#### JANUARY 7, 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 January 7, 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.

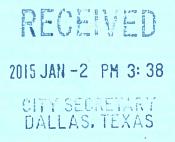
A.C. Gonzalez City Manager

1.2.15 Date

**Edward Scott** 

City Controller

Date





# COUNCIL BRIEFING AGENDA

January 7, 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. <u>The Council agenda is available in alternative formats upon request</u>.

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 Cortesia

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 pesona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben de 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 (*pagers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben de 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, JANUARY 7, 2015 CITY HALL 1500 MARILLA DALLAS, TEXAS 75201 9:00 A.M.

9:00 am Invocation and Pledge of Allegiance

**Special Presentations** 

Open Microphone Speakers

#### VOTING AGENDA

6ES

6ES

- 1. Approval of Minutes of the December 3, 2014 City Council Meeting
- 2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

#### ITEMS FOR INDIVIDUAL CONSIDERATION

<u>Note:</u> Item Nos. 3 and 4 must be considered collectively.

#### Housing/Community Services

- 3. Authorize an amendment to Resolution No. 13-1926, previously approved on November 12, 2013, to subordinate the possibility of reverter with right of reentry contained in the Deed Without Warranty conveying six tracts of land to City Wide Community Development Corporation to the first lien deed of trust in favor of Bank of America and any other first lien deed of trust related to a new refinanced loan (list attached) Financing: No cost consideration to the City
- 4. Authorize an amendment to Resolution No. 14-1728, previously approved on October 8, 2014, to redefine loan terms for a \$1,000,000 loan and a \$959,913 grant to City Wide Community Development Corporation from Community Development Block Grant funds for construction costs for the Serenity Place Apartments Financing: No cost consideration to the City

#### AGENDA CITY COUNCIL BRIEFING MEETING WEDNESDAY, JANUARY 7, 2015

#### <u>BRIEFINGS</u>

A. Dallas Water Utilities: Drought Status Update

Lunch

- B. Lean Six Sigma Initiative
- C. City Manager Update (CuSP Report)
  - Development Review Process Improvement Initiative

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal issues related to gate accommodations requested by Delta Airlines at Dallas Love Field.
- Randolph Glenn v. Officer Bunthavuth Te et al., Civil Action No. 3:13-cv-4446-N
- Roland Moreno et al. v. Albert Sanchez et al., Civil Action No. 3:13-cv-4106-B, and <u>Rita Moreno v. City of Dallas et al.</u>, Civil Action No. 3:13-cv-4086-B
- <u>Vickie Cook, et al. v. City of Dallas, et al.</u>, Civil Action No. 3:12-CV-03788-P, and <u>Vickie Cook, et al. v. T-Mobile USA, Inc., et al.</u>, Civil Action No. 3:14-cv-02907-P
- Koby Maxwell et al. v. City of Dallas, Cause No. DC-13-04584

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion regarding evaluation of the performance of City Attorney Warren M. S. Ernst.

Open Microphone Speakers

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.

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

6ES

6ES

6ES

#### Lots Previously Conveyed to City Wide Community Development Corporation Draft Agenda Item # 4

Parcel <u>No.</u>	Address	DCAD <u>Amount</u>
1	1310 E. Corning	\$24,000
2	3106 S. Denley	\$11,000
3 4	3110 S. Denley	\$26,490 \$23,430
4 5	3114 S. Denley 3118 S. Denley	\$23,430 \$26,700
5 6	3122 S. Denley	\$28,700 \$38,990

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:	Economic Vibrancy
AGENDA DATE:	January 7, 2015
COUNCIL DISTRICT(S):	4
DEPARTMENT:	Housing/Community Services
CMO:	A. C. Gonzalez, 670-3297
MAPSCO:	55X

#### **SUBJECT**

Authorize an amendment to Resolution No. 13-1926, previously approved on November 12, 2013, to subordinate the possibility of reverter with right of reentry contained in the Deed Without Warranty conveying six tracts of land to City Wide Community Development Corporation to the first lien deed of trust in favor of Bank of America and any other first lien deed of trust related to a new refinanced loan (list attached) - Financing: No cost consideration to the City

#### BACKGROUND

The City conveyed the six tracts of land to City Wide Community Development Corporation for the development of affordable housing pursuant to that certain Deed Without Warranty dated December 12, 2013. Due to the complexity of the financing for the project and since the statutory requirement to develop the property as affordable housing has been satisfied by the award of the 9% Low Income Housing Tax Credits, the developer has requested release of the possibility of reverter with right of reentry and termination of the Deed Restrictions.

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

On November 12, 2013, the City Council approved the conveyance of six tracts of land to be included in the Serenity Place Apartments for the development of affordable housing by Resolution No.13-1926.

On February 26, 2014, the City Council approved an amendment to the Deed Restrictions for the Serenity Place Apartments development to remove the definition of "Permanent Supportive Housing" and to revise the definition of "Low Income Family" to include both men and women with children by Resolution No. 14-0451.

#### FISCAL INFORMATION

No cost consideration to the City

#### OWNER(S)

#### DEVELOPER

City Wide Serenity Place Apartments, L.P.	Carleton Residential Properties
<b>City Wide Community Development Corp.</b>	<b>Carleton Construction, Ltd.</b>
Sherman Roberts, President & CEO	Neal Hildebrandt, President

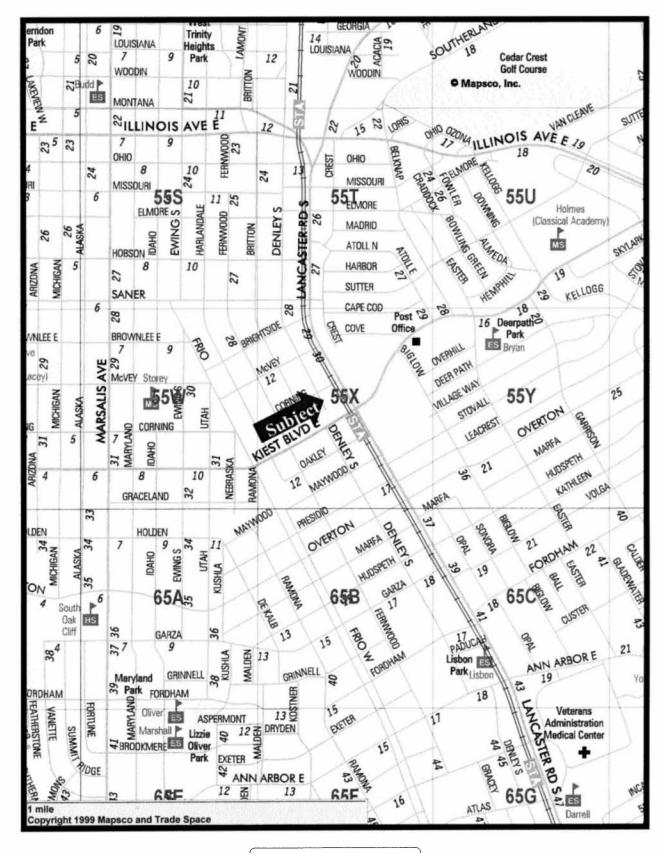
**CWCDC Serenity GP, Inc., GP** 

#### <u> MAP</u>

Attached

#### Lots Previously Conveyed to City Wide Community Development Corporation

Parcel No.	Address	DCAD Amount
1	1310 E. Corning	\$24,000
2	3106 S. Denley	\$11,000
3	3110 S. Denley	\$26,490
4	3114 S. Denley	\$23,430
5	3118 S. Denley	\$26,700
6	3122 S. Denley	\$38,990



MAPSCO 55X

**WHEREAS**, on November 12, 2013, the City Council approved the conveyance of six tracts of land identified by legal description ("Property") on Exhibit A attached hereto and made a part hereof to City Wide Community Development Corporation, a Texas nonprofit corporation ("City Wide"), for the development of a forty-five (45) unit low-income housing project to be known as Serenity Place Apartments (the "Project"); and

**WHEREAS**, the Deed Without Warranty contains certain deed restrictions and a possibility of reverter with right of reentry to ensure that the Property is developed as an affordable housing project leased to eligible low-income families; and

**WHEREAS**, City Wide has obtained approval from the City to replat the Property with additional real property owned by City Wide, in satisfaction of requirement for the same contained in the deed restrictions and the possibility of reverter with right of reentry; and

**WHEREAS**, City Wide, by and through its ownership and control over is the sole shareholder of CWCDC Serenity GP, Inc., a Texas corporation, and has formed City Wide Serenity Place Apartments, LP, a Texas limited partnership, for the purpose of owning, developing, and leasing the Project as affordable housing for homeless families; and

**WHEREAS**, City Wide Serenity Place Apartments, LP has secured Low Income Housing Tax Credits ("LIHTC") and other financing; and

**WHEREAS**, City desires to release the possibility of reverter with right of reentry and terminate the deed restrictions since the intended use as affordable housing has been satisfied by the LIHTC award;

#### NOW, THEREFORE,

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

**SECTION 1.** That the City Manager is authorized to execute an instrument, approved as to form by the City Attorney, releasing the City's reverter rights and terminating the deed restrictions to the Property.

