

**APRIL 23, 2014 CITY COUNCIL ADDENDUM  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated April 23, 2014. 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



Date



Edward Scott  
City Controller



Date



RECEIVED

2014 APR 18 PM 3: 55

DALLAS, TEXAS

**ADDENDUM  
CITY COUNCIL MEETING  
WEDNESDAY, APRIL 23, 2014  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TX 75201  
9:00 A.M.**

**REVISED ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m.      **INVOCATION AND PLEDGE OF ALLEGIANCE**

**OPEN MICROPHONE**

**CLOSED SESSION**

**MINUTES**

Item 1

**CONSENT AGENDA**

Items 2 - 27

**CONSENT ADDENDUM**

Items 1 - 3

**ITEMS FOR INDIVIDUAL CONSIDERATION**

No earlier  
than 9:15 a.m.

Items 28 - 40

**PUBLIC HEARINGS AND RELATED ACTIONS**

1:00 p.m.

Items 41 - 47



**ADDENDUM  
CITY COUNCIL MEETING  
APRIL 23, 2014  
CITY OF DALLAS  
1500 MARILLA  
COUNCIL CHAMBERS, CITY HALL  
DALLAS, TEXAS 75201  
9:00 A. M.**

ADDITIONS:

CONSENT ADDENDUM

**Business Development & Procurement Services**

1. Authorize a one-year service contract for installation of tree and building ornamental lights at Fair Park - The Christmas Light Company, Inc., lowest responsible bidder of two - Not to exceed \$340,775 - Financing: Current Funds (subject to appropriations)

**City Attorney's Office**

2. Authorize **(1)** the application for and acceptance of the 2013-14 State Criminal Justice Planning Fund grant from the Office of the Governor, Criminal Justice Division, for support of the Prostitution Diversion Initiative for the period September 1, 2013, through August 31, 2014; and **(2)** execution of the grant agreement - Not to exceed \$145,992 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

**Economic Development**

3. Authorize **(1)** the Southern Dallas Adaptive Reuse Pilot Program (Adaptive Reuse Program) to encourage reuse of underperforming and vacant buildings, maintenance, code compliance and job creation in southern Dallas pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program; and **(2)** the City Manager to execute economic development grant agreements approved as to form by the City Attorney in accordance with the requirements in the Southern Dallas Adaptive Reuse Pilot Program Statement to promote local economic development - Financing: This action has no cost consideration to the City

**ADDENDUM  
CITY COUNCIL MEETING  
APRIL 23, 2014**

CORRECTIONS:

**Economic Development**

6. Authorize the re-establishment of the South Dallas/Fair Park Area Business Façade/Revitalization Program which provides façade improvements for buildings with operating businesses along Martin Luther King Jr. Boulevard from Robert B. Cullum to the S.M. Wright Freeway, pursuant to Chapter 380 of the Texas Local Government Code ~~and the City's Public/Private Partnership Program~~, in order to promote economic development in the South Dallas/Fair Park area – Financing: This action has no cost consideration to the City

**Human Resources**

11. An ordinance amending Section 34-24.1, "Family Leave," of Chapter 34, "Personnel Rules," to **(1)** allow employees to take family leave for a "designated care recipient"; and **(2)** providing a definition of "designated care recipient"; ~~providing a penalty not to exceed \$500~~; providing a saving clause; providing a severability clause; and providing an effective date - Financing: This item has no cost consideration to the City

**ADDENDUM DATE April 23, 2014**

ITEM		IND								
#	OK	DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION	
1			7	C	PBD, PKR	\$340,775.00	100.00%	0.00%	Authorize a one-year service contract for installation of tree and building ornamental lights at Fair Park	
2			1, 2, 3, 4, 5, 7, 8	C	ATT	GT	NA	NA	Authorize the application for and acceptance of the 2013-14 State Criminal Justice Planning Fund grant from the Office of the Governor, Criminal Justice Division, for support of the Prostitution Diversion Initiative for the period September 1, 2013, through August 31, 2014; and execution of the grant agreement	
3			7	C	ECO	NC	NA	NA	Authorize the Southern Dallas Adaptive Reuse Pilot Program (Adaptive Reuse Program) to encourage reuse of underperforming and vacant buildings, maintenance, code compliance and job creation in southern Dallas pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program; and the City Manager to execute economic development grant agreements approved as to form by the City Attorney in accordance with the requirements in the Southern Dallas Adaptive Reuse Pilot Program Statement to promote local economic development	
<b>TOTAL</b>						<b>\$340,775.00</b>				





**KEY FOCUS AREA:** Culture, Arts and Recreation

**AGENDA DATE:** April 23, 2014

**COUNCIL DISTRICT(S):** 7

**DEPARTMENT:** Business Development & Procurement Services  
Park & Recreation

**CMO:** Jeanne Chipperfield, 670-7804  
Willis Winters, 670-4071

**MAPSCO:** 46K 46L 46P 46Q 46R 46U

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**SUBJECT**

Authorize a one-year service contract for installation of tree and building ornamental lights at Fair Park – The Christmas Light Company, Inc., lowest responsible bidder of two - Not to exceed \$340,775 - Financing: Current Funds (subject to appropriations)

**BACKGROUND**

This item is moved forward by Council direction for the installation of tree and building ornamental lights at Fair Park in anticipation of summer events.

