

Memorandum



CITY OF DALLAS

DATE October 5, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Taking Care of Business – October 2, 2018**

Update Items

[Encampment Resolution Schedule – October 2, 2018 and October 9, 2018](#)

The Office of Homeless Solutions (OHS) has scheduled the following sites for homeless encampment resolution on Tuesday, October 2 and 9, 2018:

October 2, 2018 – Complete as of 4:00 pm	October 9, 2018
<ul style="list-style-type: none">• 1700 Chestnut St (District 2)• 2600 Hickory (District 2)• 1100 S. Ervay (District 2)• 2500 E R L Thornton Freeway (District 2)• South Blvd at Harwood St. (District 7)• Jim Miller at I-30 Interstate (District 7)• St. Francis at I-30 Interstate (District 7)• Buckner at I-30 Interstate (District 7)• Bonnie View at I-20 Interstate (District 7)• Lancaster at I-20 Interstate (District 7)	<ul style="list-style-type: none">• 4900 E R.L. Thornton Freeway (District 2)• 600 Peak Street (District 2)• 500 Hill Street (District 2)• 700 Fletcher Street (District 2)• 2929 Hickory Street (District 2)• 2600 Hickory Street (District 2)• 2400 Hickory Street (District 2)• 2628 Louise Street (District 2)

OHS Street Outreach team will continue to engage with homeless individuals to provide notice of clean-up and connect to resources and shelter. OHS Community Mobilization staff are meeting with stakeholders to determine long-term sustainability of encampment sites and will provide periodic updates. Should you have any questions or concerns, please contact Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer or Monica Hardman, Managing Director of Office of Homeless Solutions.

New Items

Domestic Violence Awareness Month

October is National Domestic Violence Awareness Month. Throughout the month, the City will raise awareness through a series of events, culminating in the annual Domestic Violence Breakfast and Panel discussion on Friday, October 26th. Please wear purple on Wednesday, October 3rd to help raise awareness to end domestic violence by taking a stand and being a voice for others. Should you have questions or concerns, please contact Carrie Prysock, Managing Director of the Mayor and City Council Office.

[Dallas Animal Services Dashboard](#)

On Monday, October 1st, Dallas Animal Services (DAS) celebrated its one-year birthday since becoming its own stand-alone department. Over the past year, DAS has worked to improve public safety by increasing loose dog intake by 14% over the previous fiscal year,

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while simultaneously improving its live release rate for dogs and cats from 75% in FY17 to 81% in FY18. To track how DAS performed in key measures for FY18, please see the attached year-end summary dashboard. Should you have any questions or concerns, please contact Director, Ed Jamison, or Assistant Director, Ryan Rogers.

[IEDC – Silver Excellence in Economic Development Award](#)

The City of Dallas Office of Economic Development received a Silver Excellence in Economic Development Award for *Historic Butler Brothers Building: Mixed-Use Redevelopment Project*, a project in the category of Real Estate Redevelopment & Reuse of the International Economic Development Council (IEDC). The honor was presented today, October 2nd at an awards ceremony during the IEDC Annual Conference, which is currently being held in Atlanta, GA.

IEDC is the world's largest membership organization for economic development professionals who promote economic well-being and quality of life in their communities by creating, retaining, and expanding jobs that facilitate growth and provide a stable tax base. From public to private, rural to urban, and local to international, our members represent the entire range of economic development. Should you have any questions or concerns, please contact Courtney Pogue, Director of the Office of Economic Development.

[Volkswagen Settlement Funds](#)

The State of Texas is in line to receive up to \$209 million over the next 10 years from Volkswagen (VW) in relation to illegal emissions from VW vehicles. The City's Office of Environmental Quality, Equipment and Fleet Management Department, and Office of Strategic Partnerships and Government Affairs have been monitoring this issue since the VW settlement was first announced and have urged other local governments and the NCTCOG to develop a consensus that would provide for municipal fleet upgrades and result in the improvements to our region's air quality.