**SECTION 2.** 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.

#### **EXHIBIT A**

Parcel <u>No.</u>	Property Address	Legal <u>Lot</u>	Description <u>Block</u>
1	1310 E. Corning	1	D/3891
2	3106 S. Denley	2	D/3891
3	3110 S. Denley	3	D/3891
4	3114 S. Denley	4	D/3891
5	3118 S. Denley	5	D/3891
6	3122 S. Denley	6	D/3891

#### AGENDA ITEM # 4

Economic Vibrancy
January 7, 2015
4
Housing/Community Services
A. C. Gonzalez, 670-3297
55X

#### **SUBJECT**

Authorize an amendment to Resolution No. 14-1728, previously approved on October 8, 2014, to redefine loan terms for a \$1,000,000 loan and a \$959,913 grant to City Wide Community Development Corporation from Community Development Block Grant funds for construction costs for the Serenity Place Apartments - Financing: No cost consideration to the City

#### BACKGROUND

In July 2014, City Wide Community Development Corporation was approved for 9% Low Income Housing Tax Credits for Serenity Place Apartments, L.P. by the Texas Department Housing Community Affairs (TDHCA) for the 2014 Low Income Housing Tax Credit Program. The project includes 45 multifamily units for permanent supportive housing, consisting of 40 two-bedroom units and 5 three-bedroom units.

Due to the complexity of the financing for the project, the developer has requested redefined terms be detailed in the resolution.

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

On February 10, 2010, the City Council approved a modification to the policy for the acceptance of applications seeking City of Dallas support for low income housing tax credit financing, when the State of Texas does not require direct City of Dallas approval by Resolution No.10-0498.

On February 18, 2014, the Serenity Place Apartments' Low Income Housing Tax Credit multifamily project was briefed to the Housing Committee.

#### PRIOR ACTION/REVIEW (Council, Boards, Commissions) (continued)

On February 26, 2014, the City Council authorized (1) support for the TDHCA 9% LIHTC application for Serenity Place Apartments; (2) a loan in the amount of \$1,000,000 for the construction costs; (3) a grant in the amount of \$959,913 for construction costs; and (4) a predevelopment grant in the amount of \$38,000 for costs associated with the tax credit by Resolution No. 14-0462.

On October 8, 2014, the City Council authorized more defined terms to the loan agreement by Resolution No. 14-1728.

#### **FISCAL INFORMATION**

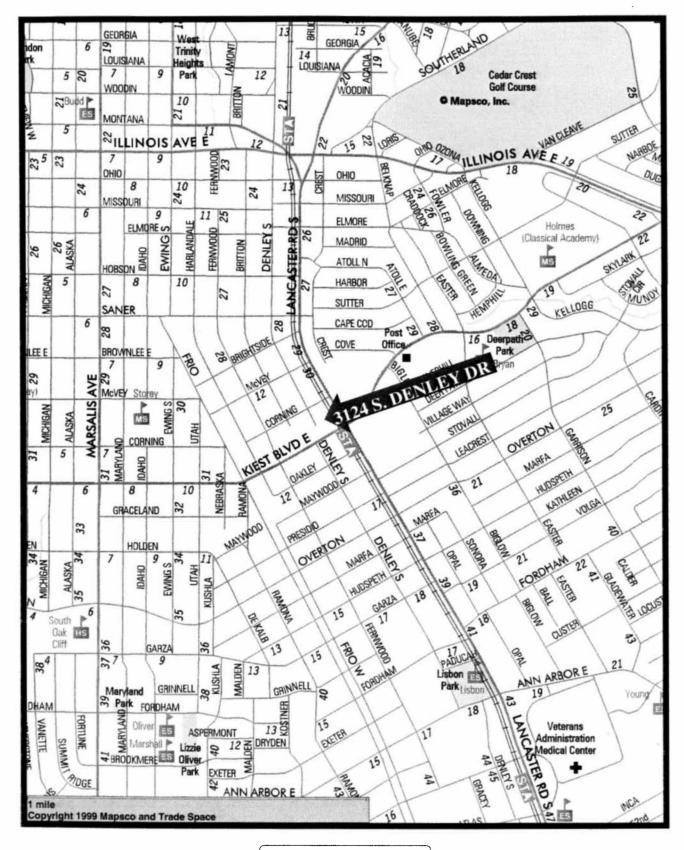
No cost consideration to the City

OWNER(S)	DEVELOPER
City Wide Serenity Place Apartments, L.P.	Carleton Residential Properties
<b>City Wide Community Development Corp.</b> Sherman Roberts, President & CEO	<b>Carleton Construction, Ltd.</b> Neal Hildebrandt, President

**CWCDC Serenity GP, Inc., GP** 

<u>MAP</u>

Attached



**MAPSCO 55X** 

**WHEREAS,** City Wide Community Development Corporation, on behalf of City Wide Serenity Place Apartments, L.P. was approved by the Texas Department of Housing & Community Affairs (TDHCA) for 2014 9% Housing Tax Credits for Serenity Place Apartments, a development for affordable rental housing at 3124 South Denley in the City of Dallas; and

**WHEREAS,** pursuant to §11.9(d)(7) Community Revitalization Plan, the Lancaster Corridor/Cigarette Hill Community Revitalization Plan (CRP) was adopted by the City Council on December 12, 2012 with a total budget or projected economic value of \$6,000,000 or greater and Serenity Place Apartments is located within this CRP area; and

**WHEREAS,** the Housing Tax Credit multifamily project to be located at 3124 South Denley Drive is selected as contributing most significantly to the concerted revitalization efforts of the city, pursuant to \$11.9(d)(7)(A)(ii)(III) of the 2014 Housing Tax Credit Qualified Allocation Plan; and

**WHEREAS,** on February 26, 2014, the City Council approved (1) support for the TDHCA 9% LIHTC application for Serenity Place Apartments; (2) a loan in the amount of \$1,000,000 for the construction costs; (3) a grant in the amount of \$959,913 for construction costs; and (4) a predevelopment grant in the amount of \$38,000 for costs associated with the tax credit by Resolution No. 14-0462 the Applicant has submitted a request for gap funding of \$1,997,913 from the City of Dallas which has been authorized by Resolution No. 14-0462; and

**WHEREAS,** the City Council authorized more defined terms to the loan agreement by Resolution No. 14-1728; and

WHEREAS, the City of Dallas desires to provide terms to the contract; NOW, THEREFORE,

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

**SECTION 1.** That the City Manager or his designee, upon approval as to form by the City Attorney, is hereby authorized to execute a loan agreement in the amount of \$1,000,000 to City Wide Community Development Corporation (CWCDC), or Applicant for the development costs, including soft and hard construction costs, at 3124 South Denley Drive with the following terms:

**SECTION 2.** The loan agreement is contingent upon,

- a. CWCDC, or its wholly owned subsidiary, being awarded 2014 9% tax credits.
- b. CWCDC must adhere to all applicable CDBG Program requirements.

- c. CWCDC must execute a note, deed of trust, and deed restriction to the City for a 35-year affordability period.
- d. The outstanding principal balance of the City's \$1,000,000 loan shall bear an interest rate of 1% with interest only annual payment from available cash flow over a period of 35 years. The loan's maturity date shall be the earlier of (i) completion of the 35-year term, or (ii) sale or other transfer of the property.
- e. The loan may be subordinated to lenders.

**SECTION 3.** That the City Manager or his designee, upon approval as to form by the City Attorney, is hereby authorized to execute a grant in the amount of \$959,913 to City Wide Community Development Corporation (CWCDC), or Applicant, to mitigate basis and tax issues only, for construction costs for the development at 3124 South Denley Drive. The following terms apply:

- a. CWCDC, or its wholly owned subsidiary, must be awarded 2014 9% tax credits.
- b. CWCDC must adhere to all applicable CDBG Program requirements.
- c. CWCDC must complete construction and receive a certificate of occupancy.
- d. Fifty one percent of the units must be occupied by low-income households at or below 80% AMFI.
- e. Rents will be set at Fair Market Rents or other acceptable levels defined by TDHCA.
- f. CWCDC must execute a note, deed of trust, and deed restriction to the City for performance only. Once 51% of the units are occupied, the loan will be forgiven.
- g. The loan may be subordinated to construction and permanent lenders.

