

PUBLIC SAFETY AND CRIMINAL JUSTICE
DALLAS CITY COUNCIL COMMITTEE AGENDA

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CITY SECRETARY
DALLAS, TEXAS

MONDAY, OCTOBER 23, 2017
CITY HALL
COUNCIL BRIEFING ROOM, 6ES
1500 MARILLA STREET
DALLAS, TEXAS 75201
11:00 A.M. – 12:30 P.M.

Chair, Council Member B. Adam McGough
Vice Chair, Council Member Philip T. Kingston
Domestic Violence Task Force Chair, Council Member Jennifer S. Gates
Mayor Pro Tem Dwaine R. Caraway
Deputy Mayor Pro Tem Adam Medrano
Council Member Sandy Greyson
Council Member Kevin Felder

Call to Order

1. Approval of Minutes from the October 9, 2017 Public Safety and Criminal Justice Committee Meeting
2. Hiring Sworn Retirees as Temporary Civilian Employees
Deputy Chief Scott Walton
Dallas Police Department
3. Nuisance Abatement Ordinance Review
Major Melissa McGee
Dallas Police Department
4. Public Safety and Criminal Justice Committee Action Matrix
Assistant City Manager Jon Fortune
City Manager's Office
5. Upcoming Agenda Item(s)

October 25, 2017

- A. Agenda Item 17: Authorize the (1) acceptance of a grant from the U.S. Department of Homeland Security (DHS) for the FY 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks (Grant No. EMW-2016-GR-00074-S01/CFDA No. 97.133) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed \$925,000 for the period September 1, 2017 through August 31, 2020; (2) establishment of appropriations in an amount not to exceed \$925,000 in the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund; (3) receipt and deposit of grant funds in an amount not to exceed \$925,000 in the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund; and (4) execution of the grant agreement - Not to exceed \$925,000 - Financing: U.S. Department of Homeland Security Grant Funds
- B. Agenda Item 26: Authorize an acquisition contract for the purchase and installation of 12 communication call center consoles for the Dallas Fire-Rescue Dispatch 911 call center with Russ Bassett Corporation through the Houston-Galveston Area Council of Governments - Not to exceed \$239,393 - Financing: Current Funds

Adjourn



B. Adam McGough, Chair
Public Safety and Criminal Justice Committee

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 §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

NOTICE: Handgun Prohibition Notice for Meetings of Governmental 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."

Public Safety and Criminal Justice Committee Meeting Record

Meeting Date: Monday, October 9, 2017

Convened: 11:02 A.M. **Adjourned:** 12:21 P.M.

Committee Members Present:

Council Member B. Adam McGough, Chair
Council Member Philip T. Kingston, Vice Chair
Council Member Jennifer S. Gates
Mayor Pro Tem Dwaine R. Caraway
Deputy Mayor Pro Tem Adam Medrano
Council Member Sandy Greyson
Council Member Kevin Felder

Committee Members Absent:

Other Council Members Present:

Staff Present:

Assistant City Manager Jon Fortune, CMO
Police Chief Renee Hall, DPD
Fire Chief David Coatney, DFR

Executive Assistant Chief David Pughes, DPD
Interim Director Ryan Rogers, DAS

AGENDA:

Call to Order

1. Approval of Minutes from the September 25, 2017 PSCJ Committee Meeting

Presenter(s): Council Member B. Adam McGough, Chair

Information Only:

Action Taken/Committee Recommendation(s):

A motion was made to approve the September 25, 2017 minutes.

Motion made by: DMPT Medrano

Item passed unanimously:

Item failed unanimously:

Motion Seconded by: CM Greyson

Item passed on a divided vote:

Item failed on a divided vote:

2. Monthly Crime Report

Presenter(s): Police Chief Renee Hall, DPD

Information Only:

Action Taken/Committee Recommendation(s):

This briefing provided the committee with an update on the year to date crime report for January 1 – September 25, 2017 and the month to month crime report for September 1-25, 2017. In an effort to control business robberies, sign in sheets have been placed at certain business who have been targeted. Patrol will be required to sign in which will create a police presence and help reduce these robberies. Chief Hall also mentioned that she has a meeting with the DA to identify alternatives to deal with juveniles. This stems from the juveniles being released before DPD can finish the paperwork. Chief Pughes will lead a new initiative, Apartment Complex Watch, due to the increase of crime in and around apartment complexes. What currently has been done to help in the enforcement is the placement of Bike Patrols. DPD's goal is to have a minimum of 5 Bike Patrols in each subdivision. The Citizen Advisory Boards is scheduled to begin November 1, 2017.

