

QUALITY OF LIFE, ARTS & CULTURE COMMITTEE
DALLAS CITY COUNCIL COMMITTEE AGENDA

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CITY SECRETARY
DALLAS, TEXAS

MONDAY, APRIL 8, 2019
CITY HALL
COUNCIL BRIEFING ROOM, 6ES
1500 MARILLA STREET
DALLAS, TEXAS 75201
9:00 A.M. – 11:00 A.M.

Chair, Councilmember Sandy Greyson
Vice-Chair, Councilmember Mark Clayton
Councilmember Rickey D. Callahan
Councilmember Jennifer S. Gates
Councilmember Scott Griggs
Councilmember B. Adam McGough
Councilmember Omar Narvaez

Call to Order

1. March 25, 2019 Minutes

BRIEFINGS

2. Supergraphic Signs in the Downtown
Special Provision Sign District
Kris Sweckard
*Director, Sustainable Development
& Construction*
3. Library Without Fines: An Equitable Approach
to Removing Barriers
Jo Giudice
Director, Dallas Pubic Library

4. **INFORMATIONAL MEMORANDUM**
Recommended Resolution for Green Energy Policy

5. **Upcoming Agenda Items**

April 10, 2019

- A. Agenda Item #2 - Authorize (1) a resolution establishing the City of Dallas' commitment to the use of clean and efficient energy, the use of 100 percent renewable energy for municipal operations, and to sustain and promote renewable energy projects and partnerships that reduce environmental impacts for the benefit of Dallas residents and the region; and (2) the City Manager to determine the most advantageous proposal and enter into an electricity services contract consistent with the adopted City of Dallas Green Energy Policy - Financing: This action has no cost consideration to the City (see Fiscal Information for future potential costs)
- B. Agenda Item #21 - Authorize Supplemental Agreement No. 1 to the contract with Fomento de Construcciones y Contratas, S.A. dba FCC, S.A. for operation and management of the City's materials recovery facility (MRF) to (1) extend the primary contract term from 15 years to a period of 15 years, plus a period equal to a temporary adjusted host fee period (3 years, with two additional 1-year extension options); (2) allow for a temporary adjustment to a portion of the host fees for non-

A quorum of the City Council may attend this Council Committee meeting

city single-stream recycling tonnage processed at the MRF above contractually guaranteed tons, for a period of three years, with two 1-year renewal options; and (3) provide for a Clean Material host fee to be applied to clean pre-segregated material processed at the MRF for a period of three years, with annual extension options for the term of the contract - Estimated Revenue: \$2,010,000.00 (over the extended three-year term)

- C. Agenda Item #33 - Authorize (1) the acceptance of four grants from the Texas Commission on the Arts (Grant Nos. 19-44179, 19-44363, 19-44373, 19-44361) in an amount not to exceed \$32,000.00 to provide cultural services for the period September 1, 2018 through August 31, 2019; (2) a local 1:1 match in the amount of \$32,000.00; (3) the receipt and deposit of funds in an amount not to exceed \$32,000.00 in the Texas Commission on the Arts-Arts Create Grant 18-19 Fund; (4) the establishment of appropriations in an amount not to exceed \$32,000.00 in the Texas Commission on the Arts-Arts Create Grant 18-19 Fund; and (5) the execution of the grant agreements and all terms, conditions, and documents required by the grant agreements - Total not to exceed \$64,000.00 - Financing: Texas Commission on the Arts Grant Funds (\$32,000.00) and General Fund (\$32,000.00)
- D. Agenda Item #39 - Authorize a three-year master agreement for animal identification microchips for the Department of Dallas Animal Services - Pethealth Services USA, Inc., lowest responsible bidder of five - Estimated amount of \$146,250 - Financing: General Fund
- E. Agenda Item #40 - Authorize a Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 40227, for trail design and construction of the FM 1382 Sidepath Trail from Camp Wisdom Road to Mansfield Road - Financing: This item has no cost consideration to the City (see Fiscal Information for future estimated costs)

Adjourn



Sandy Greyson, Chair
Quality of Life, Arts & Culture Committee

HANDGUN PROHIBITION NOTICE FOR MEETINGS OF GOVERNMENTAL ENTITIES

Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

EXECUTIVE SESSION NOTICE

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

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex. Govt. Code §551.089]

Quality of Life, Arts & Culture Committee Meeting Record

Meeting Date: March 25, 2019

Convened: 9:15 AM

Adjourned: 10:59 AM

Members Present:

Sandy Greyson (Chair)
Mark Clayton (Vice-Chair)
Rickey D. Callahan
Jennifer S. Gates
Scott Griggs
B. Adam McGough
Omar Narvaez

Members Absent:

Council Members Present:

Philip Kingston

Briefing Presenters

Jennifer Scripps
Director, Office of Cultural Affairs

Willis Winters
Director, Parks and Recreation

Robert Kent
Director, Trust for Public Land

Kris Sweckard
Director, Sustainable Development & Construction

Joey Zapata
Assistant City Manager

Staff Present:

Susan Alvarez; Casey Burgess; Gabriela Castillo; David Cossum; Nadia Chandler-Hardy; Russell Dyer; David Fisher; Rosa Fleming; Juan Garcia; Cliff Gillespie; Anna Gonzalez; Kelly High; John Johnson; Laura Morrison; Yldefonso Rodriguez; Emily Worland

Guests:

AGENDA:

1. Approval of the February 25, 2019 Minutes

Information Only:

Action Taken/Committee Recommendation(s): A motion was made to approve the minutes of February 11, 2019

Motion made by: Omar Narvaez

Motion seconded by: Jennifer S. Gates

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

2. Proposed 5th Amendment to the Usage Agreement for the Morton H. Meyerson Symphony Center

Presenter(s): Jennifer Scripps, Director, Office of Cultural Affairs

Information Only:

The Committee was briefed on the Proposed 5th Amendment to the Usage Agreement for the Morton H. Meyerson Symphony Center.

Action Taken/Committee Recommendation(s):

The Committee discussed:

- The break down of expenditures and revenues
- The deferred maintenance plan
- The clarification on the free tickets to public school students
- Requested more information by memorandum on the source of funds during the 6-year winddown period and no impact to other funded groups
- A motion was made to move forward to full Council

Motion made by: Jennifer S. Gates

Motion seconded by: Omar Narvaez

Item passed
unanimously:

Item passed on a divided vote:

Item failed

Item failed on a divided vote:

Motion opposed by:

3. Five Mile Creek Urban Greenbelt – Phase 1 Implementation and Deal points for Development Agreements

Presenter(s): Willis Winters, Director, Parks and Recreation; Robert Kent, Director, Trust for Public Land

Information Only:

The Committee was briefed on the Five Mile Creek Urban Greenbelt – Phase 1 Implementation and Deal points for Development Agreements.

Action Taken/Committee Recommendation(s):

The Committee discussed:

- The funding needed to implement the plan
- The cost estimates perhaps being low in comparison to other City trails
- The possibility of an endowment fund for maintenance be created and funded
- The coordination of the plan with the City's trail standards

Motion made by:

Motion seconded by:

Item passed
unanimously:

Item passed on a divided vote:

Item failed

Item failed on a divided vote:

Motion opposed by:

4. Diaper Changing Tables

Presenter(s): Kris Sweckard, Director, Sustainable Development and Construction

Information Only:

The Committee was briefed on Diaper Changing Tables.

Action Taken/Committee Recommendation(s):

The Committee discussed:

- A correction to the presentation that this item did not go to Committee by way of a 3-signature memo
- The requirement of a changing table on every floor was too much and signs could indicate where tables are in a building
- Concern about additional costs to small businesses
- The requirement only being for new construction and major renovations
- A motion was made to move forward for Council consideration and without the requirement for tables on each floor

Motion made by: Scott Griggs

Motion seconded by: Omar Narvaez

Item passed
unanimously:

Item passed on a divided vote:

Item failed

Item failed on a divided vote:

Motion opposed by: Jennifer S. Gates

5. Consideration of a Moratorium on Gasoline-Powered Leaf Blowers

Presenter(s): Joey Zapata, Assistant City Manager

Information Only:

The Committee was briefed on a potential Moratorium on Gasoline-Powered Leaf Blowers.

Action Taken/Committee Recommendation(s):

The Committee came to an agreement that enforcing noise ordinances would require DPD.

The Committee resolved to speak with CM McGough (Public Safety Committee Chair), about including a comprehensive review of the ordinance and evaluation of resources for enforcement in the Public Safety Committee

Motion made by:

Motion seconded by:

Item passed
unanimously:

Item passed on a divided vote:

Item failed
unanimously:

Item failed on a divided vote:

6. Proposed Special Events Ordinance – Chapter 42A - Update

Presenter(s):

Information Only:

The Committee was briefed via memorandum on the Proposed Special Events Ordinance – Chapter 42A – Update.

Action Taken/Committee Recommendation(s):

Staff indicated that CM Greyson would make a motion at the March 27th Council meeting that would include updates for street pole banners, and neighborhood farmers’ markets and removal of film permitting until further discussion

Motion made by:

Item passed

unanimously:

Item failed

unanimously:

Motion seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

7. Upcoming Agenda Items

Presenter(s):

Information Only:

Information about the upcoming items was included in the briefing materials.

Action Taken/Committee Recommendation(s):

Time did not permit Committee questions.

Items were moved forward to full Council with Chair requesting that members connect with staff with any questions.

Motion made by:

Item passed unanimously:

Item failed unanimously:

Motion seconded by:

Item passed on a divided vote:

Item failed on a divided vote:

Councilmember Sandy Greyson
Chair

Memorandum



CITY OF DALLAS

DATE April 2, 2019

TO Honorable Members of the Quality of Life, Arts and Culture Committee

SUBJECT **Supergraphic Signs**

On Monday, April 8, 2019, the Committee will be briefed on the proposed amendments to the Downtown Special Provision Sign District to consider amendments to the supergraphic sign regulations and extend the sunset period. The City Plan Commission recommended approval of the amendments on March 7, 2019. The briefing material is attached for your review.

Please feel free to contact myself or Kris Sweckard, Director of the Department of Sustainable Development and Construction, if you have any questions or need additional information.

A handwritten signature in blue ink, appearing to read 'Majed Al-Ghafry'.

Majed Al-Ghafry, P.E.
Assistant City Manager

[Attachment]

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (Interim)
Carol A. Smith, City Auditor (Interim)
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

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

Supergraphic Signs

Quality of Life, Arts & Culture
Committee

April 8, 2019

Kris Sweckard, Director
Sustainable Development
and Construction
Department



City of Dallas

Presentation Overview

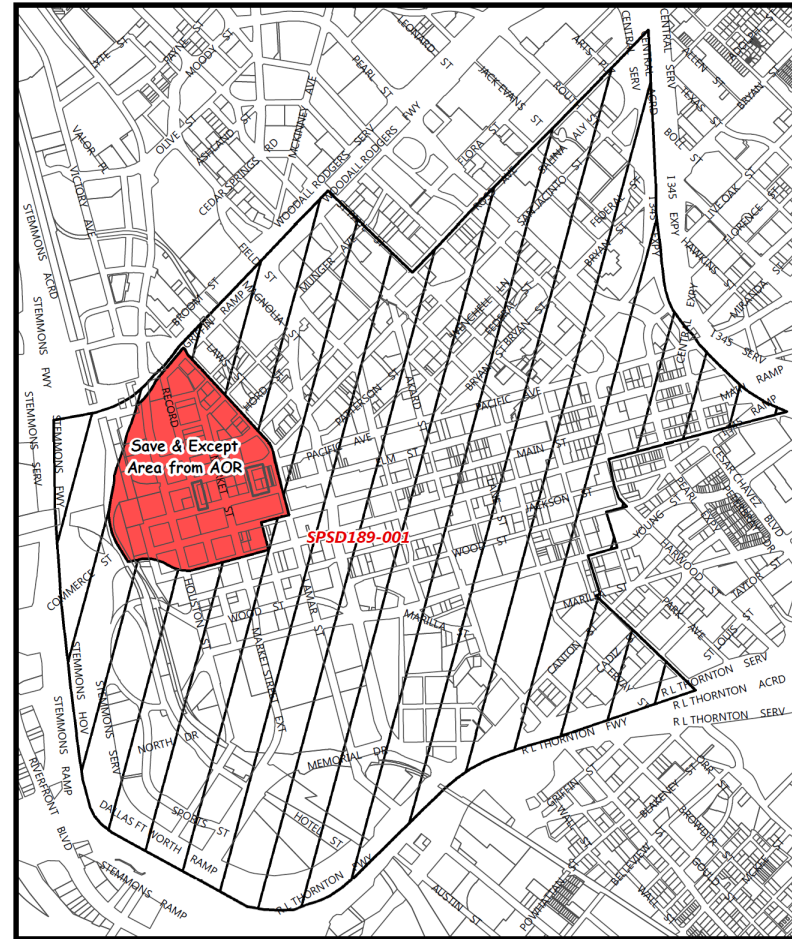
- Purpose
- Background
- Stakeholder input
- Proposal
- Next steps
- Appendix

Purpose

- Brief the Committee on proposed amendments to Sec. 51A-7.930. “Supergraphic Signs” of the Dallas Development Code.
 - The code states that the City Plan Commission and City Council shall review this section before the section expires on July 31, 2019.
- Seek Committee approval to forward amendments to City Council for consideration.

