

# Memorandum



CITY OF DALLAS

DATE July 27, 2018

TO Honorable Mayor and Members of the City Council

SUBJECT **Taking Care of Business – July 24, 2018**

## Update Items

[Encampment Resolution Schedule - July 24, 2018 and July 31, 2018](#)

The Office of Homeless Solutions (OHS) has scheduled the following sites for homeless encampment resolution on Tuesday, July 24, 2018 and July 31, 2018:

July 24, 2018 – Complete as of 4:00 pm	July 31, 2018
<ul style="list-style-type: none"><li>• 12298 Shiloh at Lyndon B Johnson Freeway (District 9)</li><li>• Lyndon B Johnson Freeway at Jupiter Rd (District 9)</li><li>• 9575 Lyndon B Johnson Freeway (District 10)</li><li>• 11989 N. Central Expressway (District 11)</li><li>• 11505 N. Central Expressway (District 11)</li><li>• Central Expressway at Forest Lane (District 11)</li><li>• Stemmons Freeway at Medical District (District 6)</li></ul>	<ul style="list-style-type: none"><li>• Interstate I-20 at Bonnieview Road (District 8)</li><li>• Interstate I-20 at Bonnieview Road (District 8)</li><li>• Interstate I-30 at Jim Miller Road (District 7)</li><li>• Interstate I-30 at Jim Miller Road (District 7)</li><li>• Interstate I-30 at St Francis (District 7)</li><li>• Interstate I-30 at St Francis (District 7)</li><li>• Interstate I-30 at Buckner Blvd (District 7)</li><li>• Interstate I-75 at St. Augustine (District 7)</li></ul>

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.

## Availability & Disparity Study

As previously communicated, the Office of Business Diversity is in the early stages of performing an availability & disparity study. As a reminder, the sunset date for the existing M/WBE goals is September 30, 2020. The City received proposals from five qualified firms on June 14, 2018. Vendor presentations were held on Thursday July 19, 2018 and the evaluations are due today (July 23, 2018). The City anticipates having a recommended agreement in August 2018 to be scheduled for consideration by City Council on September 12, 2018.

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The City anticipates the study to begin in September 2018 with an estimated 18 months to complete. It will be performed in two phases. Phase I is the utilization analysis in which the City's current procurement practices, procedures, policies, activity, and M/WBE utilization will be reviewed. Phase II will consist of a disparity analysis in which the City's M/WBE utilization by industry will be compared to the market availability. We will share additional information on the stakeholder engagement process for the study following the selection of the consultant for the project. Should you have any questions or concerns, please contact Kimberly Bizer Tolbert, Chief of Staff to the City Manager.

### [Dallas Fire Rescue - Financial Forecast Report](#)

Later this week, we will send City Council the May 2018 Financial Forecast Report (FFR) with forecast revenue and expenditures to the end of the fiscal year (9/30/18). After eight months of this fiscal year, we forecast general fund revenues will be \$8.4 million over the amended budget and expenses will be \$6.3 million over the amended budget. Sales tax, franchise fees, and other charges for service are trending greater than budget, accounting for the revenue variance. On the expense side, the projected year-end variance is due to overtime usage within Dallas Fire-Rescue (DFR).

DFR is forecast to exceed budget by \$11.8 million, primarily due to attrition, which has a negative impact on the Department's daily minimum staffing model. As the Department continues to catch-up from excessive attrition of 182 firefighters last year and an estimated 154 firefighters this year, it is using overtime to meet the daily minimum staffing requirement. Although we are able to partially offset DFR's overtime expense with savings from other general fund departments, we will be asking City Council to increase the general fund budget and use excess revenue to cover the remainder of DFR's overtime.

