

**ANNOTATED AGENDA
CITY COUNCIL MEETING
MAY 10, 2017
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:09 A.M. – 1:24 P.M.
[17-0740; HELD]**

Invocation and Pledge of Allegiance (Council Chamber)

Agenda Item/Open Microphone Speakers
[17-0741]

VOTING AGENDA

1. Approval of Minutes of the April 19, 2017 City Council Meeting
[17-0742; APPROVED]

CONSENT AGENDA
[17-0743; APPROVED]

Civil Service

2. Authorize a one-year corporate membership to LinkedIn Corporation - Not to exceed \$137,147 - Financing: Current Funds (subject to appropriations)
[17-0744; APPROVED]

Convention and Event Services

3. Authorize changes to the Board of Directors of the Dallas Convention Center Hotel Development Corporation - Financing: No cost consideration to the City
[17-0745; APPROVED]

CONSENT AGENDA (continued)

Housing & Neighborhood Revitalization

4. Authorize the **(1)** second amendment to Contract No. 2015-047695-00 with the Department of State Health Services, Family and Community Health Service, Office of Title V and Family Health for the Lactation Center Support Services Strategic Expansion Program that would complement and expand the Women, Infants, and Children (WIC) Lactation Center Program to **(a)** revise the budget and extend the term of the contract from August 31, 2017 to August 31, 2018 to allow for successful completion of the WIC Project for Fiscal Year (FY) 2018 grant allocation; and **(b)** accept grant funds in an amount not to exceed \$260,000 for FY 2018 allocation (Amendment No. 2 Contract No. 2015-047695-00) for the period of September 1, 2017 through August 31, 2018; **(2)** receipt and deposit of grant funds in an amount not to exceed \$260,000 into the WIC Lactation Resource and Training Expansion Grant Fund; **(3)** establishment of appropriations in an amount not to exceed \$260,000 in the WIC Lactation Resource and Training Expansion Grant Fund; and **(4)** execution of the amendment and all terms, conditions, and documents required by the contract - Not to exceed \$260,000, from \$650,000 to \$910,000 - Financing: Department of State Health Services, Office of Title V and Family Health Grant Funds
[17-0746; APPROVED]

Mobility and Street Services

5. Authorize a Highway Overpass Modification and Construction Agreement between the State of Texas, acting by and through the Texas Department of Transportation, the City of Dallas, the City of Carrollton, Dallas Area Rapid Transit (DART), and AGL Constructors in order to improve the safety of the traveling public and train operations along a portion of the 30-mile section of Interstate Highway 35E from Interstate Highway 635 to U.S. Highway 380 in Denton County specifically at Belt Line Road and DART/Madill Corridor - Financing: No cost consideration to the City
[17-0747; APPROVED]
6. Authorize **(1)** street paving, drainage, water and wastewater main improvements for South Ewing Avenue from Genoa Avenue to Galloway Avenue; provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and **(2)** a benefit assessment hearing to be held on June 14, 2017, to receive comments - Financing: No cost consideration to the City
[17-0748; APPROVED]
Note: There are two resolutions with this item

CONSENT AGENDA (continued)

Mobility and Street Services (continued)

7. Authorize **(1)** the receipt and deposit of funds in an amount not to exceed \$200,000 from the Thomas M. Gaubert Irrevocable Trust for the construction of a new traffic signal at Clark Road and Clarkridge Drive; and **(2)** an increase in appropriations in an amount not to exceed \$200,000 in the Capital Projects Reimbursement Fund - Not to exceed \$200,000 - Financing: Capital Projects Reimbursement Funds
[17-0749; APPROVED]

8. Authorize **(1)** the Third Amendment to the Project Supplemental Agreement with Dallas County for the East Dallas Veloway Phase III Project from Lawther Drive to Mockingbird Lane and the SoPAC Trail Gaston Avenue YMCA Connection Trail Project improvements; and **(2)** payment to Dallas County for the City's share of estimated final design and construction costs - Not to exceed \$818,600 - Financing: General Obligation Commercial Paper Funds
[17-0750; APPROVED]

Office of Financial Services

9. Authorize a public hearing to be held on May 24, 2017 to receive comments on the FY 2017-18 Operating, Capital, and Grant & Trust Budgets - Financing: No cost consideration to the City
[17-0751; APPROVED]