**SECTION 4.** That the City Manager or his designee, upon approval as to form by the City Attorney, is hereby authorized to execute a predevelopment grant in the amount of \$38,000 to City Wide Community Development Corporation (CWCDC), or Applicant, for costs associated with the TDHCA 9% application, not conditioned upon 2014 9% LIHTC award.

**SECTION 5.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute a subordination of lien to a lender who is providing construction financing on the property.

**SECTION 6.** That the City of Dallas' funding and endorsement of the TDHCA LIHTC application for the project, Serenity Place Apartments, will be contingent on the following: (1) the Project Owner expending a minimum of \$40,000 (a minimum of \$40,000 or \$200 per unit per year, whichever is greater) for social services for the residents of the development, at no cost, based on a survey of resident's needs, to be implemented within three months of project completion; (2) inclusion of this requirement in the City's Deed Restrictions containing the social services requirement (up to 50% of the social services requirement can be fulfilled with in-kind social services provided the Housing/Community Services Department gives prior approval to the social services plan).

**SECTION 7.** That before receiving a conditional City of Dallas building permit required by TDHCA prior to closing on the tax credits, the Project Developer will consult with the City of Dallas Sustainable Development and Construction Department with regard to security related design standards.

**SECTION 8.** That the City of Dallas' funding and endorsement for this project will be contingent on the Project Owner paying to the City an annual monitoring review fee in the amount of \$500, beginning on the anniversary of the closing on the 9% tax credits and ending at the end of the tax credit compliance.

**SECTION 9.** That the City Manager, upon approval as to form by the City Attorney, is authorized to execute releases of liens and terminate deed restrictions on the property upon compliance with the loan terms and deed restrictions.

**SECTION 10.** 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.

#### Memorandum



Date: January 2, 2015

- To: Honorable Mayor and Members of the City Council
- Subject: Dallas Water Utilities Drought Status Update Briefing

Attached is a briefing that will be presented to the City Council on Wednesday, January 7, 2015. The briefing will provide an update on the current water supply status, an overview of the Drought Contingency Plan and recommended changes to watering restriction enforcement. The briefing includes a recommendation to enter Stage 1 of the drought contingency plan effective April 1, 2015 coincidental with the annual time of day watering restrictions.

Please let me know if you should 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 Jo M. (Jody) Puckett, P.E., Director

### Dallas Water Utilities Drought Status Update



### Dallas City Council January 7, 2015



### **Briefing Purpose**

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Provide an overview and update on:

- Current Water Supply Status and Outlook
- Drought Contingency Plan
   Overview
- Watering Restriction
   Enforcement

### Outline

- Current Water Supply Status and Outlook
- Drought Plan Overview
- Watering Restriction Enforcement
- Summary and Next Steps
- Appendix



### **Current Water Supply Status and Outlook**

### **Current Lake Conditions**



- Current hydrologic drought began 2010
  - Lakes haven't been full since May 2010
  - o 2011 worst one-year drought on record
  - Dallas had the lowest one month precipitation on record September 2014
  - o 2014 13<sup>th</sup> driest year on record
- Dallas' water supplies are currently
   35.36% depleted (January 2, 2015)
  - One month ago **35.15%** depleted
  - One year ago 27.7% depleted

