

**MARCH 4, 2015 CITY COUNCIL BRIEFING AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated March 4, 2015. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



A.C. Gonzalez  
City Manager

2 · 27 · 15

Date



Jeanne Chipperfield  
Chief Financial Officer

2/27/2015

Date



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CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL BRIEFING AGENDA

March 4, 2015

Date

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

## General Information

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

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

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

## Rules of Courtesy

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

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

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

## Informacion General

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

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

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

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

## Reglas de Cortesía

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

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

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

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, MARCH 4, 2015  
CITY HALL  
1500 MARILLA  
DALLAS, TEXAS 75201  
9:00 A.M.

9:00 am      Invocation and Pledge of Allegiance      6ES

                 Special Presentations

                 Open Microphone Speakers

VOTING AGENDA      6ES

1.      Approval of Minutes of the February 18, 2015 City Council Meeting
2.      Consideration of appointments to and removal from boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

**Mayor and City Council**

3.      Authorize the postponement of consideration of two ordinances amending Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code; one ordinance would establish a requirement that employers provide rest breaks for construction workers and post accompanying signage; and the alternative ordinance would require signage and access to educational pamphlets on construction sites - Financing: No cost consideration to the City

BRIEFINGS      6ES

- A.      Vegetation Management
- B.      Proposed Amendments to Conservation District Regulations

Lunch

- C.      City Manager Update (CuSP Report)
  - IBM Smarter Cities Challenge

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, MARCH 4, 2015

Open Microphone Speakers

6ES

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

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

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

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





## AGENDA ITEM # 3

**KEY FOCUS AREA:** E-Gov

**AGENDA DATE:** March 4, 2015

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Mayor and City Council

**CMO:** A. C. Gonzalez, 670-3297

**MAPSCO:** N/A

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### **SUBJECT**

Authorize the postponement of consideration of two ordinances amending Chapter 52, "Administrative Procedures for the Construction Codes," of the Dallas City Code; one ordinance would establish a requirement that employers provide rest breaks for construction workers and post accompanying signage; and the alternative ordinance would require signage and access to educational pamphlets on construction sites - Financing: No cost consideration to the City

### **BACKGROUND**

Two ordinances amending Chapter 52 have been recommended for consideration by the city council; one ordinance was recommended by the Quality of Life and Environment Committee and one ordinance was recommended by the Economic Development Committee. Both ordinances have been scheduled to be considered by the city council on March 25, 2015. Councilmember Greyson has convened a taskforce to strive to reconcile the two ordinances so that the city council may consider one ordinance, supported by the taskforce, rather than two different ordinances. The taskforce will need some time to meet to consider the two ordinances and propose and draft a new ordinance.

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

On February 2, 2015, the Economic Development Committee recommended an ordinance be sent to city council requiring signage and access to educational pamphlets on construction sites that are printed in both English and Spanish and provide detailed information on construction workers' rights under 26 C.F.R. Part 1926 and how to make a complaint to the Occupational Safety and Health Administration (OSHA). Councilmember Callahan made the motion. Councilmember Allen seconded the motion.

## **PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSION (Continued)**

On January 26, 2015, the Quality of Life and Environment Committee recommended an ordinance be sent to city council requiring employers to: (1) provide construction workers with a rest break for every four hours of scheduled work, and (2) post signage in both English and Spanish explaining that construction workers are entitled to rest breaks, how to confidentially report noncompliance, and text explaining that construction workers need water, rest, and shade to prevent heat-related illnesses. Councilmember Medrano made the motion. Councilmember Greyson seconded the motion.

On December 1, 2014, at a joint Economic Development and Quality of Life and Environment Committee meeting, staff provided an update on negotiations between the construction industry and the Workers Defense Project on recommendations for a rest break ordinance.

On November 12, 2014, following citizen speakers in favor of Dallas adopting a rest break ordinance, city council requested that the rest break topic to be sent to the Economic Development and Quality of Life and Environment Committees for consideration.

On September 3, 2014, the Workers Defense Project briefed the full city council on the Austin rest break ordinance for construction workers and requested that Dallas adopt a similar ordinance. Councilmember Kleinman moved to defer the briefing to allow adequate review by all parties and provide a briefing to the full city council. Councilmember Kadane seconded the motion. The motion failed.

On August 20, 2014, the Workers Defense Project was scheduled to brief the full city council on the Austin ordinance, but the item was not briefed.

On June 23, 2014, the Workers Defense Project briefed the Quality of Life and Environment Committee on the Austin rest break ordinance for construction workers and requested that Dallas adopt a similar ordinance. Councilmember Medrano moved to have the briefing presented to the full city council. Councilmember Greyson seconded the motion. The motion was approved.

The two alternative ordinances one from the Quality of Life and Environment Committee and one from the Economic Development Committee were scheduled to be considered by the city council on March 25, 2015.

## **FISCAL INFORMATION**

No cost consideration to the City.