

QUALITY OF LIFE & ENVIRONMENT COMMITTEE
DALLAS CITY COUNCIL COMMITTEE AGENDA

RECEIVED

2015 NOV -5 PH 12: 07

CITY CLERK
DALLAS, TEXAS

MONDAY, NOVEMBER 9, 2015
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 October 26, 2015 Minutes

MEMORANDUM

2. Amendment to Chapter 46, "Unlawful Discriminatory Practices Relating to Sexual Orientation"

BRIEFINGS

3. Carpenter Plaza
Willis Winters
Director, Park and Recreation
4. Dallas Animal Services: Governance, Friends Policy,
and Work Policies
Kris Sweckard
Director, Code Compliance Services
5. Little Free Library
David Cossum
*Director, Sustainable Development &
Construction*
6. Shopping Cart Enforcement
Kris Sweckard
Director, Code Compliance Services

7. **UPCOMING AGENDA ITEMS**

November 10, 2015

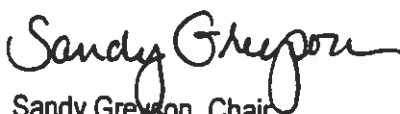
- A. Agenda Item 31 - Anita Harris Phelps Park - Authorize a five-year beautification and maintenance agreement, with one five-year renewal option, with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road - Financing: No cost consideration to the City This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- B. Agenda Item 32 - Buckner Park - Authorize (1) the receipt and deposit of funds in the amount of \$381,348 in the Buckner Park Fund; (2) the establishment of appropriations in the Buckner Park

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

Fund in the amount of \$381,348; and (3) a development agreement with the Dallas Independent School District (DISD) providing for: (a) the sale of approximately 1.06 acres of Buckner Park to DISD; (b) the design, construction, and maintenance of improvements of Buckner Park; (c) the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street - Revenue: \$381,348. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.

- C. Agenda Item 33 - Dallas Arboretum And Botanical Society - Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$394,098 - Financing: Current Funds. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- D. Agenda Item 34 - Dallas County Audubon Society - Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016 - Not to exceed \$58,949 - Financing: Current Funds. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- E. Agenda Item 35 - Texas Discovery Gardens - Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$145,862 - Financing: Current Funds. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- F. Agenda Item 36 - Bishop Flores Park - Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of approximately 74,698 square feet of land, by Atmos.
- G. Agenda Item 45 - Authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts - Rehrig Pacific Company through the Houston-Galveston Area Council of Governments - Not to exceed \$122,600, from \$48,209 to \$170,809 - Financing: Sanitation Current Funds.
- H. Agenda Item 53 - Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas' water supply system from November 1, 2015 through September 30, 2016 - Not to exceed \$633,825 - Financing: Water Utilities Current Funds (subject to annual appropriations).

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.

**Quality of Life & Environment Committee
Meeting Record**

DRAFT

Meeting Date: October 26, 2015 **Convened:** 9:08 a.m. **Adjourned:** 11:04 a.m.

Members Present:

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

Members Absent:

Philip T. Kingston

Council Members Present:

Scott Griggs

Briefing Presenters

Brett Wilkinson
Managing Director,
Intergovernmental Affairs

Sandra Bowie
Grants Manager,
Intergovernmental Affairs

Rick Galceran
Director, Public Works

Don Knight
Senior Assistant City
Attorney

David Cossum
Director, Sustainable
Development & Construction

Kris Sweckard
Director, Code Compliance

Guests:

Staff Present:

Joey Zapata, Kris Sweckard, Kelly High, Tammy Palomino, Eileen Youens, Sandra Bowie, Brett Wilkinson, Tony Cao, Zoe Ray, David Cossum, Jill Jordan, Rick Galceran, Don Knight, Jody Jones, Ashley Eubanks, Rita Hammelman, Errick Thompson, Barbara McAninch, Eric Izuora

AGENDA:

1. Approval of September 28, 2015 Minutes

Information Only

Presenter(s):

This item was deferred from the October 12, 2015 meeting to the October 26, 2015 meeting in order to:

- Review the motion on Item 3, Clean Fleet Vehicle Policy, which was to 'Recommend all three items to full council'; and
- Correct the motion on Item 3, Clean Fleet Vehicle Policy, which was unanimous.

A motion was made to approve the minutes of September 28, 2015.

Action Taken/Committee Recommendation(s):	Approve minutes of September 28, 2015
Motion made by: Rickey D. Callahan	Motion seconded by: Mark Clayton
Item passed unanimously: <input checked="" type="checkbox"/>	Item passed on a divided vote: <input type="checkbox"/>
Item failed unanimously: <input type="checkbox"/>	Item failed on a divided vote: <input type="checkbox"/>

2. Approval of October 12, 2015 Minutes

Presenter(s):

Information Only

A motion was made to approve the minutes of October 12, 2015.

Action Taken/Committee Recommendation(s):	Approve the minutes of October 12, 2015.
Motion made by: Rickey D. Callahan	Motion seconded by: Mark Clayton
Motion opposed by:	
Item passed unanimously: <input checked="" type="checkbox"/>	Item passed on a divided vote: <input type="checkbox"/>
Item failed unanimously: <input type="checkbox"/>	Item failed on a divided vote: <input type="checkbox"/>

3. Youth Commission

Presenter(s): Brett Wilkinson, Sandra Bowie, Eileen Youens

Information Only

This briefing provided an overview of the proposed reestablishment of the Youth Commission.

The committee recommended that the item be sent to the full council for briefing with a recommendation from the committee.

Action Taken/Committee Recommendation(s): Recommend the item be sent to the full council for briefing with a recommendation from the committee

Motion made by: Tiffinni A. Young

Motion seconded by: Mark Clayton

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

4. Small Cell & Distributed Antenna Systems License Agreements with the City of Dallas

Presenter(s): Rick Galceran, Don Knight, David Cossum

Information Only

A briefing memo was provided for this item which provided additional information relating to (1) recent license requests to construct small cell networks including the installation of antennas and fiber in the City' right-of-way; and (2) related license fees pursuant to Section 43-115 of the Dallas City Code.

The committee recommended to defer this item until such time as the full council can be briefed.

Action Taken/Committee Recommendation(s):

The committee recommended to defer this item until such time as the full council can be briefed.

Motion made by: Mark Clayton

Motion seconded by: Tiffinni A. Young

Motion opposed by: Sandy Greyson & Rickey D. Callahan

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

5. Dallas Animal Services Update

Presenter(s): Kris Sweckard

Information Only

This briefing provided the committee a plan of action to improve loose dog enforcement.

6. Dallas Animal Services: Governance, Friends Policy, and Work Policies

Presenter(s): Kris Sweckard

Information Only

This briefing was not presented, and will be rescheduled for the November 9, 2015 committee meeting.

7. Upcoming Agenda Items

Presenter(s):

Information Only



Information about the following upcoming items on the October 28, 2015 Council Agenda was included in the briefing materials:

- A. Agenda Item #19: Authorize a development agreement with Bluffview Park Improvement Project for the renovation of Bluff View Park located at 4524 Pomona Road - Financing: No cost consideration to the City
- B. Agenda Item #20: Authorize a contract for stormwater culvert repairs at Kidd Springs Park located at 700 West Canty Street - A S Con, Inc., lowest responsible bidder of two - Not to exceed \$208,670 - Financing: 2006 Bond Funds
- C. Agenda Item #21: Authorize an increase in the site package contract with J.C. Commercial, Inc. for revisions requested by the Park and Recreation Department, Dallas Water Utilities and Oncor Electric Delivery Company, LLC and a construction schedule extension due to significant weather delays in the first months of 2015 at Singing Hills Recreation Center located between Crouch Road and Patrol Way - Not to exceed \$137,651, from \$1,080,077 to \$1,217,728 - Financing: 2006 Bond Funds
- D. Agenda Item #39: Authorize the third twelve-month renewal option to the service contract for the processing and sale of recycled materials for the period January 1, 2016 through December 31, 2016 – Greenstar Mid-America, LLC - Estimated Revenue: \$1,880,075
- E. Agenda Item #40: Authorize **(1)** a contract for the construction of two 15-acre waste cells for a total of 30 acres, cells 6B1 and 6D2, with composite liner and leachate collection system, at the McCommas Bluff Landfill; and site improvements that include pavement of a perimeter road, main entrance road improvements, a new waste cell access road, entrance signage improvements, environmental enhancements including a wheel/undercarriage washing system and mud tracking reduction controls; and **(2)** an increase in appropriations in the Sanitation Capital Improvement Fund in the amount of \$4,804,946 from \$9,010,338 to \$13,815,284 - Hammett Excavation, Inc., lowest responsible bidder of four - Total not to exceed \$4,804,946 - Financing: Sanitation Capital Improvement Funds

Councilmember Sandy Greyson

Chair

Memorandum



CITY OF DALLAS

DATE November 3, 2015

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

SUBJECT **Memo from Councilmember Adam Medrano, Chair of the LGBT Taskforce**

In full accord with Resolution No. 14-0477, passed by the city council on March 5, 2014, see the attached memo from Councilmember Medrano, Chair of the LGBT Taskforce.

Handwritten signature of Warren M.S. Ernst in black ink.

Warren M.S. Ernst
City Attorney

Handwritten signature of A.C. Gonzalez in blue ink, with a blue circle around the name.

A.C. Gonzalez
City Manager

c: Honorable Mayor and Members of the City Council
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Eric D. Campbell, Assistant City Manager

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

Memorandum



CITY OF DALLAS

DATE November 3, 2015
TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough
SUBJECT **Amendment to Chapter 46, "Unlawful Discriminatory Practices Relating to Sexual Orientation"**

On March 5, 2014, the city council passed Resolution No. 14-0477, which stated that the city is in full favor of equal rights for lesbian, gay, bisexual, and transgender (LGBT) employees of the city of Dallas, citizens within the city of Dallas, and visitors to the city of Dallas. On September 24, 2014, the city council amended Chapter 34, "Personnel Rules," of the Dallas City Code to address the disparate treatment of LGBT employees and their families as required by Resolution No. 14-0477. The recommended changes, which would amend Chapter 46, the city's anti-discrimination ordinance, address the disparate treatment of LGBT citizens within the city of Dallas and LGBT visitors to the city of Dallas. These recommendations reflect input from and concerns of the city's LGBT Taskforce.

The proposed changes would address the disparate treatment of LGBT citizens of the city and visitors to the city by: (1) amending the title of the Chapter to clarify that the Chapter addresses the rights of transgendered individuals as well as gay, lesbian, and bisexual individuals; (2) declaring that the city encourages all entities within the city, even those entities that are excepted from the requirements of the Chapter, to recognize the rights of all individuals; (3) clarifying the distinction between sexual orientation and gender identity and expression so that the definitions of those terms align with the definitions in Chapter 34, "Personnel Rules," of the Dallas City Code; (4) providing that a person's gender is determined by the person's own perception of their gender; (5) removing an exception that allowed discrimination in certain housing facilities; and (6) establishing a deadline for the administrator to notify a complainant after determining that the person's complaint does not come within the scope of Chapter 46.

The proposed ordinance is attached for your review.

Please let me know if you need additional information.

A handwritten signature in blue ink that reads "Adam Medrano".

Adam Medrano
Councilmember, District 2
Chair, LGBT Taskforce

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

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

ORDINANCE NO. _____

An ordinance amending Chapter 46, “Unlawful Discriminatory Practices Relating to Sexual Orientation,” of the Dallas City Code by amending the title of the Chapter and amending Sections 46-1, 46-4, 46-6 (“Unlawful Employment Practices”), 46-6 (“Unlawful Public Accommodation Practices”), 46-7, and 46-10; declaring that the city encourages all entities within the city, even those entities that are excepted from the requirements of the Chapter, to recognize the rights of all individuals; clarifying the distinction between sexual orientation and gender identity and expression so that the definitions of those terms align with the definitions in Chapter 34, “Personnel Rules,” of the Dallas City Code; providing that a person’s gender is determined by the person’s own perception of their gender; removing an exception that allowed discrimination in certain housing facilities; establishing a deadline for the administrator to notify a complainant after determining that the person’s complaint does not come within the scope of Chapter 46; making technical and conforming changes; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That the title of Chapter 46, “Unlawful Discriminatory Practices Relating to Sexual Orientation,” of the Dallas City Code, as amended, is amended to read as follows:

“CHAPTER 46

UNLAWFUL DISCRIMINATORY PRACTICES RELATING TO SEXUAL ORIENTATION AND GENDER IDENTITY AND EXPRESSION”

SECTION 2. That Section 46-1, “Declaration of Policy,” of Article I, “General,” of Chapter 46, “Unlawful Discriminatory Practices Relating to Sexual Orientation and Gender Identity and Expression,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 46-1. DECLARATION OF POLICY.

(a) It is the policy of the city of Dallas to bring about through fair, orderly, and lawful procedures the opportunity for every person to obtain employment, access to all places of public accommodation, and housing, without regard to actual or perceived sexual orientation or gender identity and expression. The city of Dallas is proud of the diversity of its employees, as recognized in Section 34-35 of this Code, and is proud of the diversity of its citizens, and strongly encourages all entities within the city, including those who are excepted from the requirements of this chapter, to recognize ~~[This policy is based upon recognition of]~~ the rights of every individual to work and earn wages through gainful employment, to obtain and enjoy goods, services, facilities, privileges, advantages, and accommodations in all places of public accommodation, and to obtain housing.

(b) The denial or deprivation of these rights because of a person’s actual or perceived sexual orientation or gender identity and expression is detrimental to the health, safety, and welfare of the citizens of Dallas and is within the power and responsibility of the city to prevent.”

SECTION 3. That Section 46-4, “Definitions,” of Article I, “General,” of Chapter 46, “Unlawful Discriminatory Practices Relating to Sexual Orientation and Gender Identity and Expression,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 46-4. DEFINITIONS.

(a) In this chapter:

(1) ADMINISTRATOR means the person designated by the city manager to receive, investigate, and conciliate complaints under this chapter and includes the administrator’s designated representatives.

(2) CITY means the city of Dallas, Texas.

(3) COMPLAINANT means a person, including the administrator, who files a complaint under this chapter.

(4) CONCILIATION means the attempted resolution of issues raised in a complaint filed under this chapter, or raised in the investigation of the complaint, through informal negotiations involving the complainant, the respondent, and the administrator.

(5) CONCILIATION AGREEMENT means a written agreement setting forth the resolution of the issues in a conciliation.

(6) DISCRIMINATION means any direct or indirect exclusion, distinction, segregation, limitation, refusal, denial, or other differentiation in the treatment of a person or persons because of sexual orientation or gender identity and expression.

