

Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the Dallas City Council

SUBJECT **Amendments to Chapter 5, "Aircraft and Airports" of the Dallas City Code**

On the April 25, 2018 Council Agenda, the City Council authorized an amendment to Chapter 5, "Aircraft and Airports", of the Dallas City Code implementing a General Aviation (GA) Landing Fee effective July 1, 2018.

Since its passage, the Aviation Department staff has received a considerable amount of questions and feedback from the GA community at Dallas Love Field that had not been aired previously. The Aviation Department staff anticipated the notification process was sufficient as the subject had been discussed and posted publicly, however, more consultation with GA users is needed. Additionally, per the FAA Compliance Manual Chapter 18, 18.6.b. Consultation:

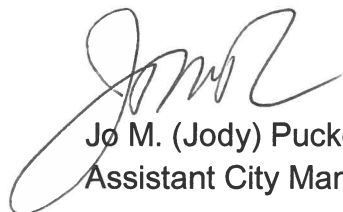
"As provided for in the *Rates and Charges Policy*, DOT encourages adequate and timely consultation with users prior to implementing rate changes. To permit aeronautical users time to evaluate proposed rate changes, consultation should be well in advance, if practical, of introducing significant changes in charging systems, procedures or level of charges."

Out of an abundance of caution to remain in compliance with the FAA, the Aviation Department recommends delaying the collection of the GA Landing Fee to October 1, 2018. In the interim, Aviation Department staff will continue to consult with GA users to review in greater detail the Airfield O & M budget, sources of revenue to offset the expenses, the basis for establishing the fee and the rate methodology developed by the airports financial adviser, Unison Consulting. We are sure to have many meetings throughout the interim period, however, Aviation Staff is currently scheduled to attend the next meeting of the Love Field Pilot's Association on July 10, 2018.

As you know, the GA Landing Fee was proposed to offset costs to cover airfield operations, maintain aging pavement and to ensure that the GA users paid their fair share given the increased airfield traffic. The airfield operations and maintenance budget for FY18 is \$20.1M. The Landing Fee was calculated by Annual Airfield Requirement (airfield costs less airfield revenues) divided by Total Landed Weight of Signatory Airlines. The commercial airlines currently pay \$2.20 (signatory) and \$2.75 (non-signatory) per 1,000lbs which is budgeted at approximately \$19.5M in revenue for FY18. The GA users pay fuel flow fees only to the airport budgeted at approximately \$1.3M in revenues for FY18. The General Aviation Fee will be calculated using the rates and charges model on an annual basis in a similar manner that the Signatory Airlines rate is established.

DATE June 22, 2018
SUBJECT Upcoming Agenda Items: Amendments to Chapter 5, "Aircraft and Airports" of the Dallas City Code

Please feel free to contact Mark Duebner, Director of Aviation, if you have any questions or concerns.



Jo M. (Jody) Puckett
Assistant City Manager (Interim)

c: T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billerae Johnson, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizer Tolbert, Chief of Staff to the City Manager
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Jon Fortune, Assistant City Manager
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Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

Memorandum



DATE June 22, 2018
TO Honorable Mayor and Members of the City Council
SUBJECT **City License Applications**

Attached is a list of the most recent Dance Hall and/or Sexual Oriented Business applications received for the weeks of June 8-June 15, 2018 and June 15-June 21, 2018 by the Strategic Deployment Bureau Licensing Squad of the Dallas Police Department.

Please have your staff contact Sergeant Lisette Rivera, #7947 at (214) 670-4811 and/or by email at lisette.rivera@dpd.ci.dallas.tx.us should you need further information.



Jon Fortune
Assistant City Manager

[Attachment]

cc: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billerae Johnson, City Secretary (Interim)
Daniel F. Solis, Administrative Judge
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Directors and Assistant Directors

Weekly License Application Report

June 8, 2018 - June 15, 2018

<i>BEAT</i>	<i>DIST.</i>	<i>NAME OF BUSINESS</i>	<i>ADDRESS</i>	<i>LICENSE</i>	<i>STATUS</i>	<i>LATE HOUR</i>	<i>DATE</i>	<i>APPLICANT</i>
322	7	Event Center	3222 S. Buckner Blvd	DH-CLASS A	RENEWAL	YES	6/08/2018	Erika Ortega
414	1	Los Sapitos	325 E. Jefferson Blvd	Billiard Hall	RENEWAL	YES	6/13/2018	Raul Estrada
443	4	Los Sapitos	2260 W. Illinois Ave	Billiard Hall	RENEWAL	YES	6/13/2018	Raul Estrada

License Definitions: ***DH - Class "A" -Dance Hall - Dancing Permitted 3 Days Or More A Week***
DH - Class "B" Dance Hall - Dancing Permitted Less Than Three Days a Week
DH - Class "C" Dance Hall - Dancing Scheduled One Day At A Time
DH - Class "E" Dance Hall - Dancing Permitted Seven Days A Week for Persons Age 14 through Age 18 Only
LH - Late Hours Permit - Can Operate A Dance Hall Until 4:00
BH - Billiard Hall - Billiards Are Played
SOB - Sexually Oriented Business - Adult Arcade / Adult Book/Video Store / Adult Cabaret / Adult
Adult Theater / Escort Agency / Nude Model Studio

Friday, June 15, 2018

Page 1 of 1

Weekly License Application Report

June 15, 2018 - June 21, 2018

<i>BEAT</i>	<i>DIST.</i>	<i>NAME OF BUSINESS</i>	<i>ADDRESS</i>	<i>LICENSE</i>	<i>STATUS</i>	<i>LATE HOUR</i>	<i>DATE</i>	<i>APPLICANT</i>
222	7	TIGER CABARET	9125 E R L THORNTON F	SOB-CABARE	RENEWAL	NO	6/15/2018	IOANNIS MANETTAS
512	6	silver city cabaret	7501 N Stemmons	SOB-CABARE	RENEWAL	NO	6/19/2018	Langan, Eric
114	14	LOS DOS REALES	108 N FUTZHUGH AVE	DH-CLASS A	RENEWAL		6/20/2018	FACUNDO, JUANITA

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Adult Theater / Escort Agency / Nude Model Studio***

Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **June 27, 2018 Addendum Items – Dockless Vehicles Ordinance and Motor Assisted Scooter Ordinance**

On June 27th, the City Council will take action on two addendum items from the Department of Transportation. One of the items is an ordinance amending Chapter 43, “Streets and Sidewalks”, of the Dallas City Code by adding a Dockless Vehicle Permit. The second item is an ordinance amending Chapter 28, “Motor Vehicles and Traffic”, of the Dallas City Code, to allow motor assisted scooters to be operated on City owned property, and in the public right-of-way.

The Mobility Solutions, Infrastructure and Sustainability Committee has considered these items a number of times since late 2017, and the full City Council was briefed on June 6, 2018. Several councilmembers raised concerns about these items during the briefing and staff has made every effort to address those issues. Staff responses can be seen in the attached memorandum that was sent on June 21, 2018.

If you have any questions or need additional information, please contact Michael Rogers, Director of the Department of Transportation, or myself.

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

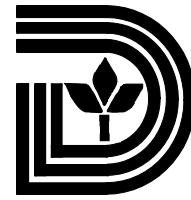
Majed Al-Ghafry
Assistant City Manager

[Attachment]

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Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Dockless Vehicle and Motorized Scooter Briefings and Ordinances**

On June 6, 2018 the Department of Transportation briefed the City Council on the Dockless Vehicle and Motorized Scooter Ordinances. The briefing raised several concerns by the Council Members. Those items, with Staff response are listed below.

OPERATIONAL CONCERNS

1. *Knowing the number of bikes for each operator*

Staff requested and received the number of bikes from each operator. The responses in the table are direct quotes from the operators:

Operator	Number of Current Bikes	Anticipated Number of Bikes to be Permitted
Lime	3,020	See footnote ¹
MoBike	Less than 1,000	No response received
Ofo	5,000 (exactly)	"To be determined based on regulations set forth"
Spin	250	No response received
VBike	996	1,000

2. *Knowing the number of bikes in specific zones*

We received distribution maps from three of the five operators. Please refer to Appendix A for heat maps provided in the previous briefing.

