

**ANNOTATED AGENDA
CITY COUNCIL MEETING
FEBRUARY 11, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:06 A.M. – 1:57 P.M.**

Invocation and Pledge of Allegiance (Council Chamber)
[15-0260]

Agenda Item/Open Microphone Speakers
[15-0261]

VOTING AGENDA

1. Approval of Minutes of the January 28, 2015 City Council Meeting
[15-0262; APPROVED]

CONSENT AGENDA
[15-0263; APPROVED]

Aviation

2. Authorize a two-year, ten-month lease agreement and rent abatement with DTG Operations, Inc. at Dallas Love Field for approximately 106,137 square feet for improved land and building, and other improvements in consideration of and conditional to DTG retrofitting the office building, maintenance building, car wash and other improvements at the lessee's expense in an amount not to exceed \$1,000,000 - Foregone Revenue - \$261,000
[15-0264; APPROVED]

Business Development & Procurement Services

3. Authorize **(1)** a five-year service contract for ongoing hosting for the Fleet Data Management System and related hardware in the amount of \$452,549; and **(2)** a five-year service contract for maintenance and support for the FuelFocus software in the amount of \$66,414 - AssetWorks, LLC, sole source - Total not to exceed \$518,963 - Financing: Current Funds (subject to annual appropriations)
[15-0265; APPROVED]

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

4. Authorize a five-year service contract, with three one-year renewal options, for waste collection and disposal services for City facilities – Moore Disposal Corporation, lowest responsible bidder of four - Not to exceed \$2,359,325 - Financing: Current Funds (subject to annual appropriations)
[15-0266; APPROVED]

5. Authorize **(1)** an acquisition contract for the purchase and implementation of a fire alarm and fire suppression system in the amount of \$129,466; and **(2)** a two-year service contract for the inspection, recharge and recertification of the fire suppression system in the amount of \$31,749 - Bacon Equipment Company, lowest responsible bidder of three - Total not to exceed \$161,215 - Financing: Capital Construction Funds
[15-0267; APPROVED]

6. Authorize **(1)** an acquisition contract for the purchase and implementation of an electronic document management system for the Aviation Department in the amount of \$51,356 - V.P. Imaging, Inc. dba DocuNav Solutions; **(2)** a three-year service contract, with two three-year renewal options, for maintenance and support of an electronic document management system in the amount of \$57,777 - V.P. Imaging, Inc. dba DocuNav Solutions, through the Texas Association of School Boards (BuyBoard); and **(3)** a three-year service contract, with two three-year renewal options, for hosting service of an electronic document management system for the Aviation Department in the amount of \$170,847 - M&A Technology, Inc., through the Texas Association of School Boards (BuyBoard) - Total not to exceed \$279,980 - Financing: Aviation Current Funds (\$184,019) (subject to annual appropriations) and Aviation Capital Construction Funds (\$95,961)
[15-0268; APPROVED]

7. Authorize **(1)** a three-year master agreement for the purchase of fitness and exercise equipment for use throughout the City – MFAC, LLC in the amount of \$166,481, BSN Sports in the amount of \$163,965, Promaxima MFG in the amount of \$163,038, Comm-Fit LP in the amount of \$109,521, Team Marathon Fitness, Inc. in the amount of \$19,671 and Fitness In Motion South Texas LLC in the amount of \$9,760; and **(2)** a three-year service contract for repair of fitness equipment throughout the City – Leah Wheeler dba Service First in the amount of \$224,250 and Comm-Fit LP in the amount of \$124,055, lowest responsible bidders of eleven – Total not to exceed \$980,741 - Financing: Current Funds (\$646,559), EBS Fitness Facility Funds (\$300,877), Texas Higher Education Coordinating Board Funds (\$30,775) and Water Utilities Current Funds (\$2,530) (subject to annual appropriations)
[15-0269; APPROVED]

CONSENT AGENDA (Continued)