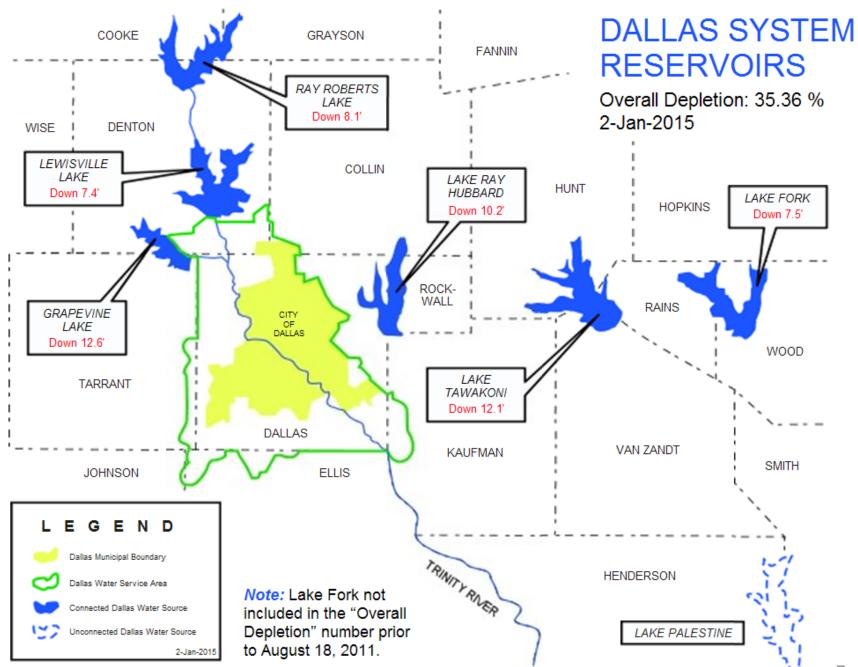
Lake Tawakoni 2014

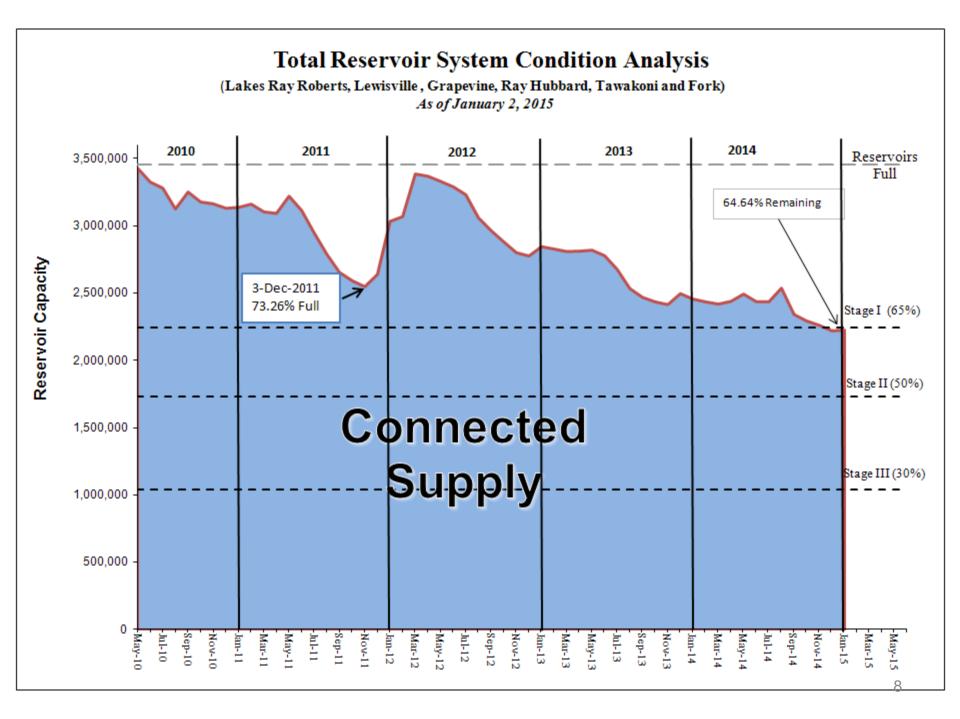
### Water Conservation Measures

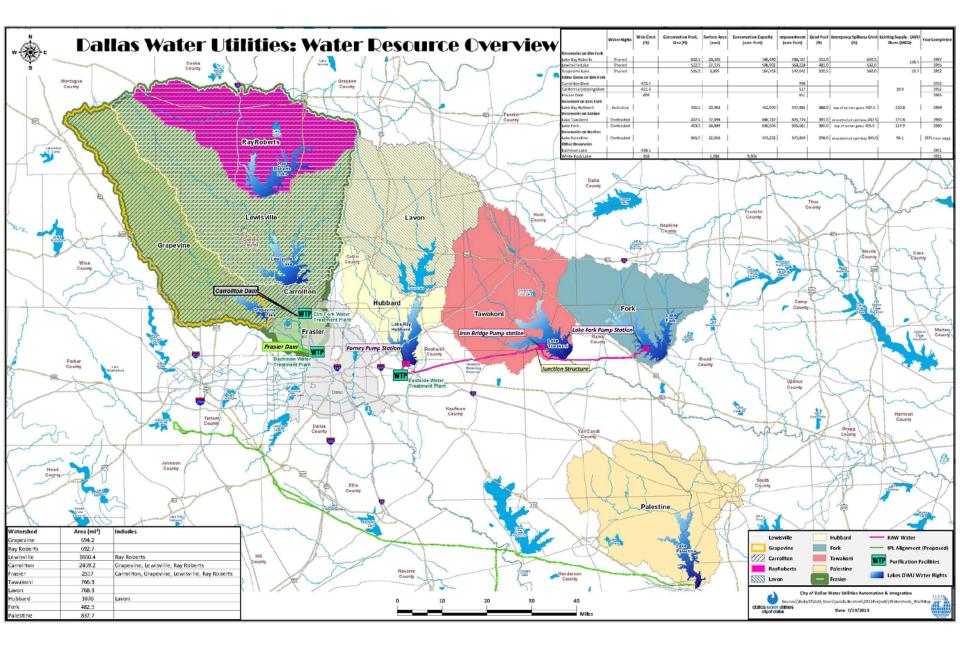




- Water conservation programs currently in effect have mitigated drought impact on water supply
  - Maximum Twice Weekly Watering Schedule
  - Time of day watering restrictions from April 1 through October 31
  - Residential toilet replacement program
  - Irrigation system check-ups for City of Dallas customers
  - Drought measures currently in Drought Contingency Plan are restrictions used to ensure that water is available to meet public health, welfare and safety needs during times of shortage









## Drought Contingency Plan Overview

### Dallas' Drought Contingency Plan

DWU Stages and Triggers	
Stage	Trigger
Stage 1	65% full (35% depleted)
Stage 2	50% full (50% depleted)
Stage 3	30% full (70% depleted)

- Current Drought Contingency Plan adopted by City Council on February 26, 2014
- Plan is based on a regional model developed to reduce customer confusion and simplify enforcement
- Three Stages and Responses
  - Stage 1 Twice per week outdoor watering
  - Stage 2 Once per week outdoor watering
  - Stage 3 No Outdoor Watering
    - (Except Foundations and Trees)
- Temporary rate surcharge for highest residential and commercial rate tiers in Stages 2 (25% increase) and Stage 3 (50% increase)
- Stage 1 mandatory restrictions:
  - o Existing mandatory maximum twice-weekly schedule
  - o Enhanced enforcement
  - Vehicle washing restricted to hose with auto shut-off nozzle or commercial car washes
  - Recreational water use resulting in run-off prohibited

### **Drought Plan Initiation Process**

- Director recommends drought stage to City Manager
- City Manager notifies City Council, implementation process for drought stage starts with public announcement
  - Drought stage is effective for 60 days
  - Council resolution required to extend drought stage beyond 60 days
  - Council may authorize extensions in 120 day increments
- Stage 1 order officially begins when published in newspaper within 24 hours after public announcement
- DWU submits Stage 1 notification to Executive Director of TCEQ within required five (5) business days
- DWU submits Stage 1 notification to other area agencies, hospitals, hotels, commercial businesses, etc.

### **Drought Plan Stage 1**



Lake Ray Hubbard 2014

- Although current lake levels meet the Dallas Drought Plan criteria to enter Stage 1 (35% depleted) outdoor water use is very low during winter months
- Recommend delay entering Stage 1 until April 1, 2015
  - Time-of-day water requirement begins
  - Outdoor water use increases
- Will continue to monitor:
  - Future precipitation amounts
  - Water supply demands

### Watering Restriction Enforcement

### Watering Restriction Enforcement

- Enforcement by Code Compliance
  - DWU funds two FTEs in Code Compliance
- Any person who violates this Plan is guilty of a misdemeanor and could be fined not less than \$250 and not more than \$2,000
- In 2013 Senate Bill 654 amended the Local Government Code authorizing the use of civil adjudication for violations of watering restrictions
  - Allows an alternative to the current City of Dallas criminal citation enforcement process
- Administrative enforcement for watering restriction violations will require changes to Chapters 27 and 49 of the Dallas City Code

# **Gains from Civil Citation Enforcement**

- Criminal citations
  - Code Officers must serve citation in-person to the responsible party
    - Very difficult most water violations occur in the pre-dawn or late evening
    - Frequently requires multiple visits by Code Officer to directly contact the responsible party, obtain party's identification and write citation
  - Code Officers must make court appearances for all cases
- Civil citations
  - Code Officers may serve citation by posting citation on property where violation occurred and mailing citation to service address
  - Code Officers only required to make court appearance if specifically requested by defendant, if citation is appealed

# Enhanced Communication of Drought Plan

- Provide education at neighborhood meetings
- Water bill insert/onsert
- Apply signage on Code vehicles with ordinance reminder message
- Include water conservation violations in Code Compliance "dirty dozen" handout
- Place inserts in notice of violation mailings

# Drought Plan Enhanced Outreach and Proactive Enforcement

- Code inspectors to provide periodic enforcement coverage from 4am – 8am and from 8pm – midnight, including weekends
- Night/early morning patrols and area sweeps to focus on areas with high 311 water violation reports
- May issue citations without initial warning during drought plan since mandatory schedule has been in place since April 2012

# **Examples of Code Vehicle Signage**

Water. Don't waste it!

Avoid a citation.

SaveDallasWater.com

### **City of Dallas now in**

# **Stage 1 Drought** Mandatory Restrictions

Observe the watering schedule. It's the law.

SaveDallasWater.com



Overwatered lawns breed West Nile.

Observe the watering schedule. It's the law. SaveDallasWater.com

# Summary and Next Steps

3



- Current hydrologic drought began 2010
  - Dallas' water supplies are 35.36% depleted as of January 2, 2015
  - Precipitation throughout North Texas is approximately 27% below normal
- Water Conservation Programs have mitigated drought impact on water supply
  - Maximum 2X weekly watering schedule has reduced consumption 5 6%
  - Demand on non-watering days has decreased 25 to 40 MGD or an average of 8% less than watering days
- Total water use including outdoor water use is very low during the winter months

# Next Steps

#### **Drought Actions**

- January 28, 2015 Agenda will include item amending Chapters 27 and 49 to allow for a civil enforcement process
- Recommend Stage 1 initiated April 1, 2015
- Staff will implement increased proactive code enforcement specifically targeting water use compliance

#### Water Conservation Actions

- January 26, 2015 brief Quality of Life & Environment on Water Conservation Program Update
- Summer 2015 complete 2015 Water Conservation Five-Year Strategic Plan Update

# Appendix

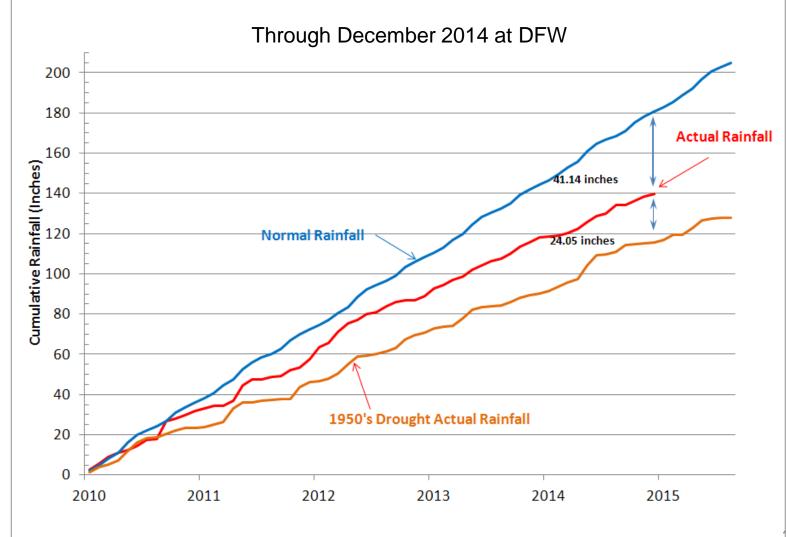
- Drought in Texas
- Dallas Drought Plan Triggers and Responses
- Regional Drought Responses

