

REVISED ORDER OF BUSINESS

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

9:00 a.m.

INVOCATION AND PLEDGE OF ALLEGIANCE

OPEN MICROPHONE

Public Notice

SPECIAL RECOGNITIONS

150648

CLOSED SESSION

POSTED CITY SECRETARY DALLAS, TX

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 72

CONSENT ADDENDUM

Items 1 - 28

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier

Items 73 - 79

than 9:15 a.m.

Addendum Items 29 - 39

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 80 - 101

Addendum Items 40 - 41

ADDENDUM
CITY COUNCIL MEETING
JUNE 17, 2015
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.

ADDITIONS:

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

- Discussion regarding performance evaluation of City Secretary Rosa A. Rios.

CONSENT ADDENDUM

Aviation

Signature Flight Support Corporation

Note: Item Nos. 1, 2 and 3 must be considered collectively.

- Authorize the termination of Lease No. 1 with Signature Flight Support, upon termination of the lease, (1) that Hangar Building A and Building B and a parking area on the southeastern side of Building B shall revert to the City of Dallas; and (2) that Hangar C and the adjacent parking shall be annexed into Lease No. 2, all capital improvement obligations under Lease No. 1 shall be combined and applied to the capital improvement obligations under Lease No. 2, Signature Flight Support shall bear all costs and expenses associated with the change of address and separation of all utility meters Estimated Revenue Foregone: \$1,372,586 (July 1, 2015 through November 1, 2023)
- * Authorize a fourth amendment to Lease No. 2 with Signature Flight Support to (1) annex Hangar C and adjacent parking into Lease No. 2 from Lease No. 1; (2) grant Signature Flight Support an access and use easement for the purposes of accessing the leased premises and for the maintenance of an electrical switchgear; and (3) extend the deadline to complete the initial \$2,000,000 capital improvement expenditure from December 31, 2015 to December 31, 2016 Annual Revenue: \$1,439,552

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Aviation (Continued)

Signature Flight Support Corporation

Note: Item Nos. 1, 2 and 3 must be considered collectively.

3. Authorize a fourth amendment to Lease No. 3 with Signature Flight Support which requires (1) that the portion of Lease No. 3 that borders Lemmon Avenue (Hangars 1 and 4) and the adjacent parking to revert to the City of Dallas upon expiration of the current term of Lease No. 3 on April 30, 2022; (2) the extension of the term of Lease No. 3 from May 1, 2022 to October 31, 2043 to run coterminous with Lease No. 2: (3) the reduction of annual rent in the amount of \$600,000 to be applied retroactively from October 1, 2012 until the end of the Lease No. 3 term and a reimbursement to Signature Flight Support for rent overpayment of \$1,650,000 from October 1, 2012 thru June 30, 2015 in the form of monthly rent reduction/credits commencing July 1, 2015 and expiring December 31, 2016; and (4) modify Section 5 of the lease to be identical to the escalator language in the current Lease Nos. 1 and 2 - Annual Revenue: \$1,132,753 (Commencing January 2017, rent amount net of annual reduction amount); Foregone Revenue: \$1,650,000 (Rent overpaymentapplied as monthly rental credit July 2015 through December 2016); and \$600,000 annual rental reduction

Business Development & Procurement Services

- 4. Authorize a three-year service contract for veterinary services for Police canine and equine units and Fire-Rescue canine unit East Lake Veterinary Hospital, P.C. in the amount of \$235,000 and Cedar Hill Veterinary Clinic in the amount of \$70,000, most qualified respondents of three Total not to exceed \$305,000 Financing: Current Funds (subject to annual appropriations)
- 5. Authorize a three-year service contract for grounds maintenance services at various Dallas Water Utilities' properties and the Dallas Animal Shelter Weldon's Lawn and Tree in the amount of \$828,335, Urban Landscaping & Irrigation in the amount of \$84,625 and JBa Land Management, LLC in the amount of \$18,780, lowest responsible bidders of six Total not to exceed \$931,740 Financing: Current Funds (\$2,800) and Water Utilities Current Funds (\$928,940) (subject to annual appropriations)

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Business Development & Procurement Services (Continued)

6. Authorize (1) an increase in appropriations in the amount of \$2,427,915, from \$438,059,929 to \$440,487,844 in the Dallas Police Department budget; and (2) the purchase of 105 squad cars for Police in the amount of \$2,427,915 - Chaperral Dodge, Inc. dba Dallas Dodge Chrysler Jeep through the Houston-Galveston Area Council of Governments - Total not to exceed \$2,427,915 - Financing: Contingency Reserve Funds

Liquid Polymer

Note: Item Nos. 7 and 8 must be considered collectively.

