

Memorandum



CITY OF DALLAS

DATE December 4, 2015

TO The Honorable Mayor and Members of the City Council

SUBJECT Responses to Questions for Proposed Rest Break Ordinance

As requested by City Council during the December 2, 2015 Council briefing meeting, the rest break ordinance that will be included for Council consideration on the Wednesday, December 9, 2015 addendum is attached for your review.

Additionally, in response to City Council's questions, this memorandum provides updated implementation and enforcement plan and requested information for the proposed rest break ordinance. This plan has been discussed with Council Member Clayton to ensure consistency with the ordinance that he has proposed. Changes are emphasized in bold text.

Implementation & Enforcement Plan

1. **No proactive outreach in the field.** Upon adoption of the proposed ordinance by City Council, staff would initiate a public information and outreach plan through Building Inspections (BI) and various departments and media for an effective date of January 1, 2016. Raising awareness would help increase compliance and minimize violations. *Code Compliance Services (CCS) will not conduct proactive outreach in the field or dedicate an inspector exclusively for this ordinance.*
2. Preparations for receiving complaints through 311 and responding would be completed for active enforcement beginning April 1, 2016.
3. BI would inform applicants for construction permits of required signs to be posted on work sites in order to explain ordinance requirements and how to report violations. BI would also verify compliance with sign requirements during routine permit inspections.
4. **Complaint-based enforcement only.** All complaints of violations would be referred to 311 for case entry and dispatch to CCS for response within 24 hours, provided that a complainant provides a name and phone number (which would be kept confidential). CCS would respond to reported complaints only, using existing resources and processes for dispatched violations. A budget increase may be requested in the future if more resources are required for timely enforcement.
5. **Target owners or their agents for warnings and citations.** If a complaint has merit, CCS would issue a notice of violation to the owner, owner's representative or person in control. This is consistent with current enforcement for zoning violations; for example, a sign violation at a chain retail establishment, where the ownership and upper management is not always on-site.
6. If the responsible person does not voluntarily resolve the violation within the prescribed deadline, a citation may be issued to the owner, owner's representative, or person in control.
7. If the citation is contested, Municipal Prosecution will represent the City. Individuals with personal knowledge of the violation will need to testify for successful prosecution.

DATE December 4, 2015
SUBJECT Responses to Questions for Proposed Rest Break Ordinance

Heat-Related Injuries Data

Dallas Fire-Rescue (DFR) is beginning implementation of a new case management system for responses to medical emergencies, with a target go-live date of April 1, 2016. This new system will simplify data gathering and reporting for injuries that are both heat-related as well as those occurring at construction sites. This data is subject to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Rule, which protects the privacy of individually identifiable health information. As this data becomes available in the new system, staff will evaluate the potential use of this information, which depends in part on having larger counts that would ensure confidentiality.

Please let me know if you have questions.


Joey Zapata
Assistant City Manager

attachment

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

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

ORDINANCE NO. _____

An ordinance amending Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended; adding definitions; providing requirements for rest breaks for construction workers and associated signage; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Subsection 210.1, “General,” of Section 210, “Violations and Penalties,” of Subchapter 2, “Organization and Enforcement,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended, is amended to read as follows:

“**210.1 General.** A person commits a criminal offense if:

1. contrary to or in violation of any provision of this chapter or the codes, he knowingly:
 - 1.1. erects, constructs, enlarges, adds to, alters, repairs, replaces, moves, improves, removes, installs, converts, demolishes, equips, operates, uses, occupies, or maintains a structure or building service equipment;
 - 1.2. excavates or maintains an excavation;
 - 1.3. paves or grades on a property; or
 - 1.4. causes any work or activity described in Paragraphs 1 through 3 of this section to be done.
2. the person is the agent of the property owner or is an individual employed by the agent or property owner; is in control of the property; knowingly allows the violation to exist; and fails to provide the property owner’s name, street address, and telephone number to code enforcement officials; [øf]

3. the person is the agent of the property owner or is an individual employed by the agent or property owner, knowingly allows the violation to exist, and the citation relates to the construction or development of the property; or
4. the person is the contractor, the agent of the contractor, or the person in control of the construction site and fails to provide rest breaks in accordance with Section 610.

For purposes of this section, a person acts knowingly, or with knowledge, with respect to the nature of their conduct or to circumstances surrounding their conduct when the person is aware of the nature of the conduct or that the circumstances exist. A person acts knowingly, or with knowledge, with respect to a result of their conduct when the person is aware that the conduct is reasonably certain to cause the result. The culpable mental state required for the commission of an offense under this chapter is governed by Section 1-5.1 of Chapter 1 of the *Dallas City Code*, as amended.”

SECTION 2. That Subsection 210.3, “Punishment,” of Section 210, “Violations and Penalties,” of Subchapter 2, “Organization and Enforcement,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended, is amended to read as follows:

“**210.3 Punishment.** Any person who [~~knowingly~~] violates a provision of this chapter or the codes is guilty of a separate offense for each day or portion of a day during which the violation is committed, continued, or permitted and each offense is punishable by a fine not to exceed \$2,000.

Exception: Each offense of Section 610 is punishable by a fine not to exceed \$500.”

SECTION 3. That Subsection 601.2, “Definitions,” of Section 601, “General,” of Subchapter 6, “Construction Site Management,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended, is amended to read as follows:

“**601.2 Definitions.** In this subchapter:

CONSTRUCTION means any activity involving:

1. construction, demolition, erection, alteration, or repair of any structure or any portion or appurtenance to a structure; or
2. excavation, paving, or grading of property.

CONTRACTOR means the person so listed on a permit issued by the building official. When more than one contractor has a permit or is performing construction work on the same project, the provisions of this subchapter apply to the general or prime contractor listed on the building permit. “Contractor” also means the owner of any property on which construction work is being conducted when the construction work either does not require a permit or is being done without a required permit.

REST BREAK means a time within working hours during which a worker may not work. The term excludes any regular meal period provided by the contractor, agent of the contractor, or the person in control of the construction site.

SCHEDULED WORK means the time during which a worker is subject to the control of a contractor, agent of the contractor, or the person in control of the construction site and includes all the time the worker is required or permitted to work.”

