

**ANNOTATED AGENDA
CITY COUNCIL MEETING
JANUARY 8, 2014
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:07 A.M. – 3:33 P.M.**

Invocation and Pledge of Allegiance (Council Chamber)
[14-0100]

Agenda Item/Open Microphone Speakers
[14-0101]

VOTING AGENDA

1. Approval of Minutes of the December 11, 2013 City Council Meeting
[14-0102; APPROVED WITH CORRECTIONS]

CONSENT AGENDA
[14-0103; APPROVED]

Business Development & Procurement Services

2. Authorize a three-year service contract, with two one-year renewal options, for consulting, technical assistance and actuarial services for Risk Management - Aon Risk Services Southwest, Inc., most advantageous proposer of three - Not to exceed \$375,000 - Financing: Current Funds (subject to annual appropriations)
[14-0104; APPROVED]
3. Authorize a three-year service contract for window glass replacement services and repairs for all City buildings - Stafford Juneau Holdings, Inc. dba B.J. Glass Co., lowest responsible bidder of four - Not to exceed \$504,491 - Financing: Current Funds (\$471,946), Aviation Current Funds (\$12,000), Convention and Event Services Current Funds (\$17,489) and Water Utilities Current Funds (\$3,056) (subject to annual appropriations)
[14-0105; APPROVED AS AN INDIVIDUAL ITEM]

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

4. Authorize Supplemental Agreement No. 1 with Andrews Building Service, Inc. in the amount of \$238,686, CTJ Maintenance, Inc. in the amount of \$165,675 and D&A Building Services, Inc. in the amount of \$17,626 to increase the service contract for janitorial services for Aviation, Trinity Watershed Management and Housing/Community Services locations - Total not to exceed \$421,987, from \$1,687,953 to \$2,109,940 - Financing: Department of State Health Services Grant Funds (\$165,675), Aviation Current Funds (\$238,686) and Stormwater Drainage Management Current Funds (\$17,626) (subject to annual appropriations)
[14-0106; APPROVED]

Housing/Community Services

5. Authorize an amendment to Resolution No. 13-1106, previously approved on June 26, 2013, for the conditional grant agreement in the amount of \$500,000 with Jubilee Park Community Center Corporation (JPCCC) to: **(1)** allow nonrecourse language in the legal documents with Jubilee Park Community Center Corporation; and **(2)** extend the completion date to June 26, 2015 for the acquisition, demolition, relocation, predevelopment and construction of the Jubilee Neighborhood Project - Financing: No cost consideration to the City
[14-0107; APPROVED AS AN INDIVIDUAL ITEM]

Park & Recreation

6. Authorize a professional services contract with CEI Engineering Associates, Inc. for civil and structural engineering, landscape architectural, surveying and geotechnical engineering for a hike and bike trail for the Runyon Creek Greenbelt Trail located from Glendale Park loop trail to Wagon Wheel Trail to University Hill Drive - Not to exceed \$326,486 - Financing: General Obligation Commercial Paper Funds
[14-0108; APPROVED]
7. Authorize a professional services contract with Dunaway Associates, L.P. for topographic survey, geotechnical services, and design development through construction administration services for trail extension improvements at Flag Pole Hill Trail located from White Rock Creek Trail to the Muchert Service Center - Not to exceed \$130,705 - Financing: General Obligation Commercial Paper Funds
[14-0109; APPROVED]

CONSENT AGENDA (Continued)

Park & Recreation (Continued)