We will provide the May FFR to the Government Performance and Financial Management Committee (GPFM) on August 6 and will answer any questions at that time. We will also brief GPFM on a complete package of FY 2018 Appropriation Adjustments, including this requested adjustment, on September 4 and will prepare an agenda item for City Council consideration in September. Should you have any questions or concerns about the Financial Forecast Report, please contact Elizabeth Reich, Chief Financial Officer or Jack Ireland, Director of the Office of Budget. Should you have programmatic questions or concerns related to the use of overtime within DFR, please contact Chief Coatney.

### [White Rock Creek Spill](#)

As previously communicated on July 3, 2018, there was a discharge of wastewater from a North Texas Municipal Water District's (NTMWD) force main into White Rock Creek at the Audi Plano dealership just north of Dallas. Between 3:45 pm on June 27, 2018, and 2:30 am on June 28, 2018, approximately 1,069,000 gallons of wastewater were discharged into White Rock Creek from NTMWD's sanitary sewer system. The City worked with NTMWD to protect health and the environment by quickly removing and disposing of 3,474,000 gallons of liquid from White Rock Creek. The associated

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wastewater disposal costs will be billed to NTMWD. The Texas Commission on Environmental Quality (TCEQ) is conducting an investigation into the discharge which may result in an enforcement action and penalties against one or more responsible parties.

The NTMWD discharge did not impact White Rock Lake and the impacts to White Rock Creek have dissipated. Over the past two weeks, during both wet and dry weather, City staff tested water quality along White Rock Creek and did not identify impacts south of the Frankford Road crossing or near White Rock Lake. This is consistent with Texas Parks & Wildlife staff observation that there was no associated fish kill south of the Frankford Road crossing. Water quality tests from July 17, 2018 showed normal summer conditions at White Rock Lake and along the extent of White Rock Creek. Should you have any questions or concerns, please contact James McGuire, Managing Director of OEQ.

### **New Items**

#### [DPD Promotional Ceremony](#)

Today, July 24<sup>th</sup>, the Dallas Police Department promoted 9 Lieutenants, 34 Sergeants, and 47 Senior Corporals at a promotional ceremony at Moody Performance Hall, 2520 Flora Street, Dallas, Texas. After reviewing staffing levels and department vacancies, it was determined that a total of 90 officers would fill various positions, predominantly in the Patrol Bureau. Should you have any questions or concerns, please contact Chief U. Renee Hall.

#### [OEQ Sustainability Leadership Award](#)

The City's Office of Environmental Quality (OEQ) is proud to accept Site Selection Magazine's 2018 Top Sustainable US Metros Award. The award is based on OEQ's leadership role in sustainability and other factors such as energy efficiency, use of renewable energy, government policies, quality of life, and corporate social responsibility. This award is a reflection of the work done by many City departments and partners in making Dallas a better and greener place to live. Should you have any questions or concerns, please contact James McGuire, Managing Director of OEQ.

#### [Media Inquiries](#)

As of July 23<sup>rd</sup>, the City has received media requests from various news outlets regarding the following topics:

- Establishment of City Marshal's Office
- Valley View Mall Code Enforcement
- Margaret McDermott Bridge
- DFR, DPD and Citizen Rescue Boy from the Trinity
- DFR Receives STAR Request for Assistance with Wildfire Suppression

Please see the attached document compiling information provided to the media outlets for the week of July 16<sup>th</sup> – July 23<sup>rd</sup> for your reference and in the event you are contacted by the press. Should you have any questions or concerns, please contact Kimberly Bizer Tolbert, Chief of Staff.

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## **Look Ahead**

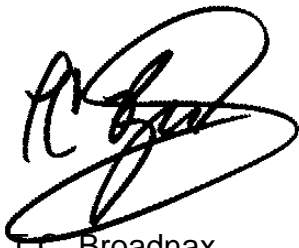
### **City Council Briefings**

August 1, 2018

- Homeless Solutions Proposed Strategy
- Resilient Dallas Strategy and Equity Indicators

August 14, 2018

- City Managers Recommended Budget for FY 18-19 and FY 19-20 Biennial Budget
- Truth in Taxation
- FY 18-19 and FY 19-20 Budget for Public Safety Strategic Priority



T.C. Broadnax  
City Manager

c: 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  
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



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**Public Affairs & Outreach  
Media Requests  
July 16 – July 23**

**July 16; Ken Kalthoff, NBC 5;** Last summer I inquired and was told that there have been NO citations for the Dallas Rest Break ordinance that was approved several years ago. Have there been any since last year?