Sustainable Development and Construction

10. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceedings styled City of Dallas v. LS Investments, et al., Cause No. CC-16-03529-B, pending in Dallas County Court at Law No. 2, to acquire a total of approximately 125,973 square feet of land located near the intersection of Beltline and Fish Roads for the Southwest 120/96-inch Water Transmission Pipeline Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$29,319, increased from \$78,000 (\$72,688, plus closing costs and title expenses not to exceed \$5,312) to \$107,319 (\$102,007 being the award, plus closing costs and title expenses not to exceed \$5,312) - Financing: Water Utilities Capital Construction Funds
[17-0752; APPROVED]

11. Authorize acquisition from Lorean D. Thomas and James W. Thomas, of approximately 7,085 square feet of vacant land located near the intersection of Yancy and Carbondale Streets for the Yancy Street Improvement Project - Not to exceed \$4,000 (\$2,500, plus closing cost and title expenses not to exceed \$1,500) - Financing: 2012 Bond Funds
[17-0753; APPROVED]

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

12. A resolution authorizing the conveyance of an easement containing approximately 200 square feet of land to Oncor Electric Delivery Company, LLC for the construction, maintenance and use of power lines and electric transformer facilities across City-owned land located near the intersection of Chalk Hill Road and Hiawatha Street - Financing: No cost consideration to the City
[17-0754; APPROVED]
13. An ordinance granting a revocable license to Big D Lil'd LLC dba Dot's Hop House & Cocktail Courtyard, for the use of approximately 1,368 square feet of aerial space to install, occupy, maintain and utilize an aerial sign over and above a portion of Commerce Street right-of-way, located near the intersection of Commerce and Pryor Streets - Revenue: \$1,779 annually, plus the \$20 ordinance publication fee
[17-0755; APPROVED; ORDINANCE 30448]
14. An ordinance abandoning a portion of Electronic Lane to Parker University, a Texas non-profit corporation, the abutting owner, containing approximately 44,860 square feet of land, located near its intersection with Program Drive and authorizing the quitclaim, and providing for the dedication of approximately 44,860 square feet of needed land for a water and wastewater easement - Revenue: \$228,786, plus the \$20 ordinance publication fee
[17-0756; APPROVED; ORDINANCE 30449]
15. An ordinance abandoning a utility easement to Corinth I-35 & Ledbetter, LLC, the abutting owner, containing approximately 20,760 square feet of land, located near the intersection of Oak Park Drive and Vista Wood Boulevard - Revenue: \$5,400, plus the \$20 ordinance publication fee
[17-0757; APPROVED; ORDINANCE 30450]
16. An ordinance abandoning a portion of a fire lane easement, sanitary sewer easement and a 10' temporary construction easement to DRI/Maple AF3 Apartments, LLC, the abutting owner, containing a total of approximately 9,079 square feet of land, located near the intersection of Throckmorton and Fairmount Streets - Revenue: \$5,400, plus the \$20 ordinance publication fee
[17-0758; APPROVED; ORDINANCE 30451]
17. An ordinance abandoning a portion of a storm sewer easement to Old Parkland Unit K, L.L.C., the abutting owner, containing approximately 609 square feet of land, located near the intersection of Maple Avenue and Throckmorton Street - Revenue: \$5,400, plus the \$20 ordinance publication fee
[17-0759; APPROVED; ORDINANCE 30452]

CONSENT AGENDA (continued)

Sustainable Development and Construction (continued)

18. An ordinance abandoning portions of four drainage easements, two water and wastewater easements, and two wastewater easements to Texas Intownhomes, LLC, the abutting owner, containing a total of approximately 29,598 square feet of land, located near the intersection of Production Drive and Hawthorne Avenue; and providing for the dedication of approximately 31,287 square feet of land needed for wastewater easements, a drainage easement, water and wastewater easements, and a wastewater and drainage easement - Revenue: \$8,400, plus the \$20 ordinance publication fee
[17-0760; APPROVED; ORDINANCE 30453]

