

QUALITY OF LIFE & ENVIRONMENT COMMITTEE  
DALLAS CITY COUNCIL COMMITTEE AGENDA

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CITY SECRETARY  
DALLAS, TEXAS

MONDAY, JANUARY 11, 2016  
CITY HALL  
COUNCIL BRIEFING ROOM, 6ES  
1500 MARILLA  
DALLAS, TEXAS 75201  
9:00 A.M. – 11:00 A.M.

**Chair**, Councilmember Sandy Greyson  
**Vice-Chair**, Councilmember Tiffinni A. Young  
Councilmember Rickey D. Callahan  
Councilmember Mark Clayton  
Councilmember Philip T. Kingston  
Councilmember B. Adam McGough

Call to Order

1. Approval of December 8, 2015 Minutes

**BRIEFINGS**

2. TxDOT Right of Way Maintenance  
Dennis Ware  
*Director, Street Services*
3. Possible Regulations for Temporary Uses  
David Cossum  
*Director, Sustainable Development & Construction*
4. Non-Required Fences Update  
David Cossum  
*Director, Sustainable Development & Construction*

5. **UPCOMING AGENDA ITEMS**

**January 13, 2016**

- A. Agenda Item #24 - Authorize an increase in the contract with A S Con, Inc. for additional scope of work to include: surveying, clearing, culverts, rock excavation and other miscellaneous items at White Rock Lake East Lawther Trail located between the Mockingbird Pedestrian Bridge to Bath House at White Rock Lake - Not to exceed \$148,820, from \$1,171,690 to \$1,320,510 - Financing: 2006 Bond Funds (\$147,818) and 2003 Bond Funds (\$1,002)
- B. Agenda Item #25 - Authorize an increase in the contract with A S Con, Inc. for additional scope of work to include: additional flagstone and trail widening; concrete pad; electrical conduit and wiring; modifications to irrigation line controllers; and other miscellaneous work at Coombs Creek Trail located from Stevens Park tennis courts to Hampton Road - Not to exceed \$84,954, from \$1,131,842 to \$1,216,796 - Financing: 2006 Bond Funds

A quorum of the City Council may attend this Council Committee meeting

### Addendum Items

- C. Addendum Item - Authorize a three-year service contract for yard waste grinding services at the City's landfill and transfer stations - National Waste Management Louisiana, Inc., lowest responsible bidder of three - Not to exceed \$2,177,900 - Financing: Sanitation Current Funds (subject to annual appropriations)
- D. Addendum Item - Authorize (1) an application for the Materials Management Call for Projects grant from the North Central Texas Council of Governments (NCTCOG) to support litter and illegal dumping abatement and community cleanup events for the period of April 2016 through June 2017; and (2) an In-Kind contribution in the amount of \$30,000, in the event the grant is awarded to the City - Financing: This action has no cost consideration to the City
- E. Addendum Item - An ordinance amending Chapter 7 of the Dallas City Code to adjust fees related to the redemption of impounded animals from the Dallas Animal Shelter - Estimated Annual Revenue Loss: \$200,093

Adjourn

*Sandy Greyson / N.K.*  
Sandy Greyson, Chair  
Quality of Life & Environment Committee

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.

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."

# Quality of Life & Environment Committee Meeting Record

**DRAFT**

**Meeting Date:** December 8, 2015

**Convened:** 9:03 a.m.

**Adjourned:** 10:27 a.m.

**Members Present:**

Tiffinni A. Young (Vice-Chair)  
Rickey D. Callahan  
Philip T. Kingston  
B. Adam McGough  
Mark Clayton

**Members Absent:**

Sandy Greyson (Chair)

**Council Members Present:**

Jennifer S. Gates

**Briefing Presenters**

David Cossum  
Director, Sustainable  
Development & Construction

Kris Sweckard  
Director, Code Compliance

Catrina Shead  
Deputy Chief, Dallas Police  
Department

**Guests:**

**Staff Present:**

Joey Zapata, Kris Sweckard, David Cossum, Tammy Palomino, Major Barbara Hobbs, Raymond Lee, John Jenkins, Neva Dean, Willis Winters, Casey Burgess, Ben Collins, Louise Elam, Robin Steinshnider, Peter Bratt, Eric Izuora

**AGENDA:**

1. **Approval of November 9, 2015 Minutes**

**Information Only**

**Presenter(s):**

A motion was made to approve the minutes of November 9, 2015.

**Action Taken/Committee Recommendation(s):** Approve minutes of November 9, 2015

**Motion made by:** Philip T. Kingston

**Motion seconded by:** B. Adam McGough

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**2. Little Free Library**

**Presenter(s):** David Cossum

**Information Only**

This briefing provided the committee a review of little free library issues and presented options for addressing the concerns.

The committee recommended the option which would amend the City Code to define little free libraries and allow them in front yards, similar to lawn furniture and landscape elements.

**Action Taken/Committee Recommendation(s):** Amend the Code to define little free libraries and allow as exceptions in front yards, as lawn furniture and landscape elements are allowed.

**Motion made by:** Philip T. Kingston

**Motion seconded by:** Rickey D. Callahan

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**3. Shopping Cart Enforcement**

**Presenter(s):** Kris Sweckard

**Information Only**

This briefing provided the committee a review of shopping cart enforcement activities.

The committee requested for staff to reexamine the approach to enforcement after meeting with stakeholder groups, and return to the committee with options on modifying the ordinance.

**Action Taken/Committee Recommendation(s):** Requested for staff to reexamine the approach to enforcement after meeting with stakeholder groups, and return to the committee with options on modifying the ordinance

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**4. Mobile Noise Sources**

**Presenter(s):** Catrina Shead

**Information Only**

This briefing provided the committee an overview of Dallas Police Department's (DPD) enforcement activities for noise related violations.

Committee members requested that staff develop a more holistic enforcement strategy supported by multiple departments.

The committee recommended that the Legislative Ad Hoc Committee consider adding mobile noise sources to the legislative agenda.

**Action Taken/Committee Recommendation(s):**

Submit a request to the Legislative Ad Hoc Committee to consider adding mobile noise sources to the legislative agenda.

Staff to conduct a multidisciplinary/departmental review of enforcement for mobile noise sources.

**Motion made by:** Philip T. Kingston

**Motion seconded by:** Mark Clayton

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**5. Animal Service Fees**

**Presenter(s):**

**Information Only**

A briefing memo for this item was provided to the committee.

The Committee moved to forward the recommended fee adjustments from the Animal Advisory Commission with the approval of the committee to Council for consideration on January 13, 2016.

**Action Taken/Committee Recommendation(s):**

Forward the recommended fee adjustments from the Animal Advisory Commission with the approval of the committee to Council for consideration on January 13, 2016.

**Motion made by:** Philip T. Kingston

**Motion seconded by:** Mark Clayton

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**6. Aquatic Master Plan Update**

**Presenter(s):**

**Information Only**

A briefing memo for this item was provided to the committee.

**7. Upcoming Agenda Items**

**Presenter(s):**

**Information Only**



Information about the following upcoming items on the November 10, 2015 Council Agenda was included in the briefing materials:

- A. Agenda Item #23 - Authorize a Project Specific Agreement with Dallas County for trail design and right-of-way acquisition for the remainder of Northaven Trail Phase 1 from Valleydale Drive to White Rock Creek Trail - Financing: No cost consideration to the City
- B. Agenda Item #24 - Authorize a twenty-two month concession contract with Duane Edward Evans for management and operation of the Fretz Tennis Center located at 6998 Belt Line Road - Estimated Net Annual Revenue: \$30,000
- C. Agenda Item #25 - Authorize a Design and Development Agreement with Carpenter Park, LLC for (1) Design Development documents; and (2) removal, storage at a Park and Recreation Department facility, re-design, transportation, fabrication and re-installation of two sculptures for John W. Carpenter Plaza located at 2201 Pacific Avenue - Financing: No cost consideration to the City
- D. Agenda Item #31 - Authorize a professional services contract with Kimley-Horn and Associates, Inc., most advantageous proposer of thirteen, to provide traffic signal design services for 32 traffic signals at various intersections and other related tasks (list attached) - Not to exceed \$642,000 - Financing: General Obligation Commercial Paper Funds (\$428,000), Street Assessment Funds (\$197,000) and Sanitation Current Funds (\$17,000)
- E. Agenda Item #46 - Authorize a five-year contract, with four, five-year renewal options, with the United States of America acting through the U.S. Army Corps of Engineers to continue providing untreated water, from December 9, 2015 through December 8, 2020 - Estimated Annual Revenue: \$6,790

**Addendum Items**

- F. Authorize application for an Environmental Solutions for Communities Grant in the amount of \$50,000 from Wells Fargo and the National Fish and Wildlife Foundation (NFWF) for the Dam Safety and Shoreline Erosion Control project at Kidd Springs Park – Financing: This action has no cost consideration to the City
- G. Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design through construction administration services of the Phase I Aquatics Master Plan - 2015 Update to include six aquatic facilities to be constructed at: Crawford Memorial Park located at 8700 Elam Road, Fretz Park located at 6994 Beltline Road, Kidd Springs Park located at 700 West Canty Street, Lake Highlands North Park located at 9344 Church Road, Samuell-Grand Park located at 6200 East Grand Avenue, and Tietze Park located at 2700 Skillman Street - Not to exceed \$3,307,500 - Financing: Elgin B. Robertson Land Sale Funds

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**Councilmember Sandy Greyson**  
Chair

# Memorandum



CITY OF DALLAS

DATE January 8, 2016

Honorable Members of the Quality of Life & Environment Committee:

TO Sandy Greyson (Chair), Tiffinni A. Young (Vice-Chair), Mark Clayton, Philip T. Kingston, B. Adam McGough, Rickey D. Callahan

SUBJECT TxDOT Right of Way Maintenance

On Monday, January 11, 2016, you will be briefed on TxDOT Right of Way Maintenance. The briefing materials are attached for your review.

Please let me know if you have any questions.

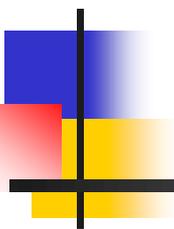
A handwritten signature in black ink, appearing to read 'Jill Jordan'.