This service contract will provide installation of tree and building ornamental lights at Fair Park. The rooftop perimeters of the following buildings will be outlined with lights:

- Automobile
- Centennial
- Hall of State
- Women’s Museum
- Ticket offices and Tower building at the Parry Avenue entrance
- Martin Luther King, Jr. Blvd. and Grand Avenue security buildings

Additionally, the trunks and lateral branches of approximately 160 trees will be wrapped with 5,600 to 8,050 mini LED lights per tree. The trees lining Exposition Avenue, Grand Avenue, Martin Luther King, Jr. Boulevard entrances and along the historic Esplanade are among those to be lit.

In 2013 the Vision and Strategies program prioritized marketing, visitor amenities, programming and promotional strategies at Fair Park. Among other things, the visitor amenities include tree and building ornamental lights at the gateways into Fair Park and along the historic Esplanade.

**BACKGROUND (Continued)**

As part of the solicitation process and in an effort to increase competition, Business Development and Procurement Services (BDPS) used its procurement system to send out 386 email bid notifications to vendors registered under respective commodities. To further increase competition, BDPS uses historical solicitation information, the internet, and vendor contact information obtained from user departments to contact additional vendors by phone. Additionally, in an effort to secure more bids, notifications were sent by the BDPS' ResourceLINK Team (RLT) to 25 chambers of commerce, the DFW Minority Business Council and the Women's Business Council - Southwest, to ensure maximum vendor outreach.

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

On April 17, 2014 the Park Board was briefed.

**FISCAL INFORMATION**

\$340,775.00 - Current Funds (subject to appropriations)

**M/WBE INFORMATION**

- 53 - Vendors contacted
- 53 - No response
  - 0 - Response (Bid)
  - 0 - Response (No bid)
  - 0 - Successful vendor

386 - M/WBE and Non-M/WBE vendors were contacted

The recommended awardee has fulfilled the good faith requirements set forth in the Business Inclusion and Development (BID) Plan adopted by Council Resolution No. 08-2826 as amended.

**ETHNIC COMPOSITION**

The Christmas Light Company, Inc.

White Male	13	White Female	2
Black Male	5	Black Female	1
Hispanic Male	72	Hispanic Female	2
Other Male	1	Other Female	0

**BID INFORMATION**

The following bids were received from solicitation number BY1421 and were opened on April 3, 2014. This service contract is being awarded in its entirety to the lowest responsive and responsible bidder.

\*Denotes successful bidder

<b><u>Bidders</u></b>	<b><u>Address</u></b>	<b><u>Amount of Bid</u></b>
*The Christmas Light Company, Inc.	8019 Military Parkway Dallas, TX 75227	\$340,775.00
The Christmas Light Guy	11163 Shady Trail #102 Dallas, TX 75229	\$342,880.50

**OWNER**

**The Christmas Light Company, Inc.**

William Rathburn, President

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a one-year service contract for installation of tree and building ornamental lights at Fair Park – The Christmas Light Company, Inc., lowest responsible bidder of two - Not to exceed \$340,775 - Financing: Current Funds (subject to appropriations)

The Christmas Light Company, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Other Services

### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<b><u>Amount</u></b>	<b><u>Percent</u></b>
Total local contracts	\$340,775.00	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$340,775.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

None

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$0.00	0.00%

April 23, 2014

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

**Section 1.** That the City Manager is authorized to execute a service contract with The Christmas Light Company, Inc. (VC0000006515) for installation of tree and building ornamental lights at Fair Park for a term of one year in an amount not to exceed \$340,775.00, upon approval as to form by the City Attorney. If the service was bid or proposed on an as needed, unit price basis for performance of specified tasks, payment to The Christmas Light Company, Inc. shall be based only on the amount of the services directed to be performed by the City and properly performed by The Christmas Light Company, Inc. under the contract.

**Section 2.** That the City Controller is authorized to disburse funds from the following appropriations in an amount not to exceed \$340,775.00 (subject to appropriations):

<u>FUND</u>	<u>DEPT</u>	<u>UNIT</u>	<u>OBJECT</u>	<u>AMOUNT</u>	<u>ENCUMBRANCE</u>
0001	PKR	9487	3070	\$331,228.75	CTPKR14G012
0001	PKR	9487	3070	\$ 9,546.25	CTPKR15G012

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



**KEY FOCUS AREA:** Public Safety

**AGENDA DATE:** April 23, 2014

**COUNCIL DISTRICT(S):** 1, 2, 3, 4, 5, 7, 8

**DEPARTMENT:** City Attorney's Office

**CMO:** Warren M.S. Ernst, 670-3491

**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** the application for and acceptance of the 2013-14 State Criminal Justice Planning Fund grant from the Office of the Governor, Criminal Justice Division, for support of the Prostitution Diversion Initiative for the period September 1, 2013, through August 31, 2014; and **(2)** execution of the grant agreement - Not to exceed \$145,992 - Financing: Office of the Governor, Criminal Justice Division State Grant Funds

**BACKGROUND**

The Prostitution Diversion initiative seeks to identify individuals engaged in prostitution, and provide them an alternative to continued involvement in the criminal justice system and further victimization at the hands of promoters and customers of prostitution, through a comprehensive program that will enable a complete exit from a life in the sex trade industry. During the initiative, held once per month at locations in South Dallas, West Dallas and South Oak Cliff, Dallas Police officers make arrests and detentions of street prostitutes in areas known for high levels of street prostitution. Multiple social service agencies provide medical screenings and related health assessments on site. The persons detained are taken before the Community Court or County District Court Judge who, based on the defendant's plea and criminal history, determines whether County jail or diversion to a treatment program is appropriate. The Community Court provides case management, referrals to mental health and substance abuse services, and reconnection with family.