(7) DWELLING means:

(A) any building, structure, or part of a building or structure that is occupied as, or designed and intended for occupancy as, a residence for one or more persons; and

(B) any vacant land that is offered for sale or lease for the construction or location of any building, structure, or part of a building or structure designed and intended for occupancy as a residence for one or more persons.

(8) EMPLOYEE means any individual employed by an employer. The term does not include an elected official.

(9) EMPLOYER means any person who has 15 or more employees for each working day in each of 20 or more calendar weeks in the current or preceding calendar year, and includes any agent of such a person. The term does not include a bona fide private membership club (other than a labor organization) that is exempt from taxation under Section 501(c) of the Internal Revenue Code of 1954, as amended.

(10) EMPLOYMENT AGENCY means any person, and any agent of a person, who regularly undertakes, with or without compensation, to procure:

(A) employees for an employer; or

(B) opportunities for a person to work for an employer.

(11) GENDER IDENTITY AND EXPRESSION means “gender identity and expression” as defined in Chapter 34 of this code.

(12) LABOR ORGANIZATION means a labor organization and any of its agents, and includes:

(A) any organization, agency, or employee representation committee, group, association, or plan in which employees participate and that exists for the purpose, in whole or in part, of dealing with employers concerning grievances, labor disputes, wages, rates of pay, hours, or other terms or conditions of employment; and

(B) any conference, general committee, joint or system board, or joint council so engaged that is subordinate to a national or international labor organization.

(13~~12~~) PERSON means one or more individuals, corporations, partnerships, associations, labor organizations, legal representatives, mutual companies, joint

stock companies, trusts, unincorporated organizations, trustees, trustees in bankruptcy, receivers, fiduciaries, and other legal entities.

(14[13]) PLACE OF PUBLIC ACCOMMODATION means any of the following establishments if they are open to the general public and, for compensation, offer any product, service, or facility to the general public:

(A) Any inn, hotel, motel, or other establishment that provides lodging to transient guests, other than an establishment:

(i) located within a building that contains not more than five rooms for rent or hire and that is actually occupied by the proprietor of the establishment as a residence; or

(ii) in which the majority of the occupants are permanent residents and maintain their fixed place of domicile in the establishment.

(B) Any restaurant, cafeteria, lunchroom, lunch counter, soda fountain, or other facility principally engaged in selling food for consumption on the premises, including, but not limited to, any such facility located on the premises of a retail establishment or gasoline station.

(C) Any motion picture house, theater, concert hall, sports arena, stadium, or other place of exhibition or entertainment.

(D) Any bar, tavern, pub, drinking establishment, or facility where alcoholic beverages are served.

(E) Any retail or wholesale establishment selling any kind of goods or services.

(F) Any public conveyance, including stations and terminals.

(15[14]) RELIGION means all aspects of religious observance and practice, as well as belief.

(16[15]) RELIGIOUS ORGANIZATION means:

(A) a religious corporation, association, or society; or

(B) a school, college, university, or other educational institution or institution of learning, if:

(i) the institution is, in whole or in substantial part, controlled, managed, owned, or supported by a religion, religious corporation, association, or society; or

(ii) the curriculum of the institution is directed toward the propagation of a religion.

(17[16]) RENT means to lease, sublease, let, or otherwise grant for a consideration the right to occupy premises not owned by the occupant.

(18[17]) RESPONDENT means a person identified in a complaint as having committed an unlawful practice under this chapter.

(19[18]) SEXUAL ORIENTATION means “sexual orientation” as defined in Chapter 34 of this code [~~an individual’s real or perceived orientation as heterosexual, homosexual, or bisexual or an individual’s real or perceived gender identity~~].

(20[19]) UNLAWFUL PRACTICE means a discriminatory act or practice relating to employment, public accommodations, or housing that is prohibited under this chapter.

(b) For purposes of this chapter, an individual’s gender is determined solely by that individual’s own perception of their gender.”

SECTION 4. That Section 46-6, “Unlawful Employment Practices,” of Article II, “Unlawful Discriminatory Practices,” of Chapter 46, “Unlawful Discriminatory Practices Relating to Sexual Orientation and Gender Identity and Expression,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 46-6. UNLAWFUL EMPLOYMENT PRACTICES.

(a) Employers. It is unlawful for an employer, because of sexual orientation or gender identity and expression:

(1) to fail or refuse to hire, or to discharge, any person;

(2) to discriminate against any person with respect to compensation, terms, conditions, or privileges of employment; or

(3) to limit, segregate, or classify employees or applicants for employment in any way that would deprive or tend to deprive a person of employment or employment opportunities, or that would otherwise adversely affect a person’s status as an employee.

(b) Employment agencies. It is unlawful for an employment agency:

(1) to fail or refuse to refer for employment, or to otherwise discriminate against, any person because of sexual orientation or gender identity and expression; or

(2) to classify or refer for employment any person on the basis of sexual orientation or gender identity and expression.

(c) Labor organizations. It is unlawful for a labor organization:

(1) to exclude or expel from its membership, or to otherwise discriminate against, any person because of sexual orientation or gender identity and expression;

(2) to fail or refuse to refer for employment any person because of sexual orientation or gender identity and expression;

(3) to limit, segregate, or classify its members or applicants for membership in any way that would deprive or tend to deprive a person of employment or employment opportunities, or that would otherwise adversely affect a person's status as an employee or as an applicant for employment; or

(4) to cause or attempt to cause an employer to discriminate against a person in violation of this chapter.

(d) Training programs. It is unlawful for an employer, a labor organization, or a joint labor-management committee controlling apprenticeship or other training or retraining (including on-the-job training programs) to discriminate against any person because of sexual orientation or gender identity and expression in the admission to, or employment in, any program established to provide apprenticeship or other training.

(e) Notices and advertisements.

(1) It is unlawful for an employer to print or publish, or cause to be printed or published, any notice or advertisement relating to employment by the employer that indicates any preference, limitation, specification, or discrimination based on sexual orientation or gender identity and expression.

(2) It is unlawful for an employment agency to print or publish, or cause to be printed or published, any notice or advertisement relating to membership in or any classification or referral for employment by the employment agency that indicates any preference, limitation, specification, or discrimination based on sexual orientation or gender identity and expression.

(3) It is unlawful for a joint labor-management committee controlling apprenticeship or other training or retraining (including on-the-job training programs) to print or publish, or cause to be printed or published, any notice or advertisement relating to admission to, or employment in, any program established to provide apprenticeship or other training by the joint labor-management committee that indicates any preference, limitation, specification, or discrimination based on sexual orientation or gender identity and expression.

(4) Nothing in this subsection prohibits a notice or advertisement from indicating a preference, limitation, specification, or discrimination based on sexual orientation or

gender identity and expression when sexual orientation or gender identity and expression is a bona fide occupational qualification for employment.

(f) Exception. This section does not apply to, and does not require, the provision of employee benefits to a person for the benefit of the person's domestic partner."

SECTION 5. That Section 46-6, "Unlawful Public Accommodation Practices," of Article II, "Unlawful Discriminatory Practices," of Chapter 46, "Unlawful Discriminatory Practices Relating to Sexual Orientation and Gender Identity and Expression," of the Dallas City Code, as amended, is renumbered and amended to read as follows:

"SEC. 46-6.1. UNLAWFUL PUBLIC ACCOMMODATION PRACTICES.

(a) Discrimination in public accommodations. It is unlawful for any owner, proprietor, or lessee of any place of public accommodation, because of sexual orientation or gender identity and expression:

(1) to directly or indirectly exclude, segregate, limit, refuse, or deny to any person any of the accommodations, advantages, facilities, benefits, privileges, services, or goods offered to the general public at that place; or

(2) to circulate, issue, display, post, mail, or otherwise publish a statement, advertisement, or sign indicating that:

(A) a person will be denied accommodations, advantages, facilities, benefits, privileges, services, or goods at that place; or

(B) the patronage or presence of a person at that place is objectionable, unwelcome, unacceptable, undesirable, or unsolicited.

(b) Defenses. It is a defense to prosecution under this section that the refusal to admit a person to a place of public accommodation or the expulsion of a person from a place of public accommodation was required by law.

(c) Exceptions. This section does not apply to:

(1) a hotel, restaurant, bar, lounge, nightclub, cabaret, theater, bowling alley, skating rink, or golf course when the accommodations, advantages, facilities, and services are restricted to members of a club and their guests; or

(2) any bona fide social, fraternal, educational, civic, political, or religious organization, when the profits of the accommodations, advantages, facilities, and services (above reasonable and necessary expenses) are solely for the benefit of the organization."

SECTION 6. That Section 46-7, “Unlawful Housing Practices,” of Article II, “Unlawful Discriminatory Practices,” of Chapter 46, “Unlawful Discriminatory Practices Relating to Sexual Orientation and Gender Identity and Expression,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 46-7. UNLAWFUL HOUSING PRACTICES.

(a) Discrimination in the sale or rental of housing.

(1) It is unlawful for a person, because of sexual orientation or gender identity and expression:

(A) to refuse to negotiate with a person for the sale or rental of a dwelling or to otherwise deny or make unavailable a dwelling to a person;

(B) to refuse to sell or rent a dwelling to a person who has made a bona fide offer for the dwelling;

(C) to discriminate against a person in the terms, conditions, or privileges of the sale or rental of a dwelling or in the provision of services or facilities in connection with the sale or rental of a dwelling; or

(D) to represent to a person that a dwelling is not available for inspection, sale, or rental when the dwelling is in fact so available.

(2) It is unlawful for a person:

(A) to make, print, or publish, or cause to be made, printed, or published, any notice, statement, or advertisement relating to the sale or rental of a dwelling that indicates any preference, limitation, or discrimination based on sexual orientation or gender identity and expression or an intention to make any such preference, limitation, or discrimination; or

(B) for profit, to induce or attempt to induce a person to sell or rent, or to not sell or rent, a dwelling by representations that a person or persons of a particular sexual orientation or with a particular gender identity or expression are present in or may enter into the neighborhood.

(b) Discrimination in housing financing. It is unlawful for any bank, building and loan association, insurance company, or other person whose business, in whole or in part, consists of the making of real estate loans to, on the basis of sexual orientation or gender identity and expression:

(1) deny any person a loan or other financial assistance for the purchase, construction, improvement, repair, or maintenance of a dwelling; or

(2) discriminate against any person in the fixing of the amount, interest rate, duration, or other terms or conditions of a loan or other financial assistance for the purchase, construction, improvement, repair, or maintenance of a dwelling.

(c) Discrimination in providing brokerage services. It is unlawful for any person, because of sexual orientation or gender identity and expression:

(1) to deny another person access to, membership in, or participation in any multiple listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings; or

(2) to discriminate against another person in the terms or conditions of access to, membership in, or participation in any multiple listing service, real estate brokers' organization, or other service, organization, or facility relating to the business of selling or renting dwellings.

(d) Exceptions.

(1) This section does not apply to the following:

(A) The sale or rental of any single-family dwelling, if the owner:

(i) does not own an interest in or title to more than three single-family dwellings at one time, regardless of whether the dwellings are located inside or outside of the city;

(ii) has resided in the dwelling within the 24-month period preceding the sale or rental of the dwelling; and

(iii) does not use the services or facilities of any real estate broker, agent, or salesman, or of any other person in the business of selling or renting dwellings, in connection with the sale or rental of the dwelling.

(B) The rental of a dwelling that is occupied or intended to be occupied by no more than four families living independently of each other, when the owner actually maintains and occupies part of the dwelling as a residence.

(C) The rental of a dwelling by a private organization only to its members, when the dwelling is owned, controlled, or managed by the organization for other than a commercial purpose and the rental of the dwelling is incidental to the organization's primary purpose.

~~[(D) The rental of a dwelling in which rooms are leased, subleased, or rented only to persons of the same sex, when the dwelling contains common lavatory, kitchen, or similar facilities available for the use of all persons occupying the dwelling.]~~

(e) Nothing in this section prohibits conduct against a person because of the person's conviction by a court of competent jurisdiction of the illegal manufacture or distribution of a controlled substance under state or federal law."

SECTION 7. That Subsection (a) of Section 46-10, "Investigation," of Article III "Enforcement," of Chapter 46, "Unlawful Discriminatory Practices Relating to Sexual Orientation and Gender Identity and Expression," of the Dallas City Code, as amended, is amended to read as follows:

"(a) Upon the filing of a complaint, the administrator shall commence a prompt and full investigation to determine the facts behind the complaint and whether there is reasonable cause to believe an unlawful practice was committed, except that no investigation may commence if, after personally reviewing the allegations with the complainant, the administrator determines that the complaint does not come within the scope of this chapter. Upon determining that a particular complaint does not come within the scope of this chapter, the administrator shall, within 15 days after making that determination, give the complainant a clear and concise explanation of the reasons why it does not and take no further action on the complaint."

SECTION 8. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 9. That Chapter 46 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 10. 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 11. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

Memorandum



DATE November 6, 2015

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 **Carpenter Plaza**

On Monday, November 9, 2015, the Quality of Life & Environment Committee will be briefed on Carpenter Plaza. A copy of the briefing is attached.

If you have any questions, please contact me at (214) 670-4071.



