

QUALITY OF LIFE & ENVIRONMENT COMMITTEE  
DALLAS CITY COUNCIL COMMITTEE AGENDA

RECEIVED

2016 AUG -5 AM 8:30

CITY SECRETARY  
DALLAS, TEXAS

MONDAY, AUGUST 8, 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 June 13, 2016 Minutes

**BRIEFINGS**

2. Resilient Dallas Update

Theresa O' Donnell  
*Chief Resiliency Officer*

3. Late Hours Overlay

David Cossum  
Director, Sustainable  
Development and Construction

Neva Dean  
*Interim Assistant Director,  
Sustainable Development and  
Construction*

**BRIEFING MEMO**

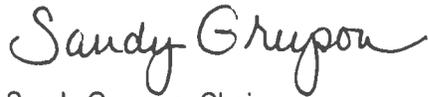
4. Standards for Non-required Fences

**UPCOMING AGENDA ITEM**

5. Addendum Item #11 - Authorize a one-year service contract for reentry services pilot program - Metroplex Economic Development Corporation, Inc. dba T.O.R.I. in the amount of \$535,560 and City Wide Community Development Corporation in the amount of \$464,440, most advantageous proposers of eight - Not to exceed \$1,000,000 - Financing: Texas Department of Criminal Justice Grant Funds

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

Adjourn



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

**Meeting Date:** June 13, 2016

**Convened:** 9:04 a.m.

**Adjourned:** 10:50 a.m.

**Members Present:**

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

**Members Absent:**

**Council Members Present:**

**Briefing Presenters**

Kris Sweckard, Director, Code  
Compliance

Joey Zapata, Assistant City  
Manager

**Guests:**

Steven Duong, AECOM; Randal White, Greater Dallas Restaurant Association

**Staff Present:**

Anne Adiele, Celia Barshop, Mai Brock, Katie Beth Caldwell, Chunny Chhean, Laurietta Childress, Dina Calorossi, Mark Duebner, Michael Frosch, Rita Hammelman, Jody Jones, Tyrone McGill, Stephanie McHenry, Tammy Palomino, David Pughes, Janette Weedon, Crystal Wood, Margaret Wright, Macklin Wright, Joey Zapata

**AGENDA:**

1. **Approval of May 23, 2016 Minutes**

**Information Only:**

**Presenters:**

A motion was made to approve the minutes of May 23, 2016.

**Action Taken/Committee Recommendation(s):** Approve minutes of May 23, 2016

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

**Motion seconded by:** Mark Clayton

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**2. Animal Services Enforcement**

**Presenter(s):** Joey Zapata and Kris Sweckard

**Information Only:**

This briefing provided the Committee a review of requested policy changes to Dallas Animal Services.

- The Chair requested an estimated cost of a free year-long spay and neuter program.
- The Chair requested information on revenue collected from animal registration fees.
- The Chair has designated the Vice-Chair as the point-person for the Committee; she will review recommendations made by staff and the Animal Advisory Commission.
- CM Clayton requested the recommendations of staff and the Animal Advisory Commission should be listed separately in chart form.
- CM McGough requested that the recommendations should include financial implications for the City budget.

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

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**3. Proposed Amendments to Chapter 17 – Food Establishments**

**Presenter(s):**

**Information Only:**

A briefing memo was provided on this item that outlined the proposed staff recommended changes to Chapter 17 - Food Establishments.

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

**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. Three-year Contract for Temporary Industrial Labor for Sanitation Services – Results Staffing, Inc.**

**Presenter(s):**

**Information Only:**

A briefing memo was provided to the committee that reviewed the June 22, 2016 Council Agenda item to authorize a three year service contract for temporary industrial labor for Sanitation Services with Results Staffing, Inc.

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

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**5. Proposed Amendments to Chapter 47A – Transportation For Hire**

**Presenter(s):**

**Information Only:**

This briefing memo provided to the committee with updates on transportation for hire regulations and recommended changes to Chapter 47A.

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

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**6. Resilient Dallas Update**

**Presenter(s):** Theresa O'Donnell

**Information Only:**

This briefing was not presented, and will be rescheduled for the Monday, August 8, 2016 committee meeting.

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

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**7. Upcoming Agenda Items**

**Presenter(s):**

**Information Only:**

Information about upcoming items on the June 15 and 22, 2016 Council Agenda was included in the briefing materials. The Chair and CM McGough requested budget information on the Singing Hills Recreations Center's funding sources.

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

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

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**Councilmember Sandy Greyson**  
Chair

# Memorandum



CITY OF DALLAS

DATE August 5, 2016

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

SUBJECT **Resilient Dallas Update**

Today's presentation will provide an update on the 100 Resilient Cities Program and a review of the progress to date. We will brief the Committee on the work accomplished during Phase I of the strategy development process. We will also cover the upcoming Phase II work program, and next steps for civic partnership and involvement.

Please do not hesitate to contact me if I can provide any additional information.

A handwritten signature in black ink, appearing to read 'Theresa O'Donnell'.

Theresa O'Donnell  
Chief Resilience Officer  
214.670.3309

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

Jill A. Jordan, P.E., Assistant City Manager  
Eric D. Campbell, Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council



# Resilient Dallas Update

Quality of Life & Environment Committee  
August 8, 2016



# Introduction

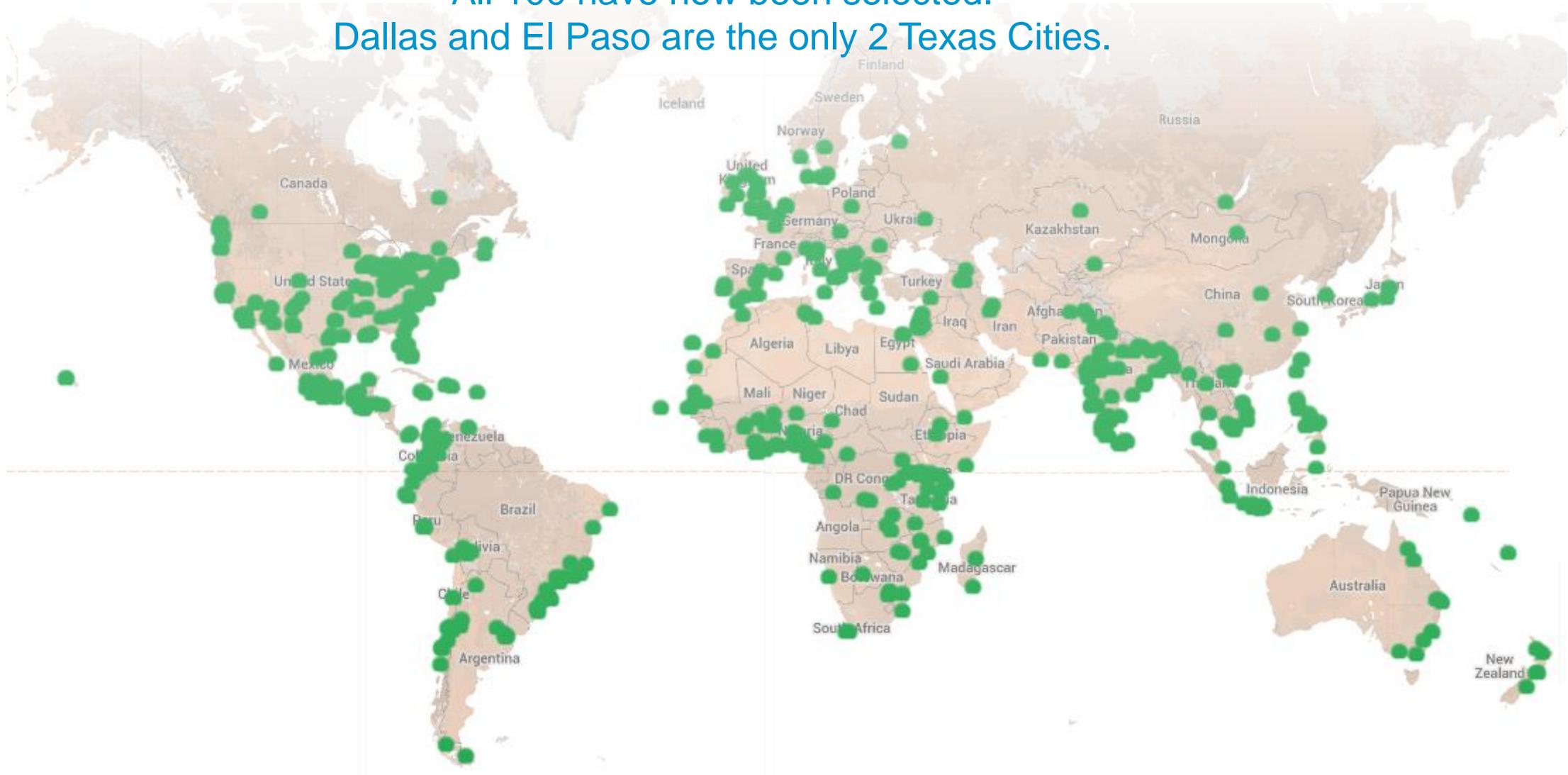
- Update on the 100 Resilient Cities Program and a review of the progress to date
- Discuss the development of the Discovery Areas and Scope of Work for Phase II
- Discuss next steps and opportunities for additional stakeholder engagement



**100RC partners**  
with cities around the  
world to **help them**  
**become more resilient** to the  
social, economic and  
physical challenges that  
are a growing part of  
the 21st century.