SECTION 4. That Paragraph 602.3.1, “Required Information,” of Subsection 602.3, “Sign Content,” of Section 602, “Construction Information Signs,” of Subchapter 6, “Construction Site Management,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended is amended to read as follows:

“602.3.1 Required information. Each construction information sign shall contain the following information:

1. The construction project name, if any.
2. The official city-assigned street address, including any suite number, as it appears on the building permit.
3. The general contractor's name and local telephone number.
4. The words “City of Dallas Construction Information” and the city's construction information telephone number.
5. An explanation of the requirements of Section 610 in both English and Spanish with instructions on how to confidentially report noncompliance.”

SECTION 5. That Subchapter 6, “Construction Site Management,” of Chapter 52, “Administrative Procedures for the Construction Codes,” of the Dallas City Code, as amended, is amended by adding a new Section 610, “Rest Breaks,” to read as follows:

**“SECTION 610.
REST BREAKS.**

610.1 Rest break required. A worker performing construction activity at a construction site is entitled to a rest break of not less than 10 minutes for every four hours of scheduled work.”

SECTION 6. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500. No offense committed and no liability, penalty, or forfeiture, either civil or criminal, incurred prior to the effective date of this ordinance will be discharged or affected by this ordinance. Prosecutions and suits for such offenses, liabilities, penalties, and forfeitures may be instituted, and causes of action pending on the effective date of this ordinance may proceed, as if the former laws applicable at the time the offense, liability, penalty, or forfeiture was committed or incurred had not been amended, repealed, reenacted, or superseded, and all former laws will continue in effect for these purposes.

SECTION 7. That Chapter 52 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any existing structure, system, development project, or registration that is not required to come into compliance with a requirement of this ordinance will be governed by the requirement as it existed in the former law last applicable to the structure, system, development project, or registration, and all former laws will continue in effect for this purpose.

SECTION 8. 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 9. That this ordinance will take effect on January 1, 2016, and it is accordingly so ordained.

APPROVED AS TO FORM:

WARREN M. S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

Memorandum



DATE: December 4, 2015

TO: Honorable Mayor and Members of the Dallas City Council

SUBJECT: **Texas House Bill 910 (Open Carry)**

The Dallas Police Department has launched its Open Carry Educational Initiative for Texas House Bill 910 (HB 910) (Open Carry) which takes effect on January 1, 2016. Commanders from the Training Division have met with each of the police associations, the Police Officers Advisory Committee (POAC), and officers from all seven patrol divisions to receive feedback at every level regarding HB 910. Officers have been issued a copy of the Department's Legal Bulletin on HB 910 and will be issued a Roll Call Training Bulletin along with a Frequently Asked Questions (FAQ) sheet to answer commonly asked questions by officers and citizens. Additionally, officers will receive video training prepared by the Training Division on what the new law changes in their approach to a "suspicious person". Jail sergeants will serve as the 24 hour resource for officers.

911 dispatchers and 311 call-takers will receive specialized training regarding HB 910 and FAQ sheets to assist them with public contacts and questions.

We have met with City officials, the Public Information Office, Assistant City Attorneys, and Equipment Building Services Security to identify possible issues regarding the new legislation and training.

Dallas Police Department and Equipment Building Services Security will conduct training for security personnel assigned to all City facilities. An Active Shooter Drill will be conducted at City Hall and additional training will be provided to all City employees to educate them on the upcoming HB 910.

Dallas Police Department and the Public Information Office are collaborating to educate the public through social media, traditional media outlets, City websites, employee announcements and Public Service Announcements. A list of frequently asked questions will be placed on the City of Dallas and the Dallas Police websites for the public to access. Citizens with additional questions will be directed to contact their patrol division. An informational staff briefing to City Council has been scheduled for January, 2016.



Eric D. Campbell
Assistant City Manager

c: A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager

Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council
Chief David O. Brown, Dallas Police Department

Memorandum



CITY OF DALLAS

DATE December 4, 2015

TO The Honorable Mayor and Members of the City Council

SUBJECT **Dallas Morning News Aquatics Article**

I hope the following addresses some of the questions raised by the November 29, 2015 *Dallas Morning News* article "Some skeptical about Dallas park board's plan to change pools' style". As you know, the city's community pools are old and outdated. While we have been challenged to fix them each year, there simply is not enough money to bring 17 pools up to today's structural, mechanical and recreational standards. The Aquatics Master Plan seeks to address these challenges by providing a multi-faceted aquatics experience through innovative design and features, while accommodating core swimming programs including swim lessons, water fitness, water safety training and swim teams.

The Dallas Park and Recreation Department provides affordable, low cost swim lessons at all City of Dallas pool locations and will continue to do so at the new facilities when they are open. All new aquatic facilities will have lap lanes and teaching areas separate from the recreational play areas to accommodate swim lessons and swim team programs. This design approach will allow us to increase swim lesson programming hours by 10%-20% as demand increases, as well as expand times for dedicated lap swim.

The existing Dallas community pools have a modest admission fee for open swim. Admission fees at the new facilities have yet to be determined but will be carefully considered to ensure that they are fair and affordable. Discounts and season passes will also be an element of the pricing structure as a means to make the new facilities even more affordable to low income families. The Park and Recreation Department established a swim lesson scholarship program in 2006. Since its inception, we have provide over 3,000 free swim lessons to those who could not afford them otherwise and have never turned away a qualified applicant.

Our goal with the Aquatics Master Plan is not to reduce or eliminate programming, but to significantly enhance it at each newly constructed facility. The design of each pool will include input from the surrounding community. By creating an environment that accommodates more programming and adds new amenities, we hope to make visits to the pool more enjoyable for the entire family.

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

A handwritten signature in black ink, appearing to read "Willis C. Winters".

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

- c: A.C. Gonzalez, City Manager
- Warren M.S. Ernst, City Attorney
- Craig D. Kinton, City Auditor
- Rosa A. Rios, City Secretary
- Daniel F. Solis, Administrative Judge
- Ryan S. Evans, First Assistant City Manager
- Eric D. Campbell, Assistant City Manager
- Jill A. Jordan, P.E., Assistant City Manager
- Mark McDaniel, Assistant City Manager
- Joey Zapata, Assistant City Manager
- Jeanne Chipperfield, Chief Financial Officer
- Sana Syed, Public Information Officer
- Elsa Cantu, Assistant to the City Manager – Mayor & Council

Memorandum



CITY OF DALLAS

DATE December 4, 2015

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

SUBJECT **December 9, 2015 Park and Recreation Department City Council Addendum Agenda Item –
Phase I Aquatics**

On Wednesday, December 9, 2015, the Dallas City Council will consider an addendum agenda item relating to the Park and Recreation Department.

