

Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **Budget Accountability Report**

Attached is the Budget Accountability Report (BAR) based on information through November 30, 2018. This report combines the Financial Forecast Report (FFR), Dallas 365, and Budget Initiative Tracker into a single monthly report.

If you have questions, please contact Jack Ireland, Director in the Office of Budget.


for M. Elizabeth Reich
Chief Financial Officer

Attachment

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (Interim)
Carol A. Smith, City Auditor (Interim)
Billerae 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
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
Directors and Assistant Directors

BUDGET ACCOUNTABILITY REPORT

FY 2018-19

AS OF NOVEMBER 30, 2018



GENERAL FUND OVERVIEW

As of November 30, 2018

	FY 2018-19 Adopted Budget	FY 2018-19 Amended Budget	YTD Actual	YE Forecast	Variance
Beginning Fund Balance	\$182,017,646	\$182,017,646		\$182,017,646	\$0
Revenues	1,365,966,274	1,366,121,406	105,567,312	1,369,187,546	3,066,140
Expenditures	1,365,966,274	1,366,121,406	185,814,190	1,364,566,123	(1,555,283)
Ending Fund Balance	\$182,017,646	\$182,017,646		\$186,639,068	\$4,621,422

SUMMARY

The General Fund overview provides a summary of financial activity through November 30, 2018. The Adopted Budget reflects the budget adopted by City Council on September 18, 2018, effective October 1 through September 30. The Amended Budget column reflects City Council approved transfers between funds and programs and approved use of contingency.

Fund Balance. The summary includes fund balance with the year-end (YE) revenue and expenditure forecasts. As of November 30, 2018, the YE forecast beginning fund balance represents the FY 2017-18 unaudited unassigned projected ending fund balance and does not reflect anticipated additional year-end savings. We anticipate adjustments to the FY 2018-19 amended beginning fund balance after FY 2017-18 audited statements become available in April 2019.

Revenues. Through November 30, 2018, General Fund revenues are projected to be \$3,066,000 over budget. This is primarily due to forecast increase in interest revenue based on current trends.

Expenditures. Through November 30, 2018, General Fund expenditures are projected to be below budget by \$1,555,000. At this point in the fiscal year, most departments are forecast to be at budget. Some departments are under budget as a result of vacancies.

Amendments. The General Fund budget was amended on:

- November 14, 2018, by resolution #18-1641 in the amount of \$155,000 for services for the District 4 runoff election.

GENERAL FUND REVENUES

As of November 30, 2018

Revenue Category	FY 2018-19 Adopted Budget	FY 2018-19 Amended Budget	YTD Actual	YE Forecast	Variance
Property Tax	\$727,886,279	\$727,886,279	\$34,654,986	\$727,886,279	\$0
Sales Tax	311,645,016	311,645,016	25,049,631	311,645,016	0
Franchise and Other	107,331,079	107,331,079	29,130,701	107,331,079	0
Charges for Service	90,113,065	90,113,065	10,441,073	90,646,524	533,459
Fines and Forfeitures	35,182,894	35,182,894	3,511,308	35,461,565	278,671
Operating Transfers In ¹	69,446,677	69,601,809	0	69,601,809	0
Intergovernmental	8,969,361	8,969,361	200,673	8,969,361	0
Miscellaneous	8,264,404	8,264,404	1,205,095	8,897,448	633,044
Licenses and Permits	4,809,215	4,809,215	719,514	4,809,215	0
Interest ²	2,318,284	2,318,284	654,331	3,939,250	1,620,966
Total Revenue	\$1,365,966,274	\$1,366,121,406	\$105,567,312	\$1,369,187,546	\$3,066,140

VARIANCE NOTES

General Fund revenue variance notes are provided below for revenue categories with YE forecast variances of +/- five percent and revenue with an amended budget.

1 Operating Transfers In. The revenue budget for Operating Transfer In was amended on November 14, 2018, by resolution #18-1641 for services related to the District 4 runoff election.

2 Interest. Interest revenue is forecast to be \$1,621,000 over budget based on current trends.

GENERAL FUND EXPENDITURES

As of November 30, 2018

Expenditure By Department	FY 2018-19 Adopted Budget	FY 2018-19 Amended Budget	YTD Actual	YE Forecast	Variance
Building Services	\$22,729,907	\$22,729,907	\$4,458,521	\$22,729,907	\$0
City Attorney's Office	18,348,876	18,348,876	2,261,658	18,348,876	0
City Auditor's Office	3,367,314	3,367,314	382,663	3,269,588	(97,726)
City Controller's Office	6,768,899	6,768,899	855,409	6,768,899	0
Independent Audit	917,892	917,892	0	917,892	0
City Manager's Office	2,787,305	2,787,305	303,917	2,772,885	(14,420)
City Secretary ¹	4,350,544	4,505,676	485,925	4,505,676	0
Civil Service	3,241,621	3,241,621	366,189	3,241,621	0
Code Compliance	31,635,395	31,635,395	4,082,488	31,635,395	0
Court Services	23,314,074	23,314,074	1,910,479	23,314,074	0
Jail Contract	8,908,016	8,908,016	742,335	8,908,016	0
Dallas Animal Services	14,878,667	14,878,667	2,494,361	14,839,242	(39,425)
Dallas Fire-Rescue	294,483,209	294,483,209	43,783,833	293,831,953	(651,256)
Dallas Police Department	486,752,691	486,752,691	69,465,238	486,752,691	0
Housing and Neighborhood Services	4,213,724	4,213,724	263,683	4,213,724	0
Human Resources	7,005,071	7,005,071	754,451	7,005,071	0
Judiciary	3,446,356	3,446,356	480,929	3,378,872	(67,484)
Library	34,138,717	34,138,717	4,697,380	33,986,305	(152,412)
Office of Management Services					
311 Customer Service	4,495,891	4,495,891	1,181,851	4,424,119	(71,772)
Council Agenda Office	219,414	219,414	29,797	218,565	(849)
Fair Housing	998,436	998,436	37,898	998,436	0
Office of Innovation	603,668	603,668	111	540,625	(63,043)
Office of Strategic Partnerships	1,053,433	1,053,433	128,050	1,039,445	(13,988)
Office of Business Diversity	894,165	894,165	110,939	886,920	(7,245)
Office of Community Care	5,375,877	5,375,877	650,037	5,375,877	0
Office of Emergency Management	877,113	877,113	91,593	877,113	0
Office of Environmental Quality	2,734,360	2,734,360	792,911	2,708,096	(26,264)
Office of Homeless Solutions	11,546,393	11,546,393	697,586	11,546,393	0
Public Affairs and Outreach ²	2,098,745	2,098,745	135,163	2,001,350	(97,395)
Welcoming Communities	623,124	623,124	59,150	623,124	0
Mayor and City Council	4,989,530	4,989,530	596,779	4,989,530	0
Non-Departmental	92,727,295	92,727,295	2,536,756	92,727,295	0
Office of Budget	3,796,050	3,796,050	445,254	3,796,050	0
Office of Cultural Affairs	19,973,188	19,973,188	4,350,951	19,973,188	0
Office of Economic Development	4,972,909	4,972,909	591,178	4,972,784	(125)
Park and Recreation	98,542,371	98,542,371	16,056,883	98,542,371	0
Planning and Urban Design ³	3,171,871	3,171,871	523,869	2,919,993	(251,878)
Procurement Services	2,443,038	2,443,038	320,303	2,443,038	0
Public Works	75,856,653	75,856,653	12,486,639	75,856,653	(0)
Sustainable Development	2,194,525	2,194,525	499,063	2,194,525	0
Transportation	47,219,419	47,219,419	5,701,974	47,219,419	0
Total Departments	\$1,358,695,746	\$1,358,850,878	\$185,814,190	\$1,357,295,595	(\$1,555,281)
Liability/Claim Fund Transfer	2,751,145	2,751,145	0	2,751,145	0
Contingency Reserve	2,319,383	2,319,383	0	2,319,383	0
Salary and Benefit Reserve	2,200,000	2,200,000	0	2,200,000	0
Total Expenditures	\$1,365,966,274	\$1,366,121,406	\$185,814,190	\$1,364,566,123	(\$1,555,281)

VARIANCE NOTES

General Fund variance notes are provided below for departments with YE forecast variances of +/- five percent, departments with an amended budget, and for departments with YE forecast projected to exceed budget.

1 City Secretary. City Secretary Office's budget was increased by \$155,000 on November 14, 2018, by resolution #18-1641 for services related to the District 4 runoff election.

2 Public Affairs and Outreach. Public Affairs and Outreach expenditures are forecast to be \$97,000 under budget due to salary savings from seven vacant positions.

3 Planning and Urban Design. Planning and Urban Design expenditures are forecast to be \$252,000 under budget due to salary savings from six vacant positions.

ENTERPRISE FUNDS

As of November 30, 2018

Department	FY 2018-19 Adopted Budget	FY 2018-19 Amended Budget	YTD Actual	YE Forecast	Variance
AVIATION					
Beginning Fund Balance	\$14,216,560	\$14,216,560		\$14,216,560	\$0
Total Revenues	144,132,819	144,132,819	22,842,309	144,132,819	0
Total Expenditures	144,132,819	144,132,819	19,155,586	144,132,819	0
Ending Fund Balance	\$14,216,560	\$14,216,560		\$14,216,560	\$0

CONVENTION AND EVENT SERVICES					
Beginning Fund Balance	\$33,234,399	\$33,234,399		\$33,234,399	\$0
Total Revenues	108,647,915	108,647,915	10,396,205	108,647,915	0
Total Expenditures	108,647,915	108,647,915	5,625,830	108,647,915	0
Ending Fund Balance	\$33,234,399	\$33,234,399		\$33,234,399	\$0

MUNICIPAL RADIO					
Beginning Fund Balance	\$1,205,492	\$1,205,492		\$1,205,492	\$0
Total Revenues	2,178,813	2,178,813	339,915	2,178,813	0
Total Expenditures	2,076,728	2,076,728	564,133	2,076,728	0
Ending Fund Balance	\$1,307,577	\$1,307,577		\$1,307,577	\$0

Note: FY 2018-19 budget reflects revenue in excess of expenses.

SANITATION SERVICES					
Beginning Fund Balance	\$29,641,449	\$29,641,449		\$29,641,449	\$0
Total Revenues	112,653,465	112,653,465	20,732,905	112,661,455	7,990
Total Expenditures	112,653,465	112,653,465	9,098,145	112,653,465	0
Ending Fund Balance	\$29,641,449	\$29,641,449		\$29,649,439	\$7,990

STORM DRAINAGE MANAGEMENT- DALLAS WATER UTILITIES					
Beginning Fund Balance	\$7,928,950	\$7,928,950		\$7,928,950	\$0
Total Revenues	58,436,837	58,436,837	10,301,538	58,436,837	0
Total Expenditures	58,436,837	58,436,837	4,323,923	58,436,837	0
Ending Fund Balance	\$7,928,950	\$7,928,950		\$7,928,950	\$0

SUSTAINABLE DEVELOPMENT AND CONSTRUCTION					
Beginning Fund Balance	\$43,833,830	\$43,833,830		\$43,833,830	\$0
Total Revenues	33,143,848	33,143,848	7,156,069	33,143,848	0
Total Expenditures	34,571,119	34,571,119	4,889,627	34,571,119	0
Ending Fund Balance	\$42,406,559	\$42,406,559		\$42,406,559	\$0

Note: FY 2018-19 budget reflects planned use of fund balance.

WATER UTILITIES¹					
Beginning Fund Balance	\$118,325,578	\$118,325,578		\$118,325,578	\$0
Total Revenues	665,005,577	665,005,577	99,959,470	653,788,018	(11,217,559)
Total Expenditures	665,491,395	665,491,395	84,327,731	660,902,637	(4,588,758)
Ending Fund Balance	\$117,839,760	\$117,839,760		\$111,210,959	(\$6,628,801)

Note: FY 2018-19 budget reflects planned use of fund balance.

INTERNAL SERVICE FUNDS

As of November 30, 2018

Department	FY 2018-19 Adopted Budget	FY 2018-19 Amended Budget	YTD Actual	YE Forecast	Variance
INFORMATION TECHNOLOGY					
Beginning Fund Balance	\$10,887,991	\$10,887,991		\$10,887,991	\$0
Total Revenues	69,434,657	69,434,657	4,604,239	69,434,657	0
Total Expenditures	77,011,403	77,011,403	6,622,655	76,690,494	(320,909)
Ending Fund Balance	\$3,311,245	\$3,311,245		\$3,632,154	\$320,909

Note: FY 2018-19 budget reflects planned use of fund balance.

RADIO SERVICES

Beginning Fund Balance	\$2,800,576	\$2,800,576		\$2,800,576	\$0
Total Revenues	5,917,772	5,917,772	27,125	5,911,641	(6,131)
Total Expenditures	8,651,413	8,651,413	2,187,565	8,636,647	(14,766)
Ending Fund Balance	\$66,935	\$66,935		\$75,570	\$8,635

Note: FY 2018-19 budget reflects planned use of fund balance.

EQUIPMENT AND FLEET MANAGEMENT

Beginning Fund Balance	\$7,254,000	\$7,254,000		\$7,254,000	\$0
Total Revenues	54,412,850	54,412,850	150,382	54,413,103	253
Total Expenditures	54,912,850	54,912,850	3,011,054	54,912,850	0
Ending Fund Balance	\$6,754,000	\$6,754,000		\$6,754,253	\$253

Note: FY 2018-19 budget reflects planned use of fund balance.

EXPRESS BUSINESS CENTER

Beginning Fund Balance	\$2,682,143	\$2,682,143		\$2,682,143	\$0
Total Revenues	2,593,790	2,593,790	332,560	2,600,490	6,700
Total Expenditures	2,137,496	2,137,496	266,343	2,136,367	(1,129)
Ending Fund Balance	\$3,138,437	\$3,138,437		\$3,146,266	\$7,829

Note: FY 2018-19 budget reflects revenue in excess of expenses.

OTHER FUNDS

As of November 30, 2018

Department	FY 2018-19 Adopted Budget	FY 2018-19 Amended Budget	YTD Actual	YE Forecast	Variance
9-1-1 SYSTEM OPERATIONS					
Beginning Fund Balance	\$7,852,062	\$7,852,062		\$7,852,062	\$0
Total Revenues	12,018,812	12,018,812	1,782,375	12,018,812	0
Total Expenditures	15,176,553	15,176,553	2,397,816	15,154,832	(21,721)
Ending Fund Balance	\$4,694,321	\$4,694,321		\$4,716,042	\$21,721

Note: FY 2018-19 budget reflects planned use of fund balance.

DEBT SERVICE

Beginning Fund Balance	\$32,549,163	\$32,549,163		\$32,549,163	\$0
Total Revenues	289,189,656	289,189,656	10,920,885	289,189,656	0
Total Expenditures	296,200,044	296,200,044	0	296,200,044	0
Ending Fund Balance	\$25,538,775	\$25,538,775		\$25,538,775	\$0

Note: FY 2018-19 budget reflects planned use of fund balance.

EMPLOYEE BENEFITS

City Contributions	\$94,862,835	\$94,862,835	13,708,567	\$94,862,835	\$0
Employee Contributions	36,126,244	36,126,244	6,205,630	36,126,244	0
Retiree	31,963,243	31,963,243	2,650,811	31,963,243	0
Other	0	0	76,939	0	0
Total Revenues	162,952,322	162,952,322	22,641,947	162,952,322	0
Total Expenditures	\$160,083,133	\$160,083,133	\$16,591,219	\$160,083,133	\$0

Note: FY 2018-19 budget reflects revenue in excess of expenses. The FY 2018-19 YE forecast reflects claim expenses expected to occur in the fiscal year. Fund balance (not included) reflects incurred but not reported claims (IBNR).

RISK MANAGEMENT

Worker's Compensation	\$13,701,708	\$13,701,708	\$884,302	\$13,701,708	\$0
Third Party Liability	10,227,315	10,227,315	56,644	10,227,315	0
Purchased Insurance	3,029,284	3,029,284	(550)	3,029,284	0
Interest and Other	749,900	749,900		749,900	0
Total Revenues	27,708,207	27,708,207	940,396	27,708,207	0
Total Expenditures	\$34,166,607	\$34,166,607	\$3,152,950	\$34,166,607	\$0

Note: FY 2018-19 budget reflects planned use of fund balance. The FY 2018-19 YE forecast reflect claim expenses expected to occur in the fiscal year. Fund balance (not included) reflects the total current liability for Risk Management (Worker's Compensation/Liability/Property Insurance).