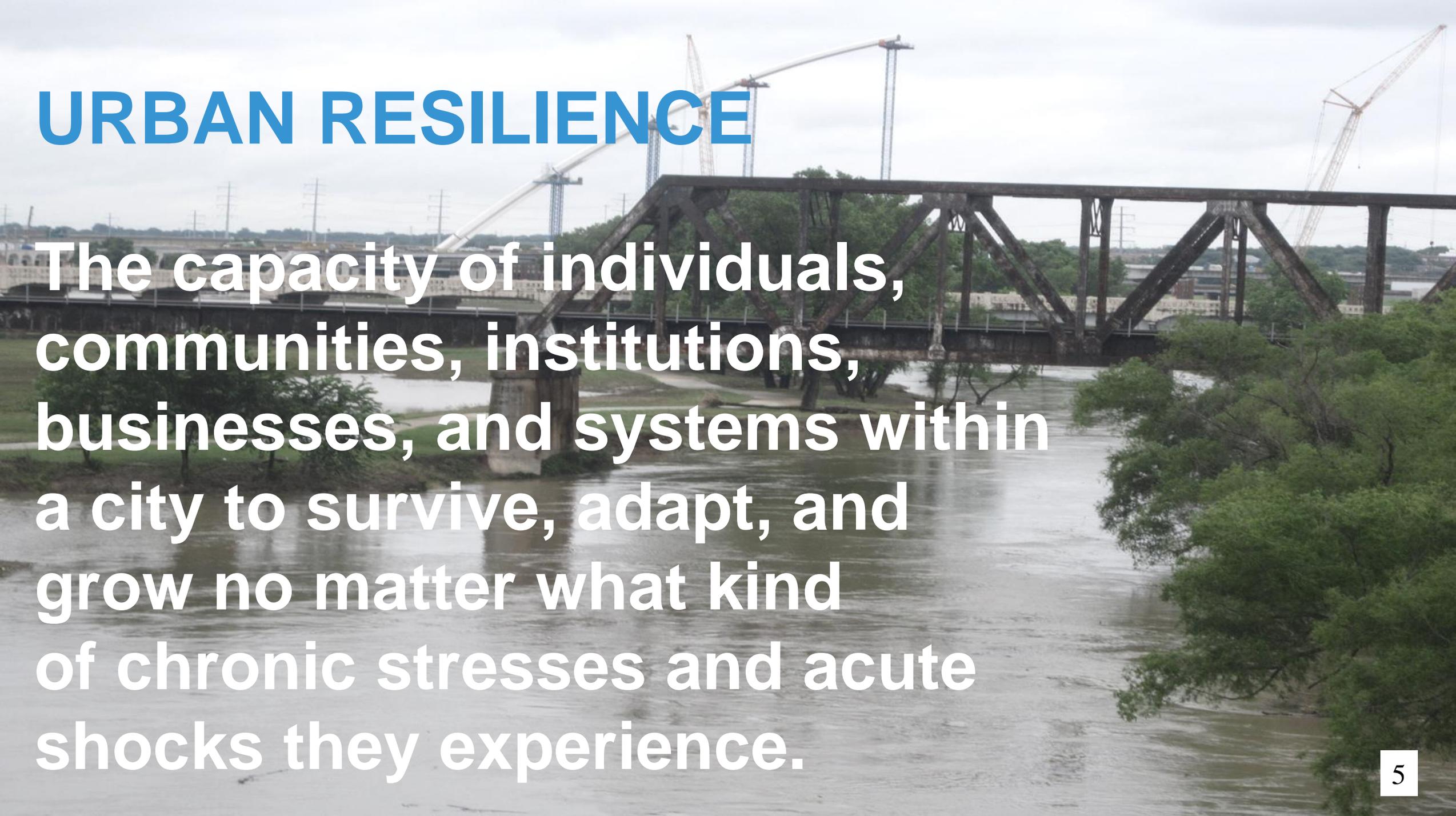
# 100 Resilient Cities

All 100 have now been selected.  
Dallas and El Paso are the only 2 Texas Cities.



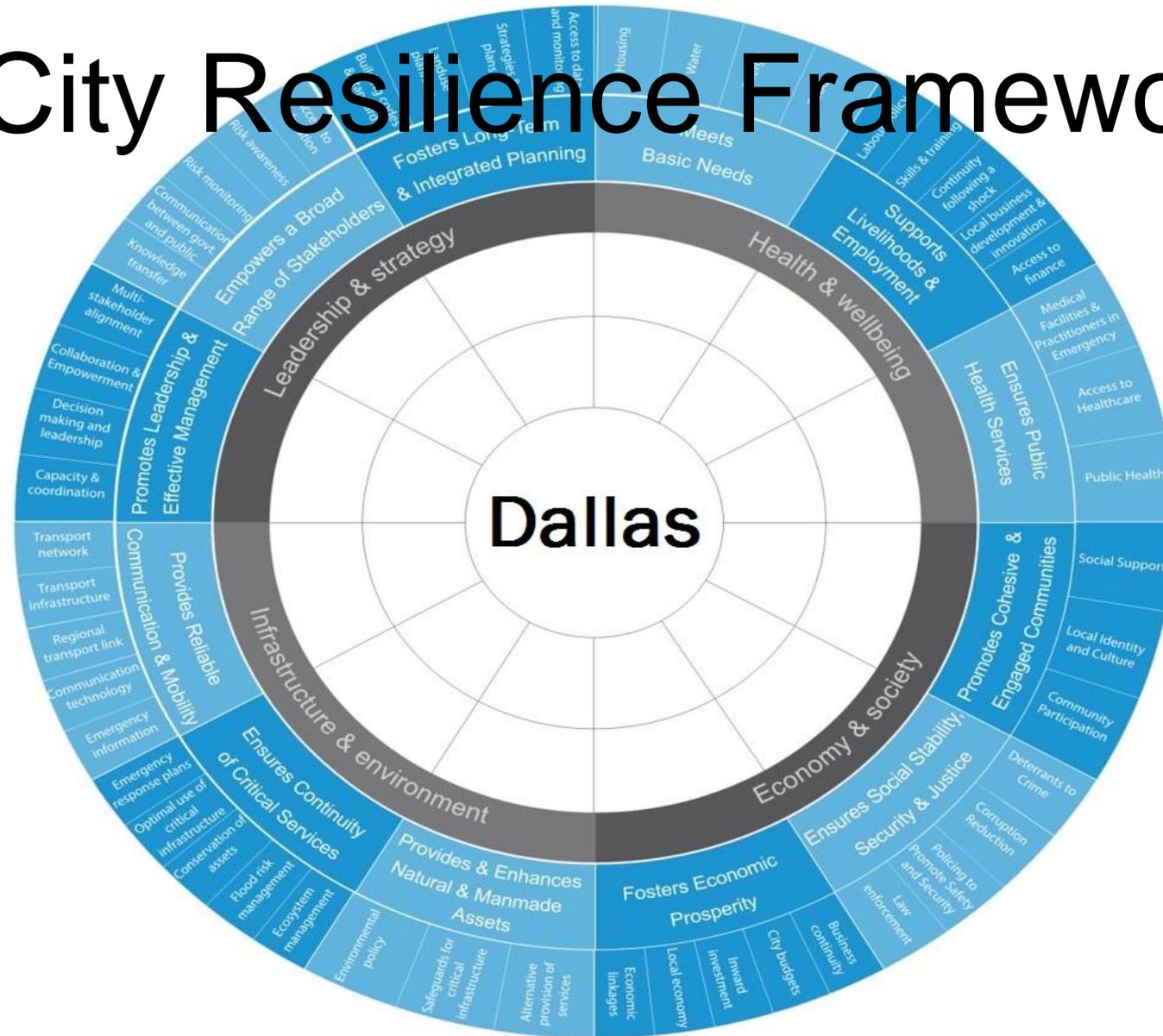
**100 RESILIENT CITIES**

# URBAN RESILIENCE

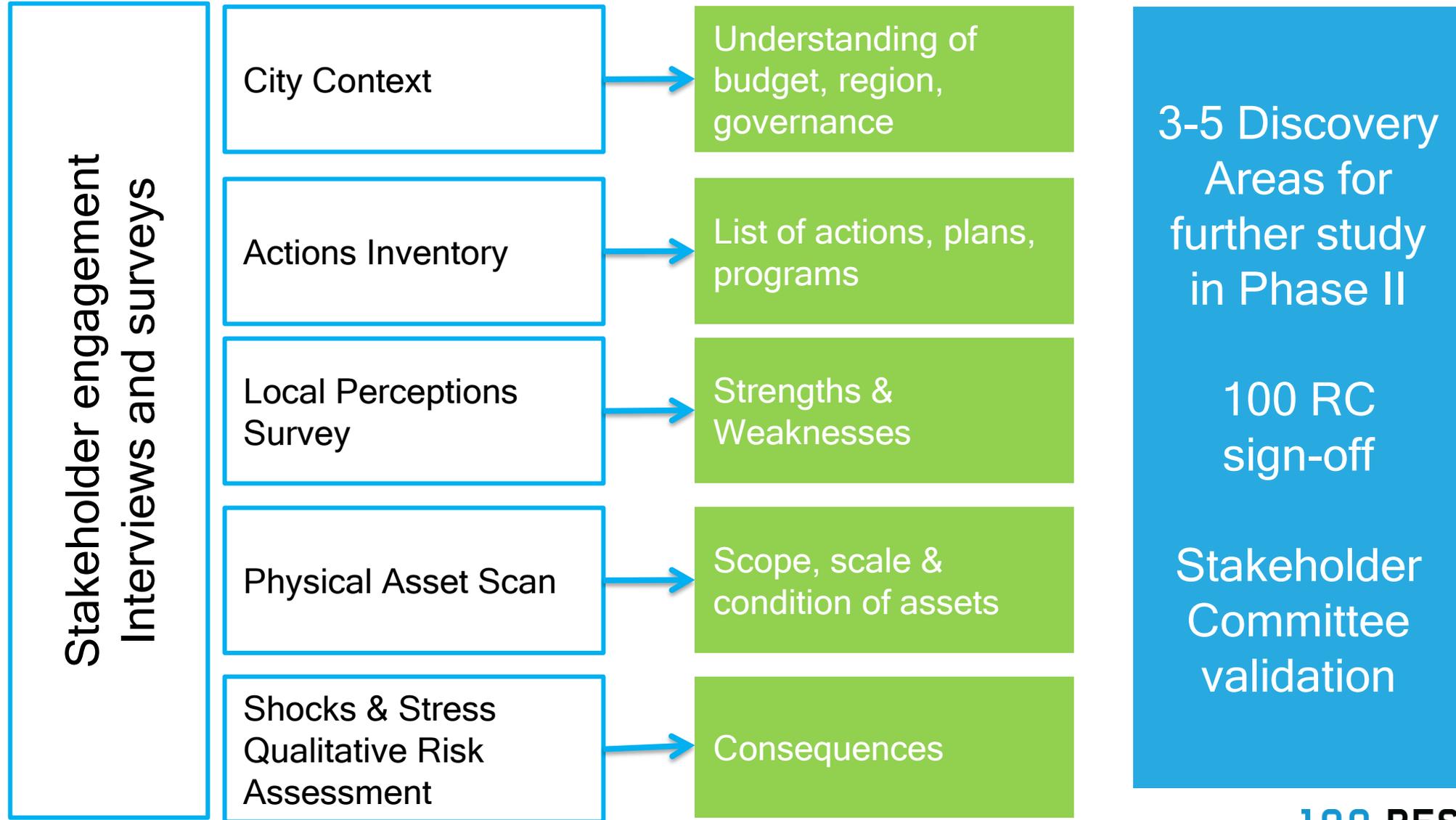
A large steel truss bridge is under construction over a wide river. Several cranes are visible in the background, some positioned on the bridge structure and others on the ground. The sky is overcast, and the water in the river is a murky brown color. The bridge's structure is made of dark steel beams forming a complex truss pattern. The river flows from the background towards the foreground, with some green trees and bushes along the banks.

The capacity of individuals, communities, institutions, businesses, and systems within a city to survive, adapt, and grow no matter what kind of chronic stresses and acute shocks they experience.