- **Phase 1 Aquatics** - Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design through construction administration services of the Phase I Aquatics Master Plan - 2015 Update to include six aquatic facilities to be constructed at: Crawford Memorial Park located at 8700 Elam Road, Fretz Park located at 6994 Beltline Road, Kidd Springs Park located at 700 West Canty Street, Lake Highlands North Park located at 9344 Church Road, Samuell-Grand Park located at 6200 East Grand Avenue, and Tietze Park located at 2700 Skillman Street - Not to exceed \$3,307,500 - Financing: Elgin B. Robertson Land Sale Funds. This item was approved by the Park and Recreation Board on Thursday, November 19, 2015.

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

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

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

Attachments

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
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**PARK AND RECREATION DEPARTMENT
CITY COUNCIL ADDENDUM FACT SHEETS - PAGE 1
DECEMBER 9, 2015 – COUNCIL AGENDA
CONTACT: WILLIS WINTERS – 670.4071**

SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc. for schematic design through construction administration services of the Phase I Aquatics Master Plan - 2015 Update to include six aquatic facilities to be constructed at: Crawford Memorial Park located at 8700 Elam Road, Fretz Park located at 6994 Beltline Road, Kidd Springs Park located at 700 West Canty Street, Lake Highlands North Park located at 9344 Church Road, Samuell-Grand Park located at 6200 East Grand Avenue, and Tietze Park located at 2700 Skillman Street - Not to exceed \$3,307,500 - Financing: Elgin B. Robertson Land Sale Funds

BACKGROUND

Contract includes schematic design through construction administration services for six facility aquatic centers, including Regional facilities at Fretz Park, Samuell-Grand Park and Crawford Memorial Park; two Community facilities at Lake Highland North Park; and Kidd Springs Park and a Neighborhood facility at Tietze Park.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	January 2016
Complete Design	December 2016
Begin Construction	May 2017
Complete Construction	May 2019

FISCAL INFORMATION

Elgin B. Robertson Land Sale Funds - \$3,307,500

PHASE 1 AQUATICS

Award of Professional Services Contract



Quality of Life and
Environment Committee

December 8, 2015

Phase 1 Aquatics

BACKGROUND

- The Quality of Life and Environment Committee was briefed on the Aquatics Master Plan 2015 Update on September 14, 2015
- The City Council was briefed on the Aquatics Master Plan 2015 Update on October 7, 2015
- The Park and Recreation Board approved the Aquatics Master Plan 2015 Update on October 8, 2015
- On December 9, 2015, City Council will consider approval of the professional services contract
- Next step is to start design



Phase 1 Aquatics

Phase 1 Aquatics will provide outdoor facilities for all...

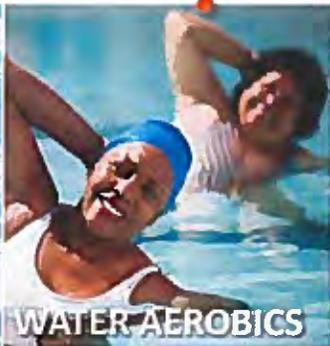
ADULTS, SENIORS & TEEN FOCUS
(activity varies depending on time of day)

FAMILY & TEEN FOCUS

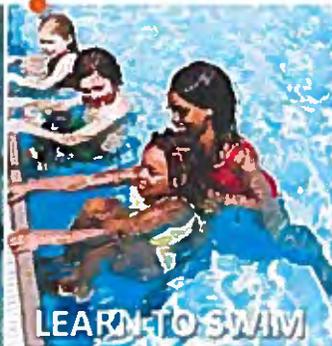
TOT FOCUS



COMPETITIVE SWIM



WATER AEROBICS



LEARN TO SWIM



WATER PLAY



FLOAT



SPLASH AROUND

Phase 1 Aquatics

Phase 1 (\$36.6M)	Phase 2 (\$23M)
- Crawford RFAC	- Bachman RFAC
- Fretz RFAC	- Singing Hills CFAC
- Samuell Grand RFAC	- Exline NFAC
- Kidd Springs CFAC	- Harry Stone NFAC
- Lake Highlands North CFAC	- Martin Weiss NFAC
- Tietze NFAC	- Nash-Davis Sprayground
- Kleberg-Rylie Sprayground*	
- Park in the Woods Sprayground*	
- Timberglen Sprayground*	

*Schematic Design to be performed by in-house staff



Phase 1 Aquatics

Regional Family Aquatic Center (RFAC)

- 7,500 – 9,500 square feet of water
- 8 lap lanes (swim lessons, swim teams, aerobics, lap swim, open swim)
- Open and closed flume slide
- Tot slide
- Tot pool/pad
- Lazy river
- Shade structures
- Interactive play feature
- Interactive floor geysers
- Bath house/concession building
- Filtration building
- Zero entry beach
- Group pavilions
- Raindrop feature



Crawford Memorial Park - District 5



Fretz Park - District 11



Samuell Grand Park - District 2

Phase 1 Aquatics

Community Family Aquatic Center (CFAC)

- 3,500 – 5,500 square feet of water
- 6 lap lanes (swim lessons, swim teams, aerobics, lap swim, open swim)
- Open flume slide
- Tot slide
- Zero entry beach
- Interactive play feature
- Raindrop feature
- Shade structures
- Bath house/concession building
- Filtration building



Phase 1 Aquatics

Neighborhood Family Aquatic Center (NFAC)

- 2,400 – 3,400 square feet of water
- 4 lap lanes (swim lessons, swim teams, aerobics, lap swim, open swim)
- Tot area with spray features
- Waterslide
- Shade structures
- Bath house/concession building
- Filtration building