Background

- Supergraphic signs are allowed in the inner loop area of the Downtown Special Provision Sign District.



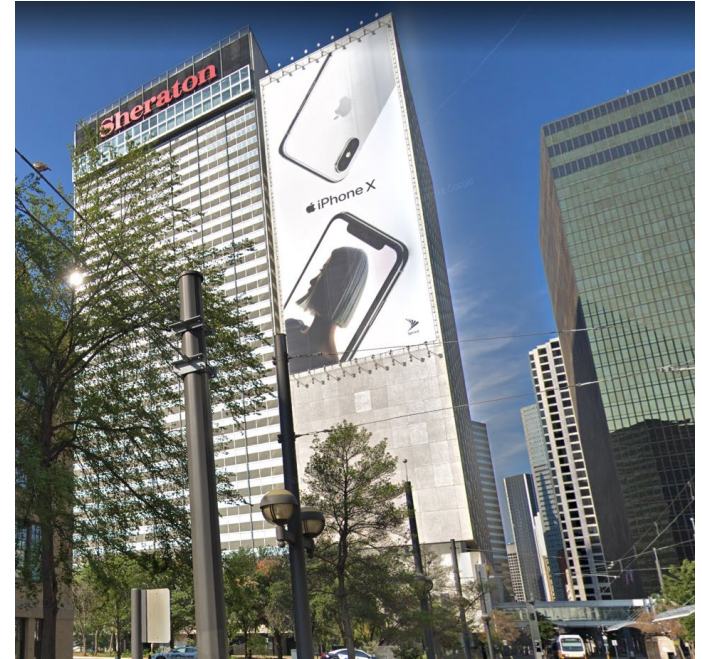
Background

- A supergraphic sign is defined as a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers.



Background

- The Code has a sunset provision requiring mandatory removal on or before July 31, 2019 unless extended by City Council.
- This section does not confer a nonconforming or vested right to maintain a supergraphic sign after July 31, 2019.
- All permits authorizing supergraphic signs shall automatically expire on July 31, 2019, if not extended.



Background - History

- September 2001: Initial supergraphic sign ordinance - maximum of six supergraphic signs to sunset on September 12, 2003.
- May 2002: Amendment to substitute the phrase “face of the building” for the word “façade,” (allowed a supergraphic sign on the west side of the YMCA building on Ross Avenue).
- June 2003: Extended the sunset for two years to September 12, 2005.

Background - History

- May 2005: Extended the sunset for three years to September 1, 2008.
- August 2008: Extended the sunset for five years to September 1, 2013.
- June 2009: Increased number of signs from six to 12 and extended the sunset for five years to July 31, 2014.
- August 2011: Increased number of signs from 12 to 22 and extended the sunset for eight years to July 31, 2019.

Background

- Staff met individually with several sign companies in 2018 to gather feedback on the supergraphic program.
- On November 27, 2018, staff's recommended changes were presented for comment at a meeting of stakeholders.
- Special Sign District Advisory Committee met on December 11, 2018, and January 8, 2019, and recommended approval of amendments.
- City Plan Commission recommended approval on March 7, 2019.



Stakeholder input

- Extend the message duration to longer than four months. *(CPC and SSDAC included in recommendation.)*
- Increase the number of supergraphic signs to more than 22 signs. *(SSDAC included in recommendation.)*
- Allow one company to hold more than nine location permits.
- Eliminate the provision requiring a supergraphic sign to have one large visual display with a minimum of 80 percent non-textual graphic content.
- Eliminate the provisions discouraging use of solid colors or repetitive design elements, and images of a single product or product logo without other graphic elements.

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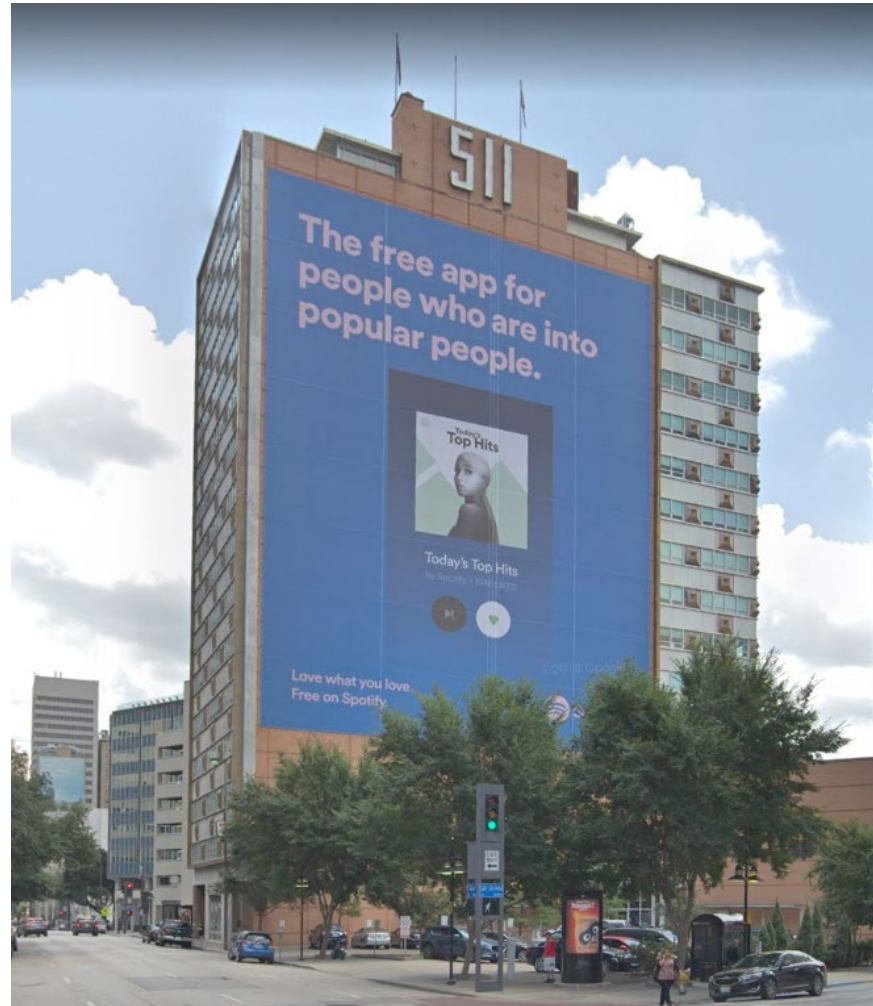
Stakeholder input (continued)

- Eliminate the provision stating that no supergraphic may be attached to a façade erected or altered after June 1, 2006.
- Eliminate the provision stating that qualified applicants must submit a separate location permit application permit for each location.
- Allow a person with a location permit to move their sign to another location. *(SSDAC included in recommendation.)*
- Eliminate the prohibition of placing supergraphic signs on historic structures. *(CPC, SSDAC, and staff included in recommendation.)*
- Allow a trademarked logo to count as non-textual graphic content instead of text. *(SSDAC recommended clarification that logo counted as text.)*

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Proposal

- Sunset provision:
 - Extend the sunset provision for a 10-year period from July 31, 2019 to August 31, 2029.



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Proposal

- Historic buildings:
 - Allow supergraphic signs on a blank exposed party wall of a federal-, state-, or city-designated historic or landmark structure.
 - Installation mechanism must be approved by the Landmark Commission for city-designated historic or landmark structure.

Proposal

- Historic buildings:



National Register district



Non-contributing structure in the Harwood Historic District

Proposal

- Sign duration:
 - Increase length of time a supergraphic may be displayed from not more than four consecutive months in any 12-month period to not more than six consecutive months.

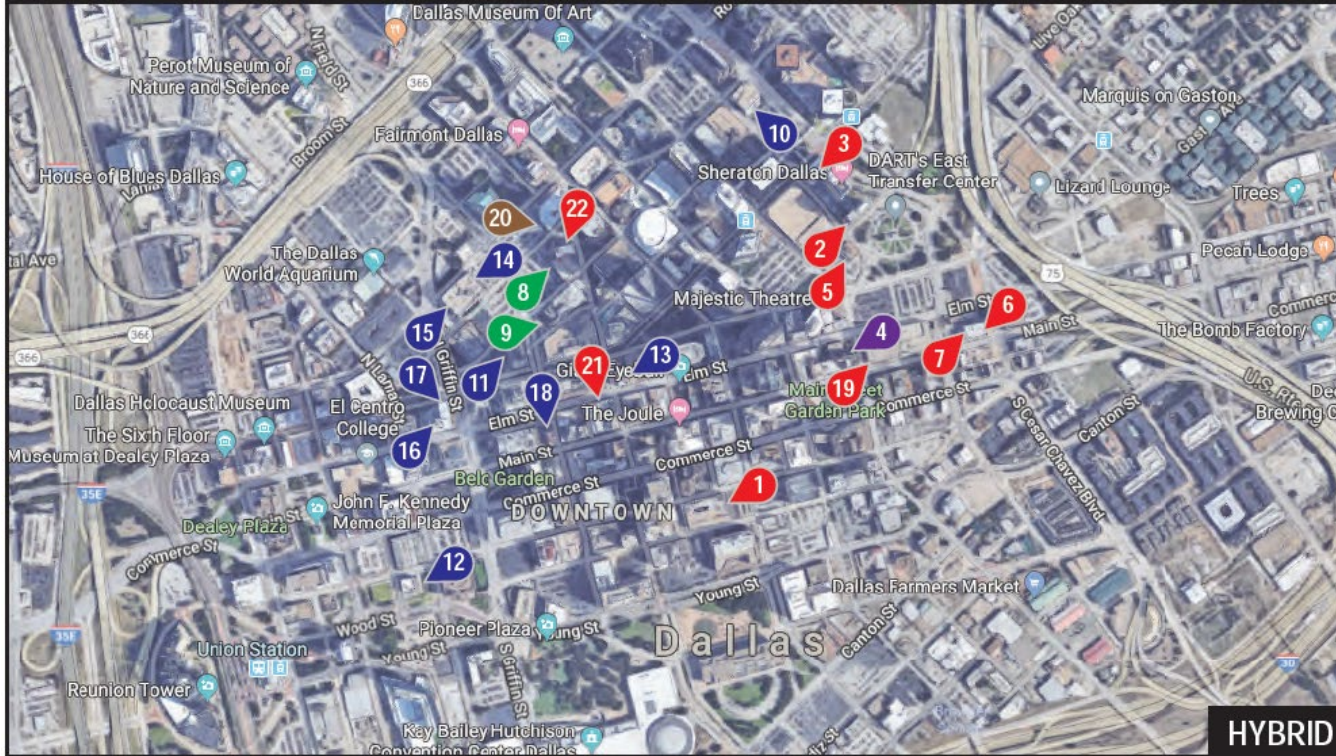


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Current Supergraphic Location Permits

DOWNTOWN SPSD SUPERGRAPHIC LOCATIONS

MARCH 2019



1 - 1500 Jackson (E Elev) - 7,644 sq. ft. - exp. 05/02/2019
2 - 400 Olive (W Elev) - 20,210 sq. ft. - exp. 07/21/2019
3 - 400 Olive (E Elev) - 11,024 sq. ft. - exp. 06/14/2019
4 - 1920 Elm (E Elev) - 2,516 sq. ft. - exp. 05/02/2019
5 - 2020 Live Oak (W Elev) - 7,350 sq. ft. - exp. 05/02/2019
6 - 2121 Main (E Elev) - 3,380 sq. ft. - exp. 05/02/2019
7 - 2121 Main (W Elev) - 2,625 sq. ft. - exp. n/a (Blank)
8 - 505 N Akard (W Elev) - 13,584 sq. ft. - exp. 06/11/2019

