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CITY SECRETARY  
DALLAS, TEXAS



CITY OF DALLAS

## Memorandum

DATE August 6, 2010

TO Transportation and Environment Committee Members: Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Transportation and Environment Committee Meeting Agenda

Tuesday, August 10, 2010 at 2:00 – 4:00 p.m.  
City Hall, 1500 Marilla, Room 6ES  
Dallas, TX 75201

1. **Approval of Minutes for the June 14, 2010 Meeting**  
(Action / 5 Minutes)
2. **Community Gardens**  
Kris Sweckard, Managing Director, Office of Environmental Quality  
(Action / 40 Minutes)
3. **Streetcar and Public Service Provider Coordination within Public Right-of-Way**  
Alan Hendrix, Assistant Director, Public Works and Transportation  
(Action / 30 Minutes)
4. **North Central Texas Council of Governments 2009-2010 Sustainable Development Grant – City of Dallas Awarded Projects**  
Theresa O'Donnell, Director, Sustainable Development and Construction  
(Briefing Memo / 10 Minutes)
5. **Upcoming Agenda Item**  
(Action / 10 Minutes)

Unnumbered draft agenda item for the August 25, 2010 City Council Agenda/  
Dallas Police Department/City Attorney's Office

An ordinance adding Section 30-3.2 and amending Section 30-5 of Chapter 30, "Noise," of the Dallas City Code to prohibit the use of engine compression brakes in the city – Financing: No cost consideration to the City

*Linda L. Koop*

(LB)

Linda L. Koop, Chair  
Transportation and Environment Committee

- c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr. City Attorney  
Deborah Watkins, City Secretary  
Craig Kinton, City Auditor  
Judge C. Victor Lander, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
A.C. Gonzalez, Assistant City Manager  
Forest Turner, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Edward Scott, Director, Controller's Office  
Frank Libro, Public Information Office  
Rick Galceran, P.E., Director, Public Works and Transportation  
Theresa O'Donnell, Director, Sustainable Development and Construction  
Helena Stevens-Thompson, Assistant to the City Manager – Council Office

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

**TRANSPORTATION AND ENVIRONMENT  
COMMITTEE MEETING RECORD**

The Transportation and Environment Committee (TEC) meetings are recorded. Agenda materials are available online at [www.dallascityhall.com](http://www.dallascityhall.com). Recordings may be reviewed/copied by contacting the TEC Staff Coordinator at 214-670-4545.

**Meeting Date:** June 14, 2010      **Start Time:** 2:03 p.m.      **Adjournment:** 4:01 p.m.

**Committee Members Present:**

Linda L. Koop (Chair), Sheffie Kadane (Vice-Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Delia Jasso, Pauline Medrano and Vonciel Jones Hill

**Committee Members Absent:**

Ron Natinsky absent on City Business

**Other Council Members Present:**

Ann Margolin

**City Executive Staff Present:**

A.C. Gonzalez, Assistant City Manager  
Jill A. Jordan, Assistant City Manager

**TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA**

**1. Approval of Minutes for May 24, 2010**

**Action Taken/Committee Recommendation:**

Motion was made to approve the minutes for the May 24, 2010 meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Kadane      Seconded by: Medrano      Passed unanimously

**2. DART Board Nominee Interviews (Place 2)**

The Committee interviewed Richard Carrizales and Cesar Vaca as nominees for appointment to the DART Board for Place 2.

**Action Taken/Committee Recommendation:**

Motion was made to forward the DART Board Nominees for Place 2 to full Council for consideration.

Made by: Kadane      Seconded by: Allen      Six votes in support of Mr. Carrizales and two votes in support of Mr. Vaca.

Ms. Koop asked Ms. Deborah Watkins, City Secretary, to explain how in the past the DART nominees were moved forward to Council for consideration.

Ms. Watkins stated that in the past the Committee made a decision whether to move one, two or all candidates forward to Council for a vote and then she would prepare a ballot at Ms. Koop's request.

Ms. Koop stated that both candidates would move forward to Council for consideration and requested that Ms. Watkins prepare the ballots. Ms. Koop asked the Committee Members if they were in agreement. All Committee Members were in agreement that both candidates would move forward to Council for vote.

### **3. Dallas Vertiport Update**

**Presenters:** A.C. Gonzalez, Assistant City Manager, and Dan Weber, Director, Aviation

Mr. Gonzalez and Mr. Weber updated the Committee on the immediate needs and long range plans for the Dallas Vertiport. The Committee was asked to endorse a construction contract for replacement and rehabilitation of the helipad lighting system that will be considered by the full Council on June 23, 2010.

#### **Action Taken/Committee Recommendation:**

Mr. Atkins requested that Mr. Weber brief the Committee at a future meeting on the marketing program for Dallas Executive Airport in preparation for the Super Bowl.

Mr. Atkins asked about the operational budget for the vertiport and if the City received reimbursement for any of the expenses. Mr. Weber stated that the operational budget was \$209,000 per year and that no revenue was generated from the vertiport.

Mr. Atkins asked who currently uses the vertiport and how many daily landings and departures are made there. Mr. Weber stated that there are about 500 departures and landings a year at the vertiport and that it is utilized by the Dallas Police Department, Sky Helicopter, and for other training purposes.