Trinity Watershed Management

19. Authorize acquisition from Dallas Independent School District, of a subsurface easement located under a total of approximately 11,455 square feet of land located on Ross Avenue at its intersection with Washington Avenue for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$55,442 (\$51,942, plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds
[17-0761; APPROVED]
20. Authorize an increase in the contract with Omega Contracting, Inc. for modifications to the construction of storm drainage improvements along Knights Branch channel between the Dallas Area Rapid Transit and the Fort Worth Transportation Authority rail line and Interstate Highway 35 Frontage Road, and the extension of an existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House - Not to exceed \$209,400, from \$921,667 to \$1,131,067 - Financing: Stormwater Drainage Management Capital Construction Funds
[17-0762; APPROVED]
21. Authorize Supplemental Agreement No. 3 to the professional services contract with Lockwood, Andrews & Newnam, Inc. for additional engineering design services necessary to modify the project limits of Wheatland Road from the Lancaster city limits to Lancaster Road - Not to exceed \$33,973, from \$490,374 to \$524,347 - Financing: 2003 Bond Funds
[17-0763; APPROVED]

Water Utilities

22. Authorize a contract for the construction of a new residuals handling facility at the Elm Fork Water Treatment Plant located at 1440 Whitlock Lane - Archer Western Construction, LLC, lowest responsible bidder of five - Not to exceed \$25,486,500 - Financing: Water Utilities Capital Improvement Funds
[17-0764; 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)
[17-0765; INDIVIDUAL APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]

ITEMS FOR FURTHER CONSIDERATION

Economic Development

24. Authorize a two-year service contract to administer a Workforce Readiness, Placement and Retention Program to provide career pathways training with Transformance, Inc. in the amount of \$375,000, Christian Transformation Foundation dba Serve West Dallas in the amount of \$375,000, City Square in the amount of \$375,000 and Dallas Area Habitat for Humanity in the amount of \$375,000, most advantageous proposers of nine - Total not to exceed \$1,500,000 - Financing: Public/Private Partnership Funds
[17-0766; APPROVED]

Housing & Neighborhood Revitalization

25. Authorize **(1)** approval of the development plan submitted to the Dallas Housing Acquisition and Development Corporation by KW New Vision Properties and Land, Inc. for the construction of houses; **(2)** the sale of two vacant lots (list attached) from Dallas Housing Acquisition and Development Corporation to KW New Vision Properties and Land, Inc.; and **(3)** execution of a release of lien for any non-tax liens on the two properties that may have been filed by the City - Financing: No cost consideration to the City
[17-0767; APPROVED]

Sustainable Development and Construction

26. An ordinance granting a private license to AERC Turtle Creek, LLC for the use of approximately 7,086 square feet of land to occupy, maintain, and utilize nine private street lights, three tree up-lights and twenty-three trees on a portion of Hood and Brown Streets rights-of-way, located near the intersection of Hood and Brown Streets - Revenue: \$300 one-time fee, plus the \$20 ordinance publication fee
[17-0768; APPROVED; ORDINANCE 30454]

ITEMS FOR INDIVIDUAL CONSIDERATION (continued)

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Note: Item Nos. 27 and 28 must be considered collectively.

Sports Arena TIF District Victory Sub-district

- 27. Authorize **(1)** a management and operating agreement with Center Operating Company, L.P., the American Airlines Center (Arena) operator, for the management and operation of the City-owned North Parking Garage (Silver Garage) addressed as 2503 Victory Avenue in the Victory Sub-district of the Sports Arena TIF District, as a public parking garage and Arena event parking for a term concurrent with the Arena Lease, subject to existing Arena parking rights restrictions, no annual management and maintenance fees and revenue sharing; and **(2)** a grant to Center Operating Company, L.P. in an amount not to exceed \$1,521,114, as consideration from increment accruing to Tax Increment Financing Reinvestment Zone Seven (Sports Arena TIF District) Victory Sub-district - Not to exceed \$1,521,114 - Financing: Sports Arena TIF District Funds (subject to appropriations)
[17-0769; APPROVED]

- 28. Authorize **(1)** the establishment of appropriations in the Sports Arena TIF North Parking Garage Fund in an amount not to exceed \$200,000 to fund capital expenditures for the North Parking Garage (Silver Garage); **(2)** the receipt and deposit into the account all of the City's share of revenue generated by the Silver Garage from Center Operating Company, L.P., for the term of the management agreement; **(3)** dedication of monthly parking revenue received by the Sports Arena TIF District-Victory Sub-district as a source for annual payments to the account for the term of the management agreement in an amount not to exceed \$100,000 annually or \$1,450,000 over the term of the contract; and **(4)** a one-time payment of \$200,000 to the account on or before December 31, 2019, from increment accruing to the Victory Sub-district of the Sports Arena TIF District - Not to exceed \$1,650,000 - Financing: Sports Arena TIF District Funds (subject to appropriations)
[17-0770; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT
[17-0771; APPROVED]