3. *Knowing the number of bikes in the city at any given time*

As a part of acquiring a permit, operators will provide access to their fleet data for assigned City staff.

4. *Requiring bikes to be deployed in designated areas*

Dockless vehicles may only be deployed:

- On sidewalks that are 8' or wider and must allow a minimum of 4' of clear passage
- In designated vehicle parking (physical or geo-fenced)
- At bike racks
- Only at trailheads

¹ "Lime uses dynamic data about user patterns to evaluate its deployment locations daily. Lime will continue to evaluate the market demand, weather, and evolving mobility climate in Dallas. Recently, Lime reduced its fleet to make room for innovative e-mobility products once the ordinance is adopted. Our multi-modal fleet will increase moderately; we anticipate deploying 500 scooters initially and will adjust deployment based on demand patterns."

DATE June 21, 2018
SUBJECT Dockless Vehicle and Motorized Scooter Briefings and Ordinances

- Other designated areas as agreed upon by the City and dockless vehicle operators
5. *Requiring bikes to be parked on the sidewalk edge*
There is not language requiring the bikes to be parked on the sidewalk edge. However, bikes will be deployed as stated in Item 4. Bikes must be rebalanced every seven days unless in a residential area where they will be rebalanced every 48 hours. If the user leaves the bike in an unapproved area, operators are expected to rebalance/relocate bikes upon notification:
- Within 2 hours during business hours
 - Within 12 hours all other times
6. *Sidewalk bike riding in high density/high use areas*
The boundary of the sidewalk riding restriction will be expanded to include the entirety of downtown bounded by Woodall Rodgers, 345, I30, and I35E. Additional areas, such as Deep Ellum, will be included based on Council Member recommendations.
7. *Employing the homeless to rebalance bikes*
Staff will continue to have conversations with Homeless Solutions on this matter. No other recommendations will be presented at this time.
8. *Retrieving stolen bikes*
Operators must report theft of property to DPD. Staff will continue to have conversations with DPD and the operators on this issue. No other recommendations will be presented at this time.

REGULATORY CONCERNS

1. *Considering docked systems versus dockless systems*
The MSIS Committee was briefed in June 2016 on the costs related to a docked bike share system. Downtown Dallas Inc. developed a cost estimate of \$6.1 million over five years. These costs were deemed to be infeasible. Staff is open to considering docked and dockless systems, and the proposed ordinance allows for both.
2. *Citation enforcement and company compliance with the ordinance*
The proposed program will include enforcement staff to ensure compliance with guidelines outlined in the ordinance. There will also be a third-party audit to ensure operators are in compliance with permit requirements. Failure to comply could lead to permit revocation or the permit not being renewed. The ordinance provides several mechanisms to hold the operator accountable:
- Operators will be billed for all costs if City staff must remove/relocate vehicles
 - Third-party audit will confirm compliance with the number of permitted vehicles
 - Operators who are repeatedly in violation of the ordinance will face revocation of their permit or will not be allowed to renew
3. *Rules related to children renting bikes*
It is legal for children to ride bikes in the City of Dallas. Operators require riders to be 18 years of age. The City cannot enforce private company's rules and regulations.

DATE June 21, 2018
SUBJECT Dockless Vehicle and Motorized Scooter Briefings and Ordinances

4. *Concerns about if and when City parking enforcement staff remove/rebalance bikes*
City parking enforcement staff will remove/relocate any bikes that serve as an immediate safety hazard. For other instances, the operators will be contacted to address the situation.
5. *Accountability for companies improperly managing fleets*
The ordinance provides several mechanisms to hold the operator accountable:
 - Operators will be billed if City staff must remove/relocate vehicles
 - Third party audit to confirm compliance with the number of permitted vehicles
 - Operators who are repeatedly in violation of the ordinance will face revocation of their permit or will not be allowed to renew

COST RELATED ISSUES

1. *Increasing the amount of the Performance Bond*
The Performance Bond shall be \$10,000 per operator.
2. *Levying fines for bikes left in inappropriate places*
There is a process in place prior to levying fines. The operator will be notified of the violation. If the operator does not address the issue, the City will take the appropriate action and bill the operator for their time. Repeated violations of the ordinance upon conviction will result in a fine not to exceed \$500 per event.
3. *Consideration of a Franchise versus Permit Structure*
 - Permit option provides greater ability to enforce the ordinance
 - Permits can be issued and administered by staff
 - Franchise agreements are much more difficult to revoke
 - Please see Appendix B for additional information.
4. *Reviewing concerns about fee structure cost recovery estimate being too low*
After further reviewing the fee study, it was determined that full cost recovery for four dedicated parking enforcement staff would be \$30 per bike, as seen in Option 2. The model presented to the MSIS Committee is below as Option 1. Council Members discussed the idea of cross-training all parking enforcement staff. Staff recommends Option 1 while adding the cross-training of all parking enforcement staff.

Option 1: Two Parking Enforcement Staff (Staff's recommended option)

- Initial application fee: \$808
- Application renewal fee: \$404
- Annual per vehicle fee: \$21
- Tiered fee structure charging 100% of each range
- Performance Bond of \$10,000 per operator

Option 2: Four Parking Enforcement Staff

- Initial application fee: \$783
- Application renewal fee: \$391
- Annual per vehicle fee: \$30
- Tiered fee structure charging 100% of each range

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- Performance Bond of \$10,000 per operator
5. *Including Dallas Police Officers involvement in enforcement*
Dallas Police Department enforces City, State, and Federal law. This ordinance is City Code and is enforced by City staff.
 6. *Two parking enforcement staff not being enough*
The program will include two dedicated parking enforcement staff, and all parking enforcement staff will be trained to address Dockless Vehicle Ordinance related issues. The model presented will be evaluated for a 9-month period after implementation, and staff will present amendments, if necessary, at the one-year anniversary for adoption by the City Council.

DATA CONCERNS

1. *Proper Data Reporting by companies to the City of Dallas*
The proposed ordinance includes requirements on providing ridership data to the City on a regular basis. Failure to comply with this requirement can lead to permit revocation or not renewing the permit.
2. *Process for auditing Data received from bike companies for accuracy*
The City will hire a third-party auditor to conduct regular audits of the number of bikes permitted by the operators.

ADDITIONAL CONCERNS

1. *Bidding out to Companies, instead of an open pilot*
Dockless Vehicle sharing was introduced to the Mobility Solutions, Infrastructure and Sustainability Committee (MSIS) on August 14, 2017. Staff received direction to start pilot program to:
 - Allow dockless bike share companies to operate
 - Monitor operations to identify possible regulatory requirements
 - Review data for route planning and infrastructure needs
2. *Bilingual access to materials*
Operators will be asked to provide Spanish translation on their websites, smart phone applications, and dockless vehicles.

REGARDING MOTORIZED SCOOTERS

1. *Not allowing scooters on sidewalks*
The requirements for scooters will mirror those for dockless bikes.
2. *Regulating speed*
The operators will be asked to inform riders of safety regulations including maintaining safe operating speeds. Scooters are designed to not perform speeds over 15 mph.
3. *Comparing to speed of motorized wheelchairs*
Motorized wheelchairs can travel at 10mph.
4. *Bike Share Lane usage*
This item will be considered as the City expands its bike lane network.

DATE June 21, 2018
SUBJECT Dockless Vehicle and Motorized Scooter Briefings and Ordinances

5. *Public Safety Announcement- Rider Education*

Safely sharing the road will be included in Public Safety Announcement.