- * Authorize an increase to the master agreement with Polydyne, Inc. in the amount of \$590,321, from \$4,540,927 to \$5,131,248 and Kemira Chemicals, Inc. in the amount of \$164,736, from \$1,267,200 to \$1,431,936 for liquid polymer for wastewater treatment Total not to exceed \$755,057, from \$5,808,127 to \$6,563,184 Financing: Water Utilities Current Funds
- 8. * Authorize a five-year master agreement for liquid polymer for wastewater treatment Polydyne, Inc., only responsive bidder Not to exceed \$6,414,077 Financing: Water Utilities Current Funds

City Attorney's Office

- 9. Authorize settlement of the lawsuit styled <u>Damon Williams v. Micheal D. Waldroup and Jeffrey Kaiser</u>, Civil Action No. 3:14-CV-4160-P Not to exceed \$125,000 Financing: Current Funds
- 10. Authorize settlement of the lawsuit styled <u>Levi Jones and Larry Jones v. City of Dallas</u>, Cause No. CC-14-04697-D Not to exceed \$190,000 Financing: Current Funds

Economic Development

11. Authorize the expansion of the Southern Dallas Adaptive Reuse Grant Program (Adaptive Reuse Program) which will provide funding for building improvements to new owners of certain commercial buildings to encourage reuse of underperforming and vacant buildings pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program as a means of promoting economic development in southern Dallas - Financing: No cost consideration to the City

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Equipment & Building Services

12. Authorize an amendment and extension of the current electric services contract for up to an additional 84-months with TXU Energy Retail Company, LLC, resulting in a new contract term of October 1, 2015 up to May 31, 2023 - Not to exceed \$450,000,000 - Financing: Water Utilities Current Funds (\$186,841,353), Convention and Event Services Current Funds (\$23,418,080), Aviation Current Funds (\$19,590,239), Stormwater Drainage Management Current Funds (\$7,798,200) and Current Funds (\$212,352,128) (subject to annual appropriations)

Human Resources

- 13. Authorize (1) approval of the proposed plan design changes effective January 1, 2016; (2) approval of the proposed health coverage contribution and premium rates; (3) a Master Plan Document that includes all of the separate health benefit plans for the City employees and their families including the cafeteria plan, health plans, dental and vision plans; and (4) a Master Plan Document that includes all of the separate health benefit plans for retirees and their families including the self-insured health plans, insured Medicare Supplement Plans, Medicare Advantage Plans, Prescription Drug Plans, dental and vision Total cost based on the number of employee/retiree participants in the plan Financing: Employee Benefits Current Funds (subject to appropriations)
- 14. Authorize the second one-year extension of the three-year service contract with UnitedHealthcare Services, Inc. for the period January 1, 2016 through December 31, 2016, for services including: (1) Medical Third-Party Administration services; (2) fully-insured Medicare Advantage HMO, AARP Medicare Supplement, and enhanced Medicare "Part D" prescription drug plans for Medicare eligible retirees and their eligible spouses; (3) fully-insured vision and dental plans; and (4) a Diabetes Prevention and Control Alliance Program Not to exceed \$6,906,640, from \$25,226,559 to \$32,133,199 Financing: Employee Benefits Current Funds (subject to appropriations) (fully-insured vision and dental plans to be paid by employee/retiree payroll deductions)
- 15. Authorize the second one-year extension of the three-year service contract with CVS/Caremark for the period January 1, 2016 through December 31, 2016, to provide Pharmacy Benefits Management services, for which CVS/Caremark will receive a \$1.00 dispensing fee for each prescription filled Not to exceed \$270,000, from \$1,070,000 to \$1,340,000 Financing: Employee Benefits Current Funds (subject to appropriations)

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Park & Recreation

16. Authorize a professional services contract with Kimley-Horn and Associates, Inc. for the Aquatics Facilities Master Plan - 2015 Update - Not to exceed \$54,500 - Financing: 2006 Bond Funds