29. A public hearing to receive comments regarding an application for and an ordinance granting a P(A) Parking District on property zoned an R-5(A) Single Family District on the north side of Life Avenue, east of Puget Street
Recommendation of Staff and CPC: Approval, subject to a site/landscape plan
Z156-301(OTH)
[17-0772; HEARING OPEN; DEFERRED TO MAY 24, 2017 BY MAYOR PRO TEM ALONZO]
30. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for GR General Retail Subdistrict uses and hotel use by right on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the south corner of Fairmount Street and Carlisle Street
Recommendation of Staff and CPC: Approval, subject to a development plan and conditions
Z167-134(OTH)
[17-0773; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 30455]
31. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and expansion of Specific Use Permit No. 1496 for an open-enrollment charter school on property zoned an IR Industrial Research District, on the southeast corner of Exchange Service Drive and Joseph Hardin Drive and on the west side of Joseph Hardin Drive, between Country Creek Drive and the terminus of Exchange Service Drive
Recommendation of Staff and CPC: Approval for a five-year period with eligibility for automatic renewals for additional five-year periods, subject to a revised Tract 2 site plan, revised traffic management plan, and conditions
Z167-145(SM)
[17-0774; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30456]
32. A public hearing to receive comments regarding an application for and a resolution accepting an amendment to the existing deed restrictions on property zoned a CS Commercial Service District on the northwest corner of LBJ Freeway and Cedar Ranch Drive
Recommendation of Staff and CPC: Approval
Z167-167(SM)
[17-0775; HEARING CLOSED; APPROVED AS AMENDED]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

33. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a recycling buy-back center for household metals and industrial metals on property zoned an LI-D-1 Light Industrial District with a D-1 Liquor Control Overlay, west of Lawnview Avenue, south of Samuell Boulevard
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z167-196(WE)
[17-0776; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30457]

34. A public hearing to receive comments regarding an application for and an ordinance granting an MF-1(A) Multifamily District on property zoned an R-5(A) Single Family District, on the west side of Bonnie View Road, south of East 11th Street
Recommendation of Staff and CPC: Approval
Z167-197(PD)
[17-0777; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30458]

35. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 703 for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school in an area bounded by Hillcrest Road, Lakehurst Avenue, Airline Road and Aberdeen Avenue
Recommendation of Staff and CPC: Approval, subject to a revised development plan, a landscape plan, a revised traffic management plan, and conditions
Z167-198(PD)
[17-0778; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 30459]

36. A public hearing to receive comments regarding an application for and an ordinance granting the creation of a new subarea within Planned Development District No. 899 on the northeast corner of Royal Lane and Grissom Lane
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised development plan and conditions
Z167-199(WE)
[17-0779; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30460]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

ZONING CASES - CONSENT (continued)

37. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 721 for R-7.5(A) Single Family District uses and a public school other than an open-enrollment charter school in an area bounded by Chariot Drive, Berridge Lane, St. Francis Avenue and Trace Road
Recommendation of Staff and CPC: Approval, subject to a revised development/landscape plan, a revised traffic management plan and conditions
Z167-200(PD)

[17-0780; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30461]

38. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Planned Development District No. 748 to allow changes to front yard setbacks for Tract 2 on the northwest and northeast corner of Medical District Drive and Southwestern Medical Avenue
Recommendation of Staff and CPC: Approval, subject to a revised development plan and conditions

Z167-202(JM)

[17-0781; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30462]

ZONING CASES - INDIVIDUAL

39. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for a tower/antenna for cellular communication on property zoned a CS-D-1 Commercial Service District with a D-1 Liquor Control Overlay on the south side of CF Hawn Freeway, southeast of South Belt Line Road
Recommendation of Staff: Approval for a ten-year period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan, elevation and conditions
Recommendation of CPC: Approval for a five-year period, subject to a site plan, elevation and conditions