The City has submitted comments to staff from the Governor's Office and TCEQ to emphasize that: (1) the bulk of VW funds should be directed towards regions that had the biggest impact from VW vehicles emitting pollutants; (2) funds should be used in ozone nonattainment areas like Dallas where emissions mitigation is most needed; (3) a balanced and fuel-neutral approach will maximize the use of existing solutions to improve emissions performance; and (4) there should be minimal barriers to participation added at the state level.

TCEQ released a Draft Beneficiary Mitigation Plan on August 8, 2018 outlining their proposed use of the funds. While some of the City's recommended priorities were included in the plan – such as a fuel-neutral approach – funds were allocated primarily to 5 “priority areas” throughout the state. This allocation gives the San Antonio area \$73.5 million (35% of available funds), while the DFW region is only allocated \$29 million (15% of available funds). Because the allocation does not distribute funds in proportion to the harm suffered by VW vehicles or to areas with more severe air quality issues, a letter has been sent to Chairman Niermann of TCEQ outlining the City's concerns, and staff will

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follow up with comprehensive written comments submitted to TCEQ before the October 8 deadline to submit comments on the draft plan.

Attached for your review and information is background information regarding the VW settlement. Should you have any questions or concerns, please contact Brett Wilkinson, Managing Director of the Office of Strategic Partnerships and Government Affairs.

[Mental Health Initiatives in Dallas](#)

On September 29th, Congressman Pete Sessions (TX-32) hosted a roundtable and press conference at City Hall to discuss mental health initiatives in Dallas. In hosting the discussion, Congressman Session's office is looking to create a working group of mental health professionals to help veterans and community members that are impacted by mental health issues. Should you have any questions or concerns regarding this initiative, please contact Brett Wilkinson, Managing Director of the Office of Strategic Partnerships and Government Affairs.

[Media Inquiries](#)

As of October 1st, the City has received media requests from various news outlets regarding the following topics:

- White Rock Lake Flooding
- Cypress Waters Development Construction Noise Complaint
- Firefighters Assisting Shooting Victim (DFR)

Please see the attached document compiling information provided to the media outlets for the week of September 24th – October 1st for your reference and in the event you are contacted by the press. Should you have any questions or concerns, please contact Gwendolyn Schuler, Manager of the Office of Public Affairs and Outreach.

Look Ahead

[Office of Community Care – Senior Listening Sessions](#)

The Office of Community Care is coordinating Senior Listening Sessions to inform seniors of the services offered by the City of Dallas and to provide an update on the AARP and City Age Friendly Communities Plan. The current and past sessions are intended to generate a greater awareness of senior issues & available resources.

Throughout the year, Senior Affairs commission and staff have hosted multiple sessions in various districts, and additional sessions are being scheduled (see below). City Council members, Senior Affairs Commissioners and AARP are invited to serve as co-hosts. Should you have questions or concerns, please contact Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer, or Jessica Galleshaw, Managing Director of the Office of Community Care.

Date	Council District	Location
October 25, 2018 9:45-10:45am	11	Jewish Community Center of Dallas

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City Council Briefings

October 3, 2018

- 2017 Bond Program Update



T.C. Broadnax
City Manager

c: Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

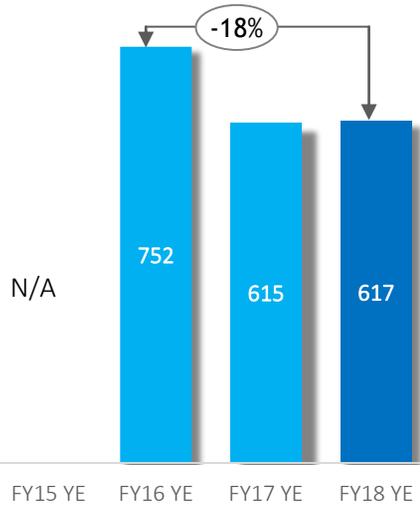
Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