CM Felder would like to place a camera trailer at the car washes located at MLK Jr., Malcolm X, and on Elsie Faye Heggins between Spring and Scyene. He stated that he never received an update/status regarding a drive-by shooting involving an 8-year old boy on Elsie Faye Heggins. CM Felder also reported an increase in random gunfire in his district and large groups of cars (50+) going into Town Crossing Shopping Center every Sunday doing donuts, firing guns/automatic weapons, etc. He would also like a camera trailer at this location as well. He is also requesting DPD's assistance in forming additional V.I.P.'s, HOA's and Crime Watches in his district. MPT Caraway mentioned that has a "new drag strip" in his district at 310 @ Linfield Rd and would like further discussion on a shots fired detection system.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

3. Public Safety Dashboard

Presenter(s): Assistant City Manager Jon Fortune, CMO

Information Only:

Action Taken/Committee Recommendation(s):

Staff provided the Committee with a draft view of the Public Safety Dashboard in order to provide a comprehensive snap shot of performance measures, critical areas of concerns, and staffing levels each month. CM Gates would like to see year to date data and stated that the clearance rate information is confusing. Would like to see a note on how the rate would get above 100%. Felder hasn't received contact from the subdivisions in his district so he can provide (15) names to include on the Citizen Advisory Board and asked that they do.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

4. Local Cooperation – DART Rail Stations

Presenter(s): Police Chief Renee Hall, DPD

Information Only:

Action Taken/Committee Recommendation(s):

This briefing provided the committee with information on DPD's collaboration with organizations such as DDI, DART, DCCCD, DISD and others to discuss public safety and quality of life concerns at high density crime areas near DART rail stations. A new action that has been put in place is a Compstat Procession so each organization/entity involved in this collaboration knows what's going on and will be able to deploy their resources to the areas in need. MPT Caraway believes that the West End is the distribution point for the K2 and the other locations mentioned that have high drug complaints/calls (8th & Corinth, Morrell, Kiest & Lancaster) are all in his district. He would like to suggest a "Zero Tolerance Plan", just like what was done on Crest Avenue between Illinois Avenue and E. Elmore Avenue, put in place at the West End. He would also like to meet with all the chief's in this collaboration to discuss and develop a plan. He is also requesting the ethnicity of the individuals that are hanging out along with the name of the businesses that surround the area that are selling the cigarettes and other products that are complementing the use of K2 to possibly suspend the operations of selling certain products until this problem is under control.

DMPT Medrano expressed his concern with the high numbers in Deep Ellum and wants to make sure this area is included. CM Greyson would like to bring back to the committee the briefing Michael Miles with DART Police offered once their Board has been briefed. This will help in the coordination with DART. Vice Chair Kingston feels we have structural challenges that are not enforcement problems within the CBD. Chief Hall explained that if there is an incident on DART property then it's DART's responsibility. If an incident happens off DART property and in the surrounding area it becomes DPD's responsibility. All the other organizations assist DPD in enforcement due to the lack of resources. Chair McGough would like to know how are we working with the Dallas County Sherriff's Office. Chief Hall stated that the Sherriff's office wasn't a part of this discussion but will reach out to include them going forward. He would also like to attend an upcoming Compstat Meeting if he's available.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

5. Public Safety and Criminal Justice Committee Action Matrix

Presenter(s): Assistant City Manager Jon Fortune, DPD

Information Only:

Action Taken/Committee Recommendation(s):

Staff provided the committee with responses to the requests/questions asked during the Monday, September 25, 2017 Committee Meeting along with an updated action matrix. CM Greyson expressed her request again about creating a stand-alone public awareness campaign that is aimed at discouraging giving money to panhandlers.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion Seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

6. Upcoming Agenda Item(s)

Presenter(s): Council Member B. Adam McGough, Chair

Information Only:

Action Taken/Committee Recommendation(s):

A motion was made to move this upcoming agenda items forward with recommendation to full Council.

Motion made by: CM Greyson

Item passed unanimously:

Item failed unanimously:

Motion Seconded by: DMPT Medrano

Item passed on a divided vote:

Item failed on a divided vote:

APPROVED BY:

ATTEST:

B. Adam McGough, Chair
Public Safety and Criminal Justice Committee

Crystal Lee, Coordinator
Public Safety and Criminal Justice Committee

Memorandum



DATE October 19, 2017

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Hiring Sworn Retirees as Temporary Civilian Employees**

On Monday, October 23, 2017, you will be briefed on Hiring Sworn Retirees as Temporary Civilian Employees by Deputy Chief Scott Walton, Dallas Police Department. Due to a much higher than anticipated attrition, the Police Department continues to seek innovative programs to provide the highest level of service to the citizens of Dallas. The attached presentation outlines a proposal to hire retirees back into the Police Department as temporary civilian employees to perform various support functions. The proposal, if approved, will help the Police Department maintain patrol staffing and increase efficiency in investigative and support work groups by freeing sworn personnel from administrative functions.

Please contact me if you have any questions or need additional information.