City Attorney's Office

8. Authorize settlement of a claim filed by State Farm Insurance Company as subrogee of Benjamin Bracken, Claim No. 14472699 - Not to exceed \$33,758 - Financing: Current Funds
[15-0270; APPROVED]

City Controller's Office

9. Authorize the preparation of plans for the issuance of Waterworks and Sewer System Revenue Refunding Bonds, New Series 2015A (Tax Exempt) and New Series 2015B (Taxable) in an amount not to exceed \$1,135,000,000 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)
[15-0271; APPROVED]

Housing/Community Services

10. Authorize a contract with the Department of State Health Services, Office of Title V and Family Health, Division for Family and Community Health Services, and the City of Dallas Women, Infants and Children Program to develop and implement the Lactation Resource and Training Center Strategic Expansion Program for the period February 15, 2015 through August 31, 2016 - Not to exceed \$390,000 - Financing: Department of State Health Services Grant Funds
[15-0272; APPROVED]
11. Authorize a Memorandum of Understanding between the City of Dallas and Unlocking DOORS To Reduce Recidivism dba DOORS, to: **(1)** collect and report evidence-based data regarding re-entry rates and recidivism by zip codes/City Councilmember districts; and **(2)** conduct assessments on clients with criminal backgrounds referred by the City of Dallas, Homeless Services Program using the Texas Reentry Assessment Tool for the period January 1, 2015 through December 31, 2015 - Not to exceed \$50,000 - Financing: Current Funds
[15-0273; APPROVED AS AN INDIVIDUAL ITEM]

CONSENT AGENDA (Continued)

Housing/Community Services (Continued)

12. Authorize **(1)** an Interlocal Agreement with Dallas County to accept FY2013 Emergency Solutions Grant funds in the amount of \$86,014 and an Interlocal Agreement with Dallas County to accept FY2014 Emergency Solutions Grant funds in the amount of \$88,163, for a total of \$174,177; and **(2)** a tenth amendment to the Management Services Contract, Phase II, with Bridge Steps to: **(a)** allow Bridge Steps to count Dallas County and Emergency Solutions Grant funds towards Bridge Steps' required contribution to the Bridge operating budget through September 30, 2015; **(b)** require Bridge Steps to comply with all conditions of the Interlocal Agreements and matching funds requirements; and **(c)** increase the Bridge Steps FY 2014-15 contract amount from \$6,105,239 to \$6,279,416 - Total not to exceed \$174,177 - Financing: Intergovernmental Revenue - Dallas County
[15-0274; APPROVED]

13. Authorize **(1)** an amendment to the FY2013 Continuum of Care Grant Agreement with the U.S. Department of Housing and Urban Development for the Shelter Plus Care Grant providing tenant-based rental assistance for permanent housing and supportive services for homeless persons with disabilities, to create a new budget line item for Supportive Services, and shift funds in the amount of \$65,040 from Rental Assistance to Supportive Services; and **(2)** establishment of a new Caseworker II position funded by the grant - Financing: No cost consideration to the City
[15-0275; APPROVED]

14. Authorize **(1)** an amendment to the FY2013 Continuum of Care Grant Agreement with the U.S. Department of Housing and Urban Development for the Hillcrest House project providing permanent supportive housing for homeless persons living with HIV/AIDS, to create a new budget line item for Supportive Services, and shift funds in the amount of \$132,096 from Rental Assistance to Supportive Services; and **(2)** Supplemental Agreement No. 1 to the contract with Hillcrest House Partnership, Ltd. (Owner) and PWA Coalition of Dallas, Inc. dba AIDS Services of Dallas (Subrecipient), to reallocate the budget - Financing: No cost consideration to the City
[15-0276; APPROVED]

15. Authorize the first amendment to the contract with the Department of State Health Services to accept additional grant funds awarded for the continuation of the Special Supplemental Nutrition Program for the Women, Infants and Children Program for the period October 1, 2014 through September 30, 2015 - Not to exceed \$569,746, from \$16,000,170 to \$16,569,916 - Financing: Department of State Health Services Grant Funds
[15-0277; APPROVED]