The program's past six years of successful operations have shown that this proactive approach is the best method for providing at-risk women the sense of purpose and self-esteem necessary to become productive citizens. The program also provides an effective method to identify and arrest individuals who coerce or force women into the sex trade. The City will receive grant funds from the Texas State Criminal Justice Planning Fund. Reporting for the grant will include a quarterly Financial Status Report submitted to the Criminal Justice Division via eGrants. The report will include program expenditures and any income generated from grant activities.

**BACKGROUND** (Continued)

Additional reporting will include program performance, drug court progress, assessment reports and progress toward program goals and objectives. The start date for this initiative is September 1, 2013 and the end date is August 31, 2014.

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

This item has no prior action.

**FISCAL INFORMATION**

\$145,991.95 - Office of the Governor, Criminal Justice Division State Grant Funds



April 23, 2014

**WHEREAS**, the City of Dallas has established a Prostitute Diversion Initiative program that seeks to identify individuals engaged in prostitution and provide them an alternative to continued involvement in the criminal justice system and further victimization; and

**WHEREAS**, the State of Texas, Office of the Governor, Criminal Justice Division, has made grant funds available during the 2013-14 fiscal year to reduce crime by aiding in the prevention of prostitution and drug abuse; and

**WHEREAS**, such grant funding was awarded to the City on March 10, 2014; and

**WHEREAS**, the grant funding would benefit the City in its endeavor to reduce crime and improve public safety; and

**WHEREAS**, the City finds it in the best interest of the citizens of Dallas that the grant funds be accepted for the 2013-14 fiscal year; and

**WHEREAS**, the City agrees that in the event of loss or misuse of the Criminal Justice Division funds, the City will return the funds identified as ineligible to the Criminal Justice Division; and

**WHEREAS**, the City designates the City Manager or his designee as the grantee's authorized official, who has the power to apply for, accept, reject, alter, or terminate the grant on behalf of the City; **Now, Therefore**,

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

**Section 1.** That the City Manager is hereby authorized to apply for, execute, and accept the 2013-14 State of Texas Criminal Justice Planning Fund Grant No. SF-14-A10-27497-01, from the Office of the Governor, Criminal Justice Division, for grant moneys to be used in the Prostitution Diversion program for the period of September 1, 2013, through August 31, 2014, in an amount not to exceed \$145,991.95.

**Section 2.** That the City Manager is hereby authorized to establish appropriations in the Prostitution Diversion Initiative Fund in the amount of \$145,991.95 in Fund S268, Department ATT, Unit 1529.

**Section 3.** That the City Controller is authorized to deposit grant funds in an amount not to exceed \$145,991.95 into Fund S268, Department ATT, Unit 1529, Revenue Source 6516.

April 23, 2014

**Section 4.** That the City Controller is authorized to disburse grant funds from Fund S268, Department ATT, Unit 1529, various object codes, in an amount not to exceed \$145,991.95.

**Section 5.** That the City will return funds to the Criminal Justice Division in full in the event of loss or misuse of Criminal Justice Division funds.

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

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** April 23, 2014  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** N/A

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**SUBJECT**

Authorize **(1)** the Southern Dallas Adaptive Reuse Pilot Program (Adaptive Reuse Program) to encourage reuse of underperforming and vacant buildings, maintenance, code compliance and job creation in southern Dallas pursuant to Chapter 380 of the Texas Local Government Code and the City’s Public/Private Partnership Program; and **(2)** the City Manager to execute economic development grant agreements approved as to form by the City Attorney in accordance with the requirements in the Southern Dallas Adaptive Reuse Pilot Program Statement to promote local economic development – Financing: This action has no cost consideration to the City

**BACKGROUND**

This item is being placed on the Addendum based on the April 7, 2014 Economic Development Committee recommendation to formulate a Southern Dallas Adaptive Reuse Pilot Program for Council consideration on April 23, 2014.

Adaptive reuse is the practice of repurposing underutilized buildings to support better use and to stimulate business and commercial activity in the southern Dallas area as an alternative to demolition, vacancy or undesirable use. There are many existing occupied and vacant small buildings in southern Dallas that have fallen into disrepair and become an eyesore to the community. Many are boarded up and/or have code violations. There are opportunities to transform this existing building stock to better serve the needs of the community while removing urban blight and unemployment. The program will be designed to support small building owner/business operators as well as ensuring businesses and commercial activity in southern Dallas. It is not unusual for these buildings to attract crime. Many neighborhoods in southern Dallas are saddled with small buildings that could be repurposed for adaptive reuse, in particular, business and commercial activity. The program is intended to be a pilot for one year, or until funding is depleted, with set parameters and guidelines for eligibility and use in place.

## **BACKGROUND** (Continued)

Area TOD plans funded by the \$2.255 million HUD Sustainable Communities Challenge Grant received by the City identified the adaptive reuse of unused and/or underutilized small commercial buildings as a crucial strategy to upgrade unsightly deteriorating structures and bring amenities to underserved neighborhoods, without the need for large-scale redevelopment. The five Dallas TOD plans funded by the grant were adopted by Dallas City Council in April 2013.

The adaptive reuse of existing buildings contributes to economic vitality, job creation, aesthetic appeal and a more vibrant community.

Public/Private Partnership funding in an amount not to exceed \$30,000 per Grantee, \$150,000 for the total program will be awarded on a project by project basis via Administrative Actions approved by the City Manager in accordance with program criteria and eligibility and a Grant Agreement securing the obligation of the Grantee.