9 - 411 N Akard (N Elev/W Elev) - 4,512.6 sq. ft. - exp. 05/06/2019
10 - 720 N Olive (S Elev) - 13,490 sq. ft. - exp. 07/25/2019
11 - 1201 Pacific (W Elev) - 23,000 sq. ft. - exp. 05/07/2019
12 - 800 Jackson (E Elev) - 4,237 sq. ft. - exp. 06/08/2019
13 - 1505 Elm (E Elev) - 8,136 sq. ft. - exp. 07/18/2019
14 - 1200 Ross (E Elev) - 18,928 sq. ft. - exp. 06/14/2019
15 - 1200 Ross (W Elev) - 18,682 sq. ft. - exp. 07/25/2019
16 - 1015 Elm (W Elev) - 4,100 sq. ft. - exp. 05/24/2019

17 - 1015 Elm (N Elev) - 4,400 sq. ft. - exp. 05/22/2019
18 - 1217 Main (N Elev) - 2,538 sq. ft. - exp. 06/04/2019
19 - 2000 Elm (W Elev) - 2,500 sq. ft. - exp. 07/13/2019
20 - 601 N Akard (W Elev) - 11,744 sq. ft. - exp. 07/20/2019
21 - 1415 Main (N Elev) - 3,995 sq. ft. - exp. 05/18/2019
22 - 511 N Akard (N Elev) - 12,928 sq. ft. - exp. 06/01/2019

- - Outfront Media, LLC.
- - Radiant Outdoor, LLC.
- - Impact Outdoor Ad. Co.
- - Clear Channel Outdoor, Inc.
- - Pearl Media, LLC.

Next Steps

- Schedule for City Council consideration.

Supergraphic Signs

Quality of Life, Arts & Culture
Committee

April 8, 2019

Kris Sweckard, Director
Sustainable Development
and Construction
Department



City of Dallas

Appendix 1 – Current locations

	Sign Company	Location	Current location permit/Original location permit	Issue Date	Four Year Expiration	Current Permit No. (change copy)	Current change copy expiration	Square footage
1	Outdoor Outdoor Media, LLC (formerly Fuel Outdoor Holdings, LLC)	1500 Jackson (east elevation)	1506121027/ 0908195010	6/19/2015	6/19/2019	1812312003	5/2/2019	7644
2	Outdoor Outdoor Media, LLC (formerly Fuel Outdoor Holdings, LLC)	400 Olive (west elevation)	1506191069/ 0909105008	6/19/2015	6/19/2019	1903202008	7/21/2019	20,210
3	Outdoor Outdoor Media, LLC (formerly Fuel Outdoor Holdings, LLC)	400 Olive (east elevation)	1506191068/ 0911045005	6/19/2015	6/19/2019	1902112008	6/14/2019	11,024
4	Impact Outdoor Advertising Co.	1920 Elm Street (north elevation) requires CA	1506121024/ 0910275001	6/19/2015	6/19/2019	1812202010	5/2/2019	2516
5	Outdoor Outdoor Media, LLC (formerly Fuel Outdoor Holdings, LLC)	2020 Live Oak Street (west elevation)	1506121028/ 1109205010	6/19/15	6/19/2019	1812312006	5/2/2019	7350
6	Outdoor Outdoor Media, LLC (formerly Fuel Outdoor Holdings, LLC)	2121 Main Street (east elevation)	1506121021/ 1110245004	6/19/2015	6/19/2019	1812312004	5/2/2019	3380
7	Outdoor Outdoor Media, LLC (formerly Fuel Outdoor Holdings, LLC)	2121 Main Street (west elevation)	1506121022/ 1110245003	6/19/2015	6/19/2019	Currently Blank		2625
8	Pearl Media, LLC	505 N. Akard Street (west elevation)	1510061045/ 1001145008	10/19/2015	10/19/2019	1902032006	6/11/2019	13,584
9	Pearl Media, LLC	411 N. Akard Street (north elevation)	1510061042/ 1110045002	10/19/2015	10/19/2019	1812032007	5/6/2019	4,512.6
10	Radiant Outdoor, LLC (formerly Big Media)	720 N. Olive Street (west elevation)	1510091053/ 0908195007	10/12/2015	10/12/2019	1903202013	7/25/2019	13,490
11	Radiant Outdoor, LLC (formerly Big Media)	1201 Pacific Avenue (west elevation)	1510091056/ 0908195006	10/12/2015	10/12/2019	1812032013	5/7/2019	23,000

Appendix 1 – Current locations (con't.)

	Sign Company	Location	Current location permit/Original location permit	Issue Date	Four Year Expiration	Current Permit No. (change copy)	Current change copy expiration	Square footage
12	Radiant Outdoor, LLC (formerly Big Media)	800 Jackson Street (east elevation)	1510091054/ 0908195008	10/12/2015	10/12/2019	1901302010	6/8/2019	4237
13	Radiant Outdoor, LLC (formerly Dunklin & Company, Inc.)	1505 Elm Street (east elevation)	1510091039/ 0908195011	10/12/2015	10/12/2019	1903132006	7/18/2019	8136
14	Radiant Outdoor, LLC (formerly Chavez Properties)	1200 Ross Avenue (east elevation)	1510091045/ 0908195004	10/12/2015	10/12/2019	1901312001	6/14/2019	18,928
15	Radiant Outdoor, LLC (formerly Chavez Properties)	1200 Ross Avenue (west elevation)	1510091049/ 0908195002	10/12/2015	10/12/2019	1903202011	7/25/2019	18,682
16	Radiant Outdoor, LLC	1015 Elm Street (west elevation)	1510091036/ 1109205014	10/12/2015	10/12/2019	1901172006	5/24/2019	4100
17	Radiant Outdoor, LLC	1015 Elm Street (north elevation)	1510091037/ 1109205013	10/12/2015	10/12/2019	1812312002	5/22/2019	4400
18	Radiant Outdoor, LLC	1217 Main Street (north elevation)	1510091042/ 1110245002	10/12/2015	10/12/2019	1901282003	6/4/2019	2538
19	Outdoor Media, LLC (formerly Reynolds outdoor media inc.	2000 Elm Street (west elevation)	1511171021/ 1111215004	11/17/2015	11/17/2019	1903122004	7/13/2019	2500
20	Clear Channel Outdoor, Inc.	601 N. Akard (west elevation)	1608261145/ 0908195005	8/31/2016	8/31/2020	1903192002	7/20/2019	11,744
21	Outdoor Media, LLC (formerly Reynolds outdoor media inc.	1415 Main Street (north elev)	1810231038/ 1501231011	10/30/2018	10/30/2022	1901162003	5/18/2019	3995
22	Outdoor Media, LLC, (formerly Reynolds outdoor. inc.	511 N Akard (north elevation)	1810231032/ 1109205015	10/30/2018	10/30/2022	1901282018	6/1/2019	12,928

Appendix 2 – Measuring text portion



Example of how to measure text portion of sign

Appendix 3 – Other cities

- Other cities with supergraphic signs includes: New York City, Chicago, Miami, and Los Angeles.
- [New York City](#) allows large off-premise signs in the Times Square Area.
- [City of Los Angeles](#):
 - Supergraphic signs are only allowed in sign districts, reviewed individually by city council.
 - Supergraphic sign installations are not allowed at present because of an ordinance passed in 2010.
 - While there are 28 sites that have permanent injunction from the United States District Court, there are not necessarily supergraphic signs at each of these sites.
 - The exact number of supergraphic signs that are installed is not known.
 - The code does not limit the size of supergraphic signs nor the message duration.

Appendix 4 – Sec 51A-7.930

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(a) Definitions. In this section:

(1) **AFFILIATE** means any person who is an owner, shareholder, member, partner, agent, officer, or director of an applicant for a supergraphic sign location permit pursuant to this section or a person who has a contractual relationship with an applicant related to supergraphic signs.

(2) **CENTRAL BUSINESS DISTRICT WALLSCAPE SIGN** means a supergraphic sign located in the inner loop area that is neither a promotional wallscape nor a civic center wallscape.

(3) **CIVIC CENTER WALLSCAPE SIGN** means a supergraphic sign located on a city-owned performance venue with a minimum 1,000 person seating capacity, convention center, or library.

(4) **INNER LOOP AREA** means the Main Street Subdistrict, Retail Subdistrict A, Retail Subdistrict B, the Convention Center Subdistrict, and the General CBD Subdistrict.

(5) **LOCATION PERMIT** means a sign permit to erect a supergraphic sign in a specific location.

(6) **PROMOTIONAL WALLSCAPE SIGN** means a supergraphic sign that identifies or promotes a cultural activity or sporting event that significantly benefits the city.

(7) **QUALIFIED APPLICANT** means any person who has been qualified by the director to apply for a location permit.

(8) **SUPERGRAPHIC SIGN** means a large attached premise or non-premise sign on a mesh or fabric surface, or a projection of a light image onto a wall face without the use of lasers.

(9) **WALL FACE** means an uninterrupted blank plane of a wall, from vertical edge to vertical edge, from its highest edge to its lowest edge. Edges can be established by a distinct change in materials or off-set which runs across (transects) the entire wall in a straight line.

Appendix 4 – Sec 51A-7.930

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(b) Visual display and coverage.

(1) Except as provided in this paragraph, a supergraphic sign must have one large visual display with a minimum of 80 percent non-textual graphic content (no more than 20 percent text).

(A) Multiple displays giving an appearance of multiple signs are prohibited.

(B) The effective area of text is the sum of the areas within minimum imaginary rectangles of vertical and horizontal lines, each of which fully contains a word.

(C) A promotional wallscape sign may contain 10 percent text or logo related to sponsorship. The remainder of the promotional wallscape sign must promote the special event.

(2) Subject to the maximum effective area in Subsection (c), a central business district wallscape sign must cover at least 60 percent of the wall face of the building to which it is attached. The lower 10 feet of the wall face may not be covered and is disregarded in calculating the coverage area.

(3) Supergraphic signs are intended to be creative and artful and not strictly a representation of an advertised product. It is the intent of this provision to:

(A) encourage the use of illustrative images or other non-repetitive design elements;

(B) encourage visually interesting, vibrant, and colorful designs;

(C) discourage use of solid colors or repetitive design elements; and

(D) discourage an image of a single product or product logo without other graphic elements.

(4) Supergraphic signs may be internally or externally illuminated. If internally illuminated, a supergraphic sign may consist of translucent materials, but not transparent materials.

(5) No building may have more than two central business district wallscape signs. The two central business district wallscape signs must be oriented a minimum of 90 degrees from each other.

Appendix 4 – Sec 51A-7.930

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(c) Effective area. Minimum permitted effective area of a central business district wallscape sign is 2,500 square feet. This subsection controls over Paragraph (b)(2).

(d) Height. No central business district wallscape sign or civic center wallscape sign may exceed 450 feet in height. There is no maximum height for promotional wallscape signs.

(e) Number of sign locations permitted.

(1) No more than 22 central business district wallscape locations are permitted within the inner loop area.

(2) No more than four civic center wallscape locations are permitted within the inner loop area.

(3) No supergraphic signs are permitted outside of the inner loop area.

(f) Extensions.

(1) Except as provided in Paragraph (2), a supergraphic sign may not extend beyond the edge of the face of the building to which it is attached.

(2) A supergraphic sign may wrap around the edge of a building if:

(A) both building facades to which the supergraphic sign is attached are otherwise eligible facades; and

(B) the supergraphic sign is one continuous image.

(g) Location.

(1) A central business district wallscape sign may only be located on a blank wall face.

(2) No supergraphic sign may:

(A) cover any window or architectural or design feature of the building to which it is attached;

(B) be attached to a federal-, state-, or city-designated historic or landmark structure;

(C) be attached to a facade erected or altered after June 1, 2005;

(D) be attached to a facade on Pacific Avenue between Akard Street and Ervay Street;

(E) be attached to a facade facing Main Street Garden or Belo Garden.