Police

- 17. Authorize (1) the acceptance of supplemental funding for the 2014/2015 Tobacco Enforcement Grant through the Texas School Safety Center at Texas State University San Marcos in the amount of \$24,375 for the purpose of reducing youth access to tobacco products, and to ensure compliance with the Health and Safety Code, Chapter 161 for the period September 1, 2014 through August 31, 2015; and (2) execution of the grant agreement Not to exceed \$24,375, from \$70,650 to \$95,025 Financing: Texas School Safety Center Tobacco Compliance Grant Funds
- 18. Authorize an application for the Office of the Attorney General Other Victim Assistance Grant (OVAG) in the amount of \$42,000 to provide a Victim Advocate to work primarily with victims of sexual assault from the cold case backlog for the period September 1, 2015 through August 31, 2016 Financing: No cost consideration to the City
- 19. Authorize payment to the Dallas County Sheriff's Office to reimburse Dallas County for program expenses associated with the Dallas County Highway Traffic Program for the period October 1, 2014 through September 30, 2015 Not to exceed \$600,000 Financing: Current Funds

Public Works Department

20. Authorize (1) a contract for the fabrication and installation of signs for the Central Business District (CBD) Wayfinding and Signage Program, Phase III with Architectural Graphics, Inc., only bidder, in the amount of \$184,082; (2) the receipt and deposit of funds from the Texas Department of Transportation in an amount not to exceed \$147,266; and (3) an increase in appropriations in the amount of \$147,266 in the Capital Projects Reimbursement Fund - Total not to exceed \$184,082 - Financing: Capital Projects Reimbursement Funds

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Public Works Department (Continued)

- 21. Authorize a contract with Gibson & Associates, Inc., lowest responsible bidder of two, for the reconstruction of street paving, storm drainage, streetscape, traffic signals, markings, landscape, water and wastewater main improvements for Greenville Avenue from Belmont Avenue to Bell Avenue and from Alta Avenue to Ross Avenue Not to exceed \$3,909,257 Financing: 2012 Bond Funds (\$3,022,826), Water Utilities Capital Improvement Funds (\$856,348) and Water Utilities Capital Construction Funds (\$30,083)
- 22. Authorize (1) a construction services contract with DMI Corp. dba Decker Mechanical, best value proposer of two, for heating, ventilation and air conditioning upgrades for the Kalita Humphreys Theater located at 3636 Turtle Creek Boulevard in the amount of \$1,438,043; and (2) an increase in appropriations in the amount of \$160,000 in the Cultural Arts Facilities Fund Total not to exceed \$1,438,043 Financing: 2006 Bond Funds (\$928,958), Private Funds (\$239,808), Majestic/Music Hall Major Maintenance Funds (\$37,679), Capital Construction Funds (\$75,000), 2003 Bonds Funds (\$122,608) and 1998 Bond Funds (\$33,990)
- 23. Ratify the emergency repair of damage to the roof, exterior wall and landscaping at the Dallas Museum of Art, located at 1717 North Harwood Street with Dee Brown, Inc. Not to exceed \$215,003 Financing: Current Funds (to be reimbursed by property insurance)
- 24. Authorize an increase in the contract with Gibson & Associates, Inc. for additional work to include the construction of sidewalk pavers, drive approaches, pedestrian lighting, trees with tree lighting, benches and trash receptacles for the Martin Luther King, Jr. Boulevard from South Trunk Avenue to Robert B. Cullum Boulevard, Phase II project Not to exceed \$594,980, from \$3,004,220 to \$3,599,200 Financing: 2012 Bond Funds (\$172,866) and Current Funds (\$422,114)

Sustainable Development and Construction

25. An ordinance abandoning portions of Crestway Drive and an alley to Unity Church of Dallas and CADG Forest Lane 18, LLC, the abutting owners, containing a total of approximately 52,502 square feet of land, located near the intersection of Crestway and Creekway Drives, and authorizing the quitclaim - Revenue: \$758,654, plus the \$20 ordinance publication fee

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Sustainable Development and Construction (Continued)

26. A resolution (1) authorizing the conveyance by Deed Without Warranty of 6906, 6910, and 6918 Canaan Street acquired by the City of Dallas, for itself and as trustee for various taxing authorities to CityBuild Community Development Corporation, a non-profit corporation; (2) declaring an additional three City-owned tracts of land unwanted and unneeded located at 6923 and 7003 Bexar Street and 7006 Canaan Street and authorizing their sale to CityBuild Community Development Corporation by Deed Without Warranty; and (3) authorizing an agreement with CityBuild Community Development Corporation for the establishment, maintenance, and operation of a community garden and related facilities, programs and services - Revenue: \$11,256