CONSENT AGENDA (Continued)

Office of Cultural Affairs

16. Authorize **(1)** the acceptance of a grant in the amount of \$61,000 from the Texas Commission on the Arts to provide cultural services for the period October 1, 2014 through August 31, 2015; **(2)** a local match in the amount of \$61,000; and **(3)** execution of the grant agreement – Total not to exceed \$122,000 - Financing: Texas Commission on the Arts Grant Funds (\$61,000) and Current Funds (\$61,000)
[15-0278; APPROVED]

Park & Recreation

17. Authorize a professional services contract with McAfee3 Architects for schematic design through construction administration phases for renovations to property located at 1400 Guard Drive for relocation of the Park and Recreation Department Maintenance District 2 Service Center – Not to exceed \$221,475 - Financing: General Obligation Commercial Paper Funds
[15-0279; APPROVED]

Sustainable Development and Construction

18. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Jaime Apolinar, et al., Cause No. CC-14-02105-B, pending in Dallas County Court at Law No. 2, to acquire approximately 109,710 square feet of land (57,551 square feet for a Wastewater Easement and 52,159 square feet for a Temporary Construction Easement) located near the intersection of Ravenview Road and Interstate Highway 175 for the Hickory Creek Wastewater Main Replacement Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$100, increased from \$10,000 (\$8,468, plus closing costs and title expenses not to exceed \$1,532) to \$10,100 (\$8,568, plus closing costs and title expenses not to exceed \$1,532) - Financing: Water Utilities Capital Construction Funds
[15-0280; APPROVED]

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

19. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Matthew Millard, et al., Cause No. CC-14-01188-B, pending in Dallas County Court at Law No. 2, to acquire approximately 122,789 square feet of land located near the intersection of Interstate Highway 20 and Hazelcrest Drive for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$92,000, increased from \$72,444 (\$70,470, plus closing costs and title expenses not to exceed \$1,974) to \$164,444 (\$162,167, plus closing costs and title expenses not to exceed \$2,277) - Financing: Water Utilities Capital Improvement Funds
[15-0281; APPROVED]

20. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. Raleigh Investment Group, LP, et al., Cause No. CC-13-06290-A, pending in Dallas County Court at Law No. 1, to acquire 82,849 square feet of land a fee simple easement located near the intersection of Kate Road and Interstate Highway 20 for the Southwest 120-96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the amount of the award - Not to exceed \$56,979, increased from \$284,255 (\$278,607, plus closing costs and title expenses not to exceed \$5,648) to \$341,234 (\$335,586, plus closing costs and title expenses not to exceed \$5,648) - Financing: Water Utilities Capital Construction Funds
[15-0282; APPROVED]

21. A resolution authorizing the conveyance of a drainage easement containing approximately 833 square feet of land to the City of Rowlett for the construction and maintenance of drainage facilities across City-owned land at Lake Ray Hubbard located near the intersection of Scenic Drive and State Highway 66 - Financing: No cost consideration to the City
[15-0283; APPROVED]

22. A resolution authorizing the conveyance of a water and wastewater easement containing approximately 25,560 square feet of land to the City of Rowlett for the construction and maintenance of water facilities across City-owned land at Lake Ray Hubbard located near the intersection of Scenic Drive and State Highway 66 - Financing: No cost consideration to the City
[15-0284; APPROVED]

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

23. An ordinance amending Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code; and an ordinance amending Chapter 56, "Dallas Electrical Code," as amended; adopting with certain changes the 2014 Edition of the National Electrical Code of the National Fire Protection Association, Inc.; regulating the construction, enlargement, alteration, repair, use, and maintenance of construction work in the city; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date - Financing: No cost consideration to the City
[15-0285; APPROVED; ORDINANCE NOS. 29632 AND 29633]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

24. 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)
[15-0286; INDIVIDUAL AND OFFICER APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]