Appendix 4 – Sec 51A-7.930

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(3) Except as provided in Paragraph (4), central business district wallscape signs are only permitted on parking structures or buildings with lodging, residential, retail and personal service, or office uses occupying at least 75 percent of the leasable ground floor area and an overall building occupancy of at least 50 percent of the floor area.

(4) The director may waive the requirements in Paragraph (3) for up to one year if the director determines that the building or multi-building complex is currently being redeveloped. The director may revoke this waiver if redevelopment stops or is inactive for 90 days or more.

(h) Message duration. A supergraphic sign location may not display the same message for more than four consecutive months in any 12-month period.

(i) Hardware fasteners. All hardware fasteners for a supergraphic sign must comply with the Dallas Building Code and all other ordinances, rules, and regulations of the City of Dallas.

(j) HBA signs prohibited. No supergraphic sign may be a Highway Beautification Act (HBA) sign as defined in Section [51A-7.102](#).

(k) Permits.

(1) Application to be a qualified applicant.

(A) An applicant shall submit an application to the director for the purpose of qualifying as an applicant. The application must include:

- (i) the name, address, phone number, and other pertinent information of the applicant, and if the applicant is a business entity, the names and business addresses of the principal officers, managers, and other persons who own more than five percent of the entity; and
- (ii) an affidavit stating that the applicant is in good standing with the city on all code enforcement matters related to supergraphic signs.

(B) A person may not qualify as an applicant if that person:

- (i) has any outstanding code violations related to supergraphic signs;
- (ii) has previously displayed a non-permitted supergraphic sign within the previous 12 month period; or
- (iii) is an affiliate of another qualified applicant.

Appendix 4 – Sec 51A-7.930

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(2) Location permit.

(A) Qualified applicants must submit a separate location permit application for each location. The director shall time stamp all applications upon receipt.

(B) The director shall review location permit applications in order of submittal. If the director determines that a location permit application is incomplete or does not meet the guidelines, the director shall reject the application and then review the next location permit application. If the initial number of location permit applications exceeds the number of location permits available, the director shall provide for a lottery to distribute the location permits.

(C) An application for a supergraphic sign location permit must contain:

(i) a memorandum of lease, sworn to by affidavit, that shows that the qualified applicant has an enforceable lease for a supergraphic location;

(ii) an affidavit stating that the property where the supergraphic sign will be located has no outstanding code enforcement matters;

(iii) a current tax certificate and affidavit stating that there are no unpaid governmental liens for the supergraphic sign location; and

(iv) an affidavit stating that the building meets the occupancy requirements in Paragraph (g)(3).

(D) Location permit holders may not be an affiliate of any other location permit holder.

(E) A person may not have more than nine pending or active location permits combined at any one time.

(F) A person shall not obtain a location permit for use by another person.

(G) A location permit expires four years after the date of issuance.

(H) The director shall revoke a location permit if the location has displayed obsolete supergraphic advertising or has been without supergraphic advertising matter for six months or more.

(I) A holder of a location permit may apply for renewal of the location permit by filing a complete application for renewal with the director no more than 180 days before the expiration of the current permit. To be eligible for a renewal of a location permit, an applicant must meet the qualification criteria under Paragraph (1).

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Appendix 4 – Sec 51A-7.930

SEC. 51A-7.930. SUPERGRAPHIC SIGNS.

(3) Promotional wallscape signs. An application for a promotional wallscape must be supported by a resolution of the city council that recognizes the activity or event as significantly benefiting the city. A promotional wallscape may not be erected more than 60 days before the beginning of the activity or event and must be removed not later than 30 days after the activity or event has ended.

(4) Review procedure. The director shall review all applications for location permits and copy change permits using the director procedure in Section [51A-7.505](#).

(l) Mandatory removal in 2019. All supergraphic signs must be removed on or before **July 31, 2019**. This section does not confer a nonconforming or vested right to maintain a supergraphic sign after **July 31, 2019**, and all permits authorizing supergraphic signs shall automatically expire on that date.

(m) Sunset. This section expires on **July 31, 2019**, unless re-enacted with amendment before that date. The city plan commission and city council shall review this section before its expiration date.

Memorandum



CITY OF DALLAS

DATE April 5, 2019

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT **Library Without Fines: An Equitable Approach to Removing Barriers**

On Monday, March 25, 2019, you will be briefed on Library Without Fines: An Equitable Approach to Removing Barriers.

The briefing materials are attached for your review.

Please feel free to contact me if you have any questions or concerns.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Laila Alequresh, Chief Innovation Officer
Directors and Assistant Directors

Library Without Fines: **An Equitable Approach** **to Removing Barriers**

**Quality of Life, Arts
and Culture**

April 8, 2019

Jo Giudice
Director
Dallas Public Library



City of Dallas

Presentation Overview

- Fines and Fees today
- Removing fines while still retrieving materials
- Fresh start for past fines
- Grace Days

Purpose

- Public Library's role is to make information and materials free and accessible to all residents
- Eliminate barriers to access which will create greater equity

Dallas Public Library – Current Fines and Lending Structure

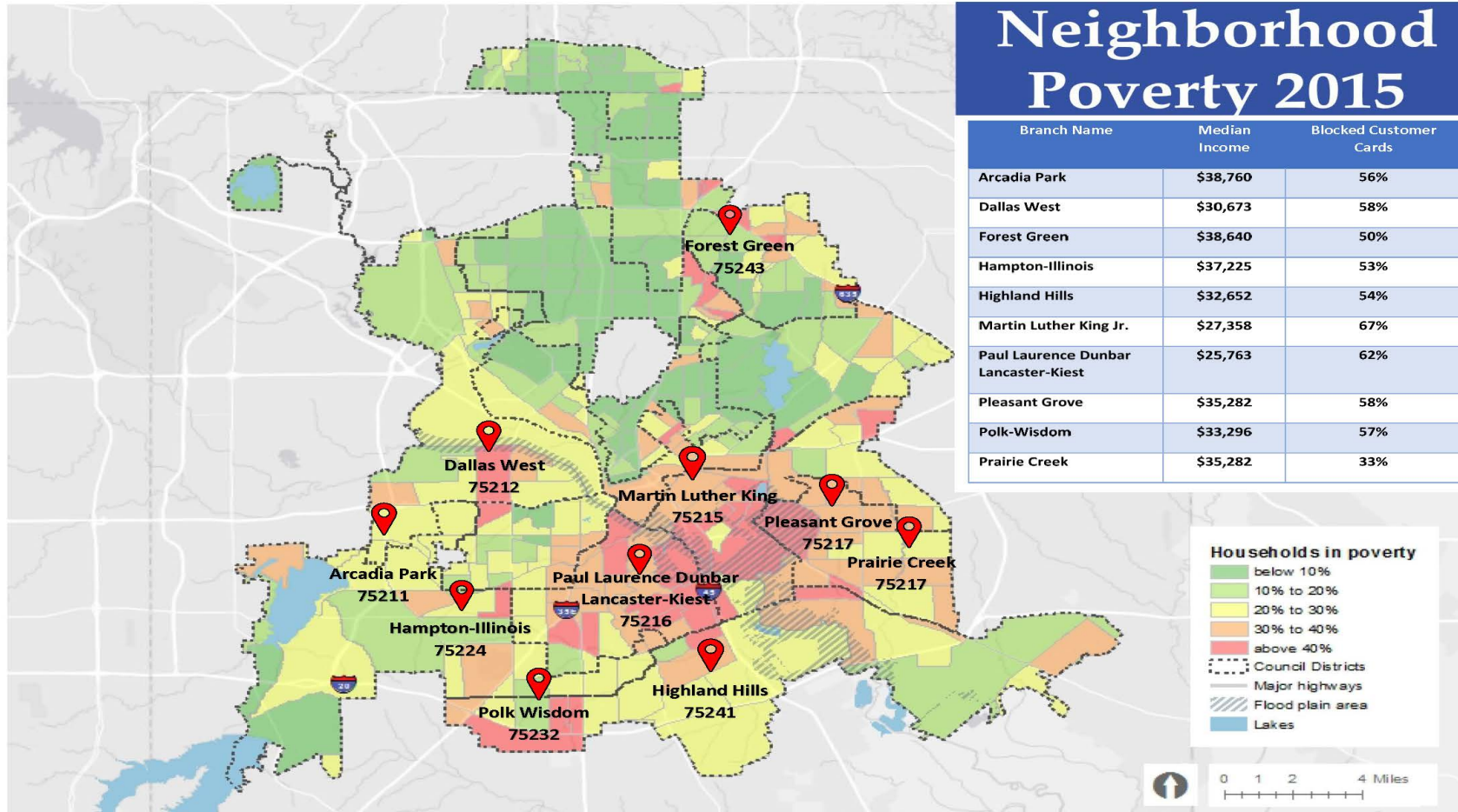
Material type	Length of Checkout	Overdue fine	Maximum fine per item
Book and Magazines	21 days	\$0.30	\$12.50
Video Media Box Sets	14 days	\$1.00	\$20.00
Video and Audio Media	7 days	\$1.00	\$20.00

- DVD, Blu-Ray and Audio includes CD and Audiobook media
- **Automated Unlimited renewals** until an item is requested by another customer

Dallas Public Library – Current Fees and Fee Structure

- **At 21 days overdue, the item enters lost status**
 - The patron is charged the replacement price of the item PLUS a \$28 processing fee
 - Processing fee is waived when the item or a similar item is returned
- **Resident Library card replacement fee: \$4**
- **Resident Library card look-up fee: \$1**
- **Account is blocked for use once fines and/or fees reach \$5**

Barrier to Access



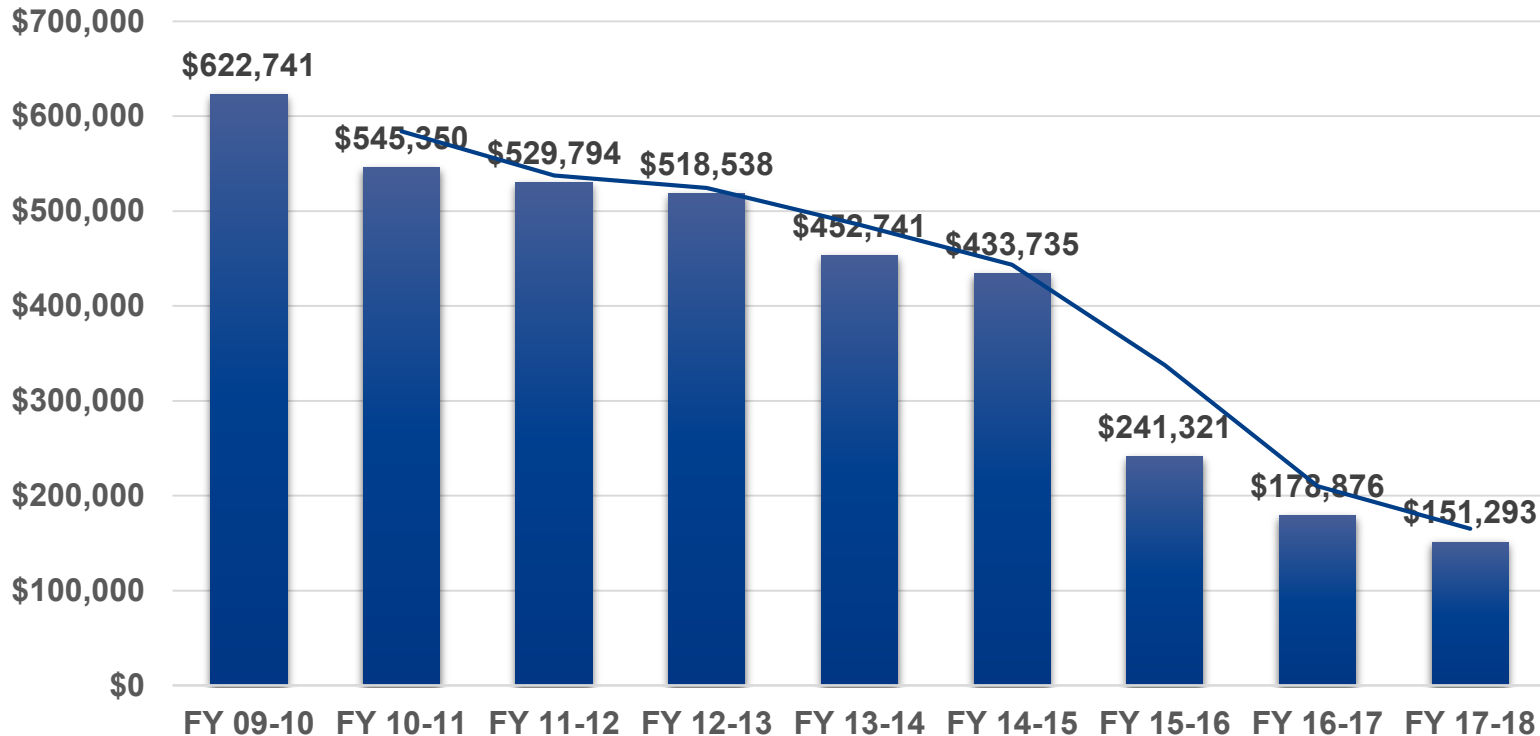
Source: U.S. Census Bureau, Census 1990, 2000, 2010; American Community Survey 2015 5-Year Estimates. Map produced by City of Dallas Department of Planning and Urban Design

Look Ahead- If Not Fines, Then What?