Willis C. Winters, FAIA, Director
Park and Recreation Department

Attachments

C: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
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Elsa Cantu, Assistant to the City Manager – Mayor & Council

Carpenter Plaza

Quality of Life and Environment Committee

November 9, 2015



Overview

- History of Carpenter Plaza
- Downtown Parks Master Plans
- Carpenter Park, LLC Proposal
- Next Steps



History of Carpenter Plaza

- Part of site acquired by the Park and Recreation Department in 1975
- Further land acquisition was undertaken by the City via a property exchange with the Southland Financial Corporation in 1979



Original Development

- The construction of the park was funded by
 - ▣ City of Dallas
 - ▣ National Endowment of the Arts grant
 - ▣ Southland Corporation
- Park dedicated on September 20, 1981
- Project design and construction award approved by Dallas Park Board and City Council in 1979
- Named in honor of John William Carpenter

Original Development

- Project included:
 - ▣ “Portal Slice” sculpture by Robert Irwin
 - ▣ Statue of John Carpenter by Robert Berks

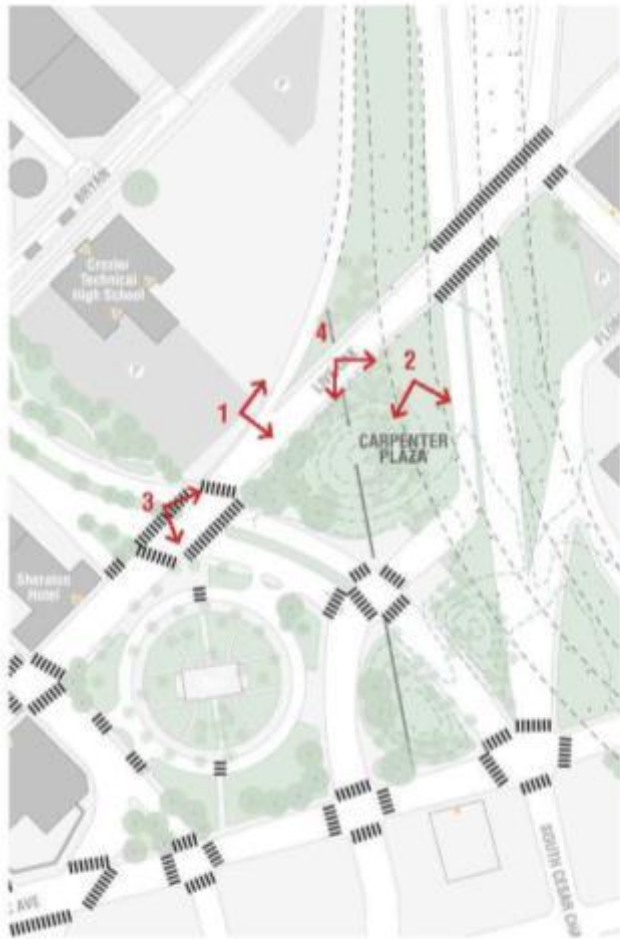


Downtown Park Master Plans

- Downtown Park Master Plan (2004)
- Downtown Park Master Plan Update (2013)
 - ▣ Prioritized the redevelopment of John Carpenter Plaza



Existing Site Conditions



1



2

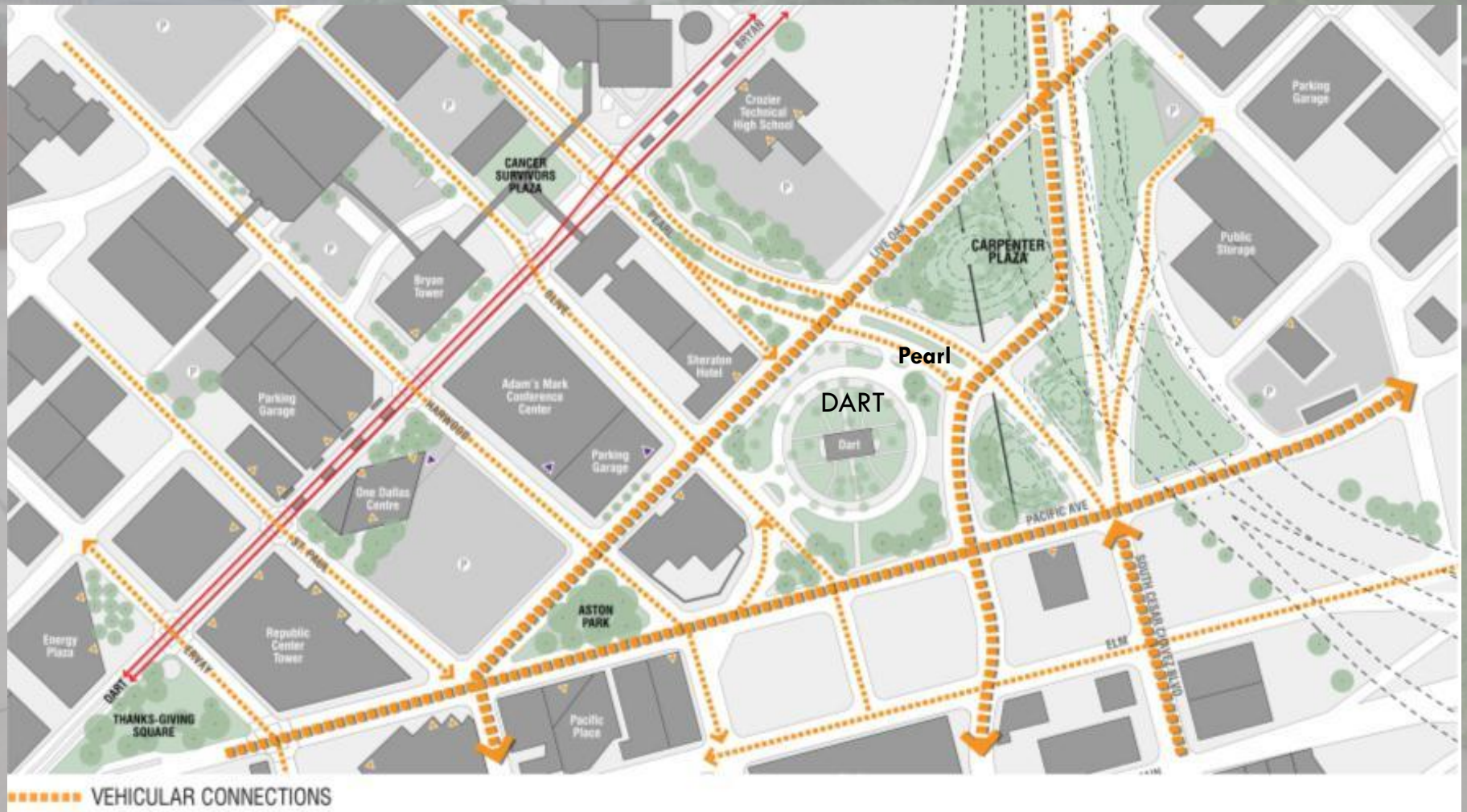


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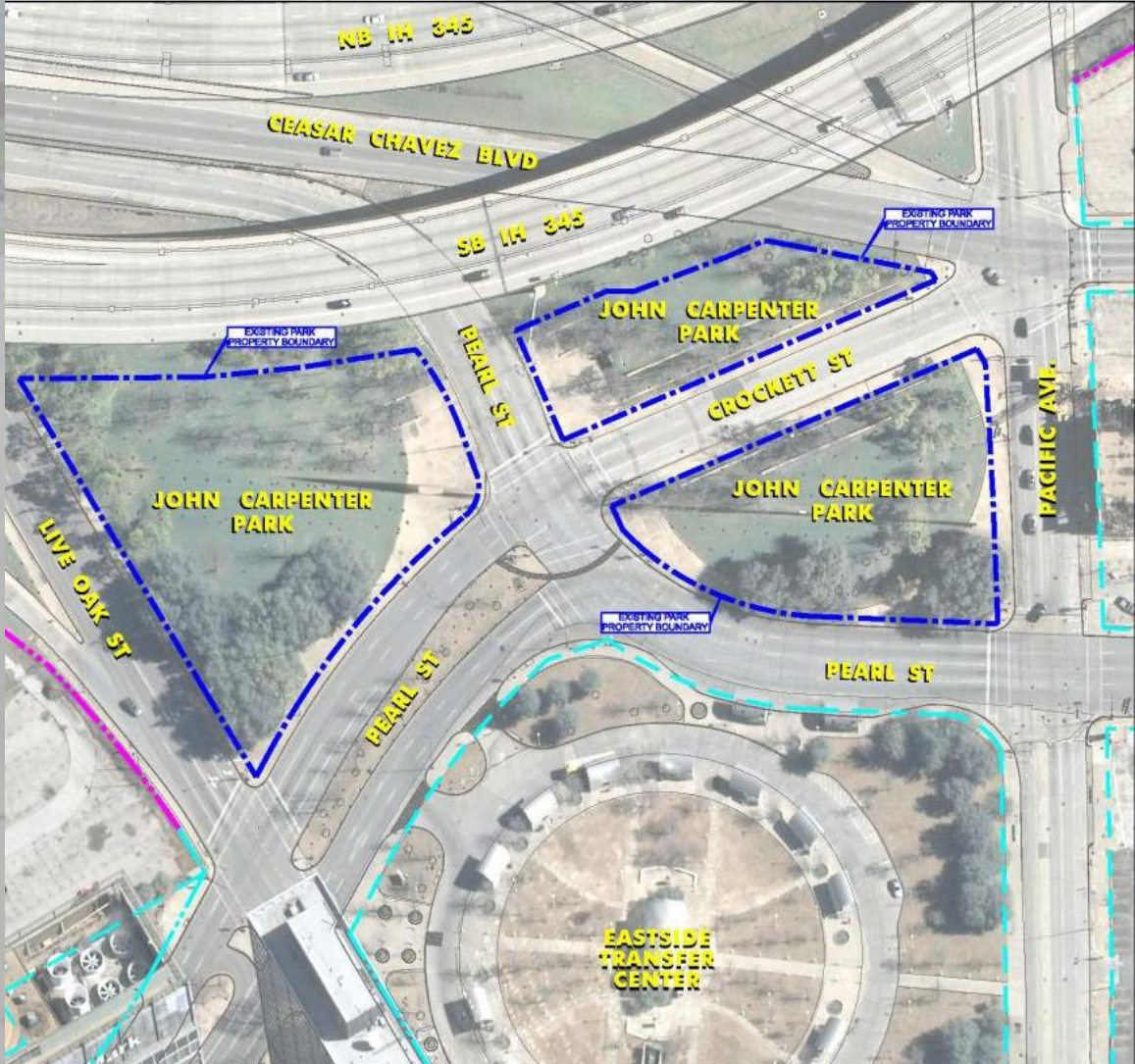
Existing Site Plan



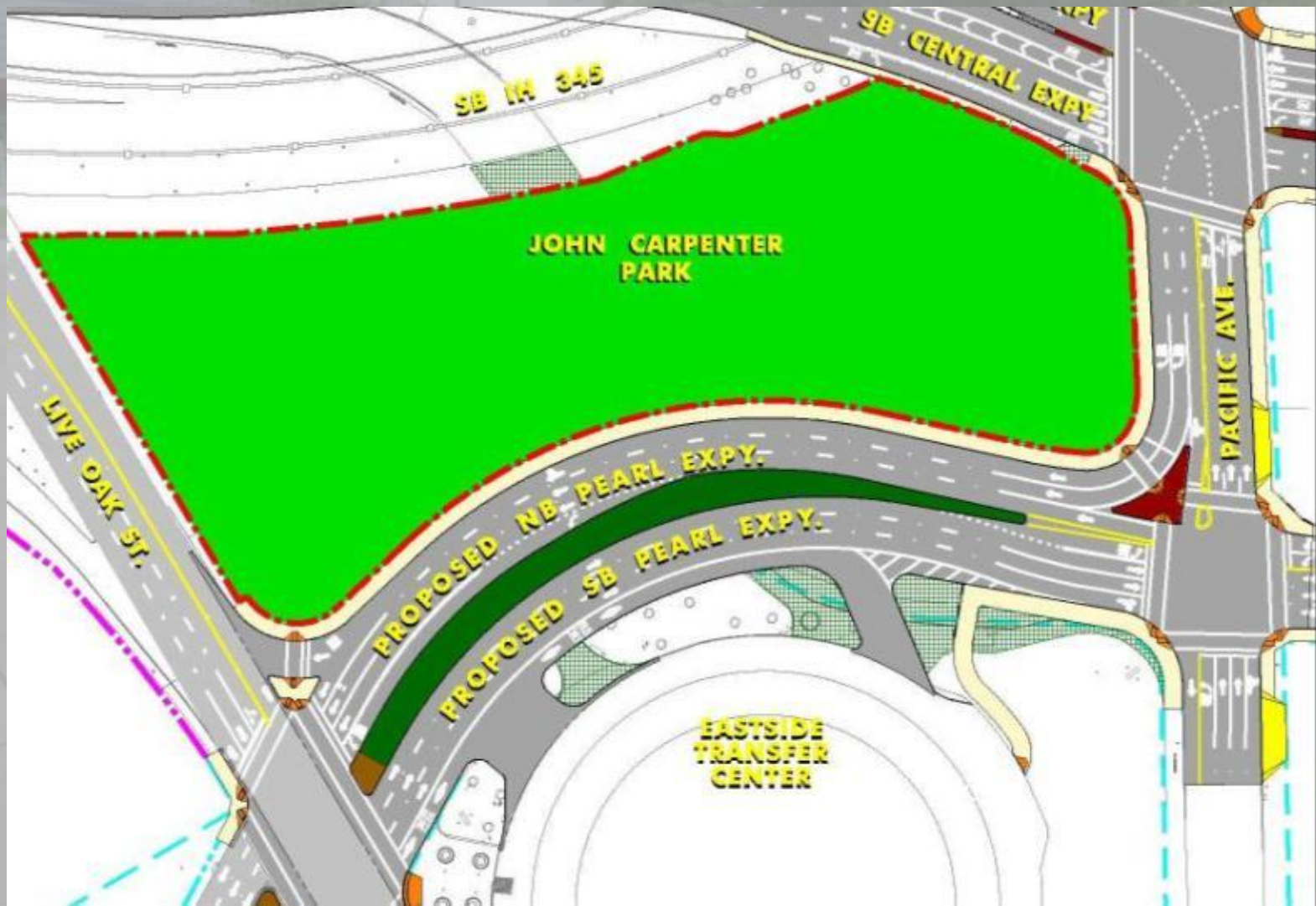
Realignment of Pearl Street

- Realignment of streets adjacent to Carpenter Plaza, including Pearl Street
- Project managed by Public Works Department
- Construction Contract Awarded for \$15,282,670
- Completion scheduled for Summer 2016