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

On April 21, 2014, a memo will be submitted to the Economic Development Committee regarding authorizing approval of the Southern Dallas Adaptive Reuse Pilot Program.

On the April 7, 2014, Economic Development Committee recommended the Office of Economic Development Department formulate a Southern Dallas Adaptive Reuse Pilot Program.

## **FISCAL INFORMATION**

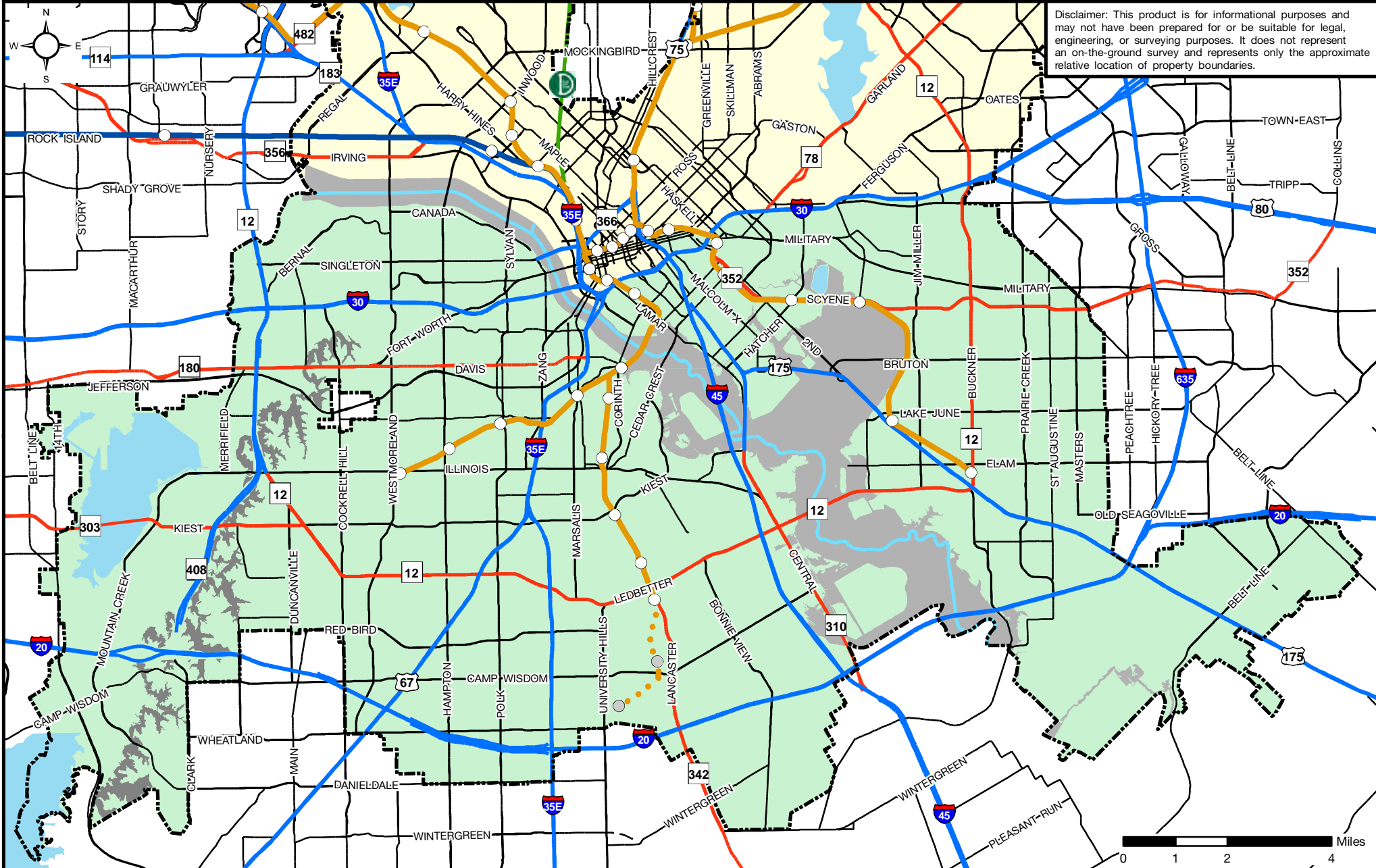
This action has no cost consideration to the City

## **MAP**

Attached.

# Adaptive Reuse Pilot Program

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**DALLAS ECONOMIC DEVELOPMENT**  
 Research & Information Division  
 214.670.1685  
 dallas-ecodev.org  
 Created 4.15.2014 - AdaptiveReuse.TCG

## Legend

- Program Eligible Area
- Rail Station
- Future Station
- DART Light Rail
- Commuter Rail
- Future DART Light Rail
- Freeway
- Tollway
- Highway
- Arterial
- Trinity River
- Flood Plain
- Lake
- City of Dallas

Source: City of Dallas, 2014

April 23, 2014

**WHEREAS**, the City Council recognizes the importance of economic development in southern Dallas; and

**WHEREAS**, consistent with the authority granted under Chapter 380 of the Texas Local Government Code, and the City's Program for Loans, Grants, and providing personnel and services of the City (Public/Private Partnership Program), it is in the best interest of the City to enter into agreements as a part of the City's ongoing program to promote local economic development and to stimulate job creation, and business and commercial activity in the City; and

**WHEREAS**, Adaptive reuse transforms underperforming buildings, encourages economic development, job creation and meet needs in underserved communities; and

**WHEREAS**, the Adaptive Reuse Program will support of the City's goals for development and job creation in southern Dallas.