Jill A. Jordan, P.E.  
Assistant City Manager

## Attachment

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solis, Administrative Judge  
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council



# TxDOT Right of Way Maintenance

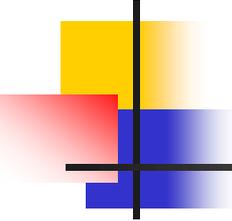
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Presented to the City Council's  
Quality of Life & Environment Committee

by  
The Department of Street Services

January 11, 2016

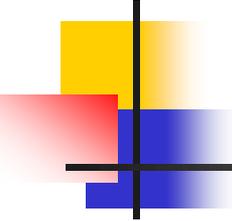




# Purpose

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- Review agreements with the Texas Department of Transportation (TxDOT) for maintenance along TxDOT right of way including North Central Expressway (US75) and Green Ribbon Projects
- Address and obtain approval for proposed median/planter vegetation improvements along US75

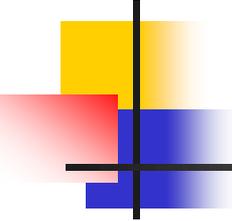


# Overview of Agreements with TxDOT

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## TxDOT right of way:

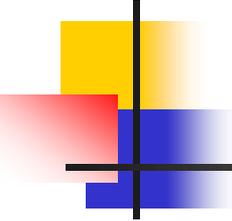
- Amendment to Municipal Maintenance Agreement (MMA)--2011
  - TxDOT agreed to reimburse City \$815K annually
- Green Ribbon Programs
  - 14 locations throughout the city
- Phases of Maintenance along US75
  - Phase I and II executed, Phase III for consideration/approval



# Amendment to Municipal Maintenance Agreement 2011

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- The Department of Street Services began managing TxDOT right of way under an informal agreement on October 1, 2010
- On April 13, 2011, the Dallas City Council formally agreed to amend the original MMA with TxDOT which was signed in 2006
- On May 16, 2011, City assumed maintenance responsibility for all 3,300 acres of mowing and litter removal on TxDOT right of way within Dallas city limits
  - See appendix for listing of 3,300 acres



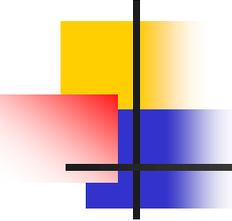
# Amendment to Municipal Maintenance Agreement 2011 (cont.)

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- Specifically, TxDOT agreed to:
  - Reimburse the City \$815K annually for three 3 mow cycles and up to twelve litter cycles
  - Rate of reimbursement was based on the TxDOT average 2010 mowing and litter pick up costs for Dallas County
    - \$30.07/acre for mowing and \$14.42/acre for litter removal
- City agreed to:
  - Mow and remove litter on TxDOT right of way for a minimum period of five years
  - Submit invoices for mowing and litter cycles annually
- Amendment expires May 15, 2016

# Amendment to Municipal Maintenance Agreement (cont.): Examples of COD Maintenance Along TxDOT ROW

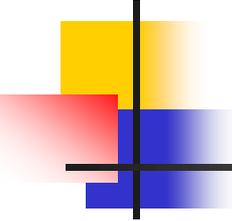




# Green Ribbon Program

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- In 2002, the “Green Ribbon Program” began to be utilized statewide
  - Goal of program is to beautify landscape along TxDOT right of way
  - TxDOT pays for installation; local government agrees to maintain landscape for at least five years
  
- The Department of Street Services maintains 14 Green Ribbon locations along TxDOT right of way
  - Green Ribbon Program maintenance includes:
    - Watering costs and irrigation system repairs
    - Weeding, edging and mowing
    - Mulching and fertilizing
    - Plant care and replacement
    - Trash pickup
  - Estimated annual cost for maintenance is approximately \$250,000
  - See appendix for list of 14 Green Ribbon locations

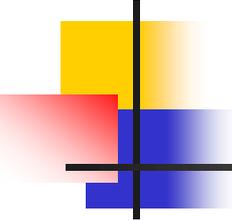


# Landscape Maintenance Agreement US75-- -Phase I, Phase II and Phase III

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## Agreements related to US75:

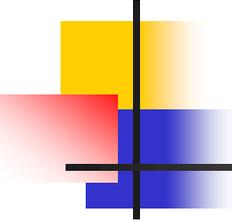
- Phase I: Landscape Maintenance Agreement (LMA) on US75--2010
  - City agreed to be responsible for maintenance of median and planters on US75
- Phase II: Landscape Maintenance Agreement (LMA) on US75--2012
  - City agreed to maintain bridges and overpasses along US75
- Phase III: Landscape Maintenance Agreement (LMA) on US75--(proposed maintenance)
  - Proposed Options:
    - Succulents
    - Wider array of plantings; irrigation system required



# Landscape Maintenance Agreement US75--Phase I 2010

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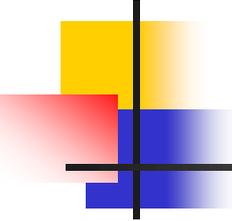
- Original provisions for landscaping package along US75 were accepted by the City Council in 1986
- TxDOT and the City agreed to each pay half of the \$10.1 million amenities package which included:
  - Landscaping for medians, window boxes in retaining walls, bridges and service road parkways
  - Pavers on transitions for cross streets
  - Architectural treatment of bridges and retaining walls
- TxDOT initially maintained the amenities on US75 after construction was completed in 1999



# Landscape Maintenance Agreement US75--Phase I(cont.)

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- 2004 Due to declining state revenues and TxDOT's desire to minimize cost, the concrete bollards on bridges were removed; due to problems with irrigation, sections of vegetation began to die
- 2007 Median landscaping from Woodall Rodgers to Mockingbird Lane was removed
- 2008 Discussions began with TxDOT to slow or halt the removal of vegetation
- 2010 The City of Dallas Transportation and Environment Committee was briefed and agreed to work with TxDOT to advance the Native Grass Program



# Landscape Maintenance Agreement US75--Phase I (cont.)

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- 2010 City agreed to be responsible for the required maintenance of the median/planter improvements, including:
- plant maintenance and replacement
  - weeding
  - trimming
  - annual watering, if required
- Annual cost at the time was estimated at \$100,000  
LMA for median maintenance was authorized by City Council
- 2011 Amendment to MMA added parkway maintenance along frontage roads (including trees)
- 2012 The City assumed median maintenance responsibility
- 2017 Agreement expires April 24, 2017

# Landscape Maintenance Agreement

## US75--Phase I(cont.): Previous vegetation

Dwarf Burford Holly



Primrose Jasmine



Honeysuckle



Red Yucca



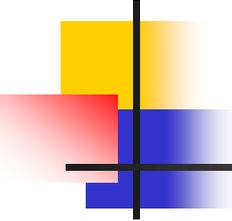
Abelia



Purple Wintercreeper <sup>12</sup>

# Landscape Maintenance Agreement US75-Phase I (cont.): Current vegetation



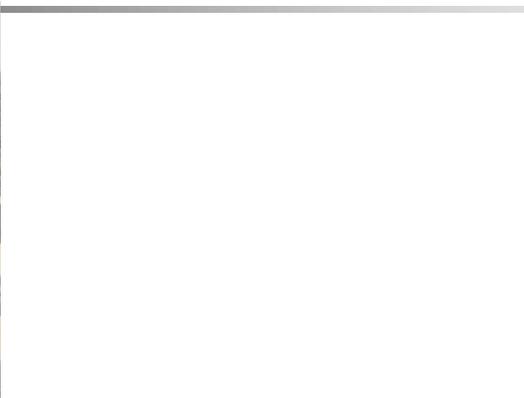


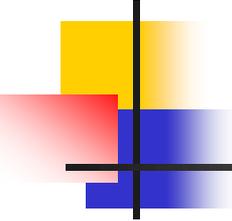
# Landscape Municipal Agreement US75--Phase II 2012

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- 2012 City Council authorized an additional Landscape Maintenance Agreement with TxDOT to maintain bridges and overpasses related landscape improvements  
TxDOT agreed to install landscape elements along bridge crossings  
City agreed to maintain bridges and overpasses along US75
- The City of University Park maintains the bridges at Mockingbird Lane, SMU Blvd, Lovers Lane and Southwestern Blvd. under a separate agreement
- 2013 City assumed maintenance responsibility
- 2018 The agreement expires January 1, 2018

# Landscape Municipal Agreement US75-- Phase II (cont.): COD Maintenance of TxDOT Bridges/Overpasses

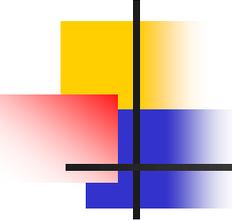




# Landscape Maintenance Agreement US75--Phase III: Potential TxDOT City Partnership

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- TxDOT has proposed funding the replacement of existing vegetation along US75 including median, bridges, planters and access roads
- Included in the proposal is the removal and replanting of dead trees
- Damaged planters will be replaced and matching pavers will be installed
- TxDOT has proposed two new options
  - Provide ongoing maintenance via a revised MMA Amendment for either of two (2) enhancement alternatives
    - Succulents; no irrigation system required
    - Broad variety of plantings; irrigation system required
  - A third option would be to continue with the native grasses throughout the remaining contract period.