8. Authorize a professional services contract with Freese and Nichols, Inc. for topographic survey, geotechnical services, and design development through construction administration services for trail improvements for the Coombs Creek Trail, Phase III located from Stevens Park tennis courts to Colorado Boulevard to Plymouth Road to Hampton Road - Not to exceed \$171,070 - Financing: 2006 Bond Funds
[14-0110; APPROVED]
9. Authorize **(1)** a professional services contract with Hargreaves Associates, Inc. for schematic design and construction cost estimates for improvements to John Carpenter Plaza located at 2201 Pacific Avenue; **(2)** the acceptance of funds in the amount of \$307,555 from The Decherd Foundation; and **(3)** the establishment of appropriations in the amount of \$307,555 in the Capital Gifts, Donation and Development Fund - Not to exceed \$307,555 - Financing: Capital Gifts, Donation and Development Funds
[14-0111; DEFERRED UNTIL FEBRUARY 12, 2014 BY COUNCILMEMBER KINGSTON]
10. Authorize a professional services contract with JACOBS Engineering Group, Inc. for schematic design through construction administration services for a new trail at Timberglen Trail located from Timberglen Park to Barry Barker Park - Not to exceed \$204,814 - Financing: General Obligation Commercial Paper Funds
[14-0112; APPROVED]
11. Authorize a professional services contract with Newman, Jackson, Bieberstein for topographic survey, geotechnical services, and design development through construction administration services of a hike and bike trail to include retaining wall design and hike and bike lane striping on roadway for the Lake Highlands Trail, Phase II located between White Rock Trail and Skillman Road - Not to exceed \$140,823 - Financing: General Obligation Commercial Paper Funds
[14-0113; APPROVED]
12. Authorize a professional services contract with Urban Engineers Group, Inc. for schematic design through construction administration services for a pedestrian connection at Elmwood Parkway from Mountain Lake Road to Kiest Park - Not to exceed \$62,123 - Financing: General Obligation Commercial Paper Funds
[14-0114; APPROVED]
13. Authorize a contract for dog park improvements, drainage, erosion control and parking improvements at White Rock Lake Park located at 7700 Mockingbird Lane - A S Con, Inc., lowest responsible bidder of nine - Not to exceed \$946,495 - Financing: 2006 Bond Funds
[14-0115; APPROVED AS AN INDIVIDUAL ITEM]

CONSENT AGENDA (Continued)

Park & Recreation (Continued)

14. Authorize a twelve-month funding agreement with Texas Discovery Gardens in the amount of \$95,862 to manage the Texas Discovery Gardens facilities, provide programs and services within the City of Dallas for the period October 1, 2013 through September 30, 2014 - Total not to exceed \$95,862 - Financing: Current Funds
[14-0116; APPROVED]

Public Works Department

15. Authorize a professional services contract with URS Corporation for the engineering design of three new street crossings under the Union Pacific Railroad (UPRR) at Bataan Street, Herbert Street and Amonette Street for the West Dallas Gateway Project, Phase I - Not to exceed \$546,645 - Financing: General Obligation Commercial Paper Funds
[14-0117; APPROVED]
16. Authorize **(1)** the First Amendment to the Project Specific Agreement with Dallas County to expand the scope of project to include water and wastewater main improvements for the construction on La Prada Drive from Millmar Drive to Motley Drive; and **(2)** payment to Dallas County for the City's share of water and wastewater main construction costs - Not to exceed \$323,013 - Financing: Water Utilities Capital Construction Funds (\$36,026) and Water Utilities Capital Improvement Funds (\$286,987)
[14-0118; APPROVED]

Sustainable Development and Construction

17. An ordinance abandoning portions of a sanitary sewer easement, utility easement and water easement to PV Prestonwood I, Ltd., the abutting owner, containing a total of approximately 20,048 square feet of land, located near the intersection of Arapaho Road and Knoll Trail Drive - Revenue: \$5,400, plus the \$20 ordinance publication fee
[14-0119; APPROVED; ORDINANCE 29234]
18. An ordinance abandoning a portion of a street easement to Wal Mart Real Estate Business Trust, the abutting owner, containing approximately 2,299 square feet of land, located near the intersection of Buckner Boulevard and Bearden Lane, and providing for the dedication of approximately 3,449 square feet of land needed for right-of-way - Revenue: \$5,400, plus the \$20 ordinance publication fee
[14-0120; APPROVED; ORDINANCE 29235]

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

19. An ordinance abandoning a utility easement to WRT/DK Residential, L.P., the abutting owner, containing approximately 112,098 square feet of land, located near the intersection of Skillman Street and Merriman Parkway - Revenue: \$5,400, plus the \$20 ordinance publication fee
[14-0121; APPROVED; ORDINANCE 29236]

