

Memorandum



CITY OF DALLAS

DATE November 16, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Citizen Review Board**

The purpose of this memorandum is to note prominent steps taken, as well as provide a timeline and additional efforts in the recommendation to restructure the City of Dallas' Citizen Review Board, (CRB).

Background

In October 2017, Chief Hall began meeting with multiple community groups throughout the city of Dallas, who ultimately formed the Community Police Oversight Board Coalition. Through this series of conversations, there was a demand to implement evidence-based and integrity driven best practices within the Police Department and oversight regarding the Citizen Review Board. In response to the overwhelming concern, in January 2018, a Community Advisory Board was created and served as part of a "Working Group" to research best practices within the police department and develop recommendations to improve the current CRB.

The "Working Group" and the Coalition met over 9 months and held three separate work sessions that included members from City Council and the CRB. Collectively, community groups voiced concern of a lack of transparency and accountability when investigating DPD Officers.

The final report and recommendations were submitted by the Community Police Oversight Board Coalition on October 26, 2018, which focused on three key areas:

- **Implementation of a complaint process DPD**
 - Allow residents to submit complaint reports both on-line and in-person
- **Development of an Early Warning System by DPD**
 - Monitoring system that allows supervisors to monitor, report and archive officer actions and improve accountability
- **Restructure Citizen Review Board**
 - Implement independent investigative arm
 - Policy implementation ability
 - Conduct external investigations of complaints and make recommendations for discipline
 - Establish subpoena power of officers
 - Establish a budget
 - Community engagement and outreach

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In response to the Coalition's key areas, the Police Department has completed the complaint process. The forms are available both on the department website and at each sub-station. Additionally, forms are available at public libraries.

The early warning system is in the development phase. There is a provisional system being utilized throughout the department to allow supervisor review of officers' actions. The department is currently looking for permanent technology solutions.

In an effort to adequately respond to the restructuring of the CRB, it is important to involve the City of Dallas as a whole. Over the next 90 days, we will host a series of town hall meetings to gather input and recommendations. These results will be documented and presented to the Public Safety and Criminal Justice Committee for review and approval. Below is a timeline:

December 11, 2018 – Citizen Police Advisory Board Meeting

December 12, 2018 – January 31, 2019 – Public Engagement Town Hall Meetings

February 11, 2019 – Public Safety Criminal Justice Committee

February/March 2019 – Council Briefing, Review, and Action



T.C. Broadnax
City Manager

c: Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
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Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE November 16, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **November 28, 2018 Agenda Item #30 Regarding Proposed Amendments to the Comprehensive Housing Policy**

On November 28, 2018, City Council will vote on Agenda Item #30, to authorize certain amendments to the Comprehensive Housing Policy (Policy). This memorandum serves three purposes, to: (1) summarize the proposed amendments to the Policy that are included in Agenda Item #30, (2) distinguish these proposed amendments to the Policy from the one proposed amendment to the Policy considered and deferred by Council on October 24, 2018 and (3) respond to questions about the proposed amendments to the Policy posed by members of the Economic Development and Housing Committee (Committee) on November 5, 2018.

Summary of Proposed Amendments to the Comprehensive Housing Policy Included in Agenda Item #30

Background

On May 9, 2018, the Dallas City Council adopted a Comprehensive Housing Policy by Resolution No. 18-0704. The Policy created or amended program statements for the Dallas Homebuyer Assistance Program, the Home Improvement and Preservation Program and the New Development and Substantial Rehabilitation Program and set forth underwriting standards for reviewing both homeowner and rental housing development project proposals. These program statements contain detailed information related to applicant eligibility, terms of assistance, and credit standards, among other items. Likewise, the underwriting standards address an even wider range of topics including eligible costs, cost reasonableness, sales/rental price, environmental reviews, and other federal requirements applicable to housing developments that receive City of Dallas funding or support.

Over the past six months, staff have begun working with families, housing developers, and other stakeholders to implement the programs, tool and strategies outlined in the Policy and received feedback regarding the Policy during pre-proposal conferences for the NOFA and at Housing Policy Taskforce meetings. During this half-year implementation period, the Department of Housing and Neighborhood Revitalization (H&NR) developed a list of proposed amendments that, if adopted, will help staff better work to achieve the overarching goals of the Policy. The proposed amendments will: resolve inconsistencies in program requirements, correct items that were inadvertently included in or omitted from the Policy and modify requirements that have created programmatic constraints.

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Inconsistencies in Program Requirements:

- The Policy contains inconsistencies regarding whether the Dallas Homebuyer Assistance Program (DHAP) will serve households earning as low as 40% of Area Median Income (AMI) or 60% of AMI. The proposed change resolves the inconsistency by stating that the lowest qualifying income is 60% AMI.
- The section of the current program statement for the DHAP related to assumption of the loan by income-qualified heirs states that if the heir(s) do not meet the income requirements of the program, the remaining balance of the loan is due immediately and payable in full if the loan is still within the period of affordability. Because the DHAP provides a deferred, zero percent interest (0%) loan, the "remaining balance" on the loan will always be the full loan amount. The requested change clarifies the terms of the program.

Inadvertent Additions and Omissions:

- The program statement for the Home Improvement and Preservation Program (HIPP) states that applicants who received a Major Systems Repair Loan in the last ten (10) years will be ineligible to participate in the HIPP. However, the HIPP program statement does not set a time period in which a homeowner who receives home repair/reconstruction assistance under newly-created City programs or received assistance under the old Home Reconstruction program is prohibited from applying for additional assistance. The proposed change resolves this omission by stating that, if an applicant's property was previously assisted with City funds and the project is still within the period of affordability, per the written agreement with the applicant, the applicant will not be eligible to receive funding for the same property.
- The Rental Development Underwriting standards include a maximum monetary limit for developer fees. The inclusion of this maximum monetary limit was an oversight. The underwriting standards already cap the developer fee at 15% of development costs, which provides a sufficient standard to ensure that the developer is not earning an excessive fee and is consistent with TDHCA underwriting standards. By removing the maximum monetary limit and requiring that the fee be "reasonable," staff believe they will have the necessary flexibility to evaluate and recommend funding for projects.

Programmatic Constraints:

- Both the DHAP and HIPP program statements contain credit standards stating that qualifying debt to income ratios for program participants are 30% on the front end and 43% on the back end. Over the course of the past six months, staff have screened and denied assistance to applicants whose debt to income ratios were slightly outside of the limits set forth in the Policy but who did not actually pose a greater credit risk due to the nature of their existing debt (i.e. a loan with a low-interest rate). Staff are requesting to be able to exercise a small amount of discretion when evaluating the nature of the debt carried by applicants and be

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allowed to qualify applicants who vary from the existing debt to income ratios so long as the variation is within 5 percentage points and where compensating factors exist. Staff will use this discretion on a limited basis to allow applicants who do not pose a greater credit risk to access the program.

- The DHAP program statement does not currently require an applicant to demonstrate that he or she has any cash reserves. Staff are proposing an amendment to the program statement that will require an applicant to demonstrate that she or he has at least two months of cash available and equal to applicant's projected monthly mortgage payment, including principal, interest, taxes, insurance, and any associated fees. A cash reserve requirement is a standard practice in the lending industry, it helps identify applicants who are most likely to be able to consistently pay their monthly housing payments, and it was standard practice within H&NR prior to the adoption of the Policy.
- The program statement for the New Construction and Substantial Rehabilitation Program contains standards related to the form of financial assistance that can be provided under the program and the repayment terms for the financial assistance. For both the form of financial assistance and the repayment terms, the program statement allows staff to elect to structure the financial assistance and the repayment terms in one of two ways; however, no such discretion is allowed where a project involves housing tax credits. Staff are requesting that the language related to housing tax credits be removed so that the financial underwrite of the project can guide staff in structuring the financial assistance and the repayment terms for projects, including those involving housing tax credits.
- The Policy contains several references to the Chief of Economic Development and Neighborhood Services. Staff are requesting to replace all such references with "the City Manager and/or his or her designee" so that administrative approvals authorized by the Policy can occur without being dependent upon the existence of a Chief of Economic Development and Neighborhood Services.

Distinction Between the Proposed Comprehensive Housing Policy Amendment Considered and Deferred by Council on October 24, 2018 and the Proposed Amendments to the Comprehensive Housing Policy Included in Agenda Item #30

On October 24, 2018 the City Council considered one proposed change to the Policy related to housing development projects that use Low Income Housing Tax Credits (LIHTC). Specifically, Council considered a proposal to amend the Policy for developers requiring Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA) to allow the City Manager to publish a schedule each year, which may be amended from time to time, for issuing one or more Request for Applications for Resolutions of Support or No Objection and to brief the

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appropriate City Council Committee on the annual schedule. The City Council voted to defer the item for six months until the city manager:

1. Drafts recommendations regarding how to identify and evaluate rehabilitation of properties and to determine whether the rehabilitation affirmatively furthers fair housing;
2. Drafts recommendations regarding a schedule for accepting applications for resolutions of support or no objection for housing development projects seeking housing tax credits through the Texas Department of Housing and Community Affairs;
3. Engages the Housing Policy Taskforce to ensure that staff recommendations consider feedback from the development community and neighborhood stakeholders;
4. In the interim, regarding HUD-subsidized properties in substandard condition, aggressively petition HUD to issue findings that the private landlords are in default of any agreements with HUD so that portable vouchers are issued; and
5. After a period of time, if in the city manager's opinion the tactic discussed in item #4 is not working, the city manager activates the High Impact Landlord Initiative Program.

On November 5, 2018, H&NR briefed the Economic Development and Housing Committee (Committee) on the proposed amendments to the Policy that are summarized in the first section of this memorandum. In the briefing, H&NR also included the proposed amendment to the Policy that was considered and deferred by Council on October 24, 2018. However, H&NR has not included this proposed amendment in Agenda Item #30, as the Department is still in the process of completing the five action items mandated by Council in their vote on October 24, 2018 to defer the proposed amendment. Several efforts to comply with the action items are already underway, including a training course co-sponsored by H&NR, the Housing Policy Taskforce and the Texas Real Estate Council (TREC) titled "Housing Tax Credit 101 for Policymakers" that will occur on November 27, 2018 from 1:00-4:00 p.m. in the City Hall Auditorium.

Responses to Questions Posed on November 5, 2018 by Members of the Economic Development and Housing Committee

At the November 5, 2018 briefing of the Economic Development and Housing Committee, Committee members asked several questions that required more detailed follow-up. Below are answers to those questions.

Proposed Change to the Timetable for Issuing Requests for Applications for Resolutions of Support or No Objection

Question: Staff presented a proposal to modify the Policy for developers requiring Resolutions of Support or No Objection for multi-family rental housing development projects seeking Housing Tax Credits (HTC) through the Texas Department of Housing and Community Affairs (TDHCA) to allow the City Manager to publish a schedule each

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year, which may be amended from time to time, for issuing one or more Request for Applications (RFA) for Resolutions of Support or No Objection and to brief the appropriate City Council Committee on the annual schedule. A committee member asked for more information about how proposals submitted in response to such an RFA will be reviewed, including whether all proposals, regardless of score, will be subject to a fair housing review and how staff will decide whether a proposal is placed on a Council agenda.

Response: In December 2018, the City will issue an RFA for Resolutions of Support or No Objection. In the RFA, staff will describe the proposal-review process, including scoring, the fair housing review, and the circumstances under which a proposal will be placed on Council's agenda. Additionally, starting this month and continuing through early 2019, the Housing Policy Taskforce will hold a series of meetings to solicit and review feedback from stakeholders about the City's process for evaluating multi-family rental housing development projects seeking housing tax credits, including the timetable for soliciting such proposals. As the Taskforce meetings are scheduled, the Department of Housing and Neighborhood Revitalization will notify the City Council of the dates, times and locations of the Taskforce meetings.

Proposed Change to the Credit Standards for the Dallas Homebuyer Assistance Program and Home Improvement and Preservation Program

Question: Staff presented a proposal to modify both the Dallas Homebuyer Assistance Program (DHAP) and Home Improvement and Preservation Program (HIPP) program statements to allow staff to be able to exercise a small amount of discretion when evaluating the nature of the debt carried by applicants and be allowed to qualify applicants who vary from the existing debt to income ratios so long as the variation is within 5 percentage points and where compensating factors exist. Several committee members asked about the criteria staff use in evaluating credit risk, including whether a minimum credit score is imposed and how staff distinguish between "good" and "bad" debt.

Response: Neither program sets a minimum credit score; instead each application for financial assistance is reviewed comprehensively to evaluate the applicant's risk of defaulting on their debt by failing to make required payments. As part of the analysis, staff consider the applicant's debt to income ratio, including that nature of the debt. The full HUD-approved City of Dallas Homebuyer Assistance Program Underwriting Guidelines are attached to this memo for your review.

Proposed Requirement of Cash Reserves for Persons Applying to DHAP

Question: Staff presented a proposed amendment to the DHAP program statement to require an applicant to demonstrate that he or she has at least two months of cash available and equal to applicant's projected monthly mortgage payment, including principal, interest, taxes, insurance, and any associated fees. A committee member asked whether staff will consider amounts of money saved in a retirement plan such as a 401k as a permissible source of "cash reserves."

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Response: Cash reserves must be liquid assets that are readily convertible to cash, such as assets held in a savings, checking or money market account. Assets held in a tax-preferred retirement account, such as a 401k or a pension, are not readily convertible to cash and therefore, cannot serve as the basis of the required cash reserve amount. However, an applicant for DHAP assistance may be able to withdraw money from a retirement account and deposit it in a savings, checking or money market account. An applicant considering making such a withdrawal from a retirement account should review IRS regulation §1.401(k)-1(d)(3) and the terms of their retirement plan to determine if such distributions are allowed.

Should you have any further questions, please contact the Director of the Department of Housing and Neighborhood Revitalization, David Noguera.



T. G. Broadnax
City Manager

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CITY OF DALLAS HOMEBUYER ASSISTANCE PROGRAM UNDERWRITING GUIDELINES

General

The City of Dallas is a Participating Jurisdiction (PJ) under the federal HOME Investments Partnership Program, receiving an allocation of HOME funds from the US Department of Housing and Urban Development that is used to support affordable housing activities in the community. As part of the local HOME Program, the PJ provides assistance to low income homebuyers. This assistance can be used toward an eligible buyer's down-payment or closing costs or can be used as direct financing that reduces the size of a buyer's primary loan (i.e. first mortgage) to a level that is affordable.

