

QUALITY OF LIFE & ENVIRONMENT COMMITTEE
DALLAS CITY COUNCIL COMMITTEE AGENDA

RECEIVED

2016 SEP -8 AM 11:00

CITY SECRETARY
DALLAS, TEXAS

MONDAY, SEPTEMBER 12, 2016
CITY HALL
COUNCIL BRIEFING ROOM, 6ES
1500 MARILLA ST.
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 August 22, 2016 Minutes

BRIEFINGS

2. Consideration of a Resolution on Proposed Dallas Area Rapid Transit FY 2017 Annual Budget and 20-Year Financial Plan
3. Little Free Library: Book Exchange Structure Regulations

Sandy Greyson, *Chair*,
Quality of Life and
Environment Committee

David Cossum
Neva Dean
Sustainable
Development &
Construction

UPCOMING AGENDA ITEMS

4. **SEPTEMBER 14, 2016**
 - A. Agenda Item #17 - An ordinance amending Sections 47A.1-4, 47A-1.6, 47A-2.1.2, 47A-2.1.8, 47A-2.2.1, 47A-2.3.2, 47A-2.3.3, 47A-2.3.5, 47A-2.4.8, 47A-2.5.1, and 47A-2.5.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code to: (1) clarify certain exclusions and definitions; (2) clarify insurance requirements; (3) prohibit an operating authority from owning a certain interest or maintaining control over entities that inspect or certify vehicles as required to obtain a vehicle permit under this chapter; (4) provide that the director may request information to verify airport fees from operating authorities; (5) add requirements for vehicle permits; (6) remove certain vehicle quality standards; (7) synchronize the vehicle permit validity period with the state registration period; (8)

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

- adjust the flat rates from Love Field and Dallas-Fort Worth International Airports; (9) clarify what flat rates from airports include; and (10) make certain other grammatical changes - Financing: No cost consideration to the City
- B. Agenda Item #30 - Authorize a three-year professional services contract with Terracon Consultants, Inc. to complete remedial actions and a Municipal Setting Designation (MSD) in accordance with the requirements of the Texas Commission on Environmental Quality at the leaking petroleum storage tank site at the City of Dallas Central Service Center at 3111 Dawson Street, Dallas, Texas, through a cooperative purchasing agreement - Not to exceed \$305,922 - Financing: Current Funds (subject to annual appropriations)
 - C. Agenda Item #31 - Authorize a professional services contract with Urban Engineers Group, Inc. for design services for plans, specifications and cost estimates for Phase 2A for the Northaven Trail from Preston Road to Midway Road - Not to exceed \$266,387 - Financing: General Obligation Commercial Paper Funds
 - D. Agenda Item #32 - Authorize a decrease in the contract with Northstar Construction, LLC to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and associated work for the Runyon Creek Trail located between Glendale Park and Camp Wisdom Road - Not to exceed (\$143,600), from \$2,497,700 to \$2,354,100 - Financing: General Obligation Commercial Paper Funds
 - E. Agenda Item #70 - A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Highland Industrial Properties, LP, located near the intersection of Shady Trail and Manana Drive and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Highland Industrial Properties, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

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: August 22, 2016

Convened: 9:09 AM

Adjourned: 10:46 AM

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:

Deputy Mayor Pro Tem Erik Wilson
Lee M. Kleinman

Briefing Presenters

Zachary S. Thompson
Director, Dallas County Health
and Human Services

Dr. Christopher Perkins
Medical Director/ Health
Authority, Dallas County Health
and Human Services

John Jenkins
Assistant Director, Parks and
Recreation

Oscar Carmona
Assistant Director, Parks and
Recreation

Staff Present:

Anne Adiele, Chris Bowers, Brett Johnson, Tammy Palomino, Kris Sweckard, Janette Weedon, Crystal Woods, Joey Zapata

Guests:

Rudy Phillips and Spencer Lockwood, Dallas County Health and Human Services

AGENDA:

1. **Approval of August 08, 2016 Minutes**

Information Only:

Presenters:

A motion was made to approve the minutes of August 8, 2016.

Action Taken/Committee Recommendation(s): Approve minutes of August 8, 2016

Motion made by: Rickey D. Callahan

Motion seconded by: Tiffinni A. Young

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

2. West Nile Virus & Zika Virus Updates

Presenter(s): Zachary S. Thompson and Dr. Christopher Perkins

Information Only

The Dallas County Health and Human Services Department provided a briefing memo and status update on Zika Virus and West Nile Virus.

Action Taken/Committee Recommendation(s): A motion to recommend that the City Council consider a resolution requesting the County to conduct aerial sprays in the City of Dallas as DCHHS deems necessary, in its best professional judgment as health authority for the City, to endeavor to prevent an outbreak of mosquito-borne diseases

Motion made by: Rickey D. Callahan

Motion seconded by: Tiffinni A. Young

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

Motion opposed by: Mark Clayton and Philip T. Kingston

3. Feral Hogs: Concerns, Challenges and Controls

Presenter(s): John Jenkins and Oscar Carmona

Information Only:

The Parks and Recreation Department briefed the Committee on concerns, controls and challenges as they relate to feral hogs in the City of Dallas.