# Proposed Landscape Maintenance Agreement US75--Phase III

## Option 1-Succulents

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- Approximately 36,000 plants in total to be installed
- Proposed vegetation consists of succulents including:
  - Several varieties of Yucca
    - Red, white, yellow and pink blooms
  - Sotol
    - Larger plants which would be located immediately north and south of the bridges and in some of the bridge planters. Approximately 300 in total
- No irrigation system necessary; contractor would continue to provide manual watering

# Landscape Maintenance Agreement US75- -Phase III (cont.): Option 1-Succulents



Red Yucca



Yellow Yucca



Sotol



Pink Parade



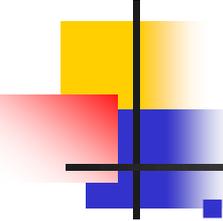
Bell Flower



Twisted Leaf Yucca

# Landscape Maintenance Agreement US75-- Phase III (cont.): Option 1-Succulents Conceptual Design from Hall Street to Monticello Avenue



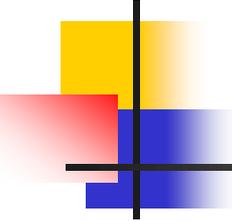


# Landscape Maintenance Agreement US75

## Option 1-Succulents

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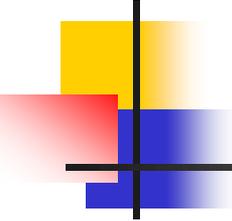
- TxDOT funds and installs succulents along US75:
  - The City of Dallas provides maintenance after TxDOT contactor maintenance ends
    - Transfer of landscape maintenance to City of Dallas anticipated in June 2017
- Typical annual maintenance for succulent option: \$704,060
  - Maintenance includes:
    - De-weeding (twice per month March-November)
    - Trimming (twice per year)
    - Litter removal (once per month year round)
    - Chemical Application (once per month March-November)
    - Manual Watering
      - Twice per month June- September
      - Once per month October-May



# Landscape Maintenance Agreement US75--Phase III (cont.): Option 1 - Succulents

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- Estimated project letting: February, 2016
- Estimated installation of vegetation: April, 2016
- Upon completion of planting, TxDOT contractor starts 12 month maintenance period
- Transfer of landscape maintenance to City of Dallas approximately June 2017



# Landscape Maintenance Agreement US 75--Phase III (cont.): Option 1-Succulents

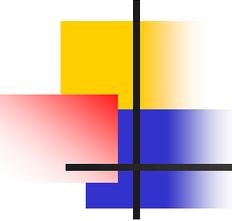
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- **Benefits**

- Vegetation would remain green year-round
- Succulents are more forgiving during drought periods than grasses
- Year-round blooming

- **Disadvantages**

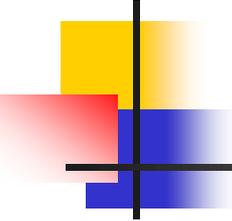
- May not fill-in completely: clumping growth pattern
- Some proposed varieties are spiky and may catch trash more easily
- More frequent weed control to maintain sparse areas (increases from once per month Mar-Nov to twice per month)
- More frequent vegetation trimming (increases from once annually to twice annually)
- Total estimated cost to the City \$704,060K



# Proposed Landscape Maintenance Agreement US75--Phase III : Option 2-Broad Variety of Plants-Irrigation System Required

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- TxDOT estimates cost of re-installation of the irrigation system at approximately \$700-800K
  - Assumes that sleeves are still intact
- TxDOT will fund re-installation if City of Dallas will pay for maintenance (irrigation system and vegetation) plus water
  - Typical maintenance cost to City: \$700K annually
  - Typical water bill: approximately \$100K annually
  - These two expenses would be in addition to the current base maintenance cost of \$471,880K annually
  - Total estimated cost to City: \$1,271,880



# Landscape Maintenance Agreement US75-- Phase III (cont.): Option 2-Broad Variety of Plants-Irrigation System Required

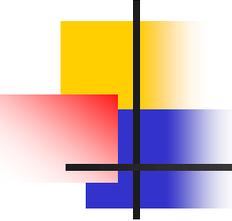
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## ■ Benefits

- Irrigation would support a broad variety of plants
- Even application of water to root system
- Easier delivery of water to the plants
- Reduced traffic congestion (no manual watering by contractor)

## ■ Disadvantages

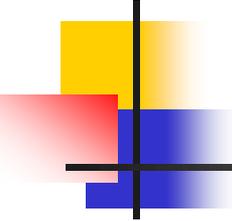
- Higher maintenance cost due to irrigation system maintenance
- Planting would likely be delayed until next fall as TxDOT's FY 15-16 funding only includes replacement of vegetation, not installation of an irrigation system
- The design of the irrigation system would have to be addressed
- Potential for rodent re-infestation
- On-site system maintenance/repair
- Typical maintenance for irrigation option: \$1,271,880 (assumes no change in vegetation maintenance cost)



# Landscape Maintenance Agreement US75-- Phase III : Option 3-Continue Current Maintenance: Native Grasses

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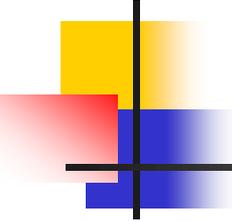
- City continues to provide monthly maintenance via contractor:
  - Current vendor, Good Earth, assumed maintenance responsibility September 2015
- Maintenance includes:
  - De-weeding (once per month March-November)
  - Trimming (once per year)
  - Litter removal (once per month year round)
  - Chemical Application (once per month March-November)
  - Manual Watering
    - Twice per month June- September
    - Once per month October-May
  - Mowing and litter removal (80 acres) every 21-28 days weather permitting
- Typical annual cost for maintenance on US75: \$471,880
  - Median/planter maintenance: \$421,880
  - Mowing/litter removal (80 acres): \$50,000



# Next Steps

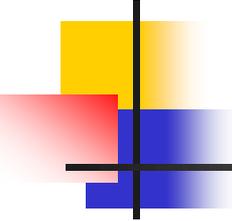
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- Obtain Council Preference on an Option for US75 Today
- Make Decision on MMA Amendment Continuance
- Take MMA Amendment to Full Council in March



# Questions and Discussion

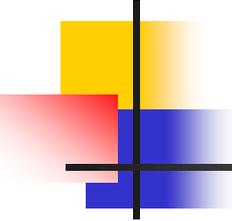
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# Appendix

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1. Green Ribbon Locations Within the City of Dallas
2. Listing of TxDOT ROW in City of Dallas
3. Example of TxDOT ROW prior to Amendment to MMA
4. Before and After photos of State Highway 310 at Loop 12
5. Before and After photos of I-30 at Buckner



# Green Ribbon Locations Within the City of Dallas

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1. US 67/IH 35 at Kiest
2. US 175/Lake June
3. US 175/Buckner
4. IH 20/St. Augustine
5. IH 45/Simpson Stuart
6. IH 30 at Winslow
7. IH 30 at Dolphin
8. US 67/Camp Wisdom
9. IH 20/Bonnie View
10. IH 20/Lancaster Rd.
11. IH 20/Polk
12. IH 20/Hampton
13. Loop 12 (IH 30) at Buckner/Chenault
14. Loop 12/University Hills

# TxDOT ROW within the City of Dallas by highway

HIGHWAY	LIMITS
IH20	1/2 mile west of SH 342 (Lancaster City Limits) to SH310
IH20	West of Trinity River to IH 635
IH30	Trinity Railway Express to Mesquite City Limits
IH45	IH30 to Grand Avenue
IH45	Overton Road to Pine Street (under elevated area of IH45)
IH45	Grand Avenue to LP12
IH45	LP12 to IH 20 (South Limits at Langdon)
IH345	Flora to Elm
IH635	Merit to LaPrada
LP12	Pemberton Hill to Carbondale
SH310	IH45 to US175 (includes under SH310 bridge)
US175	Grand Avenue to Seagoville City Limits
US75	Hamilton Park Addition to the South, Schroeder to the east, and US 75 north bound
US75	Flora to Midpark
US80	LP12 to Mesquite City Limits

HIGHWAY	LIMITS
FM1382	IH20 to Cedar Hill City Limits
IH20	Dallas City Limits (3/4 Mile west of Mountain Creek Parkway) to Cedar Ridge Drive
IH20	Cockrell Hill Road to 1/2 mile east of IH35E (Lancaster City Limits)
IH30	Dallas City Limits (1 mile west of LP12) to Trinity Railway Express
IH35E	Harry Hines Boulevard to Reunion Boulevard
IH35E	Reunion Boulevard to LP12
IH35E	LP12 to Dallas City Limits
IH635	West Dallas City Limits to Denton Drive
LP12	IH35E to Elm Fork Trinity River
LP12	From Trinity River Bridge to 0.3 miles south of Illinois
SH180	Dallas City Limits to LP12
SH183	Elm Fork Trinity River to IH35E
SP408	LP12 to IH20
SP482	Denton Drive to Elm Fork Trinity River
US67	IH35E to IH20
US67	IH20 to Duncanville City Limits

# Typical Condition of TxDOT right of way prior to Amendment to Municipal Maintenance Agreement 2011



Unsightly



'Prairie' Look



Overgrowth  
around guardrails



Dead Vegetation

# Before and After Pictures: State Highway 310 at Loop 12

TxDOT maintained

City maintained



**Trash  
and  
debris**

**High  
weeds**

**No  
edging**

**Tree  
underbrush  
needs  
trimming**

**Silt  
build-up**



# Before and After Pictures I- 30 @ Buckner Blvd

Before



After



# Memorandum



CITY OF DALLAS

**DATE** January 8, 2016

**TO** Honorable Members of the Quality of Life Committee and Environment Committee: Sandy Greyson (Chair), Tiffinni A. Young (Vice Chair), Mark Clayton, Philip T. Kingston, B. Adam McGough, and Rickey D. Callahan

**SUBJECT** **Possible Regulations for Temporary Uses**

On January 11, 2016 you will be briefed on temporary uses not currently allowed in the City. The purpose of this briefing is to receive direction from the committee as to possible code amendments. A copy of the briefing material is attached for your review.

A handwritten signature in blue ink that reads "Ryan S. Evans".