In providing assistance to homebuyers, the PJ has to balance potentially competing perspectives. First, the PJ wants to ensure that participating buyers will be successful homeowners, so the program should target households who are ready for homeownership and provide enough assistance to make the home affordable. At the same time, buyers should only be provided with the assistance they "need" so that the program can serve as many households as possible with limited HOME funds. Finally, the PJ seeks to ensure that assisted buyers are informed consumers and avoid the use of risky lending products.

To balance these priorities, the PJ has developed these underwriting guidelines, which are based on the following key principles.

- Assisted buyers should have good credit and qualify for competitive lending products on par with those offered to credit-worthy unassisted buyers in the local market. Buyers who can only qualify for subprime loans are not only less likely to sustain homeownership but also require larger subsidies, reducing the impact of the PJ's HOME program.
- Assisted buyers should make reasonable and meaningful contributions to their home purchase in terms of both up-front investments and monthly payment without being overburdened by their monthly payment or left without cash reserves after closing. HOME assistance should not be used to artificially reduce buyers' payments, particularly when a buyer's ability to qualify for a loan is the result of excessive consumer debt.

Applicability & Exceptions

This policy is applicable to all homebuyer units supported by the PJ's HOME program. This includes situations where HOME funds are being used to provide direct buyer assistance (e.g. downpayment and closing costs) supporting a buyer's purchase of a home for sale by a private seller. It also applies to the sale of any home built or rehabilitated by a participant in the PJ's HOME program (including subrecipients, developers, or CHDOs) whether or not the ultimate sale to the buyer includes direct assistance.

While there may be individual cases where these requirements may be waived, program participants should request specific exceptions in writing prior to making any commitments to prospective buyers who cannot qualify within these criteria. The PJ's HOME partners are reminded that they will be responsible for representations and/or commitments made to prospective buyers without prior approval by the PJ.

Maximum Homebuyer Assistance

- The maximum HOME-assistance available for a buyer is based on need as determined by the following underwriting criteria. Not all buyers will qualify for assistance. The assistance available to any given buyer is based on the PJ's assessment of the buyer's need, taking into account the additional criteria outlined below.

Buyer Expectations

To ensure that buyers are likely to sustain homeownership, assisted buyers must:

- Be purchasing the home for a reasonable price that does not exceed the fair market value as determined by an independent appraisal. In most cases, the PJ will coordinate with the buyer's senior lender to obtain a copy of the lender's appraisal. Additionally, the home must have a sales price less than or equal to the applicable HOME Homeownership Value limit for the type (new or existing) and location of the home. These limits are updated annually by HUD and can be obtained from the PJ.
- Have incomes between 40% and 80% of the Area Median Income (AMI) as adjusted for household size. HOME limits assistance to households with incomes at or below 80% AMI. While the PJ is concerned about the housing needs of lower income households, it also recognizes that homeownership requires buyers to have sufficient discretionary income to maintain their homes over time, absorb increases in taxes and insurance, and otherwise address unexpected expenses. As a result, the PJ focuses its homebuyer assistance to buyers with incomes in excess of 40% AMI.
- Contribute at least \$1,000 toward downpayment and closing costs. Additionally, buyers should have sufficient cash resources (including savings, checking, money market, or other similar non-retirement accounts) such that after closing they have savings of at least two (2) times their total monthly payment, including principal, interest, taxes, insurance, and any association fees.

Buyers with liquid assets in excess of \$10,000 will be required to invest assets above \$10,000 toward the purchase of the home before receiving HOME-assistance. For purposes of this requirement, liquid assets are those readily convertible to cash (including but limited to savings or checking accounts, certificates of deposit, stocks and bonds, etc.). Liquid assets, however, exclude life insurance policies and any savings held in a tax-preferred retirement account (e.g. pension, 401(k), IRA, etc.), college savings plan (e.g. 529 account), or health savings account recognized by the Internal Revenue Service.

- Obtain a loan whose monthly payment (i.e. front end ratio) does not exceed 30% of monthly income and that does not result in a total debt burden (i.e. back end ratio) in excess of 43%. While the recent

foreclosure crisis has reduced the availability of lending products that allow buyers to take on excessive monthly payments, some such products are still available. Even when assisted buyers are willing to take on larger monthly payments, the PJ has determined that buyers with excessive payments are less likely to sustain homeownership.

- Be qualified by their lender to spend at least 20% of their monthly gross income on their housing. Lenders often qualify borrowers to spend between 28-33% of monthly gross income, so buyers qualifying only at payment levels below 20% of income usually have high consumer debt which increases both subsidy costs and the likelihood of foreclosure later.

Note, this criterion is not intended to eliminate buyers whose loan is limited by the lender's loan-to-value ratio resulting in a monthly payment less than 20% of income. For example, if a buyer could qualify to purchase a \$100,000 home at a 28% ratio, but because the household is purchasing a \$50,000 home, the actual payment will be less than 20% of monthly income.

- Complete Pre-Purchase Homeownership as required below.
- Obtain a mortgage or senior loan that meets the requirements outlined below.

Pre-Purchase Counseling Requirement

To ensure that buyers receive are informed consumers, the PJ requires:

- Attendance within the past year at a PJ-approved pre-purchase homeownership counseling course by all adult household members who will hold title and be party to the senior loan; and
- That such counseling consists of at least 8 hours of instruction by a HUD-certified counselor.

The PJ has a list of certified counseling agencies that they will provide to potential buyers. Potential buyers should contact an agency on this list to register for an upcoming class.

Primary Loan Expectations

To ensure that buyers receive high quality loans that are sustainable over time, the PJ requires that any buyer receiving HOME assistance towards closing costs, downpayment, or a portion of the purchase price receive a senior loan (i.e first mortgage) meeting the following criteria:

- The loan must be a conventional, FHA, VA or portfolio loan from an approved lender. The loan can not be a High Cost or Sub-Prime Loans, Adjustable Rate Mortgages (ARM), Interest only loans, Discount Points paid by Borrower, and Cash Back at Closing.

- Interest rates must be competitive and must NOT be a “Higher Priced” loan as defined by CFPB. Higher priced loan are those that exceed the Average Prime Offer Rate by more than 1.5% as of the date of the loan’s rate lock. Loans can be checked against the Average Prime Offer Rate by visiting the following website: <http://www.ffiec.gov/ratespread/newcalc.aspx>
- Lending products should be fully amortizing 30-year fixed rate loans. While some buyers may prefer shorter (e.g. 15 year) loans, the PJ will only consider such loans on an exception basis if it determines that the buyer’s payment is sustainable and that the use of a shorter term product does not require additional HOME assistance compared to a 30-year loan.
- Loan products used must generally allow loan-to-value (LTV) ratios of at least 95%. While assisted buyers are not required to be approved for loan amounts equal to 95% of the purchase price, buyers who use more restrictive lending products (such as those limiting the LTV to 80%) will not receive HOME assistance toward their purchase if they could otherwise afford the monthly payment on a larger loan. In short, buyers should obtain the largest loan they can reasonably afford, and the PJ will not subsidize purchases more deeply just to avoid mortgage insurance on higher LTV lending products.

Subordination of HOME-Funded Liens

After providing assistance to eligible homebuyers the PJ has ongoing interests in the success of those buyers from the standpoint of both the HOME program and as a local government concerned about the impact of foreclosures on its residents and neighborhoods. To help prevent future foreclosures and to protect the PJ’s financial investment in assisted units, subordination of HOME-funded liens to future refinancing by assisted buyers will only be considered under the following circumstances. This policy will also apply to HOME-funded liens resulting from homeowner rehabilitation programs and to any of the PJ’s subrecipients or CHDOs who hold secondary liens securing direct assistance provided to buyers or homeowners.

- The new loan must be for the sole purpose of improving the rate and/or extending the term of the existing loan and must result in a low monthly payment for the homeowner. The PJ (including any of its subrecipients or CHDOs who hold secondary liens securing direct assistance provided to buyers) will not subordinate for “cash out” refinancing.

For purposes of this requirement, the new loan may allow the assisted homeowner to finance their closing costs without being considered cash out. Additionally, nominal cash back at closing of less than \$500 resulting from last-minute adjustments to payoff figures, closing costs, tax/insurance escrows and the like will not be considered “cash out.”

- The proposed new loan must meet all requirements in the Primary Loan Expectations section above.
- The proposed new loan must result in a lower monthly payment for the assisted owner.

Memorandum



CITY OF DALLAS

DATE November 15, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **City Council Community District Offices – FY17-18 Performance Metrics Report**

As you know, through a pilot effort to increase constituent access to City resources and officials, four community district offices opened in fiscal year 2017-2018.

District	City Facility	Opening Month
3	Dallas Executive Airport	January 2018
7	MLK Jr. Community Center	April 2018
2/6	Bachman Rec Center	May 2018
8	Former Highland Hills Library	June 2018

To determine the effectiveness of the offices and identify potential adjustments, staff have continued to assess the utility of the pilot programs by collecting performance metrics on the number of calls, walk-ins, and appointments each month. Attached is a report detailing the performance metrics for the four current offices. In total, the offices received 825 phone calls, 323 walk-ins, and 316 appointments during FY 2017-2018.

During fiscal year 2018-2019, staff will continue to collect this data to show trends over time. Additionally, staff is implementing satisfaction surveys at each location for constituents to provide input on their experience at the pilot offices.

If you require additional information, please contact Carrie Prysock, Managing Director of the Mayor and City Council Office, at 214-670-5682.

Sincerely,

Kimberly Bizzor Tolbert
Chief of Staff to the City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
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Fiscal Year 17-18 Pilot Community District Office Performance Metrics Report

November 13, 2018

Below are the performance metrics for fiscal year 2017-2018 for the Pilot Community District Offices. Four pilot offices opened at various times throughout this fiscal year.

Four district offices opened in FY17-18

District	City Facility	Opening Month (2018)	Months of Data	FY17-18 Total Opening + Operating Cost
3	Dallas Executive Airport	January	9	\$3,105
7	MLK Jr. Community Center	April	6	\$46,475
2/6	Bachman Rec Center	May	5	\$21,885
8	Former Highland Hills Library	June	4	\$77,333

TOTAL

Performance metrics collected from the four offices from January – September 2018

TOTAL FY 17-18			
Calls	Walk-Ins	Appointments	Total Resident Interactions
825	323	316	1,464

Total FY17-18 cost of one-time opening/ongoing operating four offices: \$148,798

Total cost per resident interaction: \$101.63

Top 3 reasons for calls:

1. Code Violations
2. Missed Trash
3. Streets: pot holes, etc.

District 3

Performance metrics collected from January – September 2018

DISTRICT 3: FY 17-18				
January – September (9 months)				
	Calls	Walk-Ins	Appointments	Total Resident Interactions
COMMUNITY OFFICE TOTAL	220	23	179	422
COMMUNITY OFFICE MONTHLY AVERAGE	24.4	2.5	19.8	46.8
CITY HALL OFFICE MONTHLY AVERAGE	102.2	N/A	N/A	

Total FY17-18 cost of one-time opening/ongoing operating District 3 community office: \$3,105

Cost per resident interaction: \$7.35

District 7

Performance metrics collected from April – September 2018

DISTRICT 7: FY 17-18				
April – September (6 months)				
	Calls	Walk-Ins	Appointments	Total Resident Interactions
COMMUNITY OFFICE TOTAL	195	127	91	413
COMMUNITY OFFICE MONTHLY AVERAGE	32.5	21.1	15.1	68.8
CITY HALL OFFICE MONTHLY AVERAGE	150	N/A	N/A	

Total FY17-18 cost of one-time opening/ongoing operating District 7 community office: \$46,475

Cost per resident interaction: \$112.53

District 2/6

Performance metrics collected from May – September 2018

DISTRICT 2/6: FY 17-18				
May – September (5 months)				
	Calls	Walk-Ins	Appointments	Total Resident Interactions
COMMUNITY OFFICE TOTAL	128	6	2	136
COMMUNITY OFFICE MONTHLY AVERAGE	25.6	1.2	0.4	27.2
CITY HALL OFFICES (COMBINED) MONTHLY AVERAGE	153.2	N/A	N/A	

Total FY17-18 cost of one-time opening/ongoing operating District 2/6 community office: \$21,885

Cost per resident interaction: \$160.91

District 8

Performance metrics collected from June – September 2018

DISTRICT 8: FY 17-18				
June – September (4 months)				
	Calls	Walk-Ins	Appointments	Total Resident Interactions
COMMUNITY OFFICE TOTAL	282	167	44	493
COMMUNITY OFFICE MONTHLY AVERAGE	70.5	41.75	11	123.25
CITY HALL OFFICE MONTHLY AVERAGE	99.25	N/A	N/A	

Total FY17-18 cost of one-time opening/ongoing operating District 8 community office: \$77,333

Cost per resident interaction: \$156.86

Memorandum



CITY OF DALLAS

DATE November 16, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT Dallas Cultural Plan 2018, Cultural Policy, and Related City Code Updates

The November 28, 2018 City Council meeting agenda will include a resolution (Item #31) for your approval to adopt the *Dallas Cultural Plan 2018*, the new Cultural Policy, and cultural support program guidelines. Additionally, Item #32 is an ordinance to amend Chapter 2 of Dallas City Code related to certain arts and culture provisions, including the procurement of cultural services, which will support implementation of the Cultural Policy.

Following feedback regarding the Cultural Plan received from the City Council at the November 6, 2018 council briefing meeting, the Office of Cultural Affairs has made the following changes:

1. Language to bolster the impact of the Cultural Plan on our city's vitality and to add support for citywide festivals (page 5)
2. Per capita arts spending chart showing Dallas vs. peer cities (page 45, moved from Appendix)
3. Champion private efforts to revitalize neighborhoods through the creation of arts and culture-integrated communities (page 78)
4. Inclusion of an initiative to advocate for more Cultural Districts in Dallas (page 93)

If you have questions or need additional information, please contact me, or Jennifer Scripps, Director of Cultural Affairs, at 214-671-2828 or by email at jennifer.scripps@dallascityhall.com.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

11/15/18

ORDINANCE NO. _____

An ordinance amending Chapter 2, "Administration," of the Dallas City Code, by amending Sections 2-30, 2-37.12, 2-47, 2-102, 2-105, 2-161, 2-162 and 2-161.2; repealing and reserving Sections 2-78 and 2-79; adding Sections 2-162.3 and 2-162.4; providing that the city manager is authorized to approve certain contracts with intergovernmental agencies without further city council action; clarifying the definition of collectible property to mean property owned by the city that is under the care and control of the Dallas Museum of Art; removing WRR radio station from duties of the director of convention and event services; renaming the cultural affairs commission to arts and culture advisory commission; renaming the arts committee to the public art committee; clarifying the definition of public art committee; providing that the director of cultural affairs may manage approval of lease or license agreements for use of cultural facilities for short terms not exceeding a year; providing that the director of cultural affairs may award cultural funding contracts to cultural organizations and individuals; providing that short-term lease and license agreements with small or ethnically and culturally specific nonprofit arts and cultural organizations may be entered into for nominal consideration; providing procurement rules and regulations for cultural services; providing a saving clause; providing a severability clause; and providing an effective date.