**NOW, THEREFORE,**

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

**Section 1.** That the City Council of the City of Dallas hereby authorizes the Southern Dallas Adaptive Reuse Pilot Program (Adaptive Reuse Program) which will provide to owners of commercial buildings willing to commit to job creation and investment in southern Dallas pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program.

**Section 2.** That the City Manager or his designee is hereby authorized to execute the grant agreements, approved as to form by the City Attorney, with commercial building owners operating businesses in southern Dallas in accordance with the Program and the eligibility and criteria set forth in **Exhibit A, Southern Dallas Adaptive Reuse Pilot Program Statement**.

**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, and it is accordingly so resolved.

## **EXHIBIT A**

### **Southern Dallas Adaptive Reuse Pilot Program Statement**

Award Adaptive Reuse Pilot Program (Adaptive Reuse Program) building improvement grants up to \$30,000 from Public/Private Partnership funds to eligible commercial building owners who are business operators/employers in the building being improved to repurpose underutilized buildings in southern Dallas to support new and/or expanded uses, code compliance and job creation as an alternative to demolition, vacancy and/or undesirable uses.

- The Office of Economic Development (OED) will manage the Adaptive Reuse Program on behalf of the City of Dallas. The OED will:
- Post the Program on the City's Web Site
- Screen grant applicants for eligibility
- Award improvement grants up to \$30,000 per business, and execute grant agreements with the approved grant applicant
- Conduct annual environmental and code compliance reviews for each approved property/business assisted
- Conduct site visits and coordinate code inspections
- Process payments upon verification of code compliance, maintenance of the improvements and agreement to create 3 FTE jobs for a minimum of 5 years
- Maintain all relevant project documentation

#### **Eligibility and Criteria**

- Program period one (1) year from Council approval or depletion of funds, whichever is first
- Maximum Grant amount \$30,000 approved by Administrative Action
- Minimum project investment \$250,000 (acquisition and/or improvement – including past expenditures incurred)
- Document code compliance and maintenance of improvements for a period of at least 5 years
- Grant recipient must be owner of repurposed building

## **EXHIBIT A**

### **Southern Dallas Adaptive Reuse Pilot Program Statement**

- Recipient must utilize 51% of building for owner's business operation
- Recipient must employ at least 3 full-time equivalent employees at the site for 5 years
- Building must be located in southern Dallas (south of the trinity River and south of I 30 from downtown to the Dallas east boundary)
- Maximum building size 10,000 square feet
- Payment of Grant proceeds made to Grantee with invoice for payment, approval from Code Compliance for the building and job creation requirements met and documented
- ECO to verify funds availability to Contractor prior to work starting
- Prohibited uses per Grant Agreement



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** April 23, 2014  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Office of Economic Development  
**CMO:** Ryan S. Evans, 671-9837  
**MAPSCO:** N/A

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**SUBJECT**

Authorize the re-establishment of the South Dallas/Fair Park Area Business Façade/Revitalization Program which provides façade improvements for buildings with operating businesses along Martin Luther King Jr. Boulevard from Robert B. Cullum to the S.M. Wright Freeway, pursuant to Chapter 380 of the Texas Local Government Code and the City's Public/Private Partnership Program, in order to promote economic development in the South Dallas/Fair Park area – Financing: This action has no cost consideration to the City

**BACKGROUND**

The South Dallas/Fair Park Area Business Façade/Revitalization Program (SDFPAB Façade Revitalization Program) was authorized by Resolution No. 12-0985, March 28, 2012, and received \$92,522 of CDBG funding to provide façade improvement grants up to \$20,000 to businesses within the South Dallas/Fair Park area under CDBG guidelines. The program was successful in expending 100% of funding. Four (4) facades have been completed with the final façade nearing completion, with tangible positive results.

Building on the success of the first phase, the SDFPAB Façade Revitalization Program would like to continue to concentrate its efforts by improving MLK Boulevard. MLK Boulevard enhancements are an important component of the Grow South Initiative and re-establishment of the program – now funded with general funds -- to continue addressing deteriorating property conditions and provide façade enhancements to buildings with operating businesses in order to spur further business growth that will increase retail sales through improved aesthetic appeal. The ~~total Public Private Partnership~~ funding for this second phase of the program is in an amount not to exceed \$100,000 to be awarded on a project by project basis via administrative action approved by the city manager in accordance with the program criteria and a grant agreement securing the obligations of the business owner for the facade improvements which is part of the total \$2,000,000 allocated for the Fair Park Enhancement Program budgeted in FY 2013-2014.

## **BACKGROUND** (Continued)

### **SDFPAB Façade/Revitalization Program**

Award façade improvement grants up to \$20,000 to eligible building owners and/or eligible business operators to enhance the aesthetic appeal and promote economic viability of businesses along Martin Luther King Jr. Boulevard from Robert B. Cullum to the S.M. Wright Freeway. Grant funding will be authorized through Administrative Action as authorized by the Office of Economic Development Director. Council action is required to approve \$100,000 for the program from Public/Private Partnership funds to award the contracts for façade improvements.

