PECELLE

2011 DEC 30 PM 3:51

CHTY SECRETARY DALLAS, TEXAS



COUNCIL AGENDA

Public Notice

111270

POSTED CITY SECRETARY

January 11, 2012
Date

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 before 9:00 a.m. on the meeting date. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. <u>The Council agenda is available in alternative formats upon request</u>.

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación Time Warner CityCable Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 9 de la mañana del día de la asamblea. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilties Act.* La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesia

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna pesona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben de abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (pagers) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además. se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA CITY COUNCIL MEETING WEDNESDAY, JANUARY 11, 2012 ORDER OF BUSINESS

2011 DEC 30 PM 3: 50
CITY SECRETARY
DALLAS, TEXAS

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

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 21

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier than 9:15 a.m.

Items 22 - 29

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 30 - 39

Public Notice

1 1 2 7 0

POSTED CYTY SECRETARY

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

Public Notice

POSTED CITY SECRETARY

AGENDA

CITY COUNCIL MEETING

JANUARY 11, 2012

CITY OF DALLAS

1500 MARILLA

COUNCIL CHAMBERS, CITY HALL

DALLAS, TEXAS 75201

9:00 A. M.

Invocation and Pledge of Allegiance (Council Chambers)

Agenda Item/Open Microphone Speakers

VOTING AGENDA

1. Approval of Minutes of the December 14, 2011 City Council Meeting

CONSENT AGENDA

Business Development & Procurement Services

- 2. Authorize a two-year service contract for window glass replacement services and repairs Peruna Glass, Inc. dba Glass Doctor of North Texas, lowest responsible bidder of three Not to exceed \$638,180 Financing: Current Funds (\$553,180), Convention and Event Services Current Funds (\$45,000), Aviation Current Funds (\$25,000) and Stormwater Drainage Management Current Funds (\$15,000) (subject to annual appropriations)
- 3. Authorize a three-year service contract for purchase and installation of remanufactured/rebuilt automatic transmissions Inland Truck Parts in the amount of \$387,570, R Wilson Enterprises, a franchise of Eagle Transmission in the amount of \$280,050, VFR Limited, Inc. dba All State Transmission in the amount of \$228,137 and AAMCO Transmission in the amount of \$30,200, lowest responsible bidders of four Total not to exceed \$925,957 Financing: Current Funds (subject to annual appropriations)

CONSENT AGENDA (Continued)

Business Development & Procurement Services (Continued)

- 4. Authorize a three-year master agreement for the purchase of hydrofluosilicic acid to be used for the treatment of potable water Pencco, Inc., lowest responsible bidder of four Not to exceed \$2,048,288 Financing: Water Utilities Current Funds
- 5. Authorize a three-year master agreement for vehicle exhaust extraction parts Air Cleaning Technologies, Inc., lowest responsible bidder of three Not to exceed \$304,855 Financing: Current Funds
- 6. Authorize the purchase of a vertical mix flow pump Pierce Pump Co. L.P., lowest responsible bidder of two Not to exceed \$169,000 Financing: Stormwater Drainage Management Capital Construction Funds
- 7. Authorize the purchase of one bio-solids distribution vehicle and two sewer cleaner vehicles Texarkana Tractor Company dba Nor-Tex Tractor in the amount of \$439,629 and Rush Medium Duty Truck Center in the amount of \$230,386, lowest responsible bidders of seven Total not to exceed \$670,015 Financing: Water Utilities Current Funds
- 8. Authorize the purchase of time clock synchronization hardware to be installed on the City's existing radio towers utilized in the communication infrastructure for public safety and other departments in order to provide narrowbanding capabilities required by the Federal Communication Commission Spectracom Corporation, lowest responsible bidder of two Not to exceed \$177,250 Financing: Current Funds

City Attorney's Office

- 9. Authorize settlement of a claim filed by Claude Manning, Claim No. 10-00006-01-30 Not to exceed \$8,000 Financing: Current Funds
- 10. Authorize settlement of a claim filed by Opal Leonard, Claim No. 11-00505-01-31 Not to exceed \$23,143 Financing: Current Funds