# City Resilience Framework



# Phase I – Preliminary Resilience Assessment



# Phase I – work completed to date

- Stakeholder committee meetings
- Stakeholder interviews
- Dallas Resilience website
- City Context
- Actions Inventory
- Perceptions Survey (open)
- Physical Asset Scan
- Qualitative Shocks and Stresses Assessment
- Scenario Planning

# Top Shocks for Dallas



Civil unrest



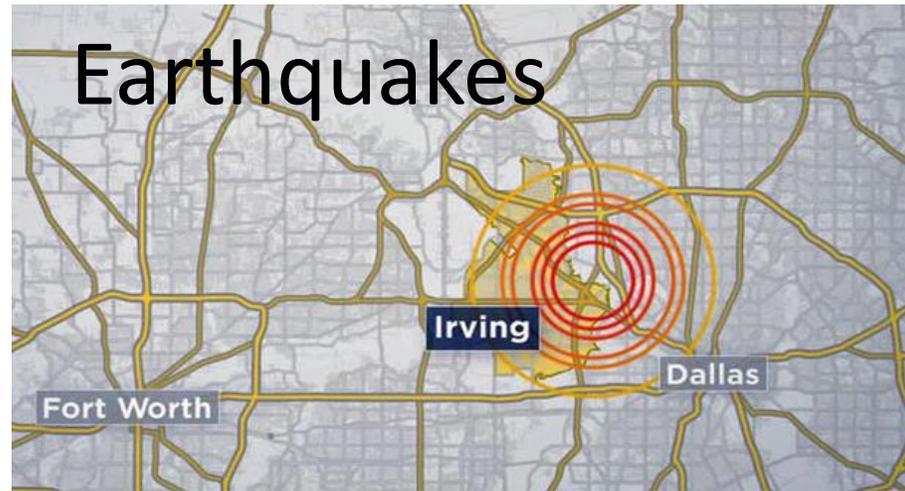
Flooding



Disease  
Outbreak

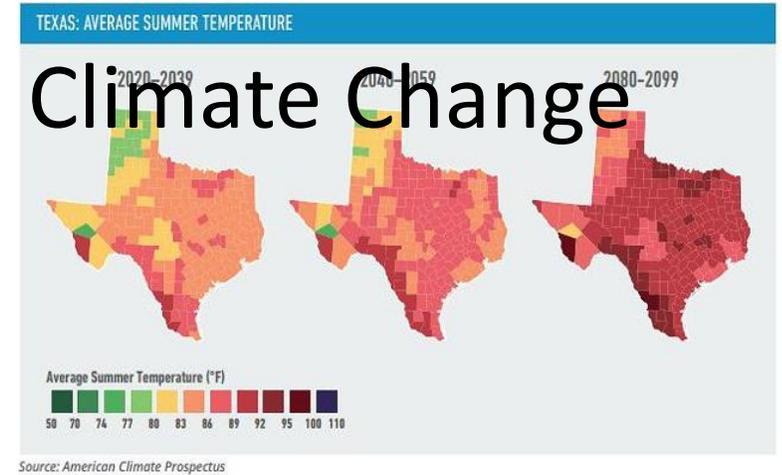


Tornados



Earthquakes

# Top Stresses for Dallas

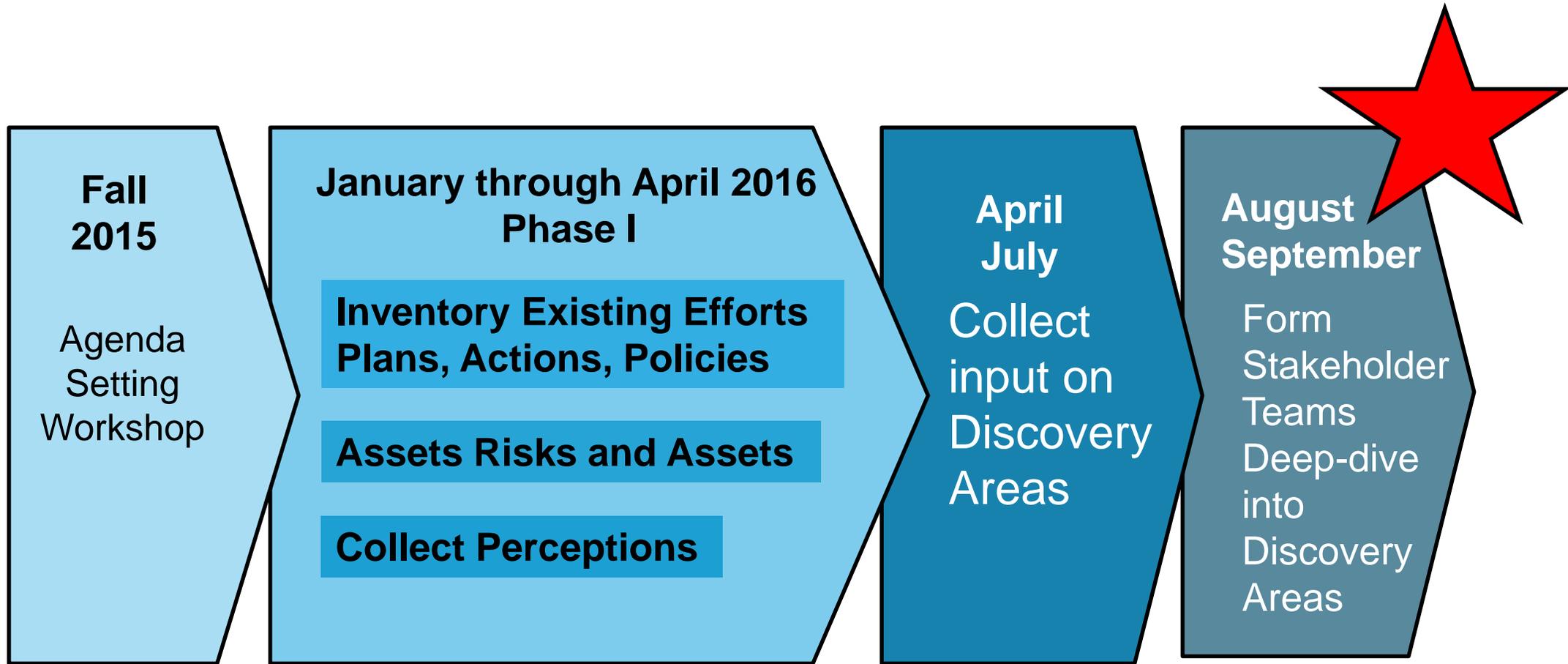


100 RESILIENT CITIES

# Considerations during Phase I

- What are the important linkages between shocks and stresses?
- What strengths and successful actions should we build on?
- Does the public's perception of the city's preparedness and performance match the plans and actions currently underway?
- What aspects of resilience is the city not yet addressing?

# Process timeline



# Building an Equitable 21st Century Dallas

- Recognize the current equity issues in our community and the diversity our population
- Build upon a foundation of strength – maximize the resources, assets and energy available to us
- Leverage the myriad partners and stakeholders already doing good work

# Building an Equitable 21st Century Dallas

- Understand the interrelationships of shocks and the long-term stresses that increase Dallas' vulnerability
- Understand the cascading impacts of shocks and stresses on vulnerable populations
- Explore the role of technology in bringing new solutions to old problems

# Discovery Areas

- Harnessing the power of the robust North Central Texas economy to be more inclusive and create economic resilience for Dallas residents
- Exploring opportunities to improve Public Health outcomes and decrease health disparity
- Understanding the impacts of climate change on the natural and built environment and assessing the infrastructure in Dallas neighborhoods
- Preparing for a 21<sup>st</sup> century Urban Mobility and leveraging the region's transportation investment to expand mobility options, build mobility infrastructure, and improve transportation equity

# Robust North Texas Economy

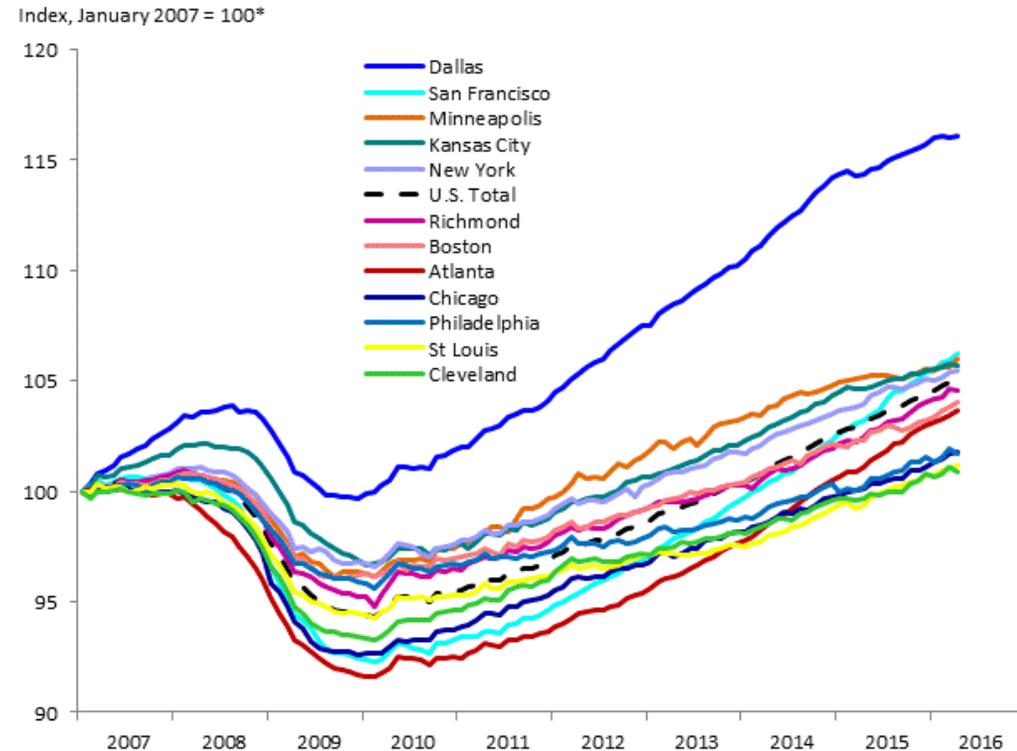
## DFW Economic Overview

- 4th largest population in U.S.
- 6th largest economy by output
- 5th largest by personal income
- 5<sup>th</sup> largest employment market
- Unemployment rate of 3.7%

The screenshot shows a web browser displaying an article on 'The National Interest' website. The article title is 'Texas: America's Economic Miracle?'. The main image is a green 'Welcome to Texas' sign with the state flag and the text 'Drive Friendly-The Texas Way' and 'Proud Home Of President George W. Bush'. Below the sign, there is a quote: 'The shale revolution—and the services necessary—is primarily responsible for the boom in Texas. So—does Texas really deserve all the praise it receives for its economy?'. The website header includes 'THE NATIONAL INTEREST' logo, navigation links for 'MAGAZINE', 'BLOGS', 'TOPICS', and 'REGIONS', and a search bar. There are also social media icons and a 'DISCOVER' logo.

# Strength of the Job Market

Payroll Employment by Federal Reserve District



\*Monthly, seasonally adjusted.

Last data entry April 2016.

SOURCES: Bureau of Labor Statistics; Federal Reserve Bank of Dallas.