Now, Therefore,

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

SECTION 1. That Subsection (d) of Section 2-30, "General Delegation of Contracting Authority," of Division 1, "Purchasing and Contracting Generally," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code, is amended by adding a new Paragraph (8) to read as follows:

"(8) A contract with an intergovernmental agency pursuant to Chapter 791 of the Texas Government Code, as amended, that requires a city expenditure not exceeding \$50,000 or revenue to the city in excess of \$50,000."

SECTION 2. That Subsection (a) of Section 2-37.12, "Sales of Certain Collectible Property," of Division 2, "Sale of Unclaimed and Surplus Property," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code, is amended to read as follows:

"(a) In this chapter:

(1) COLLECTIBLE PROPERTY means an item of personal property owned by the city under the care and control of the Dallas Museum of Art originally acquired for exhibition, collection, or study, including, but not limited to, any work of art, antique, memorabilia, rare object, art education material or display, or other item of lasting interest or value.

(2) CULTURAL AFFAIRS DIRECTOR means the director of the office of cultural affairs of the city or a designated representative."

SECTION 3. That Subsection (b) of Section 2-37.12, "Sales of Certain Collectible Property," of Division 2, "Sale of Unclaimed and Surplus Property," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code, is amended to read as follows:

"(b) Collectible property owned by the city under the care and control of~~[that has been acquired by]~~ the Dallas Museum of Art may be sold, exchanged, or otherwise disposed of in accordance with this section."

SECTION 4. That Subsection (i) of Section 2-37.12, "Sales of Certain Collectible Property," of Division 2, "Sale of Unclaimed and Surplus Property," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code, is amended to read as follows:

"(i) Proceeds of a sale of collectible property must be used by the Dallas Museum of Art to purchase other collectible property, such acquisition being of similar type and identified in

the name of the original donor whenever feasible. Proceeds of an exchange will be placed directly in the collection of the Dallas Museum of Art.”

SECTION 5. That Section 2-47, “Duties of the Director of Convention and Event Services,” of Article V-b, “Department of Convention and Event Services,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“SEC. 2-47. DUTIES OF THE DIRECTOR OF CONVENTION AND EVENT SERVICES.

- (a) The director of convention and event services shall perform the following duties:
 - (1) Supervise and administer the department of convention and event services.
 - (2) Supervise and manage the facilities of the convention center, reunion arena, the municipal produce market, Union Station, [~~and WRR radio station~~] and other facilities of the city as designated by the city manager or by ordinance or resolution of the city council.
 - (3) Supervise and administer the special events program of the city, except as otherwise provided by the city manager, the city charter, or ordinance or resolution of the city council.
 - (4) Perform such other duties as may be required by the city manager or by ordinance of the city council.
- (b) The director of convention and event services and any designated representatives may represent the city in negotiating and contracting with persons planning to use the facilities of the convention center, reunion arena, the municipal produce market, Union Station, [~~or WRR radio station~~] or any other facility under the management of the director of convention and event services.”

SECTION 6. That of Article VIII, “Department of Public Affairs,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

**“ARTICLE VIII.
RESERVED. [~~DEPARTMENT OF PUBLIC AFFAIRS.~~]**

SECS. 2-76 THRU 2-80[~~2-77~~]. RESERVED.

[~~SEC. 2-78. STATION — MANAGER; — OFFICE — CREATED, APPOINTMENT.~~]

There is hereby created the office of station manager to which the city manager shall appoint a person professionally competent to manage a radio station.

SEC. 2-79. ~~CONTRACTS FOR RADIO STATION AIR TIME REQUIRED; OTHER RADIO STATION CONTRACTS.~~

(a) ~~There shall be a contract made for the use of each period of air time sold by the radio station, no matter how small, and the sale shall be represented by written contract. Each contract shall be signed by the station manager or shall be approved by the station manager if the sale was made by some subordinate. In the event a contract for sale of air time provides for other services such as line rentals, commentators, musicians, announcers and other costs incidental to the rendition of the program, then such contract shall distinctly specify each separate item or charge made for such service.~~

(b) ~~Each contract shall provide for cancellation by the city upon reasonable notice, and shall distinctly specify whether the air time used is commercial, civic or non-revenue and shall be signed by the person or organization so using the air time.~~

(c) ~~The following types of contracts for the benefit of the radio station, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval:~~

(1) ~~payment of copyright or license fees or royalties to obtain the rights to broadcast or play specific musical works or compositions;~~

(2) ~~the purchase of rights to broadcast radio programs produced by persons or entities other than other radio station employees or former radio station employees less than two years after their employment with the city;~~

(3) ~~the purchase of advertising, through radio, television, print, billboard, or other media, to promote the radio station, including services rendered in connection with the production or preparation of artwork, copy or music used in such advertising;~~

(4) ~~payment of fees to secure professional talent (other than employees of the radio station) for the purpose of promoting the radio station;~~

(5) ~~payment of commissions (not to exceed 25 percent of the contract amount) to persons or advertising agencies (other than employees of the radio station) who render services in connection with the sale of radio station air time or the purchase of advertising to promote the radio station; and~~

(6) ~~the purchase of services rendered in connection with market research and analysis, radio station ratings, and statistical, demographic, or other related research or analysis.~~

(d) ~~If a contract described in Subsection (c) requires an expenditure exceeding \$50,000, the contract must be authorized by the city council. If a contract described in Subsection (c) is~~

~~required by state law to be competitively bid, the rules stated in Sections 2-34(a) through (e), 2-35, 2-37, and 2-37.1 of this code apply to the contract.~~

~~(e) All other radio station contracts not covered by this section are governed by the other applicable provisions of this code.~~

SEC. 2-80. RESERVED.]”

SECTION 7. That Section 2-102, “Definitions,” of Article X, “Public Art Program,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“SEC. 2-102. DEFINITIONS.

(1) ANNUAL PUBLIC ART PROJECTS PLAN means a prioritized list, to be recommended by the arts and culture advisory~~[cultural affairs]~~ commission and approved by the city council, of visual projects, including budgets and recommended design approaches, developed by the public art~~[s]~~ committee in consultation with city departments anticipating capital improvement projects.

~~(2) [ARTS COMMITTEE means a subcommittee of the cultural affairs commission appointed to oversee quality control of the public art program and projects and to recommend the scope of projects, artworks, and artists for the public art program. The arts committee shall be composed of three members who are the full city council appointments to the cultural affairs commission and eight members who are professionally qualified citizens appointed by the cultural affairs commission.~~

~~(3)] BONDS means all general obligation bonds, revenue bonds, certificates, notes, or other obligations authorized and issued by the city.~~

~~(3[4]) CITY means the city of Dallas, Texas.~~

~~(4[5]) CITY BOND PROCEEDS means the proceeds from bonds payable from a pledge of all or part of any revenues, funds, or taxes, or any combination thereof. The term does not include proceeds of bonds authorized and issued by the city to refund or otherwise refinance other bonds.~~

~~(5[6]) CITY CAPITAL IMPROVEMENT PROJECT means any permanent public improvement project paid for wholly or in part by monies appropriated by the city to construct, improve, or renovate a building, including its appurtenant facilities, a decorative or commemorative structure, a park, a street, a sidewalk, a parking facility, a utility, or any portion thereof, within the city limits or under the jurisdiction of the city. This term includes projects at the Dallas/Fort Worth International Airport only upon approval of the public art program by the airport board and the city of Fort Worth.~~

(6[7]) DEMOLITION COSTS means payments for any work needed for the removal of a building or other existing structure from city property.

(7[8]) EQUIPMENT COSTS means payments for any rolling stock, equipment, or furnishing that is portable and of standard manufacture or that is installed as part of normal major maintenance, whether portable or affixed. The term does not include an item, whether portable or affixed, that is custom designed or specially fabricated for a facility.

(8[9]) NORMAL MAJOR MAINTENANCE COSTS means payments for any work needed to maintain and preserve city property in a safe and functional condition, including, but not limited to, the cleaning, replacement, and repair of floors, ceilings, roofs, landscaping, and plumbing, mechanical, and electrical systems.

(9[10]) PUBLIC ART ACCOUNT means a separate account established within each capital improvement project fund by the city to receive monies appropriated to the public art program; provided that:

(A) city bond proceeds to be used for the public art program must be maintained in the respective bond funds established in accordance with the city ordinance authorizing the issuance of the bonds; and

(B) monies from non-bond sources that are appropriated from a city fund to be used for the public art program must be maintained in a separate account within that fund.

(10[4]) PUBLIC ART ADMINISTRATION FUND means an annual appropriation from each public art account for administration of the public art program.

(11[2]) PUBLIC ART COLLECTION means all city-owned artworks that are not under the care and control of nonprofit institutions operating under management agreements with the city.

(12) PUBLIC ART COMMITTEE means a subcommittee of the arts and culture advisory commission appointed to oversee quality control of the public art program and projects and to report to and recommend to the arts and culture advisory commission the scope of projects, artworks, and artists for the public art program. The public arts committee shall be composed of three members who are full city council appointments to the arts and culture advisory commission and eight members who are professionally qualified citizens appointed by the arts and culture advisory commission.

(13) REAL PROPERTY ACQUISITION COSTS means payments made for the purchase of parcels of land, and any existing buildings, structures, or improvements on the land, and costs incurred by the city for appraisals or negotiations in connection with the purchase.”

SECTION 8. That Section 2-105, “Administration of the Public Art Program Responsibilities,” of Article X, “Public Art Program,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“SEC. 2-105. ADMINISTRATION OF THE PUBLIC ART PROGRAM - RESPONSIBILITIES.

(a) Arts and culture advisory~~[Cultural affairs]~~ commission and the office of cultural affairs. The arts and culture advisory~~[cultural affairs]~~ commission, acting in cooperation with the director of cultural affairs, shall have the following duties and responsibilities associated with the administration of the public art program:

(1) The overall administration of the public art program, including the selection of citizen members of the public ~~[an]~~ art[s] committee, the establishment of program policies and guidelines, the recommendation of program budgets, and the approval of all selection juries and all other recommendations made by the public art[s] committee to the arts and culture advisory~~[cultural affairs]~~ commission.

(2) The establishment of policies and guidelines to facilitate and encourage the donation of high quality artworks to the city.

(3) The establishment of policies and guidelines to ensure that the long-term collection of artworks by the city represents a broad range of artistic schools, styles, tastes, and media, without giving exclusive support to any particular one, and gives consideration to affirmative action.

(4) The review ~~[conducting]~~ of a survey, to be updated annually, of the condition of the public art collection. The survey must include a report on the condition of each artwork, prioritized recommendations for the restoration, repair, and maintenance of the artwork, and estimated costs.

(5) The recommendation of an annual designation of funds for repair and maintenance of the public art collection. Any recommendation involving a work of art for which operation or maintenance costs exceed \$5,000 a year must be accompanied by a detailed fiscal note.

(b) Public art~~[Arts]~~ committee. The public art[s] committee shall have the following duties and responsibilities associated with the administration of the public art program, with all decisions and recommendations made by the public art[s] committee being subject to the review and approval of the arts and culture advisory~~[cultural affairs]~~ commission and, when required, the city council:

(1) The commission of artworks; the review of the design, execution, and placement of artworks; and the overseeing of the removal of artworks from the public art collection.

(2) The designation of sites for implementation of the public art program; the recommendation~~[determination]~~ of the scope and budget of public art program projects; and the overseeing of the artist selection process.

(3) The selection of juries, to be composed of professionals in the visual arts and design fields and members of the community, who will recommend artists and artworks of the highest quality.

(4) The education of the community on the public arts program.

(5) The review and recommendation for approval of any artworks proposed to be donated to the city.”

SECTION 9. That Article XXVI, “Cultural Affairs Commission,” of Chapter 2, “Administration,” of the Dallas City Code is retitled as “Arts and Culture Advisory Commission.”

SECTION 10. That Section 2-161, “Cultural Affairs Commission – Created; Terms; Membership; Meetings,” of Article XXVI, “Arts and Culture Advisory Commission,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“**SEC. 2-161. ARTS AND CULTURE ADVISORY~~[CULTURAL AFFAIRS]~~ COMMISSION – CREATED; TERMS; MEMBERSHIP; MEETINGS.**

(a) There is hereby created the arts and culture advisory~~[cultural affairs]~~ commission of the city, which shall be an advisory body of 18 members appointed by the city council. Fifteen of the members shall be appointed respectively by each city council member, and three of the members shall be appointed by the city council as a whole. The mayor shall appoint the chair of the commission, and the full city council shall appoint the vice-chair.

(b) Each member shall be appointed for a two- year term beginning on October 1 of each odd-numbered year. All members shall serve until their successors are appointed and qualified.

(c) Members of the commission should be persons who are concerned about cultural affairs in the city of Dallas and may be persons who have professional expertise or substantial volunteer involvement in the following areas:

(1) architecture, design, or urban planning;

- (2) visual, performing, or literary arts;
- (3) history;
- (4) science;
- (5) cultural institutions management; or
- (6) volunteer cultural board experience.

(d) The membership of the arts and culture advisory~~[cultural affairs]~~ commission may include at least one of the each of the following persons:

- (1) a registered professional architect or landscape architect;
- (2) a professional visual artist;
- (3) a professional performing artist;
- (4) a scientist;
- (5) a~~n~~ historian; and
- (6) an interested citizen who does not represent any specific cultural organization or interest group.

(e) The three members of the commission appointed by the city council as a whole shall also serve on the public art[s] committee of the arts and culture advisory~~[cultural affairs]~~ commission, and, in addition to qualifying for service on the commission under this section, must meet the qualifications for service on the public art[s] committee as set forth in the city's cultural policy and program adopted by city council resolution.”