6. *City identifies deployment locations*

- Dockless vehicles may only be deployed:
 - On sidewalks that are 8' or wider and must allow a minimum of 4' of clear passage
 - In designated vehicle parking (physical or geo-fenced)
 - At bike racks
 - Only at trailheads
 - Other designated areas as agreed upon by the City and dockless vehicle operators

7. *New version of ordinance and fee incorporating Motorized Scooters*

The fee has been increased to accomplish full cost recovery and motorized scooters were taken into consideration in the study and fee structure.

Thank you for your questions and valuable input. For additional questions and comments please contact me.



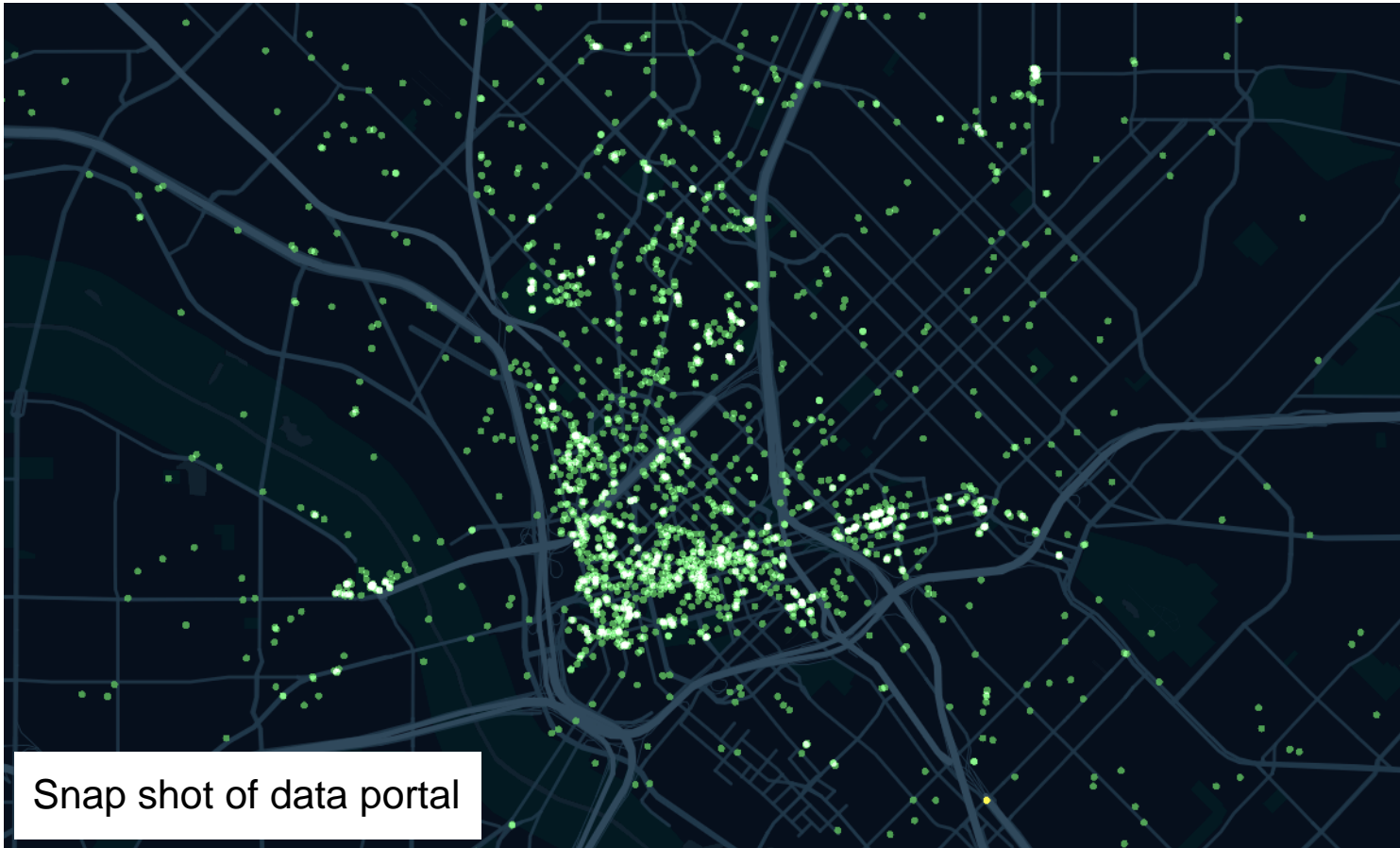
Majed Al-Ghafry
Assistant City Manager

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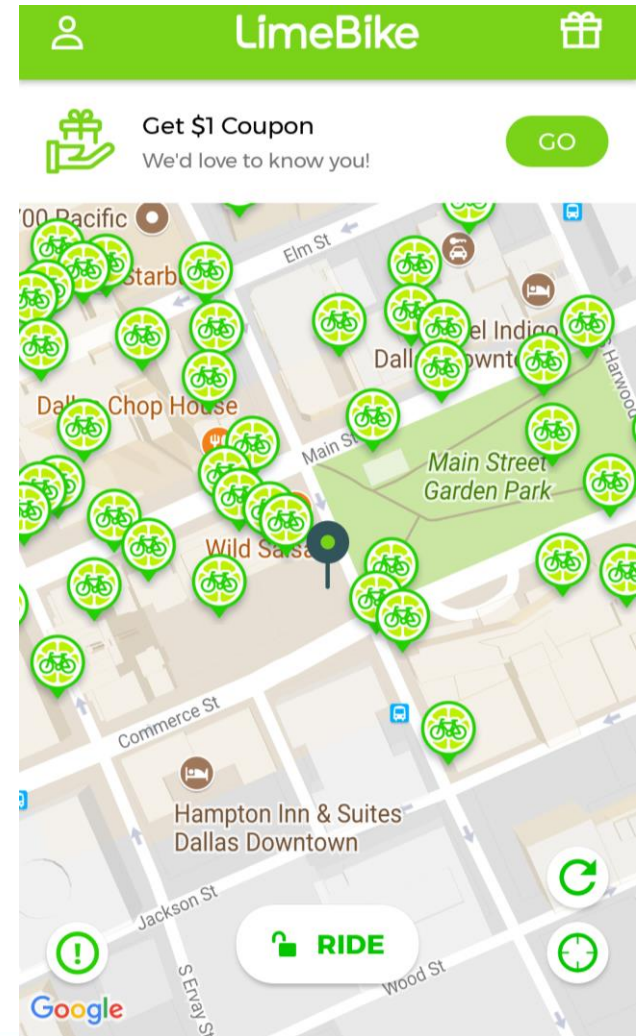
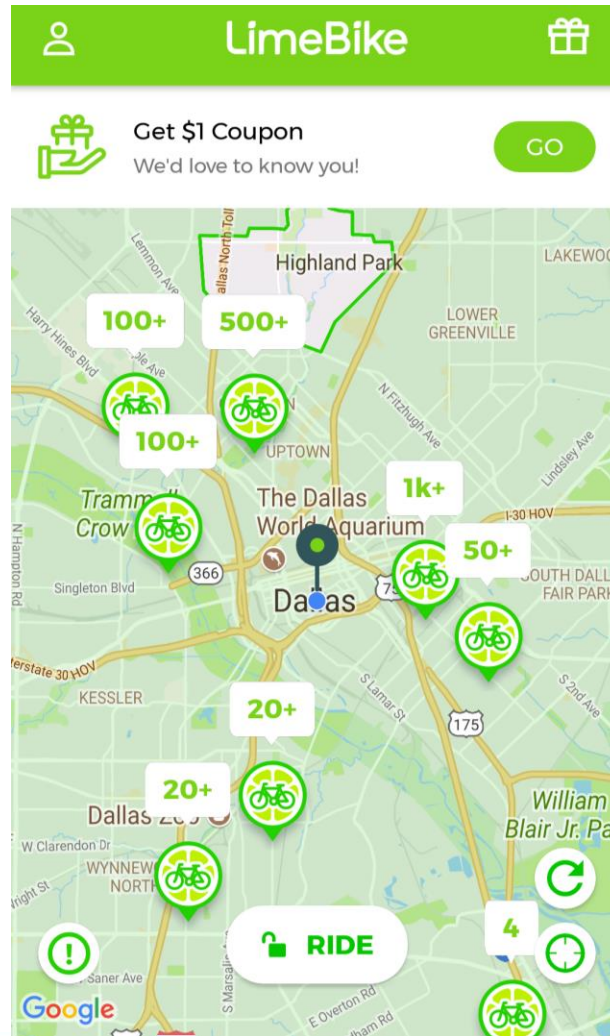
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Appendix A: Data From Operators