- The program will promote a positive/proactive business climate which encourages business retention/business expansion and will attract desirable new businesses.
- The program is in the best interest of the City in order to promote local economic development and to stimulate business and commercial activity within the City.
- The Office of Economic Development (OED) will manage the SDFPAB Façade Revitalization Program on behalf of the City of Dallas. The OED will:
  - Screen grant applicants for eligibility
  - Award façade improvement grants for up to \$20,000 per business, and establish grant agreements with the approved grant applicant
  - Conduct applicable environmental reviews for each approved property/business assisted
  - Conduct façade improvement site visits and coordinate code inspections
  - Process contractor payments upon completion of work and verification of code compliance
  - Maintain all relevant project documentation

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

March 28, 2012, CDBG funding in the amount of \$92,522 was approved to provide façade improvement grants up to \$20,000 to businesses within the South Dallas/Fair Park area under CDBG guidelines.

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

On January 23, 2013, City Council authorized approval of the Program Statement for the first South Dallas/Fair Park Area Business Façade/Revitalization Program by Resolution No. 13-0176.

On April 7, 2014, a memo was submitted to Economic Development Committee regarding authorizing approval for re-establishment of South Dallas/Fair Park Area Business Façade/Revitalization Program.

**FISCAL INFORMATION**

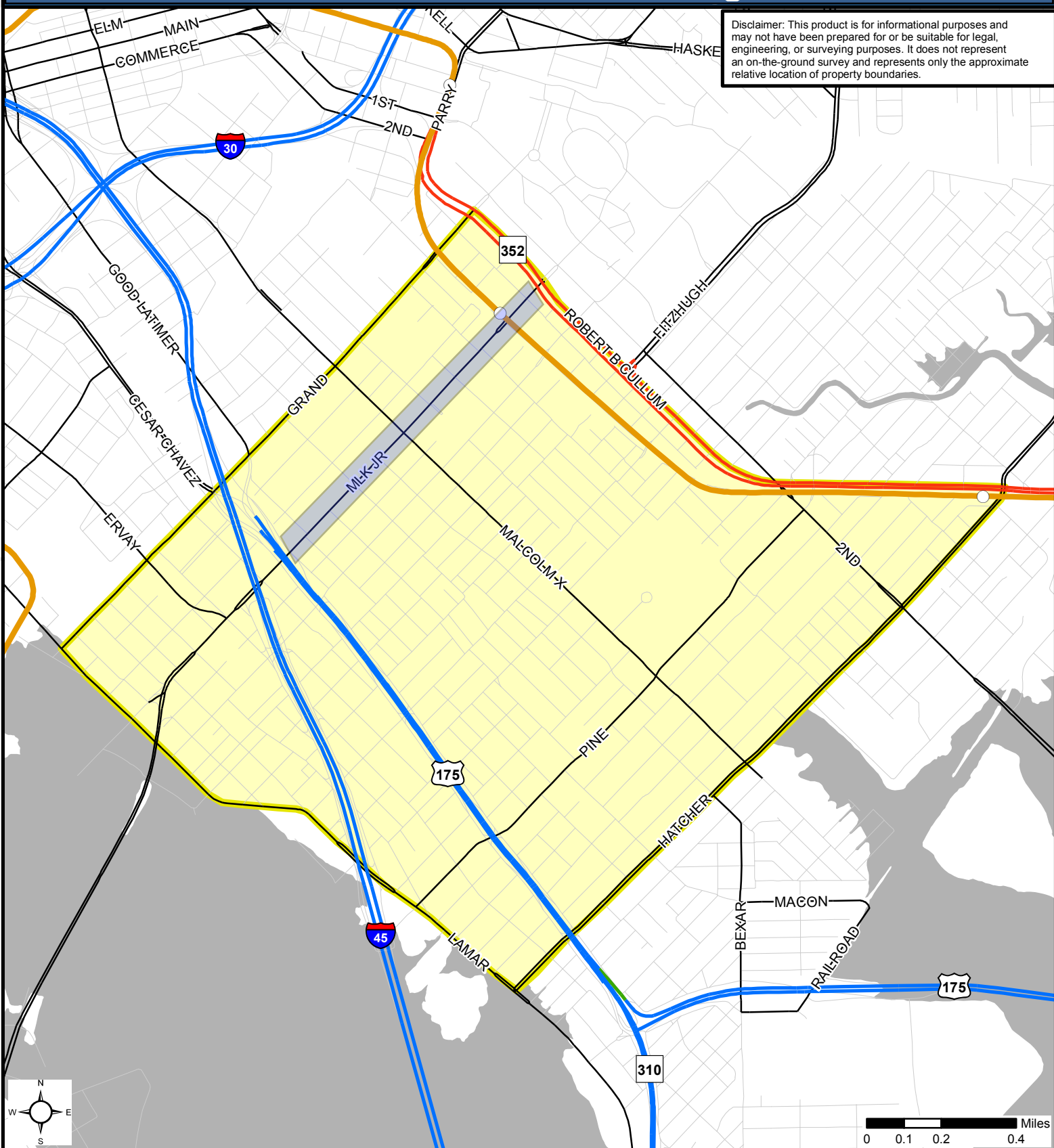
This action has no cost consideration to the City

**MAP**

Attached.