**City Response:** There have been no citations issued for the rest break ordinance in the last year.

**July 16; Cody Lillich, NBC 5;** Can we get a statement regarding the Working Texans for Paid Sick Time petition being rejected by the city secretary's office due to an insufficient number of valid signatures?

The city's memo we've seen said they accepted 52k signatures, but the group says they submitted 120k signatures.

**City Response:** Pursuant to section 11, Chapter XVIII of the Dallas City Charter, the City Secretary's Office has disqualified the petition for proposing an earned paid sick leave ordinance. Only valid signatures were counted. The number of valid signatures received totaled 52,885. The required number of valid signatures for the proposed petition was 53,756.

**July 16; Hannah Ortega, Dallas Morning News;** Though it's a city's individual decision to establish a city marshal's office, is it usually only major cities doing so?

What is the benefit of establishing a city marshal's office?

How does a city decide if they need their own city marshal's office?

**City Response:**

- No, smaller cities in Dallas County such as Lancaster and Desoto and across the country have Marshal Offices.
- The Marshal Offices carry out the business of the city's courts involving both criminal and non-criminal matters and the cities make it a priority rather than an ancillary duty of another law enforcement agency. In addition, the Dallas Marshal's Office conducts environmental crime investigations in the city involving illegal dumping and spills into waterways.

Art. 45.202. SERVICE OF PROCESS. (a) All process issuing out of a municipal court may be served and shall be served when directed by the court, by a peace officer or **➡marshal** **➡** of the municipality within which it is situated, under the same rules as are provided by law for



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the service by sheriffs and constables of process issuing out of the justice court, so far as applicable.

(b) The peace officer or **marshal** may serve all process issuing out of a municipal court anywhere in the county in which the municipality is situated. If the municipality is situated in more than one county, the peace officer or **marshal** may serve the process throughout those counties.

- Each city decides on its own how they will administer the processes of their city court, what is most efficient and what functions they wish a Marshal's Office to perform.

**July 17; Dionne Anglin, Fox 4; Allen Manning, WFAA;** inquiries related to a family dog quarantined at Dallas Animal Services

**City Response:** A dog owned by a Dallas family was quarantined between July 5 through July 15 after it was reported to have bitten the owner's family member. Per State law, dogs involved in a reported bite incident must be quarantined and examined for rabies.

On July 16, the family notified Dallas Animal Services (DAS) of the presence of ticks on their dog. An immediate review of DAS kennels was conducted and it was discovered that 30 of the 500 animal kennels at the shelter, all within the quarantined dog area for bite dogs, had a tick issue between dogs.

Tuesday, all dogs in the quarantine room were given tick protection medicine to resolve the issue. Dallas Animal Services' primary focus is the care of our animals. Immediate action was taken once the issue was brought to our attention. Moving forward, tick prevention medicine will be administered to all dogs that come into DAS' care. Additionally, the 30 quarantine kennels are also being treated for tick prevention.

**July 18; Lori Brown, Fox 4;** We are working on a story about Valley View Mall. Can we please speak with Chhunny Chhean, or someone with the city, regarding the code enforcement issues as the mall stands now?

**City Response:** The City sent letters to two property owners at Valley View Mall to address the Code violations there, including the partial demolition sites. The property owners took steps to secure the demolition sites from unauthorized entry and pulled permits to finish the demolition and otherwise bring the properties up to Code. The City is still in active discussion with both property owners and will take additional enforcement measures, as needed, to address continuing Code violations.

**July 18; Jobin Panicker, WFAA;** questions regarding the dog quarantined at DAS

**City Response:**

- Do we know what kind of ticks these were?
  - o Not determined at this time
- What type of preventative was administered to the dogs?