Trinity Watershed Management

25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Kambiz Khadivi, of a subsurface easement located under approximately 9,440 square feet of land on Junius Street at its intersection with Peak Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project – Not to exceed \$11,140 (\$9,440 plus closing costs and title expenses not to exceed \$1,700) - Financing: 2006 Bond Funds
[15-0287; APPROVED]
26. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lue Jean White and Evelyn Marie Alexander, of a subsurface easement under approximately 3,275 square feet of land located on Collins Avenue at its intersection with Foreman Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project - Not to exceed \$2,060 (\$360 plus closing costs and title expenses not to exceed \$1,700) – Financing: 2006 Bond Funds
[15-0288; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

27. Authorize **(1)** a development agreement with M&M Hotel Venture, LLC, to dedicate future TIF revenues for reimbursement of eligible project costs related to infrastructure and utility improvements, and an Economic Development Grant to encourage construction of a hotel at 2345 West Mockingbird Lane, near the intersection of Maple and Forest Park Lane located in Tax Increment Financing Reinvestment Zone Eighteen (Maple/Mockingbird TIF District); and **(2)** the Maple/Mockingbird TIF District Board of Directors to dedicate an amount not to exceed \$1,650,000 plus an Economic Development TIF Grant in an amount not to exceed \$3,350,000 for a total not to exceed \$5,000,000 from future Maple/Mockingbird TIF District revenues, in accordance with the development agreement - Total not to exceed \$5,000,000 - Financing: Maple/Mockingbird TIF District Funds (subject to appropriations)
[15-0289; APPROVED]

**Neighborhood Empowerment Zone and
Real Property Tax Abatement Authorization**

Note: Item Nos. 28 and 29
must be considered collectively.

28. * A resolution designating the approximately 15.1 acres of property located on the West side of Mountain Creek Parkway, in Dallas, Texas, Mountain Creek Neighborhood Empowerment Zone No. 1 ("Mountain Creek NEZ No. 1"), pursuant to Chapter 378 of the Local Government Code to promote an increase in economic development in the zone, establishing the boundaries of the Neighborhood Empowerment Zone and providing for an effective date - Financing: No cost consideration to the City
[15-0290; APPROVED]
29. * Authorize a 75 percent real property tax abatement agreement for 8 years with PIHV Mountain Creek, LLC, a Delaware Limited Partnership affiliated with The Pauls Corporation for the development of a speculative warehouse development consisting of approximately 225,000 square feet located within Mountain Creek NEZ No. 1, in Dallas, Texas pursuant to Chapter 378 of the Local Government Code - Revenue: First year revenue estimated at \$23,910; eight-year revenue estimated at \$191,280 (Estimated revenue foregone for eight-year real property tax abatement estimated at \$573,840)
[15-0291; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

[15-0292; APPROVED]

30. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 894 for MF-2(A) Multifamily District uses on the southeast corner of South Zang Boulevard and West Louisiana Avenue

Recommendation of Staff and CPC: Approval, subject to conditions

Z145-116(WE)

[15-0293; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29634]

31. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District on property zoned an A(A) Agricultural District on the south line of Ravenview Road and the west line of South Belt Line Road

Recommendation of Staff and CPC: Approval

Z145-117(WE)

[15-0294; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29635]

32. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1783 for a bar, lounge, or tavern on property within the Tract A portion of Planned Development District No. 269, the Deep Ellum/Near East Side District, on the south line of Elm Street, west of North Crowds Street

Recommendation of Staff and CPC: Approval for a five-year period, subject to conditions

Z145-121(DJ)

[15-0295; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 29636]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

33. 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)
Note: This item was considered by the City Council at public hearings on January 14, 2015 and January 28, 2015, and was taken under advisement until February 11, 2015, with the public hearing open
[15-0296; HEARING OPEN; DEFERRED UNTIL APRIL 8, 2015 BY COUNCILMEMBER GREYSON]