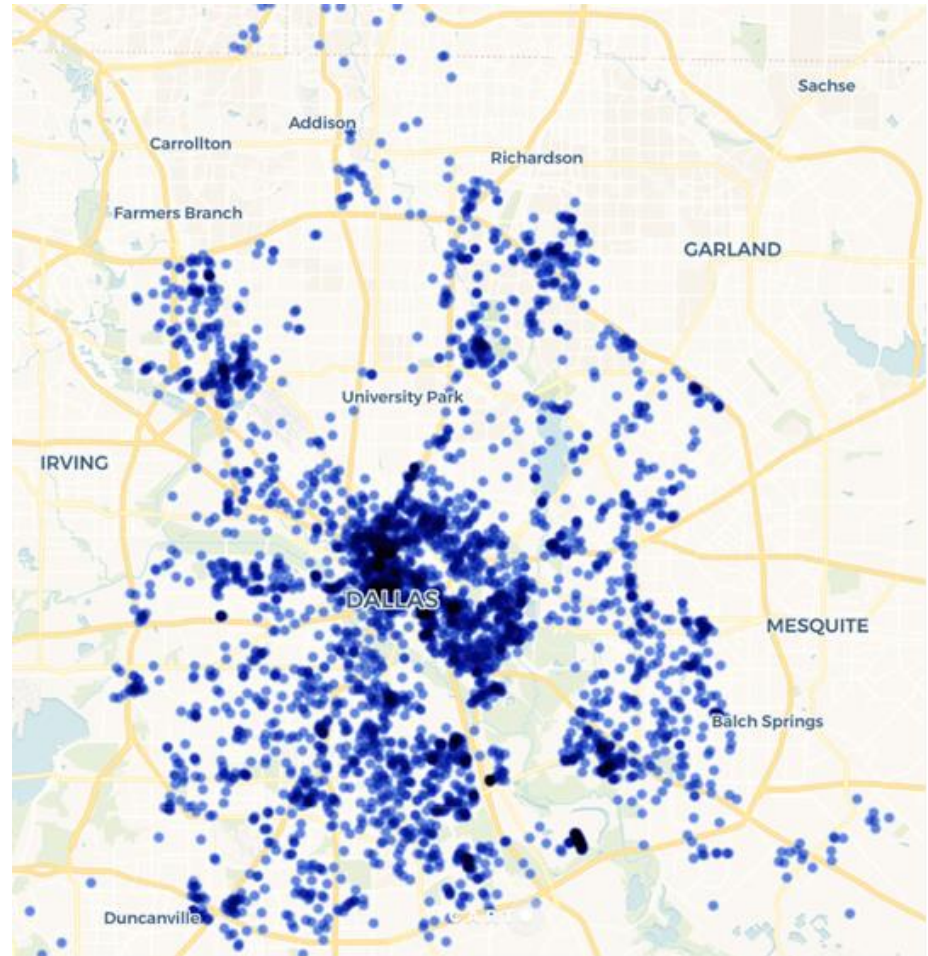
Appendix A: Data From Operators

- Application interface



Appendix A: Data From Operators

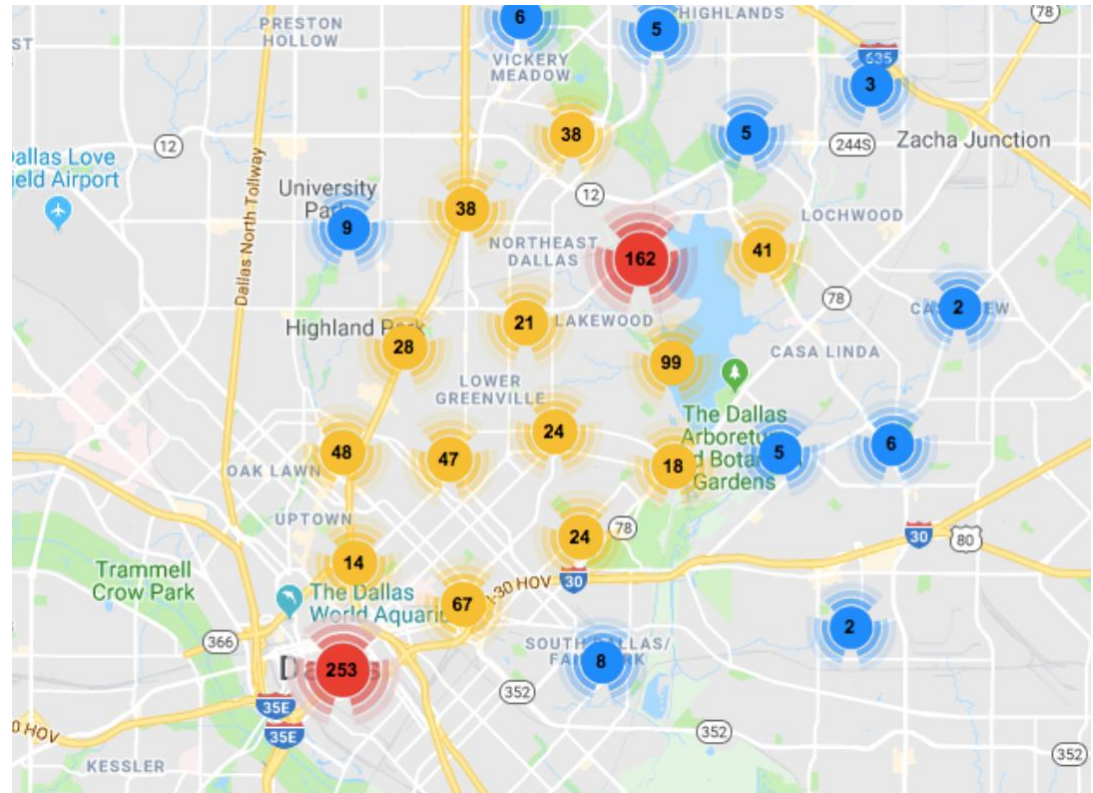
- Snap shot of bicycle distribution



Information provided by Ofo

Appendix A: Data From Operators

- Snap shot of bicycle distribution



Information provided by VBikes

Appendix B

Permitting Right-of-Way

- Texas Transportation Code § 316.021: “A municipality may permit and prescribe the consideration and terms for the use of a portion of a municipal street or sidewalk for private purposes if the use does not:
 - Interfere with the public use of the street or sidewalk; or
 - Create a dangerous condition on the street or sidewalk.
- Permits can be issued administratively by staff following the guidelines in the Dallas City Code.
- Permits can be suspended or revoked by staff for noncompliance with the terms of the permit and the requirements of the Dallas City Code.
- An applicant whose permit is denied, or a permittee whose permit is suspended or revoked may appeal that decision to the permit and license appeal board within 10 days of receiving notice of the city’s decision.
- The ability to suspend or revoke a permit will likely be a much more effective enforcement tool than writing citations.