VARIANCE NOTES

The Enterprise, Internal Service, and Other Funds summary includes the beginning fund balance with the YE revenue and expenditure forecasts. As of November 30, 2018, YE forecast beginning fund balance represents the FY 2017-18 unaudited projected ending fund balance and does not reflect additional year-end savings. We anticipate adjustments to the FY 2018-19 amended beginning fund balance after FY 2017-18 audited statements become available in April 2019. Variance notes are provided below for funds with a YE forecast variance of +/- five percent, funds with YE forecast projected to exceed budget, and funds with projected use of fund balance.

1 Water Utilities. Water Utilities' (DWU) revenues are projected to be \$11,218,000 lower than budget due to (1) wholesale customers receiving a credit to revenues as a result of the Sabine River Authority (SRA) settlement which will be offset by use of fund balance, and (2) due to decreased consumption resulting from wetter than normal Fall weather. Expenditures are projected to be \$4,589,000 lower than budget primarily due to a decreased capital construction transfer to offset the weather-related revenue reduction.

FY 2018-19 DALLAS 365

How to read the Dallas 365 report:

The Dallas 365 initiative aligns 35 key performance measures to our six strategic priorities. The department responsible for each measure is noted at the end of the measure's description, and last year's performance is included, if available. Several measures are new for FY 2018-19, so actual performance data is not available (N/A) for last year.

An annual target has been established for each measure. The annual target is then broken down into a year-to-date (YTD) target, which represents October 1 through the current reporting period. Each month, we will compare the YTD target with the YTD actual performance reported by the responsible department and assign a YTD status based on how well actual performance compares to the target.

Measures are designated "on target" (green) if actual YTD performance is within 5 percent of the YTD target. Measures with actual YTD performance within 6 to 20 percent of the YTD target are designated in "caution" (yellow) status. If actual YTD performance is more than 20 percent from the YTD target, the measure is designated as "needs improvement" (red). For most measures, high values indicate positive performance, but for a few measures, the reverse is true. These measures are noted with an asterisk and include measures numbered 6, 8, 13 and 22. Two asterisks (**) are listed in the YTD Actual column if data was not available for a measure by the publication date, and the YTD status reflects "needs improvement" (red).

Summary		
✔	On-target (YTD actual performance is within 5 percent of YTD target)	22
⚠	Caution (YTD actual performance is within 6 to 20 percent of YTD target)	4
✘	Needs Improvement (YTD actual performance is more than 20 percent of YTD target)	9

#	Measure	FY 2017-18 Actual	FY 2018-19 Target	YTD Target	YTD Actual	YTD Status
Public Safety						
1	Percentage of responses to structure fires within 5 minutes and 20 seconds of dispatch (Fire-Rescue)	86.11%	90.00%	90.00%	86.93%	✔
2	Percentage of EMS responses within five minutes (Fire-Rescue)	N/A	90.00%	90.00%	52.57%	✘
3	Percentage of responses to Priority 1 calls within eight minutes (Police)	N/A	60.00%	60.00%	47.75%	✘
4	Percentage of 911 calls answered within 10 seconds (Police)	94.21%	91.00%	91.00%	94.91%	✔
5	Homicide clearance rate (Police)	78.35%	60.00%	60.00%	76.95%	✔
6	Violent crime rate (per 100,000 residents) (Police)*	N/A	767	127.83	117.30	✔

Mobility Solutions, Infrastructure, and Sustainability						
7	Percentage of annual bond appropriation awarded (Bond Program)	N/A	90.00%	90.00%	**	✘
8	Average response time to emergency sewer calls (in minutes) (Dallas Water Utilities)*	58.68	60	60	59.75	✔
9	Percentage compliance with state and federal standards and regulations for drinking water (Dallas Water Utilities)	100.00%	100.00%	100.00%	100.00%	✔
10	Number of street lane miles resurfaced (Public Works)	208.34	197	32.83	11.32	✘
11	Percentage of potholes repaired within five days (Public Works)	N/A	98.00%	98.00%	100.00%	✔
12	Percentage of streets with a Pavement Condition Index rating of C or better (Public Works)	N/A	77.40%	77.40%	77.40%	✔
13	Missed refuse and recycling collections per 10,000 collection points/service opportunities (Sanitation)*	12.83	11	11	12.53	⚠
14	Residential recycling diversion rate (Sanitation)	19.29%	19.00%	19.00%	17.64%	⚠
15	Percentage of surveyed street lights on major streets that are working (Transportation)	94.58%	96.00%	96.00%	95.50%	✔

#	Measure	FY 2017-18 Actual	FY 2018-19 Target	YTD Target	YTD Actual	YTD Status
Economic and Neighborhood Vitality						
16	Number of jobs created or retained through written commitment (Economic Development)	N/A	5,000	834	1,050	✓
17	Number of Dallas Homebuyer Assistance Program (DHAP) loans provided (Housing)	N/A	81	14	6	✗
18	Total number of new housing units produced (sale and rental combined) (Housing)	595	6,650	1,108	11	✗
19	Percentage of single-family permits reviewed in three days (Sustainable Development)	80.00%	85.00%	85.00%	88.00%	✓
20	Percentage of inspections performed same day as requested (Sustainable Development)	97.49%	98.00%	98.00%	96.82%	✓

Human and Social Needs						
21	Number of seniors served (Community Care)	1,833	4,500	750	1,997	✓
22	Number of days to resolve a homeless encampment site from date of service request to resolution (Homeless Solutions)*	16.31	21	21	15.85	✓
23	Percentage of unduplicated persons placed in permanent housing who remain housed after six months (Homeless Solutions)	N/A	85.00%	85.00%	90.95%	✓

Quality of Life						
24	Number of single-family rental properties inspected (initial inspections and reinspections) (Code Compliance)	12,099	10,000	1,666	452	✗
25	Percentage of 311 Code service requests responded to within estimated response time (Code Compliance)	94.58%	96.00%	96.00%	90.00%	!
26	Percentage of food establishments inspected on schedule (Code Compliance)	N/A	95.00%	95.00%	95.00%	✓
27	Live release rate (Animal Services)	80.30%	81.00%	81.00%	80.45%	✓
28	Percentage increase in field impoundments over prior fiscal year (Animal Services)	17.32%	18.00%	18.00%	-11.42%	✗
29	Number of library visits in person, online, and for programs (Library)	9,352,274	7,420,000	1,236,667	1,758,298	✓
30	Number of participants in adult education courses (ELL, GED, basic education, and citizenship) (Library)	N/A	25,000	4,167	6,072	✓
31	Percentage of cultural services contracts awarded to artists or small arts organizations (budgets less than \$100,000) (Cultural Affairs)	N/A	50.00%	50.00%	48.00%	✓
32	Percentage of residents within ½ mile of a park (Park and Recreation)	60.00%	63.00%	63.00%	61.00%	✓

Government Performance and Financial Management						
33	Percentage of 311 calls answered within 90 seconds (311)	56.46%	70.00%	70.00%	33.39%	✗
34	Percentage of invoices paid within 30 days (City Controller)	95.51%	94.00%	94.00%	98.16%	✓
35	Percentage of dollars spent with local businesses (Business Diversity)	45.41%	50.00%	50.00%	45.04%	!

FY 2018-19 Budget Initiative Tracker

How to read the Budget Initiative Tracker report:

The Budget Initiative Tracker reports on 44 activities that were included in the FY 2018-19 and FY 2019-20 biennial budget. For each of the initiatives included in this report, you will find the initiative number, title, brief description, status icon, and a brief explanation of the current status. At the end of each brief description, the responsible department is listed. Each month, the responsible department provides a current status for the initiative. The responsible department also designates if the initiative is “complete” (blue circle), “on track” (green check mark), “caution/behind” (yellow exclamation mark), or “cancelled” (red x).

This report includes data from October 1, 2018 through November 30, 2018.

Summary		
•	Number of Complete Initiatives	2
✓	Number of On Track Initiatives	42
!	Number of Caution/Behind Initiatives	0
X	Number of Cancelled Initiatives	0

Description of Initiative

Current Status

Public Safety			
1	Police and Fire Uniform Pay: Increasing pay for police officers and firefighters (1) effective in October 2018 in accordance with the three-year Meet and Confer agreement, which calls for double-step pay increases of approximately 10 percent, adding a 2 percent top step, and increasing starting pay to \$51,688, and (2) effective in January 2019 in accordance with the City Council budget amendment to increase pay by three percent across the board, to a minimum of \$60,000. (Police and Fire-Rescue)	✓	Uniform pay increases based on the current Meet and Confer agreement went into effect October 2018. On December 23, 2018, City Council authorized the City Manager to enter into an Amended Meet and Confer agreement so that additional uniform pay increases can go into effect January 2019.
2	Number of Police Officers: Recruiting new police officers to bring the number of sworn employees at the end of FY 2018-19 to 3,050. (Police)	✓	As of December 12, 2018, 41 police officers have been hired. The department is projected to hire an additional 214 officers this fiscal year for a final sworn strength of 3,050.
3	Number of Firefighters: Recruiting new firefighters to bring the number of sworn employees at the end of FY 2018-19 to 1,942. (Fire-Rescue)	✓	Dallas Fire-Rescue hired 65 recruits for the Fall 2018 class. Training began late November 2018. It is anticipated that the Fall class will enter the field in June 2019. Dallas Fire-Rescue has planned to hire an additional 65 recruits in June 2019, for a grand total of 130 planned new hires for FY 2018-19. The summer hiring class-size is contingent upon realized attrition through the year to ensure that we arrive to a sworn strength of 1,942 members at the end of the fiscal year.
4	Police and Fire Uniform Pension: Contributing \$156.8 million, up \$6.1 million from the current year, to the Dallas Police and Fire Pension System to ensure a secure retirement for our first responders. (Police and Fire-Rescue)	✓	The City pension contributions are being made in compliance with HB 3158 approved by the State Legislature in 2017.

Description of Initiative

Current Status

5	Security of City Facilities: Consolidating security for City facilities into Court and Detention Services and conducting a comprehensive risk assessment to identify future security needs for City facilities and programs. (Court and Detention Services)	✓	Building Security merged with Court and Detention Services (CTS) on October 1, 2018. CTS is collaborating with the U.S. Department of Homeland Security to conduct security risk assessments at City Hall and the Central Library and train City staff beginning mid-December 2018. Additionally, staff drafted a Request for Competitive Sealed Proposals (RFCSP) for a security consultant to develop a Citywide security standard and evaluate security services and plans. The RFCSP is tentatively scheduled to be advertised in January 2019.
6	School Crossing Guards: Investing more than \$5 million in a school crossing guard program to protect Dallas students. (Court and Detention Services)	✓	All City Management Services, Inc. (new School Crossing Guard Program vendor) took over the daily management of this program on August 1, 2018. Since the beginning of the 2018-19 school year, school crossing guard services are being provided to approximately 150 elementary schools within Dallas city limits.
7	P-25 Radio System: Expanding radio coverage area, improving system reliability, lowering operating costs, and improving interoperability across City departments and with other public safety agencies through implementation of the new P-25 radio system. (Communication and Information Services)	✓	The system design review, Motorola factory build, and quality assurance test were completed successfully. All equipment from the factory test was disassembled and shipped to Dallas, and radio site preparation in Dallas is underway.
8	Firefighter Safety: Protecting the safety of Fire-Rescue officers by replacing all self-contained breathing apparatus (SCBA) in phases and providing a second set of personal protective equipment (PPE) to allow for cleaning equipment between fires. (Fire-Rescue)	✓	Fire-Rescue met with the Office of Procurement Services to begin discussing the specification process to purchase the second set of PPEs and replace all SCBAs.
9	911 Operations Center: Furthering the City's investment in the 911 emergency system with additional technology and expanded backup capacity. (Communication and Information Services)	✓	Communication and Information Services (CIS) has installed Text-to-911 with the "go-live" date anticipated in early 2019, and CIS has ordered equipment for the backup CAD system. The vendor is finalizing the quote for the Dual Production Public Safety Answering Point (PSAP) solution for the backup site.

Mobility Solutions, Infrastructure, and Sustainability

10	Street Condition: Investing more than \$125 million of bonds and cash to improve the driving condition of city streets. (Public Works)	✓	FY 2018-19 funding will provide approximately 820 lane miles of maintenance and improvements by the end of the fiscal year. In-house crews began working on the FY 2018-19 workplan in October 2018. In November 2018, work orders were issued for bond resurfacing projects scheduled for 2019, and work orders will be issued in December 2018 for the General Fund work plan maintenance. The preservation (micro/slurry sealants) contract will advertise in January 2018 with a contract award projected to go to City Council for consideration in March 2019.
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Description of Initiative

Current Status

11	Intersection Safety: Leveraging \$10 million of federal Highway Safety Improvement Program (HSIP) funds with approximately \$2 million in City funds to improve safety at high-crash locations. (Transportation)	✓	Dallas was awarded more than anticipated - \$11.3 million in federal HSIP funds. The City plans to still invest \$2 million of City funds on these high-crash location safety improvements.
12	Alley Access: Creating a \$1.8 million cross-departmental pilot program to improve alley access for residents and utilities. (Sanitation, Water Utilities, and Public Works)	✓	The Public Works department is taking the lead on this pilot program and is currently putting the specifications together in preparation for the advertisement for bids.
13	Bike Lanes: Expanding bike lanes and improving mobility by increasing the current \$500,000 budget by \$500,000 per year for each of the next three years to achieve a \$2 million per year investment starting in FY 2020-21. (Transportation)	✓	Using the \$1 million allocated in the FY 2018-19 budget, Transportation is working on projects in the Central Business District, including Akard, Cadiz, and Canton streets, as well as on Zang Blvd. and Union Trail. An upcoming project at Monroe Dr. and Merrell Rd. will connect a Dallas County trail project near the Walnut Hill/Denton DART station.
14	OneWater Consolidation: Combining water, wastewater, and stormwater into one utility to provide comprehensive management of Dallas' valuable water resources. (Water Utilities)	✓	DWU's organizational chart has been revised to include the stormwater utility. Logistical changes are in process, as staff is relocated to align the organization with new functional needs. A scope is being developed to assess current stormwater and flood control functions and provide a path to more sustainable operations and procedures.
15	Environmental Plan: Completing an environmental plan that includes solutions to address climate change by using \$500,000 available revenue received from the previous plastic bag ordinance and fee. (Office of Environmental Quality)	✓	A RFQ for a comprehensive environmental action and climate action plan was issued September 20, 2018. The consulting firm AECOM Technical Services, Inc. was selected in accordance with City procurement guidelines. The project will be briefed to the Quality of Life Committee on January 14, 2019, and is tentatively scheduled for the January 23, 2019, City Council agenda for contract authorization.
16	Traffic Signals: Repairing traffic signals by 1) responding to traffic signal knockdowns and underground cable repairs and 2) replacing broken vehicle detectors at 40 traffic signals across the city. (Transportation)	✓	This initiative is funded in FY 2019-20, the second year of the biennial.
17	City Facility Major Maintenance: Repairing City-owned facilities through a \$7 million deferred maintenance program. (Building Services)	✓	Building Services has expended \$1.01 million of \$1.27 million in projects planned so far, including repairs at DFR Complex, Maintenance Building C roof replacement, replacement of the Hensley Field Operations fire alarm system, and glass replacement at City Hall. Four additional contracts are pending City Council consideration on January 9, 2019.
18	Neighborhood Drainage: Implementing a new stormwater program dedicated to neighborhood drainage, which will focus efforts on neighborhood outreach and preventing flooding in local streets. (Water Utilities)	✓	The FY 2019-20 budget includes funding for personnel, equipment, and contracts for increased neighborhood drainage maintenance. In preparation, the former Trinity Watershed Management work groups are being reorganized into two Stormwater Operations divisions: Dallas Floodway and Neighborhood Drainage. The Sr. Program Manager position for Neighborhood Drainage is being reclassified and will be advertised and filled in the next few months.