Trinity Watershed Management

20. Authorize a professional services contract with Charles Gojer & Associates, Inc. for the engineering design of erosion control improvements for 1739, 1745 and 1751 Tamarack Drive, the Bahama Drive Relief System drainage improvements, and the 6900 Block Gaston Avenue drainage improvements - Not to exceed \$180,470 - Financing: General Obligation Commercial Paper (\$142,418) and Stormwater Drainage Management Current Funds (\$38,053)
[14-0122; APPROVED]

Water Utilities

21. Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study and a Zebra Mussel sampling and study on each of the reservoirs in the Dallas water supply system from November 1, 2013 through September 30, 2014 - Not to exceed \$516,391 - Financing: Water Utilities Current Funds
[14-0123; APPROVED]
22. Authorize professional services contracts with six consulting firms to provide construction materials testing services during the installation of water and wastewater mains - Mas-Tek Engineering & Associates, Inc., in the amount of \$269,440, Alliance Geotechnical Group, Inc., in the amount of \$371,969, Alpha Testing, Inc., in the amount of \$186,989, TEAM Consultants, Inc., in the amount of \$294,800, Rone Engineering Services, Ltd., in the amount of \$301,836, and Terracon Consultants, Inc., in the amount of \$355,274 - Total not to exceed \$1,780,308 - Financing: Water Utilities Capital Construction Funds
[14-0124; 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)
[14-0125; INDIVIDUAL, FULL COUNCIL AND OFFICER APPOINTMENTS MADE TO BOARDS AND COMMISSIONS]

DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

24. Authorize on-site reconstruction of nine homes in accordance with the requirements of the Reconstruction/SHARE Program Statement for the properties located at: 1444 Rowan Avenue in the amount of \$103,000; 1430 Morrell Avenue in the amount of \$103,000; 2307 Moffatt Avenue in the amount of \$103,000; 1907 Nomias Street in the amount of \$103,000; 1948 Gallagher Street in the amount of \$103,000; 4023 Shadrack Drive in the amount of \$103,000; 1524 Fleetwood Street in the amount of \$103,000; 4003 Carl Street in the amount of \$103,000; and 2531 Naoma Street in the amount of \$103,000 - Total not to exceed \$927,000 - Financing: 2013-14 Community Development Block Grant Funds (\$752,018); 2012-13 Community Development Block Grant Reprogramming Funds (\$91,000); and 2012-13 HOME Investment Partnership Program Grant Funds (\$83,982)
[14-0126; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

[14-0127; APPROVED]

25. A public hearing to receive comments regarding an application for and 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 on property zoned a CR-D-1 Community Retail District with a D-1 Liquor Control Overlay on the southwest corner of Seagoville Road and South St. Augustine Road
Recommendation of Staff and CPC: Approval for a two-year period, subject to a site plan and conditions
Z123-239(MW)
[14-0128; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29237]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

26. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to and the renewal of Specific Use Permit No. 1808 for an industrial (inside) potentially incompatible use for an automobile recycling plant and an ordinance granting a Specific Use Permit for an outside salvage and reclamation use on property zoned an IM Industrial Manufacturing District on the west line of Weir Street, south of Singleton Boulevard
Recommendation of Staff and CPC: Approval to renew Specific Use Permit No. 1808 for a two-year period with eligibility for automatic renewals of two-year periods, subject to a revised site plan and revised conditions; and approval of a Specific Use Permit for an outside salvage and reclamation use for a period of two-years with eligibility for automatic renewals of two-year periods, subject to a site plan and conditions
Z123-250(OTH)
[14-0129; HEARING OPEN; DEFERRED UNTIL FEBRUARY 12, 2014 BY DEPUTY MAYOR PRO TEM ALONZO]

27. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development Subdistrict for multiple family uses on property zoned an MF-2 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east side of McKinney Avenue and south of Elizabeth Street
Recommendation of Staff and CPC: Approval, subject to a development/landscaping plan and conditions
Z123-352(JH)
[14-0130; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29238]

ZONING CASES - INDIVIDUAL

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 general merchandise or food store 3,500 square feet or less on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the northwest corner of West Jefferson Boulevard and North Brighton Avenue
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 renewal 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
Z123-328(MW)
[14-0131; HEARING OPEN; DEFERRED UNTIL FEBRUARY 12, 2014 BY COUNCILMEMBER GRIGGS]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - INDIVIDUAL (Continued)

29. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1935 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-D-1 Community Retail District with a D-1 Liquor Control Overlay on the south corner of Lawnview Avenue and Forney Road
Recommendation of Staff: Approval for a five-year period with eligibility for automatic renewal for additional five-year periods, subject conditions
Recommendation of CPC: Approval for a five-year period, subject conditions
Z123-357(WE)
[14-0132; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29239]

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

30. A public hearing to receive comments regarding an application for and an ordinance granting an RR Regional Retail District and a resolution accepting deed restrictions volunteered by the applicant on property zoned an LO-3 Limited Office District on the west line of North Walton Walker Freeway, north of Twenty Grand Drive
Recommendation of Staff and CPC: Approval, subject to deed restrictions volunteered by the applicant
Z123-273(WE)
Note: This item was considered by the City Council at a public hearing on December 11, 2013, and was taken under advisement until January 8, 2014, with the public hearing open
[14-0133; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29240]

DESIGNATED ZONING CASES - INDIVIDUAL

31. A public hearing to receive comments regarding an application for and an ordinance granting a Planned Development District for mixed uses on property zoned an MU-1 Mixed Use District, on the south side of Northwest Highway, east of Lemmon Avenue
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z123-338(JH)
[14-0134; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29241]

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

DESIGNATED ZONING CASES – INDIVIDUAL (Continued)

32. A public hearing to receive comments regarding an application for and an ordinance granting an MU-3 Mixed Use District on property zoned an IR Industrial Research District on the north corner of Harry Hines Boulevard and West Mockingbird Lane
Recommendation of Staff and CPC: Approval
Z123-341(MW)
[14-0135; HEARING CLOSED; CPC RECOMMENDATION FOLLOWED; ORDINANCE 29242]

DESIGNATED ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

33. A public hearing to receive comments regarding an application for and an ordinance granting an amendment to Subarea B of Planned Development Subdistrict No. 66 within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the southwest side of Harwood Street, southeast of McKinney Avenue
Recommendation of Staff and CPC: Approval, subject to a conceptual plan and conditions
Z123-321(JH)
Note: This item was considered by the City Council at a public hearing on December 11, 2013, and was taken under advisement until January 8, 2014, with the public hearing open
[14-0136; HEARING CLOSED; APPROVED AS AMENDED; ORDINANCE 29243]

MISCELLANEOUS HEARINGS - UNDER ADVISEMENT

Sustainable Development and Construction

34. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from Thomas C. Marsh Middle School, a public school, required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a proposed general merchandise or food store greater than 10,000 square feet [CVS Corp.] on property on the southwest corner of Forest Lane and Cox Lane - AV123-010 - Financing: No cost consideration to the City
[14-0137; HEARING CLOSED; APPROVED]

**ANNOTATED ADDENDUM
CITY COUNCIL MEETING
JANUARY 8, 2014
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBER, CITY HALL
DALLAS, TEXAS 75201
9:07 A.M. – 3:33 P.M.**

ADDITIONS:

Closed Session
[14-0138; HELD]

5ES

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

- Lockey and MacKenzie v. City of Dallas, et al., Appeal No. 13-10884; 1600 Pacific LP v. City of Dallas, HUD Case File Nos. 06-10-0449-9, 06-10-0449-4, and 06-10-0499-6.
[BRIEFED]
- Legal issues regarding the Dallas City Council Rules of Procedure.
[BRIEFED]

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

- Discuss the qualifications of candidates for the position of City Manager.
[DISCUSSED]

CONSENT ADDENDUM

Office of Financial Services

1. Authorize an amendment to the 2014 City Calendar to change the meeting time of the Quality of Life & Environment Committee meetings from 9:30 a.m. to 9:00 a.m. - Financing: No cost consideration to the City
[14-0139; APPROVED]