Ms. Medrano asked what happens after the Super Bowl. Mr. Gonzalez stated that the City wants to develop a long-term development strategy based on the results and success of the Super Bowl event. He indicated that there have been some changes in insurance requirements that could reduce those costs and open up other opportunities for use of the vertiport.

Ms. Margolin asked if the City discovered there was no way to have fuel at the vertiport after it was built and if the demand never materialized due to the lack of fuel. Mr. Gonzalez stated that it was discovered over a period of time that there were issues with the insurance companies related to providing fuel, and that the demand was not there for a variety of reasons, such as economic recession, bad economics, and insurance difficulties.

Ms. Koop asked if there is instrumentation required for someone to land at the vertiport. Mr. Weber stated there are no navigational aides aside from the lights which are in need of repair. He added that a part-time person from the Dallas Executive Airport is at

the vertiport to have a management presence and process inspections, which is currently covered in the budget.

Ms. Koop asked if vertiports around the country charge landing fees. Mr. Weber stated that there are a few vertiports with a high traffic volume charging fees, however, most do not.

Ms. Hill asked if the lighting example shown on slide 11 showing an "H" at the center of the vertiport could be changed to a "D" to reference Dallas. Mr. Weber stated that the photo shown is an example of a standard lighting package with the "H" referencing a "helipad."

Ms. Hill stated that she agreed with staff that if the vertiport were not in operation during the Super Bowl it would be an embarrassment for the City.

Mr. Allen asked if the vertiport could be completed in stages. Mr. Weber stated that the recommended \$130,000 contract would only make the existing lights operational; additional funding and approval would be requested later to bring the vertiport up to full current FAA standards.

Ms. Medrano asked how many vertiports are within eight to ten miles of downtown Dallas. Mr. Gonzalez stated that this is the only vertiport in the region.

Ms. Jasso asked about the liability of having planes land during the Super Bowl. Mr. Gonzalez stated that there is no additional liability as it relates to fuel, which will not be permanently located at the site. Mr. Gonzalez also stated that the City is self insured.

Motion was made to forward a recommendation in support of the lighting contract to the full Council for consideration on June 23, 2010.

Made by: Atkins

Seconded by: Allen

Passed unanimously

#### 4. **Neighborhood Markets**

**Presenter:** Jack Ireland, Executive General Manager, City Manager's Office

Mr. Ireland provided an updated briefing for the Committee on "neighborhood markets" and staff's recommendations for allowable product types and a permit process.

#### **Action Taken/Committee Recommendation:**

Ms. Hill thanked the staff and Ms. Jasso on their work related to neighborhood markets and for hosting the neighborhood meetings in District 5. However, she indicated that she would not be in support of the proposal because the concept detracts from her vision for the district and reinforces the fact that District 5 cannot attract a grocery store.

Mr. Kadane asked for clarification on the fee requirements. Mr. Ireland stated that there would be a fee for the organizer, but no fee for the vendors unless they sell potentially hazardous foods.

Mr. Kadane asked why 50 percent of the product has to be food, vegetables, or farm-grown items. Mr. Ireland stated that the focus was to create a "farmers" market, not a "flea" market.

Ms. Margolin asked how the decision was made to establish the hours of operation from 8:00 a.m. – 7:00 p.m. Mr. Ireland stated that the decision was made because some operators wanted mornings while others wanted to be open into the evening; he also took into consideration that with the time change in the fall, it would start getting dark earlier. Ms. Jasso added that the Dallas Morning News did an article on the hours of operation for markets around the area and most of the markets are morning markets. Ms. Margolin asked why there was concern about the markets operating in the evening. Ms. Jasso stated that it was primarily an issue of there being adequate lighting.

Mr. Allen stated that he is in support of the proposal for neighborhood markets.

Ms. Medrano stated that San Antonio has a rotating farmers market that works well, allowing customers to know on particular days where and what items are being sold. She asked if there was a marketing plan for neighborhood markets once everyone has been scheduled.

Mr. Ireland stated that each neighborhood market would do their own promotion, however, it would be possible to put information on the City's website with a schedule and market locations. Ms. Jasso said that a master calendar would be available once the organizers are in place.

Ms. Davis stated that she still has concerns about the fees; however, she is pleased that the organizers will be in control. Ms. Davis asked where the majority of the neighborhood markets are located. Mr. Ireland stated that markets are located at White Rock on Buckner Boulevard, Celebration Market on Lovers Lane, Mockingbird Station on Mockingbird Lane, Bolsa on Davis Street, Milestone Culinary Arts Center on McKinney Avenue and North Havens Garden.

Ms. Koop thanked Ms. Jasso for her work on the neighborhood markets proposal.

Motion was made to recommend the staff-presented plan for neighborhood markets to the full Council for consideration in August 2010.

Made by: Jasso

Seconded by: Medrano

Passes – 6 in favor  
1 opposed (Ms. Hill)

Linda L. Koop, Chair  
Transportation and Environment Committee

# Memorandum



CITY OF DALLAS

DATE August 6, 2010

TO Transportation and Environment Committee Members: Linda L. Koop (Chair),  
Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Delia  
Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Community Gardens

On August 10, 2010 staff will brief the Committee with a revised option on zoning for community gardens. Please find attached a copy of the presentation, and feel free to contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'Jill Jordan'.