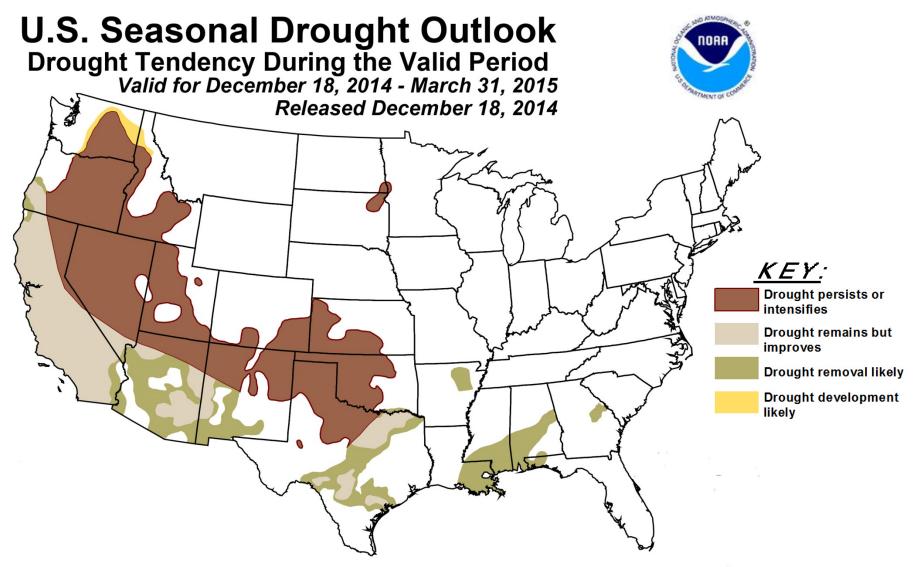
# **Droughts in Texas**



- Since 1822, at least one drought has hit somewhere in Texas every decade
- A severe drought from 1951 57 was a seven year drought and is considered the "drought of record"
  - $_{\odot}$  Salty water diverted from Red River
  - City leaders vowed "never again"
- Drought conditions were experienced in the Dallas area in 1996, 2000, 2006
- The current drought in North Texas is in it's fourth year. Area lakes have not been full since May 2010.

# Current Drought Conditions Dallas' Cumulative Precipitation





 The NWS Climate Prediction Center estimates the outlook for winter months will favor above normal precipitation

# Dallas' Water Rights and Supply

- All surface water is owned by the State of Texas
- Dallas' water rights are based on an agreement to provide service to a defined area, including wholesale customer cities
   Agreement approved by Council and included in the State water plan
- Safe and sufficient water supply is critical to the economic success of Dallas and its service area
- Existing reservoirs were constructed as a result of planning actions from the 1950s
- Dallas initiated long range water supply plans in 1959, 1975, 1989, 2000, 2005 and 2014
- Goal of long range planning is to ensure sufficient water supply to meet demands through the drought of record

### **Stage 1 Drought Triggers and Responses**

Trigger: 65% Supply Remaining in Reservoirs (35% Depleted)

Target Reduction Goal: 5% reduction in total GPCD

#### **Mandatory Actions**

- I. Mandatory maximum 2-days-per-week landscape irrigation. Drip irrigation, soaker hoses and hand watering is allowed at anytime, on any day
- 2. Foundations may be watered at any time, on any day with soaker or hand-held hoses or drip irrigation
- 3. Washing vehicles restricted to hand-held bucket and hose with positive shut-off nozzle. Commercial car washes exempt.
- □4. Recreational use of water resulting in run-off prohibited
- 5. Enforcement efforts will increase in all stages through proactive code enforcement

#### **Voluntary Actions**

- □1. Encourage voluntary 1-day- per-week irrigation
- 2. Discourage planting new landscapes
- □3. Encourage reduction in frequency of draining or refilling swimming pools
- 4. Encourage restaurants to serve water by request only
- 5. Encourage hotels/motels to request multiple day patrons reuse linens instead of changing every day

### **Stage 2 Drought Triggers and Responses**

Trigger: 50% Remaining or 50% Depleted

Target Reduction Goal: 15% reduction in total GPCD

#### **Mandatory Actions**

1. Mandatory maximum 1 day a week landscape irrigation, residential schedule based on trash pick-up days and commercial customers may water on Wednesdays only. Drip irrigation, soaker hoses and hand watering allowed at anytime on any day.

2. 25% rate increase for high water demand users to discourage consumption and help offset enhanced enforcement costs. Rate applied only to residential customers using more than 15,000 gallons per month, per account; or commercial customers using more than 10,000 gallons and 1.4 times annual average monthly usage per month, per account.

#### **Voluntary Actions**

- 1. Strongly discourage planting new landscapes
- □3. Encourage further reduction in frequency of draining or refilling swimming pools
- 4. Encourage restaurants to serve water by request only
- 5. Encourage hotels/motels to request multiple day patrons reuse linens instead of changing every day

### **Stage 3 Drought Triggers and Responses**

#### Trigger: 30% Remaining or 70% depleted

Target Reduction Goal: 20% reduction in total GPCD

#### **Mandatory Actions**

1. Landscape irrigation prohibited, except for trees with hand-held hoses, soaker hoses or drip irrigation only on the 1 day a week Stage 2 schedule

2. Foundations may be watered one day per week on Stage 2 schedule with drip irrigation, soaker hose or hand-held hose

3. Washing of vehicles restricted to commercial car washes

4. Operation of ornamental fountains prohibited except where necessary to support aquatic life

5. No permitting of new pools, spas or fountains. Existing pools may add water to replace evaporation. Draining and refilling of swimming pools allowed only to maintain proper operation and water quality

6. Hosing off paved areas, buildings, windows or other surfaces prohibited.

7. No approval for new or increased water service

8. 50% rate increase for high water demand users. Rate applied only to residential customers using more than 15,000 gallons per month, per account; or commercial customers using more than 10,000 gallons and 1.4 times annual average monthly usage per month, per account.

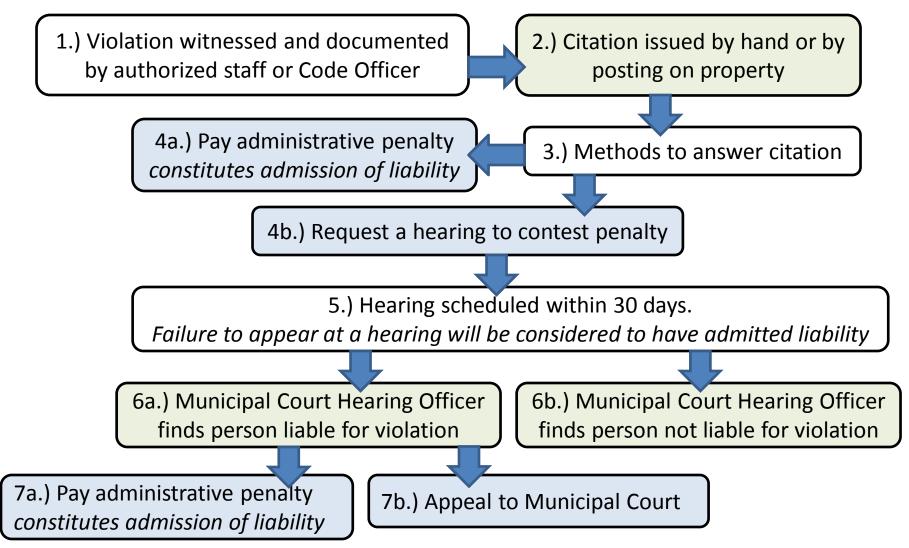
# **Granting of Temporary Variances**

- Under Chapter 49.20 and 49.21 of the Dallas City Code and the Drought Contingency Plan, the Director may grant variances in special cases to persons demonstrating extreme hardship and need
- Variances may be granted only under the following circumstances:
  - Applicant must sign a compliance agreement on approved forms agreeing to use water only in the amount and manner permitted in the variance
  - Granting the variance must not cause an immediate significant reduction in the city's water supply
  - The extreme hardship or need must relate to the health, safety or welfare of the person requesting it, and
  - The health, safety and welfare of other persons must not be adversely affected by granting the variance
- A granted variance may be revoked when the director determines the conditions of the variance are no longer applicable, the terms of compliance are being violated or the health, safety or welfare of other persons required revocation

# **Enforcement Process Comparison**

Current Criminal Process	Proposed Civil Process
Enforced by City of Dallas Code Compliance	Same
Violation must be witnessed by enforcement staff	Same, will include photography or video for watering violations
Notice of Criminal Violation must be served in person	Violations may be served in person, posted on door or in yard, or by mail
Court appearances commonplace	Court appearances only if requested on appeal
Payment of penalties and fees made to court	Same

