

**FEBRUARY 18, 2015 CITY COUNCIL BRIEFING AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated February 18, 2015. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



A.C. Gonzalez  
City Manager

2.13.15

Date



For: Jeanne Chipperfield  
Chief Financial Officer

2/13/15

Date



RECEIVED

2015 FEB 13 PM 4:12

CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL BRIEFING AGENDA

February 18, 2015

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)  
(La Información General Y Reglas De Cortesía Que Deben Observarse  
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

## General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

## Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

## Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes.

Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

## Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, FEBRUARY 18, 2015  
CITY HALL  
1500 MARILLA  
DALLAS, TEXAS 75201  
9:00 A.M.

9:00 am      Invocation and Pledge of Allegiance      6ES

                 Special Presentations

                 Open Microphone Speakers

VOTING AGENDA      6ES

1.      Approval of Minutes of the January 7, 2015 and February 4, 2015 City Council Meeting
2.      Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

**City Attorney's Office**

3.      An ordinance amending Chapter 40A of the Dallas City Code to amend the definition of the term "spouse" - Financing: No cost consideration to the City

**City Secretary's Office**

4.      A resolution authorizing an increase in the joint elections agreement and election services contract between the City of Dallas and Collin County for the November 4, 2014 special election - Not to exceed \$15,346, from \$4,200 to \$19,546 - Financing: Current Funds

BRIEFINGS      6ES

- A.      Neighborhood Plus
- B.      Dallas Love Field Update

Lunch

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, FEBRUARY 18, 2015

- BRIEFINGS (Continued) 6ES
- C. Leases for Office Buildings at Dallas/Fort Worth International Airport
- D. City Manager Update (CuSP Report)
- Downtown 360 Plan
- Closed Session 6ES
- Attorney Briefings (Sec. 551.071 T.O.M.A.)
- City of Dallas v. Kenneth E. Albert, et al., Cause No. 13-0940
- Personnel (Sec. 551.074 T.O.M.A.)
- Discussion regarding evaluation of the performance of City Manager A.C. Gonzalez.
- Real Property Deliberations (Sec. 551.072 T.O.M.A.)
- Deliberations about the value and possible sale of Elgin B. Robertson.
- Open Microphone Speakers 6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.





## AGENDA ITEM # 3

**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** February 18, 2015

**COUNCIL DISTRICT(S):** N/A

**DEPARTMENT:** City Attorney's Office  
City Manager's Office

**CMO:** Warren M.S. Ernst, 670-3491  
A. C. Gonzalez, 670-3297

**MAPSCO:** N/A

---

### SUBJECT

An ordinance amending Chapter 40A of the Dallas City Code to amend the definition of the term "spouse" - Financing: No cost consideration to the City

### BACKGROUND

The Board of Directors of the Employees' Retirement Fund of the City of Dallas recommends that the definition of the term "spouse" in Chapter 40A of the Dallas City Code be amended to comply with federal law. Section 40A-35(b) of the Dallas City Code provides that, when a provision of Chapter 40A is determined by the Board of Directors of the Employees' Retirement Fund of the City of Dallas to require amendment to comply with federal law, the Board shall recommend the exact amending language to be included in the ordinance. The Board has recommended the exact language in this ordinance.

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

On February 10, 2015, the Board of Directors of the Employees' Retirement Fund of the City of Dallas resolved, through Resolution Number 2015-1, to recommend that the Dallas City Council amend the definition of the term "spouse," in Section 40A-1 of the Dallas City Code to comply with federal law.

### FISCAL INFORMATION

No cost consideration to the City



2/11/15

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

An ordinance amending Chapter 40A, "Retirement," of the Dallas City Code by amending Section 40A-1; amending the definition of the term "spouse" to comply with federal law; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, Section 40A-35(b) of the Dallas City Code provides that, when a provision of Chapter 40A is determined by the Board of Directors of the Employees' Retirement Fund of the City of Dallas to require amendment to comply with federal law, the Board shall recommend the exact amending language to be included in the ordinance;

WHEREAS, the Board of Directors of the Employees' Retirement Fund of the City of Dallas resolved on February 10, 2015, through Resolution Number 2015-1, to recommend that the Dallas City Council amend the definition of the term "spouse," in Section 40A-1 of the Dallas City Code to comply with federal law; and