Existing Configuration of Carpenter Park



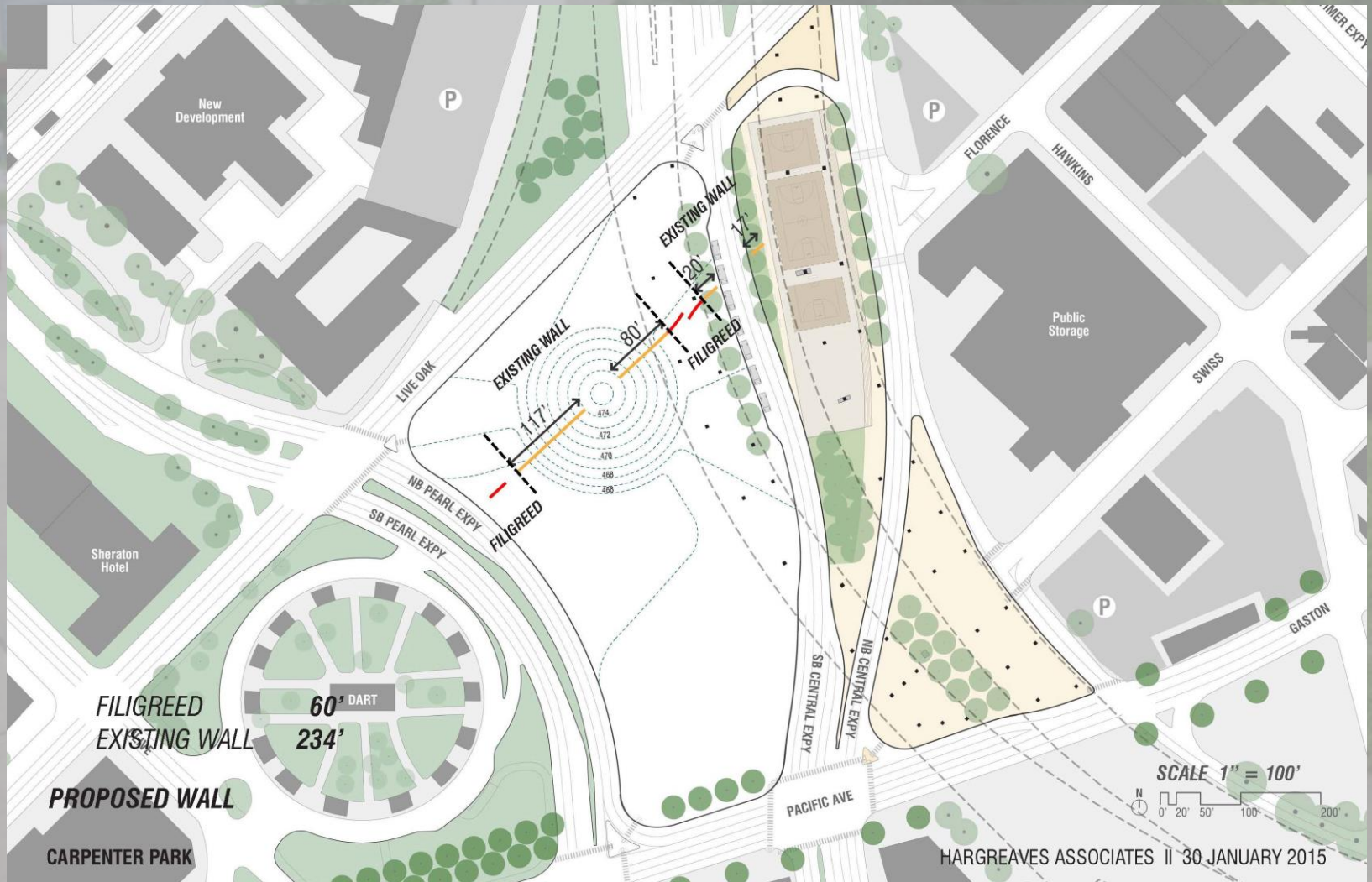
Proposed Configuration of Carpenter Park



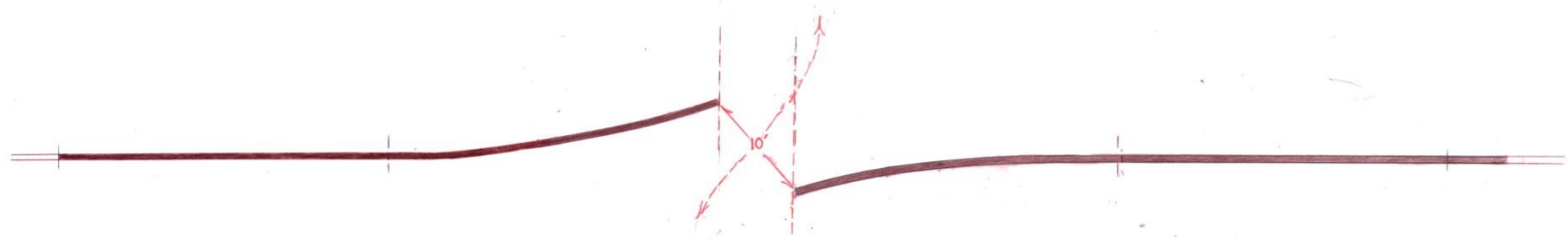
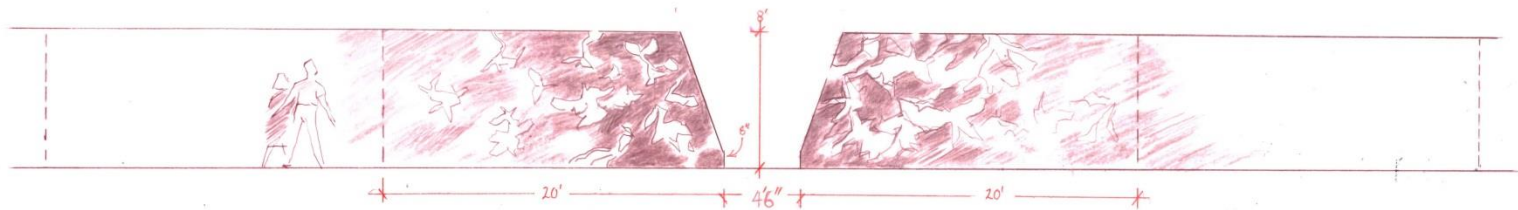
Schematic Design

- City Council awarded professional services contract for schematic design on February 12, 2014
- Decherd Foundation funded schematic design in the amount of \$307,555

Schematic Design



Schematic Design



ROBERT IRWIN SKETCH (SEPTEMBER 12, 2014)

CARPENTER PARK

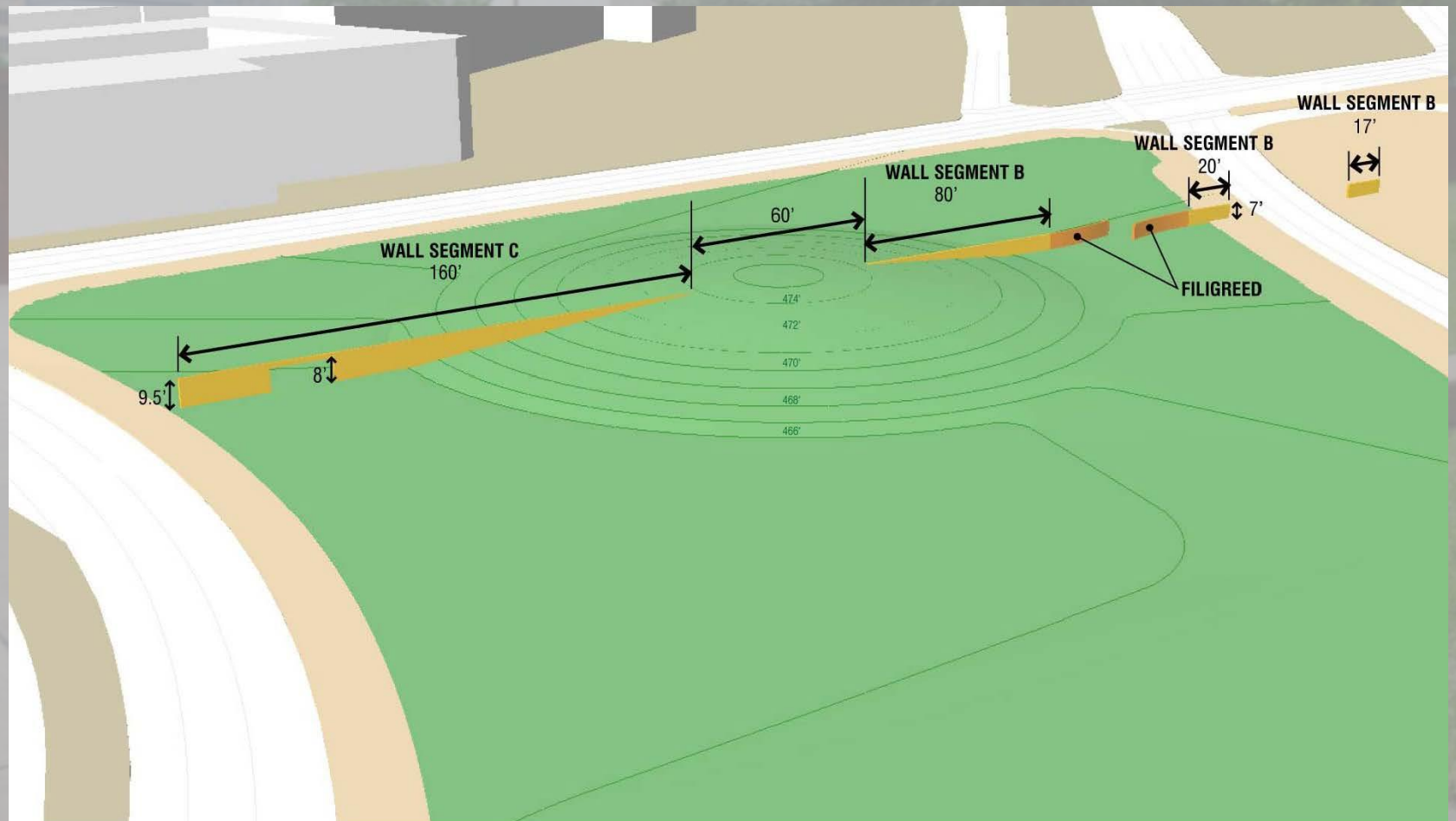
HARGREAVES ASSOCIATES II 30 JANUARY 2015

Schematic Design



Robert Irwin – Filigreed Steel Line for Wellesley College

Schematic Design



PROPOSED WALL (USING EXISTING WALL SEGMENT B & C)

Schematic Design



New Partnership with Carpenter Park, LLC

- The Belo Foundation has reconstituted itself as Parks for Downtown Dallas (PDD), a 501(c)(3) private operating foundation
 - PDD has committed \$30M in matching funds for four priority parks in the Downtown Parks Maser Plan Update: Carpenter Plaza, Harwood Park, Pacific Plaza and West End Plaza
 - An additional \$3M is being committed by John and Cele Carpenter for Carpenter Plaza
- PDD will form a separate LLC for each park for which they provide assistance to the City
 - This is the same model The Belo Foundation utilized to design and build Belo Garden

New Partnership with Carpenter Park, LLC

- Given Public Works' desire to complete the road re-configuration, PDD realized that art removal from Carpenter Plaza required expediting
- PDD formed Carpenter Park, LLC, to assist in moving the project forward
- The agreement with Carpenter Park, LLC includes two components:
 - Carpenter Park, LLC will be responsible for the removal, storage at Park Department facility, re-design, transportation, fabrication, and re-installation of two works of public art that are currently located at Carpenter Park
 - Carpenter Park, LLC will fund the design development phase (estimated at \$800,000) for Carpenter Park

Next Steps

- Park and Recreation Board consideration of Agreement with Carpenter Park, LLC
 - ▣ November 19, 2015
- City Council consideration of Agreement with Carpenter Park, LLC
 - ▣ December 9, 2015
- Proposed design development phase to begin in January 2016
 - ▣ “Portal Slice” and John Carpenter statue will be removed and stored during this phase

Carpenter Plaza

Quality of Life and Environment Committee

November 9, 2015



Memorandum



CITY OF DALLAS

DATE November 6, 2015

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

SUBJECT **Dallas Animal Services: Governance, Friends Policy, and Work Policies**

On Monday, November 9, 2015, the Quality of Life & Environment Committee will be briefed on Dallas Animal Services: Governance, Friends Policy, and Work Policies. The briefing is attached for your review.

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

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
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Elsa Cantu, Assistant to the City Manager – Mayor & Council

Dallas Animal Services

GOVERNANCE, FRIENDS POLICY & WORK POLICIES

QUALITY OF LIFE & ENVIRONMENT COMMITTEE

NOVEMBER 09, 2015



Purpose

This briefing provides an overview of Dallas Animal Service's **Governance, Friends Policy, and Work Policies**

Governance

Background – Governance

STATE STATUTE – HEALTH AND SAFETY CODE – SEC 823.005

- The governing body of a county or municipality in which an animal shelter is located shall appoint an advisory committee to assist in complying with the requirements of this chapter

REQUIREMENTS

- Advisory committee must be composed of
 - At least one licensed veterinarian
 - One county or municipal official
 - One person whose duties include the daily operation of an animal shelter
 - One representative from an animal welfare organization
- The advisory committee shall meet at least three times a year

Background – Governance

On April 14, 2014, the Quality of Life & Environment Committee with the support Animal Shelter Commission recommended amending Chapter 2 of the Dallas City Code so that it would align with the State Health and Safety Code

- Align Dallas with surrounding localities and provide the opportunity to use City shelter managers/directors to fill this mandated role
- Provided the ability to meet the required appointments of the Commission

On August 13, 2014, Council approved ordinance NO-29403 that enacted the code amendments recommended by the Quality of Life & Environment committee

Background – Governance

CITY CODE FOLLOWING AUGUST 13, 2014 COUNCIL ACTION

- **Animal Advisory Commission** ~~Animal Shelter Commission~~ shall be an advisory body of 15 members.
- Each city council member shall appoint one member to the commission.
- The Mayor shall appoint the Chair, and the full city council shall appoint the Vice-Chair.
- All members shall be appointed for an initial term to expire on August 31, 1985.
- Subsequent appointments will be made in August of each odd-numbered year for a two-year term beginning on September 1.
- All members shall serve until their successors are appointed and qualified.

REQUIREMENTS

- One member must be a licensed veterinarian
- One member must be a city or county official
- One member must have duties including the daily operation of an animal shelter
- One member must be a representative from an animal welfare organization
- Eleven members must be chosen from the general public
- ~~No member may be a city employee working in the department designated by the city manager to operate a city owned animal shelter~~
- **The commission must meet at least three times a year and may hold additional meetings at the call of the chair** ~~The commission must meet at least once each calendar month and may hold additional meetings at the call of the chair~~

Friends Policy

Types of Placement Partnerships

Adoption Agency

- Chapter 7 of the Dallas City Code identifies these as “an animal welfare organization or animal placement group approved by the director to take impounded dogs and cats from animal services for adoption to the public”
- All community partners willing to transfer animals that are a 501(c)3 non-profit organization in good standing will be eligible to apply for transfer of animals from DAS
- Animals that are transferred to an approved partner are done so at no charge to the organization and the organizations are required to house and place all animals in compliance with the state and local ordinances
 - There are no additional services provided with these transfers beyond the intake treatments and care initiated by DAS

Individuals and Groups

- Are able to adopt animals from DAS at standard or promotional rates, which includes free at times, to ensure animals released by DAS are in compliance with the law and following best sheltering practices
 - This includes vaccination, neutering and microchipping

Animal Advisory Commission reviewed the partnership process at the October 1, 2015 meeting

- Partnership process review will be part of an upcoming strategic plan

Work Policies

Quality Management System

DAS uses written work instructions to guide daily operations

Written procedures are designed to produce consistent delivery of services for our residents, businesses and visitors

On an annual basis, staff conducts an annual review of all work instructions and forms to ensure that they mirror the division's current processes

For 2015, Dallas Animal Service has a total of 56 work instructions

- 10 Updated
- 7 Created
- 28 are currently under review

Quality Management System

The QMS identifies defects in and encourages revisions and creation of work instructions to promote efficiency

In response to the accidental euthanasia of three dogs, DAS:

- Revised 3 existing work instructions
 - Euthanasia
 - Transfer
 - Intake
- Created 1 new work instruction for conducting shelter rounds
- All policies and revisions have been implemented and staff has been trained in associated areas

Next Steps

Receive input from the Quality of Life & Environment Committee on Dallas Animal Services' Governance, Friends Policy, and Work Policies

Review items with Dallas Animal Advisory Commission

Memorandum



CITY OF DALLAS

DATE November 6, 2015

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

SUBJECT **Little Free Library**

On Monday, November 9, 2015, you will be briefed on Little Free Library. The purpose of this briefing is to receive direction from the committee as to possible regulations. A copy of the briefing material is attached for your review.