The Chair requested for the Parks and Recreation Department to return and report the evaluation of the feral hogs program in January 2017.

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. Smoke Free Parks

Presenter(s): John Jenkins and Oscar Carmona

Information Only:

The City of Dallas Parks and Recreation Department briefed the committee on smoke free municipal parks, smoking bans, the benefits and challenges of these regulations and smoking ban history in Dallas.

CM McGough requested information on how many citations had been written with regard to smoking violations in the City of Dallas.

Action Taken/ Committee Recommendation: A motion to recommend an amendment to the smoking ordinance to ban smoking in parks with exceptions for golf courses, the Elm Fork Shooting Range, or third party contracts for partner sites

Motion made by: Rickey D. Callahan

Motion seconded by: Tiffinni A. Young

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

Motion Opposed by: Sandy Greyson, Mark Clayton, Philip T. Kingston, B. Adam McGough

Action Taken/ Committee Recommendation: A motion to recommend a complete smoking ban in parks with no exceptions

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:

Motion opposed by: Rickey D. Callahan and Tiffinni A. Young

5. Upcoming Agenda Items

Presenter(s):

Information Only:

Information about upcoming items on the August 24, 2016 Council Agenda was included in the briefing materials.

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:

Councilmember Sandy Greyson
Chair

Memorandum



CITY OF DALLAS

DATE September 9, 2016

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

SUBJECT **Consideration of Resolution on Proposed Dallas Area Rapid Transit 2017 Financial Plan**

I have placed a draft Council resolution regarding the DART 20-Year 2017 Financial Plan on the September 12, 2016 Quality of Life & Environment Committee agenda for your consideration. A copy of the draft resolution is attached. Please let me know if you have any questions.

A handwritten signature in cursive script that reads "Sandy Greyson".

Sandy Greyson, Chair
Quality of Life & Environment Committee

Attachment

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
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

September 14, 2016

DRAFT

WHEREAS, improving the access, service, and design of Dallas' public transportation system is critically important to enhancing the quality of life for Dallas residents; and,

WHEREAS, DART's Twenty-Year Financial Plan is a long-term projection of revenues and expenses that validates the affordability of system expansion, and is approved annually by at least a two-thirds affirmative vote by their Board; and,

WHEREAS, DART is in the process of developing its 2017 Twenty-Year Financial Plan which includes funding for rail projects such as a second light rail transit (LRT) line through the Central Business District (CBD), commuter rail transit in the Cotton Belt corridor between Richardson/Plano and DFW Airport, and the Dallas streetcar, as well as funding for bus service operations and expansion; and,

WHEREAS, on September 9, 2015, the Dallas City Council approved a Locally Preferred Alternative (LPA) for the development of a second CBD LRT line (D2), the region's priority transit project, that included a combination of subway and at-grade segments, and specifically followed a Jackson Street alignment at the eastern end of downtown; and,

WHEREAS, the Project Development phase of D2 has shown that the City Council's LPA on Jackson Street is not feasible because of the narrow width of the street; and, since other at-grade alignments also result in unacceptable impacts, a subway alignment throughout the CBD is needed; and,

WHEREAS, DART is also developing its 2040 Transit System Plan whose first phase has focused on a Comprehensive Operations Analysis (COA) intended to expand and improve the bus network to provide better service and build ridership; and,

WHEREAS, DART has identified a ten-year implementation schedule for bus system enhancements which is not aggressive enough to meet the urgent need for convenient access to jobs and essential services for low income and transit-dependent riders; and,

WHEREAS, the City of Addison is one of the original member cities of DART, and has been waiting for the delivery of rail transit services; and,

WHEREAS, rail transit services can efficiently be provided to Addison through a single track commuter rail line or BRT between the Addison Transit Center and DFW Airport, which would save greater than \$500 million which could be reallocated to the City of Dallas' stated priorities of improved bus service and a D2 subway; and,

WHEREAS, DART's 2017 Twenty-Year Financial Plan is not a reflection of the City of Dallas' priorities.

Now, Therefore,

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

Section 1. That the City Council has identified its two highest immediate priorities for improved transit services, and urges the DART Board to include these projects for priority implementation in their 2017 Twenty-Year Financial Plan:

1. Construction of the second LRT line through the CBD in a subway generally between Woodall Rodgers and I-345 along an alignment to be developed by DART, and subject to approval by the Dallas City Council.
2. Expedited implementation of expanded bus services targeted toward the transportation needs of low income and transit-dependent riders.

Section 2. That the City Council acknowledges the significant financial contribution to DART by the City of Addison, and encourages DART to construct rail service to Addison as soon as financially feasible by providing a rail or BRT connection between the Addison Transit Center and DFW Airport.

Section 3. That the City Council acknowledges the need to provide DART with a more comprehensive list of priorities in the future based on review of DART's draft 2040 System Plan.

Section 4. That this resolution shall be immediately transmitted to DART's Board and its member cities.

Section 5. 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.