WHEREAS, Resolution Number 2015-1 of the Board of Directors of the Employees' Retirement Fund of the City of Dallas, adopted on February 10, 2015, contains the exact amending language for the definition of the term "spouse," in Section 40A-1 of the Dallas City Code, as set out below; Now, Therefore,

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

SECTION 1. That Paragraph (42) of Section 40A-1, "Definitions," of Chapter 40A, "Retirement," of the Dallas City Code is amended to read as follows:

"(42) SPOUSE means the person to whom the [husband or wife of a] member, inactive member, or retiree is married, as evidenced by the last marriage certificate or declaration of common law marriage on file with the Retirement Fund and verified by the Fund to be valid in the jurisdiction in which the marriage was celebrated."

SECTION 2. That Chapter 40A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 4. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M.S. ERNST, City Attorney

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

Passed \_\_\_\_\_

## AGENDA ITEM # 4

**KEY FOCUS AREA:** E-Gov  
**AGENDA DATE:** February 18, 2015  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** City Secretary  
**CMO:** Rosa A Rios, 670-5654  
**MAPSCO:** N/A

---

### SUBJECT

A resolution authorizing an increase in the joint elections agreement and election services contract between the City of Dallas and Collin County for the November 4, 2014 special election - Not to exceed \$15,346, from \$4,200 to \$19,546 - Financing: Current Funds

### BACKGROUND

Chapter 31, Subchapter D, of the Texas Election Code provides the City may contract with the county elections administrator for certain election services. The elections administrator first provides an estimate to each participating jurisdiction which is required to be paid in advance. Following the election, the elections administrator performs an election audit and will either (1) bill each participating jurisdiction for any additional amount owed, less the cost estimate paid; or (2) issue a refund in the event the cost estimate paid by participating jurisdictions exceeded the actual cost.

The Dallas City Council approved a joint election agreement and election services contract between the City of Dallas and Collin County for the conduct of the joint election at an estimated cost of \$4,200. On January 22, 2015, the city was notified by the Collin County Elections Administrator their final audit of the November 4, 2014 special election indicated the total cost of the election, to be paid by the city, was \$19,545.36. Less the deposit paid, the city is showing to have a balance owed in the amount of \$15,346. According to Collin County, those additional costs were due primarily to unforeseen expenses in the areas of (1) programming of individual ballot styles, (2) changes to participating jurisdictions of cost for voice over and (3) additional cost for overtime pay to election judges/clerks.

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

Resolution No. 14-1652, passed by the City Council on September 24, 2014, authorized a joint election agreement and election services contract between the City of Dallas and Collin County, in an amount not to exceed \$4,200, to cover the "estimated" costs for the conduct of a special election subsequently held on Tuesday, November 4, 2014.

**FISCAL INFORMATION**

\$15,345.36 – Current Funds

February 18, 2015

**WHEREAS**, the City Council ordered a general election to be held on Tuesday, November 4, 2014; and

**WHEREAS**, the City of Dallas and the other jurisdictions holding elections on November 4, 2014 desired to hold the elections jointly in accordance with Chapter 271 of the Texas Election Code; and

**WHEREAS**, the City had contracted with the Collin County Elections Administrator for election services for the November 4, 2014 special election in accordance with Subchapter D of Chapter 31 of the Texas Election Code; and

**WHEREAS**, the City Council on September 24, 2014 authorized the contract between City of Dallas and the Collin County Elections Administrator for the estimated cost of election services in the amount of \$4,200 for the November 4, 2014 special election; and

**WHEREAS**, the Collin County Elections Administrator on January 22, 2015 notified the City Secretary's Office of additional election services costs for the November 4, 2014 special election in the amount of \$15,345.36; and

**WHEREAS**, it is now necessary to authorize an increase in the election services contract with the Collin County Elections Administrator for the November 4, 2014 Special Election in an amount not exceed \$15,345.36; **Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to increase the joint elections agreement and election services contract between the City of Dallas and Collin County, in an amount not to exceed \$15,345.36, from \$4,200 to \$19,545.36.

**Section 2.** That the Chief Financial Officer is hereby authorized to disperse a total amount not to exceed \$15,345.36 from Fund 0001, Department SEC, Unit 1190, Object Code 3070, Encumbrance No. 15SEC1190L02, Vendor 214184 for deposit in the election services contract fund as the City's estimated share of the costs of the general, special and runoff elections.

**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.

