29602]

Trinity Watershed Management

18. Authorize a professional services contract with Parsons Environment & Infrastructure Group, Inc. for construction management services during design and advertisement phases of the Mill Creek / Peaks Branch / State-Thomas drainage relief tunnel - Not to exceed \$1,215,000 - Financing: 2006 Bond Funds
[15-0120; APPROVED]
19. Authorize an amendment to Resolution No. 14-1628, previously approved on September 24, 2014, to authorize acquisition of a larger tract for a subsurface easement located under approximately 996 square feet of land, including the exercise of the right of eminent domain, if such becomes necessary from Victor Hugo Gomez and Irma Leticia Rodriguez Campos, located on Foreman Street near its intersection with Spring Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$15, increased from \$3,075 (\$75, plus closing costs and title expenses not to exceed \$3,000) to \$3,090 (\$90, plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds
[15-0121; APPROVED AS AN INDIVIDUAL ITEM]
20. Authorize Supplemental Agreement No. 1 to the professional services contract with Solaray Engineering, Inc. for additional engineering and special services for the Trinity Trails Phase II-B project - Not to exceed \$37,350, from \$48,990 to \$86,340 - Financing: 2012 Bond Funds
[15-0122; APPROVED]
21. Authorize Supplemental Agreement No. 4 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel - Not to exceed \$1,549,600, from \$14,443,888 to \$15,993,488 - Financing: 2006 Bond Funds (\$1,505,600) and Water Utilities Capital Improvement Funds (\$44,000)
[15-0123; APPROVED]

CONSENT AGENDA (Continued)

Water Utilities

22. Authorize a contract for Heating, Ventilation and Air Conditioning component replacements and major repairs at 13 Dallas Water Utilities owned facilities - John Cook & Associates, Inc., lowest responsible bidder of two (list attached) - Not to exceed \$2,137,000 - Financing: Water Utilities Capital Improvement Funds
[15-0124; 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)
[15-0125; INDIVIDUAL AND OFFICER APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]

Trinity Watershed Management

24. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Jeanne Daniels, of a subsurface easement under approximately 3,699 square feet of land located on Jamaica Street at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,059 (\$359 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds
[15-0126; APPROVED]
25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Troy A. Jackson and Roderick Tyrone Jackson, of a subsurface easement located under approximately 3,737 square feet of land on Frank Street at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$1,711 (\$411 plus closing costs and title expenses not to exceed \$1,300) - Financing: 2006 Bond Funds
[15-0127; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

[15-0128; APPROVED]

26. A public hearing to receive comments regarding an application for and an ordinance granting an expansion to Subdistrict 2 onto property zoned Subdistrict 6 within Planned Development District No. 317, the Cedars Area Special Purpose District at the north corner of South Harwood Street and Beaumont Street
Recommendation of Staff and CPC: Approval, subject to conditions
Z134-336(OTH)
[15-0129; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29603]
27. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1953 for a restaurant with drive-in or drive-through service on property zoned Cedars West Subdistrict 1, Urban Village Form District within Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the south corner of East R.L. Thornton Freeway (Interstate 35E) and South Riverfront Boulevard
Recommendation of Staff and CPC: Approval for a three-year period, subject to conditions
Z134-349(OTH)
[15-0130; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29604]
28. 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 restaurant without drive-in or drive-through service on property zoned a CR Community Retail District with a D Liquor Control Overlay on the west side of Marsh Lane, north of Walnut Hill Lane
Recommendation of Staff and CPC: Approval of a 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
Z134-355(AF)
[15-0131; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 29605 AND 29606]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL

29. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District and a resolution accepting deed restrictions volunteered by the applicant on property zoned a CR Community Retail District on the east side of Preston Road, south of Frankford Road
Recommendation of Staff and CPC: Approval with deed restrictions volunteered by the applicant
Z134-332(AF)
[15-0132; HEARING OPEN; DEFERRED UNTIL JANUARY 28, 2015 BY COUNCILMEMBER GREYSON]
30. 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 3,500 square feet or less on property zoned a CR Community Retail District with a D Liquor Control Overlay on the north side of Lake June Road, east of Oak Hill Circle
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 renewals 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
Z134-346(AF)
[15-0133; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 29607 AND 29608]
31. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for MF-2 Multiple-family Subdistrict and mini-warehouse uses on property zoned an MF-2 Multiple-family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on the west corner of Fairmount Street and Knight Street
Recommendation of Staff and CPC: Approval, subject to a development plan, landscape plan and conditions
Z134-351(WE)
[15-0134; HEARING CLOSED; DENIED WITHOUT PREJUDICE BY COUNCILMEMBER MEDRANO]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

32. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1653 for a potentially incompatible industrial (outside) use limited to wood or lumber processing on property zoned an IM Industrial Manufacturing District with deed restrictions, on the north side of Manaña Drive, east of Spangler Road
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional two-year periods, subject to conditions
Z134-338(CE)
Note: This item was considered by the City Council at a public hearing on December 10, 2014, and was taken under advisement until January 14, 2015, with the public hearing open
[15-0135; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 29609]

STREET NAME CHANGE

33. A public hearing to receive comments regarding a proposal to change the name of Hatcher Street, between South Lamar Street and 100 feet north of Pacific Avenue, to "Elsie Faye Heggins Street" and an ordinance granting the name change - NC134-006 - Financing: No cost consideration to the City
[15-0136; HEARING CLOSED; APPROVED; ORDINANCE 29610]