Jon Fortune
Assistant City Manager

[Attachment]

cc: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Biliera Johnson, City Secretary (Interim)
Daniel F. Solis, Administrative Judge
Kimberly Bizor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, Assistant City Manager (Interim)
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Hiring Sworn Retirees as Temporary Civilian Employees

Public Safety and Criminal Justice Committee
October 23, 2017

Scott Walton, Deputy Chief
Dallas Police Department
City of Dallas



Presentation Overview

- Background/History
- Purpose
- Considerations
- Proposal
- Guidelines
- Budget Impact
- Next Steps

Background/History

- FY 16-17 set record for sworn attrition
- Effort to maintain patrol staffing
- Vacancies growing in investigative and support work groups
- Increased work complexity in these groups

Purpose

- Hire retired sworn personnel as temporary civilian employees to support Department efforts in the following areas:
 - Investigations
 - Administration
 - Field Support

Considerations

- Identification of options
 - Return as sworn
 - Hire as permanent civilian employee
 - Hire as temporary civilian employee
- Impact of options
 - Affordable Health Care Act
 - Pension – Dallas Police Fire Pension and Employee Retirement Fund
 - City rules and directives

Considerations

- Review of the options
 - Office of Budget
 - Employee Retirement Fund
 - Dallas Police Fire Pension
 - Human Resources Department
 - City Attorney's Office
 - Civil Service Department
 - Dallas Police Department
 - Dallas Fire-Rescue Department

Proposed Action

- Allow the department to hire up to 40 retired officers as temporary civilian employees to serve in the following capacities:
 - Investigative Support
 - Criminal Intelligence Analyst
 - Background Investigator
 - Flight Observation Officer
 - Jail Support
 - Open Records Support

Guidelines

- One year proposal
- City's 457 Deferred Compensation Plan
- Minimum of 30 hours per work week
- City's insurance
- Positive payroll entry
- No paid vacation or holidays
- No accrual of sick time

Budget Impact

- Full year funding – \$1.8 Million from realized savings throughout the year.
 - 40 positions
 - 30 hours per work week
 - Hired at mid-point salary
 - City's insurance

Next Steps

- Gauge retiree interest
- Complete internal process documentation
- Implement once funding is available

Hiring Sworn Retirees as Temporary Civilian Employees

Public Safety and Criminal Justice Committee
October 23, 2017

Scott Walton, Deputy Chief
Dallas Police Department
City of Dallas



Memorandum



DATE October 19, 2017

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Nuisance Abatement Ordinance Update**

On Monday, October 23, 2017, you will be briefed on the Nuisance Abatement Ordinance Update and performance measures by Major Melissa McGee, Dallas Police Department. The attached presentation outlines the Dallas City Attorney's draft of the Nuisance Abatement Ordinance that will allow the City of Dallas to place placards on Risk properties, create a criminal offense for an owner/person-in-control of a Risk property who fails to attend the accord meeting, and authorize the City of Dallas to charge fees to recoup the cost of regulating Risk properties. The ordinance, if approved, will help the Community Risk Abatement Team's investigatory, enforcement and legal resources needed to the extent necessary to abate crime and improve quality of life at the property and meet established performance measures. The draft ordinance is also attached for your review.

Please contact me if you have any questions or need additional information.



Jon Fortune
Assistant City Manager

[Attachment]

cc: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billerae Johnson, City Secretary (Interim)
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Nuisance Abatement Ordinance Update

Public Safety and Criminal Justice Committee
October 23, 2017

Melissa McGee, Major
Dallas Police Department
City of Dallas



Presentation Overview

- Nuisance Abatement Ordinance
- Performance Measures
- Next Steps

Purpose

- Introduce new Nuisance Abatement Ordinance
- Inform committee of the Community Risk Abatement Team's performance measures

Nuisance Abatement Ordinance

- Authorize City to place placards on properties where there is habitual criminal activity
- Create a criminal offense for owner/person-in-control of a property with habitual criminal activity who fails to attend the accord meeting
- Authorize the City to charge fees to recoup the cost of regulating properties with habitual criminal activity

Performance Measures

- **Goal 1:** Decrease abatable crime at Risk properties by 50% within one year of case acceptance
- **Goal 2:** 50% of Risk properties that exit the program are not reclassified as Risk properties within one year

Performance Measures

- **Goal 3:** Achieve 45% of Risk property compliance with initial nuisance abatement and repair agreement timeframes
- **Goal 4:** Close 60% of Risk case within one year of case acceptance

*These are proposed percentages subject to change upon established baseline

Next Steps

- Conduct fee study, approved by Public Safety and Criminal Justice Committee, to determine the schedule needed to recover cost of regulating properties with habitual criminal activity
- Finalize the legal wording/draft of the Nuisance Abatement Ordinance
- Council Approval
- Construct and place placards on properties with habitual criminal activity

Next Steps

- Enforce criminal offenses for an owner/person-in-control of property with habitual criminal activity who fails to attend the accord meeting
- Brief Public Safety and Criminal Justice Committee in one year regarding performance measures and necessity for adjusting baselines, targets and timeframes

Nuisance Abatement Ordinance Update

Public Safety and Criminal Justice Committee
October 23, 2017

Melissa McGee, Major
Dallas Police Department
City of Dallas



Appendix A

The following offenses are defined as abatable offenses in Chapter 125 of the Texas Civil Practice and Remedies Code:

- Discharge of a firearm in a public place
- Reckless discharge of a firearm
- Engaging in organized criminal activity as a member of a combination
- Delivery, possession, manufacture or use of a substance or other item
- Gambling, gambling promotion, or communicating gambling information
- Prostitution, promotion of prostitution, or aggravated promotion of prostitution
- Compelling prostitution
- Commercial manufacture, commercial distribution, or commercial exhibition of obscene material
- Aggravated assault
- Sexual assault and aggravated sexual assault
- Robbery and aggravated robbery
- Unlawfully carrying a weapon
- Murder and capital murder
- Continuous sexual abuse of young child or children
- Massage therapy or other massage services
- Employing a minor at a sexually oriented business
- Trafficking of persons
- Sexual conduct or performance by a child
- Employment harmful to a child

Appendix A

Pursuant to state law change, the following offenses are considered abatable offenses as of September 1, 2017

- Delivery, possession, manufacture or use of a substance or other item in violation of Chapter 481, Health and Safety Code
- Criminal trespass as described by Section 30.05, Penal Code
- Disorderly conduct as described by Section 42.01, Penal Code
- Arson as described by Section 28.02, Penal Code
- Criminal mischief as described by Section 28.03, Penal Code, that causes a pecuniary loss of \$500 or more
- A graffiti offense in violation of Section 28.08, Penal Code

**THIS IS A PRELIMINARY WORKING DRAFT FOR DISCUSSION PURPOSES,
AND IS SUBJECT TO ADDITIONAL REVISION.**

10/19/17

ORDINANCE NO. _____

An ordinance amending Chapter 27, “Minimum Property Standards,” of the Dallas City Code, by amending Article VIII; adding Sections 27-45, 27-46, 27-47, 27-48, 27-49, 27-50, 27-51, 27-52; providing a purpose for the criminal nuisance abatement regulations; providing definitions; providing for the authority of the chief of police; providing presumptions for when a property is deemed a criminal nuisance and the owner is deemed to have knowingly tolerated the abatable criminal activity; requiring attendance at an accord meeting when the chief decides the presumptions are satisfied; setting out the rules for the accord meeting; creating an offense for failure to attend the accord meeting; providing for an appeal of the chief’s decisions to the permit and license appeal board; authorizing the chief to placard habitual criminal properties; creating an offense for unauthorized removal of a placard; providing for the inspection of habitual criminal properties; providing fees for the inspection of habitual criminal properties; providing for the delivery of notices; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, there are properties where certain criminal activity is prevalent, and it is in the interest of public health, safety, and welfare of the people of the city of Dallas for the city to regulate those properties to reduce criminal activity;

WHEREAS, signage, like placards, that indicates a property is the site of habitual criminal activity, will provide the city with an essential tool for the effective delivery of public safety services to the city’s residents and visitors;

WHEREAS, in order to reduce and eliminate certain criminal activity, the city needs the cooperation of owners who own properties where persons habitually engage in certain criminal activity by having those owners take affirmative steps to improve their properties;

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WHEREAS, crime prevention through environmental design (“CPTED”) is a proven multi-disciplinary approach to reducing criminal activity, and one that property owners can adopt to reduce criminal activity at their properties;

WHEREAS, pursuant to the city’s police power, home-rule authority, and as authorized by state law, the following regulations are hereby passed; now, therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Article VIII, “Reserved,” of Chapter 27, “Minimum Property Standards,” of the Dallas City Code, as amended, to read as follows:

“ARTICLE VIII.

CRIMINAL NUISANCE ABATEMENT [RESERVED].

SEC. 27-45. PURPOSE.

(a) Consistent with the findings of fact in Section 27-1 of this chapter, the purpose of this article is to protect the health, safety, and welfare of the people of the city of Dallas by obtaining an owner’s compliance with minimum property conditions and lawful operations, which compliance is likely to reduce criminal activity on property where that criminal activity is so prevalent as to constitute a criminal nuisance. Reducing the crime rate in the city of Dallas is essential to making properties safe, sanitary, and fit for human habitation and for nonresidential purposes.

(b) This article does not create a private cause of action or expand existing tort liability against a property owner. This article is not a prerequisite to any suit, and does not in any way impair the city’s ability to file a lawsuit under Chapter 125 of the Texas Civil Practice and Remedies Code, as amended, or under any other law.

SEC. 27-46. DEFINITIONS.

In this article:

(1) **ABATABLE CRIMINAL ACTIVITY** means those activities listed in Chapter 125 of the Texas Civil Practice and Remedies Code, as amended. The term does not include nonapplicable crimes.

(2) **ACCORD MEETING** is a mandatory meeting between the chief of police and other city staff and the owner of a property that the chief of police has determined to be a habitual criminal property.

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(3) **CHIEF OF POLICE OR CHIEF** means the chief of the police department of the city or the chief's designee.

(4) **CPTED** means crime prevention through environmental design and is a multi-disciplinary approach to reducing crime by integrating the following concepts on property: natural surveillance that eliminates hiding places for people to engage in crime unnoticed; clear delineation of private space from public space; and controlled access onto private property.

(5) **CRIMINAL NUISANCE** means a common nuisance as described in Section 125.0015, or a public nuisance as described by Section 125.062 or 125.063, of the Texas Civil Practice and Remedies Code, as amended.