Description of Initiative

Current Status

Economic and Neighborhood Vitality		
19	Property Tax Rate: Reducing the property tax rate by 0.37¢, making FY 2018-19 the third consecutive year with a tax rate reduction. (Office of Budget)	<ul style="list-style-type: none"> • City Council approved a 0.37¢ property tax reduction on September 18, 2018. Dallas County Tax Office distributed property tax bills and will collect revenue on behalf of the City.
20	Housing Policy: Implementing the Comprehensive Housing Policy approved by City Council in May 2018 to create and preserve housing throughout the city. (Housing and Neighborhood Revitalization)	<ul style="list-style-type: none"> ✓ Staff is operating the Housing Improvement and Preservation Program (HIPP), Dallas Homebuyer Assistance Program (DHAP), and development programs authorized by City Council as part of the Comprehensive Housing Policy. City Council approved the transfer of \$7 million in unencumbered Tax Increment Financing (TIF) funds to the Housing Trust Fund on December 12, 2018, and referred incentive zoning back to the Economic Development and Housing Committee. All Housing Task Force subcommittees are meeting regularly; in Q1, the Task Force will consider neighborhood empowerment zones, low-income housing tax credits (LIHTC), and Housing Trust Fund strategies.
21	Stabilization and Emerging Market Areas: Targeting \$1 million to historically underserved areas at risk of displacement because of changing market conditions, as well as areas in need of intensive environmental enhancements, master planning, and formalized neighborhood organizations. (Housing and Neighborhood Revitalization)	<ul style="list-style-type: none"> ✓ Staff plans to brief the Economic Development and Housing Committee on April 15, 2019, on a proposed neighborhood revitalization/redevelopment strategy that includes the \$1 million in funds.
22	One-Stop Permitting: Offering an online one-stop shop for residents and businesses to submit construction plans to the City. (Sustainable Development and Construction)	<ul style="list-style-type: none"> ✓ Phase 1 of the software was implemented October 1, 2018, and is functioning for our customers. Phase 2 will be implemented in FY 2018-19 with enhanced features to improve efficiency.
23	Historic Resource Survey: Devoting \$100,000 to conduct a historic resource survey with private partners. (Sustainable Development and Construction)	<ul style="list-style-type: none"> ✓ Staff submitted a request for \$50,000 to the Texas Historical Commission (THC) in November 2018, with an expected award date in early 2019. Preservation Dallas and members of the former Preservation Solutions Committee have committed to raising matching funds by February 2019, although no money has been committed to date. Staff will determine the project scope based on funds awarded by THC and raised by these outside entities and release a RFQ to conduct the survey by February. Staff anticipates work will begin in April or May 2019.

Description of Initiative

Current Status

Human and Social Needs		
24	Homelessness Programs: Addressing homelessness holistically, including \$2.3 million for strengthening the homeless response system, providing improved supportive housing for chronically homeless seniors, leveraging innovative and collaborative “shovel-ready” projects for affordable housing units, funding a master lease program, and developing a landlord incentive program. (Office of Homeless Solutions)	<p>✓</p> <p>OHS is working with the Office of Procurement Services to release several RFCSPs for projects in January, including strengthening the homeless response system, workforce sustainability, supportive housing for seniors, and the landlord subsidized leasing program with the goal of implementing in early spring. OHS has also streamlined its processes to support efficient implementation and accurate performance monitoring.</p>
25	End Panhandling Now: Increasing funding for the End Panhandling Now initiative to \$415,000 and continuing public education on ways to effectively assist those in need. (Office of Community Care)	<p>✓</p> <p>The City has four full-time resources dedicated to anti-panhandling initiatives. Since October 1, staff has engaged 27 clients throughout the city. Major themes from these engagements have been a desire for quick money, unwillingness to go to a shelter (in some cases because couples cannot go together), and the belief that they are not eligible for services due to criminal background. Additionally, a social media campaign, targeting potential contributors, was launched in September with over 3.2 million impressions through November 30.</p>
26	Citizenship Programs: Committing \$175,000 to partner with nonprofit organizations to offer civil legal services and promote citizenship to immigrants. (Office of Welcoming Communities and Immigrant Affairs)	<p>✓</p> <p>Specifications for civil legal services and citizenship grants have been drafted, and staff expects to release the Requests for Proposals (RFPs) in January or February 2019.</p>
27	Equity: Creating an Office of Equity and Human Rights (OEHR) to promote equity as one of the City’s core values and focus on fair housing. (Office of Equity and Human Rights)	<p>✓</p> <p>OEHR is working on initiatives to promote equity in Dallas, including a partnership with the Government Alliance on Race and Equity, which City Council approved in November 2018.</p>
28	Fresh Start Re-entry Program: Increasing funding by \$235,000 for the “Fresh Start” re-entry program to support the transition of formerly incarcerated individuals into the community. (Office of Community Care)	<p>✓</p> <p>Community Care is hiring and onboarding staff to support new programming elements. Staff is also working with Human Resources and departmental leadership to identify internal job opportunities for formerly incarcerated individuals. Additionally, staff has been meeting with community organizations that provide services to formerly incarcerated individuals to identify partnership opportunities.</p>

Quality of Life		
29	Fair Park: Transitioning Fair Park’s daily operation from City management to Fair Park First, a nonprofit subcontracting with a private management company to expand fundraising opportunities, improve operations, and make capital improvements. (Park and Recreation)	<p>✓</p> <p>City Council approved the contract with Fair Park First on October 24, 2018, with the management transition effective January 1, 2019.</p>
30	Dangerous Animals: Allocating \$410,000 to mobilize a team in Dallas Animal Services dedicated to dealing with aggressive and dangerous animals and preemptively reducing bites. (Dallas Animal Services)	<p>✓</p> <p>Dallas Animal Services has deployed a team of four officers and a supervisor specifically focused on impounding aggressive and dangerous loose dogs in high-risk areas, with the intention of reducing potential bites. These areas are patrolled using the bite map compiled from previously recorded bites in the area.</p>

Description of Initiative

Current Status

31	Neighborhood Code Representatives: Adding \$650,000 for seven Neighborhood Code Representatives (NCR), further improving outreach efforts and providing more liaisons to address community issues. (Code Compliance)	✓	Applications for the NCR positions are open through December 29, 2018. Interviews will take place from late January through mid-February, pending civil service results, with start dates in late February.
32	Library RFID: Implementing a \$2 million Radio Frequency Identification (RFID) system throughout our library system to improve security and better manage our materials and assets. (Library)	✓	Communication and Information Services has approved the project specifications drafted by the Library department. Procurement Services will perform the final review, and staff anticipates advertising the project as a competitively sealed bid in early January.
33	Aquatic Spraygrounds: Expediting the opening of six spraygrounds for summer 2019. (Park & Recreation)	✓	Three family aquatic centers (Crawford, Fretz and Samuel Grand) opened in August of FY 2017-18. An additional three family aquatic centers (including spraygrounds) are on schedule to open for the 2019 Summer Season, for a total of six aquatic centers that opened between 2018-2019. The three expedited facilities for 2019 are Lake Highlands North, Kidd Springs, and Tietze Neighborhood family aquatic centers.
34	Park and ISD Partnerships: Partnering with school districts to offer more green spaces and parks. (Park and Recreation)	✓	Currently, 25 DISD and 7 RISD schools are open to the public after hours and on weekends, increasing the percentage of residents within half a mile of a park by 2% (to 60% from 58%). For FY 2018-19, Park and Recreation is currently looking at additional opportunities and partnerships to increase the percentage to 63% (3% increase from last fiscal year).
35	WellMed Senior Programs: Investing in programs for all ages by partnering with the nonprofit WellMed Charitable Foundation to open a new health and wellness center for residents age 60 and older. (Park and Recreation)	✓	The WellMed Charitable Foundation Senior Activity Center at Redbird Square opened December 6, 2018. The center is designed to keep adults age 60 or older healthy and active at no cost to participants.
36	Cultural Plan: Adopting the Dallas Cultural Plan 2018. (Office of Cultural Affairs)	•	City Council unanimously adopted the Dallas Cultural Plan 2018 and an updated Cultural Policy on November 28, 2018. Implementation of key initiatives began immediately after adoption.

Government Performance and Financial Management

37	Off-Site City Council Meetings: Expanding opportunities for residents and Council to engage by hosting mobile City Council meetings. (Mayor and City Council)	✓	The Mayor and City Council will host three off-site agenda meetings during FY 2018-19: February 13, May 8, and August 14.
38	Council District Offices: Expanding opportunities for residents and Council to engage by expanding the district office program with the addition of a new office in District 5. (Mayor and City Council)	✓	The City Council opened four district offices in FY 2017-18 and plans to open a fifth by the end of January at the Beckley-Saner Recreation Center in District 4.

Description of Initiative

Current Status

39	<p>Census 2020: Encouraging participation in Census 2020, including \$75,000 for the Mayor's Complete Count Committee. (Office of Strategic Partnerships and Government Affairs)</p>	✓	<p>OSPGA is working with the Complete Count Committee to develop an outreach plan for Census 2020 and plans to conduct quarterly meetings to discuss solutions for accurately measuring hard-to-count areas of Dallas. The office is also preparing a fundraising budget and collaborating with Dallas County and surrounding cities to promote and fundraise for the Census, as well as share strategies throughout the region. Lastly, staff is identifying new partners to include in the National Census Bureau's strategic workshop planned for Spring 2019.</p>
40	<p>Office of Innovation: Establishing an Office of Innovation, which will lead City staff in efforts to improve service, increase efficiency, and be more responsive to community input. (Office of Innovation)</p>	✓	<p>The Office of Innovation is established, and the new Chief Innovation Officer will begin in January.</p>
41	<p>ADA Compliance: Investing \$200,000 to develop an Americans with Disabilities Act (ADA) transition plan that enhances the City's ADA compliance and addresses accessibility issues in City facilities. (Office of Equity and Human Rights)</p>	✓	<p>OEHR has identified a vendor under a state price agreement and is finalizing the scope of work with City departments. Staff anticipates submitting the contract for City Council consideration in June 2019.</p>
42	<p>A&D Study: Conducting a minority business study to inform decision makers on how the City can better support small and local businesses. (Office of Business Diversity)</p>	✓	<p>MGT Consulting Group (MGT) began Phase 1 of the Availability and Disparity (A&D) Study with a project initiation meeting on November 12, 2018, where MGT provided information regarding the project scope, milestones, deliverables, and schedule. MGT has conducted additional meetings with staff regarding procurement policies and procedures, as well as data management and systems. Public engagement meetings are scheduled to begin in January 2019.</p>
43	<p>Compensation Study: Complete a comprehensive study of the City's position classification and compensation systems. (Human Resources)</p>	✓	<p>HR staff completed the project specifications, which include three distinct phases: Job Architecture, Compensation Strategy, and Market Survey. Procurement Services will be involved in the review of Phase I - Job Architecture, and staff anticipates vendor selection for this phase in mid-January 2019.</p>
44	<p>WorkDay HR/Payroll System: Implementing a new human resource and payroll system and evaluating an additional module for uniformed employee scheduling. (Communication and Information Services)</p>	✓	<p>Payroll, compensation, benefits, time tracking, absence, recruiting and talent management functionalities have been designed and configured. These functions were unit-tested in November, and end-to end functional testing will occur January through March. Data conversion from legacy systems (Lawson, Kronos, IDS, NeoGov) is an ongoing activity as staff continues to work in those systems. Parallel payroll systems testing is scheduled to take place March through May with a go-live date of July 2019.</p>

Office of Budget
1500 Marilla Street
Dallas, TX 75201

214.670.3659

financialtransparency@dallascityhall.com



Memorandum



CITY OF DALLAS

DATE January 3, 2019

TO Senior Affairs Commission

SUBJECT **Community Development Block Grant (CDBG) Funds**

As you are aware, we are in the process of developing the Five-Year Consolidated Plan for HUD grant funds for FY20 through FY24. The Consolidated Plan includes CDBG which is a funding source along with the General Fund for programs that serve seniors in our community.

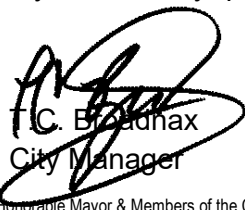
On December 5, staff presented our initial recommendations for the new Consolidated Plan to the City Council. We recommended using all CDBG Public Service dollars to address the drivers of poverty, with a focus on reducing and/or eliminating barriers to work. As part of this recommendation, we proposed that more of the Public Service funds be made available to nonprofit agencies through a competitive proposal process to address the drivers of poverty.

An additional component of our recommendation is to transfer current expenses for Senior Programs and Community Courts from CDBG to the General Fund in FY 2019-20. Reasons for this recommendation include:

- City Council and staff have a strong commitment to both Senior Programs and Community Courts and desire for the programs to continue.
- Federal funds for CDBG have steadily declined since FY04 and have an uncertain future. (Reduction of 32 percent from \$21.7 million in FY04 to \$14.8 million in FY19)
- General Fund can provide a more reliable funding mechanism and might provide possible opportunities to expand in the future.
- Administering the programs will be more efficient when the source of funds is no longer spread across multiple sources.
- Members of the City Council and the Community Development Commission have expressed a desire to see changes in the way CDBG funds are used and to see funds made available to more nonprofit organizations.

I have advised the City Council that I intend to include transferring funding from CDBG to the General Fund in my General Fund budget recommendation for FY 2019-20 that I will submit to the City Council on August 13, 2019.

If you have any questions, please contact Jack Ireland or Chan Williams in the Office of Budget.



T. C. Brazdax
City Manager

c: Honorable Mayor & Members of the City Council
Members of the Community Development Commission
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
Billerae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizar Tolbert, Chief of Staff to the City Manager

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

Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **Dallas Delegation Voting Record Regarding State Small Cell Legislation**

During the January 2, 2019 City Council Briefing, several Council Members discussed the State's small cell legislation, Senate Bill 1004, which passed during the 85th Texas Legislative Session. Attached to this memorandum is the voting record of the Dallas delegation on the final vote for Senate Bill 1004 as well as the enrolled language of the legislation, which had an earliest effective date of September 1, 2017.

If you have any questions, please contact Brett Wilkinson, Managing Director, Office of Strategic Partnerships and Government Affairs at (214) 670-5797 or brett.wilkinson@dallascityhall.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Kimberly Bizzor Tolbert', written over a large, stylized blue scribble.

Kimberly Bizzor Tolbert
Chief of Staff to the City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Majed A. Al-Ghafry, Assistant 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
Directors and Assistant Directors

SB 1004: Network Node Dallas Delegate Voting Record

85th Legislative Session

Senate Author: Kelly Hancock (Dallas delegate)

House Sponsor: Charlie Geren (HB 2838)

Senate	Final Vote	House	Final Vote
Hall (SD 2)	Y	Gooden (HD 4)	Y
Taylor (SD 8)	Y	Holland (HD 33)	N
Hancock (SD 9)	Y	Simmons (HD 65)	Y
Nelson (SD 12)	Y	Shaheen (HD 66)	Y
Huffines (SD 16)	Y	Leach (HD 67)	Y
West (SD 23)	Y	Laubenberg (HD 89)	Y
Estes (SD 30)	Y	Johnson (HD 100)	Y
		Koop (HD 102)	Y
		Anchia (HD 103)	Y
		Alonzo (HD 104)	Y
		Anderson (HD 105)	Y
		Neave (HD 107)	Y
		Meyer (HD 108)	Y
		Giddings (HD 109)	Y
		Rose (HD 110)	Y
		Davis (HD 111)	Y
		Button (HD 112)	Y
		Burkett (HD 113)	Y
		Villalba (HD 114)	Y
		Rinaldi (HD 115)	Y

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AN ACT

relating to the deployment of network nodes in public right-of-way;
authorizing fees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle A, Title 9, Local Government Code, is amended by adding Chapter 284 to read as follows:

CHAPTER 284. DEPLOYMENT OF NETWORK NODES IN PUBLIC RIGHT-OF-WAY

SUBCHAPTER A. GENERAL PROVISIONS

Sec. 284.001. FINDINGS AND POLICY. (a) The legislature

finds that:

(1) network nodes are instrumental to increasing access to advanced technology and information for the citizens of this state and thereby further an important public policy of having reliable wireless networks and services;

(2) this state has delegated to each municipality the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public, subject to state law;

(3) network nodes often may be deployed most effectively in the public right-of-way;

(4) network providers' access to the public right-of-way and the ability to attach network nodes to poles and structures in the public right-of-way allow network providers to densify their networks and provide next-generation services;

(5) expeditious processes and reasonable and

1 nondiscriminatory terms, conditions, and compensation for use of
2 the public right-of-way for network node deployments are essential
3 to state-of-the-art wireless services and thereby further an
4 important public policy of having reliable wireless networks and
5 services;

6 (6) network nodes help ensure that this state remains
7 competitive in the global economy;

8 (7) the timely permitting of network nodes in the
9 public right-of-way is a matter of statewide concern and interest;

10 (8) requirements of this chapter regarding fees,
11 charges, rates, and public right-of-way management, when
12 considered with fees charged to other public right-of-way users
13 under this code, are fair and reasonable and in compliance with 47
14 U.S.C. Section 253;

15 (9) to the extent this state has delegated its
16 fiduciary responsibility to municipalities as managers of a
17 valuable public asset, the public right-of-way, this state is
18 acting in its role as a landowner in balancing the needs of the
19 public and the needs of the network providers by allowing access to
20 the public right-of-way to place network nodes in the public
21 right-of-way strictly within the terms of this chapter; and

22 (10) as to each municipality, including home-rule
23 municipalities, this state has determined that it is reasonable and
24 necessary to allow access to the public right-of-way for the
25 purposes of deploying network nodes to protect and safeguard the
26 health, safety, and welfare of the public as provided by this
27 chapter.