**National payroll employment by Federal Reserve District  
2009 - 2016**

- Economic downturn began in 2008
- Turnaround began in 2009
- Job recovery in the 11<sup>th</sup> District outpaced all other areas of the country
- Texas and the Dallas Metro area continue to experience strong growth

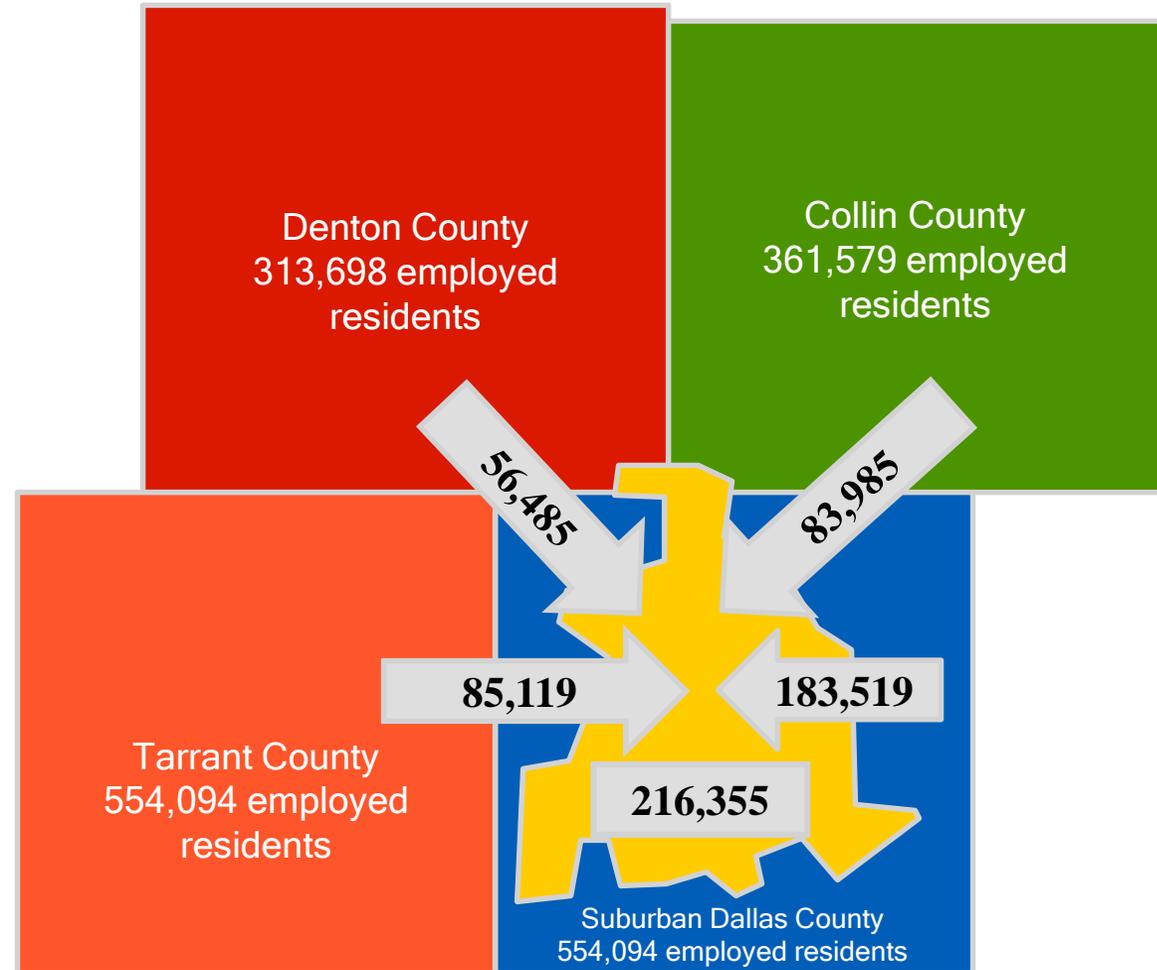
\* Dallas Federal Reserve Bank, District 11, includes all of Texas and some portions of Louisiana and New Mexico

# Dallas is the vibrant, urban core



# Dallas must import talent to fill top jobs

- Dallas has well over 1 million jobs
- 625,000+ workers commute into Dallas every day to work
- 263,000 workers leave Dallas everyday to fill low-skill jobs



# Economic Opportunity Gap

Despite the robust economy, the poverty rate in Dallas **increased by 42%** from 2000 - 2014

Strong economy has left many residents behind

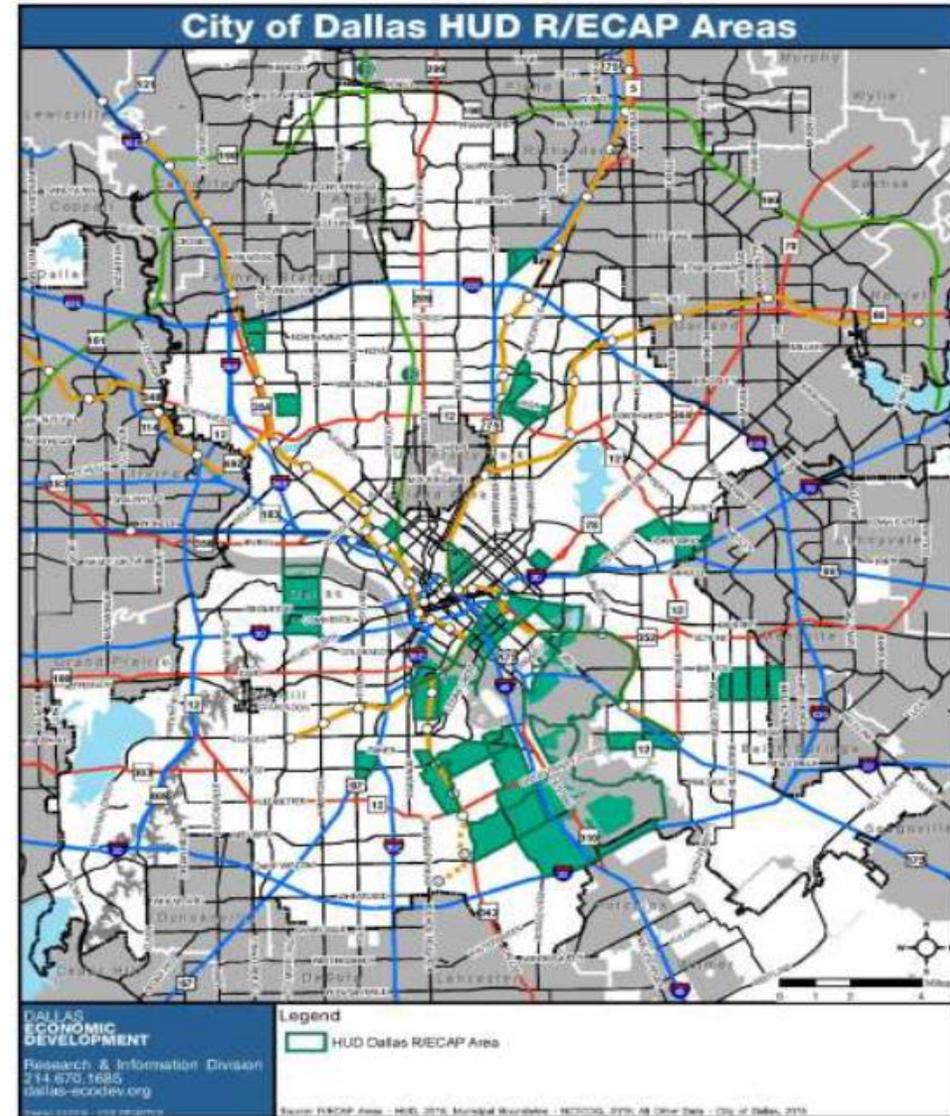
- 39% of households in Dallas live in asset poverty
- 45% of households with children live in asset poverty

Unemployed and underemployed people often lack the skills/training necessary to prosper in this strong economy

# HUD R/ECAP

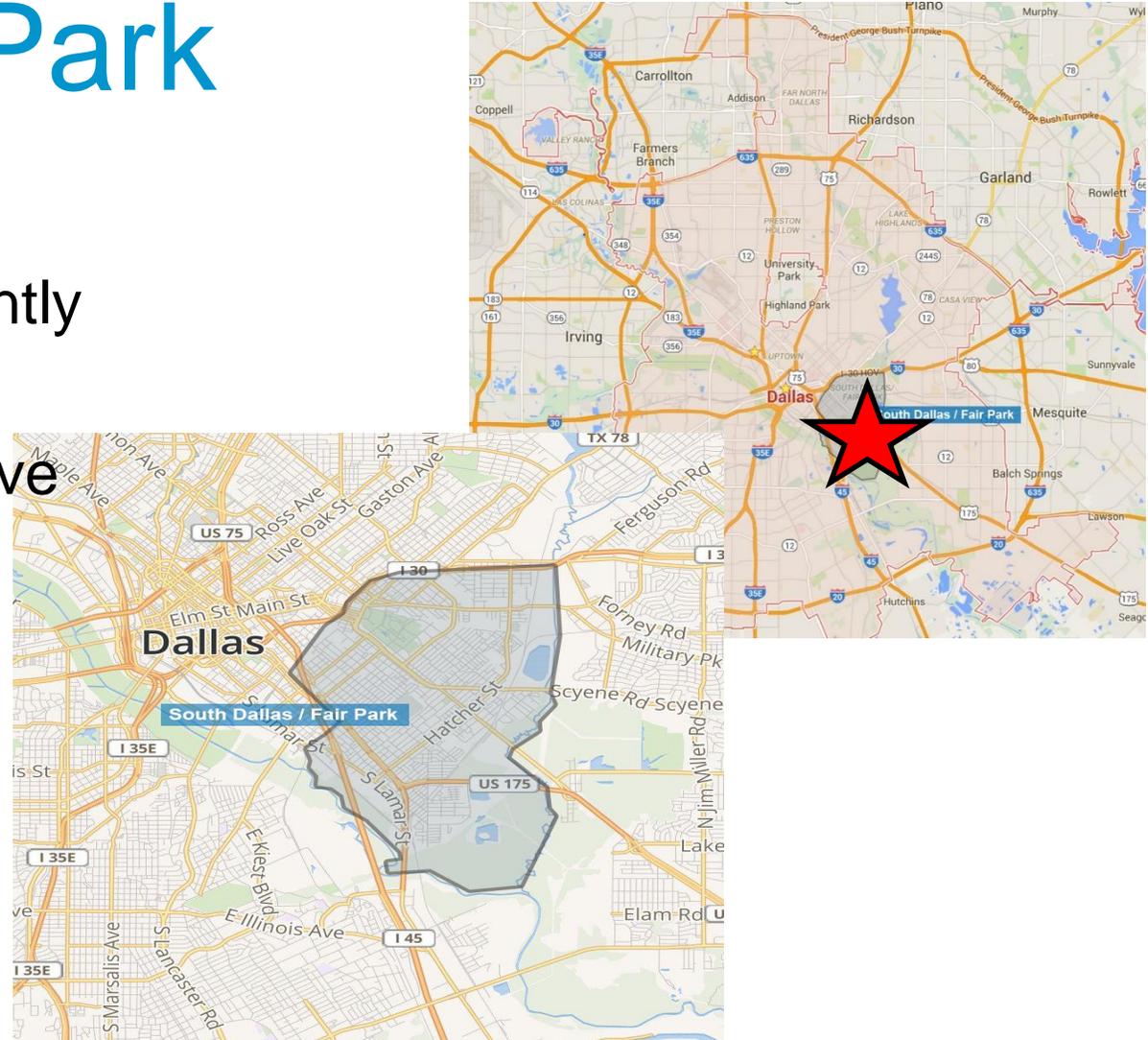
- 122,330 people, 55% are families
- Unemployment rate is 13%
- Adults not in the workforce can exceed 30% in some census tracts
- Per capita income is \$12,291

Challenges of education attainment, skills gap, language barriers, limited transportation options, and childcare costs have left many Dallas residents behind



# South Dallas/Fair Park

- Unemployment rate of 18.5%
- Over 60% of adults are not currently employed
- Less than 8% of the residents have a bachelor's degree or higher
- Per capita income is \$12,263
- 35% of families with children live below the poverty level
- Population decline of 24% from 2000 - 2014



# Discovery Area – Inclusive Economy

Understand how the robust North Central Texas economy can be more inclusive and provide market-driven opportunities to residents who have been left behind during this remarkable period of prosperity.

