

**DECEMBER 7, 2016 CITY COUNCIL BRIEFING AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated December 7, 2016. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



\_\_\_\_\_  
A.C. Gonzalez  
City Manager

12-1-16

\_\_\_\_\_  
Date



\_\_\_\_\_  
M. Elizabeth Reich  
Chief Financial Officer

12-1-16

\_\_\_\_\_  
Date



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CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL BRIEFING AGENDA

December 7, 2016

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)  
(La Información General Y Reglas De Cortesía Que Deben Observarse  
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

## 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 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

If you need interpretation in Spanish language, please contact the City Secretary's Office at 214-670-3738 with a 48 hour advance notice.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-3738 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act.

**The Council agenda is available in alternative formats upon request.**

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.

## Información 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 City Cable* 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 5:00 pm del último día hábil anterior a la reunión. 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.

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaría del Ayuntamiento al 214-670-3738 con notificación de 48 horas antes.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-3738 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities 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 Cortesía

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 persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben 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 (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben 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.

## Handgun Prohibition Notice for Meetings of Government Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

*"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."*

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

*"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."*



AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, DECEMBER 7, 2016  
CITY HALL  
1500 MARILLA  
DALLAS, TEXAS 75201  
9:00 A.M.

9:00 am      Invocation and Pledge of Allegiance      6ES

                 Special Presentations

                 Open Microphone Speakers

VOTING AGENDA      6ES

1.      Approval of Minutes of the November 9, 2016 City Council Meeting
2.      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)

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Secretary's Office**

3.      Consideration of appointment to the Dallas Area Rapid Transit Board of Directors for Place 07 to fill the unexpired term beginning January 1, 2017 and ending June 30, 2017 (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee(s) in the City Secretary's Office) - Financing: No cost consideration to the City

BRIEFINGS      6ES

- A.      Police and Fire Meet and Confer Briefing
- B.      Dallas Police and Fire Pension (and Related Pay Referendum Issues)

Lunch

- C.      Hire Dallas

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, DECEMBER 7, 2016

- Closed Session 6ES  
Attorney Briefings (Sec. 551.071 T.O.M.A.)  
- Legal issues related to the Dallas Police & Fire Pension System.  
- Complaint of Crown Castle NG Central LLC against the City of Dallas, Docket No. 45470 before the Public Utility Commission of Texas.  
Personnel (Sec. 551.074 T.O.M.A.)  
- Interview and discuss qualifications of candidates for the position of City Manager.

Open Microphone Speakers 6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.



## EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.086]



## AGENDA ITEM # 3

**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** December 7, 2016

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Secretary

**CMO:** Rosa A. Rios, 670-3738

**MAPSCO:** N/A

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### **SUBJECT**

Consideration of appointment to the Dallas Area Rapid Transit Board of Directors for Place 07 to fill the unexpired term beginning January 1, 2017 and ending June 30, 2017 (Closed Session, if necessary, Personnel, Sec. 551.074, T. O. M. A.) (Name of nominee(s) in the City Secretary's Office) - Financing: No cost consideration to the City

### **BACKGROUND**

The Dallas Area Rapid Transit (DART) board was structured by the Texas Legislature in 1993. Membership is allocated among member cities according to population, with recalculations after every U.S. census. At that time, members of the DART board serve staggered terms of 2 years with 8 of the positions' terms to begin July 1 of odd-numbered years and seven positions' terms to begin July 1 of even numbered years. The enabling legislation provides that a member city may not rule by order or ordinance to limit for the number of terms that a member of the DART board may serve.

On August 23, 2011, the DART Board approved a reallocation of the Board based on the 2010 Census data. As a result, the City of Dallas lost one direct appointment to the Board previously shared with the cities of Cockrell Hill, Glenn Heights and Plano. The City of Dallas is now entitled to 7 full members and 1 shared member with the City of Cockrell Hill. This now provides for the terms of 6 members to expire in even-numbered years and 2 to expire on odd-numbered years.

This action provides for one individual to be appointed to fill the unexpired term beginning January 1, 2017 and ending June 30, 2017. The unexpired term resulted from the resignation of James F. Adams to be effective December 31, 2016.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On November 14, 2016, the TTRPC interviewed nominees, and TTRPC recommended a nominee for appointment to fill the unexpired term.

**FISCAL INFORMATION**

No cost consideration to the City

December 7, 2016

**WHEREAS**, the City Council, as of the 2011 Census reallocation, is responsible for appointing 7 full members and 1 shared member, with the City of Cockrell Hill, to the DART Board of Directors; and

**WHEREAS**, the members of the DART Board of Directors serve staggered two-year terms, commencing July 1, pursuant to Section 452.578 of the Texas Transportation Code; and

**WHEREAS**, Place 07 term expires June 30, 2017; and

**WHEREAS**, a resignation was submitted for Place 07 to become effective December 31, 2016; the member to be appointed will fill the unexpired term beginning January 1, 2017 and ending June 30, 2017; and

**WHEREAS**, Texas Transportation Code Section 452.542(a) states a member of the subregional board serves at the pleasure of the appointing governing body; and

**WHEREAS**, the City Council may remove any DART Board member appointed by this resolution at any time, with or without cause. That such DART Board member may be removed upon an affirmative vote of nine city council members through the adoption of another resolution.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the following individual is hereby appointed to the DART Board to fill an unexpired term with service to begin January 1, 2017 and expire June 30, 2017, and that the City Secretary, following appointment, shall assign Place 07 to this individual:

PLACE 07	
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**SECTION 2.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.