Jill A. Jordan, P.E.  
Assistant City Manager

c: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Deborah A. Watkins, City Secretary  
Thomas P. Perkins, Jr., City Attorney  
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Frank Libro, Public Information Office  
Helena Stevens-Thompson, Assistant to the City Manager

# Community Gardens

## Creating a Sustainable Dallas

Dallas City Council  
Transportation and Environment Committee  
August 10, 2010



# Purpose

- Provide a revised proposal on zoning for community gardens
  - Follow up to May 10, 2010 TEC briefing
- Allow for gardens on vacant lots while meeting the needs of surrounding property owners, community gardening groups, and the City

# Zoning Issue - Vacant Lots

- Community gardens are currently not allowed if the lot is vacant and the garden is not accessory to a main use
- Goal: For the Development Code to explicitly allow community gardens on vacant lots:
  - By Right in all zoning districts except (P) Parking

# New: Option 6

- Community gardens allowed by right in all districts other than (P) Parking
  - Annual permit required
  - If code violations are not addressed, individual permits may be revoked

# New: Option 6

## Gardens by Right with Annual Permit

- Request to establish community gardens must be supported by:
  1. Written statement signed by the property owner affirming that the operator has permission from the property owner to use the property as a community garden
  2. Site plan
  3. Obtain a Permit from Building Inspection; cost is \$215

# Additional Provisions

Subject to Modification by ZOC and CPC

Provision	Current Staff Recommendation
Lot Size	Complies with the regulations for the zoning district in which the community garden is located
Structures	Structures not to exceed 10 x 10 ft. floor area in rear 30% of lot
Animals	Grazing and production prohibited
Sales	Prohibited
Fencing	Complies with the regulations for zoning district in which community garden is located
Lighting	Overhead lighting prohibited
Signage	Limited to a single, non-illuminated, flat sign less than six square feet
Parking/Loading	Off-street parking not allowed in single family districts; Off-street parking/loading not required in all other districts

# Next Steps

- ZOC review and recommendation
- CPC review and recommendation
- Staff briefs TEC
- Council action

# Questions?



# Appendix

Option History	Pros	Cons
<b>Option 1:</b> By Right in All Districts	Minimal cost and process for gardening groups	No neighbor input; Council lacks control over individual cases
<b>Option 2:</b> SUP in All Districts	Council decides in case by case basis; opportunity in SUP process for public comment	\$1170 application fee; 6 month process; time and money burden to gardening group
<b>Option 3:</b> Hybrid Approach in All Districts A) Community/neighborhood gardens - By SUP in Single Family/Duplex - By right in all other districts B) Urban Agriculture - By SUP only	Keeps Council control in residential districts and for urban agriculture (> 1 acre) while providing the minimal cost and process for gardening groups in all other districts	\$1170 application fee; 6 month process; time and money burden to gardening group in residential districts
<b>Option 4:</b> Community Gardens with Neighbor Input By right in All Districts	Middle of the road between SUP and by right; allows neighbor feedback and City oversight, while minimizing cost and process for gardening groups	Council lacks control over individual cases; oversight costs for City; while neighbors have input, they do not have the authority to veto a garden groups
<b>Option 5:</b> Narrowing the Focus A) SUP in Single Family/Duplex/Townhouse districts B) By right in all other districts	Keeps Council control in residential districts over individual cases while allowing the minimal cost and process for gardening groups in all other districts	\$1170 application fee; 6 month process; Time and money burden to gardening group in residential districts

# Memorandum



CITY OF DALLAS

DATE August 6, 2010

TO Members of the Transportation and Environment Committee:  
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Tennell Atkins,  
Carolyn R. Davis, Delia Jasso, Pauline Medrano, Ron Natinsky,  
Vonciel Jones Hill

SUBJECT Streetcar and Public Service Provider Coordination Within Public Right of Way

Attached is the "Streetcar and Public Service Provider Coordination Within Public Right of Way" briefing that will be presented to you on August 10, 2010. It provides information related to the dialogue between the City, DART, and Public Service Providers (Oncor, Atmos, AT&T, Dallas Water Utilities, others) to outline the criteria, rules, and on-going cooperative relationship for franchise utilities and other Public Service Providers operating in the vicinity of existing and proposed streetcar routes.

Please contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'Jill Jordan'.

Jill A. Jordan, P.E.  
Assistant City Manager

c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
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Rick Galceran, P.E., Director, Public Works and Transportation

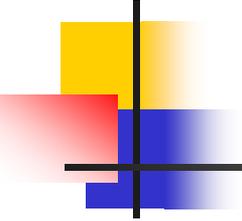
# Streetcar and Public Service Provider Coordination Within Public Right of Way



Presented to the  
Transportation and Environment Committee

By Public Works and Transportation  
August 10, 2010

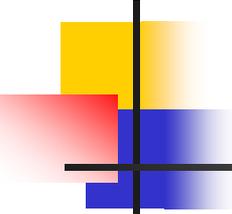




# Purpose

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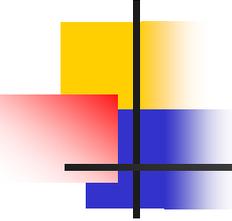
- Update Committee on the coordination between the City and Public Service Providers (Oncor, Atmos, AT&T, Dallas Water Utilities, others)
- Outline the criteria, rules, and on-going cooperative relationship for franchise utilities and other Public Service Providers (PSPs) operating in the vicinity of streetcars