# Proposed Diagnostic Questions

- What are proven, best practices for Dallas to consider for building an inclusive economy?
- What are the barriers and impediments that prevent some Dallas residents from finding living wage employment opportunities?
- How can we improve or adjust our existing practices, policies and funding priorities to expand economic opportunity and build economic resilience for Dallas residents?
- What programs, partnerships and collaborations can we build on to ensure all residents who want to obtain living wage employment have the skills and training opportunities necessary?

# Health care in Dallas



# Improving Public Health

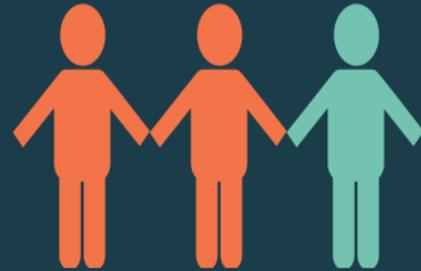
## 3 essential factors for improving public health

- Health literacy - knowing when to go to a doctor and how to care for yourself or your family
- Access to healthcare through insurance coverage
- Having a medical home - doctors and clinics available in your neighborhood or in a location accessible by transit

# Disparity in Health Care

Report: Texas has the highest number of uninsured Hispanic kids in the country

About two out of three of uninsured Hispanic children are eligible for Medicaid or CHIP but not enrolled.



Learn more: <http://bit.ly/1ZvbIUz>

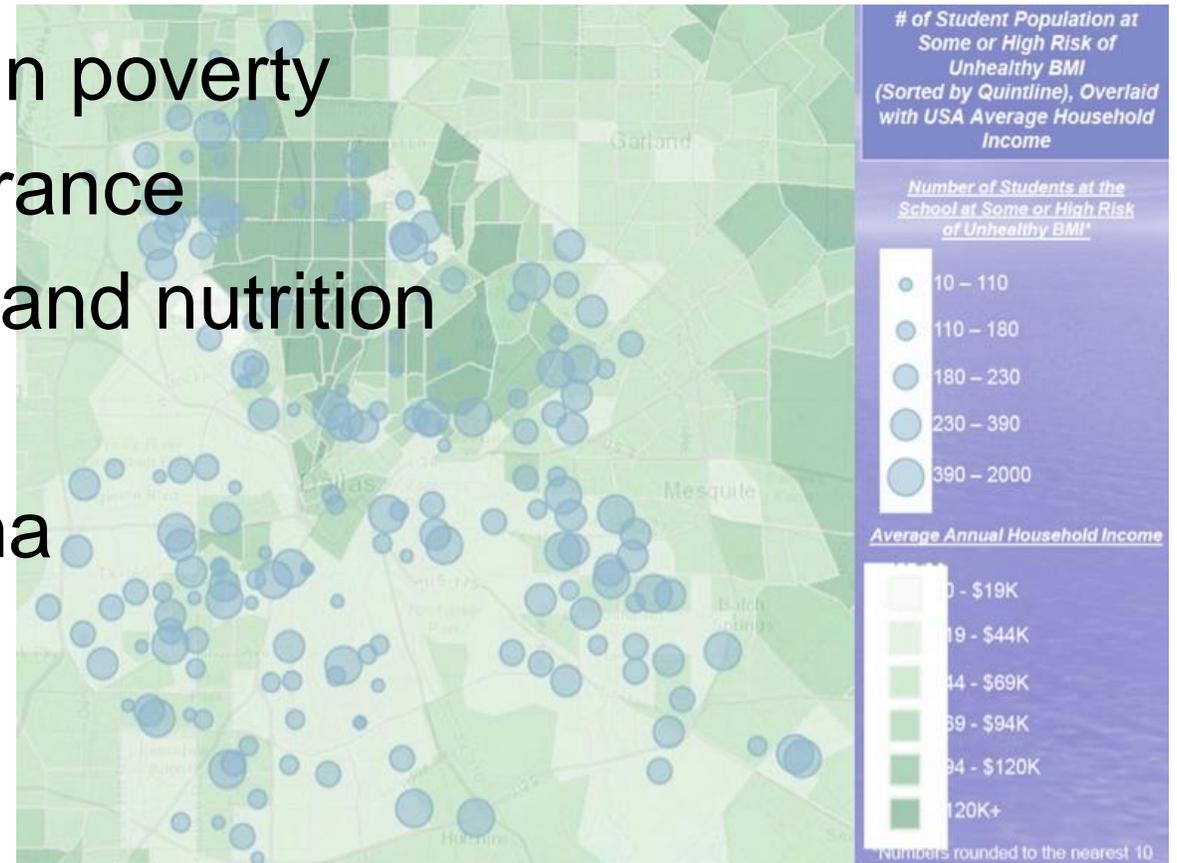
## Community Need Index

Aggregates a number of socioeconomic risk factors

- **Poverty**
- **Educational attainment**
- **Racial/ethnic minorities**
- **Limited English proficiency**
- **Unemployment**
- **Lack of health insurance**

# Growing up poor in Dallas

- 38% of Dallas children live in poverty
- 20% don't have health insurance
- 28% have inadequate food and nutrition
- 160,000 children are obese
- 60,000 children have asthma



# Dallas Fire and Rescue

- \$250M annual operating budget
- 83% of calls for service are not fires



# Dallas Fire and Rescue

First line of defense in health care

- 1,200 highly-trained paramedics
- 43 ambulances
- 202,000 runs a year
- 69,000 runs to Emergency Rooms
- Average cost is \$1575

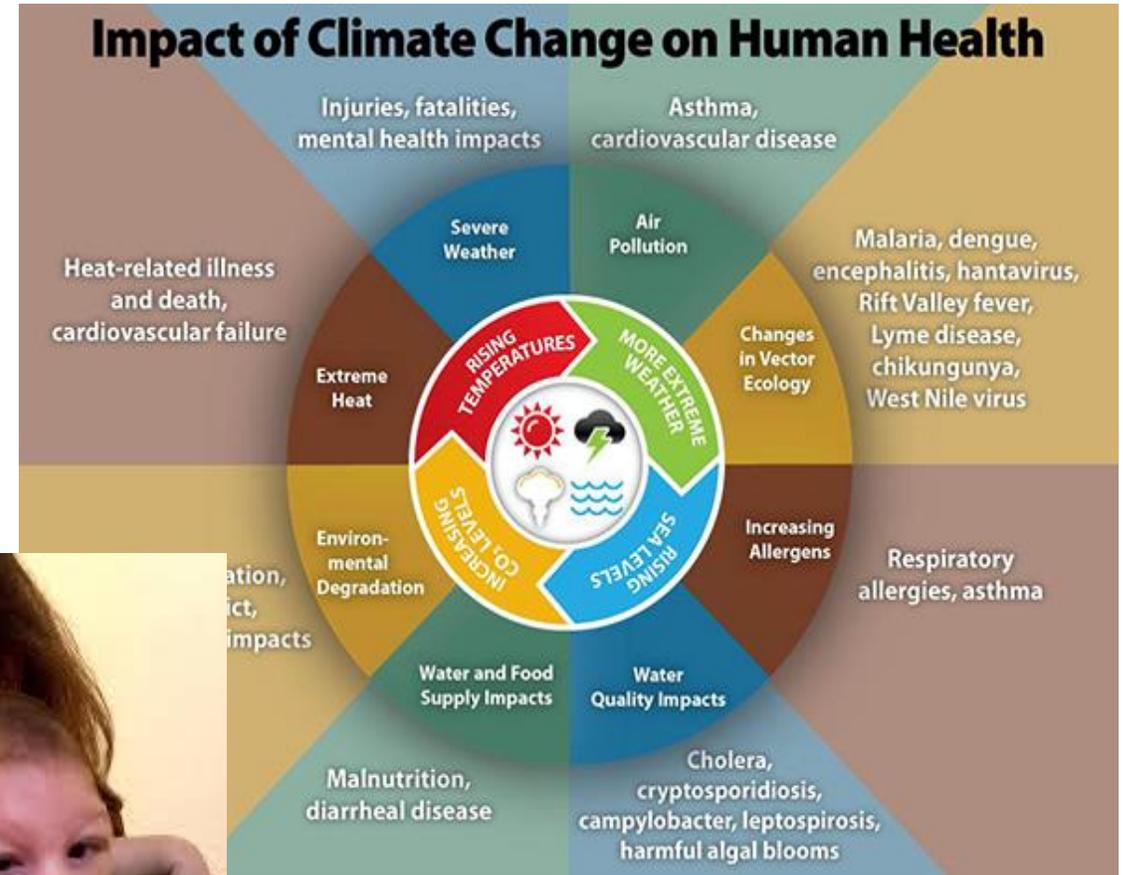


# Health Deserts

60% of Emergency Room visits could be more appropriately handled by a primary care physician



# Is Dallas vulnerable to a disease outbreak?



# Discovery Area – Public Health

How can Dallas make a meaningful contribution to improving public health outcomes for Dallas residents?

What are the opportunities for partnerships and collaborations to improve public health outcomes for Dallas residents?

# Proposed Diagnostic Questions

- How can our resources and assets be used to improve health care literacy in neighborhoods with inadequate health care services?
- How can emerging best practices, such as those in tele-medicine and virtual care, be utilized in areas with inadequate health care services?

# The 21<sup>st</sup> Century Infrastructure





# The Edge in Amsterdam



100 RESILIENT CITIES

# Sensors in bridges and infrastructure

Is this the 'safest bridge in America?' - CNN.com - Google Chrome

www.cnn.com/2010/TECH/innovation/07/30/minneapolis.bridge.sensors/

CNN Tech » Gadgets | Cyber Security | Innovation Nation

Part of complete coverage on **BUILDING UP AMERICA**

## Is this the 'safest bridge in America?'

By Thom Patterson, CNN  
October 15, 2010 7:23 p.m. EDT | Filed under: **Innovation**



The new I-35W bridge opened in 2008, just eleven months after the original bridge fell into the Mississippi River. The new bridge is expected to last at least 100 years.