Franchising Right-of-Way

- Franchises are governed by Chapter XIV of the City Charter and Texas Civil Statutes Art. 1175.
- Each franchise must be granted by ordinance.
 - Each dockless vehicle service provided would have its own franchise ordinance.
 - The franchise can be a template agreement such as was used with the waste hauler franchises.
- Each franchisee is required to pay no less than four percent of its gross receipts to the city.
- Any changes in the rates charged by a franchisee requires a rate hearing before city council which requires the City perform an annual audit to determine franchise fees, though the City Council has the discretion to allow rates to be determined by the market.
- Courts have said that franchises create a property interest in the franchisee, which requires notice and a hearing prior to termination, such as is provided by our Charter.
- City council can order an investigation to determine if the terms of a franchise are being violated.
 - If city council determines that a franchise is being violated, it shall instruct the city attorney to take the necessary actions to bring the franchisee into compliance.
 - If the franchisee continues to fail to comply, the city attorney may take legal action, including seeking a forfeiture of the franchise.
 - Forfeiture of a franchise requires a hearing before city council.
- Failure to charge those who occupy the ROW to conduct their business undermines our arguments that the Texas Constitution requires us to charge ROW users and does not allow any city to grant free use of the ROW. This is currently being litigated in the City of McAllen v. State of Texas case to which the City of Dallas is a party. While millions of dollars a year are at stake in that litigation, our annual revenue from all ROW users is over \$100 million.

Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **June 27, 2018 Agenda Item #18 – Correction Memo**

Please note the correction to the June 27, 2018 Agenda Item #18. The revisions to the Ordinance are underlined as follows:

Preamble

An ordinance granting a non-exclusive revocable license to all subsequently permitted property owners or tenants (with written consent of property owners), under the terms of this ordinance, of all property within the Bishop Avenue/Eighth Street Conservation District, by and through the Bishop Arts District Merchants Association, Inc., to occupy, maintain and utilize portions of certain rights-of-way within the boundaries of the Bishop Avenue/Eighth Street Conservation District, located near the intersection of Bishop Avenue and Davis Street adjacent to City Blocks 1/3141, 21/3141, 2/3142, 3/3143, 4/3144, 26/3146, 27/3147 and 28/3148 within the limits hereinafter more fully described, for the purpose of installing and maintaining, streetscape improvements, including but not limited to landscaping and appurtenant irrigation systems, planters, crosswalk texturing and coloring, art work, lighting, benches, flag poles, bollards, trash receptacles, awnings and canopies, premise signs, A-frame signs and sidewalk cafés; providing for the terms and conditions of this license; providing for initial and annual fee compensation to be paid to the City of Dallas; providing for certain permit fees; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

SECTION 3. That the **GRANTEE** shall pay to the City of Dallas the following fees, if applicable, for each permitted property location:

- (a) an initial fee of **TWO HUNDRED AND NO/100 DOLLARS (\$200.00)**, to install and maintain certain streetscape elements, including but not limited to landscaping and appurtenant irrigation systems, planters, crosswalk texturing and coloring, art work, lighting, benches, flag poles, bollards, trash receptacles, A-frame signs and awnings and canopies without a premise sign;
- (b) an initial fee of **THREE HUNDRED AND NO/100 DOLLARS (\$300.00)** and an annual fee of **TWO HUNDRED AND NO/100 DOLLARS (\$200.00)** to install and maintain a premise sign and sidewalk café.

SECTION 5. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: installing and maintaining, streetscape improvements, including but not limited to landscaping and appurtenant irrigation systems, planters, crosswalk texturing and coloring, art work, lighting, benches, flag poles, bollards, trash receptacles, awnings and canopies, premise signs, A-frame signs and sidewalk cafés.

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SUBJECT June 27, 2018 Agenda Item #18 – Correction Memo

SECTION 8. That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** shall be responsible to apply for and obtain a streetscape improvement permit ("permit") for each participating merchant location within the area described in Exhibit "A" before locating streetscape improvements in the public right-of-way. Each participating merchant location shall require a streetscape improvement permit.
- b) **GRANTEE** shall provide the Director of Department of Sustainable Development with evidence of: (i) request for a permit from the participating merchant; and (ii) written consent of the property owner, to apply for a streetscape improvement permit.
- c) **GRANTEE** shall make application for a permit to the Director of Department of Sustainable Development and Construction, or designee subject to the following:
 - (i) The application must be in writing on a form approved by the Director of Department of Sustainable Development and Construction and accompanied by plans or drawings showing the area of the public right-of-way affected and the construction and planting proposed.
 - (ii) Upon receipt of the application and any required fees, the Director of Department of Sustainable Development and Construction or designee shall circulate it to all affected City departments and utilities for review and comment. If, after receiving comments from affected City departments and utilities, the Director determines that the streetscape improvements proposed will not be inconsistent with and will not unreasonably impair the public use of the right-of-way, the Director shall issue the permit to the **GRANTEE**, property owner, and/or merchant otherwise, the Director of Department of Sustainable Development and Construction shall deny the permit.
 - (iii) A permit issued by the Director of Department of Sustainable Development and Construction is subject to immediate revocation upon written notice if at any time the Director determines that the use of the right-of-way authorized by the permit is inconsistent with or unreasonably impairs the public use of the right-of-way.
 - (iv) The issuance of a permit to **GRANTEE**, property owner, and/or merchant shall not excuse **GRANTEE**, property owner, merchant, their agents, employees, or others, as the case may be, from liability in the installation or maintenance of streetscape improvements in the public right of way.
 - (v) Upon the installation of streetscape improvements in the public right-of-way, **GRANTEE** and/or merchant shall procure, pay for, and keep in full force and effect commercial general liability insurance coverage as set forth in provisions of Exhibit B. Proof of insurance shall be required on an individual property location basis and failure to maintain and provide required insurance shall render the license null and void as to the individual property location.
- (d) **GRANTEE** and/or merchant is responsible for maintaining the streetscape improvements and the premises safe and in good condition and repair, at no expense to the city, and the city is absolutely exempt from any requirements to maintain streetscape improvements or make repairs. The granting of a license for streetscape improvements under this subsection does not release the owner or merchant from

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SUBJECT June 27, 2018 Agenda Item #18 – Correction Memo

liability for the installation or maintenance of streetscape improvements in the public right-of-way.

SECTION 8. (continued)

(e) **GRANTEE** and/or merchant shall ensure the installation of an A-frame sign be no greater than 44" x 24" in size, is placed in a manner to maintain continued pedestrian ingress and egress, and is compliant with the Americans with Disabilities Act (ADA).

~~(f)~~(e) That except as otherwise provided herein, all use of the public right-of-way must be approved in accordance with the requirements of Article VI, "License for the Use of Public Right-of-Way," of Chapter 43, "Streets and Sidewalks," of the Dallas City Code, as amended.

Should you have any questions or concerns, please feel free to contact me.



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

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Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **June 27, 2018 Council Agenda Item #7 – Authorize a sublease agreement between The Braniff Centre, LP and CLT Commercial Partners, LP of approximately 248,020 square feet of land and improvements located at Dallas Love Field**

On your June 27, 2018 meeting agenda, Item #7 is a resolution authorizing a sublease agreement between The Braniff Centre, LP and CLT Commercial Partners, LP of approximately 248,020 square feet of land and improvements located at Dallas Love Field - Financing: No cost consideration to the City. The agenda information sheet and resolution are attached for your reference.

The agenda information sheet inadvertently states the wrong Council District. The item has been revised to show Council District 2 instead of 14.

For additional information on this item, please contact me or Mark Duebner, Director of Aviation, at mark.duebner@dallascityhall.com or 214-671-1481.



Jo M. (Jody) Puckett
Assistant City Manager (I)

[Attachment]

c: T.C. Broadnax, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billerae Johnson, City Secretary
Daniel F. Solis, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager
Majed A. Al-Ghafry, Assistant City Manager

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Nadia Chandler Hardy, Chief of Community Services
Raquel Favela, Chief of Economic Development & Neighborhood Services
Theresa O'Donnell, Chief of Resilience
Directors and Assistant Directors

STRATEGIC PRIORITY: Economic and Neighborhood Vitality

AGENDA DATE: June 27, 2018

COUNCIL DISTRICT(S): 2

DEPARTMENT: Department of Aviation

CMO: Jody Puckett, 670-3390

MAPSCO: 34B F

SUBJECT

Authorize a sublease agreement between The Braniff Centre, LP and CLT Commercial Partners, LP of approximately 248,020 square feet of land and improvements located at Dallas Love Field - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas entered into a Commercial Lease for a thirty-nine year agreement with three ten-year renewal options with The Braniff Centre, LP on May 20, 2016. As part of the Commercial Lease agreement, The Braniff Centre, LP has the right to sublease all or a portion of the lease premises, but with respect to any sublease having a term of twenty years or covering more than 100,000 square feet of improvements, such sublease shall be approved by Dallas City Council.