# Background

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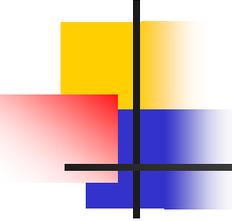
- Previous streetcar extension projects encountered conflicts with existing underground utilities
  - Physical conflicts
  - Conflicts related to PSP staff safety due to desired separation distance from rail
- Result was costly relocations, time delays, and interference with streetcar operations
- Original downtown loop and extension to the West End was never completed due to extensive underground utility conflicts



# Background (cont'd)

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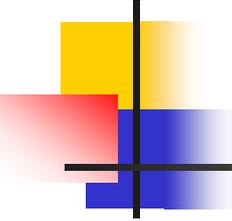
- Multiple corridors are currently being considered for future extensions
  - Olive Street Extension
  - Urban Circulator Loop (St. Paul, Federal, Olive)
  - Oak Cliff / Methodist Hospital
  - Additional downtown lines
- Existing documents (Street Cut Manual, Franchise Agreements, etc.) have no provisions for the interface between streetcars and PSPs
- City staff began meeting with public service providers in early 2008 to forge a cooperative relationship



# Background (cont'd)

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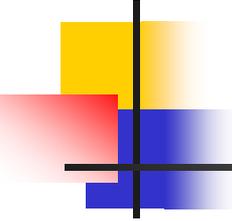
- In October 2008, City and DART staff accompanied Onco personnel to Portland, Oregon to observe the Portland streetcar system
- City Attorney's Office advised that a good approach would be to:
  - Amend City Chapter 43-136 of Dallas City Code to authorize the Director of Public Works and Transportation to promulgate appropriate rules
  - Incorporate the rules, with ample flexibility, into an operating manual for use by the PSPs
- Taskforce meetings to address language in the manual continue between the City, McKinney Avenue Transit Authority (MATA), DART, and the PSPs



# Proposed Streetcar Operating Manual

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- Purpose
  - Establish appropriate criteria for Public Service Provider operation and maintenance in the vicinity of streetcars
- Authorization
  - Amend the Dallas City Code to authorize the Director of Public Works and Transportation to promulgate a Streetcar Operating Manual
- Application
  - Apply the procedure to all streetcar projects, current and future



# Proposed Streetcar Operating Manual (cont'd)

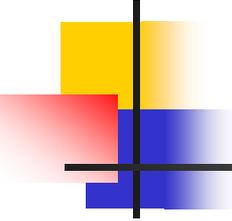
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## ■ Urgency

- Existing routes
- Olive Street Extension ready to begin construction
- Urban Circulator Loop ready to begin design; to be operational by 2013

## ■ Method

- Appendix to the current *City of Dallas Pavement Cut and Repair Standards Manual*
- Input from PSP representatives at the Streetcar Task Force meetings
- Reviewed and formatted by the City Attorney's Office



# Proposed Streetcar Operating Manual

## Key Guidelines for Utility Operation

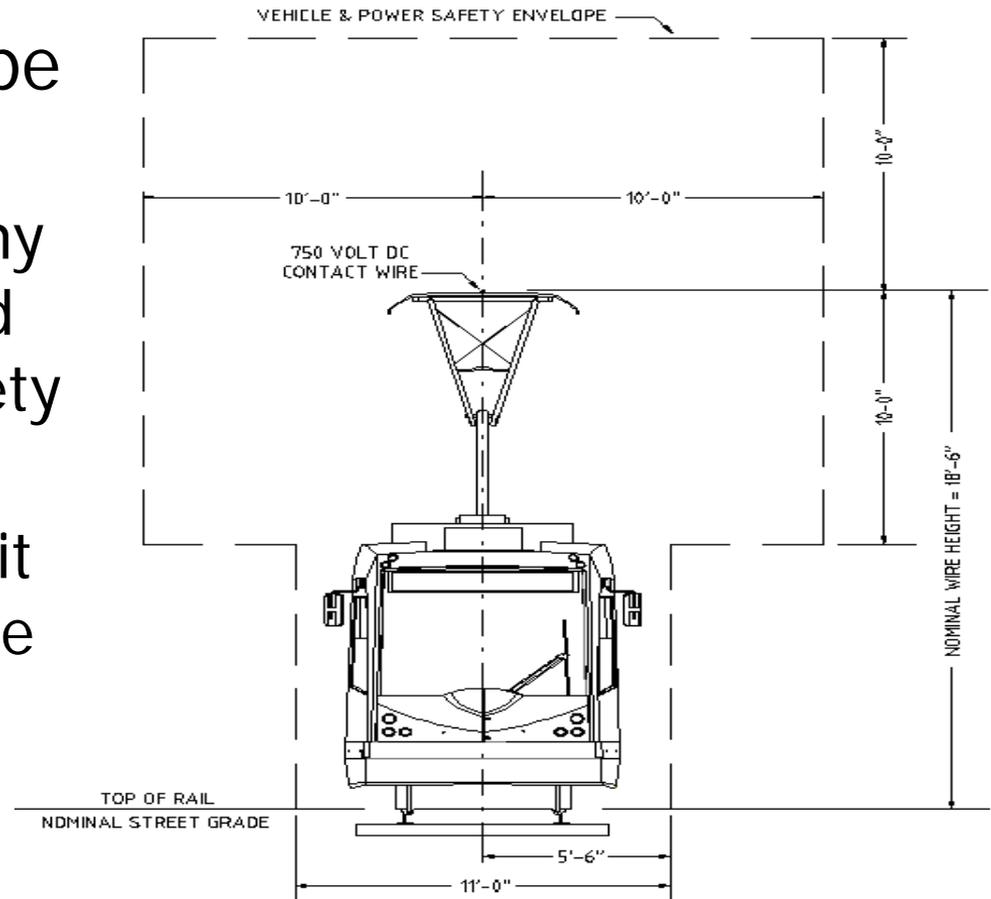
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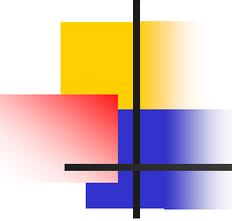
- Requires PSPs to provide 48-hour notice and obtain a permit prior to performing work within the “Power Safety Envelope” of the streetcar
  - Permit will be issued through DART’s 24-hour operations center
  - Preference will be for utility work to be performed at night, but, by exception for emergency, during streetcar revenue service hours
  - Consideration being given to determine methods whereby notice and receipt of permit can be expedited for various activities (i.e. – routine inspections)