DESIGNATED ZONING CASES - INDIVIDUAL

34. A public hearing to receive comments regarding an application for and an ordinance granting a CR Community Retail District, an ordinance granting a D-1 Liquor Control Overlay, an ordinance granting a Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store greater than 3,500 square feet, and a resolution accepting the termination of deed restrictions on property zoned an MF-1(A) Multifamily District with a D Liquor Control Overlay and deed restrictions on the south side of Lake June Road, west of Oak Hill Circle
Recommendation of Staff: Denial
Recommendation of CPC: Approval of CR and D-1; approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions, and approval of the termination of deed restrictions
Z134-242(OTH)
[15-0297; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE NOS. 29637, 29638 AND 29639]
35. A public hearing to receive comments regarding an application for the creation of a new subdistrict within Planned Development District No. 708, the Dallas Arts District Extension Area, north corner of Routh Street and Ross Avenue
Recommendation of Staff: Approval, subject to a location plan, elevations, details plan, illustrations and conditions
Recommendation of CPC: Denial
Z134-267(CE)
[15-0298; HEARING OPEN; DEFERRED UNTIL APRIL 8, 2015 BY COUNCILMEMBER KINGSTON]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

STREET NAME CHANGE

36. A public hearing to receive comments regarding a proposal to change the name of Grand Avenue, between Cockrell Avenue and Robert B. Cullum Boulevard, to “Al Lipscomb Way” and an ordinance granting the name change - NC145-001 - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future cost)
[15-0299; HEARING CLOSED; APPROVED; ORDINANCE 29640]

MISCELLANEOUS HEARINGS

Office of Environmental Quality

37. 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 Old Monk Corner, LLC located near the intersection of Willis Avenue and North Henderson Avenue and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Old Monk Corner, LLC 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
[15-0300; HEARING CLOSED; APPROVED; ORDINANCE 29641]
38. 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 City of Dallas and Oncor Electric Delivery Company, LLC generally located near Irving Boulevard extending southeast along the Trinity River to the Texas Utilities Right-of-Way past Corinth Street; 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 property as potable water - Financing: No cost consideration to the City
Recommendation of Staff: Approval
[15-0301; HEARING CLOSED; APPROVED; ORDINANCE 29642]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

MISCELLANEOUS HEARINGS (Continued)

Office of Environmental Quality (Continued)

39. 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 McKinney OH LLC located near the intersection of McKinney Avenue and Fairmount Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to McKinney OH LLC 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
[15-0302; HEARING CLOSED; APPROVED; ORDINANCE 29643]

**ANNOTATED ADDENDUM
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CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:06 A.M. – 1:57 P.M.**

ADDITIONS:

CONSENT ADDENDUM

City Attorney's Office

1. Authorize settlement of the lawsuit styled Paul Heller et al. v. City of Dallas, Civil Action No. 3:13-CV-4000-L - Not to exceed \$270,000 - Financing: Current Funds
[15-0303; APPROVED]

Economic Development

2. Authorize a public hearing to be held on February 25, 2015, to receive comments concerning the City of Dallas's participation in the Texas Enterprise Zone Program pursuant to the Texas Enterprise Zone Act, Chapter 2303 Texas Government Code as revised effective August 11, 2007, in order to allow the nomination of United Parcel Service, Inc., 10155 Monroe Drive as an Enterprise Zone Project - Financing: No cost consideration to the City
[15-0304; APPROVED]

Office of Financial Services

3. Authorize an extension through September 30, 2015 for Community Development Block Grant (CDBG) funded projects which have not met the twelve-month obligation or twenty-four-month expenditure requirement - Financing: No cost consideration to the City
[15-0305; APPROVED]

Office of Management Services

4. Authorize a professional services contract with Brunk Government Relations Services for transportation interagency consultation services for the period February 11, 2015 through February 10, 2016 - Not to exceed \$75,000 - Financing: Current Funds (subject to appropriations)
[15-0306; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

5. A resolution designating absences by Councilmember Scott Griggs as being for "Official City Business" - Financing: No cost consideration to the City
[15-0307; APPROVED]