(6) **HABITUAL CRIMINAL PROPERTY** means a property that is the site of five or more abatable criminal activities within 365 days resulting in: 1) a police report documenting an investigation of a crime within the property; or 2) enforcement action against any person associated with the investigated crime within the property.

(7) **NONAPPLICABLE CRIMES** means all offenses involving domestic violence, forgery, counterfeiting, fraud, embezzlement, stolen property (buying, receiving, or possessing), crimes against family and children, and driving while intoxicated.

SEC. 27-47. AUTHORITY OF THE CHIEF OF POLICE.

The chief of police shall implement and enforce this article and may by written order establish such rules, regulations, or procedures, not inconsistent with this article, as the chief of police determines are necessary to discharge any duty under or to effect the purpose of this article.

SEC. 27-48. PRESUMPTIONS.

(a) A habitual criminal property is presumed a criminal nuisance.

(b) An owner of a habitual criminal property is presumed to have knowingly tolerated the abatable criminal activity by failing to take reasonable steps to abate the abatable criminal activity.

(c) The presumptions in this section are rebuttable at the accord meeting pursuant to Section 27-49.

SEC. 27-49. ACCORD MEETING.

(a) If the chief of police decides that the presumptions in Section 27-48 are met, the chief shall notify the owner of the property, in writing, of the chief's decision and shall provide the owner with notice to attend an accord meeting. The notice shall include a copy of this article.

(b) At the accord meeting, the following applies:

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(1) The owner may present evidence that the person is not the owner or that the owner has taken reasonable steps to abate the abatable criminal activity, including, without limitation, that the:

- (i) owner has implemented CPTED principles at the property;
- (ii) owner has implemented monitoring and surveillance systems at the property;
- (iii) owner is in compliance with all regulations governing the owner's business;
- (iv) owner is enforcing lease clauses related to reducing abatable criminal activity, such as tenant screening;
- (v) owner is communicating abatable criminal activity to the chief and cooperating with the chief, as requested; and
- (vi) property is in compliance with the standards set out in this code.

(2) The city attorney may attend the meeting as the chief's legal counsel and the owner may bring the owner's legal counsel to the meeting.

(c) The chief shall make all reasonable efforts to schedule the accord meeting during a time when the owner is available but not later than 30 days from the date the accord meeting notice is deemed received or is actually received by the owner, whichever date is sooner.

(d) Not later than 30 days after the date of the accord meeting, the chief shall provide the owner with notice of the chief's decision as to the presumptions under Section 27-48. Upon request of the owner, the chief may delay the notice of decision up to 60 days after the accord meeting, during which time the owner may present additional evidence under Section 27-49(b)(1). If the owner does not appear for the accord meeting, then the chief's decision is final as of the date of the accord meeting in the notice and the owner may not appeal for one year.

(d) An owner who is provided notice pursuant to this article commits an offense if the owner fails to attend an accord meeting.

(e) Each year, on the anniversary of the accord meeting date, the chief shall send a notice to the owner as to whether the presumptions under Section 27-48 are still met. The chief may, at any time, decide that the presumptions under Section 27-48 are no longer met and shall then notify the owner of the chief's decision.

SEC. 27-50. APPEAL FROM CHIEF OF POLICE'S DECISION.

(a) The chief's decision is final unless the owner files a written appeal to the permit

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and license appeal board. The appeal must be filed with the city secretary not later than 10 calendar days after the date of the accord meeting. A person who does not attend the accord meeting is not entitled to an appeal under this section for one year after the original accord meeting date. Only the owner is entitled to an appeal under this article.

(b) If a written request for an appeal hearing is filed under Subsection (a) with the city secretary within the 10-day limit, the permit and license appeal board shall hear the appeal. The city secretary shall set a date for the hearing not later than 30 days after the date the appeal is filed.

(c) In deciding the appeal, the permit and license appeal board is limited to the issues of whether the property constitutes a habitual criminal property, as defined in this article, and whether the owner knowingly tolerated the abatable criminal activity by failing to take reasonable steps to abate the abatable criminal activity.

(a) To the extent of a conflict between this article and Article IX, Chapter 2, of this code, this article controls.

SEC. 27-51. PLACARDING; INSPECTIONS AND FEES.

(a) Placarding. For a property that has been finally decided to constitute a criminal nuisance and for which the owner knowingly tolerated the abatable criminal activity, the chief may place a placard on or near the front door or main entrance to the structure or dwelling unit. For multitenant and commercial properties, the chief may also place a placard in a conspicuous place in a common area of the property.

(1) The placard shall state the following:

“THE DALLAS POLICE DEPARTMENT HAS DECLARED THIS PROPERTY A CRIMINAL NUISANCE UNDER ARTICLE VIII, CHAPTER 27, OF THE DALLAS CITY CODE. IF YOU HAVE QUESTIONS, PLEASE CALL DPD AT [TELEPHONE NUMBER DETERMINED BY THE CHIEF]; OR, IF YOU SEE SOMETHING SUSPICIOUS OCCURRING AT THIS PROPERTY OR IN AN EMERGENCY, DIAL 911.”