(f) The chair of the city council [~~arts and education~~] committee with jurisdiction over arts and culture and one member of the park and recreation board of the city shall serve as ex-officio, nonvoting members of the arts and culture advisory~~[cultural affairs]~~ commission.

(g) The commission must meet at least once each month and may hold additional meetings at the call of the chair.”

SECTION 11. That Section 2-162, “Cultural Affairs Commission – Duties and Responsibilities,” of Article XXVI, “Arts and Culture Advisory Commission,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“SEC. 2-162. ARTS AND CULTURE ADVISORY [CULTURAL AFFAIRS] COMMISSION – DUTIES AND RESPONSIBILITIES.

(a) The arts and culture advisory~~[cultural affairs]~~ commission shall act as an advisory body to the city manager and the city council and shall:

- (1) make recommendations concerning the establishment and implementation of cultural policies and procedures, including cultural diversity;
- (2) make recommendations concerning the design, operation, and use of city facilities devoted to the arts and other cultural activities;
- (3) make recommendations to encourage the development of cultural programs and activities involving emerging cultural organizations and artists, with special emphasis on the development of ethnic and minority artists and arts organizations;
- (4) make recommendations concerning the expenditure of city funds on cultural programs, facilities, and organizations; and
- (5) make recommendations to create opportunities for all citizens of the city to have access to the arts and the means of cultural expression; and
- (6) perform other duties assigned by the city council or requested by the city manager.

(b) The city manager shall provide staff to assist the commission in performing its duties and responsibilities.”

SECTION 12. That Section 2-162.2, “Duties of the Director of Cultural Affairs,” of Article XXVI-a, “Office of Cultural Affairs,” of Chapter 2, “Administration,” of the Dallas City Code, is amended to read as follows:

“SEC. 2-162.2. DUTIES OF THE DIRECTOR OF CULTURAL AFFAIRS.

(a) The director of cultural affairs shall perform the following duties:

- (1) Supervise and administer the office of cultural affairs and WRR radio station.

(2) Manage cultural facilities of the city under the director's supervision as designated by the city manager or by ordinance or resolution of the city council, including approval of lease or license agreements for use of such cultural facilities for short terms not exceeding one year.

(3) Award cultural funding contracts to cultural organizations and to individuals as provided in Section 2-162.3 of this code.

(4) Perform such other duties as may be required by the city manager or by ordinance of the city council.

(b) The director of cultural affairs and any designated representatives may represent the city in negotiating and contracting with persons planning to use any cultural facility under the management of the director of cultural affairs. Short-term leases and license agreements with small or ethnically and culturally specific nonprofit arts and cultural organizations may be entered into for a nominal consideration, when the director of cultural affairs finds it to be of benefit to the public.

SECTION 13. That Article XXVI-a, "Office of Cultural Affairs," of Chapter 2, "Administration," of the Dallas City Code, is amended by adding a new Section 2-162.3, "Procurement of Cultural Services," to read as follows:

"SEC. 2-162.3. PROCUREMENT OF CULTURAL SERVICES.

(a) Except as provided in Subsection (f), contracts with organizations and individuals for cultural services shall be awarded in accordance with this section.

(b) Cultural services mean artistic and cultural services provided by individuals or organizations that have been recommended for funding by a review panel to the director of cultural affairs. Eligibility requirements to serve on each review panel and a review panel process for recommendations must be approved by city council. Cultural services do not include any services described in Subsection (g) below.

(c) The director of cultural affairs may procure services a maximum of five times per fiscal year for production, festivals, and exhibitions under \$50,000 without panel review or recommendation by the arts and culture advisory commission as the director deems necessary to implement arts and culture programs when:

(1) timing of support needed is outside of the fiscal year's cultural support program application period for cultural services;

(2) the support needed is from a Dallas-based 501(c)(3) cultural organization or individual artist;

(3) the service to be provided is less than one year in length; and

(4) the city manager, or designee, has issued a memorandum of justification establishing a special need that meets the requirements of Administrative Directive 4-5, as amended.

(d) Contracts for cultural services, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval.

(e) If a contract described under this section requires an expenditure exceeding \$50,000, the contract must be authorized by city council.

(f) This section does not apply to services that are required to be competitively bid under state law or subject to other state law requirements such as requirements to contact historically underutilized businesses or the special rules for architect and engineering agreements.

(g) All other contracts not covered under this section are governed by the other applicable provisions of this code or other local rules and regulations.”

SECTION 14. That of Article XXVI-a, “Office of Cultural Affairs,” of Chapter 2, “Administration,” of the Dallas City Code, is amended by adding a new Section 2-162.4, “Contracts for Radio Station Air Time Required; Other Radio Station Contracts,” to read as follows:

“SEC. 2-162.4. CONTRACTS FOR RADIO STATION AIR TIME REQUIRED; OTHER RADIO STATION CONTRACTS.

(a) There shall be a contract made for the use of each period of air time sold by the radio station, no matter how small, and the sale shall be represented by written contract. Each contract shall be signed by the station manager or shall be approved by the station manager if the sale was made by some subordinate. In the event a contract for sale of air time provides for other services such as line rentals, commentators, musicians, announcers, and other costs incidental to the rendition of the program, then such contract shall distinctly specify each separate item or charge made for such service.

(b) Each contract shall provide for cancellation by the city upon reasonable notice, and shall distinctly specify whether the air time used is commercial, civic, or non-revenue and shall be signed by the person or organization so using the air time.

(c) The following types of contracts for the benefit of the radio station, requiring an expenditure of \$50,000 or less, may be authorized by the city manager by administrative action, approved as to form by the city attorney, without further city council approval:

(1) payment of copyright or license fees or royalties to obtain the rights to broadcast or play specific musical works or compositions;

(2) the purchase of rights to broadcast radio programs produced by persons or entities other than other radio station employees or former radio station employees less than two years after their employment with the city;

(3) the purchase of advertising, through radio, television, print, billboard, or other media, to promote the radio station, including services rendered in connection with the production or preparation of artwork, copy, or music used in such advertising;

(4) payment of fees to secure professional talent (other than employees of the radio station) for the purpose of promoting the radio station;

(5) payment of commissions (not to exceed 25 percent of the contract amount) to persons or advertising agencies (other than employees of the radio station) who render services in connection with the sale of radio station air time or the purchase of advertising to promote the radio station; and

(6) the purchase of services rendered in connection with market research and analysis, radio station ratings, and statistical, demographic, or other related research or analysis.

(d) If a contract described in Subsection (c) requires an expenditure exceeding \$50,000, the contract must be authorized by the city council. If a contract described in Subsection (c) is required by state law to be competitively bid, the rules stated in Sections 2-32 and 2-33(a) through (c) of this code apply to the contract.

(e) All other radio station contracts not covered by this section are governed by the other applicable provisions of this code.”

SECTION 15. That Chapter 2 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 16. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes

as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 17. 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 18. 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:

CHRISTOPHER J. CASO, Interim City Attorney

By _____
Assistant City Attorney

Passed _____

Memorandum



CITY OF DALLAS

DATE November 16, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Neighborhood Public Hearings Schedule**
HUD Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24 and
FY 2019-20 Consolidated Plan Budget

The Office of Budget and the Community Development Commission (CDC) are pleased to host the annual Neighborhood Public Hearings. These hearings give citizens an important opportunity to provide input and participate in development of the Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24 and the potential uses of the FY 2019-20 U.S. Department of Housing and Urban Development (HUD) Consolidated Plan grant funds to address community needs. The Consolidated Plan grants include: Community Development Block Grant (CDBG), HOME Investment Partnership Program (HOME), Emergency Solutions Grant (ESG), and Housing Opportunities for Persons with AIDS (HOPWA).

The City of Dallas' Citizen Participation Plan (CPP) requires a minimum of six (6) public hearings be held during the development phase of the Consolidated Plan Budget. Usually, these meetings are designated as one meeting in each quadrant of the city; one meeting at City Hall; and one meeting within the city limits, outside of Dallas County where HOPWA funds are allocated. This year, the CDC and staff from the Office of Budget - Grants Administration Division will conduct nine (9) Neighborhood Public Hearings in January of 2019. As required by the CPP, one of these neighborhood public hearings will be held outside of Dallas County. Due to the success of last year's virtual town-hall meeting, we will conduct another virtual town-hall meeting this year.

We have also developed a communication plan to solicit citizen input into the Five-Year Consolidated Plan and annual Consolidated Plan budget based on CDC recommendations and input from Council. Please see the attached English and Spanish translation of the proposed public hearing schedule locations.

DATE **November 16, 2018**

SUBJECT **Neighborhood Public Hearings Schedule
HUD Five-Year Consolidated Plan for FY 2019-20 through FY 2023-24 and
FY 2019-20 Consolidated Plan Budget**

The CDC has also recommended that advertisements be placed in the following newspapers: the Dallas Morning News, the Dallas Examiner, and Al Dia. We will post notices at public hearing locations, recreation centers, libraries, the City's webpage, and the Dallas City News Network channel. We will send email notices to homeowners and neighborhood associations, neighboring elementary schools, and free public service announcement opportunities. The neighborhood public hearings will also be publicized through social media sites, (Facebook, Twitter and Instagram).

Please let me know if you need additional information.



M. Elizabeth Reich
Chief Financial Officer

Attachment

T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
Directors and Assistant Directors



Five-Year Consolidated Plan NEIGHBORHOOD PUBLIC HEARINGS

Come provide your input on the use of federal funds for:

- ❖ Low Income Neighborhood Improvements
- ❖ Homebuyers Down Payment Assistance
- ❖ Youth & Senior Programming
- ❖ Homelessness Prevention & Rapid Re-Housing
- ❖ Housing & Support for Persons w/HIV or AIDS and their Families
- ❖ Home Repair Assistance
- ❖ FY 2019-20 Consolidated Plan Budget

The City of Dallas invites citizens and organizations to provide input into the development of the Consolidated Plan Budget for U.S. Department of Urban and Development HUD grant funds. The purpose of the public hearings are to solicit citizen input for the potential use of HUD funds for low and moderate-income individuals and to inform the public of the budget process.

For more information

Visit www.dallascityhall.com | Call: 214-670-5400 | Email: dallascommdev@dallascityhall.com

Thursday, January 3, 2019
Dallas City Hall
1500 Marilla St., L1FN Auditorium
7:00 p.m. – 9:00 p.m.

Monday, January 7, 2019
MLK Community Center
2922 Martin Luther King Blvd., 75215
10:00 a.m. – 12:00 p.m.

Tuesday, January 8, 2019
Tommie Allen Rec. Center
7071 Bonnie View Rd., 75241
10:00 a.m. – 12:00 p.m.

Tuesday, January 8, 2019
Jaycee Zaragoza Rec. Center
3114 Clymer St., 75212
6:00 p.m. – 8:00 p.m.

Thursday, January 10, 2019
Willie B. Johnson Rec. Center
12225 Willowdell Dr., 75243
10:00 a.m. – 12:00 p.m.

Thursday, January 10, 2019
Timberglen Rec. Center
3810 Timberglen Rd., 75287
6:00 p.m. – 8:00 p.m. **HOPWA meeting**

Monday, January 14, 2019
Prairie Creek Library
9606 Lake June Rd., 75217
6:30 p.m. – 8:00 p.m.

Tuesday, January 15, 2019
Audelia Road Library
10045 Audelia Rd., 75238
6:00 p.m. – 8:00 p.m.

Wednesday, January 16, 2019
Beckley Saner Recreation Center
114 W. Hobson Ave., 75224
6:00 p.m. – 8:00 p.m.

Thursday, January 17, 2019
Virtual Meeting
www.dallascityhall.com 
6:00 p.m. – 8:00 p.m.

Public Hearing Dates

-  @dallascommdev
-  @dallascommdev
-  @dallascommdev
-  #2019NPH
#5YRConPlan



City of Dallas

Anyone who requires an auxiliary aid or service to fully participate in or attend any CDC meeting should notify the Office of Budget/Grants Administration Division at (214) 670-4557 or TTY 1-800-735-2989, forty-eight (48) hours prior to the scheduled meeting.

Cualquier persona que requiera asistencia auxiliar o algún servicio para participar plenamente en, o para asistir a cualquier reunión del CDC, debe notificarlo a la oficina de Presupuesto/División de la Administración de Subvenciones al (214) 670-4557 o TTY 1-800-735-2989, cuarenta y ocho (48) horas antes de la reunión programada.



Plan consolidado de cinco años

AUDIENCIAS PÚBLICAS BARRIALES

Venga y denos su opinión sobre el uso de fondos federales para:

- ❖ Mejoras en Barrios de Bajos Ingresos
- ❖ Asistencia con el pago inicial para compradores de viviendas
- ❖ Programas para jóvenes y adultos mayores
- ❖ Prevención de personas sin hogar y obtención rápida de un nuevo hogar
- ❖ Viviendas y apoyo para personas con VIH o SIDA y sus familias
- ❖ Asistencia para reparar viviendas
- ❖ Presupuesto para el Plan Consolidado para el Año Fiscal 2019-2020

La Ciudad de Dallas invita a los ciudadanos y las organizaciones a brindar su aporte para el desarrollo del Presupuesto para el Plan Consolidado para las subvenciones del Departamento de Urbanidad y Desarrollo (HUD) de EE.UU. El propósito de las audiencias públicas barriales es solicitar el aporte de los ciudadanos para el uso potencial de los fondos del HUD para individuos con ingresos bajos y moderados y para informar al público sobre el proceso del presupuesto.

Para obtener más información

Visite: www.dallascityhall.com | Llame: 214-670-5400 | Email: dallascommdev@dallascityhall.com

Jueves 3 de enero de 2019
Dallas City Hall
1500 Marilla St., Auditorio L1FN
7:00 p.m. – 9:00 p.m.

Lunes 7 de enero de 2019
Centro Comunitario MLK
2922 Martin Luther King Blvd., 75215
10:00 a.m. – 12:00 p.m.

Martes 8 de enero de 2019
Centro Recreativo Tommie Allen
7071 Bonnie View Rd., 75241
10:00 a.m. – 12:00 p.m.

Martes 8 de enero de 2019
Centro Recreativo Jaycee Zaragoza
3114 Clymer St., 75212
6:00 p.m. – 8:00 p.m.

Jueves 10 de enero de 2019
Centro Recreativo Willie B. Johnson
12225 Willowdell Dr., 75243
10:00 a.m. – 12:00 p.m.