**New I-35W bridge: Minneapolis, Minnesota** HIDE CAPTION

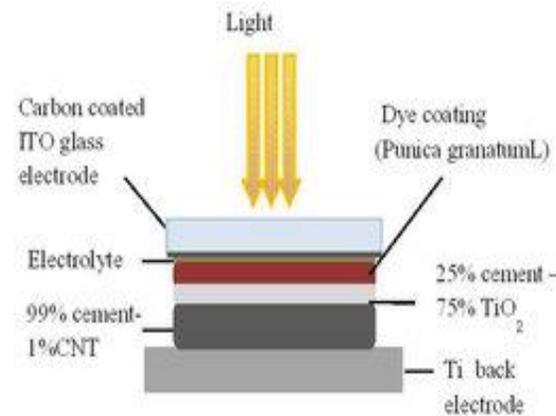
1 2 3 4 5 6 7 8 9 10 11 12 13 >



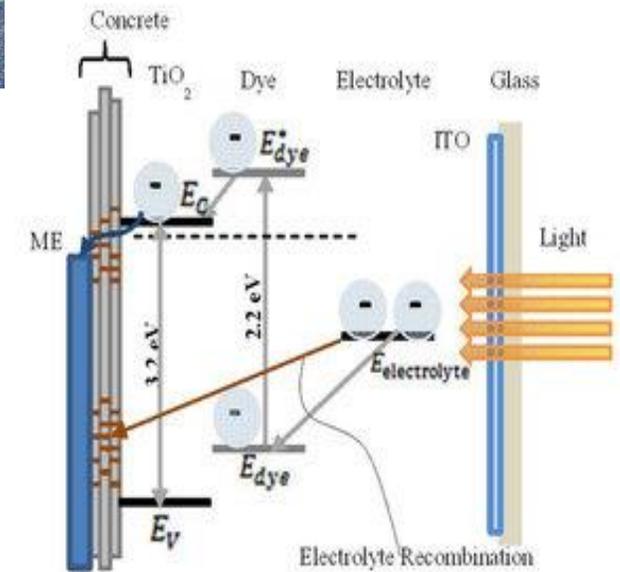
# Solar Energy



Solar Panels



German researchers studying photovoltaic concrete



# Proposed Diagnostic Questions

- What is the 21<sup>st</sup> century standard for basic infrastructure in Dallas neighborhoods?
- What are the long-term financial commitments, funding mechanisms, and policies necessary to build and maintain a 21<sup>st</sup> century Neighborhood Standard?
- How can city and other governmental resources be prioritized and strategically deployed to serve as a catalyst for private investment and development?

# Proposed Diagnostic Questions

- How does climate change affect our most significant natural resources and other critical infrastructure, such as the Great Trinity Forest, flood control systems and water resource supply?
- What are the latest studies, best practices, and emerging technologies that Dallas can examine to understand how our natural and built environment must adapt to the changing climate?



# Progress towards Urban Mobility



# Mobility options are expanding



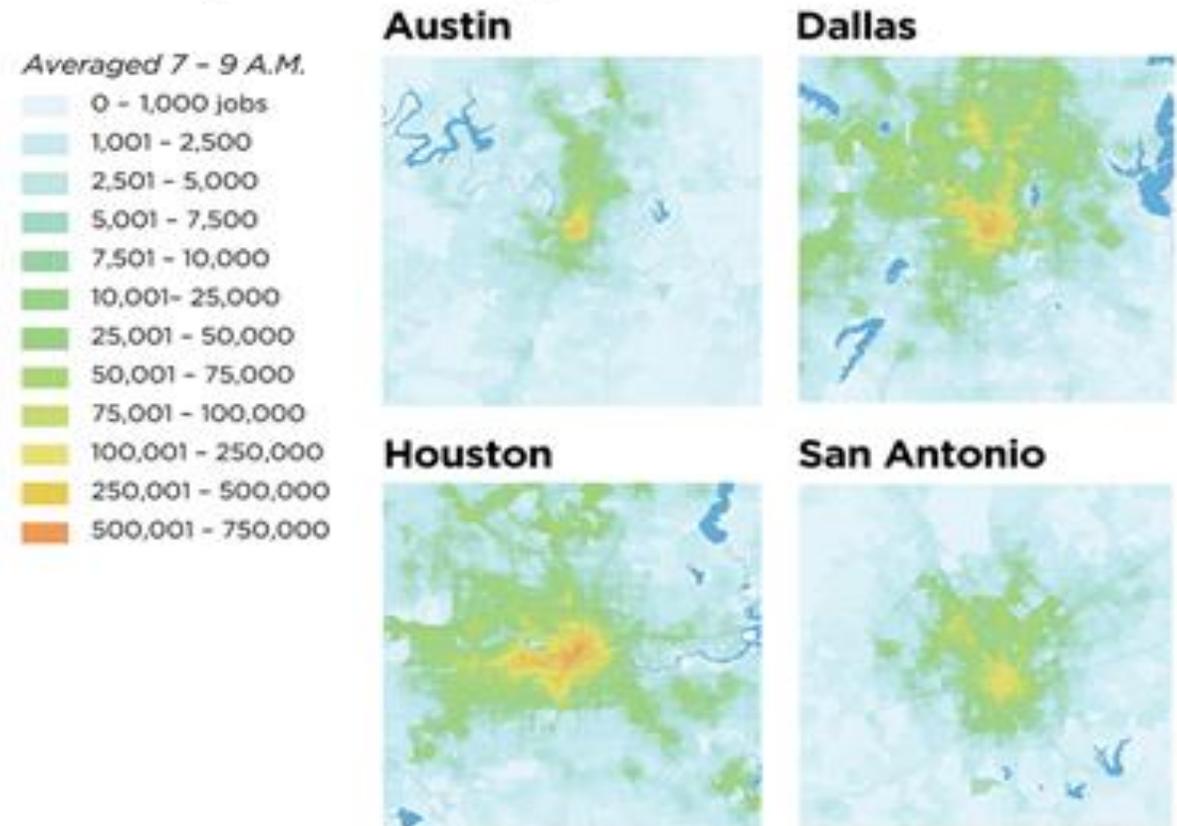
**The Region has  
invested over \$10 B  
in DART since 1984**

# Mobility, Jobs and Housing

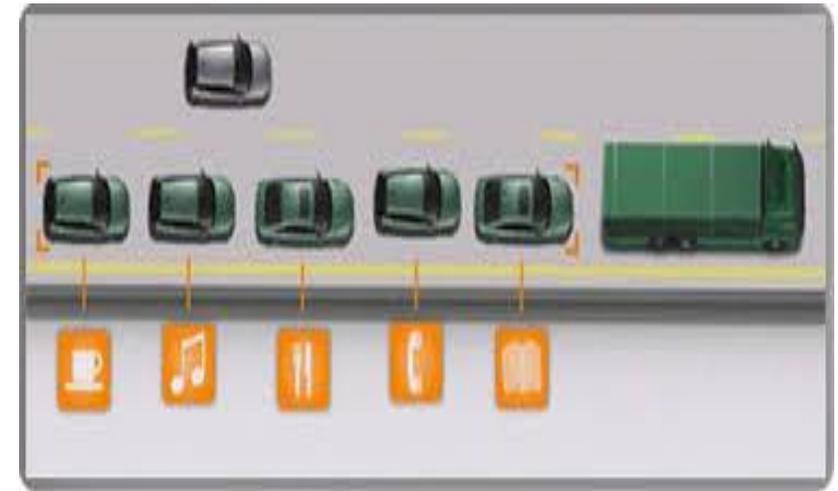
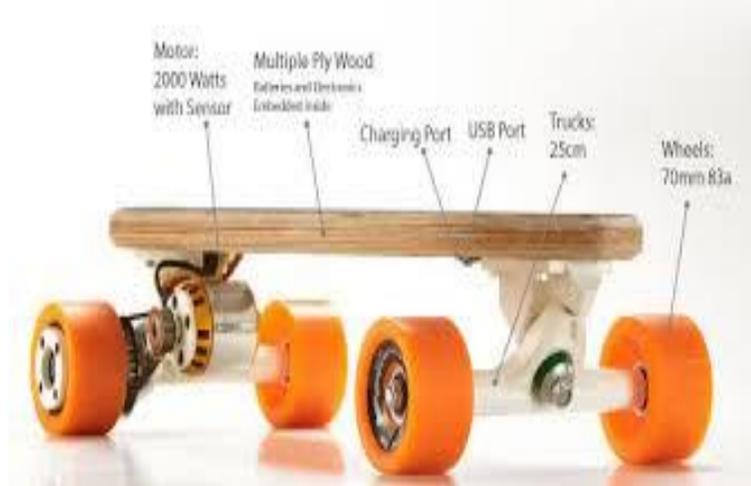
- The Metroplex ranks 5<sup>th</sup> nationally in jobs
- Less than 20% of jobs are accessible by transit in less than 90 minutes
- More than 70% of HUD assisted properties are considered **unaffordable** when housing costs and transportation costs are combined

## Jobs within 30 minutes by transit

Most of Dallas' jobs accessible by transit within 30 minutes are in downtown and surrounding areas, though some suburbs have job centers near public transportation routes. But while the Dallas-Fort Worth region as a whole ranks fifth nationally in terms of the number of jobs, it ranks 21st in how many of them can be reached by transit in under one hour.



# Defining a 21<sup>st</sup> Century Urban Mobility



100 RESILIENT CITIES

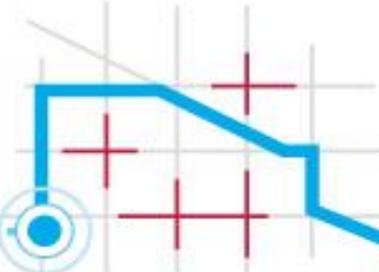
# Role of Technology in Mobility

## THE INTERNET OF CARS



1

You call your (autonomous driving) car to pick you up



2

You enter your destination and are dynamically routed to work based on traffic flows through the system

4

You are connected to everything you need while you travel in a car personalized for you