FY18 Year End Dashboard for DAS

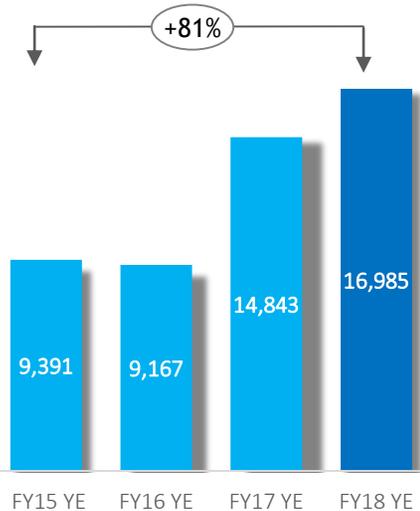
As of 10/1/18



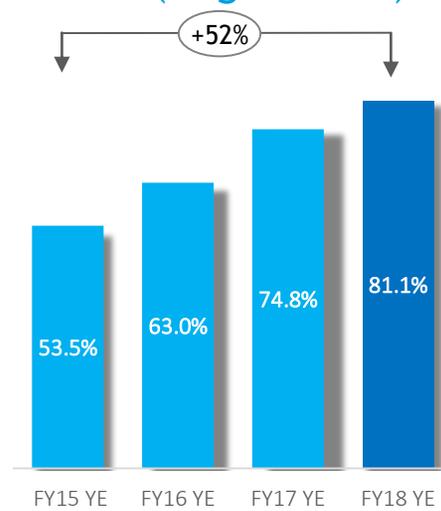
Loose and Loose Owned Dog Bites*



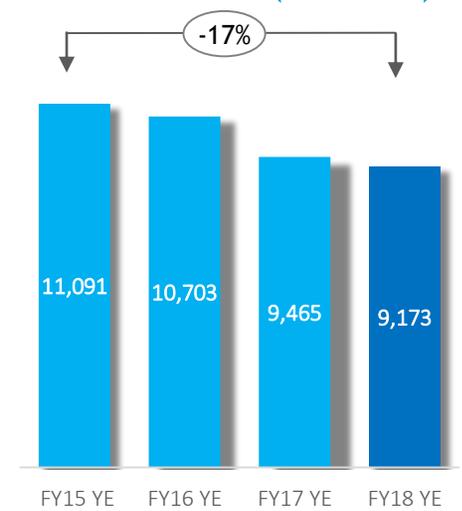
Dog Field Intake



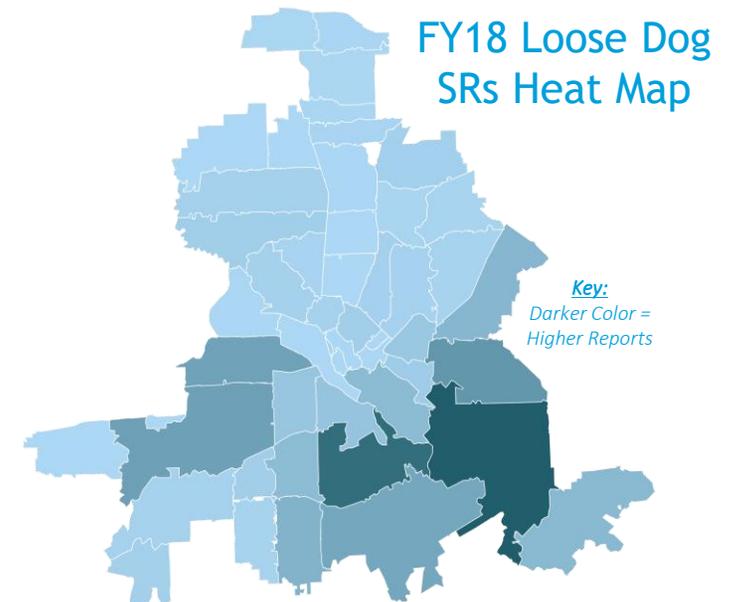
Shelter Live Release Rate (Dogs & Cats)



Dog Owner Surrenders (Shelter)