Ryan S. Evans  
First Assistant City Manager

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Rosa Rios, City Secretary  
Craig D. Kinton, City Auditor  
Daniel F. Solis, Administrative Judge  
Eric D. Campbell, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Theresa O'Donnell, Chief Resilience Officer  
Alan E. Sims, Chief of Neighborhood Plus  
Forest E. Turner, Chief Wellness Officer  
Sana Syed, Managing Director, Public Information Office  
Elsa Cantu, Assistant to the City Manager  
David Cossum, Director Sustainable Development and Construction  
Rick Galceran, P.E., Director, Public Works

# Possible Regulations for Temporary Uses

Quality of Life & Environment Committee

January 11, 2016

Presented by the Department of Sustainable Development and Construction



# Purpose of Briefing

- To provide information to the Committee on the department's research on types of temporary uses
- To seek guidance from the Committee on possible code amendments

# What are Temporary Uses?

- The sale of goods, wares, or merchandise at a location which is not within a “permanent building.” Items could be sold from a motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, tent or other device designed to be portable and not permanently attached to the ground
- Temporary occupancies inside a structure

# How are Temporary Uses Conducted Today?

- Neighborhood Markets
- Special Events
- Outside sales (flea markets)
- Temporary retail use (seasonal sales)
- Accessory use to a primary use
- Food trucks
- Street vending (CBD only)

# Possible Classifications of Temporary Uses

- Mobile retail
  - Conducted from a vehicle or trailer
- Pop up uses
  - Conducted outside of a permanent structure or vehicle (tent, container, table)
- Pop in uses
  - Conducted inside a permanent building without a full certificate of occupancy for the use

# Mobile Retail



Source: [shop-haute-wheels.myshopify.com](http://shop-haute-wheels.myshopify.com)



<http://www.freckledchicken.com/>



Source: [thevintagemobile.com](http://thevintagemobile.com)

# Pop-Up Retail

Source: City of Dallas



Source: Downtown Dallas 360 Plan



# Types of Regulations for Temporary Retail

- Location restrictions
  - Districts allowed
  - Distance from residential
  - Distance from other uses
  - Private property vs ROW
- Hours of operation
- Length of time at a location
- Parking
- Signage
- Inspections
- How permitted
  - Permit/License
  - Certificate of Occupancy
  - Registration
- Itinerary

# Typical Concerns

- Mobile “garage sales”
- Impact on brick and mortar stores
- Impact on parking
- Expansive displays of merchandise
- Legitimacy of merchandise
- Overall aesthetics



# Options

1. Amend the accessory outside sales regulations to allow another business enterprise to operate the accessory use to accommodate mobile and “pop-up” uses
2. Amend the temporary retail use regulations to allow “pop-in” use
3. Create a different process (License/Registration)
4. Do nothing, i.e., only as currently permitted

# Options

1. Amend the accessory outside sales regulations to allow another business enterprise to operate the accessory use to accommodate mobile and “pop-up” uses
  - Currently limited to being operated by the primary business on the site
  - No more than 5 percent of area of building site
  - Example - sales of other items in front of super markets

# Options

2. Amend the temporary retail use regulations to allow “pop-in” use
  - Must still meet building life/safety codes
  - Temporary CO issued
  - Retail only (no food service)
  - More flexible parking requirement
  - No more than 60 days

# Options

3. Create a different process (License/Registration)
  - Follow model of food truck ordinance for mobile retail and pop up uses
  - Require itinerary of locations
  - Require to be registered with city
  - Cannot take up more than 2 required parking spaces on a site or 5 percent, whichever is less.
  - Hours of operation

## Next Steps

- Get direction from the Committee as to whether we allow these types of retail
  - Present to Zoning Ordinance Committee for 51A changes
  - CPC for 51A changes
  - CC Committee
  - CC Action

# Appendix

# Dallas - Temporary Retail Use

- **Definition:**
  - A temporary facility for the retail sale of seasonal products (e.g., Christmas trees)
- **Where Permitted:**
  - By right in the **CR** (Community Retail), **RR** (Regional Retail), **CS** (Commercial Service), industrial, central area, mixed use, multiple commercial and urban corridor districts
- **Operating Rules:**
  - Requires one parking space per 500 sq. ft. of site area.
  - Requires one off-street loading space.
  - Off-street parking and loading requirements may be satisfied by using existing parking and loading spaces for other uses located within 500 feet
  - Time limit – 60 days, plus one 30-day extension;
  - Limited to one (1) temporary certificate of occupancy at the same location within a 12 month period

# Dallas – Neighborhood Farmers Markets

- **Definition:**

- The Dallas Farmers Market or
- A temporary, outdoor marketplace on private property:
  - Where produce, merchandise, food, or other products are distributed, offered for sale, or sold directly to consumers by the persons that have raised, grown, made, crafted, processed, or produced the products;
  - For which the estimated number of vendors and attendees for any day of the market does not exceed 1,000
  - That is not being operated as part of a special event permit under Ch. 42A
  - That involves one or more of the following activities on private property where otherwise prohibited by ordinance:
    - the sale of merchandise, food, or beverages;
    - The erection of stalls or tents;
    - The placement of portable toilets; or
    - The placement of temporary no-parking, directional, over-size, or identification signs or banners.

# Dallas – Neighborhood Farmers Markets *cont.*

- **Where Prohibited (does not apply to the Dallas Farmers Market):**
  - Not allow in the CBD
  - Single family, duplex, or townhouse districts
  - Within 1 mile of another permitted market
  - Any location where a market has already been conducted 40 days during the calendar year
- **Operating Hours (does not apply to the Dallas Farmers Market):**
  - Operation allowed between 8 a.m. and 7 p.m. any day of the week
- **Operation Rules (does not apply to the Dallas Farmers Market):**
  - Requires a neighborhood farmers market permit
  - No more than 70 vendors
  - Stall may not exceed 10 ft. by 10 ft.
  - If the main use is open for business, not more than 25% of the total parking lot may be used for the market
  - All products offered for sale or sold must have been raised, grown, made, crafted, processed, or produced by a vendor in a Texas county completely or partially located within a 150 mile radius of Dallas County
  - No products may be offered for resale
  - Live animals may not be distributed, offered for sale, or sold
  - All tents, stalls, merchandise, etc. must be removed from the premises at the end of each market day
  - May not be operated more than 28 days in a calendar year and may not be operated on consecutive days

# Dallas - Street Vending (CBD)

- **Definition:**
  - An Itinerant Vendor is a person who engages in a business of selling goods or services from any structure or vehicle which is not affixed to the ground or from no structure or vehicle.
- **Where permitted:**
  - Allowed at designated locations (public or private property) in the Central Business District , the West End, and in the Arts District with an approved CBD Concession License
  - Must be in a commercial district (not allowed in residential districts)
  - To sell in a park or at the Farmers Market requires written permission from the Parks and Recreation Department or the Farmers Market
- **Approved products include:**
  - Food products (from a permitted mobile food unit)
  - Handcrafted Items (must be made by the vendor - the license holder)
  - Fresh cut flowers
  - No manufactured goods or imports may be sold

## Dallas - Street Vending (CBD) – Cont.

- **Operating Hours:**
  - 6 am to 10 pm Mon. - Thur.; 8 am to Midnight Fri. & Sat.; and 10 am to 10 pm Sun.
- **Operating Rules:**
  - May not be located within 50 feet of a bus stop, train stop or fire hydrant
  - Vehicle may not exceed 6ft x 4ft x 3ft
  - Signs must be affixed to vehicle - no signs on public property
  - May not obstruct pedestrian or vehicular traffic
  - May not enter a public roadway to solicit or conduct sales

# Dallas - Food Truck Regulations

- **Definition:** a mobile food unit is a vehicle mounted food product establishment designed to be readily movable
- **Two Types:**
  - **Limited Service Mobile Units** - sell or distribute prepackaged foods and beverages in individual servings
    - Produce vendors
    - Ice cream trucks
    - Mobile grocery trucks
    - Mobile lunch trucks
    - Mobile catering Trucks
    - Limited service Pushcarts
  - **General Service Mobile Food Units** – food products must be approved by consumer health and the unit must return to a commissary, daily.
    - General service Pushcarts
    - Mobile food preparation vehicles
- **Where permitted:**
  - Currently permitted to operate on private property throughout Dallas and in the Arts District
  - Prohibited in the CBD

# Austin - Mobile Retail Regulations

- **Definition:**
  - Mobile retail establishments may only sell items or services permitted under a general retail sales use, pet services use, and personal services use
- **Where Permitted:**
  - all commercial and industrial zoning districts (except office districts)
- **Operation Hours:**
  - Operation prohibited between 11 p.m. and 6 a.m.
- **Operation Rules:**
  - All operations must be conducted within the unit
  - A mobile retail establishment may not remain at the same location for more than 180 consecutive days
  - Must be located at least 50 feet from a single family district
  - Must be located at least 20 feet from a general retail sales use, pet service use, or personal service use.
  - May not occupy or impede required parking for another use
  - Signs must be attached to the exterior of the mobile retail establishment
  - Mobile retail may be located on private property or in the ROW with approval
  - Not subject to the building code
  - No trailer inspection
  - No certificate of occupancy required

# Fort Worth - Mobile Retail Regulations

- **Definition:**
  - A merchandise vendor as a vendor that sells merchandise products from an informal fixed location
- **Where Permitted:**
  - Permitted in industrial districts
- **Operating Hours:**
  - Operation prohibited between 2 a.m. and 7 a.m.
- **Operation Rules:**
  - Location between 50 and 100 feet from a residential district requires consent of all residential property owners within 100 foot radius of the mobile vending unit
  - Signs must be attached to mobile establishment
    - Flashing or LED board signs are prohibited
  - Units must observe setback restrictions
  - Operation prohibited on vacant lots
  - Units must park on an improved surface and be removed daily
  - Connection to electric, water, or sewer is prohibited, unless a permit has been obtained.
  - Use of generators is prohibited
  - Not allowed to operate on public streets, sidewalks, or other ROWs.

# St. Paul - Mobile Retail Regulations

- **Definition:**
  - Selling or offering to sell non-food merchandise from a vehicle
- **Where Permitted:**
  - On public property or private property in the I2 General Industrial District and as a conditional use in the B3 General Business District and I1 Light Industrial District
- **Operating Hours:**
  - Operation on a public street is prohibited between 3:30 p.m. and 5:30 p.m. on weekdays
  - Operation is prohibited on a public street between 10 p.m. and 10 a.m. any day of the week
- **Operation Rules:**
  - Mobile retailers may only sell new, unused items
  - Requires a license
  - Operation on public property (streets, sidewalks) requires Public Works approval
  - Loudspeakers or amplified music is prohibited
  - Any single mobile retail vehicle or operation must not occupy more than two (2) parking spaces

# Phoenix - Mobile Retail Regulations

- **Definition:**
  - Any motorized or non-motorized vehicle, trailer, kiosk, pushcart, stand, display, blanket, ground covering or other device designed to be portable and not permanently attached to the ground from which any goods, wares, or merchandise other than food are peddled, vended, sold, served, displayed, offered for sale or given away.
- **Where Permitted:**
  - A1, A2 and C3 zones
- **Operating Hours:**
  - Operation prohibited between 10 p.m. and 8 a.m.
  - If located within 300 feet of a school, cannot operate between 6 a.m. and 5 p.m.
- **Operation Rules:**
  - Mobile vendors cannot locate closer than 1,320 feet to another mobile vendor on the same side of the street
  - Requires a Mobile Vending License
  - Must be removed from the site during the hours of non-operation
  - Loudspeakers or amplified music is prohibited
  - Connection to electric, water, or sewer is prohibited, unless a permit has been obtained.
  - Use of generators is prohibited

# Memorandum



CITY OF DALLAS

**DATE** January 8, 2016

**TO** Members of the Quality of Life Committee and Environment Committee:  
Sandy Greyson (Chair), Tiffinni A. Young (Vice Chair), Mark Clayton, Philip T. Kingston, B. Adam McGough, and Rickey D. Callahan

**SUBJECT** **Non-Required Fences Update**

On January 11, 2016 you will be briefed on the existing regulations for non-required fences and provided information on how non-required fences and residential fences are regulated in area cities. This item was previously briefed on August 10, 2015 and October 12, 2015. A copy of the briefing material is attached for your review.