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

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

Ryan S. Evans
First Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
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Elsa Cantu, Assistant to the City Manager – Mayor & Council

Little Free Library

Quality of Life & Environment Committee
November 9, 2015



Purpose of Briefing

- Update the Committee on little free library issues
- Get direction from the Committee on possible regulations

History of Little Free Library Organization

▪ Little Free Library Organization

- In 2009, first little free library was built in Wisconsin
- Simple concept “Take a book, leave a book”
- The Little Free Library national organization has over 32,000 registered little free libraries in all 50 U.S. states and over 70 countries

Source: littlefreelibrary.org



9614 Vista Oaks Drive

Little Free Library/Libros Libres Dallas

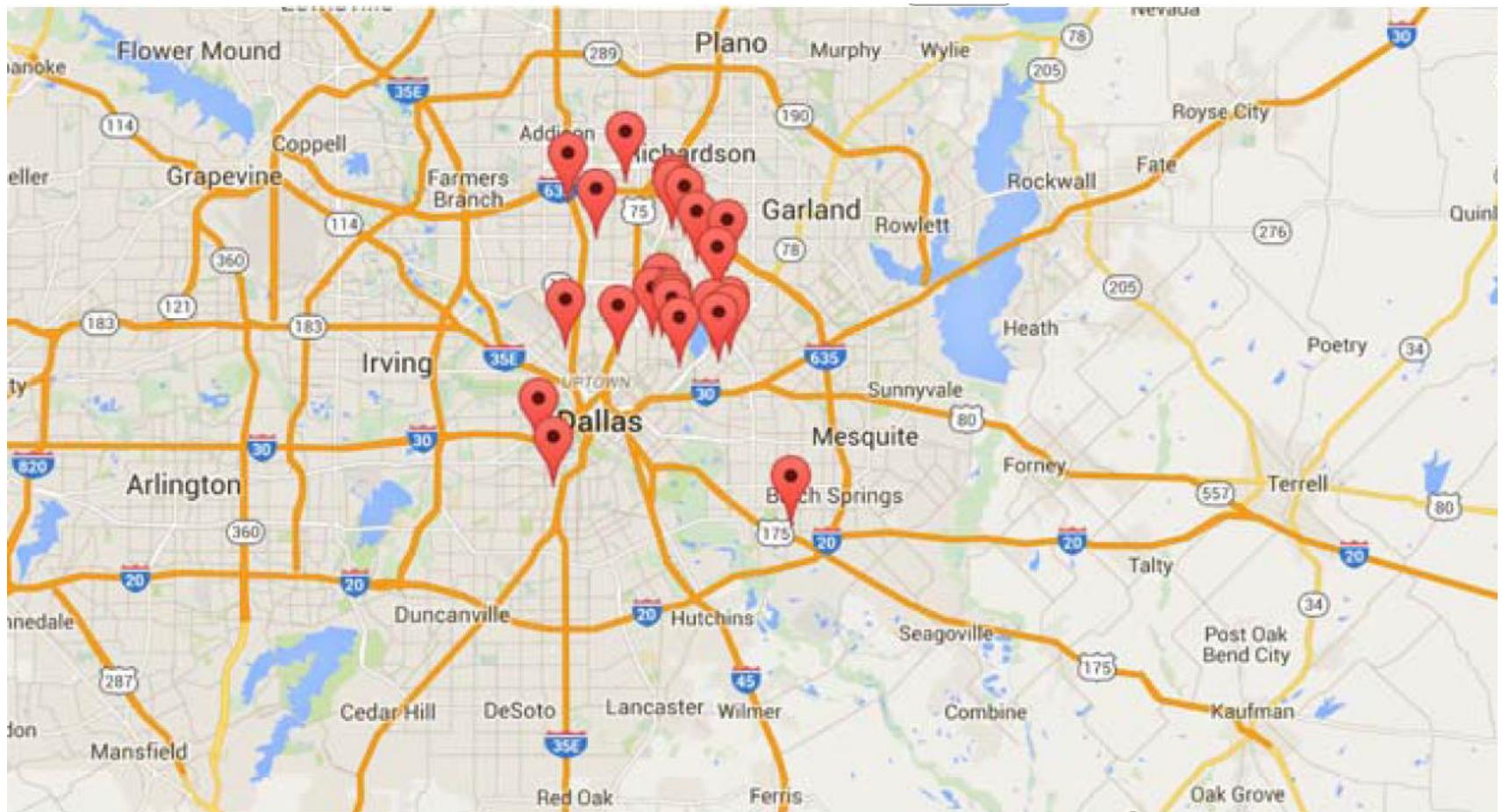
■ Little Free Library/Libros Libres Dallas

- A collaboration between the Wisconsin-based nonprofit Little Free Library, Big Thought, bcWORKSHOP and the Dallas Public Library
- A community driven project to build little free libraries in West Dallas, SouthDallas/Fair Park, and south Oak Cliff
- These little free libraries have been mainly associated with multifamily developments and community centers. They are now branching out into single family neighborhoods



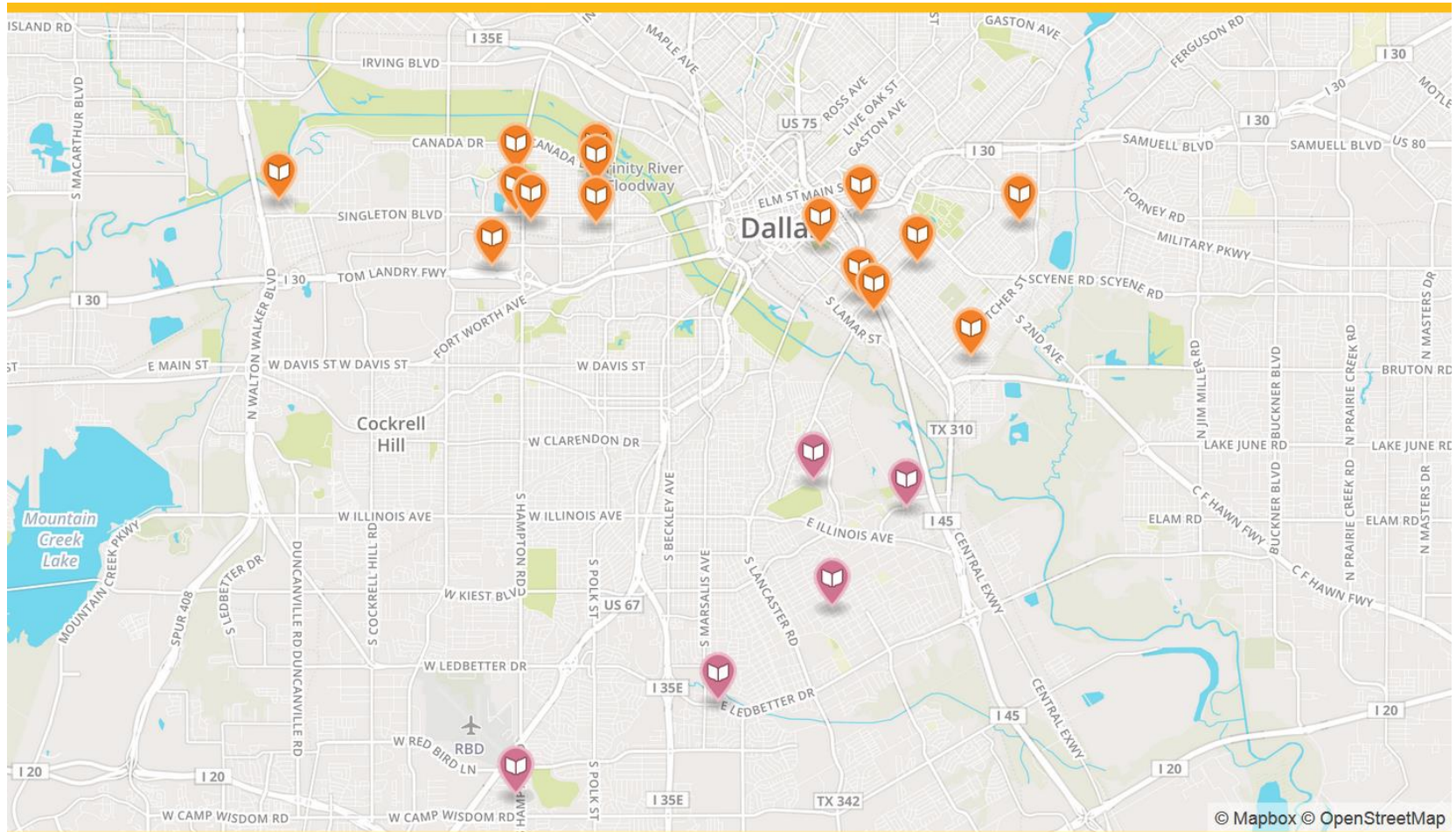
Village Oaks Apartments Little Free Library

Locations registered with LFL.org



- Approximately 25 little free libraries registered with LFL.org

Little Free Library/Libros Libres Dallas



- Little Free Library/Libros Libres locations
- Source: www.lfldallas.org

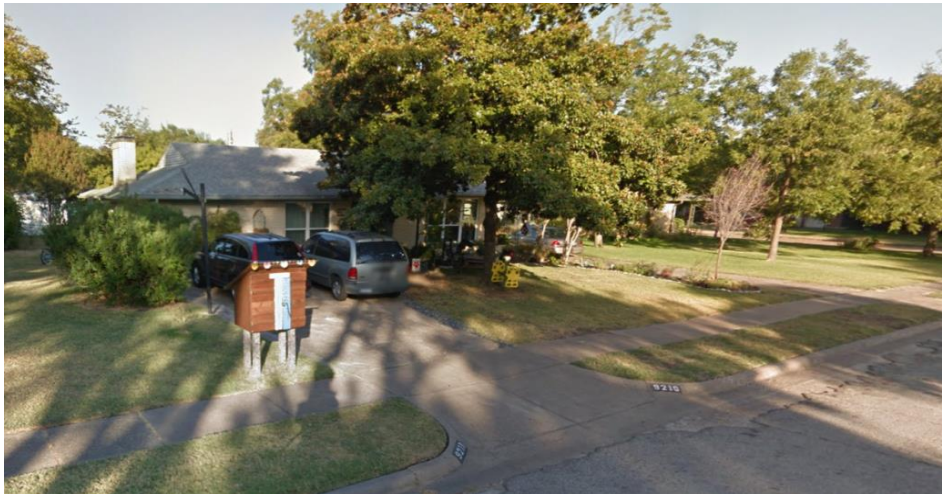
Little Free Library in Single Family Neighborhood



3236 Basil Court



4830 Silver Ave



9210 Lynbrook Drive

Little Free Library in Non-Single Family Areas



Village Oaks Apartments Little Free Library



Oak Cliff Family YMCA - 6701 S. Hampton Road

Information from littlefreelibrary.org

Little Free Libraries in Surrounding Cities

	Does City have a program for Little Free Library?
Allen	No
Arlington	No ¹
Cedar Hill	No
Duncanville	No
Fort Worth	No
Garland	No
Grand Prairie	No
Irving	No
Mesquite	No
McKinney	No
Plano	No
Richardson	No ²

¹. Arlington Proud Little Free Library program a public private partnership

². Little Free Library Sponsorship Program by Friends of the Richardson Public Library

- None of these surrounding cities have specifically addressed the little free libraries in their zoning code

Little Free Libraries in Index Cities

	Does City have a program for Little Free Library?
Austin	No
Baltimore	No
Boston	No
Columbus	No
El Paso	No
Fort Worth	No
Philadelphia	No ¹
Phoenix	No

1. West Philadelphia Alliance for Children (WePAC)

- None of these index cities have specifically addressed the little free libraries in their zoning code

Regulations for Little Free Libraries in other Cities

Whitefish Bay, Wisconsin:

Little free libraries are defined as small enclosures used solely as a means of the free exchange of literary material, and recorded performing arts. Little free libraries may be established in front yard setback subject to the following requirements :

- Maximum 3 feet wide by 3 feet deep by 3 feet tall on a single post
- No taller than 6 feet
- May not be located in the public right-of-way or on public property without the consent of the appropriate State, County, or Village authority
- No more than one little free library per side of linear block of street
- Little free libraries shall be installed and maintained in a neat and orderly fashion
- Not constitute a public nuisance
- Not obstruct the vision, of pedestrians, motorists, or bicyclists in a way that risks public health or safety
- Not impede drainage, snow removal or other public works or utility functions, operations, or maintenance
- Has the authority to order the removal of little free libraries that fail to comply with any of the regulations for a period greater than thirty (30) days after notice

Issues with Little Free Libraries

- May have “strangers” visiting your neighborhood
- Location of the little free library in relation to neighbor (near side property line)
- City cannot regulate content in a little free library
- Proliferation of little free libraries in a community
- Garbage, vandalism, illicit materials
- Ongoing maintenance

Options

1. Amend the Development Code to establish Board of Adjustment special exception to allow a Little Free Library in the front yard setback
2. Amend the Code to define Little Free Library and allow as an exception to the front yard as lawn furniture and landscape elements are allowed
3. Amend the code and allow in the setback by a neighborhood petition (similar to the Road Hump Program)
4. Allow in the right-of-way when a license is granted
5. No change to the Code
 - If portable, similar to basketball goals, moved in and out of setback.