1 (b) In order to safeguard the health, safety, and welfare of
2 the public, it is the policy of this state to promote the adoption
3 of and encourage competition in the provision of wireless services
4 by reducing the barriers to entry for providers of services so that
5 the number and types of services offered by providers continue to
6 increase through competition.

7 (c) It is the policy of this state, subject to state law and
8 strictly within the requirements and limitations prescribed by this
9 chapter, that municipalities:

10 (1) retain the authority to manage the public
11 right-of-way to ensure the health, safety, and welfare of the
12 public; and

13 (2) receive from network providers fair and reasonable
14 compensation for use of the public right-of-way and for collocation
15 on poles.

16 Sec. 284.002. DEFINITIONS. In this chapter:

17 (1) "Antenna" means communications equipment that
18 transmits or receives electromagnetic radio frequency signals used
19 in the provision of wireless services.

20 (2) "Applicable codes" means:

21 (A) uniform building, fire, electrical,
22 plumbing, or mechanical codes adopted by a recognized national code
23 organization; and

24 (B) local amendments to those codes to the extent
25 not inconsistent with this chapter.

26 (3) "Collocate" and "collocation" mean the
27 installation, mounting, maintenance, modification, operation, or

1 replacement of network nodes in a public right-of-way on or
2 adjacent to a pole.

3 (4) "Decorative pole" means a streetlight pole
4 specially designed and placed for aesthetic purposes and on which
5 no appurtenances or attachments, other than specially designed
6 informational or directional signage or temporary holiday or
7 special event attachments, have been placed or are permitted to be
8 placed according to nondiscriminatory municipal codes.

9 (5) "Design district" means an area that is zoned, or
10 otherwise designated by municipal code, and for which the city
11 maintains and enforces unique design and aesthetic standards on a
12 uniform and nondiscriminatory basis.

13 (6) "Historic district" means an area that is zoned or
14 otherwise designated as a historic district under municipal, state,
15 or federal law.

16 (7) "Law" means common law or a federal, state, or
17 local law, statute, code, rule, regulation, order, or ordinance.

18 (8) "Macro tower" means a guyed or self-supported pole
19 or monopole greater than the height parameters prescribed by
20 Section 284.103 and that supports or is capable of supporting
21 antennas.

22 (9) "Micro network node" means a network node that is
23 not larger in dimension than 24 inches in length, 15 inches in
24 width, and 12 inches in height, and that has an exterior antenna, if
25 any, not longer than 11 inches.

26 (10) "Municipally owned utility pole" means a utility
27 pole owned or operated by a municipally owned utility, as defined by

1 Section 11.003, Utilities Code, and located in a public
2 right-of-way.

3 (11) "Municipal park" means an area that is zoned or
4 otherwise designated by municipal code as a public park for the
5 purpose of recreational activity.

6 (12) "Network node" means equipment at a fixed
7 location that enables wireless communications between user
8 equipment and a communications network. The term:

9 (A) includes:

10 (i) equipment associated with wireless
11 communications;

12 (ii) a radio transceiver, an antenna, a
13 battery-only backup power supply, and comparable equipment,
14 regardless of technological configuration; and

15 (iii) coaxial or fiber-optic cable that is
16 immediately adjacent to and directly associated with a particular
17 collocation; and

18 (B) does not include:

19 (i) an electric generator;

20 (ii) a pole; or

21 (iii) a macro tower.

22 (13) "Network provider" means:

23 (A) a wireless service provider; or

24 (B) a person that does not provide wireless
25 services and that is not an electric utility but builds or installs
26 on behalf of a wireless service provider:

27 (i) network nodes; or

1 (ii) node support poles or any other
2 structure that supports or is capable of supporting a network node.

3 (14) "Node support pole" means a pole installed by a
4 network provider for the primary purpose of supporting a network
5 node.

6 (15) "Permit" means a written authorization for the
7 use of the public right-of-way or collocation on a service pole
8 required from a municipality before a network provider may perform
9 an action or initiate, continue, or complete a project over which
10 the municipality has police power authority.

11 (16) "Pole" means a service pole, municipally owned
12 utility pole, node support pole, or utility pole.

13 (17) "Private easement" means an easement or other
14 real property right that is only for the benefit of the grantor and
15 grantee and their successors and assigns.

16 (18) "Public right-of-way" means the area on, below,
17 or above a public roadway, highway, street, public sidewalk, alley,
18 waterway, or utility easement in which the municipality has an
19 interest. The term does not include:

20 (A) a private easement; or

21 (B) the airwaves above a public right-of-way with
22 regard to wireless telecommunications.

23 (19) "Public right-of-way management ordinance" means
24 an ordinance that complies with Subchapter C.

25 (20) "Public right-of-way rate" means an annual rental
26 charge paid by a network provider to a municipality related to the
27 construction, maintenance, or operation of network nodes within a

1 public right-of-way in the municipality.

2 (21) "Service pole" means a pole, other than a
3 municipally owned utility pole, owned or operated by a municipality
4 and located in a public right-of-way, including:

5 (A) a pole that supports traffic control
6 functions;

7 (B) a structure for signage;

8 (C) a pole that supports lighting, other than a
9 decorative pole; and

10 (D) a pole or similar structure owned or operated
11 by a municipality and supporting only network nodes.

12 (22) "Transport facility" means each transmission
13 path physically within a public right-of-way, extending with a
14 physical line from a network node directly to the network, for the
15 purpose of providing backhaul for network nodes.

16 (23) "Utility pole" means a pole that provides:

17 (A) electric distribution with a voltage rating
18 of not more than 34.5 kilovolts; or

19 (B) services of a telecommunications provider,
20 as defined by Section 51.002, Utilities Code.

21 (24) "Wireless service" means any service, using
22 licensed or unlicensed wireless spectrum, including the use of
23 Wi-Fi, whether at a fixed location or mobile, provided to the public
24 using a network node.

25 (25) "Wireless service provider" means a person that
26 provides wireless service to the public.

27 Sec. 284.003. LIMITATION ON SIZE OF NETWORK NODES.

1 (a) Except as provided by Section 284.109, a network node to which
2 this chapter applies must conform to the following conditions:

3 (1) each antenna that does not have exposed elements
4 and is attached to an existing structure or pole:

5 (A) must be located inside an enclosure of not
6 more than six cubic feet in volume;

7 (B) may not exceed a height of three feet above
8 the existing structure or pole; and

9 (C) may not protrude from the outer circumference
10 of the existing structure or pole by more than two feet;

11 (2) if an antenna has exposed elements and is attached
12 to an existing structure or pole, the antenna and all of the
13 antenna's exposed elements:

14 (A) must fit within an imaginary enclosure of not
15 more than six cubic feet;

16 (B) may not exceed a height of three feet above
17 the existing structure or pole; and

18 (C) may not protrude from the outer circumference
19 of the existing structure or pole by more than two feet;

20 (3) the cumulative size of other wireless equipment
21 associated with the network node attached to an existing structure
22 or pole may not:

23 (A) be more than 28 cubic feet in volume; or

24 (B) protrude from the outer circumference of the
25 existing structure or pole by more than two feet;

26 (4) ground-based enclosures, separate from the pole,
27 may not be higher than three feet six inches from grade, wider than

1 three feet six inches, or deeper than three feet six inches; and
2 (5) pole-mounted enclosures may not be taller than
3 five feet.

4 (b) The following types of associated ancillary equipment
5 are not included in the calculation of equipment volume under
6 Subsection (a):

- 7 (1) electric meters;
- 8 (2) concealment elements;
- 9 (3) telecommunications demarcation boxes;
- 10 (4) grounding equipment;
- 11 (5) power transfer switches;
- 12 (6) cut-off switches; and
- 13 (7) vertical cable runs for the connection of power
14 and other services.

15 (c) Equipment attached to node support poles may not
16 protrude from the outer edge of the node support pole by more than
17 two feet.

18 (d) Equipment attached to a utility pole must be installed
19 in accordance with the National Electrical Safety Code, subject to
20 applicable codes, and the utility pole owner's construction
21 standards.

22 SUBCHAPTER B. USE OF PUBLIC RIGHT-OF-WAY

23 Sec. 284.051. APPLICABILITY OF SUBCHAPTER. This subchapter
24 applies only to activities related to transport facilities for
25 network nodes, activities of a network provider collocating network
26 nodes in the public right-of-way or installing, constructing,
27 operating, modifying, replacing, and maintaining node support

1 poles in a public right-of-way, and municipal authority in relation
2 to those activities.

3 Sec. 284.052. EXCLUSIVE USE PROHIBITED. A municipality may
4 not enter into an exclusive arrangement with any person for use of
5 the public right-of-way for the construction, operation,
6 marketing, or maintenance of network nodes or node support poles.

7 Sec. 284.053. ANNUAL PUBLIC RIGHT-OF-WAY RATE. (a) A
8 public right-of-way rate for use of the public right-of-way may not
9 exceed an annual amount equal to \$250 multiplied by the number of
10 network nodes installed in the public right-of-way in the
11 municipality's corporate boundaries.

12 (b) At the municipality's discretion, the municipality may
13 charge a network provider a lower rate or fee if the lower rate or
14 fee is:

- 15 (1) nondiscriminatory;
16 (2) related to the use of the public right-of-way; and
17 (3) not a prohibited gift of public property.

18 Sec. 284.054. PUBLIC RIGHT-OF-WAY RATE ADJUSTMENT. (a) In
19 this section, "consumer price index" means the annual revised
20 Consumer Price Index for All Urban Consumers for Texas, as
21 published by the federal Bureau of Labor Statistics.

22 (b) A municipality may adjust the amount of the public
23 right-of-way rate not more often than annually by an amount equal to
24 one-half the annual change, if any, in the consumer price index.
25 The municipality shall provide written notice to each network
26 provider of the new rate, and the rate shall apply to the first
27 payment due to the municipality on or after the 60th day following

1 that notice.

2 Sec. 284.055. USE OF PUBLIC RIGHT-OF-WAY AND APPLICABLE
3 RATE. (a) A network provider that wants to connect a network node
4 to the network using the public right-of-way may:

5 (1) install its own transport facilities subject to
6 Subsection (b); or

7 (2) obtain transport service from a person that is
8 paying municipal fees to occupy the public right-of-way that are
9 the equivalent of not less than \$28 per node per month.

10 (b) A network provider may not install its own transport
11 facilities unless the provider:

12 (1) has a permit to use the public right-of-way; and

13 (2) pays to the municipality a monthly public
14 right-of-way rate for transport facilities in an amount equal to
15 \$28 multiplied by the number of the network provider's network
16 nodes located in the public right-of-way for which the installed
17 transport facilities provide backhaul unless or until the time the
18 network provider's payment of municipal fees to the municipality
19 exceeds its monthly aggregate per-node compensation to the
20 municipality.

21 (c) A public right-of-way rate required by Subsection (b) is
22 in addition to any public right-of-way rate required by Section
23 284.053.

24 Sec. 284.056. COLLOCATION OF NETWORK NODES ON SERVICE
25 POLES. A municipality, subject to an agreement with the
26 municipality that does not conflict with this chapter, shall allow
27 collocation of network nodes on service poles on nondiscriminatory

1 terms and conditions and at a rate not greater than \$20 per year per
2 service pole.

3 Sec. 284.057. PROHIBITION ON OTHER COMPENSATION. A
4 municipality may not require a network provider to pay any
5 compensation other than the compensation authorized by this chapter
6 for the right to use a public right-of-way for network nodes, node
7 support poles, or transport facilities for network nodes.

8 SUBCHAPTER C. ACCESS AND APPROVALS

9 Sec. 284.101. RIGHT OF ACCESS TO PUBLIC RIGHT-OF-WAY.

10 (a) Except as specifically provided by this chapter, and subject
11 to the requirements of this chapter and the approval of a permit
12 application, if required, a network provider is authorized, as a
13 permitted use, without need for a special use permit or similar
14 zoning review and not subject to further land use approval, to do
15 the following in the public right-of-way:

16 (1) construct, modify, maintain, operate, relocate,
17 and remove a network node or node support pole;

18 (2) modify or replace a utility pole or node support
19 pole; and

20 (3) collocate on a pole, subject to an agreement with
21 the municipality that does not conflict with this chapter.

22 (b) A network provider taking an action authorized by
23 Subsection (a) is subject to applicable codes, including applicable
24 public right-of-way management ordinances.

25 Sec. 284.102. GENERAL CONSTRUCTION AND MAINTENANCE
26 REQUIREMENTS. A network provider shall construct and maintain
27 network nodes and node support poles described by Section 284.101

1 in a manner that does not:

2 (1) obstruct, impede, or hinder the usual travel or
3 public safety on a public right-of-way;

4 (2) obstruct the legal use of a public right-of-way by
5 other utility providers;

6 (3) violate nondiscriminatory applicable codes;

7 (4) violate or conflict with the municipality's
8 publicly disclosed public right-of-way design specifications; or

9 (5) violate the federal Americans with Disabilities
10 Act of 1990 (42 U.S.C. Section 12101 et seq.).

11 Sec. 284.103. GENERAL LIMITATION ON PLACEMENT OF POLES. A
12 network provider shall ensure that each new, modified, or
13 replacement utility pole or node support pole installed in a public
14 right-of-way in relation to which the network provider received
15 approval of a permit application does not exceed the lesser of:

16 (1) 10 feet in height above the tallest existing
17 utility pole located within 500 linear feet of the new pole in the
18 same public right-of-way; or

19 (2) 55 feet above ground level.

20 Sec. 284.104. INSTALLATION IN MUNICIPAL PARKS AND
21 RESIDENTIAL AREAS. (a) A network provider may not install a new
22 node support pole in a public right-of-way without the
23 municipality's discretionary, nondiscriminatory, and written
24 consent if the public right-of-way is in a municipal park or is
25 adjacent to a street or thoroughfare that is:

26 (1) not more than 50 feet wide; and

27 (2) adjacent to single-family residential lots or

1 other multifamily residences or undeveloped land that is designated
2 for residential use by zoning or deed restrictions.

3 (b) In addition to the requirement prescribed by Subsection
4 (a), a network provider installing a network node or node support
5 pole in a public right-of-way described by Subsection (a) shall
6 comply with private deed restrictions and other private
7 restrictions in the area that apply to those facilities.

8 Sec. 284.105. INSTALLATION IN HISTORIC OR DESIGN DISTRICTS.

9 (a) A network provider must obtain advance approval from a
10 municipality before collocating new network nodes or installing new
11 node support poles in an area of the municipality zoned or otherwise
12 designated as a historic district or as a design district if the
13 district has decorative poles. As a condition for approval of new
14 network nodes or new node support poles in a historic district or a
15 design district with decorative poles, a municipality may require
16 reasonable design or concealment measures for the new network nodes
17 or new node support poles. A municipality may request that a
18 network provider comply with the design and aesthetic standards of
19 the historic or design district and explore the feasibility of
20 using certain camouflage measures to improve the aesthetics of the
21 new network nodes, new node support poles, or related ground
22 equipment, or any portion of the nodes, poles, or equipment, to
23 minimize the impact to the aesthetics in a historic district or on a
24 design district's decorative poles.

25 (b) This section may not be construed to limit a
26 municipality's authority to enforce historic preservation zoning
27 regulations consistent with the preservation of local zoning

1 authority under 47 U.S.C. Section 332(c)(7), the requirements for
2 facility modifications under 47 U.S.C. Section 1455(a), or the
3 National Historic Preservation Act of 1966 (54 U.S.C. Section
4 300101 et seq.), and the regulations adopted to implement those
5 laws.

6 Sec. 284.106. EQUIPMENT CABINETS. A network provider shall
7 ensure that the vertical height of an equipment cabinet installed
8 as part of a network node does not exceed the height limitation
9 prescribed by Section 284.003, subject to approval of the pole's
10 owner if applicable.

11 Sec. 284.107. COMPLIANCE WITH UNDERGROUNDING REQUIREMENT.
12 (a) A network provider shall, in relation to installation for
13 which the municipality approved a permit application, comply with
14 nondiscriminatory undergrounding requirements, including
15 municipal ordinances, zoning regulations, state law, private deed
16 restrictions, and other public or private restrictions, that
17 prohibit installing aboveground structures in a public
18 right-of-way without first obtaining zoning or land use approval.

19 (b) A requirement or restriction described by Subsection
20 (a) may not be interpreted to prohibit a network provider from
21 replacing an existing structure.