Ryan S. Evans  
First Assistant City Manager

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Rosa Rios, City Secretary  
Craig D. Kinton, City Auditor  
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Forest E. Turner, Chief Wellness Officer  
Sana Syed, Managing Director, Public Information Office  
Elsa Cantu, Assistant to the City Manager  
David Cossum, Director Sustainable Development and Construction  
Rick Galceran, P.E., Director, Public Works

# Non-required Fences Update

Quality of Life & Environment Committee

January 11, 2016

Presented by the Department of Sustainable Development and Construction



# Purpose

- Follow up on the May 26, 2015, August 10, 2015 and October 12 briefings to the committee
  - Provide research on required materials for non-required and residential fences in other cities
  - Illustrate potential issues with materials in single family districts
- Receive direction on any possible code amendments on non-required fence and residential fence material standards

# Background

- May 26, 2015 Staff briefed the **Quality of Life & Environment Committee** on proposed code amendments to the provisions regulating outside storage. During the briefing, staff was directed by the committee to provide information on Dallas' existing standards for non-required fencing, research non-required fence standards and materials in other cities
- August 10, 2015, Staff briefed the **Quality of Life & Environment Committee** on proposed code amendments to the provisions regulating outside storage and was also directed to provide information on Dallas' existing standards for non-required fencing, research non-required fence standards and materials for residential fences in other cities
- October 12, 2015, Staff briefed the **Quality of Life & Environment Committee** on existing standards for non-required fencing and the item was deferred to a future date

# Background

- December 15, 2015, Staff held a **public meeting on Accessory Dwelling Units and Non-Required Fences**. The purpose of the meeting was to receive initial thoughts and concerns from residents regarding these topics. Invitations to the meeting were e-mailed to: the Strategic Customer Service E-mail list; the Sustainable Development & Construction Department's Early Notifications Lists; the Zoning Ordinance Committee's Notification List; contacts at the Dallas Homeowner's League; contacts at the Dallas Builder's Association; and City Council offices
- Twenty-four (24) people were in attendance
- Generally, there were few comments regarding non-required fences, however, those with an opinion, expressed a concern about corrugated metal as a material

# Fences

- Currently the City does not regulate materials for fences that are not required in Ch. 51A
- Chapter 27 establishes certain minimum maintenance standards for some fences
- A fence permit is required for fences exceeding 4 feet in height located in a required front yard
- A fence permit is required for fences exceeding 6 feet in height on the remainder of the lot
- Fences over 9 feet are considered structures and require a building permit

# Maintenance Standards

## Dallas City Code Ch. 27. - Article III

A property owner shall maintain any fence on a property in compliance with the following standards:

- **Maintain** a fence so that it is not out of vertical alignment:  
Fence more than 4 feet tall - more than one foot from the vertical  
Fence less than 4 feet tall - more than 6 inches from the vertical
  - This provision does not apply to a masonry wall unless the wall encloses:
    - (i) A multi-tenant property; or
    - (ii) A single-family or duplex property where the wall is not shared with another property;
- **Repair** or replace rotted, fire damaged, or broken wooden slats and support posts;
- **Repair** or replace broken or bent metal posts and torn, cut, bent, or ripped metal fencing materials; and
- **Repair** or replace loose bricks, stones, rocks, mortar, and similar materials on any masonry wall that encloses:
  - (i) A multi-tenant property; or
  - (ii) A single-family or duplex property where the wall is not shared with another property

# Issues

- Materials – Should we specify materials for fences that are not required by Ch. 51A?
- How do we enforce?
  - Allow Code Compliance to enforce
  - Require a fence permit for all new fences
- Any regulations adopted would be effective for fences constructed after the date of the amendment

# Images – Wood Fences



# Images – Wood Fences



# Images – Wood Fences



# Images – Metal Fences



# Images – Metal Fences



# Images – Other Materials



Vinyl Fencing



Plastic

# Images – Other Materials



Concrete & Wood



Concrete Panels

# **Fence Standards**

# Ch. 51A-4.602 - Fence Standards

## Single Family Districts

- **Fence Height**

- In a required front yard setback, fences for single family and duplex uses are limited to 4 feet in height above grade
- Fences on the remainder of the lot may not exceed 9 feet in height

# Ch. 51A-4.602 - Fence Standards

## Multifamily Districts

- **Fence Height**

- In a required front yard setback fences in Multifamily districts may be a maximum of 6 feet above grade, if:
  - No lot in the blockface is zoned as a single family or duplex district; and
  - No gates for vehicular traffic may be located less than 20 feet from the back of the street curb; and
  - No fence panel having less than 50% open surface area may be located less than 5 feet from the front lot line
- Otherwise, a fence in a required front yard setback may not exceed 4 feet above grade, except when the required front yard is governed by side or rear yard regulations

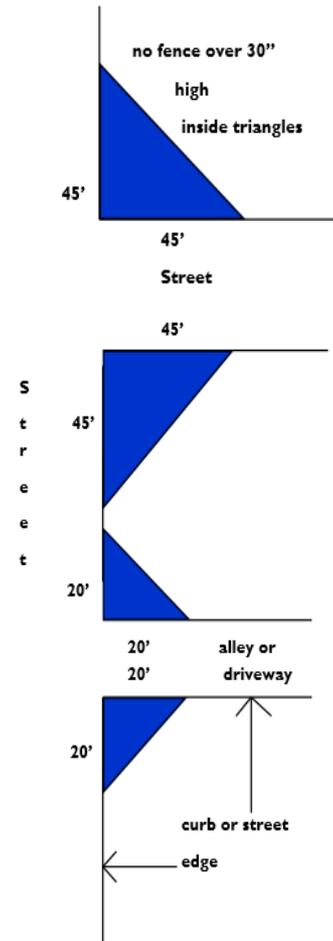
# Ch. 51A-4.602 - Fence Standards Commercial & Industrial Districts

- **Fence Height**

- Fences in a required setback may not exceed 9 feet in height
- Fences over 9 feet in height are considered structures. They require a Building Permit and may not be located in a required setback

# Ch. 51A-4.602 – General Fence Standards

- **Barbed wire** may not be used for fencing unless it is located 6 feet or more above grade and does not project beyond the property line
- Fences may not be located in **easements**
- Fences may not be placed in a **visibility triangle** at a street, alley or driveway intersections if the fence is higher than 2-1/2 feet



Visibility Triangles

# Fence Heights

DISTRICT	WHEN IN REQUIRED FRONT YARD SETBACK	WHEN IN OTHER REQUIRED SETBACKS	FENCE PERMIT	BUILDING PERMIT	BOARD OF ADJUSTMENT APPROVAL
SINGLE FAMILY/DUPLEX RESIDENTIAL DISTRICTS	MAX 4 FEET	MAX 9 FEET	<ul style="list-style-type: none"> <li>REQUIRED FOR FENCES OVER 4 FEET TALL IN FRONT YARD SETBACK; AND</li> <li>REQUIRED FOR FENCES OVER 6 FEET TALL</li> </ul>	<p style="text-align: center;">REQUIRED FOR FENCES OVER 9 FEET TALL</p>	<ul style="list-style-type: none"> <li>BDA APPROVAL REQUIRED FOR FENCES OVER 4 FEET IN A REQUIRED FRONT YARD SETBACK IN SINGLE FAMILY AND DUPLEX RESIDENTIAL DISTRICTS</li> <li>BDA APPROVAL REQUIRED FOR FENCES OVER 9 FEET IN A REQUIRED SETBACK</li> </ul>
MULTI-FAMILY	MAX 6 FEET*	MAX 9 FEET			
COMMERCIAL	MAX 9 FEET	MAX 9 FEET			
INDUSTRIAL	MAX 9 FEET	MAX 9 FEET			

\*Allowed if: No lot in the blockface is zoned single-family or duplex; gates for vehicle traffic are set back 20 feet from back of curb; and fence panels within 5 feet of front lot line are not less than 50% open.

<b>Residential Fence Materials in Neighboring Cities</b>			
<b>City</b>	<b>Fence Material Specified</b>	<b>Fence Permit Required</b>	<b>Prohibits Specific Materials</b>
<b>Arlington</b>	✓	SOMETIMES*	✓
<b>Dallas</b>		SOMETIMES*	✓*
<b>Desoto</b>	✓	✓	✓
<b>Fort Worth</b>	✓		✓
<b>Lancaster</b>	✓	SOMETIMES*	✓
<b>Plano</b>		SOMETIMES*	✓
<b>Richardson</b>	✓	SOMETIMES*	✓
* See details in appendix			

# Next Steps

- Receive direction from the committee
- If a code amendment is recommended, schedule for Zoning Ordinance Committee