DAS' FY18 YE Service Requests	Count:	% of Total
Loose (Owned)	9,720	17%
Vaccination Investigation	9,121	16%
Stray Dog	7,226	13%
Aggressive Activity	5,644	10%
Confined Stray	4,315	8%
Neglect	3,708	6%
Attack in Progress	3,249	6%
Critical Medical	2,340	4%
Sick/Injured	2,127	4%
Bite	1,998	3%
Noisy	1,278	2%
Wildlife/Livestock	1,147	2%
Owner Surrender	965	2%
Other	4,287	8%
Total:	57,125	100%



* FY18 Year End Date May Slightly Fluctuate As Late Reports Are Filed

VW Settlement Background & Next Steps

- In October 2016, a \$14.7 billion settlement was finalized against Volkswagen (VW) for installing equipment that allowed diesel vehicles to cheat emissions testing equipment by running in a special “test mode” designed to temporarily reduce emissions and pass testing.
- An Environmental Mitigation Trust was established with \$2.9 billion to be distributed by State governments. **Texas will distribute \$209 million.**
- On **August 8, 2018**, Texas released a draft Beneficiary Mitigation Plan outlining how the \$209 million will be administered throughout the State. Comments will be accepted until October 8.
- TCEQ’s Draft Beneficiary Mitigation Plan is focused on:
 - Reducing NOx emissions
 - Reducing the public’s exposure to pollutants
 - Preparing for an expected increase in Zero Emission Vehicles (ZEV)
 - Complementing other funding programs
- Funding will be allocated as follows:
 - 15% of funds (\$31.4 million) will be used to funds **up to 50% of eligible costs* to install infrastructure to support Zero Emission Vehicles**, including charging stations in public places, workplaces, and multi-family residential dwellings and along major transportation corridors
 - 4% (\$8 million) will be used for **TCEQ administrative expenses** over the life of the settlement
 - 81% of funding (\$169.5 million) will be **allocated to 5 priority areas for eligible projects** (listed below), based on ground ozone nonattainment designation, then by population.

Priority Area Allocations		
Area	Eligible Counties	Maximum funding
San Antonio	Bexar, Comal, Guadalupe, Wilson	\$73,554,754
Dallas-Fort Worth	Collin, Dallas, Denton, Ellis, Hood, Johnson, Kaufman, Parker, Rockwall, Tarrant, Wise	\$29,116,296
Houston-Galveston-Brazoria Area	Brazoria, Chambers, Fort Bend, Galveston, Harris, Liberty, Montgomery, Walker	\$27,399,879
El Paso County	El Paso	\$26,771,921
Beaumont-Port Arthur Area	Hardin, Jefferson, Orange	\$12,705,673

- **After the Draft Beneficiary Mitigation was released, several agencies – including the City of Houston, NCTCOG, and elected officials from the DFW and Houston areas – were immediately concerned by the disproportionate amount of funding directed toward San Antonio at the expense of DFW and Houston**
 - DFW and Houston both have worse air quality than the San Antonio area and have been designated nonattainment under 2008 and 2015 standards, while San Antonio is only recently designated nonattainment under 2015 standards
 - DFW and Houston each had more VW vehicles affected by the settlement than San Antonio
 - DFW and Houston each have more identified vehicles that would be eligible for replacement/repower under the plan
 - DFW and Houston each have a greater share of NOx emissions coming from mobile sources such as those eligible for replacement/repower under the plan than San Antonio