3

Your car travels down an automated roadway with platooned vehicles



5

You are dropped off at the doorstep and the car parks itself

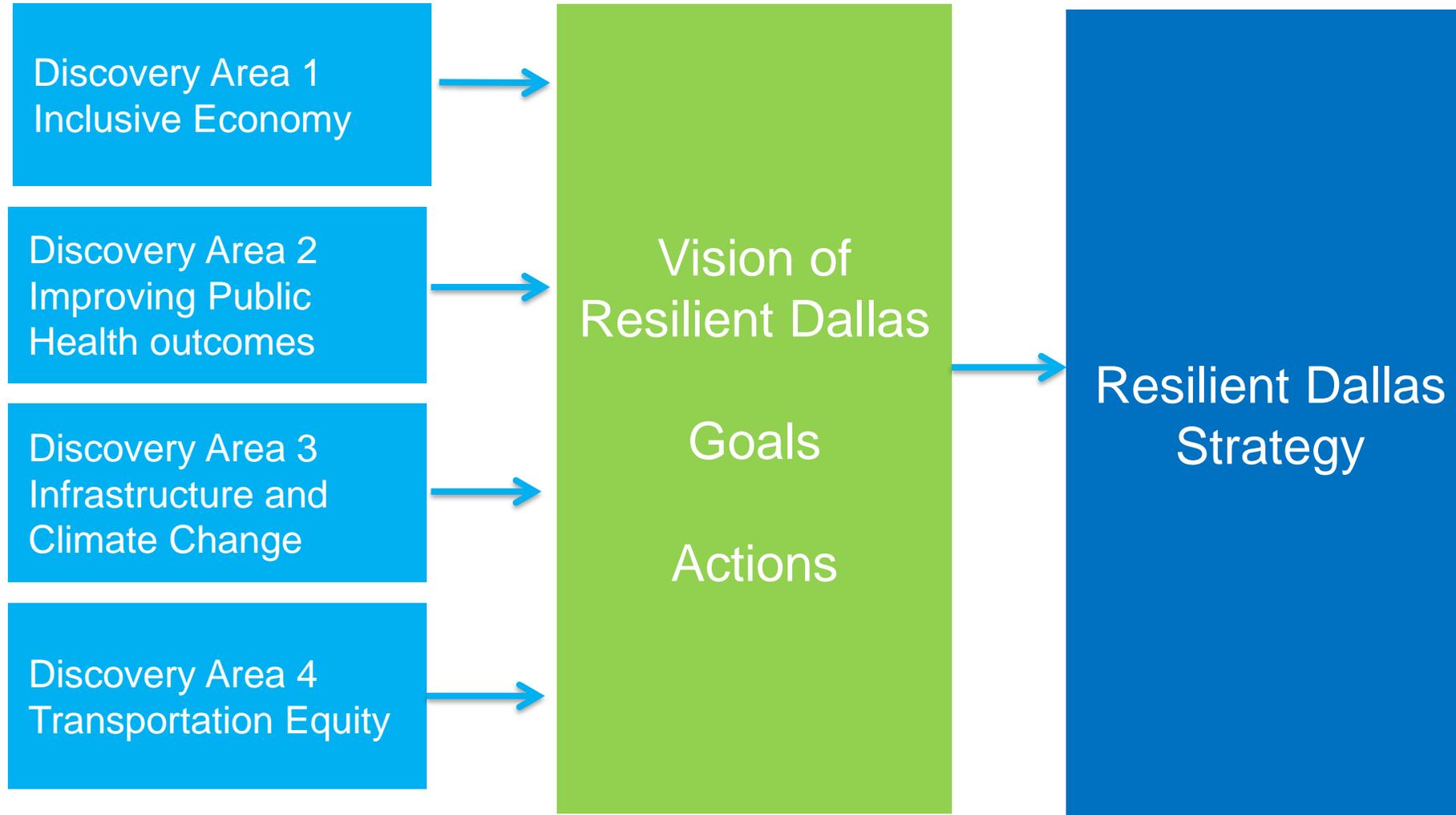


# Discovery Area – Urban Mobility

What is the 21<sup>st</sup> century Urban Mobility for Dallas and the Metroplex?

How can we leverage the regional transportation investments to build mobility infrastructure, expand mobility options, improve transportation equity?

# What happens during Phase II?



# Phase II - Leadership and Workgroups

- **Building an Inclusive Economy**  
Office of Economic Development and Housing Department
- **Improving Public Health outcomes**  
Office of Emergency Management and Dallas Fire and Rescue
- **Infrastructure and Climate Change**  
Public Works and Office of Environmental Quality
- **Transportation Equity**  
Transportation Planning and DART

# Discovery Areas

## Possible methodologies and approaches



- **A facilitated focus group.** Understand the public perception and current status of a particular stress or shock
- **Expert consultation.** Seek external research and analysis
- **Data gathering or interpretation.** Synthesis and analysis of existing data and facts
- **Scenario or situational analysis.** Test a hypothesis to identify and refine choices
- **Comparative analysis.** Study best practices from regional or global examples
- **A time-bound study.** Longitudinal study of a risk or a hazard assessment

# Next Steps

- Work with 100 Resilient Cities to refine Discovery Areas and Scope of Work
- Identify research methodologies, technical assistance, and partners for each Discovery Area
- Convene Stakeholder Group for each Discovery Area
- Goal is to complete study and develop recommendations by the end of the year

# Get involved!

- If residents or organizations would like to contribute their time, resources or expertise to a Discovery Area, please let us know
- Help us identify other people or organizations that should be involved
- Please complete the survey

**PIONEERED BY THE  
ROCKEFELLER FOUNDATION**

**100**



**CITIES**

[www.100resilientcities.org](http://www.100resilientcities.org)

**100 RESILIENT CITIES**

# Appendix

## Discovery Areas and Strategies for other 100 Resilient Cities

City	Discovery Areas
Berkeley	Build a Connected and Prepared Community
	Accelerate Access to Reliable and Clean Energy
	Adapt to the Changing Climate
	Advance Racial Equity
	Excel at Working Together within City Government to Better Serve the Community
	Build Regional Resilience
Norfolk	Design the Coastal Community of the Future
	Create Economic Opportunity by Advancing Efforts to Grow Existing Industries and New
	Advance Initiatives to Connect Communities, Deconcentrate Poverty, and Strengthen

# Appendix

## Discovery Areas and Strategies for other 100 Resilient Cities

City	Discovery Areas
New York	Our Growing, Thriving City
	Our Just and Equitable City
	Our Sustainable City
	Our Resilient City
Porto Alegre	Dynamic and Innovative Ecosystems
	A Culture of Peace
	Risk Pervention
	Quality of Mobility
	Land Legality
	Participatory Budgeting and Resilient Management

# Appendix

## Discovery Areas and Strategies for other 100 Resilient Cities

City	Discovery Areas
New Orleans	Adapt to Thrive: We are a city that embraces our changing environment.
	Connect to Opportunity: We are an equitable city.
	Transform City Systems: We are a dynamic and prepared city.
Vejles	A Co-creating City
	A Climate Resilient City
	A Socially Resilient City
	A Smart City

# Memorandum



CITY OF DALLAS

DATE August 5, 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 **Late Hours Overlay**

On August 8, 2016 you will be briefed on the option of creating a new zoning overlay regulating late hour establishments. The purpose of this briefing is to receive direction from the committee on whether to initiate a code amendment to establish a late hours overlay. A copy of the briefing material is attached for your review.

A handwritten signature in blue ink, appearing to read 'Ry - S. E.' with a stylized flourish at the end.

Ryan S. Evans  
First Assistant City Manager

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Chris Bowers, Interim City Attorney  
Rosa Rios, City Secretary  
Craig D. Kinton, City Auditor  
Daniel 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  
David Cossum, Director Sustainable Development and Construction  
Sana Syed, Public Information Office

# Late Hours Overlay

Quality of Life & Environment Committee  
August 8, 2016



# Purpose

- To provide an overview on late hours establishment provisions in Planned Development 842 (Lower Greenville)
- Receive direction from the committee on whether to initiate a code amendment to create a zoning overlay for late hour establishments that could be adopted on other areas.

# Background

- Different areas of the city have experienced undesirable impacts from establishments that operate late at night and into the early morning hours.
- Many of these establishments are in close proximity, if not adjacent to, residential neighborhoods.
- The concentration and proximity of these establishments may become a nuisance to nearby residential neighborhoods.

# Late Hour Establishments

- Currently the Dallas Development Code does not have regulations for Late Hour Establishments
- PD No. 842 was created January 26, 2011 to regulate Late Hour Establishments on Lower Greenville by:
  - Requiring a Specific Use Permit
  - Establishing additional criteria for consideration of an SUP:
    - the number of citations issued by police to patrons of the establishment;
    - the number of citations issued by police for noise ordinance violations by the establishment;
    - the number of arrests for public intoxication or disorderly conduct associated with the establishment;
    - the number of Texas Alcoholic Beverage Code violations of the establishment; and
    - the number of violent crimes associated with the establishment, with emphasis on violent crimes originating inside the establishment.

# Late Hour Establishments

Per PD No. 842

- A retail and personal service use that operates between 12 a.m. (midnight) and 6 a.m.
- Examples of uses that may be open for business between 12 a.m. and 6 a.m.
  - Alcohol Beverage Establishments
  - Bars
  - Fitness Centers
  - Restaurants
  - General Merchandise or food store
  - Commercial Amusement

# Late Hours Establishment Impacts

- Noise
- Crime
- Trash
- Traffic
- Parking
- Property Damage
- Compatibility of uses with residential neighborhood

# Additional Considerations for Overlay

- Identify appropriate uses and use categories in Chapter 51 similar to retail and personal service uses in 51A
  - Chapter 51 and 51A have different use categories and uses
  - Many Planned Development districts reference Chapter 51 or list Chapter 51 uses
  - For an overlay to be placed on an area subject to Chapter 51 uses and be effective, uses subject to late hours provisions must be identified
- Use status should follow standard non-conforming use provisions

# Option

- Create a Late Hours Overlay that can be adopted for a defined area which may:
  - Require an SUP to operate after midnight
  - Add similar provisions for SUP consideration as required in PD no. 842

## Next Steps

- Receive direction from the committee on whether to initiate a code amendment to establish a late hours overlay option.

# Other City Regulations

## **Fort Worth, Texas**

- Some Planned Development Districts restrict hours of operation of certain uses.

## **San Antonio, Texas**

- Massage businesses (8:00a.m. – 10:00p.m.), and billiard halls(7:00a.m. – 2:00a.m.).

## **Austin, Texas**

- In one specific district, the Neighborhood Commercial District, hours of operation are limited to no later than 11:00 p.m. for a restaurant

# Other City Regulations

## – San Jose, California

- Late night establishments in commercial districts require conditional use permit.
- 20.40.500 - Late night use and activity.
  - No establishment other than office uses, in any commercial district shall be open between the hours of 12:00 midnight and 6:00 a.m. except pursuant to and in compliance with a conditional use permit as provided in Chapter 20.100.
  - No outdoor activity, including loading, sweeping, landscaping or maintenance shall occur within one-hundred fifty feet of any residentially zoned property between the hours of 12:00 midnight and 6:00 a.m. except pursuant to and in compliance with a conditional use permit as provided in Chapter 20.100.

# Memorandum



CITY OF DALLAS

DATE August 5, 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 **Standards for Non-required Fences**

This item was previously briefed to the Quality of Life and Environment Committee on August 10, 2015 and October 12, 2015, at which time the committee directed staff to take the item to the Zoning Ordinance Committee (ZOC). ZOC considered this item at two meetings and on April 21, 2016 voted to send staff's recommendation to the City Plan Commission. The City Plan Commission heard this item on May 19, 2016 and recommended approval. An overview of the proposal and the draft ordinance is attached for your review.

## General Information

A non-required fence is a fence that is installed as an option, and is not required by the Dallas Development Code (Code). The City does not regulate materials for fences that are not required by the Code (Chapter 51A) however, Dallas City Code (Chapter 27) establishes minimum maintenance standards for all fences. When a fence is required by the Code, it is specified in the use provisions of the Code and the materials are specified.

## Fences in Residential Districts

In residential districts, a fence permit is only required for fences exceeding four feet in height when they are located in a required front yard and when six feet in height or greater on the remainder of the lot. Building permits are only required for fences when they exceed nine feet in height (at that height fences are considered structures).

## City Plan Commission Recommendation

Amend Dallas Development Code, Section 51A-4.602 Fence, Screening and Visual Obstruction Regulations by adding language under Subsection (a) "Fence standards" to:

- prohibit sheet metal, corrugated metal, fiberglass panels, plywood, and plastic materials (not commercially preformed into fence panels and that are less than 7/8-inch in thickness) from use in fence panels;

- specify that in single family districts (as in multifamily districts), no fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line. This provision would not apply to retaining walls.
- prohibit barbed wire and razor ribbon (concertina wire) in residential districts other than in the A(A) Agricultural District (in nonresidential districts must be six feet or more above grade);

The proposed amendments prohibit barbed wire from being used in residential districts other than A(A) Agricultural districts. This would, inadvertently, not allow it to be used by utility and public service uses that are located in residential districts. Therefore, staff proposes revised language that would prohibit barbed wire and razor ribbon (concertina wire) in residential districts other than in the A(A) Agricultural District, but allow it to be used for utility and public service uses (if the barbed wire and razor ribbon (concertina wire) is located six or more feet above grade).