Jueves 10 de enero de 2019
Centro Recreativo Timberglen
3810 Timberglen Rd., 75287
6:00 p.m. – 8:00 p.m. *Reunión de HOPWA*

Lunes 14 de enero de 2019
Biblioteca de Prairie Creek
9606 Lake June Rd., 75217
6:30 p.m. – 8:00 p.m.

Martes 15 de enero de 2019
Biblioteca de Audelia Road
10045 Audelia Rd., 75238
6:00 p.m. – 8:00 p.m.

Miércoles 16 de enero de 2019
Centro Recreativo Beckley Saner
114 W. Hobson Ave., 75224
6:00 p.m. – 8:00 p.m.

Jueves 17 de enero de 2019
Reunión virtual
www.dallascityhall.com
6:00 p.m. – 8:00 p.m.

Fechas de las audiencias públicas

- @dallascommdev
- @dallascommdev
- @dallascommdev
- #2019NPH
- #5YRConPlan



City of Dallas

Memorandum



CITY OF DALLAS

DATE November 16, 2018

TO Honorable Members of the Economic Development and Housing Committee

SUBJECT **Amendments to the Dallas Development Code Creating Regulations for Mixed Income Housing Development Bonuses**

On Monday, November 5, 2018, the Economic Development and Housing (EDH) Committee voted to forward to the City Council the proposed amendments to the Dallas Development Code to create regulations for mixed income housing development bonuses with an amendment to set the rental affordability period at 20 years instead of the City Plan Commission (CPC) proposed recommendation of 15 years.

The CPC recommendation of 15 years was based on common maintenance and investment cycles for apartment systems such as HVAC systems and roofing. Staff supports the EDH Committee recommendation of 20 years given that this time period provides a longer period of affordability without having a deleterious effect on reinvestment in these proposed developments.

Please feel free to contact Kris Sweckard, Director of the Department of Sustainable Development and Construction, if you have any questions or need additional information.

A handwritten signature in blue ink, appearing to read 'Majed A. Al-Ghafry'.

Majed A. Al-Ghafry, P.E.
Assistant City Manager

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge

Kimberly Bizer Tolbert, Chief of Staff to the City Manager
Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE November 16, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **November 28, 2018 Upcoming Agenda Items – Government Performance & Financial Management Committee**

There will not be a meeting of the Government Performance & Financial Management Committee (GPFM) before the following items are considered by City Council on November 28, 2018. Therefore, we are providing the attached Agenda Items under the GPFM purview via memorandum for your review.

Please let me know if you need additional information.

A handwritten signature in blue ink that reads "M. Elizabeth Reich".

M. Elizabeth Reich
Chief Financial Officer

Attachment

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
Directors and Assistant Directors



Agenda Information Sheet

File #: 18-1212

Item #: 48.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a one-year service price agreement for commercial wireless communication services and equipment with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources cooperative agreement - Not to exceed \$4,375,769.40 - Financing: Various Funds (see Fiscal Information)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for goods and services for a specific term, which are ordered on an annual basis.

This service price agreement provides firm pricing for citywide commercial wireless communication services and related equipment for a specific term, which are ordered on an as needed basis.

The service allows for wireless cell phone and data communication use which increases mobility and collaboration between departments. Additionally, this contract allows for the purchase of mobility services that can be used in smart devices, such as cradle point, laptop, or mobile tablets. This service price agreement is utilized mainly by Public Safety departments during day-to-day and emergency operations. Other City departments that require devices such as laptops, tablets, and other mobile wireless devices also utilize this agreement to deliver timely and efficient services while in the field. Additionally, this agreement allows for wireless cell phone use which increases mobility and collaboration between departments and residents.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 22, 2012, City Council authorized a four-year service contract, with two one-year renewal options, for commercial wireless communication services and equipment for public safety and other City departments with Cellco Partnership dba Verizon Wireless and its Related Entities through the Department of Information Resources, State of Texas Cooperative contract by Resolutions No. 12-2077.

On August 24, 2016, City Council authorized supplemental agreement no. 1 to exercise the first one-year renewal option to the service contract for commercial wireless communication services and equipment with Cellco Partnership dba Verizon Wireless and its Related Entities through the Department of Information Resources, State of Texas by Resolution No. 16-1310.

On August 23, 2017, City Council authorized Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources, State of Texas Cooperative for commercial wireless communication services and equipment by Resolution No. 17-1269.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Funding allocation will be determined based on an assessment of department needs. See Attachment A for historic billing from current contract.

Various Funds - \$4,375,769.40

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$4,375,769.40	CO-OP	N/A	N/A	N/A
<ul style="list-style-type: none"> The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs). 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	<ul style="list-style-type: none"> Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

Cellco Partnership dba Verizon Wireless

Ronan Dunne, Executive Vice President

Christine Baron, Senior Vice President of Enterprise Sales

Departments	Sum of Total Charges
ATMS	\$976.50
Aviation	\$91,694.30
Business Development (Procurement)	\$10,681.06
City Attorney	\$28,330.68
City Controller's Office	\$1,393.93
City Manager's Office	\$3,972.69
City Secretary's Office	\$1,509.95
Civil Service	\$965.62
Code Compliance/Animal Svcs	\$293,304.86
Communication & Development Svcs	\$121,174.58
Convention & Event Svcs	\$20,274.37
Courts & Detention	\$26,096.84
CPE	\$2,597.12
Dallas Fire/Rescue	\$310,426.09
Dallas Police Department	\$804,749.87
Dallas Water Utility	\$52,985.99
Equipment & Building Svcs	\$62,534.58
Fair Housing	\$2,058.16
Housing/WIC	\$31,704.20
Human Resources	\$2,822.00
Library	\$6,156.08
Mayor/City Council	\$11,211.46
OEQ	\$723.48
Office of Cultural Affairs	\$2,706.71
Office of Economic Development	\$15,952.65
Office of Emergency Management	\$8,896.36
Office of Financial Svcs	\$4,002.04
Office of Risk Management	\$3,606.35
Parks and Rec	\$67,422.74
Planning & Neighborhood Vitality	\$6,250.52
Public Information Office	\$8,938.27
Public Works & Transit	\$21,405.88
Sanitation	\$3,083.24
Strategic Customer Service	\$3,681.10
Streets Svcs	\$82,506.68
Sustainable Development	\$66,472.26
Traffic	\$139,455.15
Trinity Water Management	\$11,787.33
Unknown	\$1,552.55

Grand Total	\$2,336,064.24
Jul-18	\$368,834.05
Aug-18	\$278,034.29
Sep-18	\$265,917.82
Total Charges (As of October 1st, 2018)	\$3,248,850.40

November 28, 2018

WHEREAS, on August 22, 2012, City Council authorized a four-year service contract, with two one-year renewal options, for commercial wireless communication services and equipment for public safety and other City departments with Cellco Partnership dba Verizon Wireless and its Related Entities through the Department of Information Resources, State of Texas Cooperative contract in the amount of \$9,953,000.00, by Resolution No. 12-2077; and

WHEREAS, on August 24, 2016, City Council authorized supplemental agreement no. 1 to exercise the first one-year renewal option of the service contract for commercial wireless communication services and equipment with Cellco Partnership dba Verizon Wireless and its Related Entities through the Department of Information Resources, State of Texas Cooperative in an amount of \$3,432,429.00, from \$9,953,000.00 to \$13,385,429.00, by Resolution No. 16-1310; and

WHEREAS, on August 23, 2017, City Council authorized Supplemental Agreement No. 2 to exercise the second one-year renewal option to the service contract with Cellco Partnership dba Verizon Wireless and its related entities through the Department of Information Resources, State of Texas Cooperative for commercial wireless communication services and equipment in an amount of \$3,596,410.00, from \$13,385,429.00 to \$16,981,839.00, by Resolution No. 17-1269; and

WHEREAS, on September 7, 2018, Administrative Action No. 18-6461 authorized Supplemental Agreement No. 3 to extend the term of the agreement with Cellco Partnership dba Verizon Wireless for commercial wireless communication services and equipment to be used by various departments through December 31, 2018.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Cellco Partnership dba Verizon Wireless and its related entities (VS92349) through the Department of Information Resources cooperative agreement, approved as to form by the City Attorney, for commercial wireless communication services and equipment for a term of one year, in an amount not to exceed \$4,375,769.40. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Cellco Partnership dba Verizon Wireless and its related entities shall be based only on the amount of the services directed to be performed by the City and properly performed by Cellco Partnership dba Verizon Wireless and its related entities under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$4,375,769.40 to Cellco Partnership dba Verizon Wireless and its related entities from Service Contract No. DSV-2018-00008534.

November 28, 2018

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.



Agenda Information Sheet

File #: 18-1111

Item #: 49.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** rescinding the three-year service price agreement with Technical Testing International, LLC dba TTI Environmental Laboratories, previously approved on August 8, 2018, by Resolution No. 18-1046, for analytical laboratory testing services; and **(2)** a three-year service price agreement for analytical laboratory testing services - Pace Analytical Services, LLC, second lowest responsible bidder of four - Not to exceed \$5,381,524.38 - Financing: Equipment and Fleet Management (\$485.00), Dallas Water Utilities Fund (\$4,938,504.18), Stormwater Drainage Management Fund (\$331,866.70), Sanitation Services Fund (\$110,668.50)

BACKGROUND

This action does not encumber funds; the purpose of a service price agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis. We anticipate the following City departments will use this agreement:

- Water Utilities Department
- Department of Sanitation Services
- Equipment and Fleet Management

This item rescinds the contract awarded to Technical Testing International, LLC dba TTI Environmental Laboratories on August 8, 2018, by Resolution No. 18-1046 and awards to the second lowest bidder for analytical laboratory testing services. The contract requires the awarded laboratory to be accredited by the State of Texas under the Texas Laboratory Accreditation Program for the term of the agreement; on September 1, 2018, the City was notified by the Texas Commission on Environmental Quality that Technical Testing International, LLC dba TTI Environmental Laboratories was no longer accredited. This service price agreement will continue to allow City departments to utilize certified, independent laboratories to conduct analytical laboratory testing services. The contractor will analyze samples for compliance with state and federal regulations including The Clean Water Act, Safe Drinking Water Act, Clean Air Act, Comprehensive Environmental Response, Compensation and Liability Act, Resource Conservation and Recovery Act, and Solid Waste Disposal

Act.

The analytical services will be used to support stormwater monitoring, illicit discharge investigations, enforcement investigations, hazardous and non-hazardous waste management, industrial waste monitoring, publicly owned treatment works influent and effluent monitoring, enforcement investigations, drinking water and soil testing and other water/wastewater testing for the City. The independent laboratories under this contract will be required to perform mandated Environmental Protection Agency analysis in situations where the City of Dallas laboratories lack the proper equipment, lab instrumentation, and resources to perform the needed tasks.

On November 10, 2015, City Council authorized the wage floor rate of \$10.94, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 11, 2013, City Council authorized a three-year service contract for analytical laboratory testing services with Technical Testing International, LLC dba TTI Environmental Laboratories, B&A Laboratories, Inc. dba Xenco Laboratories and Environmental Science Corporation dba ENVISCI, Inc. by Resolution No. 13-2048.

On October 26, 2016, City Council authorized rescinding the service contract with Technical Testing International, LLC dba TTI Environmental Laboratories, previously approved on December 11, 2013, by Resolution No. 13-2048, for analytical laboratory services; and a service contract for analytical laboratory testing services through December 10, 2017 with Pace Analytical Services, Inc. by Resolution No. 16-1723.

On August 8, 2018, City Council authorized a three-year service price agreement for analytical laboratory testing services with Technical Testing International, LLC dba TTI Environmental Laboratories and Ana-Lab Corporation by Resolution No. 18-1046.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Equipment and Fleet Management - \$485.00
 Dallas Water Utilities Fund - \$4,938,504.18
 Stormwater Drainage Management Fund - \$331,866.70
 Sanitation Services Fund - \$110,668.50

Fund	FY 2018-19	FY 2019-20	FY 2020-21
Equipment and Fleet Management	\$161.67	\$161.67	\$161.66
Dallas Water Utilities Fund	\$1,040,060.95	\$1,949,221.11	\$1,949,222.12
Stormwater Drainage Management Fund	\$70,250.00	\$130,808.35	\$130,808.35
Sanitation Services Fund	\$36,889.50	\$36,889.50	\$36,889.50

Total	\$1,147,362.12	\$2,117,080.63	\$2,117,081.63
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M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$5,381,524.38	Other Services	23.80%	0.00%	\$0.00
<ul style="list-style-type: none"> • This contract does not meet the M/WBE goal, but complies with good faith efforts. • DHL Analytical would be the only M/WBE sub that would be able to provide scope of work, but they cannot perform either of the 2 tests that the specifications are asking for. 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> • Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed
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The Office of Procurement Services received the following bids from solicitation number BP1702. We opened them on September 1, 2017. We recommend the City Council rescind award of this service price agreement and award to the second lowest responsive and responsible bidder.

*Denotes successful bidder

**Denotes rescinded

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Pace Analytical Services, LLC	400 W. Bethany Road Suite #190 Allen, TX 75013	\$5,381,524.38
**Technical Testing International, LLC dba TTI Environmental Laboratories	800 106th Street Arlington, TX 76011	\$4,985,725.00
B&A Laboratories, Inc. dba Xenco Laboratories	9701 Harry Hines Boulevard Dallas, TX 75220	\$5,700,647.00

Ana-Lab Corporation	2600 Dudley Road Kilgore, TX 75662	\$9,546,026.00
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OWNER

Pace Analytical Services, LLC

Steve Vanderboom, President
Greg Whitman, Vice President
Mike Fuller, Secretary
Michael Prasch, Treasurer

November 28, 2018

WHEREAS, on December 11, 2013, City Council authorized a three-year service contract for analytical laboratory testing services with Technical Testing International, LLC dba TTI Environmental Laboratories in the amount of \$2,216,649.00, B&A Laboratories, Inc. dba Xenco Laboratories in the amount of \$948,898.00 and Environmental Science Corporation dba ENVISCI, Inc. in the amount of \$19,625.00, by Resolution No. 13-2048; and

WHEREAS, on October 26, 2016, City Council authorized rescinding the service contract with Technical Testing International, LLC dba TTI Environmental Laboratories, previously approved on December 11, 2013, by Resolution No. 13-2048, for analytical laboratory services; and a service contract for analytical laboratory testing services through December 10, 2017 with Pace Analytical Services, Inc., in an amount not to exceed \$948,210.69, by Resolution No. 16-1723; and

WHEREAS, on August 8, 2018, City Council authorized a three-year service price agreement for analytical laboratory testing services with Technical Testing International, LLC dba TTI Environmental Laboratories in the amount of \$4,985,725.00 and Ana-Lab Corporation in the amount of \$114,112.00, by Resolution No. 18-1046.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to **(1)** rescind the three-year service price agreement with Technical Testing International, LLC dba TTI Environmental Laboratories, previously approved on August 8, 2018, by Resolution No. 18-1046, for analytical laboratory testing services; and **(2)** sign a service price agreement with Pace Analytical Services, LLC (VS0000021341), approved as to form by the City Attorney, for analytical laboratory testing services, for a term of three years, in an amount not to exceed \$5,381,524.38. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Pace Analytical Services, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Pace Analytical Services, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$5,381,524.38 to Pace Analytical Services, LLC from Service Price Agreement No. POM-2018-00006553.