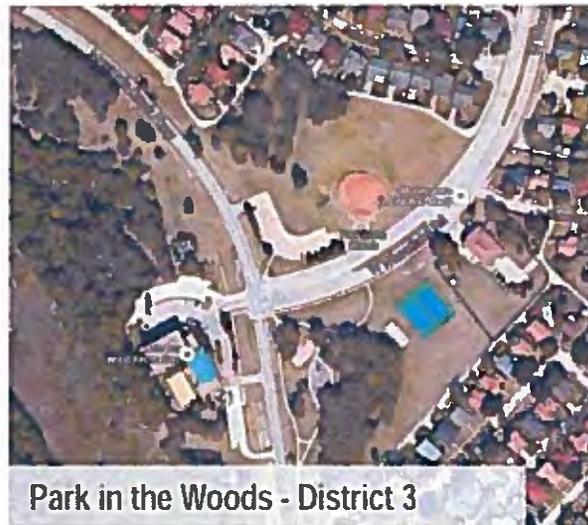


Tietze Park - District 14

Spraygrounds



Kleberg-Rylie Park - District 8



Park in the Woods - District 3



Timberglen Park - District 12

BASIC SERVICES INCLUDE (for 3 RFACs, 2 CFACs and 1 NFAC):

- **Schematic Design**
 - Community input meetings
 - Site planning (pools, buildings, parking, grading, tree mitigation, site utilities)
 - Swimming pool design (program analysis, plans, sections)
 - Bathhouse and support building design (program, plans, sections. Elevations)
 - Architectural renderings
 - Code, zoning and platting analysis
 - Cost estimate
- **Design Development (50% Construction Documents)**
 - Drawings and technical specifications
 - Owner coordination meetings
 - Cost estimate
- **Construction Documents**
 - Final drawings and technical specifications which will include Landscape Architecture, Civil, Architecture, Structural, Mechanical, Electrical, Plumbing and Pool
 - Owner coordination meetings
 - Presentation to the Park and Recreation Board
 - Cost estimate

BASIC SERVICES INCLUDE (cont.):

- **Bid and Construction Award**
 - Attend pre-bid / proposal conference
 - Prepare and issue any addenda items
 - Review bids and make recommendations
- **Construction Administration**
 - Attend pre-construction conference
 - Review and approve submittals
 - Attend progress meetings
 - Construction observation and field reports
 - Review change orders
 - Review contractor pay requests
 - Coordinate Texas Accessibility Standards reviews

SPECIAL SERVICES INCLUDE:

- Topographic surveys
- Platting
- Geological/hazardous materials investigations
- TAS compliance
- Specialized pool mechanical design



Phase 1 Aquatics

Phase 1 Tentative Schedule:

Start Design	January 2016
Complete Design	December 2016
Bidding/Award	May 2017
Start Construction - RFACs	May 2017
Complete Construction - RFACs	April 2018
Start Construction - CFACs + NFAC + Sprayground(s)	May 2018
Complete Construction - CFACs + NFAC + Sprayground(s)	April 2019



Memorandum



DATE December 4, 2015

TO The Honorable Mayor and Members of the City Council

SUBJECT **December 9, 2015 City Council Agenda Item #23**

On Wednesday, December 9, 2015, the Dallas City Council will consider Agenda Item 23. This item relates to the Project Specific Agreement with Dallas County for trail design and right-of-way acquisition for the remainder of Northaven Trail Phase 1 from Valleydale Drive to White Rock Creek Trail. For clarity, the City Attorney's Office made revisions to the wording in the Agenda Information Sheet and Council Resolution for this item.

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

A handwritten signature in black ink, appearing to read 'Willis C. Winters'.

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

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

REVISED AGENDA ITEM # 23

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

AGENDA DATE: December 9, 2015

COUNCIL DISTRICT(S): 10, 11, 13

DEPARTMENT: Park & Recreation

CMO: Willis Winters, 670-4071

MAPSCO: 26-A B E F

SUBJECT

Authorize a Project Specific Agreement with Dallas County for trail design and right-of-way acquisition for the remainder of Northaven Trail Phase 1 from south of Valleydale Drive to White Rock Creek Trail - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas and Dallas County are partnering to design and construct the Northaven Trail in north Dallas. Currently, Phase II and III are under design. This Project Specific Agreement (PSA) establishes the terms for the design, right-of-way acquisition, and other responsibilities for the remainder of Phase 1. As design progresses and funding becomes available, future agreements will advance project milestones for Phase 1, 2A, 2B and 2C including preferred alignments, design, and construction. Upon completion of Phase 1, 2A, 2B and 2C, the entire length of the Northaven Trail will be nearly 9 miles long extending from White Rock Creek Trail to the Walnut Hill/Denton DART Station.

On April 13, 2011, Resolution No. 11-0927, City Council authorized a new ten-year master agreement with Dallas County governing major transportation capital improvement projects.

On November 7, 2011, Resolution No. 11-2977, City Council authorized a Funding Agreement with Dallas County for the development of a master plan for an approximate 6.5-mile section of the Northaven Trail between the Walnut Hill DART Green Line light rail station and Preston Road, in an amount not to exceed \$50,000.

BACKGROUND (Continued)

On December 12, 2012, Resolution No. 12-3057, City Council authorized Amendment No. 1 to the Program Funding Agreement with Dallas County for the development of a master plan for the Northaven Trail between the Walnut Hill/Denton Station and Preston Road to expand the project limits, scope and funding to include design and construction of the Northaven Trail's additional phases between the Walnut Hill/Denton Station and the White Rock Creek Trail.

This PSA requires a 50/50 match from the City. Dallas County is accepting a construction credit of \$2,600,000 as the City match ~~for this PSA~~ regarding the Northaven Trail Project for past City expenditures from 2006 Bond Funds and other monies associated with the design and construction of a portion of Phase I, which was substantially completed in May 2012. At build-out, Phase 1, which extends from White Rock Creek Trail to Preston Road, will be approximately 2.8 miles. The County is providing funds of \$2,600,000 for Phase I and under this PSA, County will provide \$1.6 million for the remaining acquisitions to be done by City of Dallas. ~~from its Major Capital Improvement Projects fund.~~

Dallas County will be responsible for the management, design, TxDOT and other agency coordination and agreements, and construction management. Under this PSA, City will be assuming County's responsibility for the remaining ~~The City will be responsible for~~ right-of-way acquisition and coordination of City-owned utility adjustments for construction. Funding for the remaining acquisitions will be provided by a portion of the County's \$2,600,000 match which is approximately \$1.6 million.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council authorized a new ten-year master agreement on April 13, 2011, by Resolution No. 11-0927.