# **Appendix**

# **Other City's Regulations Related to Fencing in Residential Districts - Details**

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Arlington</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 4 feet</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Max. 8 feet. As measured from highest adjacent grade within 10 feet of the fence</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> When &gt; 50% of the length of a fence along property line is being replaced</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Ornamental metal (with min. 75% transparency)</li> <li>Masonry columns with a 30 year life expectancy of (brick stone, reinforced concrete) may be used</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Masonry</li> <li>Ornamental metal</li> <li>Cedar &amp; redwood</li> <li>Composite Fencing</li> <li>Vinyl Fencing (flat white or flat natural tones)</li> <li>Other wooden picket fences (only if constructed with metal posts, metal brackets, and metal caps)</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Cedar, redwood, &amp; other wood products</li> <li>Composite or vinyl fencing</li> <li>Chain link</li> <li>Sheet, roll or corrugated metal</li> <li>Cast off, secondhand, or other items not originally intended to be used for constructing or maintain a fence.</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Chain Link (may be allowed if not visible from any public street)</li> <li>Sheet, roll, or corrugated metal</li> <li>Cast off, secondhand, or other items not originally intended to be used for constructing or maintain a fence.</li> </ul>	<ul style="list-style-type: none"> <li>Gates for vehicular access must be setback a min. of 20 feet from the property line</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>If fence is located on a lot next to a street, fence shall be oriented with exposed posts and rails away from view of adjacent public street</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Dallas</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>• Max. 4 feet in residential districts (except MF)</li> <li>• Max. 6 feet in multifamily districts</li> </ul> <p><b>Other Yards</b></p> <ul style="list-style-type: none"> <li>• Max. 9 feet</li> </ul>	<ul style="list-style-type: none"> <li>• A fence permit is required for a fence located in a required front yard setback, when the fence exceeds 4 feet</li> <li>• A fence permit is required for fences exceeding 6 feet on the remainder of the lot</li> </ul>	<ul style="list-style-type: none"> <li>• None specified</li> </ul>	<ul style="list-style-type: none"> <li>• Barbed wire may not be used for fencing unless it is located 6 feet or more above grade and does not project beyond the property line</li> </ul>	<ul style="list-style-type: none"> <li>• Fences may not be located in easements</li> <li>• Fences may not be placed in a visibility triangle at a street, alley or driveway intersections if the fence is higher than 2.5 feet</li> <li>• Fences over 4 feet in residential districts (except multifamily) in the required front yard setback may be allowed if approved by the Board of Adjustment as a Fence Height Special Exception</li> <li>• Fences over 9 feet are considered structures and may not be located in a required setback</li> <li>• Fences over 9 feet require a building permit</li> <li>• Fences over 9 feet may be allowed in a required setback if approved by the Board of Adjustment as a Fence Height Special Exception</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Desoto</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 3 feet</li> <li>Except, platted lots in Single-Family Estate and Agriculture Districts (min. 150 foot lot width) fences may be constructed to front property line; 8 feet max. with 80% openings</li> </ul> <p><b>Other Yards</b> (located to the rear of the required front yard line) -</p> <ul style="list-style-type: none"> <li>Max. 8 feet</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> All fences require permits</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Decorative fences (with min. 50% openings)</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Masonry</li> <li>Ornamental metal</li> <li>Cedar &amp; redwood</li> <li>Composite Fencing</li> <li>Vinyl Fencing (flat white or flat natural tones)</li> <li>Other wooden picket fences (only if constructed with metal posts, metal brackets, and metal caps)</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Chain link, woven wire mesh or similar materials are not considered decorative fencing</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Chain Link</li> <li>Sheet, roll, or corrugated metal</li> <li>Cast off, secondhand, or other items not originally intended to be used for constructing or maintain a fence.</li> </ul>	<ul style="list-style-type: none"> <li>No fence may be erected in any front or side yard which is adjacent to a public street.</li> <li>No residential fence shall be closer than 20 feet to a public street, except in case where the side or rear building line of the yards on contiguous corner lots adjoin, the fence may be constructed out to the property line of said side yard.</li> <li>Fences must be maintained at all times</li> <li>Vehicular access gate must be set back 20 feet</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Fort Worth</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>• Max. 4 feet</li> </ul> <p><b>Other Yards</b></p> <ul style="list-style-type: none"> <li>• Max. 6 feet</li> </ul>	<ul style="list-style-type: none"> <li>• <b>No</b></li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Wrought iron, tubular steel, picket or similar type material designed for fencing</li> <li>• No greater than 50% in density</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Chain link</li> </ul>	<ul style="list-style-type: none"> <li>• The Board of Adjustment may grant a special exception to allow a solid fence or wall up to 4 feet in the front yard</li> <li>• Up to a 5 foot open design fence consisting of wrought-iron, tubular steel, picket or a similar type material designed for fencing with 50% openings may be allowed by the Board of Adjustment by special exception</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Lancaster</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>• Max. 3.5 feet</li> <li>• Posts max. 4 feet</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>• Fences <i>between houses</i>, max. 6 feet</li> <li>• Fences <i>along a side street</i> may be up to 6 feet in height at the rear of the building</li> <li>• Fences <i>along a rear alley</i> may be up to 6 feet in height</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Yes.</b> When &gt; 50% of the length of a fence along property line is being replaced</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Painted rot-resistant wood</li> <li>• Metal or flat topped (non-crimped or capped)</li> <li>• Plastic/PVC or similar material with integrated color</li> </ul>	<ul style="list-style-type: none"> <li>• Barbed wire fencing</li> </ul>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>• Picket fences in front yards shall be a min. 30% open and include corner posts.</li> <li>• Picket fences may be located within 1.5 feet of any property line adjacent to a street</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>• Wood fences greater than 4 feet in height shall be constructed using metal posts set in concrete</li> <li>• Fences <i>between houses</i> may be solid, but may not extend closer to the street than 15 feet behind the front outside corner of the home</li> <li>• Fences <i>along a side street</i> may be solid but may not be closer to the street than the rear corner of the home</li> <li>• Fences <i>along a rear alley</i> must be located at least 3 feet back from property line, may be solid (unless facing a trail or open space) and the area between the fence and alley should be irrigated and planted with grass, ground cover, shrubs, or trees.</li> <li>• Finished side of all perimeter fencing visible from a public area or ROW shall face outward</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Plano</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 2.5 feet from front building line to the property line</li> <li>Estate Development I and Estate Development II may have a max. 3.5 foot fence</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Max. 8 feet along alley</li> <li>Max. 8 feet along rear yard</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> Required for the installation, alteration, addition or changes to a fence.</li> <li>A permit is not required for alterations, additions or changes if repairs do not exceed 25% of the area of the fence over a 12 month period.</li> </ul>	<ul style="list-style-type: none"> <li>None specified</li> </ul>	<ul style="list-style-type: none"> <li>Wire fencing</li> </ul>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Fences in front yards shall be a min. 50% open</li> </ul> <p><b>Other -</b></p> <ul style="list-style-type: none"> <li>Electric fences are prohibited</li> <li>Fence arms are prohibited in residential districts</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Richardson</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 3 feet</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Fences <i>along a side yard</i> may be up to 8 feet in height (front the rear property line up to a point in line with the front wall of the building or up to the building line, whichever is greatest)</li> <li>Fences <i>along a rear property line</i> may be up to 8 feet in height</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> Required when constructing a fence over 2.5 feet tall</li> </ul>	<ul style="list-style-type: none"> <li>Wood</li> <li>Concrete</li> <li>Masonry</li> <li>Chain link</li> <li>Wrought iron</li> <li>Metal tubing</li> <li>Vinyl</li> <li>Fiberglass composite</li> </ul>	<ul style="list-style-type: none"> <li>Barbed wire</li> <li>Razor ribbon</li> <li>Sheet metal</li> <li>Corrugated steel</li> <li>Fiberglass panel</li> <li>Plywood</li> </ul>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>No fence shall be permitted between the front property line and the front wall of the building unless a part of the landscaping or a decorative screen</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Corner lot exceptions. On corner lots where the rear the rear lot line is adjacent to a side lot line of an adjoining lot, fences may be constructed at a height not exceeding eight feet along the side property and rear property lines except that no fence exceeding 4 feet in height, with 50% through vision shall be constructed within an area measured 15 feet along the rear property line and 25 feet measured along the side property line adjacent to the street</li> </ul>

**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements

**AGENDA DATE:** January 13, 2016

**COUNCIL DISTRICT(S):** 9

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 37-C G H

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**SUBJECT**

Authorize an increase in the contract with A S Con, Inc. for additional scope of work to include: surveying, clearing, culverts, rock excavation and other miscellaneous items at White Rock Lake East Lawther Trail located between the Mockingbird Pedestrian Bridge to Bath House at White Rock Lake - Not to exceed \$148,820, from \$1,171,690 to \$1,320,510 - Financing: 2006 Bond Funds (\$147,818) and 2003 Bond Funds (\$1,002)

**BACKGROUND**

The original contract was awarded to A S Con, Inc. by City Council on June 25, 2014, by Resolution No. 14-1005 for hike and bike trail improvements at White Rock Lake East Lawther Trail located between Mockingbird Pedestrian Bridge to Bath House, in an amount not to exceed \$1,171,690.00.

This action is to authorize Change No. 1 to the contract with A S Con, Inc., in an amount not to exceed \$148,819.86, increasing the original contract amount from \$1,171,690.00 to \$1,320,509.86 for additional scope of work to include: surveying, clearing, culverts, rock excavation and other miscellaneous items at White Rock Lake East Lawther Trail.

**ESTIMATED SCHEDULE OF PROJECT**

Began Construction            September 2014  
Complete Construction        April 2016

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

The Park and Recreation Board authorized proceeding with advertisement for construction procurement on January 23, 2014.

The Park and Recreation Board authorized award of the contract on June 5, 2014.

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

City Council authorized award of the contract on June 25, 2014, by Resolution No. 14-1005.

The Park and Recreation Board authorized Change Order No. 1 on November 19, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on January 11, 2016.

**FISCAL INFORMATION**

\$147,817.86 - 2006 Bond Funds  
\$ 1,002.00 - 2003 Bond Funds

Construction Contract	\$1,171,690.00
Change Order No. 1 (this action)	<u>\$148,819.86</u>
Total amount not to exceed	\$1,320,509.86

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

A S Con, Inc.