- Existing research suggests that nominal fines do not improve return rates
- If fines are eliminated, card holders will be charged the replacement price of the item and a \$28 processing fee if not returned in 30 days
- Processing fee is waived when the item or a similar item is returned

Barrier to Access

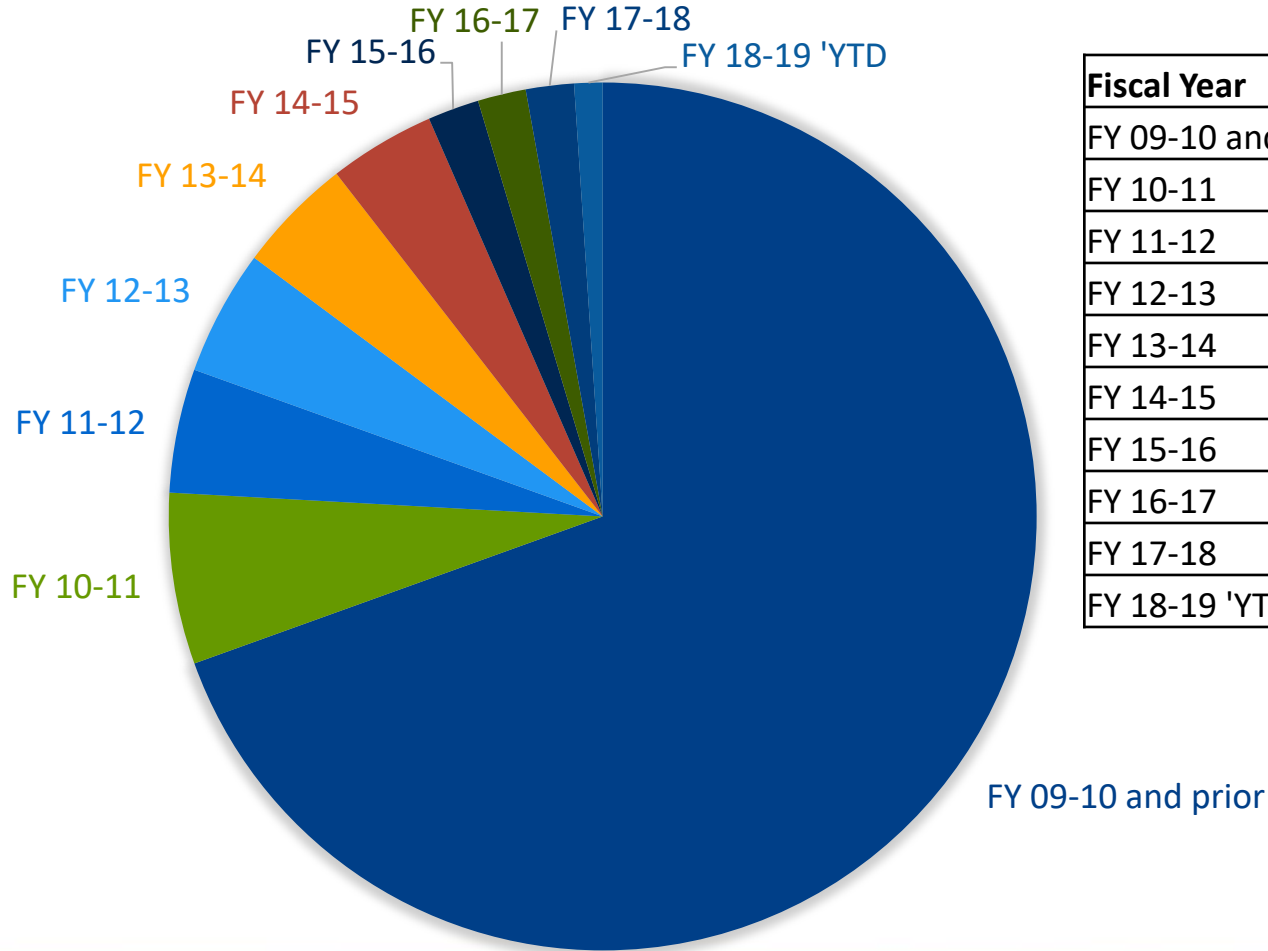
Funds Collected via Fines



Decrease in fines collected is mainly due to auto-renewals and e-materials, which garner no fines.

Barrier to Access

BALANCE OF OVERDUE ACCOUNTS



Fiscal Year	Total
FY 09-10 and prior	\$4,977,989.62
FY 10-11	\$456,732.92
FY 11-12	\$330,303.89
FY 12-13	\$334,946.80
FY 13-14	\$309,811.03
FY 14-15	\$283,509.21
FY 15-16	\$137,090.56
FY 16-17	\$128,579.66
FY 17-18	\$128,210.79
FY 18-19 'YTD	\$75,398.23



Barrier to Access

“One mom had 10 items in her arms and 3 kids watching her as I told her she could not check out due to fines on her card. She was embarrassed. She got mad and stated, ‘we are never coming back here’. That just broke my heart.”

Crystal Thompson,
Circulation Supervisor



Clearing Up Old Accounts

- Clear accounts with old overdue fines
- Accounts with items out will remain blocked
- Create Grace Days twice a year to ‘work off’ past lost and replacement fees

Proposed Actions

- Eliminate overdue fines, lost card and card lookup fees
- Clear all existing overdue fines from customer accounts
- Establish grace programs for customers to work off future fees
- Seek Council approval to amend Dallas City Code, Chapter 24, Section 24-2 and Section 24-4.

An Overdue Discussion- Creating Equity

Quality of Life, Arts
and Culture

April 8, 2019

Jo Giudice
Director
Dallas Public Library

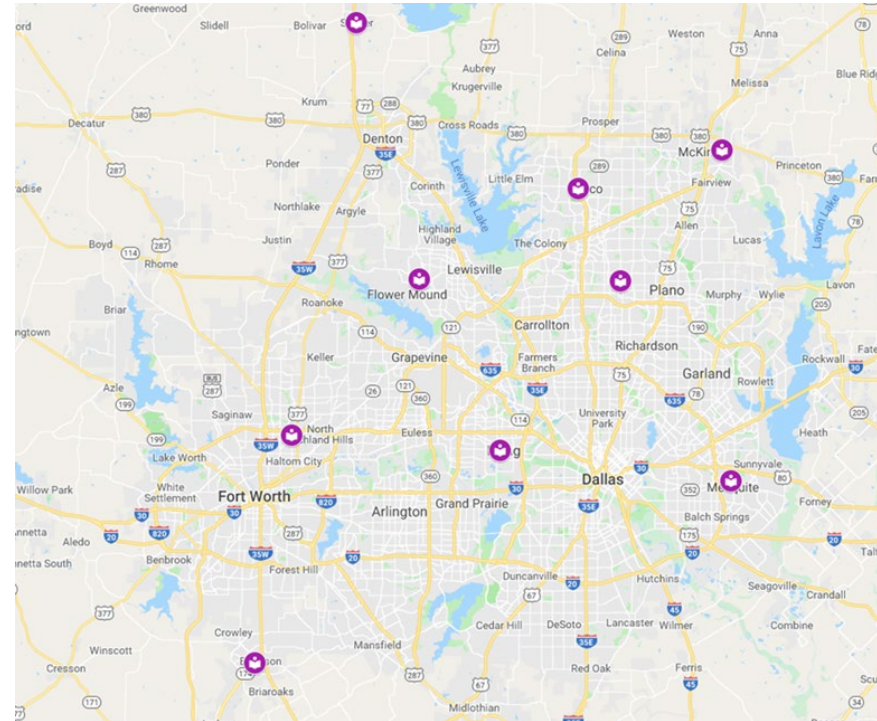


City of Dallas

Appendix

Area Fine-Free Libraries

- Burleson Public Library
- Flower Mound Public Library
- Frisco Public Library
- Haltom City Public Library
- Irving Public Library
- McKinney Public Libraries
- Mesquite Public Library
- Plano Public Library
- Sanger Public Library



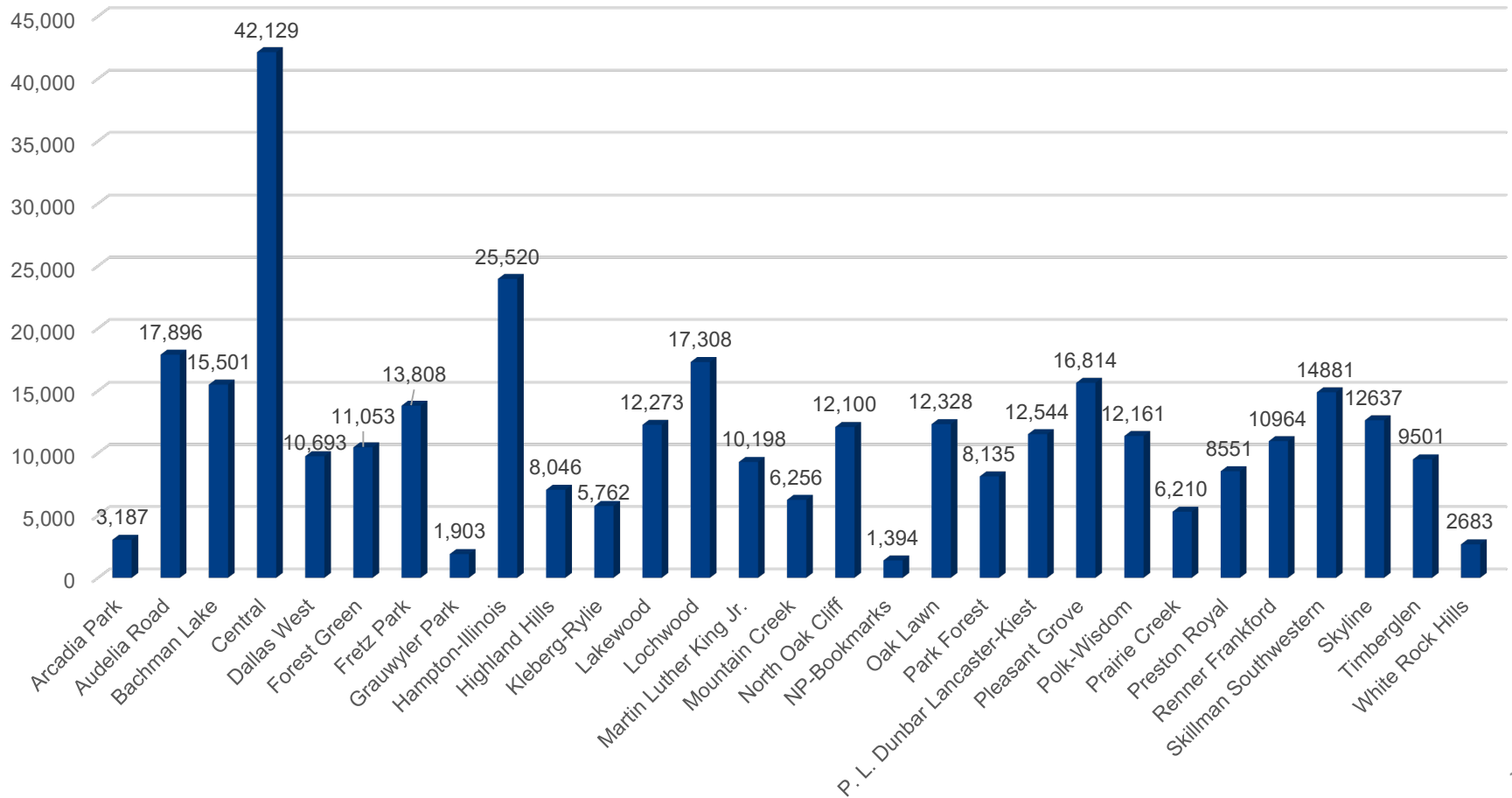
Appendix

Urban Libraries who are Fine-Free

- Columbus Metropolitan Library (OH)
- Dayton Metro Library (OH)
- DC Public Library (Washington, DC)
- Denver Public Library (CO)
- Enoch Pratt Free Library (Baltimore, MD)
- Nashville Public Library (TN)
- Saint Paul Public Library (MN)
- Salt Lake City Public Library (UT)
- San Diego Public Library (CA)
- San Francisco Public Library (CA)
- Tampa-Hillsborough County Public Library (FL)

Appendix

Blocked Customers - All Branch Locations



Memorandum



CITY OF DALLAS

DATE April 4, 2019

TO Honorable Members of the Quality of Life, Arts & Culture Committee: Sandy Greyson (Chair), Mark Clayton (Vice Chair), Rickey D. Callahan, Jennifer S. Gates, Scott Griggs, B. Adam McGough, Omar Narvaez

SUBJECT **Recommended Resolution for Green Energy Policy**

Staff has drafted the attached resolution for consideration by the Quality of Life, Arts and Culture Committee. The proposed resolution documents an initial, clear and aggressive Dallas Green Energy Policy and builds upon our current de-facto energy policy to ensure continued forward momentum and is an important component of and may be updated as part of the on-going Comprehensive Environmental and Climate Change Action Plan initiative endorsed by the Committee and City Council in January.