(2) A person commits an offense if the person, without authority from the chief, removes or destroys the placard.

(b) Inspections and fees. A property that has been finally decided to constitute a criminal nuisance and for which the owner knowingly tolerated the abatable criminal activity is subject to inspection by the chief for compliance with the conditions and activities set out in Section 27-49(b)(1), or any other condition or activity the chief reasonably determines will reduce abatable criminal activity at the property.

(1) For a single dwelling unit property, the inspection fee is \$XX.

(2) For a multitenant property, the inspection fee is \$XX for the exterior and any common area(s) for each separate structure inspected and \$XX for each unit actually inspected.

**THIS IS A PRELIMINARY WORKING DRAFT FOR DISCUSSION PURPOSES,
AND IS SUBJECT TO ADDITIONAL REVISION.**

- (3) For a commercial property, the inspection fee is \$XX.

SEC. 27-52. DELIVERY OF NOTICES.

Delivery of notices. Any notice to be provided by the city pursuant to this article shall be deemed effective if made to the owner or an agent, employee, officer, landlord, or property manager authorized to act on behalf of the owner. Notice is effective when:

- (1) personally delivered to the owner; or
- (2) mailed by certified U.S. mail, with return receipt requested, and addressed to the owner at the last address provided in the registration of the property under Article VII of this chapter, or, if the property is not subject to registration under this chapter, then to the last address in the central appraisal district records. Mailed notice shall be deemed received and effective three days after the date of mailing whether the notice was actually received or whether the notice was returned unclaimed or undeliverable.”

SECTION 2. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 3. That Chapter 27 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 5. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

**THIS IS A PRELIMINARY WORKING DRAFT FOR DISCUSSION PURPOSES,
AND IS SUBJECT TO ADDITIONAL REVISION.**

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the city of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

DRAFT

Memorandum



DATE October 19, 2017

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Public Safety and Criminal Justice Committee Action Matrix**

Please see the attached responses to the requests/questions asked during previous committee meetings. As noted in the matrix, some items are still pending due to staff's continued research. The updated matrix is also attached for your review.

Please contact me if you have any questions or need additional information.



Jon Fortune
Assistant City Manager

[Attachment]

cc: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billerae Johnson, City Secretary (Interim)
Daniel F. Solis, Administrative Judge
Kimberly Bizar Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

Jo M. (Jody) Puckett, Assistant City Manager (Interim)
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Public Safety and Criminal Justice Committee Action Matrix

	Requestor	Request	Request Date	Staff/Dept Responsible	Status
1	Felder	Is there a way to require funeral homes to register and report their formaldehyde purchases.	9/11/2017	Legal	Pending Research
2	McGough	Dedicated County Employee for Low Sterret Booking of DPD Prisoners	9/25/2017	Chief Hall	Pending Research
3	Caraway	Provide ethnicity of individuals hanging out at the West End DART Transfer Station	10/9/2017	Chief Hall	Complete - Attached
4	Caraway	Provide name of businesses (convenience stores) around the West End DART Transfer Station	10/9/2017	Chief Hall	Pending Research
5	Felder	Deploy camera trailers at the car washes located on MLK Jr., Malcolm X, and Elsie Faye Heggins (Spring@Syene)	10/9/2017	Chief Hall	Complete - Attached
6	Felder	Conduct a Community Meeting to discuss crime and creation of additional V.I.P.'s, HOA's and Crime Watch groups)	10/9/2017	Chief Hall	Complete - Attached
7	Felder	Staff to contact regarding recommendations for individuals to serve on Citizen Advisory Board	10/9/2017	Chief Hall	Complete - Attached
8	Felder	Address the crime and gang activity near the Joppa area	10/9/2017	Chief Hall	Complete - Attached
9	Caraway	Report on use of gunshot detection systems to aid DPD	10/9/2017	Chief Hall	Complete - Attached
10	Kingston	Report that includes data on the Juvenile Curfew Program	10/9/2017	Chief Hall	Pending Research
11	Kingston	Update on DPD's use of Civil Asset Forfeiture Funds	10/9/2017	Chief Hall	Complete - Attached
12					
13					
14					
15					
16					
17					
18					
19					
20					

Attachment

Public Safety and Criminal Justice Committee Action Matrix

October 9, 2017 Requests/Responses

3. Provide ethnicity of individuals hanging out at the West End DART Transfer Station

DPD does not document information pertaining to the ethnicity of individuals loitering at the West End and as such that information is not available.

5. Deploy camera trailers at car washes located on MLK Jr., Malcolm X, and Elsie Faye Heggins

DPD assesses high crime areas and special events to determine deployment locations for camera trailer resources. Currently, in District 7, there is a camera trailer located on the north side of Little World positioned to view the car wash. In addition, there is an overt camera positioned at the intersection of Malcom X Boulevard and Marburg Street that also has a view of the car wash. An additional camera trailer has been deployed at the Townview Shopping Center at John West Road and Buckner Boulevard.