Memorandum



DATE September 9, 2016

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

SUBJECT **Little Free Library: Book Exchange Structure Regulations**

This item was previously briefed to the Quality of Life and Environment Committee on November 9, 2015, and December 8, 2015, at which time the committee directed staff to take the item to the Zoning Ordinance Advisory Committee (ZOAC). ZOAC considered this item at three public meetings and on May 19, 2016 recommended the proposed amendment to the City Plan Commission. The City Plan Commission heard this item on June 30, 2016 and recommended approval. The proposed code amendment is currently scheduled for consideration by City Council on October 26, 2016. A copy of the briefing material and ordinance is attached for your review.

TEY - R. E.

Ryan S. Evans
First Assistant City Manager

C: The 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
Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

ORDINANCE NO. _____

An ordinance amending Chapter 51, “Dallas Development Code: Ordinance No. 10962, as amended and Chapter 51A, “Dallas Development Code: Ordinance No. 19455, as amended,” of the Dallas City Code by amending Section 51-4.217; providing regulations for book exchange structures as accessory outside storage; 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 Paragraph (6), “Accessory Outside Storage,” of Subsection (b), “Specific Accessory Uses,” of Section 51A-4.217, “Accessory Uses,” of Division 51A-4.200, “Use Regulations” 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:

“(6) Accessory outside storage.

(A) Definitions:

(i) ACCESSORY OUTSIDE STORAGE means t[F]he outside placement of an item for a continuous period in excess of 24 hours. Outside placement includes storage in a structure that is open or not entirely enclosed.

(ii) BOOK EXCHANGE STRUCTURE means an enclosed structure that holds books or other literary materials to be shared or exchanged in a pedestrian accessible location constructed and maintained by the owner of the property.

(B) District restrictions: This accessory use is not permitted in the P(A) district.

(C) Required off-street parking: None.

(D) Required off-street loading: None.

(E) Additional provisions:

(i) A person shall not place, store, or maintain outside, for a continuous period in excess of 24 hours, an item which is not:

(aa) customarily used or stored outside; or

(bb) made of a material that is resistant to damage or deterioration from exposure to the outside environment.

(ii) For purposes of this subsection, an item located on a porch of a building is considered to be outside if the porch is not enclosed.

(iii) Except as otherwise provided in this subsection, accessory outside storage is not permitted in the primary [~~front~~] yard or on a front porch of a residential building. For purposes of this subsection, PRIMARY YARD [~~a front yard~~] means the portion of a lot or tract which abuts a street and extends across the width of the lot or tract between the street and the main building.

(iv) It is a defense to prosecution under Subsection (E)(iii) that the item is:

(aa) an operable motor vehicle with valid state registration parked on a surface that meets the standards for parking surfaces contained in the off-street parking regulations of this chapter, except that this defense is not available if the vehicle is a truck tractor, truck, bus, or recreational vehicle and it has a rated capacity in excess of one and one-half tons according to the manufacturer's classification, or if the vehicle is over 32 feet in length;

(bb) a boat, trailer, or recreational vehicle parked on a surface that meets the standards for parking surfaces contained in the off-street parking regulations of this chapter, and the item cannot reasonably be placed in an area behind the primary [~~front~~] yard;

(cc) landscaping, or an ornamental structure, including, but not limited to a birdbath, plant container, or statuette, placed in the primary [~~front~~] yard or on the front porch for landscaping purposes;

(dd) lawn furniture made of a material that is resistant to damage or deterioration from exposure to the outside environment;

(ee) located on a front porch and not visible from the street; or

(ff) a vehicle displaying a registration insignia or identification card issued by the state to a permanently or temporarily disabled person for purposes of Section 681.006 of the Texas Transportation Code.

(v) A person shall not use more than five percent of the lot area of a premise for accessory outside storage. The area occupied by an operable motor vehicle with valid state registration is not counted when calculating the area occupied by accessory outside storage. Except as otherwise provided in this article, outside storage is considered to be a separate main use if it occupies more than five percent of the lot.

(vi) A book exchange structure is accessory outside storage.

(aa) Book exchange structures are allowed in a required front, side, or rear yard.

(bb) For a book exchange structure located in a required front, side, or rear yard the maximum dimensions are 20 inches wide, 18 inches deep, and five feet in height.

(cc) For a book exchange structure located in a primary yard or on a front porch in a single family district, duplex district, townhouse district, or clustered housing district the maximum dimensions are 20 inches wide, 18 inches deep, and five feet in height.

(dd) A maximum of one book exchange structure is allowed in the combined setbacks on a lot.

(ee) A maximum of one book exchange structure is allowed on a lot in a single family district, duplex district, townhouse district, or clustered housing district.

(ff) Book exchange structures must be located a minimum of 10 feet from adjacent property lines.

(vii) The board may grant a special exception to the additional provisions of this subsection relating to accessory outside storage in the primary [~~front~~] yard or on a front porch of a residential building when, in the opinion of the board, the special exception will not adversely affect neighboring property.”

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

SECTION 3. That Chapters 51 and 51A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 4. 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 5. 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

DRAFT

By _____
Assistant City Attorney

Passed _____

Little Free Library: Book Exchange Structure Regulations

Quality of Life & Environment Committee
September 12, 2016



Background

- This item was previously briefed to the Quality of Life and Environment Committee on November 9, 2015, and December 8, 2015. The Committee directed staff to take the item to the Zoning Ordinance Advisory Committee (ZOAC).
- ZOAC considered this item at three public meetings and on May 19, 2016 voted to send staff's recommendation to the City Plan Commission (CPC).
- CPC heard this item on June 30, 2016 and recommended approval.