22 Sec. 284.108. DESIGN MANUAL. (a) A municipality may adopt
23 a design manual for the installation and construction of network
24 nodes and new node support poles in the public right-of-way that
25 includes additional installation and construction details that do
26 not conflict with this chapter. The design manual may include:

27 (1) a requirement that an industry standard pole load

1 analysis be completed and submitted to the municipality indicating
2 that the service pole to which the network node is to be attached
3 will safely support the load; and

4 (2) a requirement that network node equipment placed
5 on new and existing poles be placed more than eight feet above
6 ground level.

7 (b) A network provider shall comply with a design manual, if
8 any, in place on the date a permit application is filed in relation
9 to work for which the municipality approved the permit application.
10 A municipality's obligations under Section 284.154 may not be
11 tolled or extended pending the adoption or modification of a design
12 manual.

13 Sec. 284.109. EXCEPTIONS. Subject to Subchapter D, a
14 network provider may construct, modify, or maintain in a public
15 right-of-way a network node or node support pole that exceeds the
16 height or distance limitations prescribed by this chapter only if
17 the municipality approves the construction, modification, or
18 maintenance subject to all applicable zoning or land use
19 regulations and applicable codes.

20 Sec. 284.110. DISCRIMINATION PROHIBITED. A municipality,
21 in the exercise of the municipality's administrative and regulatory
22 authority related to the management of and access to the public
23 right-of-way, must be competitively neutral with regard to other
24 users of the public right-of-way.

25 SUBCHAPTER D. APPLICATIONS AND PERMITS

26 Sec. 284.151. PROHIBITION OF CERTAIN MUNICIPAL ACTIONS.

27 (a) Except as otherwise provided by this chapter, a municipality

1 may not prohibit, regulate, or charge for the installation or
2 collocation of network nodes in a public right-of-way.

3 (b) A municipality may not directly or indirectly require,
4 as a condition for issuing a permit required under this chapter,
5 that the applicant perform services unrelated to the installation
6 or collocation for which the permit is sought, including in-kind
7 contributions such as reserving fiber, conduit, or pole space for
8 the municipality.

9 (c) A municipality may not institute a moratorium, in whole
10 or in part, express or de facto, on:

- 11 (1) filing, receiving, or processing applications; or
12 (2) issuing permits or other approvals, if any, for
13 the installation of network nodes or node support poles.

14 Sec. 284.152. AUTHORITY TO REQUIRE PERMIT. (a) Except as
15 otherwise provided by this chapter, a municipality may require a
16 network provider to obtain one or more permits to install a network
17 node, node support pole, or transport facility in a public
18 right-of-way if the permit:

19 (1) is of general applicability to users of the public
20 right-of-way;

21 (2) does not apply exclusively to network nodes; and

22 (3) is processed on nondiscriminatory terms and
23 conditions regardless of the type of entity submitting the
24 application for the permit.

25 (b) A network provider that wants to install or collocate
26 multiple network nodes inside the territorial jurisdiction of a
27 single municipality is entitled to file a consolidated permit

1 application with the municipality for not more than 30 network
2 nodes and receive permits for the installation or collocation of
3 those network nodes.

4 Sec. 284.153. GENERAL PROCESS RELATING TO PERMIT
5 APPLICATION. (a) Except as otherwise provided by this section, a
6 municipality may not require an applicant to provide more
7 information to obtain the permit than a telecommunications utility
8 that is not a network provider is required to provide unless the
9 information directly relates to the requirements of this chapter.

10 (b) As part of the standard form for a permit application, a
11 municipality may require the applicant to include applicable
12 construction and engineering drawings and information to confirm
13 that the applicant will comply with the municipality's publicly
14 disclosed public right-of-way design specifications and applicable
15 codes.

16 (c) A municipality may require an applicant to provide:

17 (1) information reasonably related to the provider's
18 use of the public right-of-way under this chapter to ensure
19 compliance with this chapter;

20 (2) a certificate that the network node complies with
21 applicable regulations of the Federal Communications Commission;
22 and

23 (3) certification that the proposed network node will
24 be placed into active commercial service by or for a network
25 provider not later than the 60th day after the date the construction
26 and final testing of the network node is completed.

27 Sec. 284.154. MUNICIPAL REVIEW PROCESS. (a) A

1 municipality shall process each permit application on a
2 nondiscriminatory basis.

3 (b) Not later than the 30th day after the date the
4 municipality receives an application for a permit for a network
5 node or node support pole, or the 10th day after the date the
6 municipality receives an application for a permit for a transport
7 facility, the municipality shall determine whether the application
8 is complete and notify the applicant of that determination. If the
9 municipality determines that the application is not complete, the
10 municipality shall specifically identify the missing information.

11 (c) A municipality shall approve an application that does
12 not require zoning or land use approval under this chapter unless
13 the application or the corresponding work to be performed under the
14 permit does not comply with the municipality's applicable codes or
15 other municipal rules, regulations, or other law that is consistent
16 with this chapter.

17 (d) A municipality must approve or deny an application for a
18 node support pole not later than the 150th day after the date the
19 municipality receives the complete application. A municipality
20 must approve or deny an application for a network node not later
21 than the 60th day after the date the municipality receives the
22 complete application. A municipality must approve or deny an
23 application for a transport facility not later than the 21st day
24 after the date the municipality receives a complete application.
25 An application for a permit for a node support pole, network node,
26 or transport facility shall be deemed approved if the application
27 is not approved or denied on or before the applicable date for

1 approval or denial prescribed by this subsection.

2 (e) A municipality that denies a complete application must
3 document the basis for the denial, including the specific
4 applicable code provisions or other municipal rules, regulations,
5 or other law on which the denial was based. The municipality shall
6 send the documentation by electronic mail to the applicant on or
7 before the date the municipality denies the application.

8 (f) Not later than the 30th day after the date the
9 municipality denies the application, the applicant may cure the
10 deficiencies identified in the denial documentation and resubmit
11 the application without paying an additional application fee, other
12 than a fee for actual costs incurred by the municipality.
13 Notwithstanding Subsection (d), the municipality shall approve or
14 deny the revised completed application after a denial not later
15 than the 90th day after the date the municipality receives the
16 completed revised application. The municipality's review of the
17 revised application is limited to the deficiencies cited in the
18 denial documentation.

19 Sec. 284.155. TIME OF INSTALLATION. (a) A network
20 provider shall begin the installation for which a permit is granted
21 not later than six months after final approval and shall diligently
22 pursue the installation to completion.

23 (b) Notwithstanding Subsection (a), the municipality may
24 place a longer time limit on completion or grant reasonable
25 extensions of time as requested by the network provider.

26 Sec. 284.156. APPLICATION FEES. (a) A municipality may
27 charge an application fee for a permit only if the municipality

1 requires the payment of the fee for similar types of commercial
2 development inside the municipality's territorial jurisdiction
3 other than a type for which application or permit fees are not
4 allowed by law.

5 (b) The amount of an application fee charged by a
6 municipality may not exceed the lesser of:

7 (1) the actual, direct, and reasonable costs the
8 municipality determines are incurred in granting or processing an
9 application that are reasonably related in time to the time the
10 costs of granting or processing an application are incurred; or

11 (2) \$500 per application covering up to five network
12 nodes, \$250 for each additional network node per application, and
13 \$1,000 per application for each pole.

14 (c) In determining for purposes of Subsection (b)(1) the
15 amount of the actual, direct, and reasonable costs, the
16 municipality may not:

17 (1) include costs incurred by the municipality in
18 relation to third-party legal or engineering review of an
19 application; or

20 (2) direct payments or reimbursement of third-party
21 public right-of-way rates or fees charged on a contingency basis or
22 under a result-based arrangement.

23 Sec. 284.157. CERTAIN WORK EXEMPTED. (a) Notwithstanding
24 any other provision of this chapter, a municipality may not require
25 a network provider to submit an application, obtain a permit, or pay
26 a rate for:

27 (1) routine maintenance that does not require

1 excavation or closing of sidewalks or vehicular lanes in a public
2 right-of-way;

3 (2) replacing or upgrading a network node or pole with
4 a node or pole that is substantially similar in size or smaller and
5 that does not require excavation or closing of sidewalks or
6 vehicular lanes in a public right-of-way; or

7 (3) the installation, placement, maintenance,
8 operation, or replacement of micro network nodes that are strung on
9 cables between existing poles or node support poles, in compliance
10 with the National Electrical Safety Code.

11 (b) For purposes of Subsection (a)(2):

12 (1) a network node or pole is considered to be
13 "substantially similar" if:

14 (A) the new or upgraded network node, including
15 the antenna or other equipment element, will not be more than 10
16 percent larger than the existing node, provided that the increase
17 may not result in the node exceeding the size limitations provided
18 by Section 284.003; and

19 (B) the new or upgraded pole will not be more than
20 10 percent higher than the existing pole, provided that the
21 increase may not result in the pole exceeding the applicable height
22 limitations prescribed by Section 284.103;

23 (2) the replacement or upgrade does not include
24 replacement of an existing node support pole; and

25 (3) the replacement or upgrade does not defeat
26 existing concealment elements of a node support pole.

27 (c) The determination under Subsection (b)(1) of whether a

1 replacement or upgrade is substantially similar is made by
2 measuring from the dimensions of the network node or node support
3 pole as approved by the municipality.

4 (d) Notwithstanding Subsection (a):

5 (1) a municipality may require advance notice of work
6 described by that subsection;

7 (2) a network provider may replace or upgrade a pole
8 only with the approval of the pole's owner; and

9 (3) the size limitations may not in any event exceed
10 the parameters prescribed by Section 284.003 without the
11 municipality's approval in accordance with Section 284.109, with
12 the municipality acting on behalf of this state as the fiduciary
13 trustee of public property.

14 SUBCHAPTER E. ACCESS TO MUNICIPALLY OWNED UTILITY POLES

15 Sec. 284.201. USE OF MUNICIPALLY OWNED UTILITY POLES.

16 (a) The governing body of a municipally owned utility shall allow
17 collocation of network nodes on municipally owned utility poles on
18 nondiscriminatory terms and conditions and pursuant to a negotiated
19 pole attachment agreement, including any applicable permitting
20 requirements of the municipally owned utility.

21 (b) The annual pole attachment rate for the collocation of a
22 network node supported by or installed on a municipally owned
23 utility pole shall be based on a pole attachment rate consistent
24 with Section 54.204, Utilities Code, applied on a per-foot basis.

25 (c) The requirements of Subchapters B, C, and D applicable
26 to the installation of a network node supported by or installed on a
27 pole do not apply to a network node supported by or installed on a

1 municipally owned utility pole.

2 SUBCHAPTER F. EFFECT ON OTHER UTILITIES AND PROVIDERS

3 Sec. 284.251. DEFINITIONS. In this subchapter:

4 (1) "Cable service" and "video service" have the
5 meanings assigned by Section 66.002, Utilities Code.

6 (2) "Electric cooperative" has the meaning assigned by
7 Section 11.003, Utilities Code.

8 (3) "Electric utility" has the meaning assigned by
9 Section 31.002, Utilities Code.

10 (4) "Telecommunications provider" has the meaning
11 assigned by Section 51.002, Utilities Code.

12 (5) "Telephone cooperative" has the meaning assigned
13 by Section 162.003, Utilities Code.

14 Sec. 284.252. EFFECT ON INVESTOR-OWNED ELECTRIC UTILITIES,
15 ELECTRIC COOPERATIVES, TELEPHONE COOPERATIVES, AND
16 TELECOMMUNICATIONS PROVIDERS. Nothing in this chapter shall govern
17 attachment of network nodes on poles and other structures owned or
18 operated by investor-owned electric utilities, electric
19 cooperatives, telephone cooperatives, or telecommunications
20 providers. This chapter does not confer on municipalities any new
21 authority over those utilities, cooperatives, or providers.

22 Sec. 284.253. EFFECT ON PROVIDERS OF CABLE SERVICES OR
23 VIDEO SERVICES. (a) An approval for the installation, placement,
24 maintenance, or operation of a network node or transport facility
25 under this chapter may not be construed to confer authorization to
26 provide:

27 (1) cable service or video service without complying

1 with all terms of Chapter 66, Utilities Code; or
2 (2) information service as defined by 47 U.S.C.
3 Section 153(24), or telecommunications service as defined by 47
4 U.S.C. Section 153(53), in the public right-of-way.

5 (b) Except as provided by this chapter, a municipality may
6 not adopt or enforce any regulations or requirements that would
7 require a wireless service provider, or its affiliate, that holds a
8 cable or video franchise under Chapter 66, Utilities Code, to
9 obtain any additional authorization or to pay any fees based on the
10 provider's provision of wireless service over its network nodes.

11 SUBCHAPTER G. GENERAL CONDITIONS OF ACCESS

12 Sec. 284.301. LOCAL POLICE-POWER-BASED REGULATIONS.

13 (a) Subject to this chapter and applicable federal and state law,
14 a municipality may continue to exercise zoning, land use, planning,
15 and permitting authority in the municipality's boundaries,
16 including with respect to utility poles.

17 (b) A municipality may exercise that authority to impose
18 police-power-based regulations for the management of the public
19 right-of-way that apply to all persons subject to the municipality.

20 (c) A municipality may impose police-power-based
21 regulations in the management of the activities of network
22 providers in the public right-of-way only to the extent that the
23 regulations are reasonably necessary to protect the health, safety,
24 and welfare of the public.

25 Sec. 284.302. INDEMNIFICATION. The indemnification
26 provisions of Sections 283.057(a) and (b) apply to a network
27 provider accessing a public right-of-way under this chapter.

1 Sec. 284.303. RELOCATION. Except as provided in existing
2 state and federal law, a network provider shall relocate or adjust
3 network nodes in a public right-of-way in a timely manner and
4 without cost to the municipality managing the public right-of-way.

5 Sec. 284.304. INTERFERENCE. (a) A network provider shall
6 operate all network nodes in accordance with all applicable laws,
7 including regulations adopted by the Federal Communications
8 Commission.

9 (b) A network provider shall ensure that the operation of a
10 network node does not cause any harmful radio frequency
11 interference to a Federal Communications Commission-authorized
12 mobile telecommunications operation of the municipality operating
13 at the time the network node was initially installed or
14 constructed. On written notice, a network provider shall take all
15 steps reasonably necessary to remedy any harmful interference.

16 SECTION 2. (a) In this section, "collocation," "network
17 node," "network provider," and "public right-of-way" have the
18 meanings assigned by Section 284.002, Local Government Code, as
19 added by this Act.

20 (b) Public/private agreements between a municipality and a
21 network provider for the deployment of network nodes in the public
22 right-of-way on fair and reasonable terms as provided by Chapter
23 284, Local Government Code, as added by this Act, and corresponding
24 ordinances governing that deployment, are necessary to protect the
25 health, safety, and welfare of the public by facilitating robust
26 and dependable wireless networks. Accordingly, those agreements
27 and ordinances shall be conformed as provided by this section.

1 (c) Subject to Subsection (d) of this section, the rates,
2 terms, and conditions of agreements and ordinances entered into or
3 enacted before the effective date of this Act shall apply to all
4 network nodes installed and operational before the effective date
5 of this Act.

6 (d) For all network nodes installed and operational on or
7 after the effective date of this Act:

8 (1) if a rate, term, or condition of an agreement or
9 ordinance related to the construction, collocation, operation,
10 modification, or maintenance of network nodes does not comply with
11 the requirements of Chapter 284, Local Government Code, as added by
12 this Act, a municipality shall amend the agreement or ordinance to
13 comply with the requirements of Chapter 284, Local Government Code,
14 as added by this Act, and the amended rates, terms, or conditions
15 shall take effect for those network nodes on the six-month
16 anniversary of the effective date of this Act; and

17 (2) the rates, terms, and conditions of each agreement
18 executed, and each ordinance enacted, on or after the effective
19 date of this Act shall comply with the requirements of Chapter 284,
20 Local Government Code, as added by this Act.

21 SECTION 3. This Act takes effect September 1, 2017.

S.B. No. 1004

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1004 passed the Senate on April 6, 2017, by the following vote: Yeas 29, Nays 0, two present not voting; and that the Senate concurred in House amendment on May 25, 2017, by the following vote: Yeas 29, Nays 0, two present not voting.

Secretary of the Senate

I hereby certify that S.B. No. 1004 passed the House, with amendment, on May 18, 2017, by the following vote: Yeas 140, Nays 6, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor

Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Members of the Mobility Solutions, Infrastructure and Sustainability Committee

SUBJECT **January 9, 2019 Council Agenda - Water and Wastewater Main Replacements in Royal Lane**

Due to the absence of a Mobility Solutions, Infrastructure and Sustainability Committee meeting prior to the January 9, 2019 City Council meeting, this memo is being provided for your information.