The proposed sublease agreement between The Braniff Centre, LP and CLT Commercial Partners, LP contains the identical terms and conditions as the original Commercial Lease between the City of Dallas and The Braniff Centre, LP and will contain approximately 248,020 square feet.

In accordance to the terms and conditions of the original Commercial Lease, The Braniff Centre, LP seeks approval of the Dallas City Council for the sublease agreement with CLT Commercial Partners, LP.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 9, 2015, City Council authorized a thirty-nine year lease agreement with three ten-year renewal options with The Braniff Centre, LP at Dallas Love Field, for approximately 414,600 square feet of land for commercial development by Resolution No. 15-1693.

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

The Mobility Solutions, Infrastructure & Sustainability Committee will be briefed by memorandum regarding this matter on June 25, 2018.

FISCAL INFORMATION

No cost consideration to the City.

June 27, 2018

WHEREAS, the City of Dallas owns that certain airport in Dallas more commonly known as Dallas Love Field Airport (“Airport”); and

WHEREAS, the City of Dallas entered into a Commercial Lease for a term of thirty-nine years with three ten-year renewal options with The Braniff Centre, LP on May 20, 2016 at the Airport; and

WHEREAS, The Braniff Centre, LP has the right to sublease all or a portion of the leased premises in accordance to the terms and conditions of the Commercial Lease; and

WHEREAS, The Braniff Centre, LP must seek Dallas City Council approval of any sublease having a term of twenty years or covering more than 100,000 square feet.

Now, Therefore,

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

SECTION 1. That the Dallas City Council, upon approval as to form by the City Attorney, hereby approves a sublease agreement between The Braniff Centre, LP and CLT Commercial Partners, LP of approximately 248,020 square feet of land and improvements located at Dallas Love Field Airport.

SECTION 2. That the key terms and conditions of the sublease are:

- a. Identical to the original Commercial Lease between the City of Dallas and The Braniff Centre, LP.
- b. The sublease premises contains approximately 248,020 square feet of land and improvements.

SECTION 3. That this contract is designated as Contract No. AVI-2016-00000755.

SECTION 4. 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



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Pulled Items M/WBE Participation Response for June 27, 2018 Council Agenda**

For your information staff is providing you with the summary below of M/WBE Participation for the voting items scheduled for the June 27, 2018 Council Agenda. The total contract award amount, consisting of 22 agenda items, is \$24.17M, with an overall M/WBE participation of 26.49%. As a reminder, the current M/WBE goals are:

Architecture & Engineering	Construction	Professional Services	Other Services	Goods
25.6%	25.0%	36.3%	23.8%	18.0%

Highlighted Items

Item Number 34 authorizes an \$885K six-year service contract for actuarial analysis services for the City's uniformed and civilian employee pension plans. The analysis will determine whether the valuations meet the requirements of the Texas State Pension Review Board guideline. The vendor was selected as the most advantageous proposer of two. **This item resulted in 15.25% M/WBE participation on a 23.80% goal.**

Item Number 49 authorizes a \$1.26M architectural services contract for the schematic design, design development, construction documents, procurement, and construction administration phases for the Hall of State Facility Improvements Project. On February 14, 2018, a request for qualifications was advertised and three of four proposers were given an opportunity to submit a request for proposal. One firm was selected and **this item resulted in 28.17% M/WBE participation on a 25.00% goal.**

Item Number 50 authorizes a \$5.95M contract for the Singing Hills Replacement Recreation Center. One of six firms was selected and **this item resulted in 37.93% M/WBE participation on a 25.00% goal.**

DATE June 22, 2018
SUBJECT **June 27, 2018 Council Agenda M/WBE Participation Overview**

Item Number 60 authorizes a \$457K increase in the construction contract for additional work associated with building renovations, roof replacements, and miscellaneous improvements at five Dallas Water Utilities facilities. **This item resulted in 81.50% M/WBE participation on a 25.00% goal, and 50.11% overall M/WBE participation on a 25.00% goal.**

Please feel free to contact me if you have any questions or should you require additional information.



Zarin D. Gracey
Interim Managing Director
Office of Business Diversity

c: T.C. Broadnax, City Manager
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Billierae Johnson, City Secretary (Interim)
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Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council


SUBJECT **Remote Retailers Sales Tax – US Supreme Court Ruling**

On June 21, 2018, the Supreme Court overturned *Quill v. North Dakota and National Bellas Hess v. Illinois* in a 5-4 decision. For the past 51 years, these two decisions have disallowed state and local governments from requiring remote retailers to collect and remit sales tax.

Sales tax fairness has been an important component of the City's federal legislative program. Staff will continue to update Council as the implications of this court ruling are further analyzed. Ralph Garboushian, our Washington consultant, has provided a summary of the decision which is attached.

It is important to note that Texas has not adopted the Streamlined Sales and Use Tax Agreement. However, in his opinion, Justice Kennedy specifically outlines the parameters of the streamlined agreement, leaving the door open for states to act but without necessarily adopting the agreement. In either case, the Texas Comptroller will likely have to ask the legislature to enact changes to Texas' sales tax regime before the Comptroller can compel out-of-state retailers to collect and remit sales taxes. Joining the streamlined agreement and enacting its model legislation would be the easiest way to conform to the opinion, but Justice Kennedy appears to have left room for states to do it without necessarily adopting the streamlined agreement.

If you have additional questions or concerns, please contact Brett Wilkinson, Managing Director, Office of Strategic Partnerships and Government Affairs.


Kimberly B. Tolbert
Chief of Staff, City Manager

c: T.C. Broadnax, City Manager
Larry Casto, City Attorney
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SALES TAX FAIRNESS

Supreme Court overturns *Quill* and *Bellas Hess*. In a 5-4 ruling in *Wayfair v. South Dakota*, the Supreme Court overturned two previous rulings, *Quill v. North Dakota* and *National Bellas Hess v. Illinois*. Those two decisions have barred state and local governments from requiring remote retailers to collect and remit sales tax for 51 years.

Details of how collection of sales taxes from remote retailers can proceed must still be worked out by a lower court. Thus, the full and final impact of this week's decision is difficult to gauge, especially since the decision places parameters on how the lower courts and then states should proceed. Nevertheless, state and local governments can claim victory on a key issue that has had a major impact on their revenue and on local retailers and commercial real estate markets, especially in recent decades as the shift to online shopping has robbed state and local governments of billions of dollars in revenue and placed traditional brick-and-mortar retailers at a disadvantage.

In its 1967 *Bellas Hess* decision, the Court held that under the Due Process and Commerce Clauses of the Constitution, states could not compel a retailer without a physical presence in the state to collect and remit sales taxes. In its 1992 *Quill* decision, the Court overruled its Due Process holding but not its Commerce Clause holding. (Note that the constitutionality of the sales taxes were never in question, just whether the states could require remote retailers to collect and remit the sales taxes.)

In this week's *South Dakota v. Wayfair* decision, the Court overruled the Commerce Clause ruling made in *Bellas Hess* and upheld in *Quill*. Writing for the majority, Justice Anthony Kennedy based the decision on a critique of the physical nexus requirement outlined in *Bellas Hess* and *Quill*, writing that the physical presence rule outlined by *Quill* and *Bellas Hess* is "unsound and incorrect."