The City's electricity bill for Fiscal Year 2018 was \$54.2m including both de-regulated retail electricity and regulated (Oncor) transmission and distribution charges. Our current electricity contract with TXU Energy expires May 31st and includes renewable energy credits (RECs) to offset 100% of the City's electricity consumption.

RECs have significantly contributed to the City's greenhouse gas emissions reductions since 2008 when the City first purchased RECs to offset 40% of electricity consumption. Dallas currently ranks #2 on the U.S. Environmental Protection Agency's Green Power Partnership Top 30 Local Government List and ranks #18 on their National Top 100 List (including local, state, and federal agencies as well as the private sector) based on our commitment to green energy as demonstrated by the REC offsets.

On April 10th City Council will consider adoption of the resolution that includes the green energy policy and direction for the City Manager negotiate and execute a new electricity contract that is consistent with the green energy policy. It is important to note that specifications for the electricity contract purposely includes language that the any electricity contract will not preclude the City from developing on- or off-site renewable energy. This is important flexibility needed to support future City efforts to develop renewable energy projects of our own as we transition away from RECs and to more environmentally impactful energy.

The dynamic nature of de-regulated electricity market and state law exemption from public bidding requirements support greater flexibility in the procurement process as contract execution for volumes of our size is typically completed within a couple of hours based on near real-time market prices. Indicative preliminary pricing suggests electricity rate reductions of as much as 14% (approx. \$7.4m annually) based on the

DATE April 4, 2019
SUBJECT Recommended Resolution for Green Energy Policy

length of contract. Tradition Energy, the City's independent third-party energy procurement advisor, is conducting a competitive reverse auction with participation by multiple retail electricity providers. As provided in the resolution, the resulting contract will be consistent with proposed Dallas Green Energy Policy.

Feel free to contact me if you have questions or concerns.



Joey Zapata
Assistant City Manager

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager

Majed A. Al-Ghafry, Assistant City Manager
Jon Fortune, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Laila Alequresh, Chief Innovation Officer
Directors and Assistant Directors

April 10, 2019

WHEREAS, the City of Dallas is committed to energy efficiency and being a good steward of resources in the procurement of energy for municipal operations; and

WHEREAS, the City of Dallas is similarly committed to protecting its residents by reducing emissions, improving regional air quality, and addressing the real consequences of climate change; and

WHEREAS, the City of Dallas achieved a 68% reduction of municipal greenhouse gas (GHG) emissions from 1990 levels by 2017, exceeding a strategic goal of 39% reduction; and

WHEREAS, the municipal emissions reductions were achieved in large part through the procurement of renewable energy, municipal energy efficiency retrofit projects, and on-site renewable energy projects such as landfill gas capture at McCommas Bluff Landfill and co-generation of electricity at Southside Wastewater Treatment Plant; and

WHEREAS, the City of Dallas is the most populous municipality in the United States to use 100% renewable energy according to the U.S. Environmental Protection Agency Green Power Partnership Top 30 Local Government list dated February 5, 2019; and

WHEREAS, the City of Dallas currently achieves its 100% renewable energy usage in part through the purchase of renewable energy credits (RECs); and

WHEREAS, the City of Dallas desires to expand renewable energy use and generation through on- and off-site options; and

WHEREAS, solar or wind energy sources accounted for approximately 18% of the energy generated in Texas last year, and Texas led the nation in wind energy generation and was sixth in solar energy generation; and

WHEREAS, on June 15, 2016, City Council adopted a resolution encouraging the State of Texas to explore changes that would promote “net metering” and the creation of distributed energy districts or additional programs to expand the use of solar power and other renewable green energy sources by Resolution No. 16-0974; and

WHEREAS, on January 23, 2019, City Council adopted a resolution calling for federal action on climate change and continued local efforts to develop a comprehensive environmental and climate action plan with goals that will ensure that the City of Dallas is addressing climate change in a manner that is effective and equitable by Resolution No 19-0223; and

April 10, 2019

WHEREAS, the City of Dallas' comprehensive environmental and climate action plan will chart the path forward towards additional emissions reduction goals that will help ensure that we improve the environment and avoid the most severe impacts of climate change; and

WHEREAS, by adopting a green energy policy through this resolution, the City of Dallas will ensure that emissions reductions achievements to date will continue; and

WHEREAS, the energy policy should be re-evaluated and, as appropriate, updated subject to Dallas City Council approval as part of the comprehensive environmental and climate action plan process and other actions hereby resolved; and

WHEREAS, Texas Government Code Section 252.022 (a)(15), exempts electricity purchases from the standard purchasing procedures; and

WHEREAS, due to the nature of the energy market, an electricity procurement process with greater flexibility is necessary that authorizes the City Manager to negotiate the final process and enter into an electricity services contract; and

WHEREAS, on December 13, 2018, Administrative Action No. 19-5149 authorized the City of Dallas to enter into a consulting contract with TFS Energy Solutions, LLC d/b/a Tradition Energy to provide energy procurement and management advisory services.

Now, Therefore,

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

SECTION 1. That the City of Dallas Green Energy Policy shall read as follows: The City of Dallas is committed to clean and efficient energy use and the commitment is embodied by our use of 100 percent renewable energy for municipal operations. The City of Dallas further recognizes the advantage presented by green energy produced by on- and off-site renewable energy projects. Accordingly, we will seek to sustain and promote renewable energy projects and partnerships that reduce emissions and environmental impacts for the benefit of Dallas residents and the region.

SECTION 2. That the City Manager is hereby authorized to determine the most advantageous proposal and enter into an electricity services contract, approved as to form by the City Attorney, consistent with the adopted City of Dallas Green Energy Policy and the direction presented in Section 1.

April 10, 2019

SECTION 3. That the City Manager (1) examine the feasibility of on- and off-site renewable energy projects at City and other properties; (2) establish a citywide energy management system to include continued benchmarking of municipal energy efficiency efforts and identification of areas for improvement to ensure Dallas remains an energy leader; and (3) continue to explore options to expand the use of renewable energy beyond municipal operations in the Dallas community.

SECTION 4. That this electricity service contract will be designated as Contract No. BSD-2019-00009705.

SECTION 5. 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.



Agenda Information Sheet

File #: 19-339

Item #: 2.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: April 10, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Building Services Department

EXECUTIVE: Joey Zapata

SUBJECT

Authorize **(1)** a resolution establishing the City of Dallas' commitment to the use of clean and efficient energy, the use of 100 percent renewable energy for municipal operations, and to sustain and promote renewable energy projects and partnerships that reduce environmental impacts for the benefit of Dallas residents and the region; and **(2)** the City Manager to determine the most advantageous proposal and enter into an electricity services contract consistent with the adopted City of Dallas Green Energy Policy - Financing: This action has no cost consideration to the City (see Fiscal Information for future potential costs)

BACKGROUND

The City of Dallas has been a leader in addressing climate change and other environmental challenges for several years, and has developed several planning efforts, such as the 2014 Sustainability Plan, the 2014 Balanced Vision Plan, the Neighborhood Revitalization Plan, the Long Range Water Supply Plan and others.

On January 23, 2019, City Council adopted a resolution calling for federal action on climate change and continued local efforts to develop a comprehensive environmental and climate action plan with goals that will ensure that the City of Dallas is addressing climate change in a manner that is effective and equitable by Resolution No. 19-0223.

The City's current electricity contract with TXU Energy Retail Company LLC, expires May 31, 2019. In preparation for a new procurement, the City hired TFS Energy Solutions, LLC dba Tradition Energy, as an independent, third-party procurement advisor to assist the City with procuring the next electricity contract, providing market analysis, and exploring longer-term strategy to provide cost-effective and sustainable power to meet the City's needs and ultimately increase our renewable energy profile.

Texas Government Code Section 252.022 (a)(15), exempts utility purchases from the standard purchasing procedures. The City's typical procurement and approval processes are not utilized due

to the nature of the energy market. Instead, a process with greater flexibility is necessary that authorizes the City Manager to negotiate the final process and enter into an electricity services contract.

Tradition Energy, the City's electricity procurement advisor, will evaluate the final terms for market competitiveness.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Budget, Finance and Audit Committee was briefed on the electricity procurement on June 15, 2015.

On June 17, 2015, City Council authorized the City Manager to negotiate final prices and enter into an electric services contract by Resolution No. 15-1237.

On January 23, 2019, City Council adopted a resolution calling for federal action on climate change and continued local efforts to develop a comprehensive environmental and climate action plan with goals that will ensure that the City of Dallas is addressing climate change in a manner that is effective and equitable by Resolution No. 19-0223.

The Government Performance and Financial Management Committee will be briefed on this item on April 1, 2019.

The Quality of Life, Arts and Culture Committee will be briefed by memorandum regarding this matter on April 8, 2019.

FISCAL INFORMATION

This action has future cost consideration to the City. A reduction in future electricity service costs is anticipated, resulting from a lower rate and implementation of a citywide energy management system and energy efficiency improvements.

Future year appropriations will be established through the annual budget development process, subject to City Council approval.