Park & Recreation

2. Authorize **(1)** assignment of the original contract with Johnson-McKibben Architects, Inc. to the new established company name of JMA Johnson, LLC; and **(2)** Supplemental Agreement No. 3 to the professional services contract with JMA Johnson, LLC for additional construction administration phase work for Cummings Recreation Center located at 2900 Cummings Street - Not to exceed \$137,040, from \$192,545 to \$329,585 - Financing: 2006 Bond Funds
[14-0140; APPROVED AS AN INDIVIDUAL ITEM]

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

3. Authorize a construction contract with CD Builders, Inc., lowest responsible bidder of four, for drainage improvements and the creation of 60 acres of wetland associated with the Pavaho Wetland Supplemental Environmental Project - Not to exceed \$2,540,598 - Financing: Current Funds (\$171,765) and Stormwater Drainage Management Capital Construction Funds (\$2,368,833)
[14-0141; APPROVED]

ITEMS FOR INDIVIDUAL CONSIDERATION

Trinity Watershed Management

4. Authorize amending and replacing Resolution No. 12-2544 to: **(1)** provide additional closing costs and title expenses; and **(2)** authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary for the acquisition of Tract I from Harold Topletz and the Estate of Joseph M. (Jack) Topletz, of an unimproved tract of land containing approximately 12,173 square feet; and of Tract II from Tanner Montgomery of an unimproved tract of land containing 23,805 square feet located near the intersection of Fellows Lane and Saipan Street for the South Central/Joppa Gateway Project - Not to exceed \$13,300 (\$9,800 plus closing costs and title expenses not to exceed \$3,500) - Financing: 2006 Bond Funds
[14-0142; APPROVED]

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

5. Authorize amendments to Resolution No. 13-2140, previously approved on December 11, 2013, concerning the application with The Texas Department of Housing and Community Affairs (TDHCA) on the proposal for the new construction of the Bruton Apartments, located at 9415 Bruton Road, Dallas, Texas, The TDHCA has requested the following: **(1)** delete reference to the TDHCA's tenants services requirement; **(2)** to replace the word "LURA" with "Bond Regulatory Agreement"; and **(3)** delete the last sentence, "Acceptable social services include those described in Definitions and Amenities for Housing Program Services" - Financing: This action has no cost consideration to the City
[14-0143; APPROVED]

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

DESIGNATED PUBLIC SUBSIDY MATTERS (Continued)

6. Authorize an amendment to Resolution No. 13-2141, previously approved on December 11, 2013, concerning the application with The Texas Department of Housing and Community Affairs (TDHCA), on the proposal for the rehabilitation of The Park at Cliff Creek Apartments located at 7300 Marvin D. Love Freeway, Dallas, Texas, The TDHCA has requested the following: **(1)** delete reference to the TDHCA's tenants services requirement; **(2)** to replace the word "LURA" with "Bond Regulatory Agreement"; and **(3)** delete the last sentence, "Acceptable social services include those described in Definitions and Amenities for Housing Program Services" - Financing: This action has no cost consideration to the City
[14-0144; APPROVED]

PUBLIC HEARINGS AND RELATED ACTIONS

FLOODPLAIN APPLICATIONS

Trinity Watershed Management

7. 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 1.57 acres of the current 4.57 acres of land located at the northwest corner of Northwest Highway and Lawther, of which 2.36 acres is within the floodplain of White Rock Creek, Fill Permit 13-02 - Financing: No cost consideration to the City
[14-0145; HEARING CLOSED; APPROVED]

MISCELLANEOUS HEARINGS - DESIGNATED PUBLIC SUBSIDY MATTERS

Housing/Community Services

8. A public hearing to receive comments regarding an application to The Texas Department of Housing and Community Affairs (TDHCA) for 2013 4% Low Income Housing Tax Credits for Patriots Crossing, a 162 unit multifamily project, located at 4623 South Lancaster Road and authorize an amendment to Resolution No. 13-1867, previously approved on October 23, 2013, to add language requested by Texas Department of Housing & Community Affairs (TDHCA) in accordance with the requirements of Texas Government Code §2306.67071 and Texas Administrative Code §10.204(4), in further support of the proposed project to be located at 4623 South Lancaster Road for a multifamily residential development for low income families - Financing: No cost consideration to the City
[14-0146; HEARING CLOSED; APPROVED]