General Information

- Little Free Libraries is a concept to promote free book exchange “take a book, leave a book”.
 - National organizations (Little Free Libraries - littlefreelibrary.org)
 - Local organizations (Libros Libres Dallas in conjunction with bcworkshop)
 - Anyone can use their DIY skills to build one by installing a box or receptacle that holds books to share, in a pedestrian friendly accessible location.
- The recent emergence of these, often in the front yard setback in single family neighborhoods, is in conflict with the Dallas Development Code which requires that front yards be open and unobstructed except for fences.
- Consequently, Code Enforcement has received calls regarding these structures.

CPC Recommendations

Definition:

Book Exchange Structure means an enclosed structure that holds books or other literacy material to be shared or exchanged in a pedestrian accessible location constructed and maintained by the owner of the property.

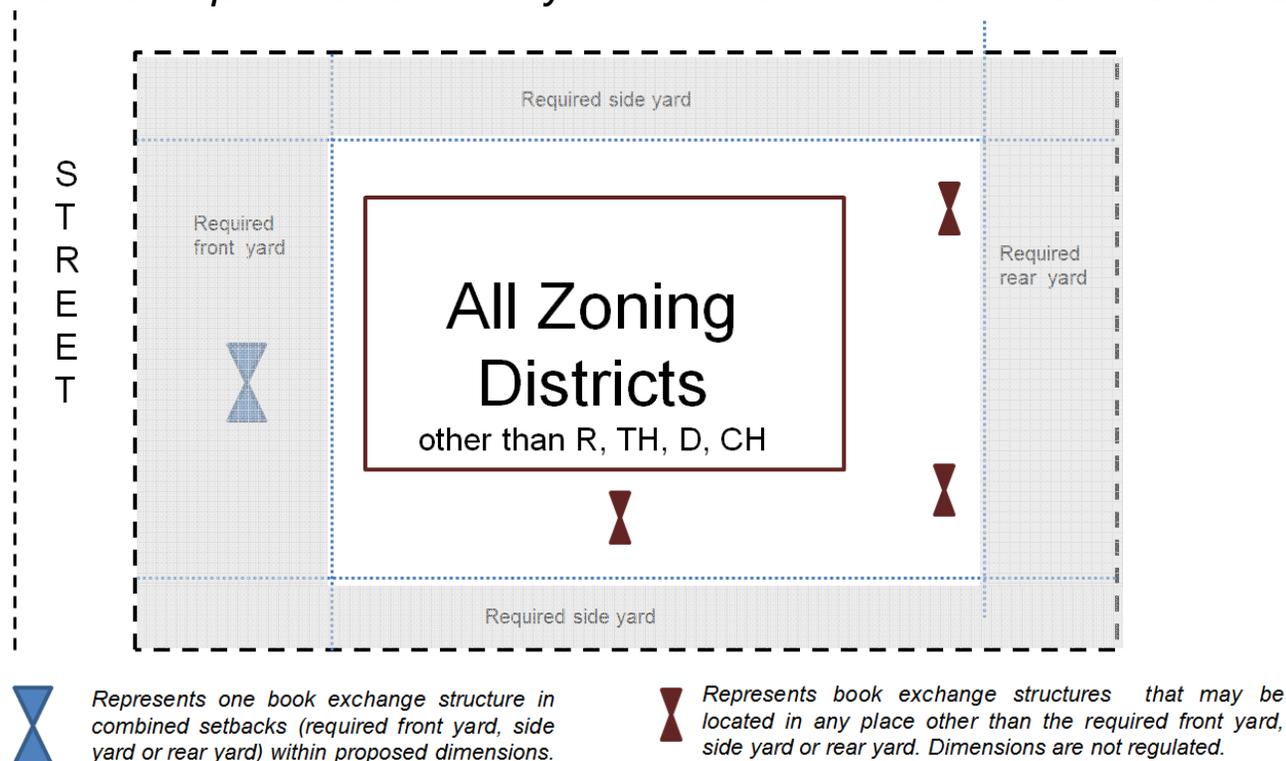


CPC Recommendations

When in all zoning districts other than R, D, TH, CH

- Allowed in a required front yard, side yard or rear yard
- Maximum of one book exchange structure allowed in the combined setbacks on a lot within the proposed dimensions

Note: when not in a required setback may have more than one and size is not regulated