### Administrative Adjudication Procedure (Dallas City Code 27-16.13)



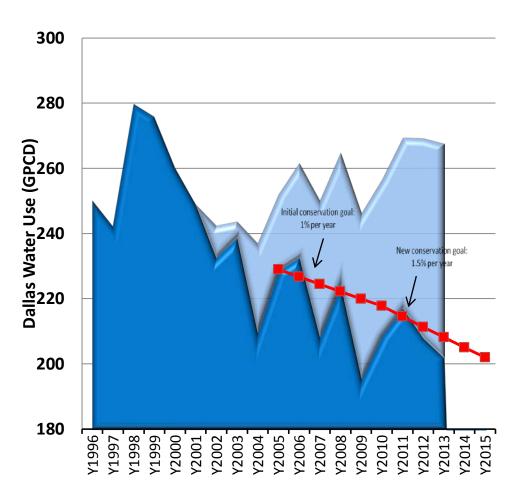
# Dallas Water Conservation Accomplishments

Measures adopted by Council have had positive impacts:

- Estimated 212 billion gallons of water saved since 2001 (extends supply by almost 1.5 years)
- GPCD has reduced approximately 27% from FY01 to FY14
- Reduced consumption has mitigated the impact of drought conditions on water supply

Dallas continues to pursue additional conservation strategies:

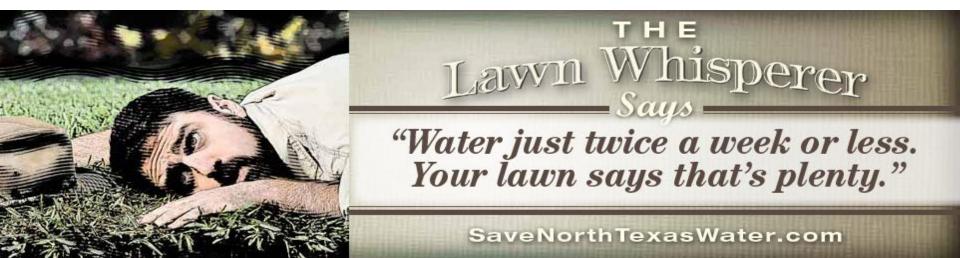
 48% of future water supply will be met through conservation and reuse based on the Long Range Water Supply Plan's recommended strategies



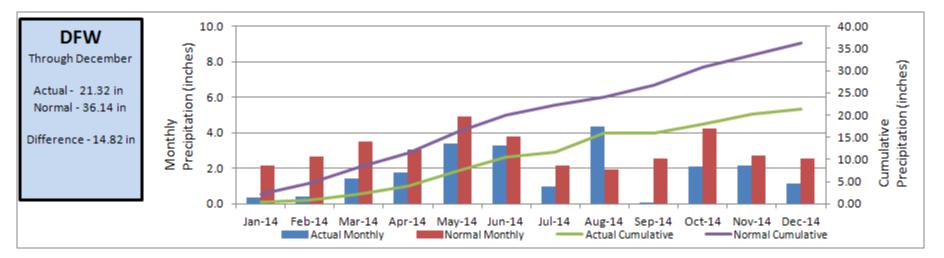
# **2015 Water Conservation Five-Year Strategic Plan**

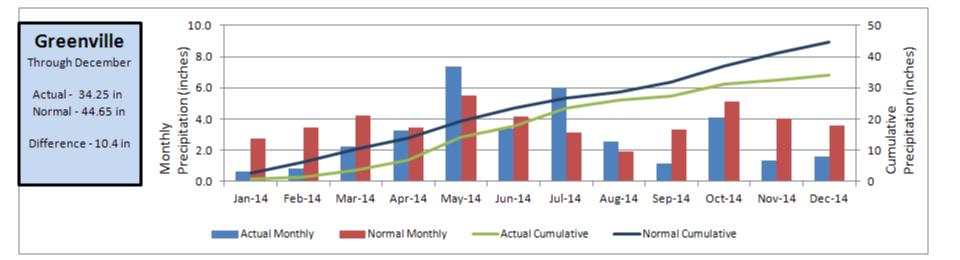
Key Initiatives for Additional Conservation

- Water loss control and system efficiencies
   Including Water Treatment Plant Efficiencies
- New rebate and incentive programs
- Increased education and outreach to DWU Wholesale Customers
- Targeted focus on high-use customer segments
- Increased use of mobile technologies to impact consumer behavior

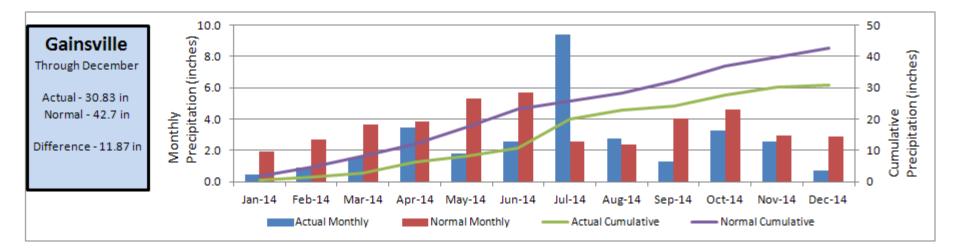


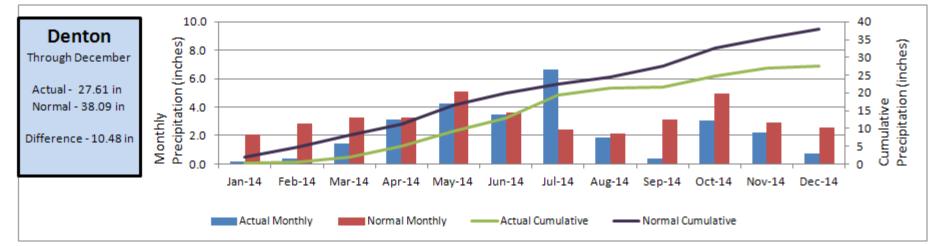
#### 2014 Actual to Normal Precipitation Comparison



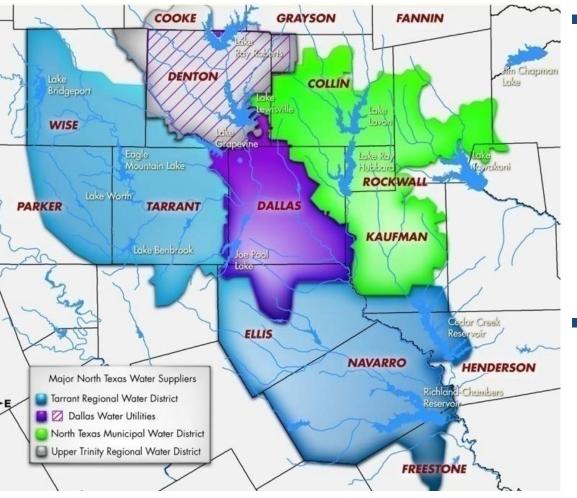


#### 2014 Actual to Normal Precipitation Comparison





# **Regional Drought Responses**



- North Texas Municipal Water District (NTMWD)
  - Stage 3 "seasonal": outdoor watering 1X every 2 weeks
  - Stage 4: 0 outdoor watering begins at 35% full in major supply lakes; currently 46% in Lake Lavon and 32% in Lake Jim Chapman
- Tarrant Regional Water District (TRWD)
  - Stage 1: 2X weekly watering
  - Stage 2: 1X weekly watering begins at 60% cumulatively full in supply lakes, currently 61%

#### Memorandum



DATE January 2, 2015

TO Honorable Mayor and Members of the City Council

SUBJECT Lean Six Sigma Initiative

Attached is the briefing material on the "Lean Six Sigma Initiative" to be presented to Dallas City Council on Wednesday, January 7, 2015. This effort is a component of the new Dallas Center for Performance Excellence (CPE), along with several other continuous improvement tools that are either existing or forthcoming.

If you have any questions or need any additional information, I would be happy to respond.