Next Steps

- Receive direction from the Committee on next steps

Appendix

Current Code

Front Yard Regulations - – 51A-4.401

- Required front yards must be open and unobstructed except for fences. Except as otherwise provided in this section, ordinary projections of window sills, belt courses, cornices, and other architectural features may not project more than 12 inches into the required front yard. A fireplace chimney may project up to two feet into the required front yard if its area of projection does not exceed 12 square feet. Cantilevered roof eaves and balconies may project up to five feet into the required front yard.
- In an A(A), multifamily, MH(A), office, retail, CS, LI, IR, IM, central area, mixed use, or multiple commercial district, the board of adjustment may allow a special exception from the front yard requirements of this section to permit the erection of a permanently constructed porte-cochere, covered walkway, or canopy if the structure is rectilinear in shape and does not exceed 25 feet in width at the building line, and if the board finds that the structure will not adversely affect neighboring property.

Little Free Library/Libros Libres Dallas

Libros Libres is a Dallas based community design initiative that pairs neighborhood residents and community organizations with local designers to create a Little Free Library.

Little Free Libraries Supported by Libros Libres in Dallas:

PROJECT/SITE	Address	Zoning	Use	LFL Locations
Moorland YMCA	907 E Ledbetter Dr	R-7.5(A) (SINGLE FAMILY DISTRICT 7,500 S)	Recreation Building	Near build entrance, well away from the street
Gardner Prep School	100 N. Houston School Road, Lancaster, TX	SPECIFIC USE DISTRICT (in Lancaster)	Pre-School use	Near arrival area, away from street
Oak Cliff YMCA	6701 S. Hampton Road	R-10(A) (SINGLE FAMILY DISTRICT 10,000)	Recreation Building	Near build entrance, well away from the street
McCarty Maathai Garden	2331 Custer Drive	R-7.5(A) (SINGLE FAMILY DISTRICT 7,500 S)	Community Garden	Within cmty garden, structures allowed in urban gardens
Village Oaks	3550 E Overton Drive	MF-2(A) (MULTIFAMILY DISTRICT 2)	Apartment Complex	Near apartment complex community garden
Mark Cuban Heroes Basketball	1800 Bonnie View Road	R-7.5(A) (SINGLE FAMILY DISTRICT 7,500 S)	Recreation Building	Indoor Bookshelf/Trophycase
Belay House	4830 Silver Ave	INDUSTRIAL/MANUFACTURING DISTRICT	Afterschool / Rec Center	In planning
St. Phillip's School	1600 Pennsylvania Ave	COMMERCIAL SERVICE DISTRICT	School & Community Center	In planning

- Source: www.lfldallas.org

Arlington Free Library Sponsorship Program

The Arlington Proud Little Free Library program:

- Was initiated in September 2015
- Based on the national LFL concept “take a book, return a book”
- Provides open access to books and a venue for community gathering
- Encourages Little Free Library in public spaces like the UTA campus, schools, and at a church
- Public private partnership to encourage local artists and young readers

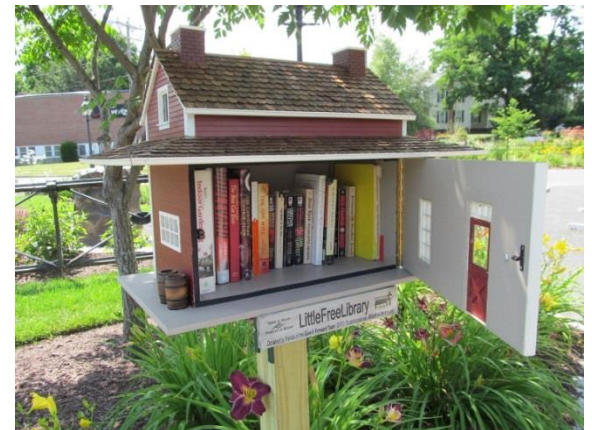


<http://www.arlington-tx.gov/news/2015/10/15/arlington-proud-introduces-little-free-library-program/>

Richardson Free Library Sponsorship Program

Little Free Library Sponsorship Program by Friends of the Richardson Public Library :

- Assists neighborhood associations/homeowners/similar groups to establish a Little Free Library at no cost by an application process
- Selected/successful applicants are responsible to:
 - Following local codes (municipal code or Home Owner Association)
 - Assemble and install the LFL kit
 - Maintenance of the libraries on an ongoing basis



<http://www.richardsonfol.org/Little-Free-Library>

Memorandum



CITY OF DALLAS

DATE November 6, 2015

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

SUBJECT **Shopping Cart Enforcement**

On Monday, November 9, 2015, the Quality of Life & Environment Committee will be briefed on Shopping Cart Enforcement. The briefing is attached for your review.

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

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
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Elsa Cantu, Assistant to the City Manager – Mayor & Council



Shopping Cart Enforcement

Quality of Life & Environment Committee
November 9, 2015

Purpose

- This briefing provides an overview of the City's ordinance and enforcement regulating shopping carts for the committee's discussion to sunset or modify the ordinance



Ordinance

- Shopping carts are regulated in Section 31-40, Offenses – Miscellaneous, of the Dallas City Code
- City Council adopted Ordinance No. 25439 on November 12, 2003
 - Requires merchants to place owner contact information and removal warnings on carts
 - Creates a violation for a person to possess a shopping cart off the owning merchant's property
 - **\$156 Window Fine**
 - \$90 Base Fine
 - \$66 Court Fees
 - Authorizes a \$25 recovery fee to merchants per abandoned cart collected by the City



Ordinance

- The Quality of Life Committee reviewed the ordinance in FY10-11, but did not modify it
- Shopping carts ordinance was recommended for review through the Quality of Life & Environment committee in June 2015
 - The sunset review of Code Compliance presented to City Council in April 2015 recommended review of 900+ ordinances for potential changes or repeal

Enforcement

- Code Compliance enforces the requirement for ownership and removal warning decals on carts
- DPD enforces violations by persons that possess carts off merchant property
- Street Services responds to 311 complaints for carts abandoned in the rights of way (ROW), including streets and sidewalks

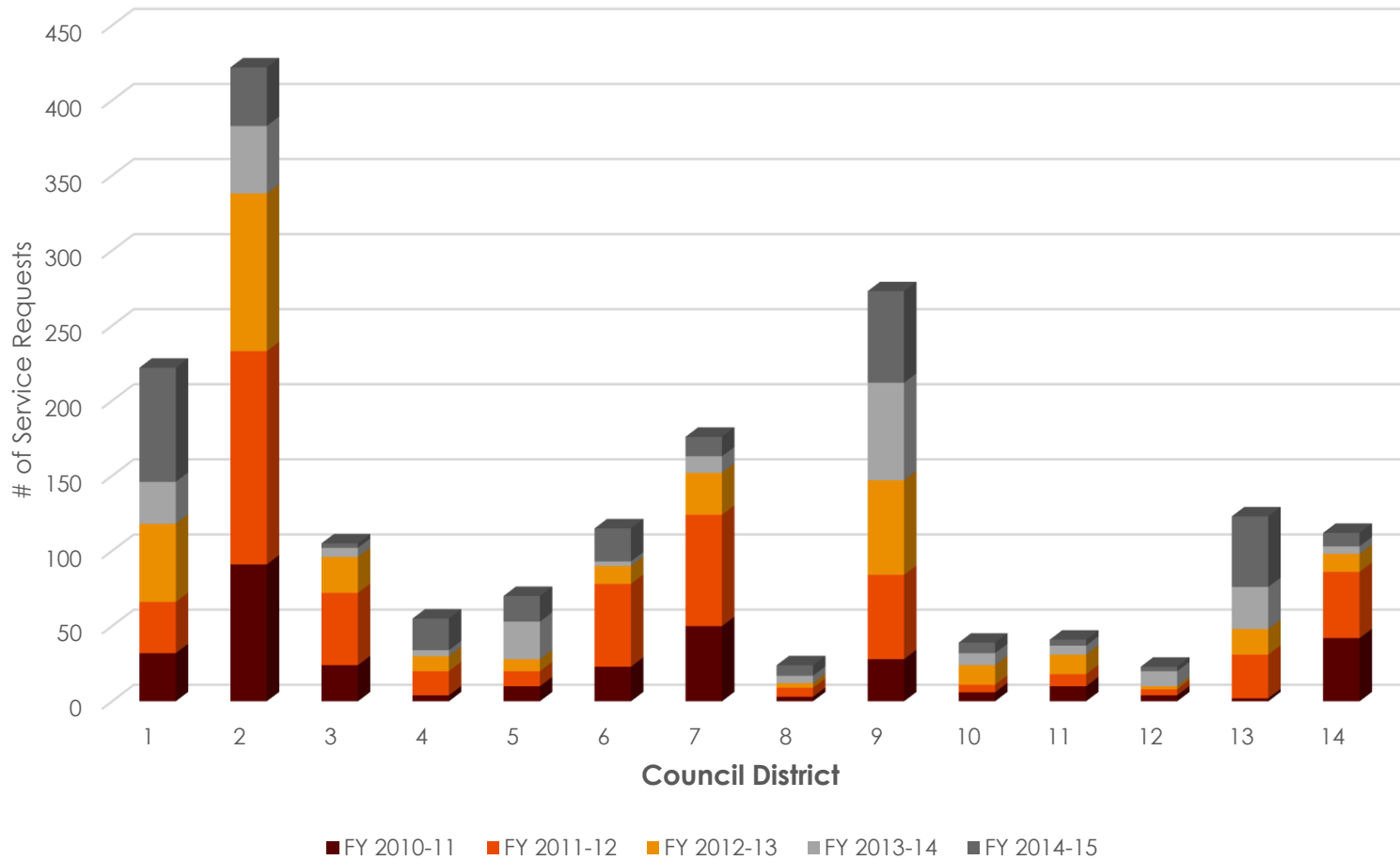


Enforcement

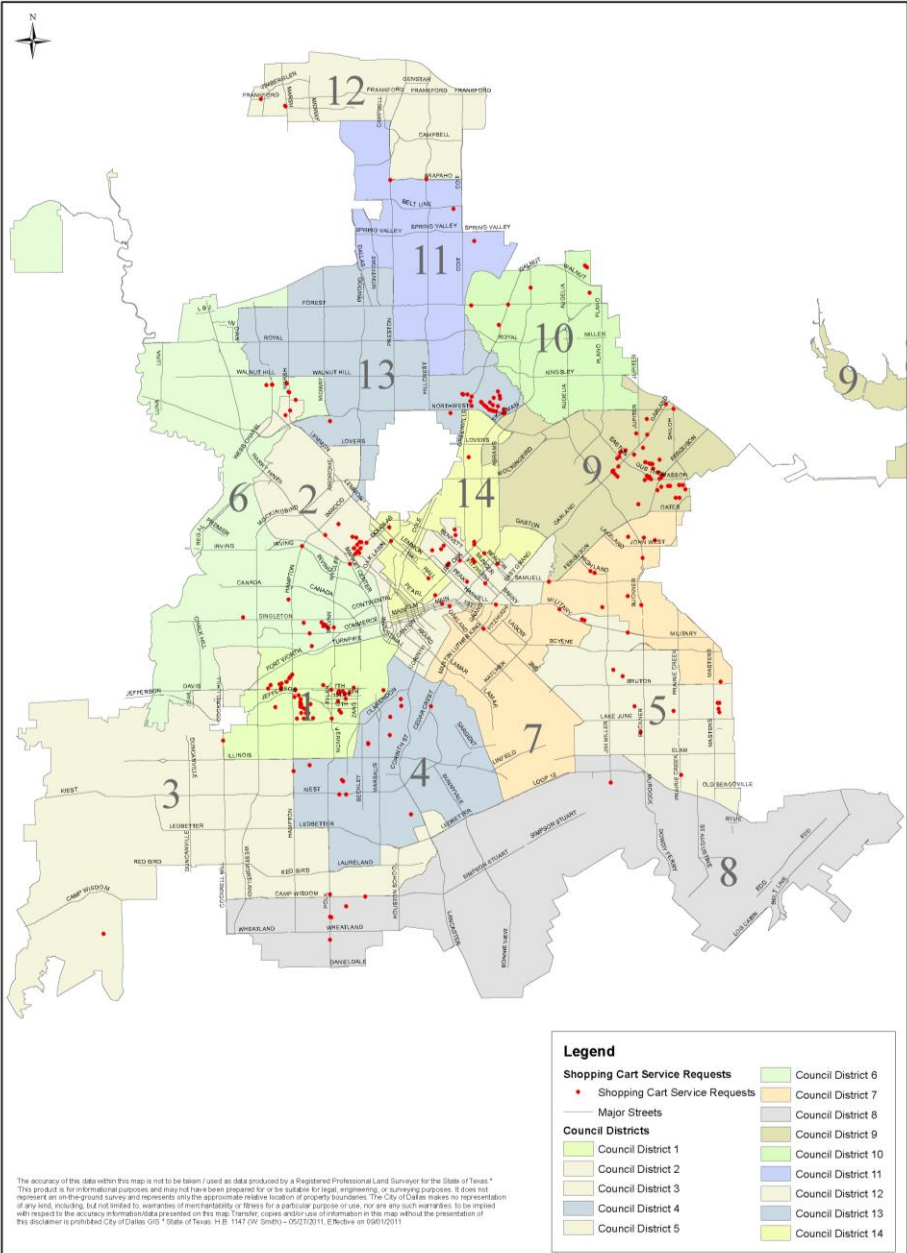
Fiscal Year	No Decal Service Requests	Carts in ROW Service Requests ¹	Cart Off-property Citations
FY10-11	1	320	148
FY11-12	0	517	91
FY12-13	2	351	74
FY13-14	3	244	53
FY14-15	7	330	40
Total	13²	1762	406

1. Includes removal from park land
2. No citations for decal violations have been issued

Carts in ROW Service Requests by Council District FY2010-11 Through FY2014-15



FY 2014-15 Service Requests



Enforcement

- No-decal complaints(service requests) are miniscule and no citations have resulted in prior 5 years
- In the past five years, 55% of citations issued remain open for illegal possession of carts
- Collections of carts target those in the rights-of-way (ROW)
- The recovery fee is not being assessed
- Most carts are not recovered by merchants, but are disposed as scrap metal

Prior Review of Ordinance

- Beginning in November 2010, the Quality of Life Committee reviewed the ordinance
 - Community stakeholders and merchants were engaged for input
 - Staff conducted once-monthly shopping cart round-ups in 5 target areas between April and September 2011 to:
 - Have retailers show strategies to prevent abandoned shopping carts in neighborhoods
 - Compile baseline data to determine how to best hold retailers accountable
 - Periodic round-ups resulted in hundreds of carts removed by City crews, but no changes to the ordinance were recommended or adopted

Prior Review of Ordinance

- Community Stakeholders' Input
 - Included homeowner associations (HOA), neighborhood associations (NA), crime watches (CW), and other groups
 - Exline HOA, Charles Rice HOA, Valley View HOA/VIP, Wynnewood Heights NA, Buckner Terrace HOA, Kidd Springs HCW, Arden Terrace HOA, Woods/Sugarberry HOA, Oak Cliff Community Development, Apartment Association of Greater Dallas, Vickery Meadows Improvement District and property owners
 - Stakeholders' feedback:
 - Believed that merchants will not take stronger action without a City ordinance requiring it
 - Generally supported an increase in abandoned cart collection by the City or contractor at higher cost than current \$25

Prior Review of Ordinance

- Merchants' Input
 - Area merchants and business organizations included
 - Fiesta, Kroger, Safeway, Target, Walgreen's, Wal-Mart
 - Texas Grocery and Convenience Store Association
 - Merchants' feedback:
 - Grocers did not want to lose carts, but did not mind borrowed and returned carts
 - Many merchants had preventative measures in place, but none are 100% effective
 - Regulations should not burden merchants who do not have abandoned carts
 - Merchants were open to pilot testing solutions in problem areas to identify best solutions

Options for Discussion

- Engage merchants and stakeholder groups to discuss potential changes or repeal of the ordinance
- Options for discussion may include:
 - Repeal the ordinance
 - Dispose of carts abandoned in ROW as scrap metal by utilizing sweeps in high complaint areas
 - Modify the ordinance
 - Allow defenses to prosecution for decal requirement violations for prevention measures; and/or
 - Contract for cart collection services in ROW

Memorandum



CITY OF DALLAS

DATE November 6, 2015

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

SUBJECT **November 10, 2015 Park and Recreation Department City Council Agenda Items**

On Tuesday, November 10, 2015, the Dallas City Council will consider six agenda items relating to the Park and Recreation Department.