Eligible Mitigation Actions for Priority Areas		
Type	Description	Public Fleet Reimb.*
Class 4-7 Local Freight Trucks	Replace or repower model year 1992-2009 medium duty local freight trucks	Up to 60% eligible costs
Class 8 Local Freight Trucks	Replace or repower model year 1992-2009 local freight or port drayage trucks	Up to 60% eligible costs
Class 7-8 Refuse Vehicles	Replace or repower model year 1992-2009 vehicles configured as refuse vehicles	Up to 60% eligible costs
School Buses	Replace or repower model year 2009 or earlier class 4-8 school buses	Up to 60% eligible costs
Transit and Shuttle Buses	Replace or repower model year 2009 or earlier class 4-8 shuttle busses	Up to 60% eligible costs
Forklifts and Port Cargo Handling Equipment	Replace or repower older model diesel or spark ignition with electric models	Up to 60% eligible costs
Airport Ground Support Equipment	Replace or repower older model diesel or spark ignition with electric models	Up to 60% eligible costs
Ocean-going Vessel Shore Power	Provide shore power to ocean-going vessels to result in reduced NOx emission and other pollutants	Up to 60% eligible costs

*Match requirements are subject to change.

TEXAS FUNDING and DALLAS

- On June 26, CM Sandy Greyson (with staff from IGS, OEQ, and EBS) attended a one-day workshop in Austin sponsored by the Texas Clean Air Working Group (TCAWG) to provide input to the Governor's office on the VW Settlement
 - CM Greyson gave comments directly to staff from the Governor's office, and a follow up letter was sent to staff in the Governor's office
- On November 21, 2017, Governor Abbott filed for Beneficiary Status from the Trust and identified TCEQ as the lead agency, with Chairman Niermann heading the effort.
- On January 17, James McGuire, Director of OEQ, gave comments for Dallas during a one-day workshop hosted by TCEQ staff and Chairman Niermann to get input as they drafted the Beneficiary Mitigation Plan
- **Comments submitted by Dallas highlighted four priorities:**
 - If funds are to be distributed through existing grant channels, restrictions on vehicle age or replacement status should be waived so we can take advantage of these one-time funds
 - Non-attainment areas should be given priority for funding
 - Funds should be distributed so that funding received by each region is proportional with the number of affected VW vehicles in the region, with final prioritization of projects done at the local level
 - The funds should be applied in a balanced and fuel-neutral manner that maximizes the use of existing solutions to improve emissions performance of public and private fleets
- Dallas can best utilize the following categories of mitigation action:
 - Class 4-7 Local Freight Trucks
 - Class 8 Local Freight Trucks
 - Class 7-8 Refuse Trucks
- **A letter signed by Mayor Rawlings, Councilmember Kleinman, and Councilmember Greyson is being sent to TCEQ to provide comment on the Draft Beneficiary Mitigation Plan, specifically the allocation plan between the 5 priority areas throughout the State.**
 - Staff will provide more comprehensive comments prior to the October 8 deadline, reiterating our concern about the allocation and advocating to reduce or eliminate the matching requirement for public fleets.



City of Dallas

**Public Affairs & Outreach
Media Requests**

Sept. 24 – Oct. 1

Sept. 24; Jobin Panicker, WFAA; WFAA is interested in knowing what the next step is in the cleanup after flooding. There's considerable debris over at White Rock Lake and also by Watermark Church. Which department is responsible for this? What is the timeline? Is there any work currently being done? What are the trouble areas?

City Response: Washed up debris in parks would be the responsibility of the Park department. White Rock Lake is the responsibility of DWU. Debris in the Right-of-way, streets, medians, etc are the responsibility of Public Works. Churches and private businesses will have to provide for their own clean up and collection.

Sept. 24; Ben Russell, NBC 5; I'm reaching out about multiple complaints we've heard from people who live in the Cypress Waters development. They live in apartments called The Sound, and they're in the 3200 and 3300 block of Bleecker. Their concern is noise from construction they say is happening at 1 and 2 in the morning on a building located in the 3200 block of Olympus. That building also fronts Wharf Road - what may be the 9600 or 9500 block of Wharf.

My questions:
Is this in Dallas?

Does the contractor have the right/permission to do overnight construction? If so, please help me with the terminology. What do they have to do to get permission? What does that permission allow for?

If they are not allowed to do this kind of work overnight, then what happens?