Mark McDaniel Assistant City Manager

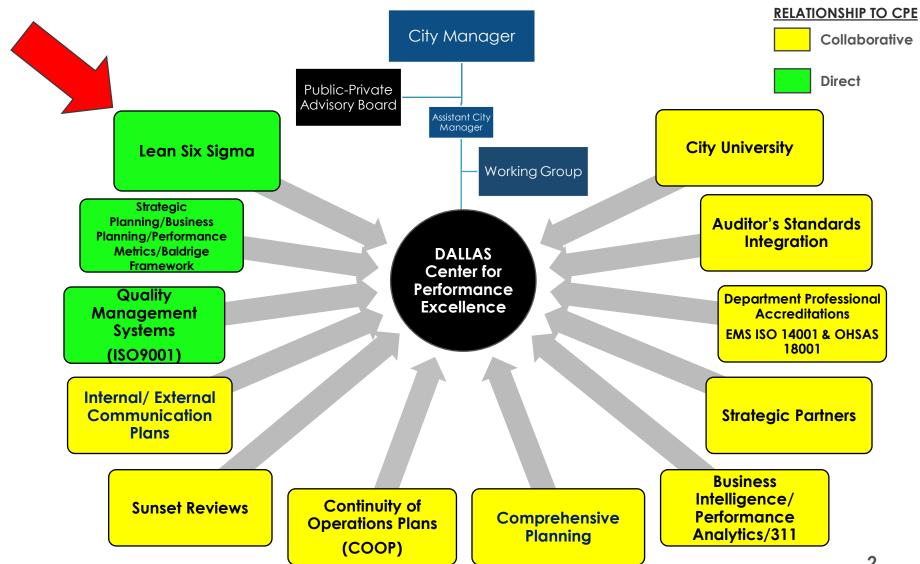
 c: A.C. Gonzalez, City Manager Warren M.S. Ernst, City Attorney Craig D. Kinton, City Auditor Rosa A. Rios, City Secretary Daniel F. Solis, Administrative Judge Ryan S. Evans First Assistant City Manager Eric D. Campbell, Assistant City Manager Jill A. Jordan, P.E., Assistant City Manager Joey Zapata,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



#### **DALLAS Center for Performance Excellence (CPE)**

Setting New Standards for Local Government City Council Briefing Wednesday, January 7, 2015

### Lean Six Sigma: A Component of the CPE



### Lean Six Sigma: What is it?

A combination of **two disciplined**, **data-driven** approaches and methodologies for improving performance:

#### Lean Enterprise:

Developed by Toyota Motor Company as the Toyota Production System in the 1950's

#### Six Sigma:

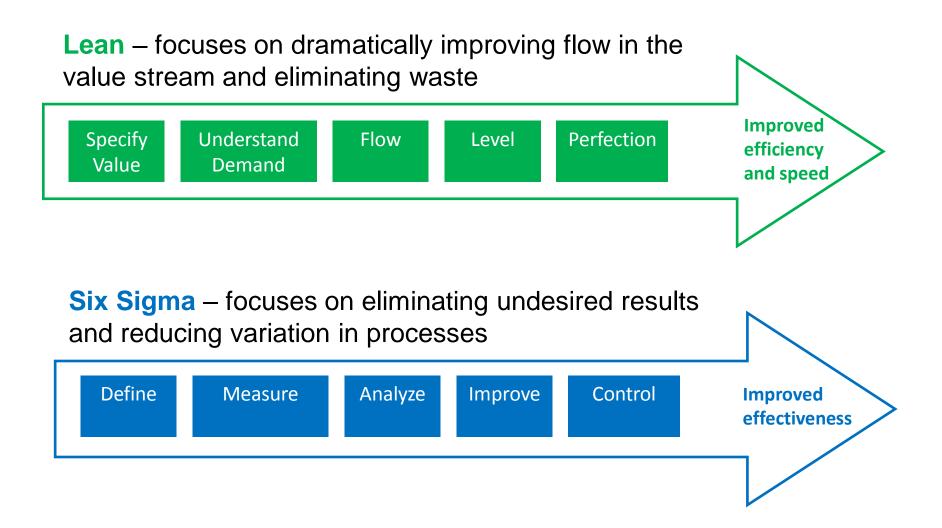
Developed by Motorola in the 1980's

## Sampling of Organizations Utilizing Lean and/or Six Sigma to Improve Performance

- 3M
- Accenture
- Alcoa Toyota
- Allied Signal
- Amazon
- Amerimax
- Apple
- Bank of America
- Bayer
- Bell Helicopter
- Boeing
- Capital One
- Caterpillar
- Citicorp
- Coca Cola

- Dell
- Dr. Pepper
- Home Depot
- Honda
- Ford Motor Company
- Fujitsu
- General Electric
- Motorola
- Northrop Grumman
- Raytheon
- Starwood Hotels & Resorts
- Sony
- Texas Instruments
- United States Marine Corps
- Xerox

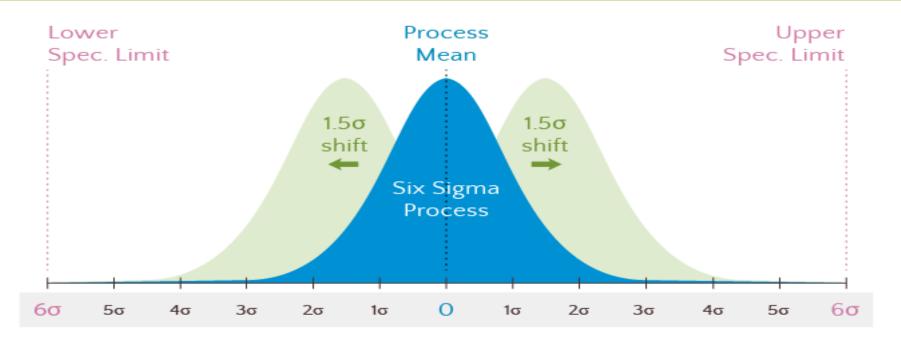
# **Focus Comparison**



# **Process Comparison**

<u>Steps:</u>	<u>Lean Process</u>	<u>Six Sigma Process</u>	
<u>Step 1</u>	Current State Assessment (Value Stream Map)	Define Opportunitiesidentify, quantify, and prioritize process improvement opportunities.	
<u>Step 2</u>	Future State Map (Value Stream projections after Waste Reduction Kaizens)	Measure approved opportunitiescurrent state measurements	
<u>Step 3</u>	Identify, quantify, and prioritize process improvement opportunities	Analyzescenarios, what-ifs, design of experiments leading to an outcome result	
<u>Step 4</u>	Kaizenimplement the change and re-measure	Improveimplement the solution and re- measure	
<u>Step 5</u>	Audits to sustain the gains	Controldevelop control system to sustain the change.	

# Six Sigma: Statistically Visualized



The term "Six Sigma" is based on a statistical concept: defective items can be minimized by maintaining 6 standard deviations (6 "sigmas") between the process mean (average) and its upper and lower specification limits.

Six Sigma also accounts for the tendency of processes to degrade over the long term: A Six Sigma process can tolerate a "shift" of 1.5 standard deviations (1.5σ shift) and still maintain a "safety cushion" between the process mean and its specification limits.



Source: http://GoLeanSixSigma.com

## Achieving Six Sigma

#### A statistical representation

Sigma Level	DPMO	% Defective	% Yield
1	691,462	69%	31%
2	308,538	31%	69%
3	66,807	6.7%	93.3%
4	6,210	.62%	99.38%
5	233	.023%	99.977%
6	3.4	.00034%	99.99966%

In other words, a measure of quality that strives for near zero defects.