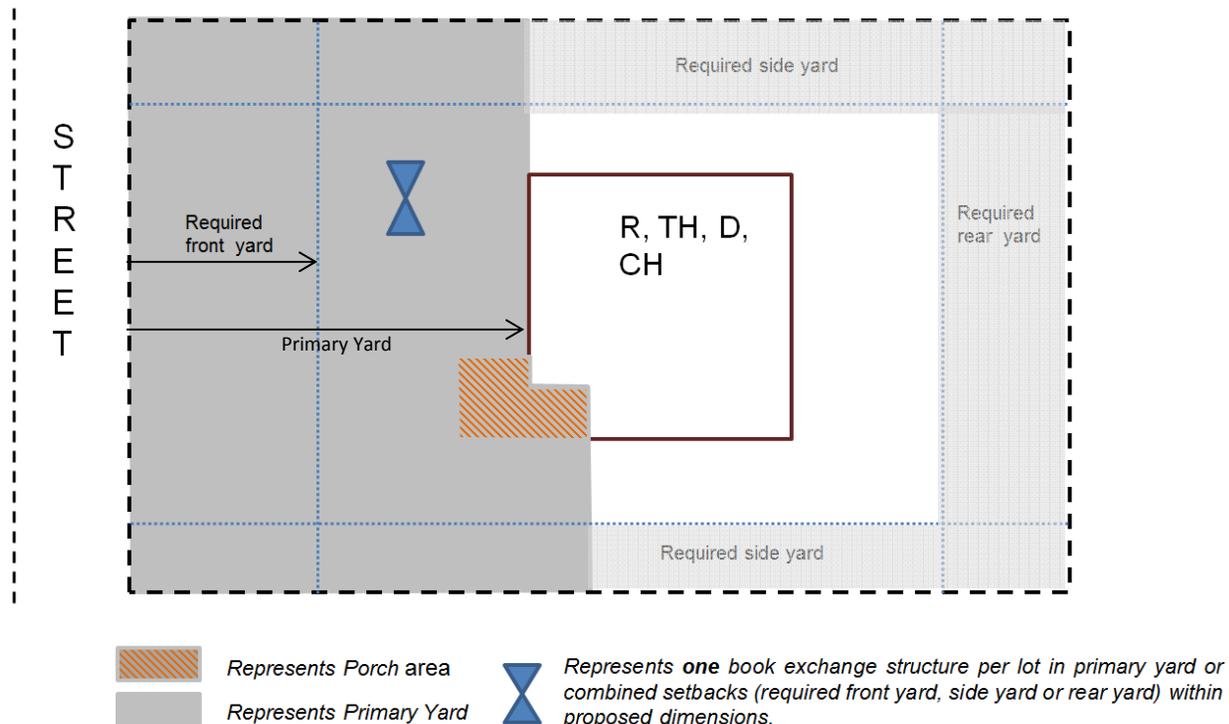


CPC Recommendations

When in R, D, TH, or CH Districts

- Allowed in the required front, side, rear yard or primary yard or front porch within the proposed dimensions
- Maximum **one** book exchange structure per lot

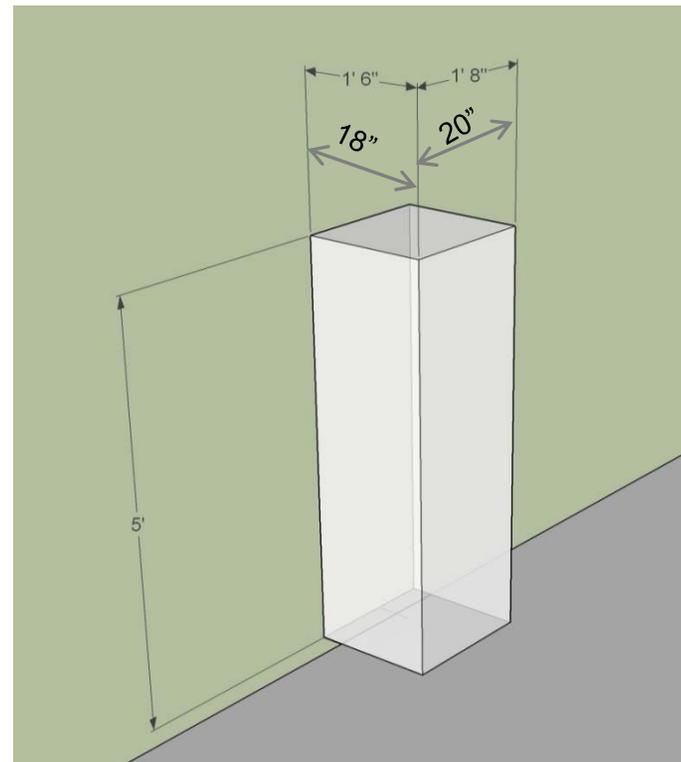
Primary Yard means the portion of a lot or tract which abuts a street and extends across the width of the lot or tract between the street and the main building.



CPC Recommendations

Maximum dimensions:

- when located in the required front yard, side yard, or rear yard; and
- when located in the primary yard or front porch in R, D, TH, and CH districts:
 - no taller than 5 feet in height
 - 20” wide
 - 18” deep



Picture shows the buildable envelope of a book exchange structure

CPC Recommendations

- Distance between the book exchange structure and the adjacent property line shall **not be less than 10 feet**



located too close to adjacent property line

Other concerns regulated by existing Codes

- Cannot be used for selling or advertising
- Cannot be placed in the public right-of-way without a license
- Cannot obstruct required parking
- Cannot be placed in the visibility triangle
- Made of material resistant to damage or deterioration from exposure to the outside environment
- Properly mounted, bolted, and protected to withstand winds, rain, and other seasonal changes
- Regular upkeep and monitoring
- Noncompliance with any of the regulations is subject to Code Enforcement