White Male	0	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	1

**OWNER**

**A S Con, Inc.**

Ali Safdarinia, President

**MAP**

Attached



November 19, 2015

White Rock Lake Park, East Lather Trail  
 (between Mockingbird Pedestrian Bridge to Bath House)

Mapsc0  
 37 C G H

District  
 9

January 13, 2016

**WHEREAS**, on June 25, 2014, by Resolution No. 14-1005, A S Con, Inc. was awarded a contract for hike and bike trail improvements at White Rock Lake East Lawther Trail located between Mockingbird Pedestrian Bridge to Bath House, in an amount not to exceed \$1,171,690.00; and

**WHEREAS**, this action will authorize Change No. 1 to the contract with A S Con, Inc. for additional scope of work to include: surveying, clearing, culverts, rock excavation and other miscellaneous items at White Rock Lake East Lawther Trail, in an amount not to exceed \$148,819.86, increasing the original contract amount from \$1,171,690.00 to \$1,320,509.86.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with A S Con, Inc. for additional scope of work to include: surveying, clearing, culverts, rock excavation and other miscellaneous items at White Rock Lake East Lawther Trail, in an amount not to exceed \$148,819.86, increasing the original contract amount from \$1,171,690.00 to \$1,320,509.86.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed \$148,819.86 to A S Con, Inc., as follows:

(2003) Neighborhood Park and Recreation Facilities Fund Fund 5R05, Department PKR, Unit T331, Object 4599 Activity RFSI, Program PK06T331, CT-PKR14019456 Commodity 91200, Vendor 261853	\$1,002.00
(2006) Park and Recreation Facilities Improvement Fund Fund 2T00, Department PKR, Unit T331, Object 4599 Activity RFSI, Program PK06T331, CT-PKR14019456 Commodity 91200, Vendor 261853	\$125,898.00
(2006) Neighborhood Park and Recreation Facilities Fund Fund 7T00, Department PKR, Unit T331, Object 4599 Activity RFSI, Program PK06T331, CT-PKR14019456 Commodity 91200, Vendor 261853	\$601.77
(2006) Neighborhood Park and Recreation Facilities Fund Fund 8T00, Department PKR, Unit T331, Object 4599 Activity RFSI, Program PK06T331, CT-PKR14019456 Commodity 91200, Vendor 261853	\$2,412.40

January 13, 2016

**SECTION 2.** (Continued)

(2006) Neighborhood Park and Recreation Facilities Fund Fund BT00, Department PKR, Unit T331, Object 4599 Activity RFSI, Program PK06T331, CT-PKR14019456 Commodity 91200, Vendor 261853	<u>\$18,905.69</u>
Total amount not to exceed	\$148,819.86

**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.

**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements

**AGENDA DATE:** January 13, 2016

**COUNCIL DISTRICT(S):** 1

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 43-Z 44-W

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**SUBJECT**

Authorize an increase in the contract with A S Con, Inc. for additional scope of work to include: additional flagstone and trail widening; concrete pad; electrical conduit and wiring; modifications to irrigation line controllers; and other miscellaneous work at Coombs Creek Trail located from Stevens Park tennis courts to Hampton Road - Not to exceed \$84,954, from \$1,131,842 to \$1,216,796 - Financing: 2006 Bond Funds

**BACKGROUND**

The original contract was awarded to A S Con, Inc. by City Council on February 25, 2015, by Resolution No. 15-0377 for a construction contract for a new trail at Stevens Park Golf Course and the tennis courts along Kessler Parkway and other miscellaneous items for the Coombs Creek Trail, Phase III located from Stevens Park tennis courts to Hampton Road, in an amount not to exceed \$1,131,842.00.

This action will authorize Change Order No. 1 to the contract with A S Con, Inc., in an amount not to exceed \$84,953.54, increasing the original contract amount from \$1,131,842.00 to \$1,216,795.54 for additional scope of work to include: additional flagstone and trail widening; concrete pad; electrical conduit and wiring; modifications to irrigation line controllers; and other miscellaneous work at Coombs Creek Trail.

**ESTIMATED SCHEDULE OF PROJECT**

Began Construction            May 2015  
Complete Construction        March 2016

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

The Park and Recreation Board authorized proceeding with advertisement for construction procurement on November 6, 2014.

The Park and Recreation Board authorized award of the contract on February 5, 2015.

City Council authorized award of the contract on February 25, 2015, by Resolution No. 15-0377.

The Park and Recreation Board authorized Change Order No. 1 on November 19, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on January 11, 2016.

**FISCAL INFORMATION**

2006 Bond Funds - \$84,953.54

Construction Contract	\$1,131,842.00
Change Order No. 1 (this action)	<u>\$84,953.54</u>
Total amount not to exceed	\$1,216,795.54

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

A S Con, Inc.

White Male	0	White Female	0
Black Male	0	Black Female	0
Hispanic Male	0	Hispanic Female	0
Other Male	1	Other Female	1

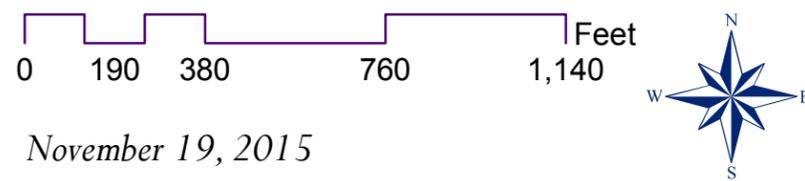
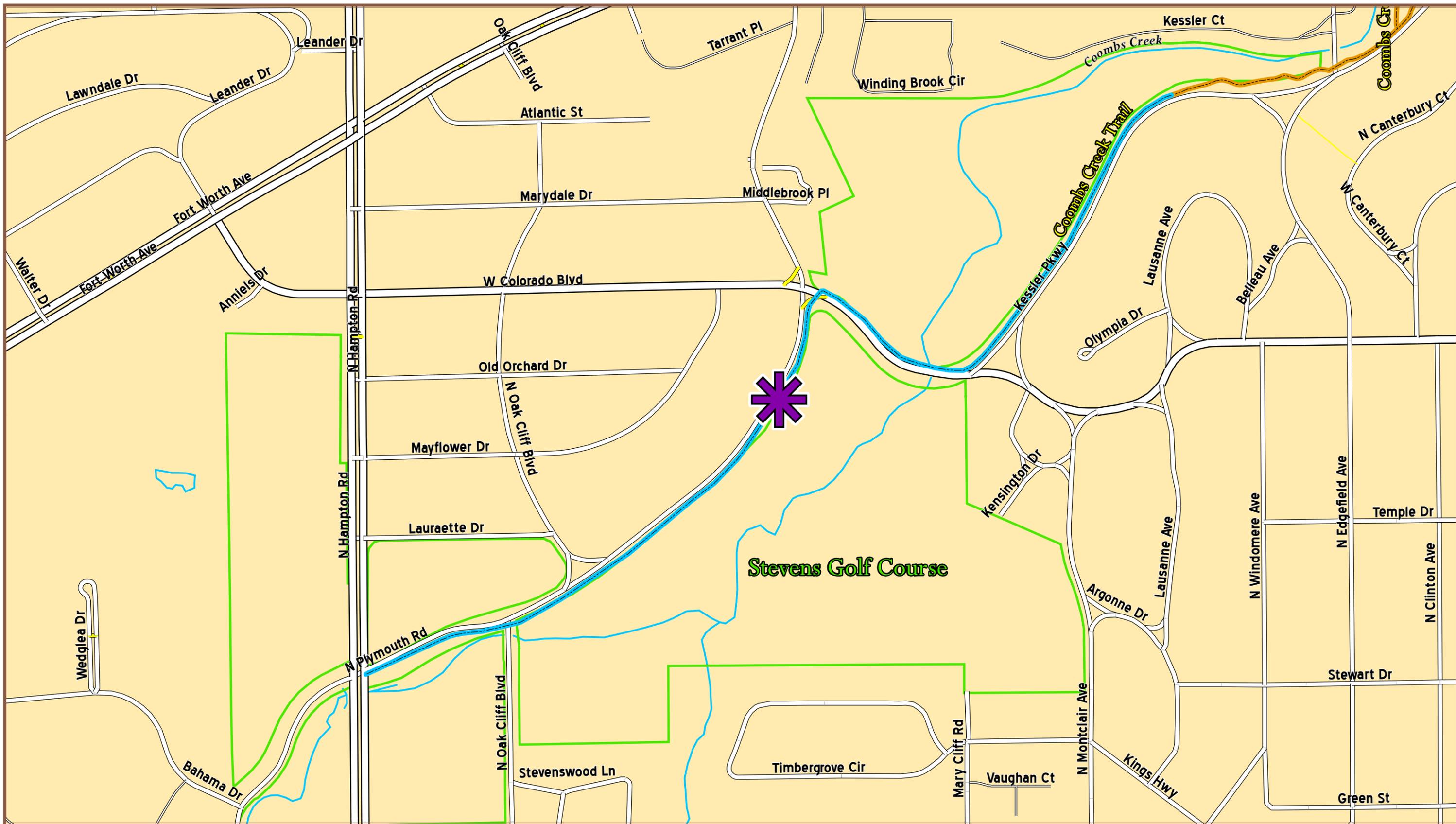
**OWNER**

**A S Con, Inc.**

Ali Safdarinia, President

**MAP**

Attached



November 19, 2015

## Coombs Creek Trail (N Hampton Rd to Stevens Golf Course)

Mapsc0  
43 Z  
44 W

District  
1

January 13, 2016

**WHEREAS**, on February 25, 2015, by Resolution No. 15-0377, A S Con, Inc. was awarded a construction contract for a new trail at Stevens Park Golf Course and the tennis courts along Kessler Parkway and other miscellaneous items for the Coombs Creek Trail, Phase III located from Stevens Park tennis courts to Hampton Road, in an amount not to exceed \$1,131,842.00; and

**WHEREAS**, this action will authorize Change Order No. 1 to the contract with A S Con, Inc., in an amount not to exceed \$84,953.54, increasing the original contract amount from \$1,131,842.00 to \$1,216,795.54 for additional scope of work to include: additional flagstone and trail widening; concrete pad; electrical conduit and wiring; modifications to irrigation line controllers; and other miscellaneous work at Coombs Creek Trail.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute Change Order No. 1 to the contract with A S Con, Inc. for additional scope of work to include: additional flagstone and trail widening; concrete pad; electrical conduit and wiring; modifications to irrigation line controllers; and other miscellaneous work at Coombs Creek Trail, in an amount not to exceed \$84,953.54, increasing the original contract amount from \$1,131,842.00 to \$1,216,795.54.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to disburse an amount not to exceed \$84,953.54 from (2006) Park and Recreation Facilities Improvement Funds, Fund 2T00, Department PKR, Unit 7165, Object 4599, Activity HIBT, Program PB06P849, CT-PKR15019492, Commodity 91200, Vendor 261853.

**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.

**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** January 13, 2016

**COUNCIL DISTRICT(S):** 3, 6, 8, 13

**DEPARTMENT:** Business Development & Procurement Services  
Sanitation Services

**CMO:** Jeanne Chipperfield, 670-7804  
Joey Zapata, 670-3009

**MAPSCO:** 26-R 33-F 63-E 67-P

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**SUBJECT**

Authorize a three-year service contract for yard waste grinding services at the City's landfill and transfer stations - National Waste Management Louisiana, Inc., lowest responsible bidder of three - Not to exceed \$2,177,900 - Financing: Sanitation Current Funds (subject to annual appropriations)

**BACKGROUND**

This item was placed on the addendum to allow for continued services without interruption.