On Wednesday, January 9, 2019, City Council will be presented with agenda item 30, which will authorize an increase in the construction services contract with John Burns Construction Company of Texas, Inc. for additional work associated with the installation of water and wastewater mains in Royal Lane. On September 28, 2016, City Council authorized the original contract with John Burns Construction for the installation of water and wastewater mains at 13 locations. This change order includes the installation of 1,700 feet of 12-inch water main and 1,500 feet of 12-inch wastewater main in Royal Lane from Jamestown Road to east of Preston Road.

In February and May 2018, several sections of a wastewater main in Royal Lane collapsed resulting in sewage backups to Fire Station #41 at 5920 Royal Lane. Temporary repairs were made by Dallas Water Utilities to restore service and clear flow restrictions. As a result of repair activities and further assessment, it was determined that replacement of the wastewater main in Royal Lane should be expedited and completed as part of ongoing pipeline replacement efforts in Preston Road between Royal Lane and Walnut Hill Lane. In addition, the existing water main in Royal Lane was determined to need replacement due to its condition and proximity to the wastewater main construction.

The mains targeted for replacement were built in 1949 and contribute to excessive maintenance, service interruptions, and water quality issues. Replacement of the mains will improve the capacity of the wastewater system, reduce maintenance costs, and minimize service interruptions.

This change order will increase the cost of the project by \$1,917,756.00, which represents 9.32% of the project total cost of \$20,570,501.00. The funding will be provided from Water Utilities Capital Improvement Funds.

DATE January 4, 2019
SUBJECT January 9, 2019 Council Agenda - Water and Wastewater Main Replacements in Royal Lane

If you have any questions or concerns please contact Terry Lowery, Director of Dallas Water Utilities, at 214-670-3143.



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

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Biliera 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
Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **New Year's Eve 2018 Operation – Dallas Fire-Rescue and Dallas Police Department**

As Council is aware, Dallas Fire-Rescue ensued a strong initiative for Public Safety Announcements prior to the New Year's Eve holiday related the possession, use and dangers of illegal fireworks in the City of Dallas. Messaging and education through social media and local news outlets are effective however, the department continues to implement additional procedures and strategies to increase the impact of assessing penalties and confiscation of illegal fireworks.

On Tuesday, December 31, 2018, Dallas Fire-Rescue's Inspection & Life Safety Education Division, along with Dallas Police Department worked in a concerted effort initiating proactive investigations and addressing citizen complaints regarding the possession or discharge of fireworks within the city limits of Dallas.

A two-person team staffed by one Fire Prevention officer and one Dallas Police Department officer worked together in each police patrol division (Central, South West, South East, South Central, North West, North East, and North Central). At the end of the operation, a total of 1,035.2 pounds of fireworks was confiscated and three citations issued. At one location 973.4 pounds of fireworks were seized, this resulted in one of the three written citations. The remaining 61.8 pounds of fireworks were confiscated at multiple locations. Citations were written and issued to everyone that was positively identified as possessing or using fireworks.

Dallas Fire-Rescue will continue to educate and enforce to provide safety for all. If you have any questions or need additional information, please contact Assistant Fire Chief Tameji Berry at (214) 670-4552.

A handwritten signature in cursive script that reads "Jon Fortune".

Jon Fortune
Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. Smith, City Auditor (I)
Biliera Johnson, City Secretary
Preston Robinson, 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
Nadia Chandler Hardy, Assistant City Manager & Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **M/WBE Participation for January 9, 2019 Council Agenda**

For your information staff is providing you with the summary below of M/WBE participation for the voting items scheduled for the January 9, 2019 Council Agenda. The total contract award amount, consisting of 19 agenda items is \$68.07M. **M/WBE was applicable to 16 of the 19 agenda items. For these items, construction and architectural and engineering items have an overall M/WBE participation of \$1.95M out of \$5.43M or 35.93%, while goods and services items have an overall participation of \$2.73M out of \$11.34M or 24.04%.**

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%

2017 Bond Program

The Office of Business Diversity continues to work diligently with the Bond Program Office to ensure, not only that the M/WBE goals were met, but to also include diverse teams on the bond program projects. This agenda includes 10 agenda items that are funded by 2017 bond funds. We are pleased to announce that, in addition to each item exceeding the M/WBE goal, three of the 3 agenda items have 100.00% minority participation. **These 10 items total \$2.52M with an overall M/WBE participation of \$1.33M or 52.85%.**

Job Order Contracting

Agenda Item No 2 Authorize a two-year construction services contract in the amount of \$16M with three one-year renewal options to perform job order contracting services at City of Dallas facilities. Job order contracting is an alternative contracting method that provides an option to address construction, repair, rehabilitation, and alterations at City-owned buildings as provided for by Texas Government Code Chapter 2269. All contracts will be reviewed by Office of Business Diversity to ensure they are in compliance with the City's inclusion policy which includes the 25.00% M/WBE goal. M/WBE participation efforts will be made at the time each project is authorized.

DATE January 4, 2019
SUBJECT **January 9, 2019 Council Agenda M/WBE Participation Overview**

Highlighted Items

Agenda Item No 22 Authorize a three-year service price agreement in the amount of \$4.73M for wet well, pump stations and storm water drain pipes inspection, and cleaning services for the Dallas Water Utilities Department. **This item includes participation from one M/WBE vendor, resulting in \$2.62M participation or 55.39% M/WBE participation on a 23.80% goal.**

Agenda Item No 28 Authorize a contract for construction of the Timberglen Trail in the amount of \$818K. **This item includes participation from six M/WBE vendors, resulting in \$205K participation or 25.11% 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
Director
Office of Business Diversity

- c: T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol Smith, City Auditor (I)
Billerae 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
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager and Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

Memorandum



DATE January 4, 2019

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **PSCJ Upcoming Agenda Items – January 09, 2019 Council Agenda**

The next scheduled Public Safety and Criminal Justice Committee (PSCJC) Meeting is Monday, January 14, 2018. Due to the committee not meeting again prior to the January 09, 2019 Council Agenda, I have provided a summary of upcoming agenda items below and attached the information for each item.

- A. Agenda Item #24 (File ID: 18-1385): Authorize a three-year service contract, with two one-year renewal options, for the implementation and operation of the ambulance supplemental payment program and preparation and reporting of the cost allocation report to the Texas Health and Human Services Commission for the Fire-Rescue Department - Public Consulting Group, Inc. through an interlocal agreement with the City of Plano - Estimated Revenue: \$35,104,471.00 (see Fiscal Information)
- B. Agenda Item #26 (File ID: 18-1357): Authorize a three-year master agreement for the purchase of emergency and non-emergency medical supplies for citywide use - Nashville Medical and EMS Products, Inc. in an estimated amount of \$2,594,833.29, Life-Assist, Inc. in an estimated amount of \$1,864,692.24, Concordance Healthcare Solutions, LLC in an estimated amount of \$992,378.00, Medline Industries, Inc. in an estimated amount of \$541,473.19, and Bound Tree Medical, LLC in an estimated amount of \$463,298.99, lowest responsible bidders of thirteen - Total estimated amount of \$6,456,675.71 - Financing: General Fund

Please contact me if you have any questions or need additional information.

Jon Fortune
Assistant City Manager

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. 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
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager & Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors



Agenda Information Sheet

File #: 18-1385

Item #: 24.

STRATEGIC PRIORITY: Government Performance and Financial Management

AGENDA DATE: January 9, 2019

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year service contract, with two one-year renewal options, for the implementation and operation of the ambulance supplemental payment program and preparation and reporting of the cost allocation report to the Texas Health and Human Services Commission for the Fire-Rescue Department - Public Consulting Group, Inc. through an interlocal agreement with the City of Plano - Estimated Revenue: \$35,104,471.00 (see Fiscal Information)

BACKGROUND

This service contract will provide for the implementation and operation of the ambulance supplemental payment program (ASPP), and preparation and reporting of the cost allocation report to the Texas Health and Human Services Commission (HHSC) for uncompensated emergency ambulance service for the City. The City's cost to provide Medicaid-covered patient care to each Medicaid patient and the uninsured is greater than revenue received during the monthly billing and collection services. The ASPP is a federally approved program that helps reduce the gap between the cost of providing emergency ambulance services to Medicaid patients and what Medicaid pays for those services. Additionally, the ASPP help cover a portion of the City's cost for the uninsured patient. This contract will allow the vendor to assist the Fire-Rescue Department in analyzing the emergency medical services costs, the billing and collection claims, to ensure compliance with the federal Medicaid regulations, and prepare a cost allocation report under the set standard by HHSC for the City.

In the last five and a half fiscal years this program has captured \$78.4 million dollars in gross revenue that the City would have had to continue covering from its general fund, which represents a portion of the current gap. Under this contract the City will pay Public Consulting Group, Inc. a commission of 6 percent of collected gross revenues paid by HHSC. Public Consulting Group, Inc. a national firm, will also assist the City of Dallas in implementing changes that are required by the Center for Medicare and Medicaid Services with the extended State of Texas 1115 Waiver Program.

The interlocal agreement with the City of Plano is authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 10, 2012, City Council authorized a three-year service contract with Public Consulting Group, Inc. for the implementation and operation of the Medicaid supplement payment program for a commission of 12% of collected gross revenues by Resolution No. 12-2514.

On October 28, 2015, City Council authorized Supplemental Agreement No. 2 to extend the term of the service contract with Public Consulting Group, Inc. for the continual operation of the Ambulance Supplemental Payment Program until the City received the revenue from Health and Human Services Commission, for a period of two-years extending the term of the contract from October 9, 2015 to October 9, 2017, by Resolution No. 15-1941.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on January 4, 2019.

FISCAL INFORMATION

Estimated Revenue - \$35,104,471.00

FY 2018-19 - \$17,552,235.00

FY 2019-20 - \$8,776,118.00

FY 2020-21 - \$8,776,118.00

Estimated General Fund Expense - \$2,106,268.00

FY 2018-19 - \$1,053,134.00

FY 2019-20 - \$526,567.00

FY 2020-21 - \$526,567.00

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 \$
\$17,552,235.00	Revenue	N/A	N/A	N/A
<ul style="list-style-type: none"> The Business Inclusion and Development Plan does not apply to Revenue contracts. 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Interlocal Agreement/Intergovernmental Agreement	<ul style="list-style-type: none">• Interlocal Agreements/Intergovernmental Agreements allow the City to take advantage of competitively bid contracts by a State agency or local government and enable the City to purchase goods or services at lower prices• Interlocal Agreements/Intergovernmental Agreements are an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNER

Public Consulting Group, Inc.

William S. Mosakowski, President
Tony McLean Brown, Vice President
Stephen P. Skinner, Secretary
Daniel T. Heaney, Treasurer

January 9, 2019

WHEREAS, on October 10, 2012, City Council authorized a three-year service contract with Public Consulting Group, Inc. for the implementation and operation of the Medicaid supplement payment program for a commission of 12% of collected gross revenues, by Resolution No. 12-2514; and

WHEREAS, on October 23, 2013, Administrative Action No. 13-6638 authorized Supplemental Agreement No. 1 to the service contract with Public Consulting Group, Inc. to include “uninsured claims” under the Scope of Services under the Ambulance Supplemental Payment Program; and adjust the percentage rate of the commission from 12% to 6% for services beginning on or after October 1, 2012; and

WHEREAS, on October 28, 2015, City Council authorized Supplemental Agreement No. 2 to extend the term of the service contract with Public Consulting Group, Inc. for the continual operation of the Ambulance Supplemental Payment Program until the City is receive the revenue from Health and Human Services Commission, for a period of two-years extending the term of the contract from October 9, 2015 to October 9, 2017 by Resolution No. 15-1941; and

WHEREAS, Public Consulting Group, Inc. has played a pivotal role from inception in the development and implementation of the Ambulance Supplemental Payment Program for the City of Dallas, and for the last five and a half years have been successful in preparation, reporting and oversight of the desk review to Health and Human Services Commission resulting in the City receiving revenue payment of over \$78.4 million for the unpaid services that the City would have had to absorb in the general fund; and

WHEREAS, the State of Texas’ 1115 Waiver Program covering among others, governmental Ambulance Providers, has been renewed by the Center for Medicare and Medicaid Services (CMS) with changes include charity care policy for another five years covering fiscal year 2018 through fiscal year 2022; and

WHEREAS, it in the most favorable interest of the City to retain the current services with Public Consulting Group, Inc. for consistency and six years of experience in implementing the new changes and representing the City of Dallas to the Health and Human Services Commission for the duration of the newly extended program period.

Now, Therefore,

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

January 9, 2019

SECTION 1. That the City Manager is hereby authorized to execute a service contract with Public Consulting Group, Inc. (VS0000069890) through an interlocal agreement with the City of Plano, approved as to form by the City Attorney, for the implementation and operation of the ambulance supplemental payment program and preparation and reporting of the cost allocation report to the Texas Health and Human Services Commission (HHSC) for the Fire-Rescue Department, for a term of three years, with two one-year renewal options, for a commission of 6 percent of the annual gross revenue amount paid to the City by HHSC.

SECTION 2. That the Chief Financial Officer is hereby authorized to deposit revenue generated from the Ambulance Supplement Payment Program from the Health and Human Services Commission into Fund 0001, Department DFD, Unit ER90, Revenue Code 741A.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds, not to exceed 6 percent of collected gross revenues for the Ambulance Supplemental Payment Program upon the payment to the City by the Health and Human Services Commission to Public Consulting Group, Inc. from Fund 0001, Department DFD, Unit ER90, Object 3072 (subject to appropriations).

SECTION 4. That this contract is designated as Contract No. DFD-2019-00008672.

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 #: 18-1357

Item #: 26.

STRATEGIC PRIORITY: Public Safety
AGENDA DATE: January 23, 2019
COUNCIL DISTRICT(S): All
DEPARTMENT: Office of Procurement Services
EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a three-year master agreement for the purchase of emergency and non-emergency medical supplies for citywide use - Nashville Medical and EMS Products, Inc. in an estimated amount of \$2,594,833.29, Life-Assist, Inc. in an estimated amount of \$1,864,692.24, Concordance Healthcare Solutions, LLC in an estimated amount of \$992,378.00, Medline Industries, Inc. in an estimated amount of \$541,473.19, and Bound Tree Medical, LLC in an estimated amount of \$463,298.99, lowest responsible bidders of thirteen - Total estimated amount of \$6,456,675.71 - 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 emergency and non-emergency medical supplies citywide. The Dallas Fire-Rescue Department (DFR) stores emergency and non-emergency medical supplies at the emergency medical supplies warehouse, located at 5000 Dolphin Rd. The supplies are distributed to 57 stations throughout the City for use on 42 front line rescues (ambulances), 57 engines, and 22 front line ladder trucks. Each vehicle stores a determined amount of each item used to provide medical care during the emergency response call. In FY 2018, DFR responded to over 205,000 emergency medical calls. This master agreement will also provide emergency and non-emergency medical supplies on an as needed basis for all City departments for purposes such as replenishing first aid kits.

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 13,593 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)

On August 27, 2014, City Council authorized a three-year master agreement for emergency and non-emergency medical supplies for Fire-Rescue, Code Compliance, Police, Women, Infant and Children’s clinics and other various departments with Bound Tree Medical, LLC, MMS A Medical Supply Company, Masimo Corporation, and Cintas First Aid and Safety by Resolution No. 14-1353.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on January 4, 2019.

FISCAL INFORMATION

General Fund - \$6,456,675.71 (Estimated amount)

FY 2018-19 - \$2,152,225.23

FY 2019-20 - \$2,152,225.23

FY 2020-21 - \$2,152,225.25

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 \$
\$6,456,675.71	Goods	18.00%	1.63%	\$105,000.00
<ul style="list-style-type: none"> • This contract does not meet the M/WBE goal, but complies with good faith efforts. 				

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 BL1830. We opened them on November 16, 2018. We recommend the City Council award this master agreement to the lowest responsive and responsible bidders by group. Information related to this solicitation is

available upon request.

*Denotes successful bidders

<u>Bidders</u>	<u>Address</u>	<u>Amount</u>
*Nashville Medical and EMS Products Inc.	701 Central Ave. West Springfield, TN 37172	Multiple Groups
*Life-Assist, Inc.	11277 Sunrise Park Dr. Rancho Cordova, CA 95742	Multiple Groups
*Concordance Healthcare Solutions, LLC	85 Shaffer Park Dr. Tiffin, OH 44883	Multiple Groups
*Medline Industries, Inc.	Three Lakes Dr. Northfield, IL 60093	Multiple Groups
*Bound Tree Medical, LLC	5000 Tuttle Crossing Blvd. Dublin, OH 43016	Multiple Groups***
Henry Schein, Inc.	140 Crouch Commercial Court Irmo, SC 29063	Multiple Groups
Taylor Distribution Group, LLC	North Dallas Pkwy. Suite #400 Dallas, TX 75248	Multiple Groups
Teleflex Medical Incorporated	East Swedesford Rd. Suite #400 Wayne, PA 19087	Non-responsive**
Arrow International, Inc.	East Swedesford Rd. Suite #400 Wayne, PA 19087	Non-responsive**
Butler Animal Health Supply, LLC	400 Metro Place North Dublin, OH 43017-3340	Non-responsive**
Ever Ready First Aid & Medical Supply	300 Liberty Ave. Brooklyn, NY 11207	Non-responsive**
Quadmed	11210-1 Phillips Industrial Blvd. Jacksonville, FL 32256	Non-responsive**
Medco Supply Company	25 NorthPointe Pkwy. Suite #25 Amherst, NY 14228	Non-responsive**

**Teleflex Medical Incorporated, Arrow International, Inc., Butler Animal Health Supply, LLC, Ever Ready First Aid & Medical Supply, Quadmed, and Medco Supply Company were deemed non-responsive due to not meeting specifications.