Issues

- During the City Plan Commission hearing, bcworkshop identified 3 out of 16 of their structures that do not meet the proposed regulations. Staff was asked to see what it would take to make these three structures legal.
- The issues associated with these structures are:
 1. Two structures are too large - taller, wider, and deeper than the proposed dimensions (5'x18"x20")
 2. One location exceeds the maximum number (1) of structures allowed on a lot in a single family district

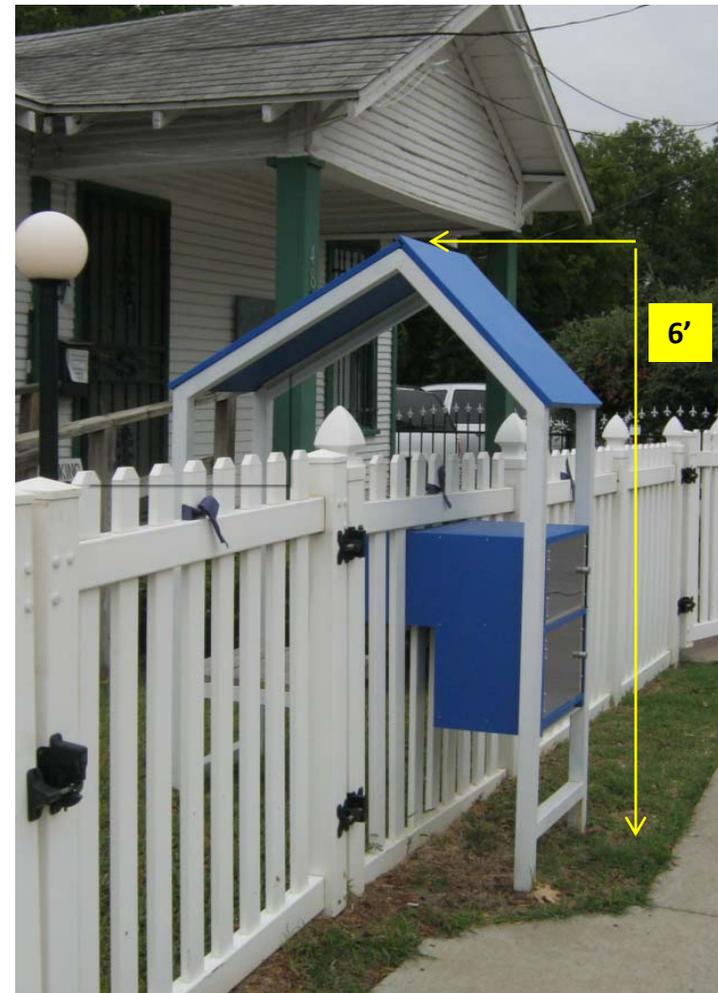
Issues



Too Large

(6'tall x 24" wide x 46" deep)

- Too tall (by 1')
- Too wide (by 4")
- Too deep (by 28")



Issues



Too Large

(3'4" x 31" x 21")

- Too wide (by 11")
- Too deep (by 3")

Exceeds the maximum number of structures (1) allowed on a lot in a single family district



Options

- No changes to CPC recommendation
- Allow BDA to grant a special exception to the dimensions
- Propose recommendations to allow taller, wider and deeper structures
 - The larger dimensions would apply city wide for all structures
- Create a special provision for non-residential uses in single family districts to allow more than one structure on the lot or allow an administrative waiver for size and maximum number provisions

Next Steps

- Direction on options
- Schedule for City Council action

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: September 14, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Code Compliance
CMO: Joey Zapata, 670-3009
MAPSCO: N/A

SUBJECT

An ordinance amending Sections 47A.1-4, 47A-1.6, 47A-2.1.2, 47A-2.1.8, 47A-2.2.1, 47A-2.3.2, 47A-2.3.3, 47A-2.3.5, 47A-2.4.8, 47A-2.5.1, and 47A-2.5.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code to: **(1)** clarify certain exclusions and definitions; **(2)** clarify insurance requirements; **(3)** prohibit an operating authority from owning a certain interest or maintaining control over entities that inspect or certify vehicles as required to obtain a vehicle permit under this chapter; **(4)** provide that the director may request information to verify airport fees from operating authorities; **(5)** add requirements for vehicle permits; **(6)** remove certain vehicle quality standards; **(7)** synchronize the vehicle permit validity period with the state registration period; **(8)** adjust the flat rates from Love Field and Dallas-Fort Worth International Airports; **(9)** clarify what flat rates from airports include; and **(10)** make certain other grammatical changes - Financing: No cost consideration to the City

BACKGROUND

On April 30, 2015, the current Chapter 47A went into effect redefining transportation for hire services as any ride for compensation, including motorized and non-motorized vehicles. It encouraged market competition by allowing new business models to operate, streamlined the permitting process and reduced fees. Different modes of transportation for hire companies can now compete directly against each other and consumers have a choice of what type of service to use.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 28, 2013, the City Council remanded consideration of transportation-for-hire service regulations to the Transportation and Trinity River Project Committee.

On January 13, 2014, the Transportation and Trinity River Project Committee was briefed on transportation-for-hire service regulations.

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

On January 21, 2014, the Transportation and Trinity River Project Committee held a special meeting to hear vendor presentations, receive public comments, and discuss the transportation-for-hire service regulations.