Most of Kennedy's opinion goes on to outline why. At the most basic level, Kennedy argues that the physical presence test is an incorrect interpretation of both the Commerce Clause and previous rulings that a taxed entity have "substantial nexus" with the activity being taxed. More specifically, Kennedy writes:

"The physical presence test has long been criticized as giving out-of-state sellers an advantage. Each year, it becomes further removed from economic reality and results in significant revenue losses to the States. These critiques underscore that the rule, both as first formulated and as applied today, is an incorrect interpretation of the Commerce Clause."

Expanding on his assertion, Kennedy outlines three specific flaws in the physical presence test:

1. The physical presence test is not a necessary interpretation of the nexus test and sellers who engage in a significant quantity of business in a state such as Wayfair and other

retailers involved in the case “are large, national companies that undoubtedly maintain an extensive virtual presence.”

2. *Quill* creates rather than resolves market distortions – in effect it “is a judicially created tax shelter for businesses that limit their physical presence in a State but sell their goods and services to the State’s consumers, something that has become easier and more prevalent as technology has advanced.”
3. “*Quill* imposes the sort of arbitrary, formalistic distinction that the Court’s modern Commerce Clause precedents disavow in favor of a sensitive, case-by-case analysis of purposes and effects.”

A lower court must still work out the details of how the *Wayfair* decision will be implemented. The justices remanded the underlying case and the South Dakota statute in question to a lower court. However, in his opinion, Kennedy lays out the parameters to guide the lower court. Those parameters are based on the Court’s ruling that while the physical presence test is not a barrier to the validity of the underlying South Dakota statute, other barriers have not yet been litigated.

Nevertheless, Kennedy cites three features of the South Dakota statute “that appear to be designed to prevent discrimination against or undue burdens upon interstate commerce.”

- “First, the Act applies a safe harbor to those who transact only limited business in South Dakota.
- “Second, the Act ensures that no obligation to remit the sales tax may be applied retroactively.”
- “Third, South Dakota is one of more than 20 states that have adopted the Streamlined Sales and Use Tax Agreement.”

The South Dakota statute exempts sellers that deliver less than \$100,000 of goods or services into South Dakota or engage in fewer than 200 transactions for the delivery of goods and services into South annually. The Streamlined Sales and Use Tax Agreement requires a single, state level administrator of remote sales taxes, uniform definition of products and services, simplified tax rate structures, and provides sellers access to sales tax administration software at no cost.

Chief Justice John Roberts wrote the dissent, arguing that Congress rather than the Court should address an issue so important to a large part of the economy. It is important to note that Roberts agrees that *Bellas Hess* and *Quill* “were wrongly decided for many of the reasons given by the Court.” But he concludes that “The Court should not act on this important question of current economic policy, solely to expiate a mistake it made 50 years ago.” (Kennedy replies to this criticism, writing “It is inconsistent with this Court’s proper role to ask Congress to address a false constitutional premise of this own Court’s creation.” Cynics might note that regardless of whether you agree with Roberts or with Kennedy on that broad principle, as a practical matter Congress, particularly the House, has avoided addressing the issue of sales tax fairness for years.)

In closing, state and local government officials who have worked on this issue for years will appreciate the following from Kennedy' opinion, which can only be read as a strong rebuke of the retailers involved in this case:

“In essence, respondents ask this Court to retain a rule that allows their customers to escape payment of sales taxes – taxes that are essential to create and secure the active market they supply with goods and services. An example may suffice. Wayfair offers to sell a vast selection of furnishings. Its advertising seeks to create an image of beautiful, peaceful homes but it also says that “one of the best things about buying through Wayfair is that we do not charge sales tax.” What Wayfair ignores in its subtle offer to assist in tax evasion is that creating a dream home assumes solvent state and local governments.”

The decision is at: <https://bit.ly/2ImAMwR>.

Memorandum



CITY OF DALLAS

DATE June 22, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Taking Care of Business – June 19, 2018**

Update Items

[Bulk and Brush Collection Delays](#)

As previously communicated, heavy spring set-out volumes and resource issues (equipment availability and staffing) created delays in the June collection schedule. Sanitation crews, assisted by Code Compliance, Public Works and six outside contractors, have been working 6-7 days a week to get back on schedule by the beginning of Week 4 (June 25th). I am pleased to report that the crews' hard work has resulted in bulk and brush collection getting back on schedule one week earlier than anticipated and crews began Week 3 collection service on time on Monday, June 18th. Should you have any questions or concerns, please contact Kelly High, Director of Sanitation Services.

[Senior Medical Transportation Update](#)

On June 18th, Staff provided an update regarding the Senior Medical Transportation Program to the Human and Social Needs Committee. To date, all 2,190 program clients have been contacted: 194 are already eligible for DART upon first review, 1,517 were identified as inactive clients (had not used service in more than 6 months and did not indicate the need for service when contacted), and 479 were identified as active clients.

The 479 Active clients have received/are receiving application support:

- 59 determined already eligible/participating in other programs
- 316 Step 1 of DART applications submitted
- 60 clients could not be reached after multiple contacts/messages
- 44 clients in process of submitting Step 1 of DART application

Staff will continue to review client eligibility for DART services and ensure access to services. Should you have any questions or concerns, please contact Nadia Chandler Hardy, Chief of Community Services or Jessica Galleshaw, Managing Director of Office of Community Care.

New Items

[City Hall on the Go! Schedule Update](#)

City Hall on the Go! is 311's vehicle that travels around the city, engaging residents and making it easier for them to do business with the City at libraries, recreation centers, special events and other locations. Since its launch in late 2015, City Hall on the Go! staff have interacted with over 22,000 residents in the community. Currently, the vehicle is in the community from Wednesday through Sunday, between the hours of 10:00 am to 7:00 pm. Staff have found that the number of visitors on routine Sunday stops

DATE June 22, 2018
SUBJECT **Taking Care of Business – June 19, 2018**

(libraries and recreation centers) is considerably lower than other days of the week, while Sunday special events continue to draw a good response.

As a result, beginning July 1, City Hall on the Go! will be in the community from Tuesday through Saturday, with appearances at Sunday events by request. Residents can view the City Hall on the Go! calendar and request an appearance here: <http://dallascityhall.com/services/311/Pages/City-Hall-On-The-Go.aspx>. Should you have any questions or concerns, please contact Nadia Chandler Hardy, Chief of Community Services or Margaret Wright, Assistant Director.

Encampment Resolution Schedule - June 19 & June 26, 2018

The Office of Homeless Solutions (OHS) has scheduled the following sites for homeless encampment resolution on Tuesday, June 19, 2018 and June 26, 2018:

June 19, 2018 - Complete as of 4:00 pm	June 26, 2018
<ul style="list-style-type: none">• I-20 Interstate at Lancaster Road (District 8)• I-20 Interstate at Bonnie View Road (District 8)• I-35 Interstate at Camp Wisdom Road (District 3)• South Boulevard at Harwood Street (District 7)• Julius Schepps Freeway at Lamar Street (District 7)• Al Lipscomb Way at Good Latimer Expressway (District 7)	<ul style="list-style-type: none">• 4900 E R L Thornton Freeway (District 2)• 600 S Peak Street (District 2)• 500 S Haskell Avenue (District 2)• 500 S Hill Street (District 2)• Chestnut Street at I-30 Interstate (District 2)• 2929 Hickory Street (District 7)• 2900 Woodall Rogers Freeway (District 14)• 2100 Woodall Rogers Freeway (District 14)• 600 3rd Street (District 7)• 700 Fletcher Street (District 2)

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

Media Inquiries

As of June 18th, the City has received media requests from various news outlets regarding the following topics:

- Residential Recycling
- Pride Month Spirit of Equality Awards
- Red Bird Mall

Please see the attached document compiling information provided to the media outlets for the week of June 12th - June 18th for your reference and in the event you are

DATE June 22, 2018
SUBJECT **Taking Care of Business – June 19, 2018**

contacted by the press. Should you have any questions or concerns, please contact Kimberly Bizer Tolbert, Chief of Staff.