***The City has received a protest regarding this procurement which has been addressed. Please find attached the vendor protest letter and the City's response.

OWNERS

Nashville Medical and EMS Products, Inc.

Nari Sadarangani, President

Life-Assist, Inc.

Ramona Davis, President
Cherie Prior, Vice President
Judy Davis, Secretary
Linda Bergaus, Treasurer

Concordance Healthcare Solutions, LLC

Thomas J. Harris, President
Roger Benz, Vice President
Jaysen Stevenson, Secretary
Todd Howell, Treasurer

Medline Industries, Inc.

Andrew Mills, President
James D. Abrams, Vice President
Alex Liberman, Secretary
Mark Drazin, Treasurer

Bound Tree Medical, LLC

Jeffery M. Prestel, President
Brian LaDuke, Vice President
Mark J. Dougherty, Secretary

January 23, 2019

WHEREAS, on August 27, 2014, City Council authorized a three-year master agreement for emergency and non-emergency medical supplies for Fire-Rescue, Code Compliance, Police, Women, Infant and Children's clinics and other various departments with Bound Tree Medical, LLC in the amount of \$1,473,126.00, MMS A Medical Supply Company in the amount of \$952,627.00, Masimo Corporation in the amount of \$285,120.00, and Cintas First Aid and Safety in the amount of \$5,929.00, by Resolution No. 14-1353.

Now, Therefore,

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

SECTION 1. That a master agreement for the purchase of emergency and non-emergency medical supplies for citywide use is authorized with Nashville Medical and EMS Products, Inc. (VS91935) in an estimated amount of \$2,594,833.29, Life-Assist, Inc. (VS0000082009) in an estimated amount of \$1,864,692.24, Concordance Healthcare Solutions, LLC (VS99492) in an estimated amount of \$992,378.00, Medline Industries, Inc. (VS96892) in an estimated amount of \$541,473.19, and Bound Tree Medical, LLC (507833) in an estimated amount of \$463,298.99, approved as to form by the City Attorney, for a term of three years, in a total estimated amount of \$6,456,675.71. The amount payable pursuant to this master agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this master agreement during its term.

SECTION 2. That the Purchasing Agent is authorized, upon appropriate request and documented need by a user department, to issue a purchase order for emergency and non-emergency medical supplies for citywide use. If a written contract is required or requested for any or all purchases of emergency and non-emergency medical supplies for citywide use under the master agreement instead of individual purchase orders, the City Manager is authorized to execute the contract, approved as to form by the City Attorney.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$6,456,675.71, but not more than the amount of budgetary appropriations for this master agreement during its term to Nashville Medical and EMS Products Inc., Life-Assist, Inc., Concordance Healthcare Solutions, LLC, Medline Industries, Inc., and Bound Tree Medical, LLC from Master Agreement Contract No. POM-2019-00008736.

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.



Office of Procurement Services

www.bids.dallascityhall.org
1500 Marilla Street, Room 3FS
Dallas, Texas 75201-6390

December 19, 2018

Mr. Brian LaDuke
President, Emergency Preparedness
Bound Tree
5000 Tuttle Crossing Blvd.
Dublin, OH 43016

RE: Protest of RFB BL1830 – Emergency & Non-Emergency Medical Supplies

Mr. LaDuke:

The Office of Procurement Services (OPS) of the City of Dallas is in receipt of your letter dated December 18, 2018, where you formally protest the award of BL1830 for emergency and non-emergency medical supplies. Your protest letter alleges, in summary, that there were various errors in the City's bid results and tabulation, including: substitutions, unit of measure issues and references.

Your allegations are based on information you received from the Preliminary Bid Tabulation. As standard practice, the assigned buyer reviewed the bid tabulation to identify and address any issues prior to recommending an award. As so, all substitutions were reviewed and accepted by the client department, prices were verified, references were contacted, and bids were deemed either responsive or non-responsive. In regard to Group 20 "Gloves," the City has made the decision to not make an award and as a registered vendor with the City, Bound Tree will be contacted on any future solicitations.

The concerns submitted in your protest have been reviewed by my office, and no issues were found to reconsider the award. Your protest letter and the City's response will be made available to the City Council during award consideration on January 9, 2019. This response does not prevent you from addressing your concern to the City Council at the time the item is considered for award or from submitting bids on any future solicitations.

Respectfully,

Michael Frosch, Director, Office of Procurement Services

C: Barbara McAninch, City Attorney's Office
Juanita Ortiz, Assistant Director, Office of Procurement Services
Wanda Moreland, Assistant Director, Dallas Fire-Rescue



December 18, 2018

City of Dallas City Hall
1500 Marilla St. #3FN
Dallas, TX 75201

Dear Bethany Lindberg:

Regarding The City of Dallas's Request for Proposal BL1830, we want to thank you for the opportunity and for considering Bound Tree Medical. We sincerely appreciate the relationship.

I am writing to respectfully protest the City of Dallas's Bid Results and tabulation. Below is a brief outline explaining why Bound Tree Medical feels the results should be reconsidered.

- Offers from Henry Schein Animal, Henry Schein EMS & QuadMed should be disqualified as they did not follow the proper percentage off catalog bidding structure.
- We believe that the Nashville Medical offer should be disqualified.
 - Nashville Medical has a history of service issues within the City and across the Nation. They are also known under the dba names "Kentron", "EMS Products, Inc", and "Nashville Medical".
 - Nashville Medical's offer has over 50 items bid with brand name "Kentron". Based on feedback from the market we do not believe these items will be of equal quality to the products expected by the City of Dallas & Fire Department.
 - Nashville Medical has bid many items that cannot be found to verify catalog price and has no printed catalog. In at least one case, the pen lights in Group 7b, were bid with a catalog price of \$4.90, but their website shows catalog pricing at \$6.50. As a result, inaccurate catalog pricing would skew the group results and the subsequent award.
- In group 1a 'Supplies, Airway Delivery', the apparent low Bidder Nashville EMS shows line 1 as a King System kit however in parenthesis indicated that the item bid is an alternative product manufactured by "Kentron". The "Kentron" kits are not manufactured by the manufacturer, Ambu, or in an approved kitting facility.
- In Group 2b 'Equipment Diagnostic', the Temporal Scanner on line 11 bid by Nashville Medical is not clinically equal to the product requested. In fact, the item Nashville Medical bid has previously been rejected by the Fire Department.
- In Group 3b 'Equipment Bags/Cases', the Apparent low Bidder Medline appears to have unit of Measure issues in comparison to all other bids submitted. Thus showing them as the low bidder errantly.
- In Group 6a 'Supplies Infection Control', the apparent low bidder Medline's bid seems to have unit of measure issues.
- In Group 6b 'Equipment Infection Control', the product offered by apparent low bidder Life Assist for line 34 Escape hood does not appear to be clinically equal to the Avon requested hood.
- In Group 7a 'Supplies Instruments/Personal Items', the apparent low Bidder Nashville EMS appears to have unit of Measure issues in comparison to all other bids submitted.
- In Group 10a 'Supplies MCI/Triage', the apparent low bid submitted by Life Assist seems to have a unit of measure issue. Additionally, we do not believe the products would meet minimum clinical specifications.
- In Group 10b 'Equipment MCI/Triage', the apparent low bidder Life Assist seems to have bid the incorrect item on line 56.
- In Group 12a 'Supplies Patient Handling', the apparent low Bidder Nashville Medical appears to have unit of measure issues in comparison to all other bids submitted. Also, line 62 seems to be a product that is not clinically equivalent. The only manufacturer who currently has a 34x90-cot sheet is Taylor.
- In Group 13a 'Over the Counter Products Pharmaceuticals', the apparent low Bidder Nashville EMS appears to have unit of Measure issues in comparison to all other bids submitted.

- In Group 14a 'Supplies Splinting', the apparent low Bidder Nashville EMS appears to have unit of Measure issues in comparison to all other bids submitted.
- In Group 14b 'Equipment Splinting' the apparent low Bidder MMS incorrectly bid lines 86 & 87 with the same items. This causes their total category total to calculate lower than it should.
- In Group 15 'Supplies Suction Supplies', there is a unit of measure issue on the Suction Unit, line 88. Most companies bid in the each (individual unit) as opposed to the case price, which resulted in an overall lower category price than should have.
- In Group 16 'Supplies Tactical Medicine', there is a unit of measure issue on Bolin Chest Seals, line 94. Most companies bid in the each (individual unit) as opposed to the case price, which resulted in an overall lower category price than should have.
- In Group 17 'Supplies Trauma/Wound Care', the apparent low Bidder Nashville EMS appears to have multiple unit of measure issues in comparison to all other bids submitted.
- In Group 19 'No Substitution Items', this group should be removed as it is a sole source product line.
- For Group 20 'Gloves' we believe the original bid award should stand to Bound Tree Medical as the product bid was exactly as specified under the terms and conditions of the solicitation.
 - We do not believe the below specification should have been removed as no other glove on the market will match the specifications identified in document #2b Attachment A. This includes box size specifications to properly fit City vehicles, as requested.
 - Addendum #4 Q22. According to the bid specifications, the qualifications of bidders for Group 6 states that a bidder must provide proof of ability to sell Microflex #SEC375. What would be considered adequate proof? What form or type of proof is the City of Dallas seeking?
 - A22. This requirement has been removed from the specifications and gloves are now in Group 20.
- In Group 21 'ECG Electrode/Monitoring', several bidders, including the apparent low bidder, have unit of measure issues on their offers. This gives each bidder an overall lower category cost than should have.

We feel that the City of Dallas Fire Department expects the products procured under any contract to meet the quality presented in the proposal documents. Our proposal submission was based on the highest quality products that the City and Fire Department has come to expect.

It is not our intention to convolute the situation but as a long term vendor/partner to Dallas we want to ensure that the City is aware of potential issues that may arise as a result of lower quality products being offered by the apparent low bid suppliers and/or their inability to provide the requested products.

Sincerely,



Brian LaDuke
 President, Emergency Preparedness
 614-760-5086
Brian.LaDuke@sarnova.com

Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **Public Safety and Criminal Justice Committee - November 2018 Dashboards**

Since there was not a second Public Safety & Criminal Justice Committee meeting in December, I have attached the November 2018 Dashboards for your review and highlighted areas for your reference.

Dallas Police Department (DPD)

- Murder clearance rate is low, as a result of NIBRS specifications on clearances calculations. Murders that occurred before the NIBRS transition in March 2018 cannot be 'cleared' in NIBRS. A clearance can only be credited in NIBRS if a crime is solved during NIBRS reporting. Due to the small number of crimes causing wild swings in a percentage change, homicide is most affected. DPD is exploring reporting UCR Summary clearance rates as they are possibly a more accurate account of the ratio of clearances to offenses. Unfortunately, this comes with its own set of problems, most notably summary lacks the diverse categories of reporting that NIBRS has.
- Family violence breakdown clearance rates: UCR (summary or NIBRS) never broke down assaults into family violence/non-family violence. The UCR unit is still working on a clearance rate for these. This will still be subject to the limitations mentioned above in the murder clearance rate.

Dallas Fire-Rescue (DFR)

- Staffing and Recruit Training Levels: DFR has encountered very little difficulty recruiting and hiring potential candidates since the stabilization of the Pension and the increased starting Pay. Staffing levels are back to the 2014-2015 heights prior to the mass departure in 2016 through mid-2018. There are currently seven rookie classes being trained with approximately seventy-two graduating on January 24, 2019.

Court and Detention Services

- The Court and Detention Services' dashboard shows that dismissed cases are trending higher than normal for FY 2018-19. These cases were dismissed primarily due to inactive/deceased officers. This category will continue to trend higher than normal as the Dallas Municipal Court implements its review of cases that involve

DATE January 4, 2019
SUBJECT Public Safety and Criminal Justice Committee – November 2018 Dashboards

inactive/deceased officers, cases with no Complaints on file or cases 10 years and older.

The dashboards are attached for your review. Please contact me if you have any questions or need additional information.



Jon Fortune
Assistant City Manager

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney (I)
Carol A. 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
Joey Zapata, Assistant City Manager
Nadia Chandler Hardy, Assistant City Manager & Chief Resilience Officer
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors

Dallas Police Department Dashboard 11/30/2018

FY18-19 BUDGET				CRIME REPORTING ****																																																																																																																																																																																							
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Function	2018 Assigned	2017 Assigned	2016 Assigned	Crime Change by Division			Response time																																																																																																																																																																																				
CBD	96	98	108	Person	Property	MTD Total	Total	Priority 1	Priority 2																																																																																																																																																																																		
Central	192	196	228	4.07%	9.46%	7.54%	14.57%	7.09	19.64																																																																																																																																																																																		
NE	319	315	346	-8.61%	-5.03%	-0.24%	-1.48%	8.95	23.35																																																																																																																																																																																		
SE	313	310	334	-9.15%	-6.00%	-11.31%	0.22%	8.45	20.80																																																																																																																																																																																		
SW	286	277	311	-7.02%	-4.92%	-7.78%	-0.32%	8.02	21.81																																																																																																																																																																																		
NW	224	218	263	-3.80%	1.16%	-7.27%	4.90%	9.13	24.06																																																																																																																																																																																		
NC	183	183	222	-6.37%	3.83%	-10.55%	3.24%	8.51	22.41																																																																																																																																																																																		
SC	306	291	306	-6.95%	-2.31%	-0.28%	2.47%	8.47	24.78																																																																																																																																																																																		
Nuisance Abatement	3	4	4	*CBD crime and response time data included in Central																																																																																																																																																																																							
Patrol Total	1,922	1,892	2,122	INTERNAL AFFAIRS																																																																																																																																																																																							
Administrative**	459	497	515	Complaint Type			2018 YTD	2017 YTD	% Change																																																																																																																																																																																		
Investigations & Tactical	627	669	725	Investigations Completed			225	237	-5.1%																																																																																																																																																																																		
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Patrol	1,922	55	1,867	Investigations & Tactical	627	36	591	1,751,571	2.42 Seconds	95.13%																																																																																																																																																																																	
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Burg Motor Veh	13,542	1,316	1,212																																																																																																																																																																																								
Crisis Intervention	9,342	872	783																																																																																																																																																																																								
911 Hang-up	8,223	704	779																																																																																																																																																																																								
								Dispatched Calls and Response Time																																																																																																																																																																																			
	Priority 1 Response Time	Priority 2 Response Time	Priority 3 Response Time	Priority 4 Response Time	Dispatched 911 Calls																																																																																																																																																																																						
Nov. 2018	8.56	25.33	92.73	136.79	47,115																																																																																																																																																																																						
YTD 2018	8.42	22.44	69.26	101.00	542,337																																																																																																																																																																																						
Nov. 2017	9.13	24.36	88.14	110.24	49,669																																																																																																																																																																																						
YTD 2017	8.47	21.63	64.47	83.51	552,163																																																																																																																																																																																						

Notes:

*Sworn overtime attributed to Late Relief, Court Overtime, Love Field Overtime, State/Federal Task Forces, Grants i.e. (STEP for Traffic), Special Task Force OT (Summer Crime Initiative). Savings offset from heightened attrition.