City Response: Yes, companies may apply for Noise Ordinance Waivers(NOW) for through the Department of Sustainable Development and Construction. Information about how to apply for a Noise Ordinance Waiver is found

here: <https://dallascityhall.com/departments/sustainabledevelopment/Pages/Noise-Ordinance-Waiver.aspx>

This particular development did request and was granted an NOW for specific dates (including this morning). Please see attached letter specifying dates and times for the construction work.

In advance of approving the NOW, staff reached out to the applicant and was told that the applicant had contacted the adjacent apartment management and they were in approval. These are very large concrete pours as they must cover an entire floor of the building at one time for the structural slab to be monolithic as designed. In other words, the concrete pours cannot be broken up into smaller batches since there are no construction joints allowed by design on each floor's slab. Due to the large volume of construction in the metroplex, concrete plants can limit the availability of large concrete batches to off hours since their schedules are so full.



City of Dallas

Based on your questions, staff reached back out to the applicant today by phone and they confirmed that the apartment was notified in advance and that the workers were mindful of the noise.

There are two additional concrete pours scheduled for this five-story building and staff will discuss further with the applicant what they can do to minimize impacts to the nearby residents.

Please let me know if you have further questions.

Sept. 25, Olivia Lueckemeyer; Community Impact Newspaper; I am working on a story about economic development in Richardson, and we are interested in showing how property tax revenue is divided up in Richardson compared to nearby cities. In Richardson, 60 percent of property taxes come from commercial businesses and 40 percent comes from residential. Are you able to provide the same percentage breakdown for Dallas?

City Response: The total value of property in Dallas is \$130.1 billion:

- Residential = 44.5%
- Non-residential = 55.5%

Non-Residential includes both commercial and business personal property.

Oct. 1; Mark Smith, WFAA; Christopher Connelly, KERA; inquiries related to possible litigation following a shooting involving an officer

City Response: The City does not comment on pending litigation.

Sept. 26, Elvia Limon, Dallas Morning News; My name is Elvia Limon, and I'm the engagement reporter for *The Dallas Morning News*. I write articles for our Curious Texas project -- the projects answers questions submitted by our readers. One of our questions is: Why do Dallas streetlights always go out when it rains?

My deadline is Wednesday at 5 p.m.

So I have a few questions for this article:

1. Why do street lights go out when it rains?
2. How can Dallas residents report a street light that goes out?
3. How long does it typically take the city to repair a street light that goes out? Does it depend on the area where it's located?
4. Does the city know how many lights went out during the weekend when it rained?
5. Does the city see more street light outages when it rains? What other weather causes a lot of street light outages?

City Response:

Below are the answers to your questions in regard to traffic lights, not street lights, as we clarified in a previous email.



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1. Why do street [traffic] lights go out when it rains? Lights go out for a number of reasons including lightning strikes, hardware issues and water in the cabinet, but the most prevalent cause during rain is a power outage.
2. How can Dallas residents report a street [traffic] light that goes out? Calls should be reported to 311. They will route appropriately.
3. How long does it typically take the city to repair a street [traffic] light that goes out? Does it depend on the area where it's located? For class 1 calls including all out, light stuck, knockdown – the service level agreement is about an hour; for class 2 calls including flash and timing calls, the SLA is 4-6 hours. These times can be shorter or longer depending on the number of calls reported. Rain produces our highest number of calls. Response times are escalated due the number of calls and the amount of time it takes through traffic for the technician to reach the problem. There are technicians deployed in three districts around the city to shorten that time. Also, during major rain storms, additional staff is called in if the storm happens after hours or on weekends.
4. Does the city know how many lights went out during the weekend when it rained? From Friday the 21st through Sunday the 23rd, 281 traffic signal malfunction calls were received. This is compared to the previous weekend when only 104 calls were received.
5. Does the city see more street [traffic] light outages when it rains? What other weather causes a lot of street [traffic] light outages? Rain creates the highest number of calls. There is really not another weather condition that compares.