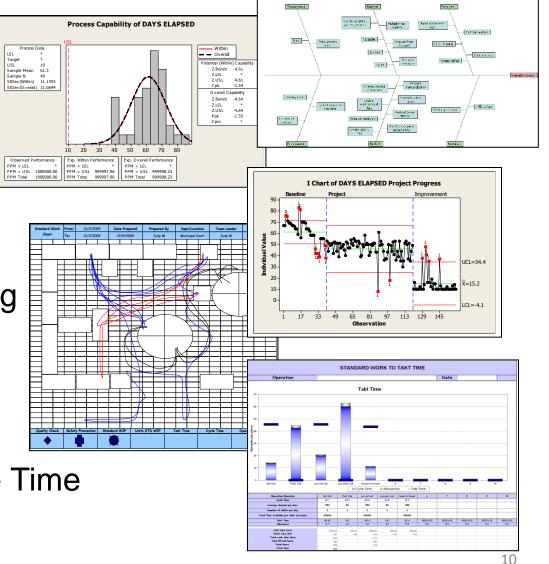
\*Defects per million opportunities

### Six Sigma: 8 Areas of Waste

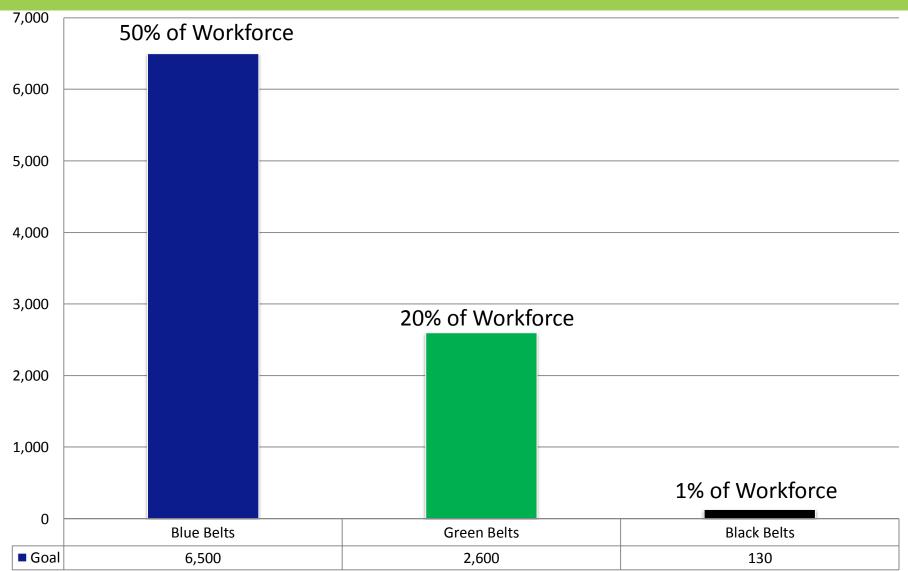


# Sampling - Lean Six Sigma Analysis Methods

- Descriptive Statistics
- Pareto Charts
- Graphing
- Regression Analysis
- Capability Analysis
- Process Mapping
- Value Stream Mapping
- Fish Bone Diagram
- Spaghetti Diagram
- XY Summary
- TAKT Time and Cycle Time
- Visual Management



### Long-term Employee Training & Certification Goals



## **Prospective Project Identification**

# Projects identified through a variety of means, including but not limited to:

- Annual budget process
- Sunset reviews
- Monthly expenditure forecast reviews
- Twice annual departmental business plan reviews
- Council suggestions
- Customer feedback
- Internal audits
- 311 data analysis
- Business intelligence/performance analytics
- Continuity of Operations (CoOP) assessment

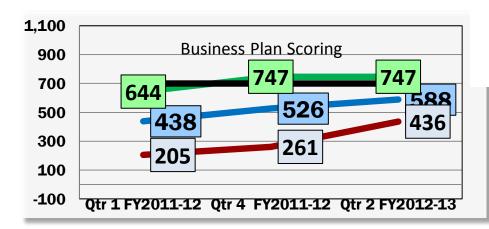
## **Project Selection Process**

- **1.** <u>Development:</u> Proposed project charter developed by Green Belt as part of define phase
- 2. <u>Review:</u> Charter reviewed by Black Belt/Master Black Belt for appropriate scope and feasibility
- **3.** <u>Verification:</u> Charter independently reviewed internally (by Finance, etc.) to verify projected benefits
- **4.** <u>Selection:</u> Charter presented to CPE working group, then executive leadership team for consideration

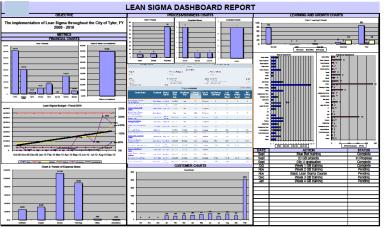
Organization: Police Project: Improve Initial Problem Stater		n			
Project: Improve Initial Problem Stater		Champion:		Process O	
Improve Initial Problem Stater		Dianna Jackson		Steve Sharron	
Problem Stater	Designation of the			Project #	
	-	operty			
The defect rat	009, the initial da	mentation and p	: 18.961% of sub ackaging errors a lice Department.		
Project Object Our objective reducing the n 4.74%.	is to imrove the	initial document s (documentatio	ation, handling a on and packaging	nd processin ) by 75 % fr	g of property by om 18.961% to
Estimated Defect Level:		Initial Goal:		Estimated Benefits:	
Approval Date:		Champion Sigr	nature:	Process O	wner Signature:
Estimated Completion Date:		Project Leader: Jimmy Toler		Financial Analyst:	
	111	I simility roler			
Project Te	eam				
Name Role		Comments		Phone	
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Scope of Proje Initial processi	ct: ing of property ir	ito the property	r area.		
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# Monitoring Progress

- Lean Six Sigma/dashboard
- Quarterly/annual report outs
- Strategic planning tracking organization-wide priority metrics
- Business planning reviews and scoring - using Quality Texas/Baldrige criteria
- Citizen and employee surveys









### **Project Examples from Other Cities**

- <u>Development Services</u> reduced time for residential plan review
- <u>Fire</u> Implemented in-house total predictive maintenance program for protective gear
- <u>HR</u> Improved employee requisition process
- <u>Library</u> Reduced time to reshelf existing books, and time from purchase to shelf for new books
- <u>Library</u> Optimized hours open
- <u>Municipal Court</u> Condensed warrant process time
- <u>Parks</u> Improved work order system
- <u>Parks</u> Reduced time required to chalk ball fields
- <u>Police</u> Increased time on street by reducing time to issue daily equipment from armory

## **Project Examples from Other Cities**

- <u>Police</u> Reduced dispatcher attrition rate
- <u>Sanitation</u> Extended life of tires on heavy trucks
- <u>Sanitation</u> Reduced missed collections
- <u>Sanitation & Fleet</u> Reduced residential truck hydraulic maintenance costs
- <u>Sanitation & Streets</u> Reduced costs associated with brush disposal
- <u>Utility Billing</u> Improved billing process
- <u>Warehouse</u> Reduced inventory costs
- <u>Water</u> Optimized magnesium dosage, reducing cost for chemicals
- <u>Water</u> Reduced inventory cost in water meter shop

# **Applying Lessons Learned from Others**

• It is a marathon, not a sprint



- Participants need to work in their own areas so projects are considered part of their current job
- Senior managers must actively steer, while participants push for progress from organizational layers
- The optimum ratio of Green Belts to Black Belts is critical to mentoring and successful project completion
- The indirect benefits are even greater than the direct benefits

### Indirect Benefits – Not Just About Saving \$\$\$

- Enhanced Responsiveness for Citizens/Customers
- Increased Capacity of Existing Workforce (Saving Time)
- Improved Organizational Communications
- Employee Empowerment + Job Enrichment = Motivated Workforce
- Opportunity to **Differentiate Ourselves** in a Positive Way

### Next Steps for Deployment

- Using existing resources, hire Master Black Belt January, 2015
- Recruit and begin in-house training of up to 50 Green Belts from all levels of the organization in various departments – February/March, 2015
- Progress report to City Council May, 2015

### Memorandum

DATE January 2, 2015

TO Honorable Mayor and Members of the City Council

#### SUBJECT City Manager Update (CuSP Report)

On Wednesday, January 7, 2015, I will be briefing the Council on the following topic during my update to the Council:

Development Review Process Improvement Initiative

Briefing materials are attached for your review. If you have any questions, please let me know.

Gonzalez Manager

c: 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



### CuSP Report Culture.Systems.People

Development Review Process Improvement Initiative January 7, 2014



In October, began a review of the entire development review process

Collaborative process including multiple sectors of the real estate development industry

Goal is to improve efficiency in processes for zoning, platting, permitting and real estate transactions

# **Guiding Principles**

### Seek Input from Development Community

Seven listening sessions have been held with a broad range of stakeholders from the real estate development community including both large and small scale developers/land owners, the consultant community, TREC and industry trade associations.

### **Examine Best Practices**

Information being collected from municipalities around the country, especially those undergoing a similar review, such as Chicago, New York, Las Vegas, Denver and others.

Build Upon Positive Changes Already Underway or Implemented

### Changes already made

41 Building Inspection new hires or vacancies filled FY 2013/2014

4

- Northwest field inspection office re-opened, increasing field inspection offices from 3 to 4
- Electronic plan review implemented
- Concierge service created
- ZIP processes being implemented
- Multi-year budgeting implemented

## **Results Already Seen**

- Walk-in wait times in the Building Inspection permit center have been reduced by 41%, from 27 minutes to 16 minutes
- Single-family permit issuance increased 32% over last two fiscal years
- Majority of single-family permits are now issued same day
- The number of field inspections completed on the same day requested has risen from 92% in 2013 to 98% in 2014
- Permit fees distributed to match project timelines

## Schedule

Jan. 2015

Feb. 2015

Mar. - Apr. 2015

Continue meeting with stake holders to review and solicit feedback on preliminary recommendations report

Revise and refine draft recommendations

Committee/Council briefings