Z167-165(OTH)

[17-0782; HEARING OPEN; DEFERRED TO MAY 24, 2017 BY DEPUTY MAYOR PRO TEM WILSON]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

Sustainable Development and Construction (continued)

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 bail bonds office on property within the Mixmaster Riverfront Subarea of Planned Development District No. 784, the Trinity River Corridor Special Purpose District, on the west side of South Riverfront Boulevard, north of Bessemer Street
Recommendation of Staff and CPC: Approval for a two-year period with eligibility for automatic renewals for additional two-year periods, subject to a site plan and conditions Z167-193(KK)
Note: This item was considered by the City Council at a public hearing on April 26, 2017, and was deferred until May 10, 2017, with the public hearing open
[17-0783; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30463]

DESIGNATED ZONING CASES - INDIVIDUAL

41. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Phase 1 within Planned Development District No. 114 on the northeast corner of Belt Line Road and Prestonwood Boulevard
Recommendation of Staff and CPC: Approval, subject to a revised conceptual plan, revised development plan and conditions Z156-313(WE)
[17-0784; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 30464]

DEVELOPMENT CODE AMENDMENTS - INDIVIDUAL

42. A public hearing to receive comments regarding amendments to Chapter 51 and Chapter 51A of the Dallas Development Code, Section 51-4.211 Retail Uses and Section 51A-4.210 Retail and Personal Service Uses, to define a new use, called "Paraphernalia Shop," and related regulations and an ordinance granting the amendments
Recommendation of Staff and CPC: Approval
DCA 156-004
[17-0785; HEARING OPEN; DEFERRED TO MAY 24, 2017 BY COUNCILMEMBER MEDRANO]

PUBLIC HEARINGS AND RELATED ACTIONS (continued)

FLOODPLAIN APPLICATIONS

Trinity Watershed Management

- 43. A public hearing to receive comments regarding the application for and approval of the fill permit and removal of the floodplain (FP) prefix from approximately 5.9 acres of the current 14.7 acres of land, located at 5800 Keller Springs, within the floodplain of White Rock Creek, Fill Permit 15-05 - Financing: No cost consideration to the City
[17-0786; HEARING CLOSED; APPROVED]

MISCELLANEOUS HEARINGS

Housing & Neighborhood Revitalization

- 44. A public hearing to receive comments on the proposed sale of eight unimproved properties acquired by the taxing authorities from the Sheriff to Dallas Neighborhood Alliance for Habitat, a qualified non-profit organization; and, at the close of the public hearing, authorize the City Manager to: **(1)** quitclaim eight unimproved properties to Dallas Neighborhood Alliance for Habitat, under the House Bill 110 process of the City's Land Transfer Program; and **(2)** release the City's non-tax liens included in the foreclosure judgment together with post-judgment non-tax liens, if any (list attached) - Revenue: \$8,585
[17-0787; HEARING OPEN; DEFERRED TO JUNE 14, 2017 BY COUNCILMEMBER YOUNG]

**ANNOTATED ADDENDUM
CITY COUNCIL MEETING
MAY 10, 2017
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:09 A.M. – 1:24 P.M.**

ADDITIONS:

Closed Session
[17-0788]

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

- Legal issues related to the Dallas Police & Fire Pension System.
- Kenneth E. Albert, et al. v. City of Dallas; Anthony Arredondo, et al. v. City of Dallas; David L. Barber, et al. v. City of Dallas; David S. Martin, et al. v. City of Dallas; George G. Parker, et al. v. City of Dallas; and Kevin Michael Willis, et al. v. City of Dallas.
[BRIEFED]

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

1. A resolution supporting a permanent fix to the Dallas Police & Fire Pension System by announcing the city's support of HB 3158 only if it is not an unfunded mandate, addresses the city's public safety needs, and creates a new governance system that provides adequate taxpayer control and oversight
[17-0789; POSTPONED INDEFINITELY BY DEPUTY MAYOR PRO TEM WILSON]

Mayor and City Council

2. A resolution removing Richard E. Carrizales from the Dallas Area Rapid Transit (DART) Board, Position 01 - Financing: No cost consideration to the City (via Council Members Greyson, Medrano, McGough, Young, ~~Alenze~~ Clayton)
[17-0790; APPROVED]