# Proposed Streetcar Operating Manual

## Key Guidelines for Utility Operation (Cont'd)

- Power Safety Envelope
  - A track access permit will be required for any utility work performed within the Power Safety Envelope
  - No track access permit required outside of the envelope



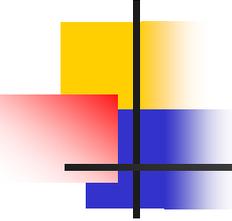


# Proposed Streetcar Operating Manual

## Key Guidelines for Utility Operation (Cont'd)

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- Track Access Permit
  - Issued through DART's 24-hour operations center
  - Simple, one-page form
  - Tailored after Portland's permit and permitting system
  - Step by step process with contact information to be outlined for ease of use

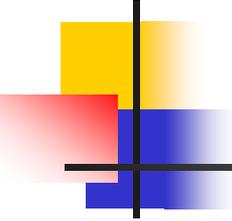


# Proposed Streetcar Operating Manual

## Key Guidelines for Utility Operation (Cont'd)

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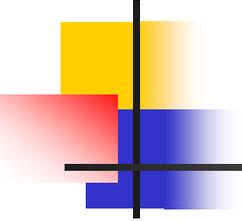
- Immediate track access to be provided for emergency conditions (already defined by Dallas City Code): service outages, wet cables, cut or damaged facilities, Homeland Security concerns
- Flagmen will be present during all utility construction work for safety to workers, streetcar operators, and the traveling public
- Task force to remain intact
  - Convene meetings quarterly during first year to determine modifications that may be needed to Operating Manual
  - As needed thereafter



# Next Steps

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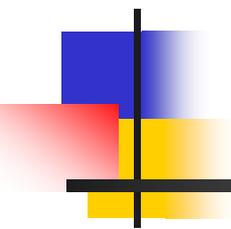
- August 11, 2010
  - Authorize amendment to the Dallas City Code for the Director of Public Works and Transportation to promulgate rules (Streetcar Operating Manual)
- August 25, 2010
  - Authorize construction contract for Olive Street Extension
- September / October 2010
  - Finalize the Streetcar Operating Manual