- **AGENDA ITEM NO. 31 ANITA HARRIS PHELPS PARK** - Authorize a five-year beautification and maintenance agreement, with one five-year renewal option, with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road - Financing: No cost consideration to the City. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- **AGENDA ITEM NO. 32 BUCKNER PARK** - Authorize (1) the receipt and deposit of funds in the amount of \$381,348 in the Buckner Park Fund; (2) the establishment of appropriations in the Buckner Park Fund in the amount of \$381,348; and (3) a development agreement with the Dallas Independent School District (DISD) providing for: (a) the sale of approximately 1.06 acres of Buckner Park to DISD; (b) the design, construction, and maintenance of improvements of Buckner Park; (c) the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street - Revenue: \$381,348. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- **AGENDA ITEM NO. 33 DALLAS ARBORETUM AND BOTANICAL SOCIETY** - Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$394,098 - Financing: Current Funds. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- **AGENDA ITEM NO. 34 DALLAS COUNTY AUDUBON SOCIETY** - Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016 - Not to exceed \$58,949 - Financing: Current Funds. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- **AGENDA ITEM NO. 35 TEXAS DISCOVERY GARDENS** - Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$145,862 - Financing: Current Funds. This item was approved by the Park and Recreation Board on Thursday, October 15, 2015.
- **AGENDA ITEM NO. 36 BISHOP FLORES PARK** - Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of approximately 74,698 square feet of land, by Atmos

Energy Corporation for an energy easement - Financing: No cost consideration to the City. This item was approved by the Park and Recreation Board on Thursday, October 1, 2015.

A City Council agenda sheet is attached with this memo to provide further details on each item. If you have any questions, please contact me at 214-670-4071.



Willis C. Winters, FAIA, Director
Park and Recreation Department

Attachments

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

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

AGENDA ITEM # 31

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 14

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 45-F

SUBJECT

Authorize a five-year beautification and maintenance agreement, with one five-year renewal option, with Uptown Dallas, Inc. at Anita Harris Phelps Park located at 2200 Cedar Springs Road - Financing: No cost consideration to the City

BACKGROUND

This action is for approval of a beautification and maintenance agreement with Uptown Dallas, Inc. for Anita Harris Phelps Park. Uptown Dallas, Inc. proposes to provide the following maintenance and beautification services for Anita Harris Phelps Park:

- Mow twice monthly
- Plant seasonal color beds three times a year
- Plant new trees and maintain trees
- Pick up litter and debris once per week
- Remove graffiti
- Maintain three loaned sculptures
- Pay electric and water bills
- Other miscellaneous maintenance

Uptown Dallas, Inc. will request pre-approval from the Park and Recreation Department for future improvements they desire to fund under this agreement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a beautification and maintenance agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

November 10, 2015

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the City of Dallas Park and Recreation Department (City) and Uptown Dallas Inc. located at 3600 McKinney Avenue, desire to enter into a beautification and maintenance agreement for Anita Harris Phelps Park located at 2200 Cedar Springs Road; and

WHEREAS, the City desires to have Uptown Dallas Inc. beautify and maintain the park during the Term of the Agreement for use and enjoyment of all city of Dallas citizens.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a development and maintenance agreement with Uptown Dallas Inc. for the beautification and maintenance of Anita Harris Phelps Park, after approval as to form by the City Attorney.

SECTION 2. That the duration of the agreement will be for an initial term of five years with a five-year renewal option.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 2

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 46-F

SUBJECT

Authorize **(1)** the receipt and deposit of funds in the amount of \$381,348 in the Buckner Park Fund; **(2)** the establishment of appropriations in the Buckner Park Fund in the amount of \$381,348; and **(3)** a development agreement with the Dallas Independent School District (DISD) providing for: **(a)** the sale of approximately 1.06 acres of Buckner Park to DISD; **(b)** the design, construction, and maintenance of improvements of Buckner Park; **(c)** the design and construction of parking and driveway improvements at Buckner Park located at 4550 Worth Street - Revenue: \$381,348

BACKGROUND

With neighborhood input, and DISD involvement, the Park and Recreation Department commissioned a plan for the redevelopment of Buckner Park. A concept plan (Exhibit A) was finalized on February 8, 2008. The concept plan accommodates the need for safe school drop-off and parking, improved drainage within the park, construction of a new pavilion, reconstruction of court game facilities, a new playground, and new walkways and plantings.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004), the City Council held a public hearing on August 12, 2015 and approved the proposed change of use and sale of parkland for this project.

This item authorizes a development agreement with DISD and the sale of approximately 1.06 acres of land to DISD as a condition of the development agreement. Proceeds of the sale will be utilized in the construction of improvements to Buckner Park in accordance with state law.

BACKGROUND (Continued)

The agreement will be subject to the following terms:

- 1) City will sell to DISD approximately 1.06 acres of land at Buckner Park for parking and driveway improvements for use by the adjacent Ignacio Zaragoza Elementary School. Based on an independent fee appraisal, DISD will pay the City of Dallas \$381,348 for the purchase of this property.
- 2) DISD will provide all funding for the design and construction of DISD parking and driveway improvements on the land purchased from the City. DISD will also provide funding for the design and replacement of the existing park playground. The total contribution by DISD to the project will not exceed \$660,315 or up to five percent over this amount should bids exceed the estimated DISD development costs.
- 3) City will provide all funding for construction of the improvements to Buckner Park. Proceeds from the sale of land, in the amount of \$381,348, and will not exceed \$895,000 from 2006 Bond Funds and Capital Gifts, Donation and Development Funds are to be used for design and construction of parkland improvements.
- 4) City will bid and construct parkland improvements to Buckner Park based on the approved master plan. City will also bid and construct improvements to the 1.06 acres of land sold to DISD for additional parking and improved traffic circulation to serve the school property.
- 5) Once the bid process is complete, and before construction begins, if the actual development cost exceeds the estimated cost by more than five percent, the City and DISD may agree on the actual development costs. Should either party not come to an agreement on the actual development costs either party can terminate the agreement with no further obligation to the other. Should the agreement be terminated by either party, the sale of land to DISD shall not be consummated and City shall not be obligated to make any improvements to the parking and driveway area.
- 6) Should either party terminate the agreement in accordance with the terms of the agreement after commencement of construction and prior to project completion, the land conveyed to DISD shall revert back to the City and the sale shall be considered null and void.
- 7) Each party will be responsible for the maintenance and operations of its own property after completion of construction. DISD further agrees to maintain its parking area similar in character to the adjacent parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized a public hearing on May 21, 2015.

On June 17, 2015, City Council authorized a public hearing to be held on August 12, 2015, by Resolution No. 15-1154.

On August 12, 2015, City Council held a public hearing and authorized the change of park use of a portion of Buckner Park to non-park use, by Resolution No. 15-1472.

The Park and Recreation Board authorized a development agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

Revenue - \$381,348

MAP

Attached

November 10, 2015

WHEREAS, Chapter 791 of the Texas Government Code provides authorization for local governments to contract with one another to perform governmental functions and services, and joint funding of projects; and

WHEREAS, the Dallas Independent School District (DISD) desires to purchase a portion of property known as Buckner Park (Exhibit B) located in Dallas, Texas, ("Parking Property") and City of Dallas is willing to sell the Parking Property to DISD; and

WHEREAS, the sale of the Parking Property to DISD is a legally permissible sale of parkland under Local Government Code Chapter 253, and the proceeds of the sale or exchange may be used only to acquire property for park purpose, and in Chapter 272, the sale is exempt from Local Government Code Chapter 272 notice and bidding requirements for the sale of land owned by a municipality in that it is a sale to a governmental entity that has the power of eminent domain, and complies with Local Government Code Chapter 272 fair market value requirements for the sale of land owned by a municipality in that the purchase price is based on an independent appraisal; and

WHEREAS, the parties agree that the sale of the Parking Property shall include sale and other terms which they desire to memorialize in a development agreement which shall not only function as the purchase and sale agreement but also survive the closing of the sale of the Parking Property as necessitated to perform the governmental functions and services agreed to therein in addition to other provisions of the sale contained within the agreement; and

WHEREAS, the City of Dallas and DISD desire to enter into an agreement for the development of Buckner Park and parking and driveway improvements (Parking Property) for the adjacent Ignacio Zaragoza Elementary School ("Project"); and

WHEREAS, upon completion of construction of the Project DISD and the City of Dallas shall be responsible for maintenance and operation of its own property; and

WHEREAS, this Project will be designed, bid and constructed by the City using \$381,348 from the sale of Parking Property, as defined in the Agreement between the City and District, 2006 Bond Funds and Capital Gifts, Donation and Development Funds not to exceed \$895,000 for the design and construction of the parkland and DISD funds not to exceed \$660,315 for the design and construction of the Parking Property and playground.

Now, Therefore,

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

November 10, 2015

SECTION 1. That the City of Dallas hereby authorizes the President of the Park and Recreation Board, the Director of the Park and Recreation Department, and the City Manager, upon approval as to form by the City Attorney, to execute a Development Agreement between the City of Dallas and DISD providing for the sale of Parking Property, as defined in the Agreement between the City and District for the appraised value of \$381,348 and the design, bid, and construction of improvements to Buckner Park and the Parking Property conditioned on the following terms:

- (i) City and DISD will provide funding for their respective portions of the Project, namely, DISD will provide up to \$660,315 and City will provide \$381,348 from the sale of land to DISD and an amount not to exceed \$895,000 from 2006 Bond Funds and Capital Gifts, Donation and Development Funds;
- (ii) The City will design, bid, and construct improvements for the Project which includes parkland and the Parking Property conveyed to DISD;
- (iii) The design and construction of the Project shall be in accordance with state law, City Code, and all other applicable rules and regulations;
- (iv) Before construction begins, should the actual development cost exceed the estimated cost by more than five percent, and either party cannot come to an agreement on the actual development costs, either party can terminate the agreement without obligation to the other and the sale of land to DISD shall not be consummated and City shall have no obligation to make improvements to the Parking Property.
- (v) Should either party terminate the agreement after construction commences and prior to completion, the land conveyed to DISD shall revert back to the City and the sale shall be considered null and void.

SECTION 2. That in accordance with state law, sale proceeds, including any interest earned on the sales proceeds, are to be utilized for Park System projects overseen by the Park and Recreation Board.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit revenues from performance of the sale terms of the Development Agreement in an amount not to exceed \$381,348, in Buckner Park Fund, Fund 0468, Department PKR, Unit K129, Revenue Code 8416.

SECTION 4. That the City Manager is hereby authorized to establish appropriations in the amount not to exceed \$381,348, in Buckner Park Fund, Fund 0468, Department PKR, Unit K129, Object Code 4599.

November 10, 2015

SECTION 5. That the term of this agreement shall commence upon execution, and shall terminate upon completion of construction of all the improvements and conveyance of the Parking Property from the City of Dallas to DISD.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 9

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with the Dallas Arboretum and Botanical Society, Inc. to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 - Not to exceed \$394,098 - Financing: Current Funds

BACKGROUND

On March 23, 1988, the City entered into a multi-year agreement with the Dallas Arboretum and Botanical Society (DABS), a non-profit organization, to manage and operate the Dallas Arboretum. The agreement was for a twenty-five-year period and was extended on February 27, 2013 for a ten-year period. The agreement with Dallas Arboretum and Botanical Society, Inc. also requires the execution of a separate funding contract to authorize the stipend payable during the current year. The funds have been identified and appropriated in the City's General Fund by authorization of the City Council for the current fiscal year.

The stipend payments will support the following programs and services for the period of October 1, 2015 through September 30, 2016:

Operate and maintain the Dallas Arboretum and Botanical Garden for twelve months providing access to the general public, special educational programs, community outreach services and special events. DABS will distribute 24,000 complimentary tickets for entry into the Arboretum grounds as approved by the Park and Recreation Board.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the twelve-month funding agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$394,098 - Current Funds

ETHNIC COMPOSITION

Dallas Arboretum and Botanical Society, Inc. - Board of Directors

African-American Male	3	African-American Female	4
Asian Male	0	Asian Female	0
Hispanic Male	2	Hispanic Female	1
White Male	35	White Female	28

OWNER

(Current Officers)

Dallas Arboretum and Botanical Society, Inc.

- Mary Brinegar, President
- Bill Graue, Chairman, Board of Directors
- Alan Walne, Vice Chairman, Board of Directors
- Tom McCasland, Secretary
- Christopher Harris, Treasurer

November 10, 2015

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Dallas Arboretum and Botanical Society, Inc. for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 - 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with the Dallas Arboretum and Botanical Society, Inc. totaling \$394,098 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract, after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to the Dallas Arboretum and Botanical Society, Inc. from Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance No. PKR16A032, Vendor 219121, as vouchers are processed by the Park and Recreation Department, not to exceed \$394,098.

SECTION 4. That services to be provided are as follows:

Operate and maintain the Dallas Arboretum and Botanical Garden for 12 months for the general public to include special educational programs, community outreach services and sponsorship of a special summer program for disadvantaged children.

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.