On January 24, 2014, the Transportation and Trinity River Project Committee was briefed on proposed amendments to the transportation-for-hire service regulations.

On March 4, 2014, April 25, 2014, and May 6, 2014, the Transportation-for-Hire Workgroup met to discuss amendments to the transportation-for-hire service regulations.

On May 27, 2014, the Transportation and Trinity River Project Committee was briefed on the proposed amendments to the transportation-for-hire service regulations submitted by the Transportation-for-Hire Workgroup, and moved to forward the amendments to the full council for consideration and comment, and then to establish a public forum and comment period.

On August 6, 2014, the City Council was briefed on the proposed amendments to the transportation-for-hire service regulations submitted by the Transportation-for-Hire Workgroup.

The transportation-for-hire ordinance was posted on the City's website on August 8, 2014, and written public comments were accepted by the City Secretary's Office from 12:00 a.m. on Saturday August 9, 2014 through 5:00 p.m. on Friday August 29, 2014. A revised transportation-for-hire ordinance was posted on the City's website on August 25, 2014.

A public forum on the transportation-for-hire ordinance was held on Tuesday, September 2, 2014.

On September 8, 2014, the Transportation and Trinity River Project Committee was briefed on the revised transportation-for-hire ordinance.

On November 17, 2014, the Transportation and Trinity River Project Committee was briefed on the transportation-for-hire ordinance.

On December 10, 2014, the City Council approved the transportation-for-hire ordinance.

On April 30, 2015, Chapter 47A, "Transportation for Hire," of the Dallas City Code went into effect.

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

On June 13, 2016, the Quality of Life Committee received a briefing memo on the proposed revisions to the transportation-for-hire ordinance.

On September 12, 2016, the Quality of Life Committee agenda will include the proposed revisions to the transportation-for-hire ordinance as an upcoming agenda item.

FISCAL INFORMATION

No cost consideration to the City

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: September 14, 2016
COUNCIL DISTRICT(S): 2
DEPARTMENT: Office Of Environmental Quality
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: N/A

SUBJECT

Authorize a three-year professional services contract with Terracon Consultants, Inc. to complete remedial actions and a Municipal Setting Designation, as mandated by the Texas Commission on Environmental Quality, at the Central Service Center leaking petroleum storage tank site located at 3111 Dawson Street, through an Interlocal Purchasing Agreement with the City of Irving - Not to exceed \$305,922 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

Since 1987, the City of Dallas has managed remediation of fifty-six leaking petroleum storage tank (LPST) sites at forty-five different City facilities. The City's LPST sites were generally discovered during the removal of aging underground petroleum storage tanks at forty-five City facilities. Under State law, the current owner of an LPST site must take corrective action to address any contaminated soil and groundwater under the guidance of the Texas Commission on Environmental Quality (TCEQ). The Office of Environmental Quality (OEQ) is responsible for managing the City's LPST sites and ensuring that they are cleaned up in accordance with TCEQ requirements in a manner that is protective of human health and the environment.

With the assistance of OEQ, the City has achieved TCEQ regulatory closure for all of these LPST sites but one. The last remaining LPST site is the City of Dallas Central Service Center (CSC) LPST site, located at 3111 Dawson Street, Dallas, Texas.

The CSC LPST site is managed by OEQ staff to ensure successful completion of the corrective actions, the preparation of a Municipal Setting Designation (MSD) application, and obtaining regulatory closure from TCEQ.

BACKGROUND (Continued)

The Terracon Consultants, Inc. (Terracon) proposal for \$305,922 includes the costs to (i) conduct the TCEQ-mandated corrective actions at the CSC LPST site; (ii) prepare an application for entrance into the TCEQ’s Voluntary Cleanup Program (VCP) and comply with the requirements of the VCP; (iii) prepare an application for and obtain an MSD; and (iv) obtain regulatory closure of the CSC LPST site from TCEQ and estimates the actions will be completed in approximately three (3) years. Terracon’s professional services are available at competitively proposed rates and costs are available to the City under a Terracon contract with Irving, Texas, pursuant to a cooperative purchasing program that conforms to and satisfies the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

If the City does not make sufficient progress in completing the required corrective actions, TCEQ has discretion to take a variety of actions. These actions include the TCEQ completing the required corrective actions using its own contractors and invoicing the City for the work, or the TCEQ taking enforcement action which may include monetary penalties. Through the proposed professional services contract with Terracon, the City will avoid enforcement and ensure that corrective action at the CSC LPST site is properly performed in a timely manner.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on September 12, 2016.

FISCAL INFORMATION

\$305,922 - Current Funds (subject to annual appropriations)

ETHNIC COMPOSITION

Terracon Consultants, Inc.

White Male	67	White Female	19
Black Male	6	Black Female	4
Hispanic Male	17	Hispanic Female	3
Other Male	10	Other Female	5

OWNER

Terracon Consultants, Inc.