**Administrative includes Office of the Chief of Police

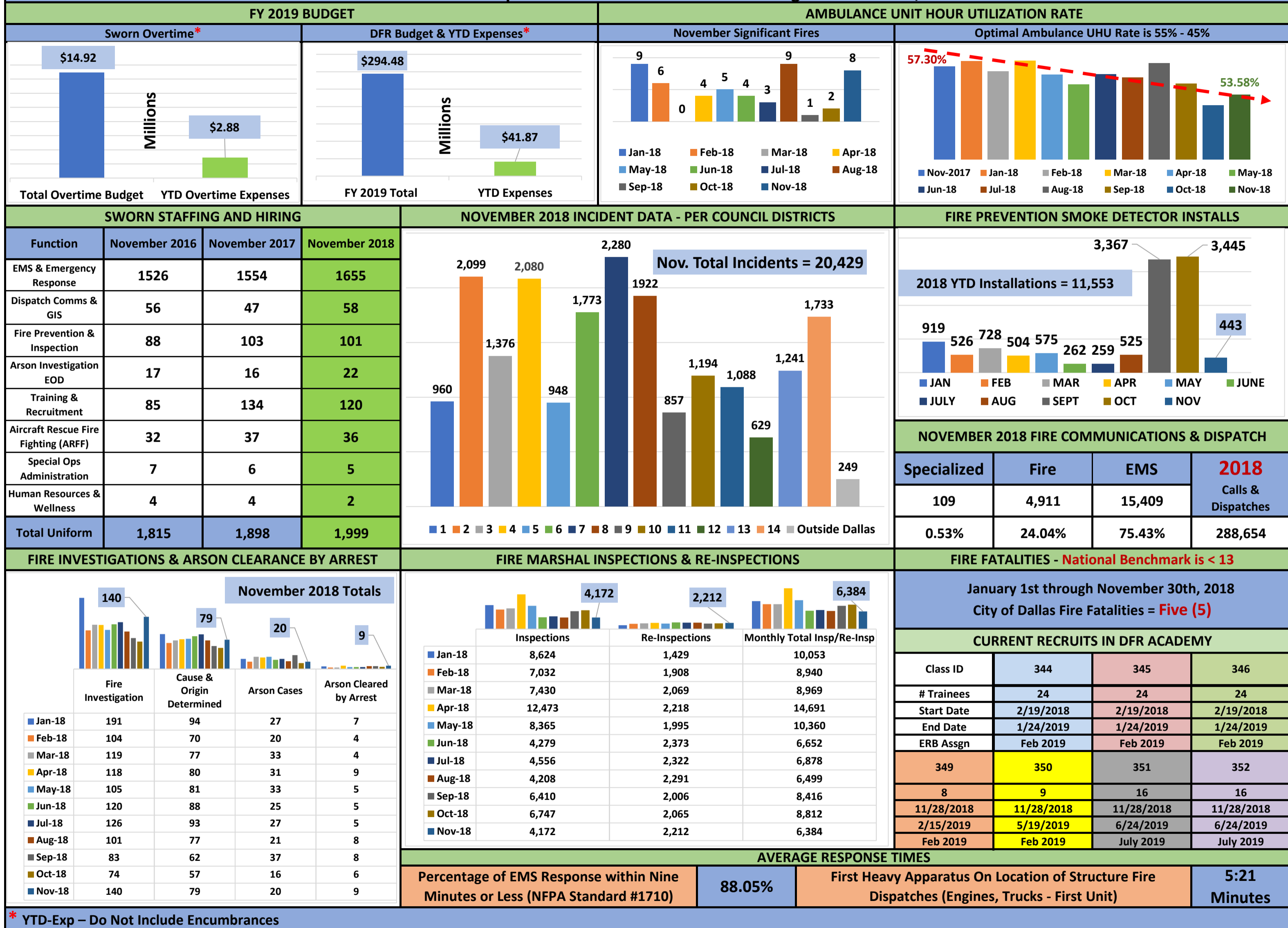
***Other Incident Calls - used when a call is received but does not fit into any other category of signals. Ex. harassing phone calls, criminal trespass, death notifications

****Other Escalated Calls - used when a call is received but does not fit into any other category of signals and is a priority in nature. Ex. person walking on the shoulder of freeway, suspicious activity that could lead up to an offense

***** Crime reporting now includes NIBRS data. In the Crime Against Society group there are offenses that did not exist in 2017 (they were arrests only). This greatly skews the percent change values. Percent increases will be large until a full year of NIBRS data is collected (March 2019).

***** Clearance rates (March - October YTD) : calculated by dividing total crimes investigated during a given timeframe by the total clearances made during that same timeframe. If there are no clearances made for an offense, then the clearance rate will be noncalculable. Noncalculable clearance rates are represented by "-"

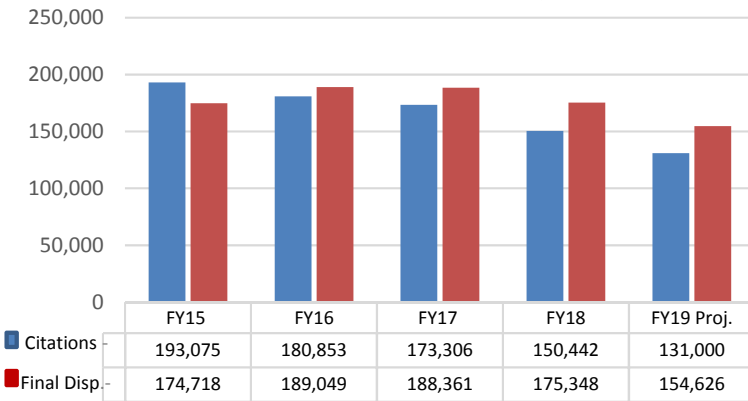
Dallas Fire-Rescue Department Dashboard: Month Ending November 30, 2018



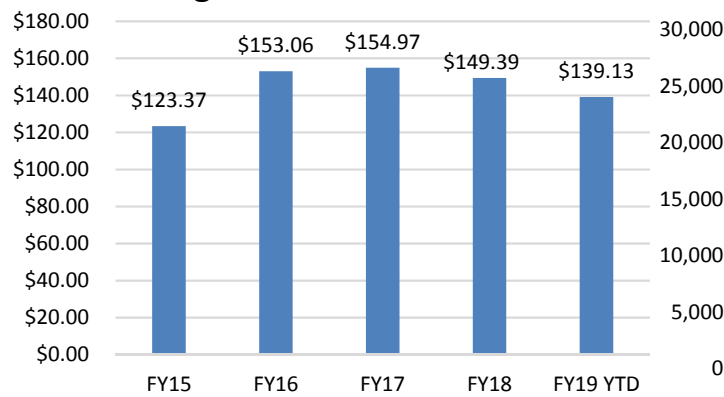
* YTD-Exp – Do Not Include Encumbrances

Municipal Court Dashboard: Month Ending November 30, 2018

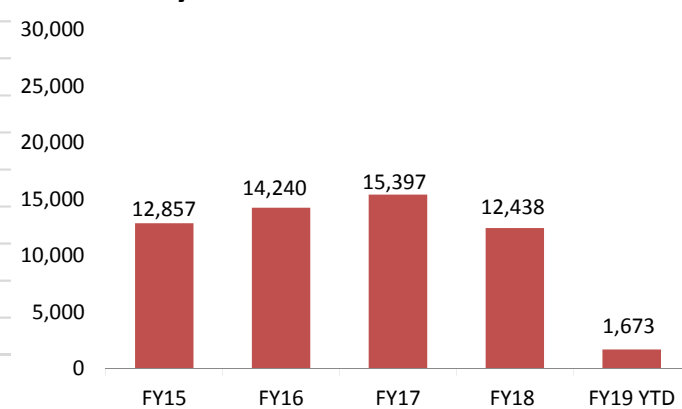
Citation Count & Final Dispositions



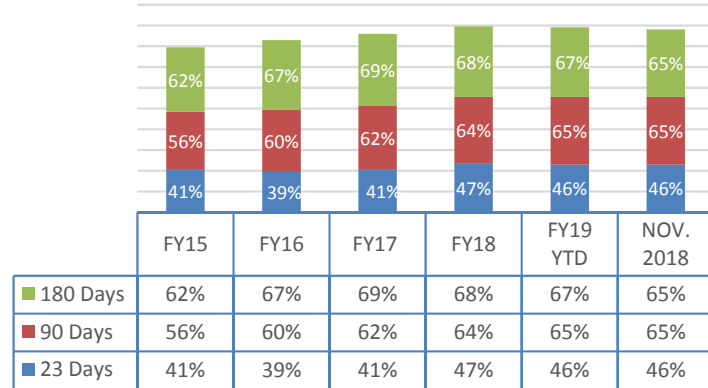
Average Collection Per Citation



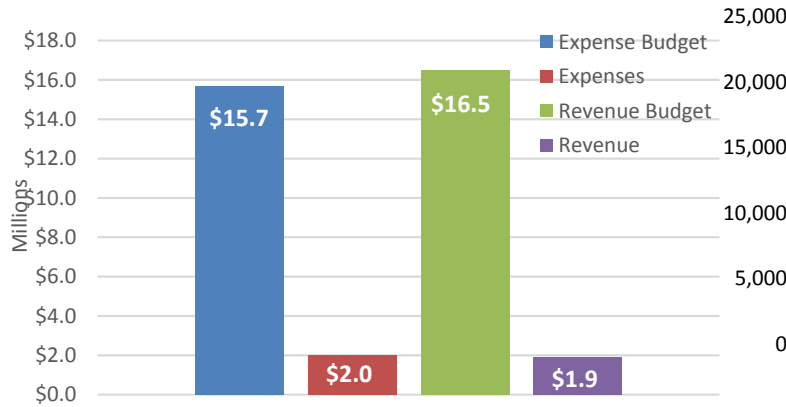
City Detention Center Book-Ins



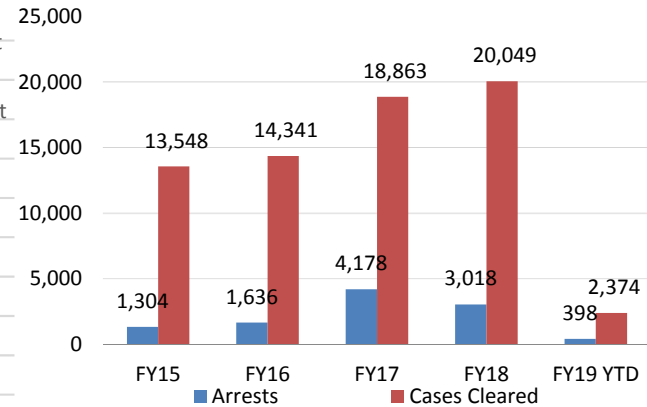
Defendant's Cumulative Response Rate Looking Back 23, 90 & 180 Days



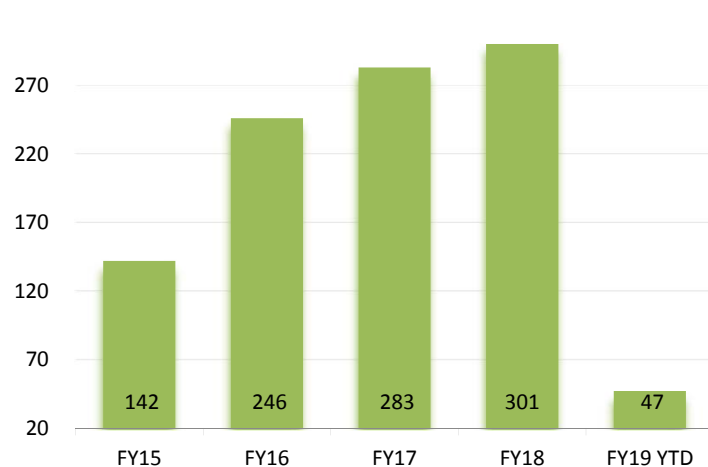
Municipal Court Budget



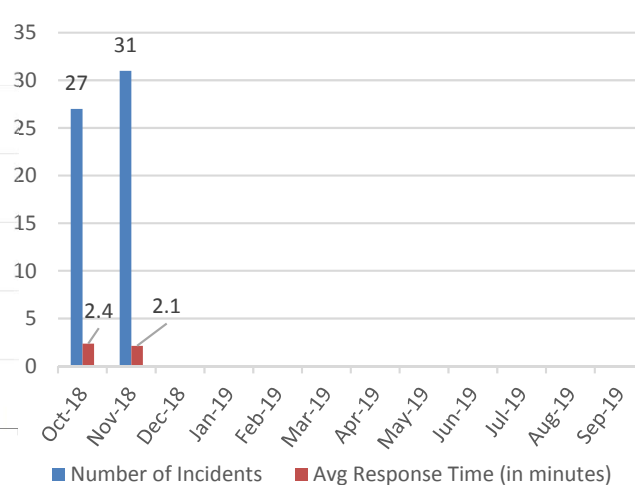
Warrant Enforcement



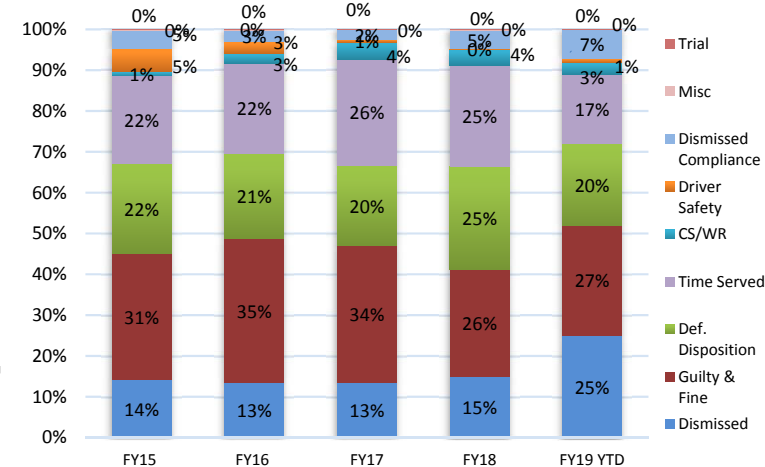
Environmental Crime Arrests



Security Incidents and Response Time



Courthouse Dispositions



Memorandum



CITY OF DALLAS

DATE January 4, 2019

TO Honorable Mayor and Members of the City Council

SUBJECT **Update on Love Field General Aviation Landing Fees**

As briefed via Council memo dated August 24, 2018, the City delayed the implementation of the collection of the General Aviation (GA) Landing Fee at Dallas Love Field to further consult with the affected parties, and to ensure compliance with all FAA regulations regarding any new airport fees. As you may recall, the GA Landing Fee was created to offset costs incurred for airfield operations and to ensure that the all users paid their fair share given the increased airfield traffic. The Landing Fee is 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 1,000 lbs. which is budgeted at approximately \$19.5M in revenue for FY17-18, and the GA users paid fuel flowage fees of approximately \$1.3 M in FY 17-18.

After City Council approved the ordinance implementing the landing fee, City staff held several meetings with the Love Field Pilot's Association (LFPA) to answer questions and provide clarification about the new fee structure. The LFPA had concerns that the landing fee was being implemented at a high rate to discourage general aviation activity at Love Field; however, after full examination of how the fee was calculated, and how the fee will only be used to offset actual costs, the LFPA is in agreement with the methodology.

Additionally, Love Field staff consulted with the City Attorney's Office (CAO) for a formal opinion regarding the ordinance. The CAO advised that the ordinance's intent was to waive fuel flowage fees in lieu of a GA Landing Fee. As a result, staff recalculated the GA Landing Fee and notified all the Fixed Based Operators to waive the fuel flowage fees for those paying a GA Landing Fee. Procedures have been drafted and data verification has been completed. Because of these changes, implementation of the GA Landing Fee was delayed with a January 1, 2019 effective date.

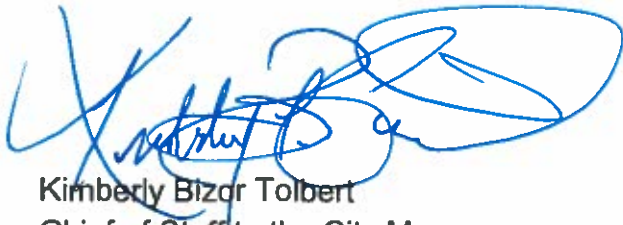
The new GA Landing Fee was calculated using the rates and charges model on an annual basis in a similar manner for the Signatory Airlines established rate minus the Fuel Flowage Fees. This rate is:

General Aviation: \$5.15 per 1,000 pounds of maximum certificated landing weight (MLW), rounded to the nearest thousand pounds;

Non-Signatory Commercial: \$3.14 per 1,000 pounds of maximum certificated landing weight, rounded to the nearest thousand pounds.

All government, Angel flights, and maintenance-only operations will be exempt from landing fees but are still subject to Fuel Flowage Fees. These operations will be reviewed on a case-by-case basis to determine whether the nature of the activity would fall outside of the requirements of the ordinance.

Should you have any questions, please contact Mark Duebner, Director of Aviation, at (214) 670-6077.



Kimberly Bizor Tolbert
Chief of Staff to the City Manager

- c: Chris Caso, City Attorney (I)
- T.C. Broadnax, City Manager
- Carol A. Smith, City Auditor (I)
- Biliera Johnson, City Secretary
- Preston Robinson, Administrative Judge
- Majed A. Al-Ghafry, Assistant 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
- Directors and Assistant Directors