DEVELOPMENT CODE AMENDMENTS - CONSENT

34. A public hearing to receive comments regarding consideration of amending Section 51A-7.404, "Attached Signs," of the Dallas Development Code to allow signs on properties zoned O-2 Office District to have attached signs larger than 40 square feet in effective area when conditions are met and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA145-003(ND)
[15-0137; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29611]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS

Sustainable Development and Construction

35. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a private school, St. Elizabeth Catholic School, and an open-enrollment charter school, Focus Learning Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Walgreen Co., dba Walgreens #6197] on the northwest corner of South Hampton Road and West Ledbetter Drive - AV145-001 - Financing: No cost consideration to the City
[15-0138; CORRECTED ON ADDENDUM; HEARING CLOSED; APPROVED]

**ADDENDUM
CITY COUNCIL MEETING
JANUARY 14, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:07 A.M. – 2:54 P.M.**

ADDITIONS:

Closed Session
[15-0139; HELD]

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

- Petition of the City of Dallas for review of a decision by Sabine River Authority to set water rates, Public Utility Commission Docket No. 43674.
[BRIEFED]

CONSENT ADDENDUM

City Attorney's Office

1. Authorize settlement of the lawsuit styled Randolph Glenn v. Officer Bunthavuth Te, et al., Civil Action No. 3:13-cv-04446-L - Not to exceed \$200,000 - Financing: Current Funds
[15-0140; APPROVED]
2. Authorize settlement of the remaining plaintiff's claim in the lawsuit styled Koby Maxwell, John C. Campbell and Carl Wayne Walton v. City of Dallas, Cause No. DC-13-04584-B - Not to exceed \$150,000 - Financing: Current Funds
[15-0141; APPROVED]
3. Authorize **(1)** the application for and the acceptance of the 2014-15 Substance Abuse and Mental Health Services Administration grant from the U.S. Department of Health and Human Services for expansion of the South Dallas Community Court to include the South Dallas Treatment Drug Court for the Adult Treatment Drug Expansion project for the period September 30, 2014 through September 29, 2015; and **(2)** execution of the grant agreement - Not to exceed \$323,964 - Financing: U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration Grant Funds
[15-0142; APPROVED]

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

4. Authorize Supplemental Agreement No. 2 to the professional services contract with Kaplan Kirsch & Rockwell, L.L.P. for additional legal services necessary on matters relating to the gate accommodations at Dallas Love Field - Not to exceed \$80,000, from \$200,000 to \$280,000 - Financing: Aviation Current Funds
[15-0143; APPROVED]

5. Authorize Supplemental Agreement No. 3 to the professional services contract with White & Wiggins, L.L.P. for additional legal services in the lawsuit styled Vickie Cook, et al. v. City of Dallas, et al., Civil Action No. 3:12-CV-03788-P and Vickie Cook, et al. v. T-Mobile USA, Inc., et al., Civil Action No. 3:14-CV-2907-M - Not to exceed \$130,000, from \$150,000 to \$280,000 - Financing: Current Funds
[15-0144; APPROVED]

Human Resources

6. Authorize a first amendment to the City Attorney Agreement of Appointment with City Attorney Warren M. S. Ernst to increase his annual base salary from \$217,000 to \$225,000 for a total annual additional cost of \$8,000, effective October 16, 2014 - Financing: Current Funds
[15-0145; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

7. A resolution designating absences by Councilmember Dwaine R. Caraway as being for "Official City Business" - Financing: No cost consideration to the City
[15-0146; APPROVED]

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Housing/Community Services

8. Authorize **(1)** the acceptance of \$11,000,000 of Community Development Block Grant Section 108 Guaranteed Loan Program Funds (Section 108 Loan Funds) from the U.S. Department of Housing and Urban Development (HUD) for the Plaza Hotel commercial development project (Hotel Project); **(2)** a loan agreement with Teof Hotel, LP (the Section 108 Borrower) in the amount of \$11,000,000 of Section 108 Loan Funds (the Section 108 Borrower Loan) for development of the Hotel Project to assist with rehabilitation of a vacant commercial building located at 1011 South Akard Street including economic development, loan interest reserve and financial costs for the Section 108 public offering that will create an estimated 220 permanent full-time equivalent jobs with 51% to be held by or made available to low- and moderate-income persons with incomes at 80% or less of Area Median Family Income as established by HUD; **(3)** the City Manager to enter into all necessary agreements with HUD including a Funding Approval/Agreement, a Fiscal Agency Agreement, a Promissory Note, up to two letters of agreement, for establishment of a custodial account, documents relating to additional security if required by HUD, and a letter requesting advance funds for interim financing; **(4)** the City Manager to establish appropriations for Section 108 Loan Funds; and **(5)** the City Controller to deposit and disburse funds from an identified account with total disbursements not to exceed \$11,000,000 in Section 108 Loan Funds - Not to exceed \$11,000,000 - Financing: Community Development Block Grant Section 108 Guaranteed Loan Funds
[15-0147; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

9. 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 R-7.5(A) Single Family District, on the north corner of Opal Avenue and Volga Avenue
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a site plan and conditions Z112-322(RB)
[15-0148; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29612]

CORRECTION:

Sustainable Development and Construction

35. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from a private school, St. Elizabeth Catholic School, and an open-enrollment charter school, Focus Learning Academy as required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 10,000 square feet [Walgreen Co., dba Walgreens #6197] on the northwest corner of South Hampton Road and West Ledbetter Drive - AV145-001 - Financing: No cost consideration to the City
[15-0138]