David R. Gaboury, President
Donald Vrana, Executive Vice President
M. Gayle Packer, Secretary
Douglas D. Loveridge, Treasurer

AGENDA ITEM # 31

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

AGENDA DATE: September 14, 2016

COUNCIL DISTRICT(S): 13

DEPARTMENT: Park & Recreation
Public Works Department

CMO: Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 24B C D 25A B

SUBJECT

Authorize a professional services contract with Urban Engineers Group, Inc. for design services for plans, specifications and cost estimates for Phase 2A for the Northaven Trail from Preston Road to Midway Road - Not to exceed \$266,387 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

Urban Engineers Group, Inc. has presented a proposal dated July 25, 2016, for design services for plans, specifications and cost estimates for Phase 2A for the Northaven Trail for a fee not to exceed \$266,387.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	October 2016
Complete Design	August 2017
Begin Construction	December 2017
Complete Construction	December 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 18, 2016, the Park and Recreation Board authorized award of the professional services contract.

Information about this item will be provided to the Quality of Life & Environment Committee on September 12, 2016.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$266,387

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Urban Engineer Groups, Inc.

White Male	1	White Female	0
Hispanic Male	2	Hispanic Female	1
Black Male	1	Black Female	0
Other Male	4	Other Female	0

OWNER

Urban Engineers Group, Inc.

Nilsa Luna, President/Treasurer
Faisal Syed, Vice President/Secretary

MAP

Attached

AGENDA ITEM # 32

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

AGENDA DATE: September 14, 2016

COUNCIL DISTRICT(S): 8

DEPARTMENT: Park & Recreation
Public Works Department

CMO: Willis Winters, 670-4071
Jill A. Jordan, P.E., 670-5299

MAPSCO: 65U X 75B

SUBJECT

Authorize a decrease in the contract with Northstar Construction, LLC to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and associated work for the Runyon Creek Trail located between Glendale Park and Camp Wisdom Road - Not to exceed (\$143,600), from \$2,497,700 to \$2,354,100 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

The original contract was awarded to Northstar Construction, LLC, by City Council on April 27, 2016, by Resolution No. 16-0638 for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road, in an amount not to exceed \$2,497,700.

This action is to authorize Change Order No. 1 to the contract with Northstar Construction, LLC, in an amount not to exceed (\$143,600), from \$2,497,700 to \$2,354,100 for a decrease in the contract to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and associated work for the Runyon Creek Trail. This action will provide a connection from the trail to the new Singing Hills Recreation Center.

ESTIMATED SCHEDULE OF PROJECT

Began Construction	June 2016
Complete Construction	June 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 6, 2015, the Park and Recreation Board authorized proceeding with advertisement for construction procurement.

On March 10, 2016, the Park and Recreation Board deferred this item.

On April 7, 2016, the Park and Recreation Board authorized award of the contract.

City Council authorized award of the contract on April 27, 2016, by Resolution No. 16-0638.

On August 18, 2016, the Park and Recreation Board authorized award of Change Order No. 1.

Information about this item will be provided to the Quality of Life & Environment Committee on September 12, 2016.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - (\$143,600)

Construction Contract	\$2,497,700
Change Order No. 1 (this action)	<u>(\$143,600)</u>
Total amount not to exceed	\$2,354,100

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Northstar Construction, LLC

White Male	4	White Female	0
Black Male	0	Black Female	0
Hispanic Male	12	Hispanic Female	1
Other Male	0	Other Female	0

OWNER

Northstar Construction, LLC

Michael A. Heimlich, President

MAP

Attached

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: September 14, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Office Of Environmental Quality
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 23 N

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Highland Industrial Properties, LP, located near the intersection of Shady Trail and Manana Drive and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Highland Industrial Properties, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the designated property is underlain by groundwater that is encountered at approximately 8 to 13 feet below ground surface (bgs) and is within alluvial sand, silt, and clay which is approximately 16 feet thick. This groundwater bearing unit overlies the Eagle Ford Shale, which forms an underlying regional aquitard to vertical migration of groundwater and contaminants in the site vicinity and is 300 to 700 feet thick. The direction of groundwater flow beneath the designated property is towards the southwest. The groundwater has been affected by volatile organic compounds (VOCs) trichloroethylene, 1,1-dichloroethene, 1,2-dichloroethane, cis-1,2-dichloroethylene, and vinyl chloride; semi-volatile organic compounds (SVOCs) n-nitrosodi-n-propylamine; and lead at concentrations above groundwater ingestion standards. The potential offsite sources of the VOCs are multiple former industrial facilities located north and east of the designated property that used or stored similar chemicals and have documented VOC contamination. Groundwater contamination is believed to have migrated to the designated property through the north-south flowing utility corridor extending southward down Shady Trail. The source of the n-nitrosodi-n-propylamine and lead are unknown.

BACKGROUND (Continued)

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in February 2012 and is designated as VCP Facility ID No. 2476.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on September 7, 2016 to receive comments and concerns. Notices of the meeting were sent to 266 property owners within 2,500 feet of the property and 94 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Shady Trail and Manana Drive including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the designated property is occupied by commercial offices and warehouses with one tenant that is a global wholesaler and distributor of new and used cellular phones and accessories and a second tenant that conducts coin wrapping services. The anticipated future use of the designated property is to remain the same.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on September 12, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Highland Industrial Properties, LP

Highland Industrial Properties GP, LLC, General Partner
Howard L. Lawson, Manager

MAP

Attached