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- All dogs were given Bravecto. Additionally, we are using Advantage spay as a supplementary measure on an ad hoc basis.
- How much does that cost; is that cost passed to the owner?
  - About \$28 per dog, and no, that is not passed to the owner.
- Are cats and other animals also treated for ticks?
  - Again, only the 30 quarantined dog kennels of our 500 dog kennels were impacted upon our immediate investigation. However, if an any animal shows signs of ticks, we have always administered treatment immediately.

**July 19; Jack Fink, CBS 11;** regarding the Margaret McDermott bridge; what is the next step? Who's court is the ball in?

**City Response:** The City has requested pricing and schedule estimates through TxDOT for the alternatives suggested by the Engineer of Record.

**July 19; Nicole Johnson, CW33;** I am a reporter with CW33, and I am hoping for a comment about something that's going around online!

Here's the link: <http://justsavethedog.com/call-and-email-dallas-city-council/>

We are speaking to someone with "Just Save The Dog" about how they want the city to designate funding for an animal cruelty investigation unit.

We are wondering if the city is aware of this petition?

Is this something the city would consider?

Any additional comments about the matter?

**City Response:** The City of Dallas is aware of the petition. Currently, the Dallas Police Department and Dallas Animal Services refer all cases of animal cruelty to the SPCA and Dallas County District Attorney for investigation. City staff continues to have meaningful dialog with Dallas animal advocates to discuss additional ways to better address animal cruelty concerns in Dallas.

**July 20; Jack Fink, CBS 11;** I heard through the grapevine that the city is considering opening the McDermott bike/pedestrian bridges even as the repairs are being discussed. Is that true? Timetable?

**City Response:** The City has asked the Engineer of Record to develop several options, some of which include a partial opening of the bridge. At this time, there has been no decision.

### Dallas Police media:

**July 21; Fox 4, NBC 5, WFAA, CBS 11, DMN;** inquiries related to an officer involved accident

**City Response:** On Saturday, July 21, 2018, at approximately 5:30 a.m., Dallas motorcycle officers were assigned to escort the body of Senior Corporal Tyrone Andrews from Laurel Land Funeral Home to a location in East Texas. During the escort, Senior Corporal Earl "Jamie" Givens positioned himself to block oncoming traffic to the eastbound entrance ramp to Interstate 20 at Bonnie View Road. Senior Corporal Givens was stationary on his motorcycle with his emergency lights on when the driver of a Kia Sportage struck the officer at a high rate of speed. Fellow officers immediately turned around and began rendering aid to Senior Corporal Givens





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until Dallas Fire and Rescue arrived. Senior Corporal Givens was transported to Baylor Hospital where he was pronounced deceased.

The driver of the Kia Sportage collided into the concrete divider and remained at the scene where he was subsequently arrested for suspicion of DWI. He has been identified as a 25-year-old Black male.

Senior Corporal Earl "Jaimie" Givens, #5484, is a 32 year veteran of the department and was assigned to the Traffic Unit. Please keep Senior Corporal Givens' family and friends in your thoughts and prayers.

The suspect in this incident has been identified as Adrian Breedlove, Black male 25 years old. He is currently in jail and charged with Intoxicated Manslaughter and Unlawful Carrying of a Weapon. This incident is documented on Case #159487-2018.

**July 22; Fox 4, NBC 5, WFAA, CBS 11, DMN;** inquiries related to a pedestrian struck on Good Latimer Expy.

**City Response:** On July 21, 2018, at approximately 11:46pm City of Dallas Streets employee B/M 50 was in the process of completing work on the left lane of northbound 800 S. Good Latimer Expressway. He was standing behind his City vehicle, wearing a reflective traffic vest while in the left lane of southbound S. Good Latimer when the arrestee, Daisy Smith W/F 30, took faulty evasive action and struck the City worker. The City worker was transported to an area hospital and is currently listed in critical condition as a result of injuries sustained in the accident. The arrestee fled the scene failing to stop and render aid and pulled over approximately 1 mile away. After calling relatives and a friend, the arrestee called 911 and reported her location approximately 20 minutes after the accident. The arrestee was found to be under the influence of alcohol and was placed under arrest for Intoxication Assault and FSRA. This incident is documented on Case #s 160094-2018 and 160095-2018.