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.



Agenda Information Sheet

File #: 18-606

Item #: 50.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract for maintenance and support of the existing multiple vendor reading system software application and meter reading handheld computers for the Water Utilities Department - Itron, Inc., sole source - Not to exceed \$178,805.43 - Financing: Dallas Water Utilities Fund (subject to annual appropriations)

BACKGROUND

This contract will provide for the continued maintenance and support of the existing multiple vendor reading system (MVRS) software application and meter reading handheld computers for the Water Utilities Department (DWU). DWU utilizes the MVRS to record meter readings, electronically audit these readings, and record maintenance issues. The meter reading computers have the ability to send and receive interface files to/from the billing system to create customer billing and invoices. DWU reads approximately 330,000 meters on a monthly basis. Maintenance and support services includes technical support, troubleshooting/diagnostics, and upgrades.

On November 10, 2015, City Council authorized the wage floor rate of \$11.15, by Resolution No. 15-2141; the selected vendor meets this requirement.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 28, 2011, City Council authorized the purchase of 70 handheld meter reading computers and a five-year service contract for maintenance and support for the 70 handheld meter reading computers and the existing Multiple Vendor Reading System software application with Itron, Inc. by Resolution No. 11-2515.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Dallas Water Utilities Fund - \$178,805.43 (subject to annual appropriations)

FY 2018-19 \$57,132.51

FY 2019-20 \$59,643.48 (subject to annual appropriations)

FY 2020-21 \$62,029.44 (subject to annual appropriations)

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE%	M/WBE \$
\$178, 805.43	Other Services	N/A	N/A	N/A
<ul style="list-style-type: none"> • M/WBE Goal Waived • Itron, Inc. is providing maintenance and support of vendor reading system application software and meter reading handheld computers and is the sole source provider. No sub-contracting opportunities are available. 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Sole Source	<ul style="list-style-type: none"> • Utilized for procurements where functional requirements can only be satisfied by one vendor, such as those where patents, copyrights or monopolies exists • Exempted from competitive bidding process • Reviewed by Procurement Services to ensure the procurement meets at least one general exception as stated in the Texas Local Government Code
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Bidder

Address

Amount

Itron, Inc.

2111 N. Molter Road
Liberty Lake, WA 99019

\$178,805.43

Note: The Office of Procurement Services conducted a sole source review and found no exceptions.

OWNER

Itron, Inc.

Philip C. Mezey, President
Thomas L. Deitrich, Vice President

November 28, 2018

WHEREAS, on September 28, 2011, City Council authorized the purchase of 70 handheld meter reading computers and a five-year service contract for maintenance and support for the 70 handheld meter reading computers and the existing Multiple Vendor Reading System software application with Itron, Inc., in an amount not to exceed \$549,916.61, by Resolution No. 11-2515; and

WHEREAS, on July 26, 2013, Administrative Action No. 13-6693 authorized Supplemental Agreement No. 1 to increase the acquisition contract for the purchase of three handheld computers with Itron, Inc., in an amount not to exceed \$23,182.46, from \$312,333.87 to \$335,516.33; and

WHEREAS, on July 7, 2017, Administrative Action No. 17-6347 authorized Supplemental Agreement No. 2 to increase and extend the service contract with Itron, Inc. for continued maintenance and support services for handheld computers and software application, used in collecting meter readings through May 31, 2018, in an amount not to exceed \$44,466.40, from \$237,582.74 to \$282,049.14.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with Itron, Inc. (267549), approved as to form by the City Attorney, for maintenance and support of the existing multiple vendor reading system software application and meter reading handheld computers for the Water Utilities Department for a term of three years, in an amount not to exceed \$178,805.43. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Itron, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by Itron, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$178,805.43 (subject to annual appropriations) to Itron, Inc. from Master Agreement Service Contract No. DWU-2018-00005917.

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.



Agenda Information Sheet

File #: 18-1247

Item #: 51.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a five-year service contract for automated notification services for the Office of Emergency Management with AT&T Services, Inc. through the Houston-Galveston Area Council of Governments cooperative agreement - Not to exceed \$324,688.80 - Financing: 9-1-1 System Operations Fund (subject to annual appropriations)

BACKGROUND

This service contract provides automated notification services for the Office of Emergency Management (OEM). OEM utilizes this software to quickly provide City staff situational details or instructions in the event of an emergency such as natural disasters, active shooter events, transportation incidents, and pandemics. Additionally, City residents are able to register to receive OEM delivered information on incidents such as floods or fires, specific to their geographical area utilizing this notification software. The software also provides the City the ability to alert the Federal Emergency Management Agency about local incidents that may affect other local or regional entities outside the city of Dallas.

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

9-1-1 System Operations Fund - \$324,688.80 (subject to annual appropriations)

FY 2018-19 \$64,937.76
 FY 2019-20 \$64,937.76 (subject to annual appropriations)
 FY 2020-21 \$64,937.76 (subject to annual appropriations)
 FY 2021-22 \$64,937.76 (subject to annual appropriations)
 FY 2022-23 \$64,937.76 (subject to annual appropriations)

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$324,688.80	CO-OP	N/A	N/A	N/A
<ul style="list-style-type: none"> The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs). 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	<ul style="list-style-type: none"> Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

AT&T Services, Inc.

Randall L. Stephenson, Chairman
 William A. Blase, Jr., Senior Executive Vice President

November 28, 2018

WHEREAS, on August 22, 2011, Administrative Action No. 11-2146 authorized a contract to purchase and implement a state-of-the-art automated emergency notifications solution with four one-year renewal options for the Office of Emergency Management with Dialogic Communications dba Cassidian Communications, in an amount not to exceed \$47,500.00; and

WHEREAS, on November 26, 2012, Administrative Action No. 12-2872 authorized Supplemental Agreement No. 1 to exercise renewal option 1 of 4 to extend maintenance and support of the automated emergency notification system for the Office of Emergency Management, with Dialogic Communications dba Cassidian Communications, in an amount not to exceed \$47,500.00, from \$47,500.00 to \$95,000.00; and

WHEREAS, on October 31, 2012, Administrative Action No. 14-5125 authorized Supplemental Agreement No. 2 to exercise renewal option 2 of 4 to extend maintenance and support of the automated emergency notification system for the Office of Emergency Management, with Dialogic Communications dba Cassidian Communications, in an amount not to exceed \$47,500.00, from \$95,000.00 to \$142,500.00; and

WHEREAS, on October 1, 2014, Administrative Action No. 14-5125 authorized Supplemental Agreement No. 3 to exercise renewal option 3 of 4 to extend maintenance and support of the automated emergency notification system for the Office of Emergency Management, with Dialogic Communications dba Cassidian Communications, in an amount not to exceed \$47,500.00, from \$142,500.00 to \$190,000.00; and

WHEREAS, on July 21, 2015, Administrative Action No. 15-6388 authorized Supplemental Agreement No. 4 to exercise renewal option 3 of 4 to extend maintenance and support and provide upgrades of the automated emergency notification system for the Office of Emergency Management, with Airbus DS Communications, Inc., in an amount not to exceed \$56,750.00, from \$190,000.00 to \$246,750.00; and

WHEREAS, on December 13, 2016, Administrative Action No. 16-7065 authorized Supplemental Agreement No. 5 to extend maintenance and support of the automated emergency notification system for the Office of Emergency Management, with Airbus DS Communications, Inc., in an amount not to exceed \$34,050.00, from \$246,750.00 to \$280,800.00; and

WHEREAS, on May 9, 2017, Administrative Action No. 17-5973 authorized the acquisition of an automated notification system for Courts and Detention Services, with Airbus DS Communications, Inc., in an amount not to exceed \$24,416.00; and

November 28, 2018

WHEREAS, on July 18, 2017, Administrative Action No. 17-6324 authorized Supplemental Agreement No. 6 to extend maintenance and support of the automated emergency notification system for a term of two months for the Office of Emergency Management, with Airbus DS Communications, Inc., in an amount not to exceed \$12,304.00, from \$280,800.00 to \$293,104.00; and

WHEREAS, on January 22, 2018, Administrative Action No. 18-5146 authorized Supplemental Agreement No. 7 to extend maintenance and support of the automated emergency notification system for a term of six months for the Office of Emergency Management, with Airbus DS Communications, Inc., in an amount not to exceed \$36,912.00, increasing the contract amount from \$293,104.00 to \$330,016.00; and

WHEREAS, on January 22, 2018, Administrative Action No. 18-5144 authorized payment for maintenance and support of the automated emergency notification system used by Court and Detention Services, with Airbus DS Communications, Inc., in an amount not to exceed \$24,416.00; and

WHEREAS, on November 2, 2018, Administrative Action No. 18-6704 authorized payment for maintenance and support of the automated emergency notification system used by Court and Detention Services and Office of Emergency Management, with Airbus DS Communications, Inc., in an amount not to exceed \$67,186.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a service contract with AT&T Services, Inc. (202839), approved as to form by the City Attorney, for automated notification services for a term of five years, in an amount not to exceed \$324,688.80. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to AT&T Services, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by AT&T Services, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$324,688.80 (subject to annual appropriations) to AT&T Services, Inc. from Master Agreement Service Contract No. DSV-2019-00008287.

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.



Agenda Information Sheet

File #: 18-1197

Item #: 53.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year subscription and maintenance contract for Adobe enterprise licenses with SHI Government Solutions, Inc. through the BuyBoard purchasing cooperative agreement - Not to exceed \$1,081,340.00 - Financing: Data Services Fund (subject to annual appropriations)

BACKGROUND

This contract will provide for the continuation of subscriptions and maintenance for Adobe products utilized by the City. This agreement will allow for 24/7 technical support when experiencing issues with Adobe products. Adobe is a critical software tool used by departments to view, create, manipulate, print, and manage files in Portable Document Format.

Adobe products are essential for performing daily duties throughout City departments such as:

- Develop and design City websites
- Redaction of sensitive information from document
- Routing documents for electronic signatures

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

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 12, 2014, City Council authorized an increase to the master agreement with SHI Government Solutions, Inc., through the Department of Information Resources, State of Texas Cooperative contract, for computer software, network management products, and design and presentation software by Resolution No. 14-1883.

On February 25, 2015, City Council authorized a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance support and implementation services with SHI Government Solutions, Inc., Mobile Wireless, LLC, and Carahsoft Technology Corporation, through the Department of Information Resources, State of Texas Cooperative contract by Resolution No. 15-0340.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Data Services Fund - \$1,081,340.00 (subject to annual appropriations)

FY 2018-19 - \$357,780.00
FY 2019-20 - \$361,780.00
FY 2020-21 - \$361,780.00

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$1,081,340.00	CO-OP	N/A	N/A	N/A
<ul style="list-style-type: none"> The Business Inclusion and Development Plan does not apply to Cooperative Purchasing Agreements (CO-OPs). 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Cooperative Purchasing	<ul style="list-style-type: none"> Cooperative Purchasing Agreements enable the City to associate with State agencies, other local governments, or local cooperative organizations comprised of other state and local governments, to leverage market buying power and enable the City to purchase goods or services at lower prices Cooperative Purchasing is an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

SHI Government Solutions, Inc.

Thai Lee, President
Al Fitzgerald, Vice President

November 28, 2018

WHEREAS, on November 12, 2014, City Council authorized an increase to the three-year master agreement for computer software, network management products, and design and presentation software to be used at various departments, with SHI Government Solutions, Inc., in an amount not to exceed \$600,000.00, increasing the master agreement amount from \$2,400,000.00 to \$3,000,000.00, by Resolution No. 14-1883; and

WHEREAS, on February 25, 2015, City Council authorized a five-year master agreement for the purchase of various software including perpetual, fixed term, subscription and software as a service, software maintenance support and implementation services with SHI Government Solutions, Inc., in an amount not to exceed \$4,800,155.00, by Resolution No. 15-0340.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a subscription and maintenance service contract with SHI Government Solutions, Inc. (502145), approved as to form by the City Attorney, for Adobe enterprises licenses for a term of three years, in an amount not to exceed \$1,081,340.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to SHI Government Solutions, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by SHI Government Solutions, Inc. under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,081,340.00 (subject to annual appropriations) to SHI Government Solutions from Service Contract No. DSV-2019-00008480.

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.



Agenda Information Sheet

File #: 18-1190

Item #: 54.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize **(1)** a nine-year concession contract, with two one-year renewal options, for food and beverage services (Package 1) for the Department of Aviation - Air Star - Bush - LTS Marquis DAL, LLC in an estimated minimum annual guarantee in the amount of \$1,093,500.00, most advantageous proposer of seven; and **(2)** a seven-year concession contract, with two one-year renewal options, for food and beverage services (Package 2) for the Department of Aviation - Bush - Air Star - LTS Marquis DAL, LLC in an estimated minimum annual guarantee in the amount of \$330,750.00, most advantageous proposer of eight - Total Estimated Minimum Annual Guarantee: \$1,424,250.00

BACKGROUND

This concession contract will provide food and beverage services for the Department of Aviation. Dallas Love Field passenger traffic has increased from 4.7 million enplaned passengers in 2014 to 7.8 million enplaned passengers in 2017 and sales have increased over 100 percent over the same time frame. This has resulted in a decreased capacity to provide adequate seating and food and beverage services. To accommodate the increase in passenger traffic and to maintain the City's commitment of offering air travelers a greater travel experience, these concession contracts will provide passengers additional food and beverage options and increase service capacity.