Estimated future expenditures:

- FY 2018-2019 \$62,228,415.00 (subject to annual appropriations)
- FY 2019-2020 \$62,228,415.00 (subject to annual appropriations)
- FY 2020-2021 \$62,000,000.00 (subject to annual appropriations)
- FY 2021-2022 \$62,000,000.00 (subject to annual appropriations)

April 10, 2019

WHEREAS, the City of Dallas is committed to energy efficiency and being a good steward of resources in the procurement of energy for municipal operations; and

WHEREAS, the City of Dallas is similarly committed to protecting its residents by reducing emissions, improving regional air quality, and addressing the real consequences of climate change; and

WHEREAS, the City of Dallas achieved a 68% reduction of municipal greenhouse gas (GHG) emissions from 1990 levels by 2017, exceeding a strategic goal of 39% reduction; and

WHEREAS, the municipal emissions reductions were achieved in large part through the procurement of renewable energy, municipal energy efficiency retrofit projects, and on-site renewable energy projects such as landfill gas capture at McCommas Bluff Landfill and co-generation of electricity at Southside Wastewater Treatment Plant; and

WHEREAS, the City of Dallas is the most populous municipality in the United States to use 100% renewable energy according to the U.S. Environmental Protection Agency Green Power Partnership Top 30 Local Government list dated February 5, 2019; and

WHEREAS, the City of Dallas currently achieves its 100% renewable energy usage in part through the purchase of renewable energy credits (RECs); and

WHEREAS, the City of Dallas desires to expand renewable energy use and generation through on- and off-site options; and

WHEREAS, solar or wind energy sources accounted for approximately 18% of the energy generated in Texas last year, and Texas led the nation in wind energy generation and was sixth in solar energy generation; and

WHEREAS, on June 15, 2016, City Council adopted a resolution encouraging the State of Texas to explore changes that would promote “net metering” and the creation of distributed energy districts or additional programs to expand the use of solar power and other renewable green energy sources by Resolution No. 16-0974; and

WHEREAS, on January 23, 2019, City Council adopted a resolution calling for federal action on climate change and continued local efforts to develop a comprehensive environmental and climate action plan with goals that will ensure that the City of Dallas is addressing climate change in a manner that is effective and equitable by Resolution No 19-0223; and

April 10, 2019

WHEREAS, the City of Dallas' comprehensive environmental and climate action plan will chart the path forward towards additional emissions reduction goals that will help ensure that we improve the environment and avoid the most severe impacts of climate change; and

WHEREAS, by adopting a green energy policy through this resolution, the City of Dallas will ensure that emissions reductions achievements to date will continue; and

WHEREAS, the energy policy should be re-evaluated and, as appropriate, updated subject to Dallas City Council approval as part of the comprehensive environmental and climate action plan process and other actions hereby resolved; and

WHEREAS, Texas Government Code Section 252.022 (a)(15), exempts electricity purchases from the standard purchasing procedures; and

WHEREAS, due to the nature of the energy market, an electricity procurement process with greater flexibility is necessary that authorizes the City Manager to negotiate the final process and enter into an electricity services contract; and

WHEREAS, on December 13, 2018, Administrative Action No. 19-5149 authorized the City of Dallas to enter into a consulting contract with TFS Energy Solutions, LLC d/b/a Tradition Energy to provide energy procurement and management advisory services.

Now, Therefore,

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

SECTION 1. That the City of Dallas Green Energy Policy shall read as follows: The City of Dallas is committed to clean and efficient energy use and the commitment is embodied by our use of 100 percent renewable energy for municipal operations. The City of Dallas further recognizes the advantage presented by green energy produced by on- and off-site renewable energy projects. Accordingly, we will seek to sustain and promote renewable energy projects and partnerships that reduce emissions and environmental impacts for the benefit of Dallas residents and the region.

SECTION 2. That the City Manager is hereby authorized to determine the most advantageous proposal and enter into an electricity services contract, approved as to form by the City Attorney, consistent with the adopted City of Dallas Green Energy Policy and the direction presented in Section 1.

April 10, 2019

SECTION 3. That the City Manager (1) examine the feasibility of on- and off-site renewable energy projects at City and other properties; (2) establish a citywide energy management system to include continued benchmarking of municipal energy efficiency efforts and identification of areas for improvement to ensure Dallas remains an energy leader; and (3) continue to explore options to expand the use of renewable energy beyond municipal operations in the Dallas community.

SECTION 4. That this electricity service contract will be designated as Contract No. BSD-2019-00009705.

SECTION 5. 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.



Agenda Information Sheet

File #: 19-443

Item #: 21.

STRATEGIC PRIORITY: Quality of Life
AGENDA DATE: April 10, 2019
COUNCIL DISTRICT(S): All
DEPARTMENT: Department of Sanitation Services
EXECUTIVE: Joey Zapata

SUBJECT

Authorize Supplemental Agreement No. 1 to the contract with Fomento de Construcciones y Contratas, S.A. dba FCC, S.A. for operation and management of the City's materials recovery facility (MRF) to **(1)** extend the primary contract term from 15 years to a period of 15 years, plus a period equal to a temporary adjusted host fee period (3 years, with two additional 1-year extension options); **(2)** allow for a temporary adjustment to a portion of the host fees for non-city single-stream recycling tonnage processed at the MRF above contractually guaranteed tons, for a period of three years, with two 1-year renewal options; and **(3)** provide for a Clean Material host fee to be applied to clean pre-segregated material processed at the MRF for a period of three years, with annual extension options for the term of the contract - Estimated Revenue: \$2,010,000.00 (over the extended three-year term)

BACKGROUND

On September 9, 2015, the City Council approved a 15-year contract with Fomento de Construcciones y Contratas, S.A. (FCC) to design, construct, operate and manage a new \$20M+ state of the art materials recovery facility (MRF) at the City's McCommas Bluff Landfill. The contract allows for conditional contract extension options from 1 to 10 years (if both parties agree). The new facility officially began operations on January 2, 2017. FCC processes the recyclable materials collected by the Sanitation Services Department with revenue sharing and at no cost to the City, even if processing costs exceeds the revenue share.

Since beginning operations, the recycling commodity markets have changed considerably. The largest importer of recycling commodities in the world, China, has established tariffs on the import of recyclables, has begun banning certain recyclable imports, and is placing tougher restrictions on importing recyclables that exceed strict contamination limits. These restrictions have created an excess of available material in the market and have caused commodity prices to tumble in the U.S. Additionally, although commodity values are declining, processing costs have increased to meet new export standards.

Although recycling commodity markets have declined in the past, current recycling commodity markets are projected to remain low for an extended period. FCC and other market analysts believe that new global markets and U.S. markets will be able to replace much of the demand for recycling commodities previously filled by China, but it could take several years for this to occur. To remain competitive during this adjustment period and stem ongoing financial losses, FCC has requested temporarily amending their contract related to a portion of the host fees paid to the City for non-City tons processed at the facility. FCC currently pays the City a \$15 per ton host fee on all non-City recycling processed at the facility and FCC guarantees specific annual quantities.

FCC has requested the City consider approving a temporary host fee adjustment period of three years, with two additional 1-year extension options, if market conditions remained depressed. They have requested a variable, market-based host fee that would only be applied to non-City tons above contractually guaranteed tons. The market-based host fee could range from \$3.00 to \$17.50 per ton during the temporary adjustment period. FCC believes that without this amendment, they may not be able to remain competitive and retain several short-term contracts that provide host fee revenues to the City above the guaranteed tons.

FCC has also requested a modified host fee (\$2.50 per ton) that would be applied to clean pre-segregated material processed at the MRF (e.g., clean cardboard that is baled and sold). Due to the current host fee requirements, FCC has not been able to pursue this market segment which could aid in offsetting facility operating costs and provide additional non-City tons above guaranteed volumes.

In consideration for the temporary host fee adjustments, FCC has agreed to extend the current 15-year contract term for an additional three years (18 years total), plus a potential for two more if extensions approved, without additional conditions or changes in base contract terms. They also agreed to guarantee host fee tons of 28,000 annually during the extended period. These guaranteed host fee tons, in addition to annual education fees paid by the contractor, will provide a value of approximately \$2,010,000 to the City over the extended three-year term.

This action will authorize 1) an extension to the primary contract term from 15 years to a period of 15 years, plus a period equal to a temporary adjusted host fee period (3 years, with two additional 1-year extension options); 2) a temporary host fee adjustment period of three years, with two 1-year renewal options for non-City tons above contractually guaranteed tons; and 3) will provide for a Clean Material host fee to be applied to clean pre-segregated material processed at the MRF for period of three years, with annual extension options for the term of the contract. (See Attachment for a more detailed amendment summary.)

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 9, 2015, City Council authorized a fifteen-year contract with conditional extension options from one to ten years for the development, construction, operation and management of a materials recovery facility to process single-stream recycling material at the McCommas Bluff Landfill and a concurrent ground lease agreement for a fifteen-year lease term with conditional extension options from one to ten years with Fomento de Construcciones y Contratas, S.A. dba FCC, S.A. for approximately 15 acres of land located at 5100 Youngblood Road within the McCommas Bluff Landfill by Resolution No. 15-1650.

Information about this item was provided to the Quality of Life, Arts & Culture Committee on February 25, 2019.

FISCAL INFORMATION

Estimated Revenue: \$2,010,000.00

FY2032-33 - \$670,000.00

FY2033-34 - \$670,000.00

FY2034-35 - \$670,000.00

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$2,010,000.00	Revenue	N/A	N/A	N/A
• The Business Inclusion and Development Plan does not apply to Revenue contracts.				

OWNER

Fomento de Construcciones y Contratas, S.A. dba FCC, S.A.

Esther Alcocer Koplowitz, President

Pablo Colio Abril, Chief Executive Officer

Francisco Vincent Chulia, Secretary

Miguel Martinez Parra, Director of Administration and Finance

**Attachment
Supplemental Agreement No. 1 – FCC Recycle Processing Services Contract
Key Contract Terms**

Supplemental Agreement No. 1 – changes in bold

- Material Recovery Facility Background
 - FCC Recycle Processing Services contract approved on September 9, 2015
 - FCC to design, build, operate and manage a new material recovery facility at the City’s McCommas Bluff landfill
 - Land at McCommas Bluff Landfill made available for the facility
 - FCC invested over \$20M in building the new facility
 - The term for the operation and management of the facility commenced on January 1, 2017 for a 15-year term (to 2032) with options to renew at mutually agreed upon terms for up to an additional 10 years.

- Host Fee on Non-City Tons (**Supplemental Agreement No. 1 Amendments**)
 - FCC pays a \$15 per ton host fee on all non-City tons processed at the facility
 - Subject to annual CPI increases
 - Year 1 guarantee of 5,000 tons (*no change*)
 - Year 2 guarantee of 10,000 tons (*no change*)
 - Year 3 guarantee of 15,000 tons (*no change*)
 - Year 4 - 15 guarantee of 28,000 tons per year (*no change*)
 - **For a period of three years, beginning this contract year (year 3), any mixed/single stream recycling tons above the guaranteed host fee tons, will apply a host fee based monthly recycling commodity market conditions.**
 - **This amendment would allow for two additional 1-year extensions based upon market conditions at the end of the 3-year period**
 - **City Manager’s approval required for annual extensions of the reduced rates**
 - **Variable host fee rates established based on monthly blended values**
 - **Host fee would range from \$3.00 - \$17.50 per ton**

Monthly Blended Value for such month (based on average monthly actual sales price)	Applicable Host Fee for such month (Per Ton)
\$110.00 or more	\$17.50
\$105.00 - \$109.99	\$15.00
\$100.00 - \$104.99	\$12.50
\$95.00 - \$99.99	\$10.00
\$90.00 - \$94.99	\$7.50
\$85.00 - \$89.99	\$5.00
\$80.00 - \$84.99	\$4.00
Below \$80.00	\$3.00

- **For a period of 3 years, beginning this contract year (year 3) any clean pre-segregated material could be processed at the facility with a Clean Material host fee of \$2.50 per ton. Clean pre-segregated material (e.g., clean warehouse cardboard) is minimally processed, essentially baled and sold by FCC.**

Supplemental Agreement No. 1 –changes in bold (continued)

- ***This amendment would allow for annual renewals for processing of this new commodity for the term of the contract***
- ***City Manager’s approval required for annual renewal***
- Contract Term (***amendments***)
 - 15-year primary contract term, with concurrent ground lease
 - Extension options from 1 - 10 years. No more than 10 years total
 - At the termination of the contract, the building ownership transfers to the City. Equipment ownership is maintained by FCC
 - Estimated \$22.8M in revenue over the 15-year contract term
 - Based on revenue share to City, education contribution and guaranteed host fee revenues (non-guaranteed host fee tons not included)
 - ***3-year extension of primary contract term with no changes in base contract***
 - ***FCC has agreed to guarantee 28,000 tons of non-City tons for each year of the 3-year contract extension***
 - ***Estimated additional revenue - \$1.3M***
 - ***For any extension options related to processing mixed recyclables, in addition to the proposed three years, the primary contract term will be extended by an equal amount with continued guaranteed annual tons and no other base contract changes***
- Processing cost and Revenue Share (***no changes***)
 - \$70.84 per ton processing fee (subject to annual CPI increases)
 - 50/50 revenue share on sale of commodities
 - If processing costs exceeds revenue share, the City does not pay
- Public Education Contribution (***no changes***)
 - FCC pays \$1 per household per year (based on 250k homes) to be used for the City’s outreach and education efforts (***\$750,000 in value over 3-year extended term***).



Agenda Information Sheet

File #: 19-284

Item #: 33.