Oct. 1; Brian New, CBS 11; We are working on a story about red light cameras and wanted to see if we could set up an on-camera interview with T.C. Broadnax or someone else in the city that can talk about the city's red light cameras. We want to ask him if he believes red light cameras make the city safer. We also would like to ask him about critics who say the cameras are a "money-maker" as well as those who say the cameras in Dallas are not in compliance with state law because no engineering study has been conducted. Some state lawmakers say even cameras that were installed before the passage of SB1119 are required to have an engineering study.

We are hoping to see if we could schedule an interview sometime this week or early next week.

City Response: The City of Dallas maintains an Automated Red Light Camera Enforcement program in the interest of public safety. The City places these cameras at locations based on three years of crash data, which examines the severity of the crashes, and if pedestrians were involved. If the number of crashes goes down over time, the camera is removed. It is important to note that the installation of a red light camera is not the first step in making intersections safer: changing road markings, adding signage, and even changing the layout of the intersection are all considered before installing a camera.

The cameras are not a "money-maker," since the majority of funds received from red light citations goes to the State. Also, the City conducts annual engineering studies of all the cameras and high-crash intersections, and regularly updates camera locations based on data – so there is no concern that cameras installed before the passage of SB1119 could be out of compliance. Since December 2016, the City reduced the number of cameras from 52 to 39.



City of Dallas

Dallas Police media:

Sept. 25; Fox 4, NBC 5, WFAA, CBS 11, DMN; inquiries related to an intoxication assault at 7900 LBJ Freeway

City Response: On September 25, 2018 at approximately 2:25 a.m., the suspect, Gladys Gamboa a W/F 35, was travelling eastbound at the 7900 block of LBJ Freeway Service Road at a high rate of speed. The victim a, W/F 23, was behind an 18 wheeler at the light of Coit Road when she was rear ended by the Mrs. Gamboa. The collision forced the victim's car forward into, and under the 18 wheeler. The victim was transported to a local hospital in serious condition as a result of the accident. The Gladys Gamboa was found to be under the influence of alcohol and was placed under arrest for Intoxication Assault. This incident is reported under Case #212314-2018.

Sept. 29; Fox 4, NBC 5, WFAA, CBS 11, DMN; inquiries related to a shooting at 2400 Millmar Dr.

City Response: On September 28, 2018, at approximately 5:24 p.m., Dallas police officers responded to a shooting call at the 2400 block of Millmar Drive. When officers arrived observed several people standing around a vehicle parked on the north side of Harry Stone Park. Officers then observed the victim suffering from multiple gunshot wounds. Dallas Fire and Rescue transported the victim to a local hospital. The Dallas police Non-Fatal Shoot detective arrived on scene and conducted an investigation. This incident remains under investigation and is reported under case number #214871-2018.



City of Dallas
Dallas Fire-Rescue Department
Media Requests: September 24 – 30, 2018.

Wednesday, September 26, 2018: Bopha Phorn, ABC National –

My name is Bopha Phorn, a reporter with ABC News national based in New York. I am writing a story about Delashon Jefferson a 21-year-old black female, who was 8 months pregnant who was shot last Sunday night.

The suspect name Lagarius Donnell Rainey was arrested.

There are new pieces that say that firefighters came in to save the woman and other victim Daveron Sanders before police arrived.

May you confirm that? How many firefighter were there?

Will they be in trouble because they did not wait for the police to arrive?

City Response: The information you have is inaccurate. It appears that these “pieces” are based on the belief that both victims were in the same house, along with the shooter, when firefighters arrived. That was not the case:

When Dallas Fire-Rescue arrived at the scene there were several residents outside yelling that there’d been a shooting involving two victims. There was one male victim, who had been pulled into a neighbor’s home, as well as a female victim, who was still inside the home where the shooting actually occurred. Neighbors also stated that the suspect was still in the home where the female victim was.

Firefighters made entry into the neighbor’s home, prior to the arrival of police, to help the male victim. However, not knowing if the shooter was still in the residence where the shooting occurred, they staged outside until police arrived and cleared the house; at which point, they made entry and transported the female victim to the hospital.