Presently, there are no resources available to deploy a camera trailer at the car wash on Elsie Faye Heggins Street, south of the FRI Town Homes. However, when the next camera trailer becomes available it will be deployed to the location. An overt camera is located at 2700 Martin Luther King Boulevard and is positioned to view the car wash. The camera is being repaired and will be operational as soon as possible.

6. Conduct a community meeting to discuss crime and creation of additional V.I.P.'s, HOA's and Crime Watch Groups

DPD is working to increase crime watch participation by creating a "Unity among Communities" campaign to get smaller groups in one area to consider meeting together while maintaining their individual identities, increasing communication between neighborhoods.

Crime Watch meetings have been scheduled for Thursday, October 19, 2017, for the Truett Crime Watch group to be held at 9150 Ferguson Road and Thursday, October 26, 2017, for the Buckner Terrace Community; location to be determined.

7. Staff to contact CM Felder regarding recommendations for individuals to serve on the Citizen Advisory Board

Deputy Chief Vernon Hale contacted CM Felder on Tuesday, October 10, 2017 and received his recommendations for the Southeast Patrol Community Advisory Board. Major Avery Moore contacted CM Felder via email on Wednesday, October 11, 2017 and is awaiting his recommendations for the Northeast Patrol Community Advisory Board.

8. Address the crime and gang activity near the Joppa area

The Gang and Narcotics Units will collaborate, gather intelligence and conduct joint deployments in the Joppa community to address gang or drug related issues. The South Central Patrol Division will increase police presence by conducting foot and directed patrols and hold monthly crime watch meetings to keep the community informed of actions taken to address their concerns.

9. Report on the use of gunshot detection systems (ShotSpotter Flex) to aid DPD

As of 2016, detection systems are deployed in at least 16 major cities. The gun fire detection systems now feature integration with cameras that point in the direction of gunfire. DPD has reviewed gunshot detection systems for possible use in the City at locations with a high volume of random gunfire calls. Initially in 1996, the department conducted a pilot project with SECURES technology. In 2007, the department tried another pilot project with Safety Dynamics. Neither of these pilot projects were determined to be successful enough to purchase the system.

On October 18, 2017, DPD contacted ShotSpotter detection systems. They offer a product called ShotSpotter Flex. It is a gunfire alerting and analysis service. DPD received a generic price quote of \$254,000 for a year of minimum coverage area (3 square miles). The 3 square miles must be continuous and cannot be broken into 3 separate 1-mile squares. The cost is reoccurring annually. DPD has requested ShotSpotter representatives to come to Dallas to do a presentation to the Chief of Police in October.

11. Update on DPD's use of Civil Asset Forfeiture Funds

DPD follows the federal and state guidelines for use of Civil Asset Forfeiture Funds. These funds are intended to augment not supplant general fund resources. The department provides annual confiscated activity and expenditure reports to the State and Federal government.

The numbers below represent the awards for fiscal year which begins on October 1st and ends September 30th of each year. These amounts also include the sale of VICE gambling machines and profits from sale of property.

	FY14-15	FY15-16	FY16-17*
Federal Awarded	\$3,928,248	\$1,390,140	\$1,303,344
State Awarded	\$765,249	\$1,618,005	\$1,503,863

<i>Federal Spent</i>	\$1,668,277	\$4,024,048	\$1,130,265
<i>State Spent</i>	\$1,104,169	\$1,189,068	\$1,967,774

***FY16-17 numbers are preliminary and are subject to change**

Confiscated awards received in the current year are appropriated for expense the following fiscal year. Any unspent awards are held as fund balance and appropriated the following fiscal year.

Currently, DPD expends these funds on the Fusion Center, forensic testing, various equipment and software purchases (including operations and maintenance) for law enforcement. This equipment includes surveillance cameras, bait vehicles and equipment, license plate readers, ballistic door panels for squad cars, and Tasers. The funds are also used to cover the costs of covert operations which include vehicles, tools, and cash for confidential payments to informants and other enforcement activities.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: October 25, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Emergency Management

CMO: Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize the **(1)** acceptance of a grant from the U.S. Department of Homeland Security (DHS) for the FY 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks (Grant No. EMW-2016-GR-00074-S01/CFDA No. 97.133) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed \$925,000 for the period September 1, 2017 through August 31, 2020; **(2)** establishment of appropriations in an amount not to exceed \$925,000 in the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund; **(3)** receipt and deposit of grant funds in an amount not to exceed \$925,000 in the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund; and **(4)** execution of the grant agreement - Not to exceed \$925,000 - Financing: U.S. Department of Homeland Security Grant Funds

BACKGROUND

Recent terrorist incidents, such as those in London, England; Boston, Massachusetts; Nairobi, Kenya; San Bernardino, California; Paris, France; and Brussels, Belgium highlight an emerging threat known as complex coordinated terrorist attacks. In response to this, the U.S. Department of Homeland Security released a notice of funding opportunity on January 9, 2017 that would aid jurisdictions in enhancing their preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks. On September 20, 2017, the City of Dallas, on behalf of the North Central Texas Region, received a grant award in the amount of \$925,000. Because the originally requested amount was for a total of \$1,800,000, the grant budgeted activities will be adjusted based on current priorities. However, some of the grant activities may include conducting a regional capability analysis, developing regional planning tools and developing and implementing training and exercises on Complex Coordinated Terrorist Attacks scenarios.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety and Criminal Justice Committee on October 23, 2017.