**July 22; Fox 4, NBC 5, WFAA, CBS 11, DMN;** inquiries related to six juveniles arrested for robberies

**City Response:** Many of you have been asking about the arrest of the suspects in the Aggravated Robbery offense that occurred on Stevens Bluff. There were 6 juveniles arrested by Mesquite PD for this offense. It was also determined that these suspects were also involved in three other robbery offenses on Case #s 160128-2018, 160149-2018, and 160162-2018.

July 22nd at approximately 12:45am officers responded to an apartment complex at 3055 W. Pentagon Parkway where suspects took the complainant's vehicle, a black Chevy Malibu, at gunpoint. Case #160128-2018.

Officers responded to a Robbery call in the 900 block of Elisabeth Avenue. The victim was walking home when a black Chevy pulled up alongside of him and 6 suspects exited the vehicle and circled around the victim. The suspects demanded the victim's property at gunpoint. The suspect punch the victim and subsequently took his property. This is documented on Case #160149-2018.

The next incident occurred on Stevens Bluff on Case #160155-2018. The narrative was provided earlier.

At approximately 12:40am, the suspects committed another robbery. The victim, a Domino's Pizza delivery employee, was sent to deliver a pizza in the 2300 block of Crow Creek Circle when he was approached by the 6 Black male suspects. The suspect began yelling at the victim





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with one suspect carrying a shotgun. The suspect began striking the victim and subsequently took the cash the victim was carrying. The suspect then fled after a failed attempt to take the victim's vehicle. Case #160162-2018.

The suspect drove into Mesquite where Mesquite PD located the suspects driving the black Chevy Malibu. Mesquite PD attempted a traffic stop, but the suspect fled. Mesquite Pd chased suspects until the suspects eventually crashed into a fence in the 2000 block of Rayburn where all 6 suspects were taken into custody. The suspects were turned over to Dallas detectives. Weapons were recovered. All suspects are juvenile and therefore their names will not be released.



City of Dallas  
Dallas Fire-Rescue Department  
Media Requests: July 16, 2018 – July 22, 2018.

**Tuesday, July 17<sup>th</sup>: All local media outlets** – Can we please have information on a Water Rescue you all are conducting in the Trinity River

**City Response**: At 2:29 p.m. Dallas Fire-Rescue units were assigned to a Water Rescue, at South Central Expressway and Great Trinity Forest Way, after witnesses spotted an 11 year-old boy walk out of the woods and into the Trinity River. As he made his way across, he became trapped in mud and was unable to free himself. A female, who witnessed the act, and a Dallas Police Officer were able to make it to the boy and keep him above water until DFR tied them off and pulled them to safety. Though the boy didn't suffer any injuries, and wasn't visibly shaken by the incident, he was taken to a local hospital for evaluation and observation

**Friday, July 20<sup>th</sup>: Sent to all the local media, and posted to DFR social media platforms.**

**Detail**: On Friday, July 20<sup>th</sup>, Dallas Fire-Rescue received a State of Texas Assistance Request (STAR) to provide equipment and personnel to assist with wildfire suppression efforts, at the Waggoner Ranch Fire, in Baylor County, Texas; which began on Sunday, July 15<sup>th</sup>. DFR deployed a two-member team, with one Type IV Booster Truck to help. According to the Texas A&M Forest Service, at the time of the request, the fire was approximately 5,200 acres in size, only 25% contained, with no estimate on their deployment duration. The fire ended up expanding to 5,880 acres; but as of Sunday, July 22<sup>nd</sup>, at 6:30 p.m., it was 100% contained.