The Park and Recreation Board authorized the Funding Agreement with Dallas County on October 20, 2011.

City Council authorized the Funding Agreement with Dallas County on November 7, 2011, by Resolution No.11-2977.

City Council authorized Amendment to Funding Agreement with Dallas County on December 12, 2012, by Resolution No.12-3057.

The Park and Recreation Board authorized the Project Specific Agreement on November 5, 2015.

Information about this item will be provided to the Quality of Life & Environment Committee on December 8, 2015.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached

December 9, 2015

WHEREAS, Chapter 791 of the Texas government Code and Texas Transportation Code Article 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of transportation projects; and

WHEREAS, on April 13, 2011, Resolution No. 11-0927, authorized a new ~~ten~~¹⁰-year master agreement with Dallas County governing major transportation capital improvement projects to be jointly funded and developed by the County and the City (Dallas County Commissioners Court Order 2011-1287); and

WHEREAS, on November 7, 2011, Resolution No. 11-2977, authorized a Funding Agreement with Dallas County for the development of a master plan for an approximate 6.5-mile section of the Northaven Trail between the Walnut Hill/DART Green Line light rail station and Preston Road, in an amount not to exceed \$50,000 (MCIP Project 10225); and

WHEREAS, on December 12, 2012, Resolution No. 12-3057, authorized Amendment No. 1 to the Program Funding Agreement with Dallas County for the development of a master plan for the Northaven Trail between the Walnut Hill/Denton Station and Preston Road to expand the project limits, scope and funding to include design and construction of the Northaven Trail's additional phases between the Walnut Hill/Denton Station and the White Rock Creek Trail; and

WHEREAS, it is now necessary to authorize a Project Specific Agreement (PSA) for the development of construction plans, coordination with Dallas County for any agreements required with TxDOT, ~~assignment and acquisition to the City of right-of-way for future construction of the project~~ assumption by City of County's obligation to acquire the necessary right-of-ways with County funding, and establishment of the preferred alignment (Exhibit A) which encompasses the remainder of the Northaven Trail Phase I from Valleydale Drive to White Rock Creek Trail.

Now, Therefore,

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

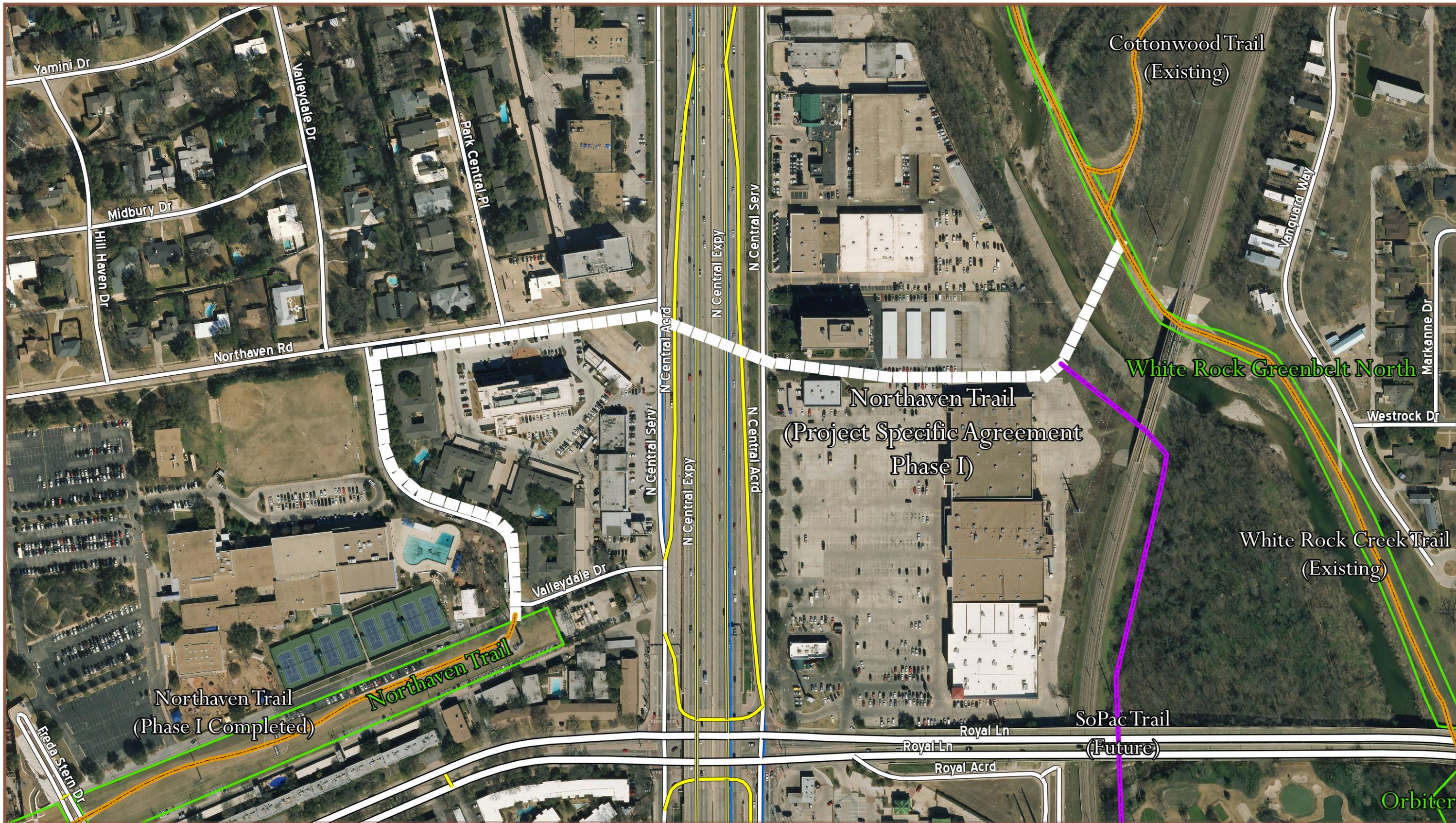
SECTION 1. That the City Manager is hereby authorized to enter a Project Specific Agreement with Dallas County for the completion of the Northaven Trail Phase I construction plans, right-of-way acquisition, and coordination with Dallas County on TxDOT agreements required for the project.