This action does not encumber funds; the purpose of a service contract is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis.

This service contract will be utilized by Sanitation Services at the City's landfill and transfer stations for the grinding of yard and vegetated waste from shrub and tree trimming. This service contract allows for off-site yard waste grinding when delivery of the yard waste to the landfill or transfer station is not possible due to, but not limited to:

- Storm damage
- Non-weather related emergencies
- Neighborhood clean-up projects

An estimated two million cubic yards of waste will be processed through the grinding services provided at the McCommas Bluff Landfill and Bachman, Fair Oaks and Southwest Transfer Stations over the next three years. The yard waste, once ground, will be utilized at the landfill as a base material for growing new vegetation and erosion control. The excess mulch will be available at no cost to the residents of Dallas.

**BACKGROUND (Continued)**

This solicitation meets the wage floor rate of \$10.37 approved by City Council on November 10, 2015 by Resolution No. 15-2141.

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 695 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

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

On June 8, 2011, City Council authorized a three-year service contract for yard waste grinding service at the City's Landfill and transfer stations by Resolution No. 11-1506.

On April 8, 2015, City Council authorized (1) the rejection of bids received for yard waste grinding services; and (2) the re-advertisement for new bids by Resolution No. 15-0650.

Information about this item will be provided to the Quality of Life & Environment Committee on January 11, 2016.

**FISCAL INFORMATION**

\$2,177,900.00 - Sanitation Current Funds (subject to annual appropriations)

<b><u>Council District</u></b>	<b><u>Amount</u></b>
3	\$ 298,450.00
6	\$ 443,750.00
8	\$1,137,250.00
13	<u>\$ 298,450.00</u>
Total	\$2,177,900.00

**M/WBE INFORMATION**

- 95 - Vendors contacted
- 94 - No response
  - 1 - Response (Bid)
  - 0 - Response (No Bid)
  - 0 - Successful

695 M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

National Waste Management Louisiana, Inc.

White Male	0	White Female	3
Black Male	0	Black Female	0
Hispanic Male	1	Hispanic Female	0
Other Male	1	Other Female	1

**BID INFORMATION**

The following bids were received from solicitation number BF1518 and were opened on July 9, 2015. This service contract is being awarded to the lowest responsive and responsible bidder in its entirety.

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*National Waste Management Louisiana, Inc.	13901 Highway 28 East Deville, LA 71328	\$2,177,900.00
TFR Enterprises, Inc.	601 Leander Drive Leander, TX 78641	\$3,193,000.00
Earth Haulers, Inc.	11500 Mosier Valley Road Fort Worth, TX 76040	Non-Responsive**

\*\*Earth Haulers, Inc. was deemed non-responsive due to not meeting specifications.

**OWNER**

**National Waste Management Louisiana, Inc.**

Ramona Herron, President  
Melba Bales, Vice President  
Jennifer Roberts, Secretary  
Leiaoha Penton, Treasurer

January 13, 2016

**WHEREAS**, on June 8, 2011, City Council authorized a three-year service contract for yard waste grinding service at the City's Landfill and transfer stations by Resolution No. 11-1506; and,

**WHEREAS**, on November 21, 2014, Administrative Action No. 14-7186 authorized an extension of the master agreement for a three month period from November 21, 2014 to February 28, 2015; and,

**WHEREAS**, on April 8, 2015, City Council authorized (1) the rejection of bids received for yard waste grinding services; and (2) the re-advertisement for new bids by Resolution No. 15-0650;

**NOW, THEREFORE,**

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

**Section 1.** That the City Manager is authorized to execute a service contract with National Waste Management Louisiana, Inc. (VS88591) for yard waste grinding services at the City's landfill and transfer stations for a term of three years in an amount not to exceed \$2,177,900.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to National Waste Management Louisiana, Inc., shall be based only on the amount of the services directed to be performed by the City and properly performed by National Waste Management Louisiana, Inc., under the contract.

**Section 2.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,177,900.00 (subject to annual appropriations) from Service Contract number BF1518.

**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.

**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** January 13, 2016

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Code Compliance  
Trinity Watershed Management

**CMO:** Joey Zapata, 670-3009  
Mark McDaniel, 670-3256

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** an application for the Materials Management Call for Projects grant from the North Central Texas Council of Governments (NCTCOG) to support litter and illegal dumping abatement and community cleanup events for the period of April 2016 through June 2017; and **(2)** an In-Kind contribution in the amount of \$30,000, in the event the grant is awarded to the City - Financing: This action has no cost consideration to the City

**BACKGROUND**

The grant will fund a minimum of 18 targeted litter and illegal dumping cleanup events that will include City staff and community volunteers. Code Compliance Services, in collaboration with Trinity Watershed Management, will conduct targeted removal of litter in problematic areas throughout Dallas and conduct events focused along the Trinity River and related bodies of water that experience periodic flooding. The project will also include community awareness and an educational outreach component.

This grant will fund the one-time purchase of small equipment and tools, and also fund overtime for weekend work crews. The City will provide in-kind service match of up to \$30,000 which will include heavy city equipment and staff from Code Compliance Services and Trinity Watershed Management Departments. If the City is awarded the grant, future Council action will be necessary to receive and deposit these funds.

This item is on the addendum due to the grant requiring approval by governing body authorized officials as part of reviewing the application and prior approval of awarding funds to the applicant.

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

Information about this item will be provided to Quality of Life & Environment Committee on January 11, 2016.

**FISCAL INFORMATION**

This action has no cost consideration to the City.

January 13, 2016

**WHEREAS**, the North Central Texas Council of Governments (NCTCOG) is accepting proposals for grant funding that address regional goals and objectives outlined in the Regional Management Plan for Solid Waste; and

**WHEREAS**, these funds are generated by solid waste disposal fees collected by the Texas Commission on Environmental Quality (TCEQ) and made available to eligible local governments; and

**WHEREAS**, the solid waste funds are intended for local and cooperative implementation activities consistent with goals of the Regional Solid Waste Management Plan.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to apply for the Materials Management Call for Projects Grant from the North Central Texas Council of Governments to support a project that involves litter and illegal dumping cleanups and community cleanup events for an amount not to exceed \$200,000, and provide the City's in-kind match of \$30,000, in the event the grant is awarded to the City.

**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.

**KEY FOCUS AREA:** Clean, Healthy Environment

**AGENDA DATE:** January 13, 2016

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Code Compliance

**CMO:** Joey Zapata, 670-3009

**MAPSCO:** N/A

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**SUBJECT**

An ordinance amending Chapter 7 of the Dallas City Code to adjust fees related to the redemption of impounded animals from the Dallas Animal Shelter - Revenue Foregone: \$200,093

**BACKGROUND**

In compliance with the City's Financial Performance Management Criteria (FMPC) #15, an annual review of selected fees and charges were conducted to determine the extent to which the full cost of associated services is being recovered by revenues. Ordinance No. 29879, previously approved by City Council on September 22, 2015, adjusted fees for redeeming an impounded animal from the Dallas Animal Shelter.

At the November 12, 2015 Animal Advisory Commission meeting, the commission recommended that the rabies, boarding, impounding and surgery fee adjustments adopted by City Council on September 22, 2015, and effective on October 1, 2015, be reduced to their FY 2014-15 amounts. These adjustments would reduce the cost to citizens when reunited with their pets, and would support current efforts to control the amount of unwanted pets in our communities. The recommended adjustments would result in a estimated reduction of up to \$200,093 in budgeted revenues for FY 2015-16, a decrease which would need to be managed over the course of the fiscal year.

This item was placed on the addendum following the December 8, 2015, Quality of Life & Environment Committee meeting.

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

The City Council was briefed on the City Manager's recommended FY 2015-16 budget on August 11, 2015.

The City Council approved Ordinance No. 29879 amending Chapter 7 of the Dallas City Code on September 22, 2015.

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

The Quality of Life & Environment Committee was briefed on December 8, 2015.

**FISCAL INFORMATION**

Revenue Foregone - \$200,093

ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 7, “Animals,” of the Dallas City Code by amending Section 7-2.6; adjusting fees for redeeming an impounded animal from a city animal shelter; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Subsection (a) of Section 7-2.6, “Redemption of Impounded Animals,” of Article II, “Animal Services; City Animal Shelters,” of Chapter 7, “Animals,” of the Dallas City Code is amended to read as follows:

“(a) To redeem an impounded animal from a city animal shelter, the owner of the animal must provide proof of ownership and pay to the director the following fees:

(1) a redemption fee of:

(A) \$27 [~~50~~] for an animal delivered for impoundment to a city animal shelter by a person other than a city employee in the performance of official duties; or

(B) \$27 [~~50~~] for an animal delivered for impoundment to a city animal shelter by a city employee in the performance of official duties;

(2) \$10 [~~15~~] for each night the animal is housed in a city animal shelter;

(3) \$10 [~~19~~] for a rabies vaccination of a dog, cat, or ferret if the owner cannot show either:

(A) a current certificate of vaccination for the animal; or

(B) proof that the animal was not vaccinated due to health reasons as verified by a licensed veterinarian;

(4) the applicable registration fee for a dog or cat under Section 7-4.2, if the owner cannot show proof of current registration;

(5) \$15 for a microchip implant and initial national registration of a dog or cat, unless:

(A) the animal was injected with a microchip implant prior to impoundment; or

(B) a licensed veterinarian certifies that the animal should not be injected with a microchip implant for health reasons; and

(6) \$60 [~~139~~] for the sterilization of a dog or \$60 [~~139~~] for the sterilization of a cat, unless:

(A) the animal was spayed or neutered prior to impoundment;

(B) the animal is under six months of age;

(C) a licensed veterinarian certifies that the dog or cat should not be spayed or neutered for health reasons or is permanently non-fertile;

(D) the animal is being held for sale by a retail pet store or for adoption by animal services or an animal welfare organization;

(E) the animal is a competition cat or competition dog;

(F) the animal is a service animal; or

(G) the owner of the animal has, or obtains at the time of redemption, a valid intact animal permit for the animal under Section 7-4.11 of this chapter.”

SECTION 2. That Chapter 7 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 3. 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.

SECTION 4. 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:

WARREN M. S. ERNST, City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_