STRATEGIC PRIORITY: Quality of Life
AGENDA DATE: April 10, 2019
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Cultural Affairs
EXECUTIVE: Joey Zapata

SUBJECT

Authorize **(1)** the acceptance of four grants from the Texas Commission on the Arts (Grant Nos. 19-44179, 19-44363, 19-44373, 19-44361) in an amount not to exceed \$32,000.00 to provide cultural services for the period September 1, 2018 through August 31, 2019; **(2)** a local 1:1 match in the amount of \$32,000.00; **(3)** the receipt and deposit of funds in an amount not to exceed \$32,000.00 in the Texas Commission on the Arts-Arts Create Grant 18-19 Fund; **(4)** the establishment of appropriations in an amount not to exceed \$32,000.00 in the Texas Commission on the Arts-Arts Create Grant 18-19 Fund; and **(5)** the execution of the grant agreements and all terms, conditions, and documents required by the grant agreements - Total not to exceed \$64,000.00 - Financing: Texas Commission on the Arts Grant Funds (\$32,000.00) and General Fund (\$32,000.00)

BACKGROUND

The Office of Cultural Affairs applied for Texas Commission on the Arts (TCA) funding for Fiscal Year 2018-19 through the Arts Create program for administrative, operational and/or program support for presentation, promotion or production of artistic disciplines. TCA has notified the City of Dallas Office of Cultural Affairs (OCA) that the following grant awards have been recommended for funding:

- \$6,000 through the Arts Create program for the Bath House Cultural Center programs and artist services.
- \$5,000 through the Arts Create program for the Latino Cultural Center programs and artist services.
- \$8,000 through the Arts Create program for the South Dallas Cultural Center programs and artist services.
- \$13,000 through the Arts Create / Core Support Programs for the Office of Cultural Affairs programs and artist services.

The TCA grants require a 1:1 match for which no new funds will be required. OCA will meet the TCA's requirements for the match with its General Fund appropriation in the previously approved FY 2018-19 budget.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 28, 2018, City Council authorized acceptance of grants from the Texas Commission on the Arts to provide cultural services for the period September 1, 2017 through August 31, 2018, by Resolution No. 18-0441.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on April 8, 2019.

FISCAL INFORMATION

Texas Commission on the Arts Grant Funds - \$32,000.00
General Fund - \$32,000.00



Agenda Information Sheet

File #: 19-377

Item #: 39.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: April 10, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for animal identification microchips for the Department of Dallas Animal Services - Pethealth Services USA, Inc., lowest responsible bidder of five - Estimated amount of \$146,250 - Financing: General Fund

BACKGROUND

This action does not encumber funds; the purpose of a master agreement is to establish firm pricing for goods, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This master agreement will provide for the purchase of animal identification microchips for the Department of Dallas Animal Services (DAS). DAS microchips approximately 15,000 animals per year which includes both resident requests for microchipping of their pets and animals that are adopted from DAS. On June 14, 2017, City Council authorized an amendment to Chapter 7 of the Dallas City Code replacing pet registration with mandatory microchipping. It's necessary to ensure every pet adopted through the Department of Dallas Animal Services has met this requirement, as well as, offering low cost microchipping of pets to the residents of Dallas.

As part of the solicitation process and in an effort to increase competition, the Office of Procurement Services used its procurement system to send out 284 email bid notifications to vendors registered under respective commodities. To further increase competition, the Office of Procurement Services 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, the Office of Business Diversity sent notifications to 25 chambers of commerce and advocacy groups to ensure maximum vendor outreach.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life, Arts, and Culture Committee on April 8, 2019.

FISCAL INFORMATION

General Fund - \$146,250.00 (Estimated amount)

FY 2018-19 \$24,375.00

FY 2019-20 \$48,750.00

FY 2020-21 \$48,750.00

FY 2021-22 \$24,375.00

M/WBE INFORMATION

In accordance with the City’s Business Inclusion and Development Plan adopted on October 22, 2008, by Resolution No. 08-2826, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Category	M/WBE Goal	M/WBE %	M/WBE \$
\$146,250.00	Goods	N/A	N/A	N/A
• M/WBE goal waived due to no M/WBE availability				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Low Bid	<ul style="list-style-type: none"> • Recommended vendor is based on the lowest competitive quoted price, who is also technically and financially capable of performing and completing the contract, and otherwise meets all material specification requirements • Negotiations are not allowed
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The Office of Procurement Services received the following bids from solicitation number BT1901. We opened them on January 11, 2019. We recommend the City Council award this master agreement in its entirety to the lowest responsive and responsible bidder.

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Pethealth Services USA, Inc.	3315 Algonquin Rd. Rolling Meadows, IL 60008	\$146,250.00
American Kennel Club Companion Animal Recovery	8051 Arco Corporate Dr. Suite. 200	\$168,750.00

Corp. dba AKC Reunite	Raleigh, NC 27617	
Intervet, Inc. dba Merck Animal Health	2 Giralda Farms Madison, NJ 07940	\$200,250.00
Datamars, Inc.	1110 Industrial Blvd. Temple, TX 76504	\$281,250.00
Michelson Found Animals	8885 Venice Blvd. Suite 101 Los Angeles, CA 90034	Non-responsive**

**Michelson Found Animals was deemed non-responsive due to not meeting specifications.

OWNER

Pethealth Services USA, Inc.

Sean Smith, President
Michelle Cole, Vice President



Agenda Information Sheet

File #: 19-434

Item #: 40.

STRATEGIC PRIORITY: Quality of Life

AGENDA DATE: April 10, 2019

COUNCIL DISTRICT(S): 3

DEPARTMENT: Park & Recreation Department

EXECUTIVE: Willis C. Winters

SUBJECT

Authorize a Project Specific Agreement with Dallas County, County Transportation Major Capital Improvement Projects 40227, for trail design and construction of the FM 1382 Sidepath Trail from Camp Wisdom Road to Mansfield Road - Financing: This item has no cost consideration to the City (see Fiscal Information for future estimated costs)

BACKGROUND

This action will authorize a Project Specific Agreement (PSA) with Dallas County to establish the terms for the design, right-of-way acquisition, and other responsibilities for the approximately 1.25 miles of trail along FM 1382 (Belt Line Road) from Camp Wisdom Road to Mansfield Road (Exhibit A). This project will provide a vital multimodal transportation connection on the Regional Veloweb identified in the North Central Texas Council of Government’s Mobility 2040 trail network. This project is one segment of the Veloweb passing through the City of Grand Prairie, City of Dallas, and City of Cedar Hill. This segment of the Veloweb will provide access to employment, residential areas, schools, parks, and commercial centers.

Under coordination by, and as project lead, Dallas County is currently designing and constructing multiple trail projects which connect to the proposed FM 1382 Sidepath Trail. To the north, Dallas County is designing a trail through Grand Prairie adjacent to Camp Wisdom Road. To the south, Dallas County is coordinating with the City of Cedar Hill to construct a trail on FM 1382 (Belt Line Road). Between these two projects an approximately 1.25-mile section of proposed trail passes through the City of Dallas on FM 1382. To make this multi-city trail network connection, Dallas County needs to enter into a PSA with the City of Dallas. Dallas County will fund and manage the design and construction of the project, including obtaining the necessary right-of-way acquisition required for the project. There will be no cost to the City. The total project budget is just over \$2,325,000.00. Upon completion of the project the City will manage, operate, and maintain the trail within the City limits as part of its trail network. Once completed, the FM 1382 Sidepath Trail will be the southernmost active trail in the City of Dallas.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On March 21, 2019, the Park and Recreation Board authorized a Project Specific Agreement with Dallas County.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on April 8, 2019.

FISCAL INFORMATION

This item has no cost consideration to the City. Future estimated costs for operation and maintenance is \$29,320.00 beginning in Fiscal Year 2021-22.

MAP

Attached



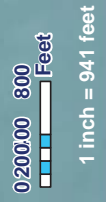
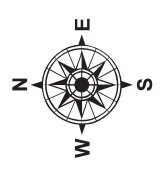
Proposed Trail Connection between Camp Wisdom Rd Trail and FM 1382 Trail

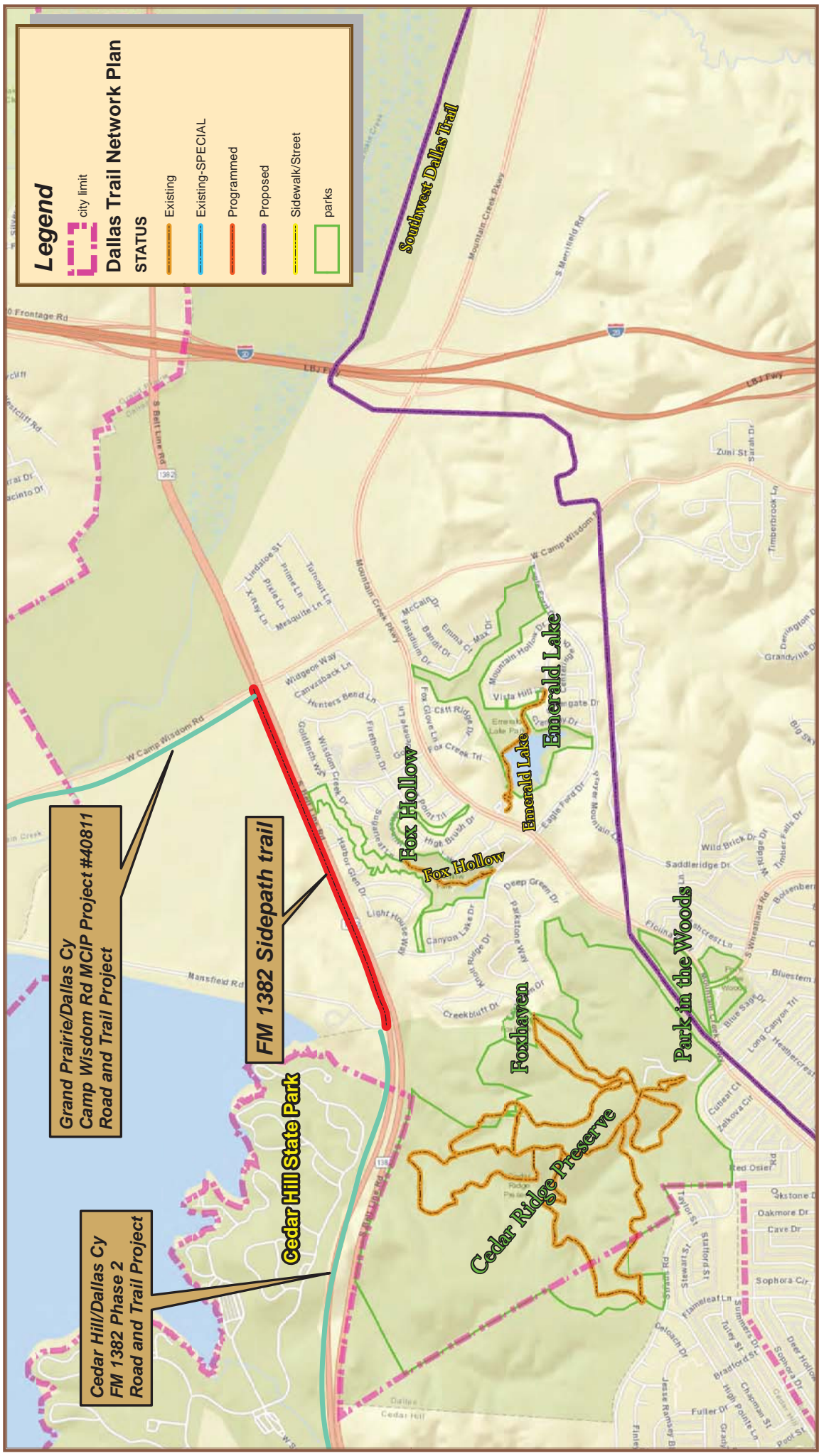
Exhibit A



DALLAS COUNTY PUBLIC WORKS
 Disclaimer : This map is for reference use only.

PROJECT LENGTH : approx. 1.25 miles





Legend

city limit

Dallas Trail Network Plan

STATUS

- Existing
- Existing-SPECIAL
- Programmed
- Proposed
- Sidewalk/Street
- parks

Grand Prairie/Dallas Cy
Camp Wisdom Rd MCIP Project #40811
Road and Trail Project

Cedar Hill/Dallas Cy
FM 1382 Phase 2
Road and Trail Project

FM 1382 Sidepath trail

Cedar Hill State Park

Fox Hollow

Fox Hollow

Foxhaven

Cedar Ridge Preserve

Emerald Lake

Emerald Lake

Park in the Woods



FM 1382 Sidepath trail