FISCAL INFORMATION

U.S. Department of Homeland Security Grant Funds - \$925,000

October 25, 2017

WHEREAS, the U.S. Department of Homeland Security has made funding available to the City of Dallas, on behalf of the North Central Texas Region, under the FY 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks to build our capacity to prevent, protect against, respond to, and recover from complex, coordinated terrorist attacks; and

WHEREAS, grant funds will be used for operating expenses related to emergency preparedness and response activities; and

WHEREAS, the City of Dallas will benefit from increased preparedness throughout the city and region.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to accept a grant from the U.S. Department of Homeland Security for the FY 2016 Program to Prepare Communities for Complex Coordinated Terrorist Attacks (Grant No. EMW-2016-GR-00074-S01/CFDA No. 97.133) to provide funding for activities related to enhancing preparedness and building capacity to prepare for, prevent and respond to complex coordinated terrorist attacks in an amount not to exceed \$925,000 for the period September 1, 2017 through August 31, 2020; and sign the grant agreement and any other documents required by the grant, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$925,000 in the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund, Fund F538, Department MGT, Unit 3554, Object 3099.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$925,000 in the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund, Fund F538, Department MGT, Unit 3554, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$925,000 from the DHS-FY16 Program-Complex Coordinated Terrorist Attacks 17-20 Fund, Fund F538, Department MGT, Unit 3554, Object 3099.

SECTION 5. That the City Manager is hereby authorized to reimburse to the U.S. Department of Homeland Security any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

October 25, 2017

SECTION 6. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 7. That the City Manager or his designee is authorized to provide additional information, make adjustments, and take other actions related to the implementation of the grant as may be necessary to satisfy the U.S. Department of Homeland Security.

SECTION 8. That this contract is designated as Contract No. MGT-2018-00004169.

SECTION 9. 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.

STRATEGIC PRIORITY: Public Safety

AGENDA DATE: October 25, 2017

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services
Fire

CMO: Elizabeth Reich, 670-7804
Jon Fortune, 670-1204

MAPSCO: N/A

SUBJECT

Authorize an acquisition contract for the purchase and installation of 12 communication call center consoles for the Dallas Fire-Rescue Dispatch 911 call center with Russ Bassett Corporation through the Houston-Galveston Area Council of Governments - Not to exceed \$239,393 - Financing: Current Funds

BACKGROUND

This acquisition contract will allow for the purchase and installation of 12 communication center consoles for the Dallas Fire-Rescue Dispatch 911 call center modernization upgrade. This furniture will replace the furniture installed in 2005. The new console configuration will increase efficiencies by allowing Fire Dispatchers improved access to necessary equipment to perform their daily tasks. Fire-Rescue Dispatchers answering 911 calls utilize these systems to input information from citizens requiring fire and emergency medical response. The information is sent through the computer-aided dispatch (CAD) system to a Fire-Rescue dispatcher who assigns the call to fire and emergency medical personnel. Dispatchers rely on the CAD system to monitor firefighters and paramedics in the field.

The communication call center consoles have a wide variety of special features that make the workspace ergonomically sound providing the best possible working condition for the employee. A few of these features include:

- A sit/stand feature which allows the fire-rescue dispatcher the option of sitting or standing at the workstation
- Fully articulating, mounted monitor arms which allow the dispatcher to place monitors at levels of their preference
- Integrated wire management troughs for housing of all cables and wires
- Individual light pole mounted signs so the dispatcher can quickly summon a supervisor without call interruption

BACKGROUND (continued)

These communication call center consoles allow for any future expansion of hardware in the coming years.

The Houston-Galveston Area Council of Governments agreement is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Public Safety and Criminal Justice Committee on October 23, 2017.

FISCAL INFORMATION

Current Funds - \$239,392.50

OWNER

Russ Bassett Corporation

Peter Fink, President
Linn Steinbeck, Vice President

October 25, 2017

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

SECTION 1. That the City Manager is hereby authorized to sign an acquisition contract with Russ Bassett Corporation (VS95628) through the Houston-Galveston Area Council of Governments, approved as to form by the City Attorney, for purchase and installation of 12 communication call center consoles for the Dallas Fire-Rescue Dispatch 911 call center, in an amount not to exceed \$239,392.50. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Russ Bassett Corporation shall be based only on the amount of the services directed to be performed by the City and properly performed by Russ Bassett Corporation under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$239,392.50 to Russ Bassett Corporation from Service Contract No. POM-2017-00004086, from the following appropriation:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Object</u>	<u>Encumbrance</u>	<u>Amount</u>
0001	DFD	HS01	4710	MASCDFD201700004086	\$239,392.50

SECTION 3. 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.