Look Ahead

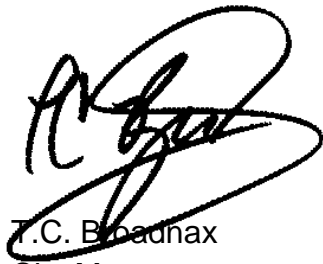
City Council Briefings

June 20, 2018

- FY 2018-19 and FY 2019-20 Biennial Budget Update
- Customer Service Management: 311 System Replacement

August 1, 2018

- Bond Program Update
- Homeless Solutions Proposed Strategy



T.C. Broadnax
City Manager

c: Larry Casto, City Attorney
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City of Dallas

**Public Affairs & Outreach
Media Requests**

June 12 – 18, 2018

June 6; Cory Smith, NBC 5: The tonnage of residential recyclables collected is in the caution category. The city is about halfway to its goal. What is happening that's put it in the caution category?

City Response: The FY 2017-18 goal of 57,615 tons was a stretch goal from the FY 2016-17 goal of 55,000 tons. Also, the tonnage is for the first half of the year, which includes the historically lowest recycling tonnage month of February. Average tonnage is anticipated to be higher over the next several months. Additionally, recycling growth has been a challenge faced by most cities nationwide over the last few years, which is why we adopted a stretch goal. The early adopters and early majority have embraced recycling, so continually increasing participation is a challenge and we are modifying our outreach and education approach to address that challenge. Lastly, as we look to encourage additional recyclers, manufacturers continue to reduce packaging weight, shifting from glass to plastic or utilizing thinner plastic material, all of which affects recycling tonnage. Although this measure is in "caution" at this time, we believe that our outreach and education efforts will lead to increased growth.

June 13; MaryAnn Martinez, CBS DFW: I'm reaching out to find out what council decided to do with multifamily units?

City Response: If you are asking if the recycling ordinance passed – it did.

June 13; Cody Lillich, NBC 5; Do you all have a press release or listing of those who received awards at the Spirit of Equality ceremony held earlier this afternoon in the Flag Room?

We'd like to include them in our web story about Pride Month.

City Response: Here are the Awards.

Spirit of Equality Awards – Leadership Award Mr. Steven M. Rudner

Spirit of Equality Awards – Ally Award – Dr. Ximena Lopez

Spirit of Equality Awards – Community Award - The Lost Souls Rugby Football Club.

June 13; Michael Sisak, Associated Press; I'm working on a story for AP about cities setting aside on-street parking and spaces in city-owned/publicly owned parking lots for carsharing services. New York City just announced a pilot program with about 300 spaces reserved exclusively for Zipcar or Enterprise Car Share.

Is something like this being done in your city? If so, here are some questions:

- 1.) How many spaces are being set aside for carsharing services?
- 2.) What car share services are allowed to use these spaces?



City of Dallas

- 3.) How long has the city been setting aside spaces for carshare services?
- 4.) How did the city determine what companies would be involved?
- 5.) What is the process for adding more spaces and/or companies?
- 6.) How much are carshare services paying for the spaces (e.g. per space, registration fee to participate in the program, etc.)?
- 7.) Is your program in a pilot stage or fully operational?
- 8.) How did the city determine where to allocate parking spaces for carshare services?
- 9.) What feedback have you received from residents regarding the loss of on-street or lot/garage parking spaces and the addition of nearby carshare services?
- 10.) What penalties are assessed to drivers who park non-carshare vehicles in spaces reserved exclusively for those services?

City Response: 1.) How many spaces are being set aside for carsharing services? [5 locations in publicly operated parking lots](#)

- 2.) What car share services are allowed to use these spaces? [ZipCar](#)
- 3.) How long has the city been setting aside spaces for carshare services? [Since September 2014](#)
- 4.) How did the city determine what companies would be involved? [A Request for Competitive Sealed Proposals \(RFSCP#BKZ1415\)](#)
- 5.) What is the process for adding more spaces and/or companies? [A formal procurement process and City Council approval](#)
- 6.) How much are carshare services paying for the spaces (e.g. per space, registration fee to participate in the program, etc.)? [No fee for the spaces](#)
- 7.) Is your program in a pilot stage or fully operational? [Pilot stage](#)
- 8.) How did the city determine where to allocate parking spaces for carshare services? [A Vendor and City review of vendor suggested areas and City suggested locations](#)
- 9.) What feedback have you received from residents regarding the loss of on-street or lot/garage parking spaces and the addition of nearby carshare services? [None](#)
- 10.) What penalties are assessed to drivers who park non-carshare vehicles in spaces reserved exclusively for those services? [Parking Violation Citation may be assessed and any related fines/penalties.](#)

June 14; Lori Brown, FOX 4: After the vote regarding Red Bird mall yesterday, many are asking about the status of Valley View mall. Can we please speak with someone with the city about the status of the 36 million in incentives given to the redevelopment of that mall. How much has been paid out? How long until it must be paid back? Thank you.

City Response: No redevelopment money has been deployed to Valley View Mall.

June 15; Jack Fink, CBS 11; Can you please find out for me if the city of Dallas filed suit against Schrickel Rollins Associates of Arlington, and if when and how much is the city seeking?

City Response: The City of Dallas has retained an outside expert who is completing his report. Upon completion, the City will file suit, if necessary.

June 18; Mike Pool, WFAA 8; Has the City of Dallas had contact with anyone about opening up a shelter or shelters for families involved in the Zero Tolerance at the border? Is the City of Dallas will to shelter children if needed?



City of Dallas

City Response: The City of Dallas has contacted the County and offered shelter planning and coordination assistance as may be necessary.

June 18; Alex Boyer, Fox 4; I'm writing in reference to a dog attack that occurred at 8925 BECKLEY VIEW AVE on 6/16 at 10:03pm

According to a Dallas Police report, the victim was attacked by 3 dogs.

I want to know if the dogs were loose...are in the custody of DAS... and if DAS officers are citing the owner of the dogs, etc?

City Response: Here are the answers to your questions:

I want to know if the dogs were loose

The dogs came out of an open gate.

are in the custody of DAS

Yes. The dogs were surrendered to Dallas Animal Services.

and if DAS officers are citing the owner of the dogs, etc?

The owner was cited with failure to microchip, alter, and vaccinate.

Dallas Police media:

June 12; Fox 4, NBC 5, WFAA 8, CBS 11, DMN; inquiries relating to a shooting at 3800 S. Lamar St.

City response: On Tuesday, June 12, 2018, at around 12:20 a.m., officers responded to the 3800 block of S. Lamar St. in regards to a shooting. Upon arrival, officers met with the reporting person who stated that herself and 3 additional passengers (2 victims and 1 witnesses) were inside a vehicle at 4600 Fellows Ln., waiting to meet a buyer from a selling app. The reporting person stated that the buyer never showed up and they were being flagged down in the area by two unknown Black male suspects. All passengers did not feel safe and began to leave the area, at this moment shots began to be fired in their direction by the suspects. Two passengers were stuck causing injuries. The reporting person stated they called for police and came to a rest at 3800 S. Lamar. The victims were transported to the hospital by Dallas Fire Rescue to local hospitals. This incident is still under investigation and will be documented on case number 126518-2018. The condition of the victims is unknown at this time.

June 15; Fox 4, NBC 5, WFAA 8, CBS 11, DMN; inquiries relating to a person lying on the freeway

City Response: On June 14, 2018 at about 2:47 a.m., Maria Gomez-Juarez, a 26-year-old Latin female, drove eastbound in the westbound lanes of CF Hawn Freeway almost striking several vehicles. The driver then attempted to make a U-turn, and finally came to a stop in the city of Seagoville. No injuries were reported from this incident. The driver was arrested for evading arrest and taken to Lew Sterrett. This offense has been documented on case number 128153-2018.