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# Questions / Discussion



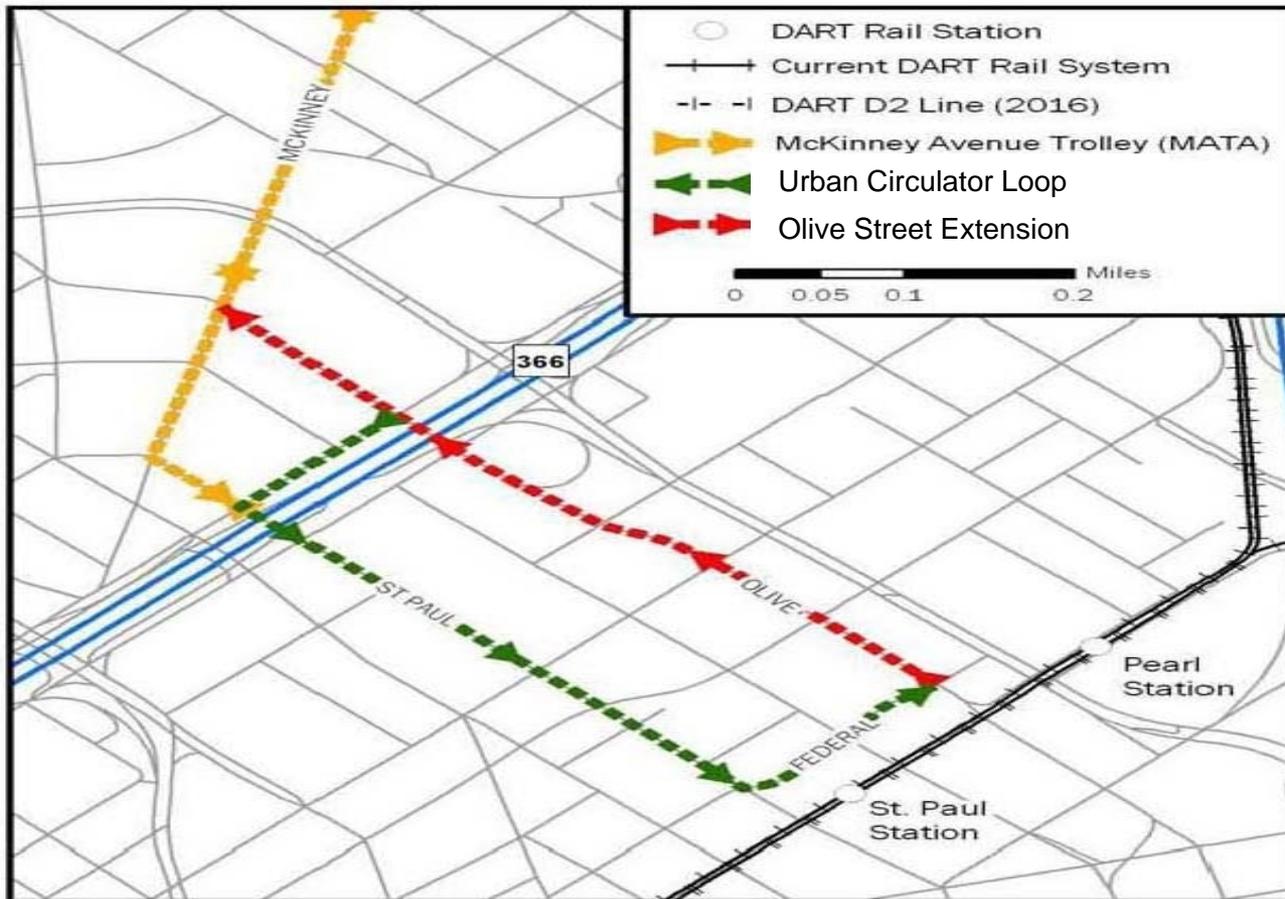


# Appendix

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# Downtown Streetcar Projects

McKinney Avenue, Olive Street Extension and Urban Circulator Loop



# Memorandum



DATE August 6, 2010

TO Members of the Transportation and Environment Committee:  
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Tennell Atkins, Carolyn R. Davis, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT NCTCOG 2009-2010 Sustainable Development Grant – City of Dallas Awarded Projects

In March, 2009, the North Central Texas Council of Governments (NCTCOG) initiated a Sustainable Development Funding Program Call for Projects. The program is designed to foster growth and development in and around historic downtowns and Main Streets, infill areas, and passenger rail lines and stations. The call for projects was formally issued on March 24, 2009 and the deadline for project submissions was October 2, 2009.

The City of Dallas issued a request for proposals (RFP) to solicit projects for evaluation. On September 15, 2009, the Council's Transportation and Environment Committee was briefed on the project selection recommendations resulting from the RFP process and endorsed those recommendations.

For the October, 2009 project submissions, the City of Dallas sponsored sixteen infrastructure and seven planning project applications worth \$27,574,971 for funding consideration in the Sustainable Development Program. Five of the project applications submitted by the City were determined to be ineligible by NCTCOG staff due to the lack of necessary zoning at the time of submittal, projects not meeting the NCTCOG definition for mixed use development, or inadequate air quality benefit.

On June 3, 2010, the Regional Transportation Committee (RTC) approved \$13,474,712 for nine City of Dallas infrastructure projects. The approved infrastructure projects are:

- Atmos Lofts Mixed Use Development
- Routh Street Underpass Gateway to Arts District
- Edison/Hi Line/Stemmons Rail Transit Underpass Connection
- Lake Highlands TOD Multimodal Connectivity
- Project Paseo
- Continental Mixed Use Development
- La Reunion Town Center - The Orleans & The Courtyards
- Zang Triangle
- The Butler Mixed Use Development

The RTC also approved \$305,000 for three City of Dallas planning projects. The approved planning projects are:

- Santa Fe Trail Corridor Study
- Building Blocks Sustainable Development District
- LBJ/Skillman Urban Planning Initiative

Details about the selected projects are shown in **Exhibit A**. The RTC has asked for a City Council resolution in support of each of these projects by September 3, 2010.

The Sustainable Development Program requires a local match of 20 percent of the total project cost and the source of the \$3,444,929 in local matching funds for all the projects is shown in **Exhibit A**. Local matching funds will be from private sources or other non-general City funds. For projects receiving TIF funds, if specified in the TIF development agreement, local match funds may be eligible for reimbursement. RTC funding will be available for reimbursement during 2011. Planning projects will be managed by NCTCOG staff, including any consultant selection process, with the City being required to pass through local match funds at the beginning of the project.

At the August 25<sup>th</sup>, 2010 City Council meeting, a resolution will be presented for Council approval authorizing support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorizing the City Manager to negotiate agreements with the North Central Texas Council of Governments and private sector partners, where applicable.

Please contact me if you need additional information.