Trinity Watershed Management

- 27. Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. HFLP, Ltd., a Texas limited partnership, et al., Cause No. CC-15-01342-E, pending in Dallas County Court at Law No. 5, to acquire a subsurface easement containing approximately 59,638 square feet, located on Scyene Road near its intersection with Dixon Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award Not to exceed \$42,000 (\$39,000 being the amount of the award, plus closing costs and title expenses not to exceed \$3,000); an increase of \$12,163 from the amount Council originally authorized for this acquisition Financing: General Obligation Commercial Paper Funds
- 28. Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled <u>City of Dallas v. Judy Ann Burroughs, et al.</u>, Cause No. CC-14-05571-D, pending in Dallas County Court at Law No. 4, to acquire approximately 19,623 square feet of land, including any improvements, located on McKenzie Street at its intersection with Herndon Drive for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award Not to exceed \$124,093 (\$120,093 being the amount of the award, plus closing costs and title expenses not to exceed \$4,000); an increase of \$64,753 from the amount Council originally authorized for this acquisition Financing: General Obligation Commercial Paper Funds

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

29. A resolution designating absences by Mayor Michael Rawlings, Councilmember Scott Griggs, Councilmember Dwaine Caraway and Councilmember Carolyn Davis as being for "Official City Business" - Financing: No cost consideration to the City

Human Resources

30. Authorize an increase in the annual base salary of City Secretary Rosa Rios, in an amount to be determined by the City Council plus the associated pension contribution and Medicare payments, effective June ___, 2015 - Financing: Current Funds

Mayor and City Council

31. A resolution directing the City Manager or his designee to implement new requirements in the specifications for construction contracts awarded by the City in order to promote heat related injury prevention planning and data - Financing: This action has no cost consideration to the City

Trinity Watershed Management

- 32. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Greenville Ross Partners, Ltd., of a subsurface easement under approximately 7,621 square feet of land located on Live Oak Street at its intersection with Haskell Avenue for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project Not to exceed \$28,911 (\$25,911 plus closing costs and title expenses not to exceed \$3,000) Financing: General Obligation Commercial Paper Funds
- 33. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John D. Crocker, Jr., Jason D. Rothstein, Ryan M. Haggerty, Patrick Robert Skillin, and Carolyn Lacy Miller, of a subsurface easement under approximately 4,889 square feet of land located on Haskell Avenue near its intersection with Bryan Street for the Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel Project Not to exceed \$21,090 (\$18,090 plus closing costs and title expenses not to exceed \$3,000) Financing: General Obligation Commercial Paper Funds

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

Business Development & Procurement Services

34. Authorize a four-year service contract to provide armed and unarmed security guards to patrol and protect City facilities - Allied Barton Security Services, LLC in the amount of \$39,502,031, Ruiz Protective Service, Inc. in the amount of \$15,192,300 and Norred & Associates, Inc. in the amount of \$3,402,492, most advantageous proposers of eleven - Total not to exceed \$58,096,822 - Financing: Current Funds (\$15,933,236), Golf Improvement Funds (\$1,635,130), Convention and Event Services Current Funds (\$16,094,571), Water Utilities Current Funds (\$14,224,439), Aviation Current Funds (\$9,183,021) and Stormwater Drainage Management Current Funds (\$1,026,425) (subject to annual appropriations)

Park & Recreation

35. Authorize a Second Amendment to the lease and use agreement ("Agreement") between Live Nation Worldwide, Inc. hereinafter referred to as "Live Nation" (formerly known as MCA/PACE Amphitheatres Group, L.P. and Pace Amphitheatres Inc.) and the City of Dallas, in accordance with the following terms: (1) to the extent Live Nation elects to undertake the improvements up to \$8,000,000 as described in the Second Amendment, and in consideration of Live Nation's design, construction, and performance of the Improvements and securing financing, the City hereby agrees to reduce the total annual rent due and payable to City under the Agreement for the amount equal to or the lesser of (i) the actual costs of the Improvements ("Project Costs") or (ii) \$7,000,000 \$6,500,000 (such reduction to the rents due is the "Rent Credit"), upon recovery of all of the Rent Credit, Live Nation shall resume all of the rental obligations under the Agreement; the Rent Credit will be taken in annual installments of \$500,000 annually (subject to only adjustment for any carry forward deficiencies resulting from the lack of total rent payable or available) credited by City against the rents payable by Live Nation until the full amount of the Rent Credit is realized; (2) increase the current "Additional Rental", as defined in the agreement, from \$.15 per sold admission ticket to \$.20; and (3) exercise their second ten-year option. extending the agreement through December 31, 2028; (4) guaranteed annual rent to increase on January 1, 2017 to \$500,000 per year and to increase on January 1, 2023 to \$550,000 per year; and (5) all categories and tranches of percentage rent to increase on January 1, 2017 by .5 percent - Estimated Revenue: \$9,658,970 \$11,716.918