The primary term for the proposed contracts will begin on the first day of the month following the completion of the construction. The primary terms for the contracts are for nine-years for package 1 and seven-years for package 2. Additionally, the City has the option to renew each contract for two additional periods of one year each.

Package 1, consists of a 1,716 square feet, in-line full service restaurant with bar. Package 2, includes two - 100 square feet grab-and-go kiosks at the end of each wing of the terminal building.

An eight member committee from the following departments reviewed and evaluated the qualifications:

- Department of Aviation (2)

- Department of Convention and Event Services (1)
- Building Services Department (1)
- Office of Cultural Affairs (1)
- City Controller’s Office (1)
- Office of Procurement Services (1)*
- Office of Business Diversity (1)*

*The Office of Procurement Services only evaluated cost and the Office of Business Diversity only evaluated the Airport Concessionaire Disadvantaged Business Enterprise (ACDBE) participation.

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

- Brands 35 points
- ACDBE participation 15 points
- Operations plan 13 points
- Financial capability 13 points
- Economics/financial return to the City 12 points
- Experience 12 points

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 326 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Estimated Minimum Annual Guarantee (Package 1) - \$1,093,500.00

- FY 2018 - 19 \$ 60,750.00
- FY 2019 - 20 \$121,500.00
- FY 2020 - 21 \$121,500.00
- FY 2021 - 22 \$121,500.00
- FY 2022 - 23 \$121,500.00
- FY 2023 - 24 \$121,500.00
- FY 2024 - 25 \$121,500.00
- FY 2025 - 26 \$121,500.00
- FY 2026 - 27 \$121,500.00
- FY 2027 - 28 \$ 60,750.00

Estimated Minimum Annual Guarantee (Package 2) - \$330,750.00

FY 2018 - 19 \$35,437.50
 FY 2019 - 20 \$47,250.00
 FY 2020 - 21 \$47,250.00
 FY 2021 - 22 \$47,250.00
 FY 2022 - 23 \$47,250.00
 FY 2023 - 24 \$47,250.00
 FY 2024 - 25 \$47,250.00
 FY 2025 - 26 \$11,812.50

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$1,424,250.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Request for Proposal	<ul style="list-style-type: none"> • Utilized for high technology procurements, insurance procurements, and other goods and services • Recommended offeror whose proposal is most advantageous to the City, considering the relative importance of price, and other evaluation factors stated in the specifications • Always involves a team evaluation • Allows for negotiation on contract terms, including price
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The Office of Procurement Services received the following proposals from solicitation number BTZ1817. We opened them on July 6, 2018. We recommend the City Council award these concession contracts in their entirety to the most advantageous proposers.

*Denotes successful proposers

<u>Proposers</u>	<u>Address</u>	<u>Score</u>
*Air Star-Bush-LTS Marquis DAL, LLC	7929 Brookriver Dr. Suite 200 Dallas, TX 75247	Package 1 92.20

Air Star-Bush-LTS Marquis DAL, LLC (Lucky Cafe)	7929 Brookriver Dr. Suite 200 Dallas, TX 75247	Package 1 89.20
Air Star-Bush-LTS Marquis DAL, LLC (Rock & Reilly's)	7929 Brookriver Dr. Suite 200 Dallas, TX 75247	Package 1 86.80
Host International, Inc. (option 2 Montlake Cut)	6905 Rockledge Dr. Bethesda, MD 20817	Package 1 85.80
LK Concepts, LLC	11363 Denton Dr. Suite 127 Dallas, TX 75229	Package 1 85.22
Host International, Inc. (option 1 Dallas Cowboys Club)	6905 Rockledge Dr. Bethesda, MD 20817	Package 1 85.20
Air Star-Bush-LTS Marquis DAL, LLC (Rock & Brews)	7929 Brookriver Dr. Suite 200 Dallas, TX 75247	Package 1 83.00
*Bush - Air Star-LTS Marquis DAL, LLC	7929 Brookriver Dr. Suite 200 Dallas, TX 75247	Package 2 95.00
Hudson Group (HG) Retail, LLC	One Meadowlands Pl. 11 th Floor East Rutherford, NJ 07073	Package 2 94.60
Host International, Inc	6905 Rockledge Dr. Bethesda, MD 20817	Package 2 87.20
The Grove DAL, LLC	3 Westbrook Ct. Suite 500 Westchester, IL 60154	Package 2 83.80
Puente Enterprises, Inc.	216 N. Dove Rd. Grapevine, TX 76051	Package 2 76.00
MD Executive, LLC	5303 Challenger Dr. Dallas, TX 75237	Package 2 51.60
Nugent Street Holdings, LLC dba The Island Spot - Jamaican Kitchen & Bar	2661 Midway Rd. Suite 105 Dallas, TX 75237	Non-responsive***
Two Mommas on a mission,	2313 Patriot Dr.	Non-responsive**

LLC dba Mommies Big Helper Melissa, TX 75454

**Nugent Street Holdings, LLC dba The Island Spot - Jamaican Kitchen & Bar and Two Mommas on a mission, LLC dba Mommies Big Helper were deemed non-responsive due to not meeting specifications.

***The City has received a protest regarding this procurement which has been addressed. Please find attached the vendor protest letter and the City's response.

OWNERS

**Air Star-Bush-LTS Marquis
DAL, LLC**

Gilbert Aranza, President

**Bush - Air Star- LTS Marquis
DAL, LLC**

Gilbert Aranza, President

November 28, 2018

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

SECTION 1. That the City Manager is hereby authorized to sign **(1)** a nine-year concession contract, with two one-year renewal options, for food and beverage services (Package 1) for the Department of Aviation for an estimated minimum annual guarantee in the amount of \$1,093,500.00 with Air Star - Bush - LTS Marquis DAL, LLC (VC19298); and **(2)** a seven-year concession contract, with two one-year renewal options, for food and beverage services (Package 2) for the Department of Aviation for an estimated minimum annual guarantee in the amount of \$330,750.00 with Bush - Air Star - LTS Marquis DAL, LLC (VC19297), approved as to form by the City Attorney, in a total estimated minimum annual guarantee amount of \$1,424,250.00. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to Air Star - Bush - LTS Marquis DAL, LLC and Bush - Air Star - LTS Marquis DAL, LLC shall be based only on the amount of the services directed to be performed by the City and properly performed by Air Star - Bush - LTS Marquis DAL, LLC and Air Star - Bush - LTS Marquis DAL, LLC under the contract.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit all revenues for an estimated minimum annual guarantee in the amount of \$1,093,500.00 received from Air Star - Bush - LTS Marquis DAL, LLC and for an estimated minimum annual guarantee in the amount of \$330,750.00 received from Bush - Air Star - LTS Marquis DAL, LLC from Contract No. AVI-2018-00008002 from Fund 0130, Department AVI, Unit 7725, Revenue Code 7811.

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.

Nugent Street Holdings LLC d/b/a The Island Spot
2661 Midway Road, Ste. 105, Carrollton, TX 75006
Phone: 469-216-6154 | Email: rthomas@theislandspot.net

September 4, 2018

Re: Notice of Protest/Appeal BTZ1817 - RFCSP to Develop, Operate, and Manage Food and Beverage Concessions at Dallas Love Field Airport ("Airport Concession Project")

Dear Mr. Mike Frosch,

This letter is a formal protest/appeal of the City of Dallas' decision to disqualify and remove The Island Spot Jamaican Kitchen & Bar from consideration for the Airport Concession Project.

The original deadline for submission of the Airport Concession Project was June 7, 2018 at 2 P.M. The application requirements included a mandatory site visit which occurred on May 10, 2018 and May 17, 2018. Thereafter, the City extended the application deadline twice, to June 28, 2018 at 2 P.M. and subsequently July 5, 2018 at 2 P.M. It is my understanding that the deadline was extended because no vendors applied. However, the City failed to extend the deadline for the mandatory site visit.

On July 1, 2018, only four days before the final deadline, The Island Spot became aware of the Airport Concession Project. I worked tirelessly to get the application completed over the fourth of July holiday weekend and spent approximately \$3,000 in contracting and copying fees. On July 12, 2018, Eva Badali, the buyer, informed me that The Island Spot was a finalist selected to present on July 23, 2018. But, before the interview, on July 16, 2018, she informed me that it was canceled due to The Island Spot's failure to attend the mandatory site visit in May. The Island Spot could not have attended the site visit in May as we were unaware of the project at all at that time.

This decision is unfair and illogical. If the City intended for new applicants to submit when it extended the deadline, it should have likewise extended the deadline for any mandatory requirements. It was pointless to extend the deadline for applications but not extend the deadline for the mandatory site visit which had already expired, and then later inform us that we were disqualified for a deadline that was not extended. I am certain that an oversight occurred. I respectfully request that the decision be formally reconsidered and that the Island Spot be permitted to interview.

Thank you for your time and consideration.

Richard Thomas



Owner and CEO of The Island Spot

The Island Spot - Oak Cliff:
309 W. Jefferson Blvd, Dallas TX 75201

The Island Spot - Carrollton:
2661 Midway Road Ste. 105, Carrollton TX
75006

CC: Councilman Adam Medrano (City Councilman for personal residence and Love Field Airport)
Councilman Scott Griggs (City Councilman for Oak Cliff location)
T.C Broadnax, Dallas City Manager
Kimberly Bizer Tolbert, Chief of Staff
Mike Duebner, Director of Aviation
Larry E. Casto, Dallas City Attorney
Judith Levin-Simmons, Senior Buyer
Eva Badali, Buyer III



November 2, 2018

CITY OF DALLAS

Richard Thomas
Owner & CEO of The Island Spot
2661 Midway Rd. Ste. 105
Carrollton, TX 75006

RE: RFCSP BTZ1817 – Develop, Operate and Manage Food and Beverage Concessions at Dallas Love Field

Mr. Thomas:

The City is in receipt of your formal protest/appeal letter regarding the decision to disqualify and remove The Island Spot Jamaican Kitchen & Bar from consideration for the Airport Concession Project BTZ1817 - Develop, Operate and Manage Food and Beverage Concessions at Dallas Love Field.

Your protest/appeal letter alleges, in summary, that “the deadline was extended because no vendors applied,” and that the City failed to extend the deadline for the mandatory site visit.

The solicitation was advertised in the Dallas Morning News on April 19 and April 26, 2018 and posted on bids.dallascityhall.com on April 20, 2018. The solicitation included two pre-proposal meetings and site visits held on May 10 and May 17, 2018 respectively. The pre-proposal meetings are held to share relevant information with interested vendors. The pre-proposal meetings, for this solicitation were mandatory, as specified in section II, page 8 of the specification. Twenty-three vendors, and 32 vendor representatives, attended the pre-proposal meetings and therefore, the City was confident that it would receive a number of proposals. Because every solicitation contains unique requirements, it is imperative that interested vendors read and understand the solicitation requirements. In this case, because your company became aware of the solicitation after the pre-proposal meets, your company should have submitted a request for an additional pre-proposal meeting and site visit.

The following summarizes due date extensions and the intent of the addenda:

- Addendum No. 2 - on 5/23/18 the City extended the due date from 6/7/18 to 6/28/18, as the City needed additional time to respond to vendor questions.
- Addendum No. 3 - on 6/6/18 final responses to vendor questions were posted.
- Addendum No. 4 - On 6/25/18 the City extended the due date from 6/28/18 to 7/5/18 at the request of vendors to provide vendors more time to prepare their proposal.

Additionally, you've indicated the buyer contacted you and informed you that your company was selected as a finalist to present during the presentation process on July 23, 2018. The intent of the notification was to invite all proposers submitting a compliant proposal to present during this time. The notice did not specify your company as a finalist but rather your company was being invited to review your submission for compliance. Unfortunately, as part of the initial compliance



CITY OF DALLAS

time. The notice did not specify your company as a finalist but rather your company was being invited to review your submission for compliance. Unfortunately, as part of the initial compliance review, the buyer found that your company did not attend the mandatory pre-proposal meeting and site visit and thus your proposal was deemed nonresponsive.

Thank you for taking the time to come in and meet with me on this matter. The concerns submitted in your protest/appeal letter have been reviewed by my office, and no issues were found to warrant consideration of your proposal. Your protest/appeal letter and the City's response will be made available to the City Council during award consideration. This response does not prevent you from addressing your concern to the City Council at the time the item is considered for award or from submitting proposals on any solicitations in the future.

Sincerely,

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

Michael Frosch
Director
Office of Procurement Services



Agenda Information Sheet

File #: 18-1186

Item #: 55.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of temporary traffic signs, permanent sign posts, and installation hardware for permanent signs for the Water Utilities Department - Centerline Supply in the estimated amount of \$112,645.50 and Telecom Electric Supply in the estimated amount of \$44,075.00, lowest responsible bidders of three - Estimated amount of \$156,720.50 - Financing: Dallas Water Utilities Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of temporary traffic signs, permanent sign posts, and installation hardware for permanent signs to be utilized by the Water Utilities Department.