SECTION 2. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute a Project Specific Agreement with Dallas County, after approval, as to form by the City Attorney.

COUNCIL CHAMBER

December 9, 2015

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.



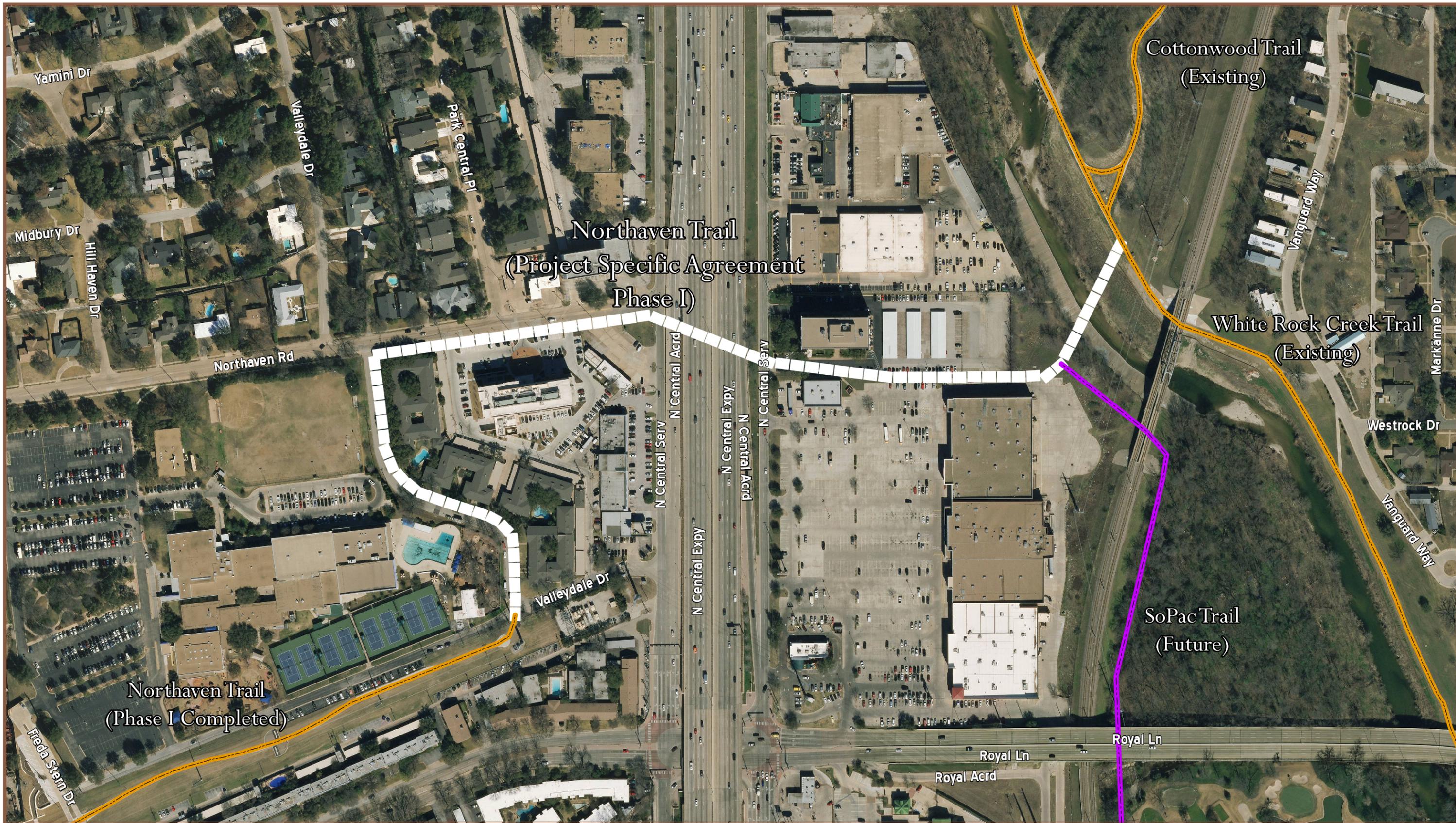
November 5, 2015



Northaven Trail Phase I (Valleydale Drive to White Rock Creek Trail)

Mapsc0
26 A,B,E,F

District
10, 11, 13



October 15, 2015



Northaven Trail Phase I Project Specific Agreement Area Map

Exhibit A

Memorandum



CITY OF DALLAS

DATE December 4, 2015

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

SUBJECT **December 9, 2015 Park and Recreation Department City Council Addendum Agenda Item Kidd Springs Park**

On Wednesday, December 9, 2015, the Dallas City Council will consider an addendum agenda item relating to the Park and Recreation Department.

- **KIDD SPRINGS PARK (1)** - Authorize application for an Environmental Solutions for Communities Grant in the amount of \$50,000 from Wells Fargo and the National Fish and Wildlife Foundation (NFWF) for the Dam Safety and Shoreline Erosion Control project at Kidd Springs Park – Financing: This action has no cost consideration to the City. This item was approved by the Park and Recreation Board on Thursday, December 3, 2015.

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

A handwritten signature in black ink, appearing to read 'Willis C. Winters'.

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

Attachments

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

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

**PARK AND RECREATION DEPARTMENT
CITY COUNCIL ADDENDUM FACT SHEETS - PAGE 2
DECEMBER 9, 2015 – COUNCIL AGENDA
CONTACT: WILLIS WINTERS – 670.4071**

SUBJECT

Authorize application for an *Environmental Solutions for Communities Grant* in the amount of \$50,000 from Wells Fargo and the National Fish and Wildlife Foundation (NFWF) for the Dam Safety and Shoreline Erosion Control project at Kidd Springs Park – Financing: This action has no cost consideration to the City

BACKGROUND

Wells Fargo, in partnership with NFWF, is accepting grant applications for the *Environmental Solutions for Communities Grant* program. This program is available to private non-profit organizations and public agencies. The scoring criteria for this grant program focuses on projects that include private/public partnerships, volunteer community participation, greening of traditional infrastructure, stormwater management, and highly visible project sites. The Kidd Springs Dam Safety and Shoreline Erosion Control project was chosen for this application as it achieves the most points from the grant program priorities.