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 3

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas for the Cedar Ridge Preserve to provide services and programs within the City of Dallas for the period January 1, 2016 through December 31, 2016 - Not to exceed \$58,949 - Financing: Current Funds

BACKGROUND

On November 14, 2012, the City entered into a five-year agreement with Dallas County Audubon Society, Inc. dba Audubon Dallas (a non-profit organization) to manage and operate the Cedar Ridge Preserve and requires the execution of a separate funding contract to authorize the stipends payable during the current year. Funds have been identified and appropriated in the City’s General Fund by authorization of the City Council for the current fiscal year.

The stipend payment will support the following programs and services for the period of January 1, 2016 through December 31, 2016:

Operate and maintain the Cedar Ridge Preserve for twelve months providing access to the general public to 633 acres of escarpment and trails in Southwest Dallas, environmental education programs on the ecosystem and presentations at community centers and schools.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the twelve-month funding agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$58,949 – Current Funds

ETHNIC COMPOSITION

Dallas County Audubon Society, Inc. dba Audubon Dallas – Board of Directors

African-American Male	2	African-American Female	1
Asian Male	1	Asian Female	0
Hispanic Male	0	Hispanic Female	0
White Male	2	White Female	7

OWNERS

(Current Officers)

Dallas County Audubon Society, Inc. dba Audubon Dallas

- Kaylynne Beck, President
- Rose Mercer, Chair, Board of Directors
- Joel Woody Cantrell, Incoming Chair, Board of Directors
- Blythe Randolph, Secretary
- Kim Thomas, Treasurer
- Debbie Milligan, Vice President, Conservation
- Lindsay Flowers, Vice President, Fundraising
- Kevin Malonson, Vice President, Education
- Michael Millican, Vice President, Sanctuary
- Anthony Mays, Jessie Salb, and Stalin SM, Directors-at large

November 10, 2015

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Dallas County Audubon Society, Inc. dba Audubon Dallas for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with Dallas County Audubon Society, Inc. dba Audubon Dallas totaling \$58,949 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract, after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to Dallas County Audubon Society, Inc. dba Audubon Dallas from Fund 0001, Department PKR, Unit 5231, Object 3072, Encumbrance No. PKR16A033, Vendor 509534, as vouchers are processed by the Park and Recreation Department, not to exceed \$58,949.

SECTION 4. That services to be provided are as follows:

Operate and maintain the Cedar Ridge Preserve for 12 months providing access to the general public to 633 acres of escarpment and trails in Southwest Dallas, and provide environmental education programs on the ecosystem and presentations at community centers and schools.

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.

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 7

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: N/A

SUBJECT

Authorize a twelve-month funding agreement with Texas Discovery Gardens to provide services and programs within the City of Dallas for the period October 1, 2015 through September 30, 2016 – Not to exceed \$145,862 – Financing: Current Funds

BACKGROUND

On June 25, 2003, the City entered into a multi-year agreement with Texas Discovery Gardens (a non-profit organization) to manage and operate the Texas Discovery Gardens building and surrounding grounds at Fair Park for a ten-year period. The agreement was extended on November 7, 2013 for a ten-year period and requires the execution of a separate funding contract to authorize the stipends payable during the current year. The funds have been identified and appropriated in the City’s General Fund by authorization of the City Council for the current fiscal year.

The stipend payment will support the following programs and services for the period of October 1, 2015 through September 30, 2016:

Operate the Discovery Gardens building and surrounding grounds at Fair Park for twelve months providing access to the general public, community outreach services such as enrichment classes for school children, horticulture information services and presentations at community centers and special facilities.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board authorized the twelve-month funding agreement on October 15, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$145,862 – Current Funds

ETHNIC COMPOSITION

Texas Discovery Gardens – Board of Directors

African-American Male	0	African-American Female	2
Asian Male	0	Asian Female	0
Hispanic Male	0	Hispanic Female	0
White Male	5	White Female	4

OWNER

(Current Officers)

Texas Discovery Gardens

Mike Bosco, Chair, Board of Directors
Marilyn Waisanen, Secretary
Barbara Hunt Crow, Historian
John Fox Holt, III. CPA, Treasurer

November 10, 2015

WHEREAS, on September 22, 2015, by Resolution No. 15-1784, City Council approved funds to procure services from the Texas Discovery Gardens for the citizens of Dallas; and

WHEREAS, it is deemed necessary for official action to be taken by the City Council to define services to be received and authorize payment of these funding allocations during the 2015 – 2016 fiscal year.

Now, Therefore,

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

SECTION 1. That the contract with the Texas Discovery Gardens totaling \$145,862 be approved.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute the contract, after approval as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to make payments to Texas Discovery Gardens from Fund 0001, Department PKR, Unit 5232, Object 3072, Encumbrance No. PKR16A031, Vendor 219134, as vouchers are processed by the Park and Recreation Department, not to exceed \$145,862.

SECTION 4. That services to be provided are as follows:

Operate the Texas Discovery Gardens building and surrounding grounds at Fair Park for 12 months for the general public, and provide community outreach services such as enrichment classes for school children, horticulture information services and presentations at community centers and special facilities.

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.

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

AGENDA DATE: November 10, 2015

COUNCIL DISTRICT(S): 6

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 42-T

SUBJECT

Authorize a public hearing to be held on December 9, 2015 to receive comments on the proposed use of a portion of Bishop Flores Park located at 2200 Talleyho Lane, consisting of approximately 74,698 square feet of land, by Atmos Energy Corporation for an energy easement - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas owns municipal parkland known as Bishop Flores Park located west of downtown near the I-20 and Loop 12 Highway interchange. Atmos Energy Corporation (Atmos) currently has an existing energy easement in the park which was granted by a previous owner prior to the City acquiring the land.

Atmos has requested a permanent energy easement consisting of a total of approximately 74,698 square feet of land (Exhibit A) for construction of a new gas main. As part of this request Atmos will vacate its existing easement consisting of approximately 38,915 square feet of land (Exhibit B). Atmos plans to directional bore a new thirty-inch diameter gas main approximately 30' below the ground surface. The configuration of the highway interchange does not allow for directional boring a thirty-inch gas main within the current energy easement. Atmos will pay the fair market value of this new easement, or equivalent in-kind value, as determined by an independent appraisal. The installation of the gas line will not affect the park.

In compliance with the law, Atmos has determined that there is a need and that no feasible and prudent alternative exists and that all reasonable care has been taken so as to not damage the remainder of the park property and to mitigate any disruption of current and future park services.

In accordance with the Texas Parks and Wildlife Code, Chapter 26 (Sections 26.001 through 26.004) the City Council must advertise and hold a public hearing on the change of use of parkland.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 15, 2015 the Park and Recreation Board authorized a public hearing to be held on December 9, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

November 10, 2015

WHEREAS, the City of Dallas owns land in Dallas known as Bishop Flores Park which was acquired for park purposes and has been maintained as parkland; and

WHEREAS, Atmos Energy Corporation (Atmos) has determined that a utility easement is needed, in the public interest, and necessary for the delivery of energy as shown in Exhibit A; and

WHEREAS, the Texas Parks and Wildlife Code, Chapter 26 (Section 26.001 through 26.004), requires that before a municipality may approve any program or project that requires the use or taking of any public land designated and used as parkland, the governing body of such public municipality must determine that there is no feasible and prudent alternative to the use or taking of such land, and that the program or project includes all reasonable planning to minimize harm to the remainder of the park; and

WHEREAS, prior to making this determination, notice must be given and a public hearing be held relative to the proposed change of park use; and

WHEREAS, the City Council desires to give notice and hold such hearing in accordance with the law with respect to granting of a utility easement to Atmos in Bishop Flores Park.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board is hereby authorized and directed to advise in writing of such proposed use of the park property by delivering a notice for publishing to the official newspaper to be advertised once each week for three consecutive weeks, the last publication to be not less than one week nor more than two weeks before the date of the hearing, which shall be held in the City Council Chambers on December 9, 2015.

SECTION 2. That the approval of the aforementioned project by the City Council, at the close of said hearing, shall be construed as making the proper findings as to the use, taking and conveyance of park land, consistent with the Texas Parks and Wildlife Code and the Texas Local Government Code.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: E-Gov
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Sanitation Services
CMO: Joey Zapata, 670-3009
MAPSCO: N/A

SUBJECT

Authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts - Rehrig Pacific Company through the Houston–Galveston Area Council of Governments - Not to exceed \$122,600, from \$48,209 to \$170,809 - Financing: Sanitation Current Funds

BACKGROUND

The City's current vendor is experiencing manufacturing delays that prevent timely delivery of roll carts to Sanitation Services. The proposed increase to this back up contract will allow Sanitation Services to maintain adequate inventory during any additional delays that may be experienced by the current vendor within the next 60 days.

The waste and recycling collection roll carts purchased through this contact will be issued throughout the City in response to new roll cart requests, replacement carts, as well as replacements for broken and unrepairable roll carts. Roll carts come in three sizes, 96, 64 and 48 gallons and are gray (solid waste), bluestone (recycle waste) and brown (commercial waste) in color. The City collects an estimated total of 283,000 tons of solid and recycling waste from residential and commercial customers annually.

The City intends to purchase Rehrig Pacific Company brand roll carts under the Houston–Galveston Area Council of Governments purchasing agreement.

The HGAC agreement with Rehrig Pacific Company conforms to the requirements of state law requiring competitive bids and proposals, and this contract is in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code. In addition, the HGAC agreement receives bids from manufacturers and dealers throughout the United States.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$122,600.00 - Sanitation Current Funds

November 10, 2015

WHEREAS, on October 22, 2015, Administrative Action No. 15-6961 authorized the purchase of waste and recycling collection roll carts from Rehrig Pacific Company in the amount of \$48,208.88; and

WHEREAS, it is necessary to authorize an increase in the contract with Rehrig Pacific Company for the purchase of waste and recycling collection roll carts due to the City's current vendor experiencing manufacturing delays that prevent timely delivery of roll carts to Sanitation Services.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to increase the contract with Rehrig Pacific Company (VC0000011288) for the purchase of waste and recycling collection roll carts through the Houston-Galveston Area Council of Governments for a 60-day term in an amount not to exceed \$122,600.00, from \$48,208.88 to \$170,808.88, after approval as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Sanitation Current Fund	
Fund 0440, Department SAN, Unit 3504, Obj. 2890,	
Encumbrance rehrigpacificcompanyfy15-2	
Vendor #VC0000011288, in an amount not to exceed	\$122,600.00

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: November 10, 2015
COUNCIL DISTRICT(S): All
DEPARTMENT: Water Utilities
CMO: Mark McDaniel, 670-3256
MAPSCO: N/A

SUBJECT

Authorize continuation of the contract with the United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas' water supply system from November 1, 2015 through September 30, 2016 – Not to exceed \$633,825 - Financing: Water Utilities Current Funds (subject to annual appropriations)

BACKGROUND

The United States Geological Survey (USGS) provides basic water quality and flow monitoring data collection services throughout the United States. It is recognized as an unbiased agency whose data is unquestionably accepted by state and federal regulatory agencies. The City of Dallas' current contract is a cost-sharing agreement with USGS. Obtaining water quality and flow data through a cost sharing program provides the most economical method for Dallas to obtain the needed information.

The cost sharing for this agreement has several components. It includes \$35,975 as City of Dallas' cost share of an agreement between USGS and the cities of Dallas and Fort Worth, and the Trinity River Authority for monitoring of the Trinity River. The total cost to all parties for this portion of the 2015-16 agreement will be \$129,900. The City of Dallas' share is 27.6944 percent of the total costs.

The agreement also includes \$90,630 as the City of Dallas' share of an agreement between the City of Dallas and USGS for the operation and maintenance of stream flow stations. The Denton Creek Gage near Grapevine is required by the Texas Commission on Environmental Quality's Settlement Order on Lake Grapevine. Dallas County Park Cities Municipal Utility District (DCPCMUD) splits the cost with the City of Dallas for this gage. USGS provides stream flow data to the City of Dallas that is used in operating Lake Grapevine, Lake Ray Hubbard, Lake Lewisville and Ray Roberts Lake. The City of Dallas also participates in the collection of water quality monitoring at several stream flow and lake stations.

BACKGROUND (Continued)

The agreement includes \$110,720 as Dallas' share of water quality monitoring. The City of Dallas share of stream flow and water quality monitoring is 84.7 percent of these total costs of \$130,720.

In addition to the stream flow and water quality stations the 2015-16 agreement includes the continuation of a pharmaceutical and personal care products water quality study on the Trinity River and Zebra Mussel sampling and water quality study on Dallas' water supply reservoirs. The City of Dallas share of the investigative study program is \$396,500. The total cost for this portion of the agreement is \$474,000. Dallas' share is approximately 83.65 percent of these total costs.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized Joint Funding Agreement with USGS for Fiscal Year 2011-12 on October 26, 2011, by Resolution No. 11-2852.

Authorized Joint Funding Agreement with USGS for Fiscal Year 2012-13 on September 26, 2012, by Resolution No. 12-2382.

Authorized Joint Funding Agreement with USGS for Fiscal Year 2013-14 on January 8, 2014, by Resolution No. 14-0123.

Authorized Joint Funding Agreement with USGS for Fiscal Year 2014-15 on November 12, 2014, by Resolution No. 14-1936.

Information about this item will be provided to the Quality of Life & Environment Committee on November 9, 2015.

FISCAL INFORMATION

\$633,825 – Water Utilities Current Funds

November 10, 2015

WHEREAS, the City of Dallas has participated with the United States Geological Survey (USGS) in gauging flows relating to the City’s water supply reservoirs, collection of water quality and the flow data in the Trinity River, a pharmaceutical and personal care products water quality study on the Trinity River; and Zebra Mussel sampling and water quality study in Dallas’ water supply reservoirs; and,

WHEREAS, the USGS, has submitted a contract to continue the program for the period November 1, 2015 – September 30, 2016, with the City of Dallas share of the cost at \$633,825. The total program cost of \$831,680 is to be shared between USGS, Ft. Worth, Dallas County, Park Cities Municipal Utility District, Dallas, and the Trinity River Authority; and,

WHEREAS, a joint funding agreement is the most cost-effective method for the City of Dallas to obtain the required data.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with United States Geological Survey for operation of stream flow and water quality gauging stations in the Trinity River basin, a pharmaceutical and personal care products water quality study, and Zebra Mussel sampling and Water Quality study on each of the reservoirs in Dallas’ water supply system.

Section 2. That the Chief Financial Officer is hereby authorized to pay the sum of \$633,825 from the Water Utilities Current Fund as follows:

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>ENCUMBRANCE</u>	<u>VENDOR</u>
0100	DWU	7030	3070	CTDWU7030A1603	157940

United States Geological Survey - \$633,825

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.