# Phase II South Dallas/FairPark Area Business/Revitalization Program

Disclaimer: This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



**DALLAS ECONOMIC DEVELOPMENT**  
 Research & Information Division  
 214.670.1685  
 dallas-ecodev.org  
 Created 10.17.2012 - 12.10.16 Venus Cobb.TCG

**Legend**

Program Boundary	Freeway	Flood Plain
Rail Station	Highway	Phase II Zone
DART Light Rail	Arterial	
		Local Road

Source: City of Dallas, 2012

April 23, 2014

**WHEREAS**, the City Council recognizes the importance of economic development in the South Dallas Fair Park area of Dallas, and

**WHEREAS**, consistent with the authority granted under Chapter 380 of the Texas Local Government Code, and the City's Program for Loans, Grants, and providing personnel and services of the City (~~Public/Private Partnership Program~~), and it is in the best interest of the City to enter into agreements as a part of the City's ongoing program to promote local economic development and to stimulate business and commercial activity in the City; and

**WHEREAS**, on March 26, 2013, City Council authorized approval of the Program Statement for the first South Dallas/Fair Park Area Business Façade/Revitalization Program by Resolution No. 13-0176; and

**WHEREAS**, the first South Dallas/Fair Park Area Business Façade/Revitalization Program was successfully completed,

**NOW, THEREFORE,**

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

**Section 1.** Authorize the re-establishment of the South Dallas/Fair Park Area Business Façade/Revitalization Program, which provides façade improvements for buildings with operating businesses along Martin Luther King Jr. Boulevard from Robert B. Cullum to the S.M. Wright Freeway, pursuant to Chapter 380 of the Texas Local Government Code ~~and the City's Public/Private Partnership Program~~, established to promote economic development in the South Dallas/Fair Park area.

**Section 2.** That the Director of the Office of Economic Development is hereby authorized to execute the program and to enter into all grant agreements in a total amount not to exceed \$100,000 for the program and to execute all documents, approved as to form by the City Attorney, with the eligible building owners/business operators to be selected in accordance with the criteria set forth in **Exhibit A**.

**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, and it is accordingly so resolved.



## Exhibit A

### South Dallas/Fair Park Area Business Façade/Revitalization Program

#### Program Statement

**Program Purpose:** To provide funding for façade improvements that will enhance aesthetic appeal and promote economic viability of area businesses, in accordance with Chapter 380 of the Texas Local Government Code ~~and the City's Public/Private Partnership Program~~, by increasing retail sales and encourage enhancements to the property as viewed from the public right of way as a means to generate additional business for businesses within the South Dallas/Fair Park Area Business Façade/Revitalization Area (SDFPAB Façade/Revitalization Program) along Martin Luther King Blvd from Robert B. Cullum to S.M. Wright.

**SDFPAB Façade/Revitalization Program will provide for:** Financial assistance is requested in the form of a grant to be awarded among individual businesses that will use the grant to improve façades, to rehabilitate e the exterior of the building (fronting public rights-of-way), and to repair existing code violations. Total funding for the program is \$100,000 and the amount of the individual grants will be approximately \$20,000 each business to be selected in accordance with the criteria outlined herein.

#### **Application/Eligibility Requirements:**

Applicants must fill out a formal application with the City of Dallas and assemble/submit a packet of information and supporting documentation. The following is a list of application and eligibility requirements, required documentation, and program procedures.

- The applicant must be a building owner or business operator along Martin Luther King Jr. Boulevard from Robert B. Cullum to S.M. Wright.
- Building owners, applying for a façade improvement grant, must provide proof/evidence of property ownership and a current 5 year lease with business operators located at property receiving façade improvements.
- Business operators, applying for a façade improvement grant, must provide a 5 year lease agreement with the owner of the building, written approval from the building owner authorizing the improvements, and must submit proof/evidence of property ownership on behalf of the owner.
- If a business operator is chosen, the building owner must provide written authorization to perform improvements detailed in the scope of work.

## **Exhibit A**

### **South Dallas/Fair Park Area Business Façade/Revitalization Program**

#### **Program Statement**

Eligible commercial/retail and other businesses must agree to operate for a period of not less than three years after completion of façade improvements, and comply with the terms of the grant agreement with the city.

- The business owner must provide verification of current liability insurance in accordance with the requirements and limits as determined by the City's Risk Management department. The building owner/business operator must name the City of Dallas as an additional insured.
- Building owners/business operators must provide verification of current property taxes and other taxes and liabilities owed to the city.
- The building owner/business operator must provide verification of correct zoning for the business including historic preservation, street cafes, signage, and ordinances and current building code inspection.
- The building owner/business operator must provide a detailed description of the proposed scope of work to include professional design sketch/rendering of proposed improvements, site map of building location, photograph of building façade in its current state, and three (3) cost estimates of proposed façade improvements. Proposed façade improvements must be approved by Code Compliance and the Façade Improvement Selection Committee.



## **Exhibit A**

### **South Dallas/Fair Park Area Business Façade/Revitalization Program**

#### **Program Statement**

##### **Program Procedures:**

- Once approved by the Office of Economic Development and Code Compliance, applicants will be required to execute a grant agreement with the City of Dallas to secure the obligations noted herein for the improvements.
- The Office of Economic Development is responsible for implementation, monitoring, and evaluation under this program. The City Council delegates authority to the Director of the Office of Economic Development (or designee) to provide approval of individual applications, based upon the above referenced criteria, and execute all documentation required under this program. The Office of Economic Development will:
  - Date/monitor application submittals, review supporting documentation to verify accuracy, determine eligibility, and approve grants on a first come first serve basis until funds are depleted.
  - Establish a Façade Improvement Committee made up of representatives from various departments such as Design Studio, Planning, Code, and Sustainable Development/Building Inspection.
  - Monitor building/business activities for three years following completion of façade improvements to ensure grant compliance.