Examples of temporary traffic signs include:

- Directional signs
- Lane warning signs
- Lane information signs
- High pressure water main
- Roadway construction
- Temporary information and regulations

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 286 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services

uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 27, 2014, City Council authorized a three-year master agreement for temporary traffic signs, permanent sign posts and installation hardware with Custom Products Corp., Centerline Supply, Ltd., Allied Tube & Conduit Corp., and Pathmark Traffic Products of Texas, Inc. by Resolution No. 14-1352.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Dallas Water Utilities Fund - \$156,720.50

FY 2018-19 \$52,240.17
 FY 2019-20 \$52,240.17
 FY 2020-21 \$52,240.16

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$156,720.56	Goods	18.00%	0.00%	\$0.00
<ul style="list-style-type: none"> This contract does not meet the M/WBE goal, but complies with good faith efforts. 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements Negotiations are not allowed
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The Office of Procurement Services received the following bids from solicitation number BB1805. We opened them on August 10, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by group.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Centerline Supply	530 Jesse St. Grand Prairie, TX 75051	Group 1 - \$112,645.50 Group 2 - \$ 91,375.00
*Telecom Electric Supply	1304 Capital Ave. Plano, TX 75074	Group 1 - \$200,303.76 Group 2 - \$ 44,075.00
Eagle Barricade, LLC	101 C N. Greenville Ave. #428 Allen, TX 75002	Group 1 - \$126,571.89 Group 2 - \$ 50,740.00

OWNERS

Centerline Supply

Brian Nelson, President
Steve Nelson, Secretary
Diane Nelson, Treasurer

Telecom Electric Supply

Fred Moses, President

November 28, 2018

WHEREAS, on August 27, 2014, City Council authorized a three-year master agreement for temporary traffic signs, permanent sign posts and installation hardware with Custom Products Corp. in the amount of \$39,845.77, Centerline Supply, Ltd. in the amount of \$247,228.92, Allied Tube & Conduit Corp. in the amount of \$168,422.38 and Pathmark Traffic Products of Texas, Inc. in the amount of \$23,392.10, by Resolution No. 14-1352.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a master agreement with Centerline Supply (258493) in the estimated amount of \$112,645.50 and Telecom Electric Supply (204486) in the estimated amount of \$44,075.00, approved as to form by the City Attorney, for the purchase of temporary traffic signs, permanent sign posts, and installation hardware for permanent signs for the Water Utilities Department for a term of three years, in a total estimated amount of \$156,720.50. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for temporary traffic signs, permanent sign posts, and installation hardware for permanent signs for the Water Utilities Department. If a written contract is required or requested for any or all purchases of temporary traffic signs, permanent sign posts, and installation hardware for permanent signs for the Water Utilities Department under the master agreement instead of individual purchase orders, the City Manager is hereby authorized to execute a contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$156,720.50, but not more than the amount of budgetary appropriations for this master agreement during its term to Centerline Supply and Telecom Electric Supply from Master Agreement Contract No. DWU-2019-00008261.

SECTION 4. 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.



Agenda Information Sheet

File #: 18-1156

Item #: 56.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the service and policy contract with Standard Insurance Company to provide **(1)** City paid basic life insurance for \$1.75 per employee per month, in an estimated cost of \$265,503.00; and **(2)** elective employee paid supplemental group term life, elective dependent life, and accidental death and dismemberment insurance coverage, in an estimated cost of \$2,576,272.32 (to be fully reimbursed by participating employees) increasing the service contract from \$8,490,838.11 to \$11,332,613.43 - Total not to exceed \$2,841,775.32 - Financing: Benefits Fund (subject to appropriations)

BACKGROUND

This Supplemental Agreement will continue to provide group basic term life, elective dependent life and accidental death and dismemberment insurance to City employees. The City currently offers \$50,000.00 basic life insurance coverage to full-time employees at no cost to the employee. For this renewal option, the vendor has agreed to maintain the current rate of \$1.75 per employee for \$50,000.00 basic life insurance coverage. Full-time employees can voluntarily purchase additional group (supplemental) life coverage up to three times their annual base salary not to exceed \$500,000.00, as well as dependent life, and accidental death and dismemberment coverage via payroll deduction.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 9, 2015, City Council authorized a three-year service contract and policy, with two one-year renewal options, to provide basic and supplemental group term life, voluntary dependent life and accidental death and dismemberment insurance coverage by Resolution No. 15-2265.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Benefits Fund - \$265,503.00 (subject to appropriations)

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$2,841,775.32	Other Services	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

OWNER**Standard Insurance Company**

Greg Ness, Chief Executive Officer
Dan McMillan, Vice President
Holley Franklin, Secretary
Rob Erickson, Treasurer

WHEREAS, on December 9, 2015, City Council authorized a three-year service contract and policy, with two one-year renewal options, to provide basic and supplemental group term life, voluntary dependent life and accidental death and dismemberment insurance coverage, in the amount of \$777,924.00 for City paid life insurance and \$7,712,914.11 for employee paid supplemental group term life, elective dependent life, and accidental death and dismemberment insurance by Resolution No. 15-2265.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 1 to exercise the first of two, one-year renewal options to the service contract and policy with Standard Insurance Company (VS0000024410), approved as to form by the City Attorney, to provide **(1)** City paid basic life insurance for \$1.75 per employee per month, in an estimated cost of \$265,503.00; and **(2)** elective employee paid supplemental group term life, elective dependent life, and accidental death and dismemberment insurance coverage, in an estimated cost of \$2,576,272.32 (to be fully reimbursed by participating employees), for a total amount not to exceed \$2,841,775.32, increasing the service contract amount from \$8,490,838.11 to \$11,332,613.43.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$2,841,775.32 (subject to appropriations) from Service Contract No. MASC BKZ1523.

SECTION 3. That the Chief Financial Officer is authorized to remit the employee premiums collected via payroll deduction from the appropriate funding sources to Standard Insurance Company for coverage as listed:

<u>Fund</u>	<u>Department</u>	<u>Unit</u>	<u>Object</u>	<u>Type of Coverage</u>
0265	PER	7915	3568	Supplemental Life Insurance
0265	PER	7925	3523	Dependent Life Insurance
0265	PER	7925	3561	Accidental Death & Dismemberment

SECTION 4. That this contract is designated as Contract No. PER-2019-00008246.

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.



Agenda Information Sheet

File #: 18-1322

Item #: 57.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: November 28, 2018

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize Supplemental Agreement No. 31 to exercise the first of two, two-year renewal options, with AT&T Corp for voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Communication and Information Services - Not to exceed \$33,081,983.75 - Financing: Communication and Information Services Funds (subject to annual appropriations)

BACKGROUND

This renewal will allow the City to continue voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Communication and Information Services. This agreement is essential in ensuring the City's network is managed and operates at optimal levels. The agreement provides 24x7 network and security monitoring and technical support. This agreement also provides on-site resources who assist with resolving complex network issues that could result in interruption of services throughout the City. The current network supports approximately 300 applications, 8,076 telephones, and connects over 350 facilities.

The renewal of this agreement will allow continued network support for essential business services that include, but are not limited to:

- City's E9-1-1 Public Safety Answering Point system
- Network Circuits connecting city facilities
- Network Wi-Fi and internet for residents in City public facilities (libraries, Park and Recreation, community centers and others)
- Connections to cloud application services (Salesforce 311, Electronic Planning and Permitting System, Microsoft Office 365/email, Advanced Traffic Management System, and others)
- Phone communications/voice over IP network/VoIP
- Integrated Voice Recognition (IVR) systems (311, Dallas Water Utilities, Park and Recreation, Library, and others)

Also included in this agreement is a network asset management application as well as local and long-distance telephone service and support.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2011, City Council authorized a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 11-3343.

On June 16, 2014, this item was included as a briefing memo to the Budget, Finance and Audit Committee.

On June 25, 2014, City Council authorized Supplemental Agreement No. 13 to increase the service contract for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 14-0988.

Information about this item was provided to the Budget, Finance, and Audit Committee on January 3, 2017.

On January 11, 2017, City Council authorized Supplemental Agreement No. 24 to increase the service contract for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 17-0071.

City Council will be briefed by memorandum regarding this matter on November 16, 2018.

FISCAL INFORMATION

Communication and Information Services Funds - \$33,081,983.75 (subject to annual appropriations)

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$33,081,983.75	Other Services	23.80%	5.87%	\$1,942,353.84
• This contract does not meet the M/WBE goal, but complies with good faith efforts.				

OWNER

AT&T Corp

Randall Stephenson, Chairman

November 28, 2018

WHEREAS, on December 14, 2011, City Council authorized a seven-year service contract, with two two-year renewal options, for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services by Resolution No. 11-3343; and

WHEREAS, on April 26, 2013, Administrative Action No. 13-5516 authorized Supplemental Agreement No. 4 to amend contract for review of statement of work (SOW) for professional services to development of a contract center strategy; and

WHEREAS, on May 6, 2013, Administrative Action No. 13-5552 authorized Supplemental Agreement No. 1 to attach the milestone charts for payment for one-time charges to Exhibit 4, pricing of the master services agreement; and

WHEREAS, on May 20, 2013, Administrative Action No. 13-5611 authorized Supplemental Agreement No. 2 to execute services as documented under NI pricing schedule with tracking ID GBS161971; and

WHEREAS, on October 15, 2013, Administrative Action No. 14-5297 authorized Supplemental Agreement No. 6 to install, configure and optimize the City's Internet, extranet and intranet with TEST and production SharePoint 2013 environments and migrate Dallas City News Room; and

WHEREAS, on November 27, 2013, Administrative Action No. 14-5419 authorized Supplemental Agreement No. 7 to execute change orders 2, 4 and 5 for enhancement requests to the Pinnacle telecommunications billing system for customizations to system reports, additional professional services to develop a standard operating procedures manual and to modify contract language regarding the electronic processing of telecommunications carrier files; and

WHEREAS, on December 20, 2013, Administrative Action No. 13-6996 authorized Supplemental Agreement No. 5 to execute services for performing regression testing of the Dallas Water Utilities Supervisory Control and Data Acquisition Network (SCADA) System designed by AT&T Corp; and

WHEREAS, on January 17, 2014, Administrative Action No. 14-5185 authorized Supplemental Agreement No. 3 to accept wireless terms and conditions and to amend Exhibit 4, Attachment 1: vendor catalog pricing for existing air card product and service offerings; and

November 28, 2018

WHEREAS, on February 7, 2014, Administrative Action No. 14-5693 authorized Supplemental Agreement No. 8 to accept Texas House Bill 2128 and SPORT terms and conditions and to amend Exhibit 4, Attachment 1: vendor catalog pricing for telecommunication charges for eligible city facilities; and

WHEREAS, on February 14, 2014, Administrative Action No. 14-5594 authorized Supplemental Agreement No. 9 to purchase fifty (50) additional Cisco VoIP recording NICE Inform Lite IP licenses with application support for the 3-1-1 call center; and

WHEREAS, on March 13, 2014, Administrative Action No. 14-5654 authorized Supplemental Agreement No. 10 to design, configure and install a Wi-Fi network for internet access in the Dallas Arts District; and

WHEREAS, on June 2, 2014, Administrative Action No. 14-5968 authorized Supplemental Agreement No. 11 to install a Wi-Fi network for internet access in the Dallas Arts District; and

WHEREAS, on June 25, 2014, City Council authorized Supplemental Agreement No.13 to increase the service contract for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services in an amount not to exceed \$7,071,190.00, increasing the contract amount from \$63,444,708.00 to \$70,515,898.00, by Resolution No. 14-0988; and

WHEREAS, on July 3, 2014, Administrative Action No. 14-6181 authorized Supplemental Agreement No. 12 to implement a framework that will publish and modify data that will be posted on information kiosks; and

WHEREAS, on November 20, 2014, Administrative Action No. 14-7145 authorized Supplemental Agreement No. 15 due to extra material used and labor performed during the Arts District Wi-Fi installation; and

WHEREAS, on November 20, 2014, Administrative Action No. 14-7144 authorized Supplemental Agreement No. 16 to include Northpark library in the acceptance of the Texas House Bill 2128 and SPORT terms and conditions that was executed through Supplemental Agreement No. 8; and

WHEREAS, on February 12, 2015, Administrative Action No. 15-5475 authorized Supplemental Agreement No. 17 to execute change orders 7 and 19 for the expansion of the CIS Pinnacle billing system for additional technology services and the creation of a 3rd hosted environment for software development; and

November 28, 2018

WHEREAS, on March 29, 2015, Administrative Action No. 16-5602 authorized Supplemental Agreement No. 22 to execute 311 contact center network integration of natural language software; and

WHEREAS, on March 30, 2015, Administrative Action No. 15-5616 authorized Supplemental Agreement No. 18 to make correction to supplemental agreement no. 16, to correct Exhibit A; and

WHEREAS, on May 22, 2015, Administrative Action No. 15-6031 authorized Supplemental Agreement No. 19 for a hardware and software technical refresh to the VoIP IPT system which includes a contact center software version upgrade to 10.5; and

WHEREAS, on September 18, 2015, Administrative Action No. 15-6888 authorized Supplemental Agreement No. 20 to provide improved internet support, increased circuit capacity for PKR facilities, a Pinnacle version upgrade and to replace end of life equipment that supports 311; and

WHEREAS, on November 5, 2015, Administrative Action No. 15-7196 authorized Supplemental Agreement No. 21 to improve Wi-Fi connectivity at City facilities; and

WHEREAS, on June 22, 2016, Administrative Action No. 16-6184 authorized Supplemental Agreement No. 23 to provide continued maintenance and support of the informational kiosk, deployment of new network equipment at Love Field, enhance the Pinnacle system for revenue collection reporting and to program the 311 voice system to allow citizens to complete a post call survey to provide customer feedback to the City; and

WHEREAS, on November 9, 2016, Administrative Action No. 16-6942 authorized Supplemental Agreement No. 25 to pay a true-up management fee for network growth; and

WHEREAS, on January 3, 2017, Administrative Action No. 17-5052 authorized Supplemental Agreement No. 26 to upgrade the City's firewall architecture through the existing Voice and Data Managed Services Agreement; and

WHEREAS, on January 11, 2017, City Council authorized Supplemental Agreement No.24 to increase the service contract for voice and data network services, network management, monitoring, maintenance, Information Technology security and related services in an amount not to exceed \$8,789,987.00, increasing the contract amount from \$70,515,898.00 to \$79,789,987.00, by Resolution No. 17-0071; and

November 28, 2018

WHEREAS, on August 10, 2017, Administrative Action No. 17-6432 authorized Supplemental Agreement No. 27 to add network management services to the City's F5 load balancer environment; and

WHEREAS, on September 25, 2017, Administrative Action No. 17-6860 authorized Supplemental Agreement No. 28 to perform security-based review of the City of Dallas south waste water treatment facility proposed network architecture; and

WHEREAS, on January 16, 2018, Administrative Action No. 18-5122 authorized Supplemental Agreement No. 29 to allow AT&T Corp to provide Express Route via Equinix all Informart/MS Azure City; and

WHEREAS, on December 21, 2017, Administrative Action No. 17-7338 authorized Supplemental Agreement No. 30 to upgrade the City's firewall architecture through the existing Voice and Data Managed Services Agreement.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign Supplemental Agreement No. 31 with AT&T Corp (268653) to exercise the first of two, two-year renewal options, approved as to form by the City Attorney, for voice and data network services, network management, monitoring, maintenance, information technology security, and related services for the Department of Communication and Information Services, in an amount not to exceed \$33,081,983.75. If the service contract was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to AT&T Corp shall be based only on the amount of the services directed to be performed by the City and properly performed by AT&T Corp.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$33,081,983.75 (subject to annual appropriations) to AT&T Corp from Service Contract No. DSV-2016-00000009.

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.