Jill A. Jordan, P.E.  
Assistant City Manager

- c: The Honorable Mayor and Members of the City Council  
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**Exhibit A**

**City of Dallas Sustainable Development Infrastructure Projects - Selected by the Regional Transportation Council (RTC) of the North Central Texas Council of Governments (NCTCOG)**

Project	Private Sponsor	Project Description	NCTCOG Funds (80%)	Local Match (20%)	Total Project Cost	Source of Local Match
Atmos Lofts Mixed Use Development	Hamilton Properties Corporation	Refurbished exterior lighting, security lighting, concrete walk, stair and accessible ramp system, bike racks, motor court, landscaping. Atmos Lofts is composed of 4 buildings covering 2.6 acres. Planned development is mixed use with 233 residential apartment units (46 units workforce affordable), 5,000 sq ft restaurant space, 5,000 sq ft retail space, and 301 structured parking spaces.	\$462,686	\$115,671	\$578,357	Private funds.
Routh Street Underpass - Gateway to Arts District, Connecting Uptown & Downtown	Billingsley Company	Pedestrian friendly sidewalks, lighting, hike and bike connection improvements from Clark Street to Flora Street, drainage improvements to prevent flooding. Routh Street underpass improvements have been discussed during the Arts District Strategic Plan (adopted April 22, 2009). Intent is to make a more pedestrian-friendly connection between McKinney/Uptown and the Arts District. The Arts Plaza mixed use development consists of One Arts Plaza, 655,000 sf delivered in 2007, and Two Arts Plaza, planned at 532,000 sq ft as well as the JPI Arts Apartments currently under construction for 230 residential units.	\$1,001,910	\$250,478	\$1,252,388	Private funds in partnership with Downtown Improvement District (DID) Uptown Public Improvement District.
Edison/Hi Line Stemmons/Rail Transit Underpass Connection	Lower Oak Lawn Investment L.P.	Pedestrian friendly sidewalk and crosswalk improvements along Edison btw. Stemmons and Hi Line, pedestrian improvements along SB Stemmons frontage and Hi Line as it passes under Stemmons, accessible ramps, traffic warning light (at Hi Line), shade trees, way-finding, benches, trash receptacles, bike "parking", lighting. Planned development at 1400 Hi Line is mixed use with 314 unit residential, 29,000 sq ft ground floor retail.	\$1,151,063	\$287,766	\$1,438,829	Private funds.
Lake Highlands TOD Multimodal Connectivity Project	Prescott Realty Group & Dallas County (additional public partner)	Trail extending from south end of Lake Highland Town Center Trail into the White Rock Creek Trail near Skillman Street. Adding second left hand turn land at west bound Walnut Hill onto Skillman, pedestrian improvements at the Skillman/Walnut Hill intersection incl. barrier free ramps, traffic lighting. Planned development includes Lake Highlands Town Center and adjacent White Rock/Toscana redevelopment projects; 70 acres (20 for public park/lake area), 200,000 sq ft retail, 100,000 sq ft restaurants, 100,000 sq ft office, 2,550,000 sq ft residential.	\$2,774,222	\$693,556	\$3,467,778	Private funds and Dallas County Major Capital Improvement Program (MCIP) funds.

## Exhibit A

### City of Dallas Sustainable Development Infrastructure Projects - Selected by the Regional Transportation Council (RTC) of the North Central Texas Council of Governments (NCTCOG)

Project	Private Sponsor	Project Description	NCTCOG Funds (80%)	Local Match (20%)	Total Project Cost	Source of Local Match
Project Paseo	Matthews Holdings Southwest Inc	Improved sidewalk, landscaping and burying electrical systems along Lamar between IH-30 and Wood Street. Matthews Southwest was selected in 2008 to develop the downtown Dallas Convention Center Hotel. Streetscaping for the new Downtown Convention Center area (South Lamar from I-30 to Wood Street).	\$2,156,842	\$539,210	\$2,696,052	Private funds and/or City 2006 bond project
Continental Mixed Use Development	Forest City	Sidewalk replacement, landscaping improvements, crosswalk improvements (across Commerce and at Prather and St. Paul intersection). Planned development is mixed use with 212,847 sq ft residential (150 units), 5,572 sq ft retail, 280 space parking garage.	\$607,739	\$151,935	\$759,674	Private funds.
La Reunion Town Center - The Orleans & The Courtyards	Avalon Residential (Todd Seib)	Pedestrian friendly sidewalks, new and/or improved crosswalks, benches, shade trees, sidewalk lights, ped. Plaza, Construction of Walter Drive, Anneils Drive, Parkcrest Drive and Rockcrest Drive. Planned development of La Reunion Town Center includes 220 apartments, 24,433 sq. ft. retail/office/restaurant space, central parking garage.	\$1,986,250	\$496,563	\$2,482,813	Private funds.
Zang Triangle	Lang Partners LLC (an affiliate of INCAP Fund)	Wider sidewalks, curb and gutter, water line relocation, necessary storm sewer relocation, pedestrian crossing improvements, landscaping, lighting, bike racks and bike lockers. Planned development includes 260 residential units (approx. 20% affordable), 3,017 sq ft of office, 1,170 of "amenity" space, 5.5 level garage with 390 parking spaces.	\$1,750,000	\$437,500	\$2,187,500	Private funds.
The Butler Mixed Use Development	Mockingbird Building Group/Amarone LP	Streetscape improvements, including sidewalk widening and reconstruction and street furniture for proposed. Planned development of mixed use project with 468 apartments, 5,020 sq ft of retail, and structured parking.	\$1,584,000	\$396,000	\$1,980,000	Private funds.
<b>Total Infrastructure Projects</b>			<b>\$13,474,712</b>	<b>\$3,368,679</b>	<b>\$16,843,391</b>	