## **Exhibit A**

### **South Dallas/Fair Park Area Business Façade/Revitalization Program**

#### **Program Statement**

##### **Program Timeline**

- Applicants will submit their application with all required documentation to the Office of Economic Development.
- The Façade Improvement Committee will review the applications and award up to \$20,000 per building owner/business operator.
- The chosen applicants will meet with the Façade Improvement Committee to discuss the desired improvements, the scope of work being requested, and estimates.
- The applicant must hire a contractor to perform the work as detailed in scope of work.
- The Façade Improvement Committee will coordinate with the applicant and the contractor in setting out benchmarks for each project
- The Office of Economic Development Project Manager will monitor the work and conduct regular visits to the site
- The applicants will notify the Project Manager upon completion of each project and the Project Manager will do final inspections
- Upon verification that each phase of work has been completed in accordance with the design laid out in the scope of work and verification that the building has passed code inspections, the building owner/business operator will receive incremental grant payments in an amount not to exceed \$20,000.

**REVISED AGENDA ITEM # 11**

**KEY FOCUS AREA:** Efficient, Effective and Economical Government

**AGENDA DATE:** April 23, 2014

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

**DEPARTMENT:** Human Resources

**CMO:** A. C. Gonzalez, 670-3302

**MAPSCO:** N/A

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**SUBJECT**

An ordinance amending Section 34-24.1, "Family Leave," of Chapter 34, "Personnel Rules," to **(1)** allow employees to take family leave for a "designated care recipient"; and **(2)** providing a definition of "designated care recipient"; ~~providing a penalty not to exceed \$500;~~ providing a saving clause; providing a severability clause; and providing an effective date - Financing: This item has no cost consideration to the City

**BACKGROUND**

The City of Dallas Personnel Rules currently allow employees to take family leave to care for a spouse, son, daughter, parent, or related service member who has a serious health condition or for an exigency arising from the active duty of a related service member. This ordinance implements the "plus-one" concept by allowing employees to designate one person as a "designated care recipient" and use family leave for that designated care recipient. The ordinance defines a "designated care recipient" as "one individual designated by the employee who is 18 years of age or older and has resided in the same household as the employee and intends to reside in the same household as the employee on a continuous basis." This ordinance expands family leave for all employees.

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

On March 5, 2014, City Council adopted a resolution directing the City Manager to take action as necessary to amend the City of Dallas' human resources policies and ordinances to address household relationships of city employees.

**FISCAL INFORMATION**

This item has no cost consideration to the City.

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

An ordinance amending Chapter 34, "Personnel Rules," of the Dallas City Code by amending Section 34-24.1; allowing family medical leave for designated care recipients; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, the city council, in accordance with the Charter of the City of Dallas, the state law, and the ordinances of the City of Dallas, have given the required notices and have held the required public hearings regarding this amendment to the Dallas City Code; Now, Therefore,

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

SECTION 1. That Section 34-24.1, "Family Leave," of Article III, "Leave Policies," of Chapter 34, "Personnel Rules," of the Dallas City Code is amended to read as follows:

**"SEC. 34-24.1           FAMILY LEAVE.**

(a) Federal regulations. The terms used in this section that are not defined in Section 34-4 of this chapter have the meanings given them in the Family and Medical Leave Act and Part 825, Title 29 of the Code of Federal Regulations, as amended. All interpretations and applications of this section must be made in compliance with the minimum requirements of the Family and Medical Leave Act and Part 825, Title 29 of the Code of Federal Regulations, as amended. If any provision of this section conflicts with a provision of the federal law governing family leave, the federal law prevails.

(b) Eligibility. Every employee is eligible for family leave if the employee has:

- (1) been employed by the city for at least 12 months; and
- (2) worked at least 1,250 hours during the 12-month period immediately preceding the commencement of family leave.

(c) When family leave may be taken.

- (1) An eligible employee may take family leave only in the following circumstances:

(A[1]) for the birth of the employee's son or daughter or to care for the child after its birth;

(B[2]) for the placement of a son or daughter with the employee for adoption or foster care or to care for the child after placement;

(C[3]) to care for a spouse, son, daughter, [Ø] parent, or “designated care recipient” of the employee, if the spouse, son, daughter, [Ø] parent, or “designated care recipient” has a serious health condition;

(D[4]) for a serious health condition that makes the employee unable to perform the functions of the employee's position;

(E[5]) for any qualifying exigency arising out of the fact that the employee's spouse, son, daughter, [Ø] parent, or “designated care recipient” is a covered military member who is on active duty or has been notified of an impending call or order to active duty in support of a contingency operation; or

(F[6]) to care for a covered service member with a serious injury or illness if the employee is the spouse, son, daughter, parent, or next of kin of the service member or if the service member is a “designated care recipient” of the employee.

(2) For purposes of this subsection, “designated care recipient” means one individual designated by the employee who is 18 years of age or older and has resided in the same household as the employee and intends to reside in the same household as the employee on a continuous basis.

(d) Administration of family leave. Specific procedures and requirements for the administration of the Family and Medical Leave Act are outlined in the administrative directives of the city. No procedure or requirement adopted by administrative directive may conflict with the Family and Medical Leave Act or Part 825, Title 29 of the Code of Federal Regulations, as amended.

(e) Disciplinary action. Disciplinary action, up to and including discharge from city employment, may be taken against an employee who:

(1) falsifies or misrepresents any facts in order to obtain family leave; or

(2) shares confidential medical information relating to a request for family leave with any person not authorized to receive the information.”

SECTION 2. That Chapter 34 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 \_\_\_\_\_