The grant program does not require a funding match; however, projects which meet or exceed a 1:1 match will be more competitive. The City's 2006 Bond Program's \$500,000 allocation for the Kidd Springs project will be used to exceed the matching fund criterion for the application. If successful, the grant will provide for shoreline restoration, erosion control and re-establishment of a natural spring of the project which would not be possible without the additional funds.

FISCAL INFORMATION

This action has no cost consideration to the City.

Memorandum



CITY OF DALLAS

DATE December 4, 2015

TO Honorable Mayor and Members of the City Council

SUBJECT December 9, 2015 Agenda Item No. 66
Fill Permit 15-04

Fill Permit 15-04 involves reclamation of .37 acres of the current 1.33 acres of the floodplain on this property near Bachman Branch. The purpose of the floodplain removal is for single family development.

A neighborhood meeting was held at the Bachman Therapeutic Recreation Center on November 9, 2015. Attendees included the developer's engineer, the developer's representative, and three City staff members. No citizens from the area attended. There has been no objection to the fill permit.

An environmental impact study is not required for this site. Since there is no impact to wetlands or waters of the United States, a Section 404 permit is not required.

Park and Recreation and Sustainable Development and Construction Departments reviewed the application for public acquisition. Neither department objected to the proposed fill permit.

This application meets the engineering requirements outlined in the Dallas Development Code, Section 51A-5.105(h), floodplain regulations; as such, the city council should approve the fill permit application, or in the alternative, it may resolve to acquire the property under the laws of eminent domain and may then deny the application.

Additionally, please note the following correction has been made to this item:

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

~~Information about this item will be provided to the Transportation and Trinity River Project Committee on December 8, 2015.~~

This item has no prior action.

December 9, 2015, Agenda Item No. 66
Fill Permit 15-04

Please let me know if you need additional information.



Mark McDaniel
Assistant City Manager

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

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

Memorandum



CITY OF DALLAS

DATE December 4, 2015

TO Honorable Mayor and Members of the City Council

SUBJECT **December 9, 2015 Agenda Item Nos. 27 and 29 - Correction Memo**

Please note the correction to the December 9, 2015, Agenda Item Nos. 27 and 29. The prior action should read as follows:

Information about this item will be provided to the ~~Transportation and Trinity River Project Committee~~ Public Safety on December 8, 2015.

Should you have any questions or concerns, please feel free to contact me.

A handwritten signature in blue ink that reads "Jill Jordan".

Jill A. Jordan, P.E.
Assistant City Manager

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

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

Memorandum



CITY OF DALLAS

DATE December 4, 2015

TO Honorable Mayor and Members of the City Council

SUBJECT **December 9, 2015 Agenda Item Nos. 31 and 32 - Correction Memo**

Please note the correction to the December 9, 2015, Agenda Item Nos. 31 and 32. The prior action should read as follows:

Information about this item will be provided to the ~~Transportation and Trinity River Project Committee~~ Budget, Finance & Audit Committee on December 8 7, 2015.

Should you have any questions or concerns, please feel free to contact me.

A handwritten signature in blue ink that reads "Jill Jordan".

Jill A. Jordan, P.E.
Assistant City Manager

- c: A. C. Gonzalez, City Manager
- Warren M.S. Ernst, City Attorney
- Craig D. Kinton, City Auditor
- Rosa A. Rios, City Secretary
- Daniel F. Solis, Administrative Judge
- Ryan S. Evans, First Assistant City Manager

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

Memorandum



CITY OF DALLAS

DATE December 4, 2015
TO Honorable Mayor and Members of the City Council
SUBJECT **Community Meeting on Accessory Dwelling Units and Non-Required Fences**

This memo is inform you that the Department of Sustainable Development and Construction is hosting a community meeting with interested groups on the topic of accessory dwelling units and non-required fences that may be of interest to residential neighborhoods. This meeting will be held at City Hall in L1FN Auditorium on December 15, 2015 from 6:30-7:30. The Housing Committee was briefed on the topic of accessory dwelling units on October 19, 2015. At that time staff indicated there would be additional community outreach on the subject and staff would report back to the committee. The Quality of Life Committee was briefed on non-required fences on October 12, 2015. Both briefings can be found on line. Earlier this week invitations were emailed to individuals and groups on the department's early notification list, the Zoning Ordinance Committee notification list, and the Strategic Customer Service notification list. These lists include the Dallas Homeowners League and all other home owner and neighborhood associations that have asked to be included on one of these lists. Please find the notification of the community meeting attached.

Please contact David Cossum at 214-670-4127 if you need any additional information.

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

Ryan S. Evans
First Assistant City Manager

C: A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Jill A. Jordan, P.E. Assistant City Manager
Joey Zapata, Assistant City Manager
Mark McDaniel, Assistant City Manager
Eric D. Campbell, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager - Mayor & Council

A meeting on Accessory Dwelling Units and Non-Required Fences

You are invited to a meeting to provide your input on potential amendments to the Dallas Development Code that may have some bearing on residential neighborhoods. City Council Committees have been discussing accessory dwelling units and non-required fences. The meeting will be an opportunity for staff to receive initial thoughts and concerns regarding these topics. If code amendments are pursued, staff will continue to solicit your input throughout the process.

Accessory Dwelling Units refers to additional dwelling units on single family lots. The briefing to the City Council Housing Committee can be found at the following link:

http://dallascityhall.com/government/Council%20Meeting%20Documents/hou_2_accessory-dwelling-units_combined_101915.pdf

Non-required Fences refers to fences that are not required by Code such as those in residential areas. The briefing to the Quality of Life and Environment Committee can be found at the following link:

http://dallascityhall.com/government/Council%20Meeting%20Documents/qol_2_non-required-fence-standards_combinedfile_101215.pdf

Please join us on Tuesday, December 15, 2015, from 6:30 p.m. to 7:30 p.m. in the L1FN Auditorium on Level L1 at Dallas City Hall, 1500 Marilla Street. Parking will be provided in the City Hall parking garage. See the reverse side of this notice for a map, directions to City Hall, and parking information.