These amendments are intended to prohibit materials that are not traditionally meant to be used for fences from being used. By adding the proposed language under Subsection (a) "Fence standards" it allows property owners who desire to use a prohibited material for "specialty" decorative fencing, to go to the Board of Adjustment for a special exception.

No changes are proposed to the regulations governing materials for screening required by the Dallas Development Code. The proposed code amendment is currently scheduled for a public hearing and consideration by City Council on September 14, 2016.



Ryan S. Evans  
First Assistant City Manager

- c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Chris Bowers, Interim City Attorney  
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ORDINANCE NO. \_\_\_\_\_

An ordinance amending Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51-4.602; providing certain materials are prohibited; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city plan commission and the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Subsection (a), “Fence Standards,” of Section 51A-4.602, “Fence, Screening and Visual Obstruction Regulations,” of Division 51A-4600, “Regulations of Special Applicability” of Article IV, “Zoning Regulations,” of Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code is amended to read as follows:

“(a) Fence standards. Unless otherwise specifically provided for in this chapter, fences must be constructed and maintained in accordance with the following regulations.

(1) A person shall not erect or maintain a fence in a required yard more than nine feet above grade. In all residential districts except multifamily districts, a fence may not exceed four feet above grade when located in the required front yard, except when the required front yard is governed by the side or rear yard regulations pursuant to Section 51A-4.401.

(2) In single family districts, no fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line.

(3) In multifamily districts, a fence located in the required front yard may be built to a maximum height of six feet above grade if all conditions in the following subparagraphs are met:

(A) No lot in the blockface may be zoned as a single family or duplex district.

(B) No gates for vehicular traffic may be located less than 20 feet from the back of the street curb.

(C) No fence panel having less than 50 percent open surface area may be located less than five feet from the front lot line. For purposes of this subsection, fence panels are the portions of the fence located between the posts or columns.

(4[3]) If a fence panel setback is required under Paragraph (2)(C), the entire setback area, except for driveways and sidewalks, must be located within 100 feet of a verifiable water supply and landscaped with living evergreen shrubs or vines recommended for local use by the park and recreation director. Initial plantings must be calculated to cover a minimum of 30 percent of the fence panel(s) within three years after planting. Shrubs or vines must be planted 24 inches on center over the entire length of the setback area unless a landscape architect recommends otherwise.

(5[4]) Unless all of the conditions in Paragraphs (2) and (3) are met, a fence in a multifamily district may not exceed four feet above grade when located in the required front yard, except when the required front yard is governed by the side or rear yard regulations pursuant to Section 51A-4.401.

(6[5]) Fence heights shall be measured from:

(A) In single family and duplex districts:

(i) the top of the fence to the level of the ground on the inside and outside of any fence within the required front yard. The fence height shall be the greater of these two measurements. If the fence is constructed on fill material that alters grade, as determined by the building official, the height of the artificially altered grade shall be included in the height of the fence. For purposes of this provision, artificially altered grade means the placement of fill material on property that exceeds a slope of one foot of height for three feet of distance; and

(ii) the top of the fence to the level of the ground on the inside of the fence in the required side or rear yard.

(B) In all other zoning districts, fence heights shall be measured from the top of the fence to the level of the ground on the inside of the fence.

~~[(6) The board may grant a special exception to the fence standards in this subsection when, in the opinion of the board, the special exception will not adversely affect neighboring property.]~~

(7) A fence may not be located within an easement without the prior written approval by the agencies having interest in the easement.

(8) Except as provided in this subsection, the following fence materials are prohibited: ~~[A person shall not use barbed wire for fencing unless:]~~

(A) Razor ribbon (concertina wire);

(B) Sheet metal;

(C) Corrugated metal;

(D) Fiberglass panels;

(E) Plywood;

(F) Plastic materials other than preformed fence pickets and fence panels with a minimum thickness of seven-eighths of an inch;

(G) Barbed wire in residential districts other than a A(A) Agricultural District; and

(H) Barbed wire in nonresidential districts unless the barbed wire is six feet or more above grade[; and

~~(B) the barbed wire]~~ and does not project beyond the property line.

(9[4]) All fences must provide firefighting access to the side and rear yard.

(10) The board may grant a special exception to the fence standards in this subsection when, in the opinion of the board, the special exception will not adversely affect neighboring property.”

SECTION 3. That adjustments will be made to the section references in this ordinance for codification purposes only. A Dallas Development Code section reference containing the symbol “[A],” for example, “Section 51A-602,” means that the letter “A” will appear in the Chapter 51A version only, and will not appear in the Chapter 51 version.

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That Chapter 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. 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 DRAFT  
Assistant City Attorney

Passed \_\_\_\_\_

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** August 10, 2016

**COUNCIL DISTRICT(S):** All

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

**CMO:** Jeanne Chipperfield, 670-7804  
A. C. Gonzalez, 670-3297

**MAPSCO:** N/A

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## **SUBJECT**

Authorize a one-year service contract for reentry services pilot program - Metroplex Economic Development Corporation, Inc. dba T.O.R.I. in the amount of \$535,560 and City Wide Community Development Corporation in the amount of \$464,440, most advantageous proposers of eight - Not to exceed \$1,000,000 - Financing: Texas Department of Criminal Justice Grant Funds

## **BACKGROUND**

This item is on the addendum due to the grant funding deadline that must be acted on before the next available agenda.

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 contract will provide social services and job training to formerly incarcerated individuals. The goal of this program is to reduce recidivism rates and increase the rate of employment among formerly incarcerated non-violent offenders who are released to Dallas County through job training, apprenticeship, and employment opportunities. Wrap around services, such as housing, soft skill training and transportation are eligible activities under this contract, provided that the measurable outcome is job training, apprenticeships or employment for the individuals served.

Nearly one third of released individuals are re-incarcerated within three years, and lack of engagement in education or employment is the primary predictor of recidivism. Many formerly incarcerated people return to their communities without the skills necessary for gainful employment. Roughly 30% of state prisoners in Texas could be defined as functionally illiterate, and over 40% enter prison without either a high school diploma or GED. Reentry services help to reduce recidivism rates and increase employment opportunities for formerly incarcerated individuals. This contract will serve individuals released from a Texas Department of Criminal Justice (TDCJ) Prisons or State Jail who are returning to Dallas County.

**BACKGROUND (Continued)**

On April 27, 2016, the City Council authorized the acceptance of a grant from the Texas Department of Criminal Justice for \$1,000,000 to develop and operate a Reentry Services Pilot Program by Resolution No. 16-0635. Two service providers are being recommended to deliver these services:

- The Metroplex Economic Development Corporation is a non-profit organization which has operated the Texas Offenders Reentry Initiative (T.O.R.I) since 2005. The program has offered a wide range of services that includes family, housing, employment, education, healthcare, and mentorship to over 10,000 formerly incarcerated men and women across Texas.
- City Wide Community Development Corporation is a non-profit organization that received its 501(c)(3) status in 2001. It aims at revitalizing neighborhoods through economic development, educational and social programs. City Wide offers substantial workforce development and job placement services with companies willing to employ formerly incarcerated individuals.

More than 70,000 formerly incarcerated individuals return home to Texas cities each year. Through this contract, Metroplex Economic Development Corporation and City Wide Community Development Corporation will work with ex-offenders released for non-violent crimes to reduce relapses in criminal behavior and reduce recidivism through wraparound services and job placement.

A six member committee from the following departments reviewed and evaluated the proposals:

- Office of Emergency Management (1)
- Housing/Community Services (1)
- City Attorney’s Office (1)
- Judiciary (1)
- Police (1)
- Business Development and Procurement Services (1)\*

\*Business Development and Procurement Services only evaluated the Business Inclusion and Development Plan.

The successful proposer was selected by the committee on the basis of demonstrated competence and qualifications under the following criteria:

- Experience/qualifications 25%
- Staffing plan/approach 35%
- Program budget 25%
- Business Inclusion and Development Plan 15%

## **BACKGROUND (Continued)**

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 2,327 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 Business Development and Procurement Services' 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.

The recommended vendors meet the wage floor rate of \$10.37 approved by City Council on November 10, 2015, by Resolution No. 15-2141.

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

On April 27, 2016, City Council authorized the acceptance of a grant from the Texas Department of Criminal Justice by Resolution No. 16-0635.

City Council was briefed by memorandum regarding this matter on April 5, 2016.

Information about this item was provided to the Economic Development Committee on April 18, 2016.

City Council was briefed by memorandum regarding this matter on August 5, 2016.

Information about this item will be provided to the Quality of Life and Environment Committee on August 8, 2016.

## **FISCAL INFORMATION**

\$1,000,000.00 - Texas Department of Criminal Justice Grant Funds

## **M/WBE INFORMATION**

362 - Vendors contacted

362 - No response

0 - Response (Bid)

0 - Response (No bid)

0 - Successful

2,327 - M/WBE and Non-M/WBE vendors were contacted

**M/WBE INFORMATION (Continued)**

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

**ETHNIC COMPOSITION**

Metroplex Economic Development Corporation, Inc. dba T.O.R.I.

White Male	0	White Female	1
Black Male	2	Black Female	8
Hispanic Male	0	Hispanic Female	1
Other Male	0	Other Female	1

City Wide Community Development Corporation

White Male	0	White Female	1
Black Male	4	Black Female	1
Hispanic Male	0	Hispanic Female	0
Other Male	0	Other Female	0

**PROPOSAL INFORMATION**

The following proposals were received from solicitation number BQZ1611 and were opened on June 10, 2016. This service contract is being awarded to the most advantageous proposers.

\*Denotes successful proposers

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
*Metroplex Economic Development, Corporation, Inc. dba T.O.R.I.	6777 W. Kiest Blvd. Dallas, TX 75236	83.40%	\$535,560.00
*City Wide Community Development Corporation	3730 S. Lancaster Rd. Suite 100 Dallas, TX 75216	76.60%	\$464,440.00

Note: The above vendor scores and pricing are based on fully negotiated services and pricing.

**PROPOSAL INFORMATION (Continued)**

Vendor scores and pricing listed below are based on initial proposals and were not negotiated.

<b><u>Proposers</u></b>	<b><u>Address</u></b>	<b><u>Score</u></b>	<b><u>Amount</u></b>
The Way Back House, Inc.	1804 Market Center Blvd. Dallas, TX 75207	72.80%	\$992,287.00
Association of Persons Affected by Addition (APAA)	3116 Martin Luther King Blvd. Dallas, TX 75215	70.40%	\$775,000.00
Impact City Initiative	2931 Canton St. Dallas, TX 75226	50.20%	\$1,000,000.00
Kingdom Outreach Ministries	2657 Marfa Ave. Dallas, TX 75216	44.00%	\$200,834.00
CC's Consulting & Services	1717 N. Akard St. Suite 2550 Dallas, TX 75201	31.20%	\$54,269.00
The Branch of Goodness A Gape Rehabilitation Center	7575 S. Westmoreland Suite 2233 Dallas, TX 75237	24.80%	\$270,501.00

**OWNERS**

**Metroplex Economic Development Corporation, Inc. dba T.O.R.I.**

Darwin Bruce, President  
Kim Drayton, Secretary  
Consuela Buckley, Treasurer

**City Wide Community Development Corporation**

Kevin Curry, President  
Thomas Huckaby, Jr., Vice President  
Michael Dade, Secretary