Equipment & Building Services

- 11. Authorize (1) acceptance of a Bailment Agreement entered into by and between the City of Dallas and Boulder Electric Vehicle, Inc. on July 25, 2011, for the use and testing of three electric vehicles and the installation of three charging stations to reduce Nitrogen oxide (NOx) pollutants and other emissions; and (2) execution of the bailment agreement Not to exceed \$1,000 Financing: Current Funds
- 12. Authorize a license agreement with Electric Transportation Engineering Corporation dba ECOtality North America for the installation of three electric vehicle charging stations located at Fair Park, Dallas Love Field, and Dallas Executive Airport for the City's electric vehicles as part a grant from the U.S. Department of Energy for the collection and analysis of data for the Electric Vehicle Pilot Project through April 30, 2013 Estimated Revenue: \$34

CONSENT AGENDA (Continued)

Equipment & Building Services (Continued)

13. Authorize (1) the acceptance of electric vehicle charging stations at various City facilities from TXU Energy Retail Energy Company, LLC (TXU); and (2) an Interlocal Agreement with TXU for the installation, maintenance and reimbursement of expenses associated with electric vehicle charging stations for a period of three years - Financing: This action has no cost consideration to the City

Office of Financial Services

14. Authorize a professional services contract with Diversified Utility Consultants, Inc. for expert consulting services and testimony in matters related to Atmos Energy Mid-Tex Division's "Dallas Annual Rate Review" filing - Not to exceed \$80,000 - Financing: Current Funds (to be fully reimbursed by Atmos Energy)

Office of Management Services

15. Authorize (1) the acceptance of the 2011 Homeland Security Grant from the Department of Homeland Security, which includes the Urban Areas Security Initiative and the Metropolitan Medical Response System, to provide funding for equipment acquisition, planning and training activities to enable the City to respond to natural and man-made disasters for the period September 1, 2011 through February 28, 2014; and (2) execution of the grant agreement - Not to exceed \$9,685,972 - Financing: U.S. Department of Homeland Security Grant Funds

Park & Recreation

16. Authorize Supplemental Agreement No. 1 to the professional services contract with Newman, Jackson, Bieberstein, Inc. for additional study, design and construction documents to upgrade the gazebo lighting, electrical requirements, and all electrical service in the plaza at Pike Park located at 2807 Harry Hines Boulevard - Not to exceed \$5,200, from \$24,995 to \$30,195 - Financing: 2006 Bond Funds

Sustainable Development and Construction

- 17. Authorize acquisition of approximately 344,760 square feet of land from M. C. Curry and Charles Ester Curry located in Kaufman County for the Lake Tawakoni 144-inch Pipeline Project Not to exceed \$31,000 (\$27,702 plus closing costs and title expenses not to exceed \$3,298) Financing: Water Utilities Capital Improvement Funds
- 18. A resolution authorizing the conveyance of an easement containing approximately 627 square feet of land to Oncor Electric Delivery Company, LLC for the purpose of construction and maintenance of electric facilities across City-owned land located near the intersection of St. Augustine Drive and Lake June Road Financing: No cost consideration to the City

CONSENT AGENDA (Continued)

Sustainable Development and Construction (Continued)

19. An ordinance authorizing the release and termination of a residential use only restriction and private drive conditions on abandoned portions of Odeans, Walter and Anniels Drives and various alleys located near the intersection of Colorado Boulevard and Fort Worth Avenue - Revenue: \$72,920

Trinity Watershed Management

20. Authorize Supplemental Agreement No. 2 to the contract with Halff Associates, Inc., for the design of relief drainage systems for Mill Creek, Phase I, and Middle Peaks Branch, Phases I and II, for additional scope of work to investigate, analyze and design a tunnel extension to provide drainage relief for the State-Thomas area and for additional survey and right-of-way services for required property and easement acquisition - Not to exceed \$2,602,200, from \$11,796,600 to \$14,398,800 - Financing: 2006 Bond Funds

Water Utilities

21. Authorize an increase in the contract with Camino Construction, L.P. for additional work associated with the installation of water and wastewater mains at various locations (list attached) - Not to exceed \$293,050, from \$6,805,115 to \$7,098,165 - Financing: Water Utilities Capital Improvement Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

- 22. 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)
- 23. Consideration of appointments to the Dallas/Fort Worth International Airport Board of Directors for Places 1, 4, 6 and 9 (Closed Session, if necessary, Personnel, Sec. 551.074, T.O.M.A.) (List of nominees in the City Secretary's Office)