If you have any questions, please contact:

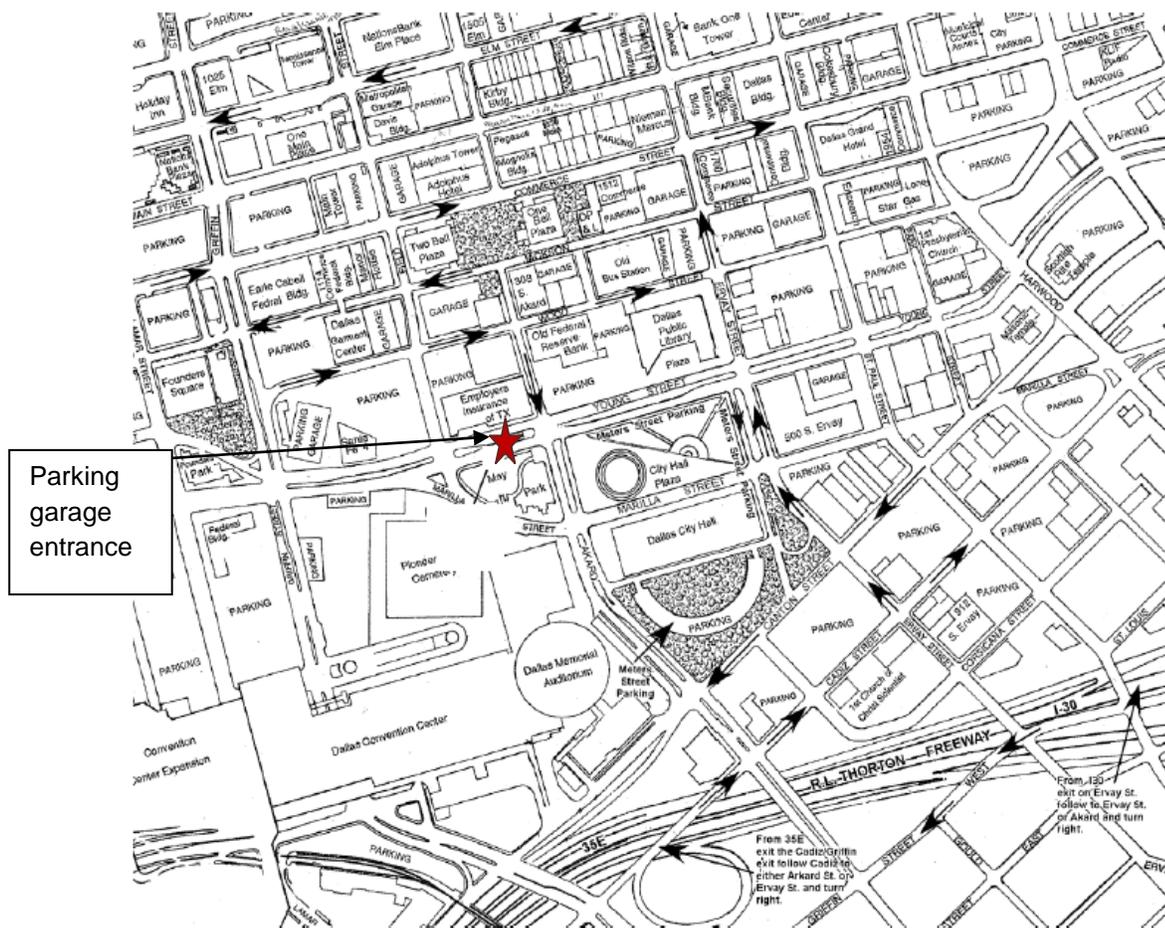
Accessory Dwelling Units: Vasavi Pilla at (214) 671-5724, vasavi.pilla@dallascityhall.com

Non-required Fences: Diana Lowrance at (214) 671-8911, diana.lowrance@dallascityhall.com

Si desea información en español, favor de llamar a Jose E. Martinez al (214) 671-7931.

**See the attached map for directions and parking information.

Location map for Dallas City Hall



From East Dallas on I-30

Take the Ervay Exit #45 (from the left lane) and turn right at the second light on Ervay.

From South Dallas on Northbound I-45

Take the exit for westbound I-30, but take the Ervay Exit #45 before getting onto I-30. Turn right on Ervay at the second light.

From Oak Cliff on I-35

Turn on East I-30, but stay on the access road, marked Lamar and Griffin. Continue on the access road until the second exit, which is the Cadiz exit. Go right on Cadiz and turn left on Akard.

From North Dallas on Central Expressway, Hwy 75

Take the exit #284a for westbound I-30, but take the Ervay Exit #45 before getting onto I-30. Turn right on Ervay at the second light.

From Northwest Dallas on Southbound I-35

Take the exit for eastbound I-30, but stay in the second lane from the left at the I-30 exit. Exit onto the access road of I-30, marked Lamar and Griffin to go to the Cadiz exit, (second exit). Go right on Cadiz and turn left on Akard.

From West Dallas on Eastbound I-30

As I-30 merges with traffic from I-35, take the access road of I-30, marked Lamar and Griffin to go to the Cadiz exit, (second exit). Go right on Cadiz and turn left on Akard.

★ Guests must park on the L1 level of the City Hall garage and enter through the “green” doors. Once through security, follow the hallway up past the green elevators and turn right.

Memorandum



CITY OF DALLAS

Date: December 4, 2015

To: Honorable Mayor and Members of the City Council

Subject: Water Fluoridation Quality Award

The Centers for Disease Control and Prevention has awarded the City of Dallas a Water Fluoridation Quality Award. This award recognizes those communities in Texas that maintained a consistent level of optimally fluoridated water throughout 2014. The award was based on submittal of Dallas' monthly fluoridation reports to the Texas Fluoridation Program.

The award states "***The Centers for Disease Control and Prevention commends this water system for its consistent and professional adjustment of the water fluoride content to the optimum level for oral health for 12 consistent months. Consistent, high-quality water fluoridation practice, as demonstrated by this water system, is a safe and effective method to prevent tooth decay, improving the oral health of community residents of all ages.***"

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

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

Mark McDaniel
Assistant City Manager

c: A.C. Gonzalez, City Manager
Craig Kinton, City Auditor
Judge Daniel F. Solis, Administrative Judge
Jill A. Jordan, Assistant City Manager
Joey Zapata, Assistant City Manager
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Council Office

Warren M. S. Ernst, City Attorney
Rosa A. Rios, City Secretary
Ryan S. Evans, First Assistant City Manager
Eric D. Campbell, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Jo M. (Jody) Puckett, P.E., Director