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION (Continued)

Sustainable Development and Construction

36. An ordinance granting a revocable license to CH Realty VI/R Dallas Preston Ctr, L.P., for the use of approximately 2,852 square feet of surface and aerial space to install and maintain a pedestrian skybridge and four support columns on and over a portion of Westchester Drive right-of-way located near its intersection with Berkshire Lane - Revenue: \$23,636 annually, plus the one-time \$20 ordinance publication fee

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

- 37. Authorize (1) a waiver to the City of Dallas Public/Private Partnership Program Guidelines and Criteria governing City incentives promoting local economic development and stimulating business and commercial activity approved on June 25, 2014, pursuant to Resolution No. 14-0993, as amended, to allow for a one-time grant to a nonprofit/tax exempt entity; and (2) a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with the Cesar Chavez Foundation Education Fund in an amount not to exceed \$50,000 as part of a local match in support of the institute's mission to improve job opportunities for working families in Southern Dallas Not to exceed \$50,000 Financing: Public/Private Partnership Funds
- 38. Authorize a Chapter 380 economic development grant agreement pursuant to the Public/Private Partnership Program with Toyota Industries Commercial Finance, Inc. in an amount not to exceed \$277,500 to stimulate business development activity in the City of Dallas in conjunction with the location of its new U.S. headquarters to an existing office facility at 8951 Cypress Waters Boulevard Not to exceed \$277,500 Financing: Public/Private Partnership Funds

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

Economic Development (Continued)

39. Authorize a resolution replacing City Council Resolution Nos. 06-1833 and 07-2962, approved on June 28, 2006 and October 10, 2007 respectively, to: (1) re-establish certain existing policies, programs, procedures and guidelines for the South Dallas/Fair Park Trust Fund; (2) provide for a new South Dallas Adaptive Reuse Program serving the South Dallas Fair Park area; (3) establish revised funding sources for the South Dallas Fair Park Trust Fund and other programs supporting the area; (4) allocate funding from existing programs for water conservation at City facilities; and (5) add the Public Safety Grant Program to the South Dallas Fair Park Trust Fund Program Offerings - Financing: This action has no cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

40. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a Pedestrian skybridge on property within the Tract 3 portion of Planned Development District No. 314, the Preston Center Special Purpose District, on both sides of Westchester Drive, south of Berkshire Lane

Recommendation of Staff: Approval for a forty-year period, subject to a site plan and conditions

Recommendation of CPC: Approval for a fifteen-year period, subject to a site plan and conditions

Z134-341(RB)

Note: This item was considered by the City Council at public hearings on May 27, 2015, and June 10, 2015, and was deferred until June 17, 2015

ADDITIONS: (Continued)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES - INDIVIDUAL

41. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for single family uses on property zoned an IM Industrial Manufacturing District and an IR Industrial Research District south of the intersection of Duluth Street and Borger Street

Recommendation of Staff: Denial

Recommendation of CPC: Approval, subject to a conceptual plan, street cross section

exhibit and conditions

Z145-185(WE)

CORRECTION:

Public Works Department

38. Authorize an engineering services contract with O'Brien Engineering, Inc., lowest responsive most qualified proposer of four, for site planning design and construction documents for the Tom Braniff Channel Cover project at Dallas Love Field - Not to exceed \$195,596 - Financing: Aviation Capital Construction Funds

DELETIONS:

Public Works Department

39. Authorize a construction contract with Lindamood Demolition, Inc., lowest responsive bidder of four, for the demolition of multiple substandard structures at Hensley Field, located at 8200 West Jefferson Boulevard - Not to exceed \$380,559 - Financing: Naval Air Station Redevelopment Funds

Sustainable Development and Construction

77. An ordinance abandoning a portion of Colby Street and two adjacent street easements to TC Uptown Associates, LLC, the abutting owner, containing a total of approximately 6,496 square feet of land, located near the intersection of Pearl Street and Woodall Rodgers Freeway, and authorizing the quitclaim - Revenue: \$974,400, plus the \$20 ordinance publication fee