Sustainable Development and Construction

24. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lino Orona and Arturo Orona of approximately 7,500 square feet of land improved with a single-family dwelling located near the intersection of Jim Miller Road and Toland Street for the replacement of Fire Station No. 32 - Not to exceed \$69,987 (\$68,000 plus closing costs and title expenses not to exceed \$1,987) - Financing: 2006 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Sustainable Development and Construction (Continued)

25. Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Auto Latin, Inc. of approximately 20,643 square feet of land located near the intersection of Walton Walker Boulevard and Keeneland Parkway for the Fire Station No. 50 Project - Not to exceed \$209,656 (\$207,156 plus closing costs and title expenses not to exceed \$2,500) - Financing: 2006 Bond Funds

Trinity Watershed Management

26. Authorize acquisition, including the exercise of the right of eminent domain if such becomes necessary, of approximately one acre of unimproved land being that portion of Long Acre Lane extending south from Great Trinity Forest Way for the Trinity River Corridor Project Audubon Center (list attached) - Not to exceed \$86,600 (\$82,400 plus closing costs and title expenses not to exceed \$4,200) - Financing: 1998 Bond Funds

DESIGNATED PUBLIC SUBSIDY MATTERS

Economic Development

Lancaster Urban Village

Note: Item Nos. 27, 28 and 29 must be considered collectively.

- 27. * Authorize a New Markets Tax Credit (NMTC) transaction, between the Dallas Development Fund (DDF) and its subsidiaries, US Bank Corp (US Bank) and its subsidiaries, and Lancaster Urban Village Commercial LLC and its affiliates (Developer) for the development of the commercial portion of the Lancaster Urban Village project located at 4417 South Lancaster Road (Project) Financing: No cost consideration to the City
- * Authorize an amendment to the Chapter 380 loan documents with City Wide Community Development Corporation to modify the timing at which the Borrower is released from indebtedness on the note for the corresponding loan proceeds, and such other modifications necessary to facilitate the use of the Chapter 380 Loan Proceeds and/or repayments thereof, directly or indirectly, to provide leverage sources for the NMTC transaction Financing: No cost consideration to the City
- * Authorize an amendment to the development agreement for the Lancaster Urban Village Project located in the TOD TIF District, by Resolution Nos. 10-1259 and 10-1260, previously approved on May 12, 2010, to extend certain project deadlines by an additional 12 months beyond the first extension approved by the TOD TIF District Board Financing: No cost consideration to the City

PUBLIC HEARINGS AND RELATED ACTIONS

Sustainable Development and Construction

ZONING CASES - CONSENT

30. A public hearing to receive comments regarding an application for and an ordinance granting the renewal of Specific Use Permit No. 1581 for a child-care facility on property zoned a TH-3(A) Townhouse District on the north side of Ryan Road, west of Garapan Drive

Recommendation of Staff: Approval for a three-year period with eligibility for automatic renewals for additional three-year periods, subject to a site/landscape plan and conditions

Recommendation of CPC: Approval for a three-year period with eligibility for automatic renewals for additional five-year periods, subject to a site/landscape plan and conditions Z089-185(OTH)

31. A public hearing to receive comments regarding an application for and an ordinance granting a D-1 Liquor Control Overlay and an ordinance granting Specific Use Permit for the sale of alcoholic beverages in conjunction with a general merchandise or food store use of greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the north line of Ann Arbor Avenue, between South Marsalis Avenue and Maryland Avenue

<u>Recommendation of Staff</u>: <u>Approval</u> of the D-1 Liquor Control Overlay and <u>approval</u> 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 the D-1 Liquor Control Overlay and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions Z101-339(MG)

- 32. A public hearing to receive comments regarding an application for and an ordinance granting an MF-3 Multiple Family Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District on property zoned Planned Development Subdistrict No. 29 for Single family uses with the D Liquor Control Overlay on the northwest line of Sale Street, north of Gillespie Street
 - Recommendation of Staff and CPC: Approval, with retention of the D Liquor Control Overlay

Z101-357(RB)

33. A public hearing to receive comments regarding an application for and an ordinance granting the expansion of Subarea 2 within Planned Development District No. 366, the Buckner Boulevard Special Purpose District, on property zoned an R-7.5(A) Single Family District on the east side of Gardenview Drive, south of Dell Garden Avenue and west of South Buckner Boulevard

<u>Recommendation of Staff and CPC</u>: <u>Approval</u>, subject to conditions Z101-383(MW)

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

Sustainable Development and Construction (Continued)

ZONING CASES - CONSENT (Continued)

34. A Landmark Commission authorized hearing to consider an Historic District Overlay on property zoned an R-5(A) Single Family Subdistrict within Planned Development District No. 595, the South Dallas/Fair Park Special Purpose District, on the north corner of Leland Avenue and Southland Street an ordinance granting the Historic District Overlay Recommendation of Staff and CPC: Approval, subject to preservation criteria Z112-119(MD)

ZONING CASES - INDIVIDUAL

35. 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 use of greater than 3,500 square feet on property zoned a CR-D Community Retail District with a D Liquor Control Overlay on the north line of Lake June Road between Baywood Street and Holcomb Road

<u>Recommendation of Staff</u>: <u>Approval</u> of the D-1 Liquor Control Overlay limited to the Specific Use Permit request area only and <u>approval</u> 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 the D-1 Liquor Control Overlay limited to the Specific Use Permit request area only and approval of a Specific Use Permit for a two-year period, subject to a site plan and conditions Z101-389(MG)

ZONING CASES - UNDER ADVISEMENT - INDIVIDUAL

36. A public hearing to receive comments regarding an application for and an ordinance granting a Specific Use Permit for an alcoholic beverage establishment limited to a bar, lounge or tavern on property zoned an MU-1 Mixed Use District on the west side of Knoll Trail Drive, north of Arapaho Road

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

Z101-249(MW)

Note: This item was considered by the City Council at a public hearing on December 14, 2011, and was taken under advisement until January 11, 2012, with the public hearing open.

PUBLIC HEARINGS AND RELATED ACTIONS (Continued)

THOROUGHFARE PLAN AMENDMENTS

Sustainable Development and Construction

37. A public hearing to receive comments to amend the City of Dallas Thoroughfare Plan to change the dimensional classification of Beckley Avenue from IH-30 to West Main Street from a six-lane divided roadway M-6-D(A*) within 120 feet of right-of-way to a special four-lane divided roadway (SPCL 4-D) with bicycle lanes within 100 feet of right-of-way; and at the close of the hearing, authorize an ordinance implementing the change - Financing: No cost consideration to the City

MISCELLANEOUS HEARINGS

Sustainable Development and Construction

- 38. A public hearing on an application for and a resolution granting a variance to the alcohol spacing requirements from the Louise Kahn Elementary School required by Section 6-4 of the Dallas City Code to allow a wine and beer retailer's off-premise permit for a general merchandise or food store greater than 30,000 square feet [El Rio Grande (Maya Foods)] on property on the north side of West Jefferson Drive, west of Hampton Road Financing: No cost consideration to the City
- 39. An appeal of the City Plan Commission's decision to deny a waiver of the two-year waiting period to submit an application for an amendment to the Phase I portion of Planned Development Subdistrict No. 20 for certain GR General Retail Subdistrict Uses within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the east corner of Oak Lawn Avenue and Gillespie Street Financing: No cost consideration to the City

Additional Work Associated with the Installation of Water and Wastewater Mains at Various Locations

Agenda Item #21

District 2

Glencoe Street from north of Bonita Avenue to Henderson Avenue

District 13

Edgemere Road from Woodland Drive to Prestonshire Lane Douglas Avenue from Chatham Hill Road to Deloache Avenue

Long Acre Lane Property Owners

Agenda Item #26

Gary James Heathcock Bette Heathcock Shirley Ann Heathcock Dunn Clair Dugas The Estate of Anna Liebundgnt, deceased Earlene McKnight Hamner Mary Lee Frazer Nancy Lee Perry Brecht Earline Perry, a Life Estate David Shannon Eatherly Anna Marie Reeves Jerry Katherine Reeves Weatherly Barbara Jean Reeves Fortunato Mata Valerie Suzanne Reeves James Harold Reeves, II Kimberly Allison Reeves James Michael Reeves, Jr. Barbara Kathryn Reeves Bovinette Jason William Reeves

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

- 1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
- 2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
- 3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
- 4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
- 5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
- 6. Deliberations regarding Economic Development negotiations. Section 551.087 of the Texas Open Meetings Act.

PUBLIC MEETINGS FOR JANUARY 1 - JANUARY 15, 2012

Tuesday, January 3, 2012

Civil Service Board 8:30 a.m. City Hall, Suite 1C-South