## Exhibit A

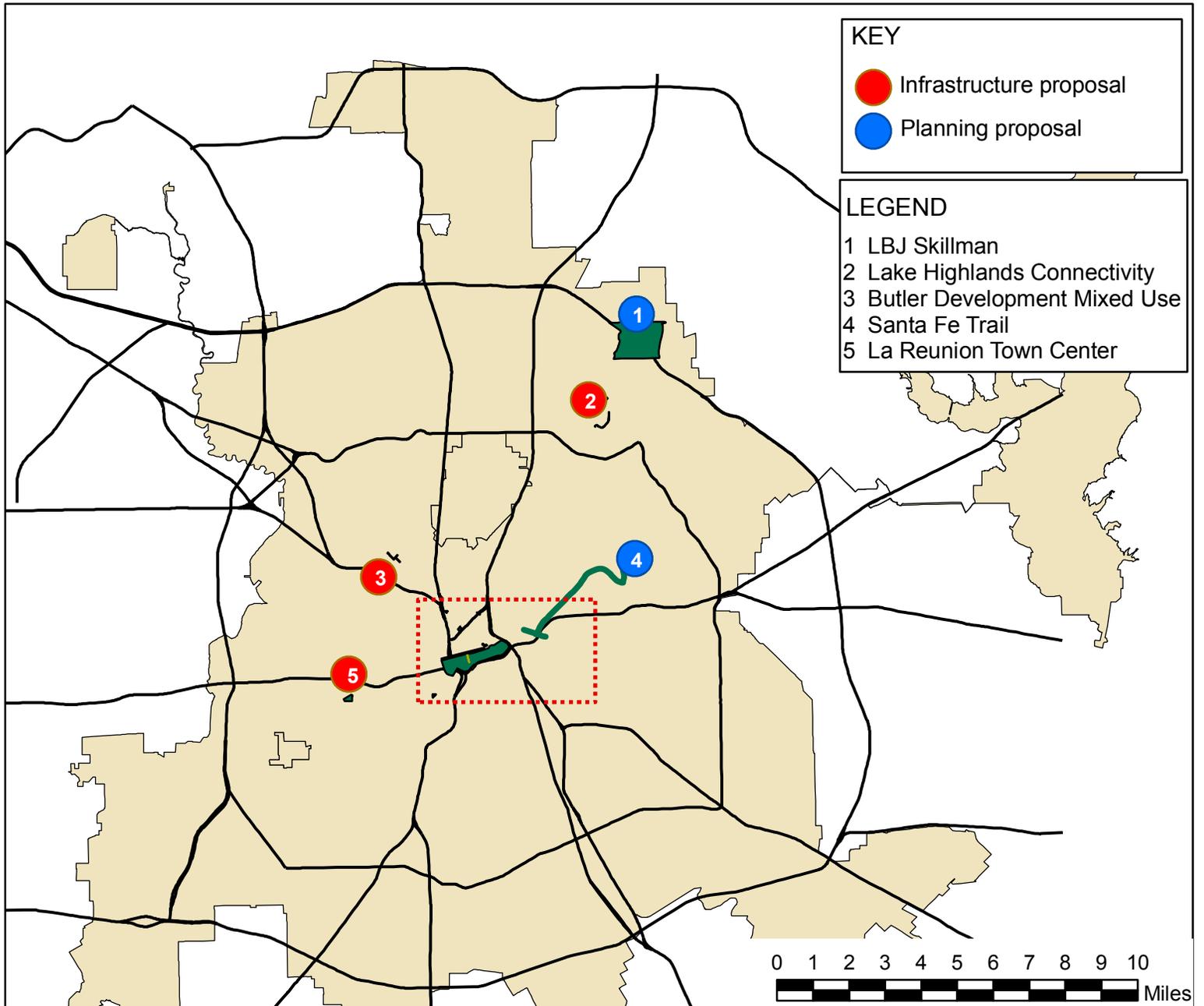
### City of Dallas Sustainable Development Planning Projects - Selected by the Regional Transportation Council (RTC) of the North Central Texas Council of Governments (NCTCOG)

Project	Private/Other Sponsor	Project Description	NCTCOG Funds (80%)	Local Match (20%)	Total Project Cost	Source of Local Match
Santa Fe Trail Corridor Study	Friends of Santa Fe Trail	Study development of the Santa Fe Trail in East Dallas, connecting Deep Ellum to White Rock Lake and pedestrian connectivity including determining trail access points, security, wayfinding, landscaping, furnishings, rest areas	\$80,000	\$20,000	\$100,000	Private contributions
Building Blocks Sustainable Development District	Central Dallas Community Development Corporation	Study transit and pedestrian connectivity, land use and context-sensitive design to create a sustainable development district in the Southern Sector of Downtown Dallas, from the Farmers Market to the Trinity, Young Street and IH-30.	\$125,000	\$31,250	\$156,250	Urban Revision and Enterprise Green Grants
LBJ/Skillman Urban Planning Initiative	LBJ/ Skillman Urban Planning Initiative Team (affiliated with the Lake Highlands Area Improvement Association, LHAIA)	Study to determine appropriate future land use, development scenarios, and zoning to facilitate transit oriented development (TOD) near the LBJ/Skillman DART Station gateway area, potential pedestrian and transit linkages, and opportunities for new trails and open spaces.	\$100,000	\$25,000	\$125,000	Skillman Corridor TIF Fund
<b>Total Planning Projects</b>			<b>\$305,000</b>	<b>\$76,250</b>	<b>\$381,250</b>	

**Grand Total Dallas Projects**

**\$13,779,712 \$3,444,929 \$17,224,641**

# Funded Sustainable Development Projects Map: 2010

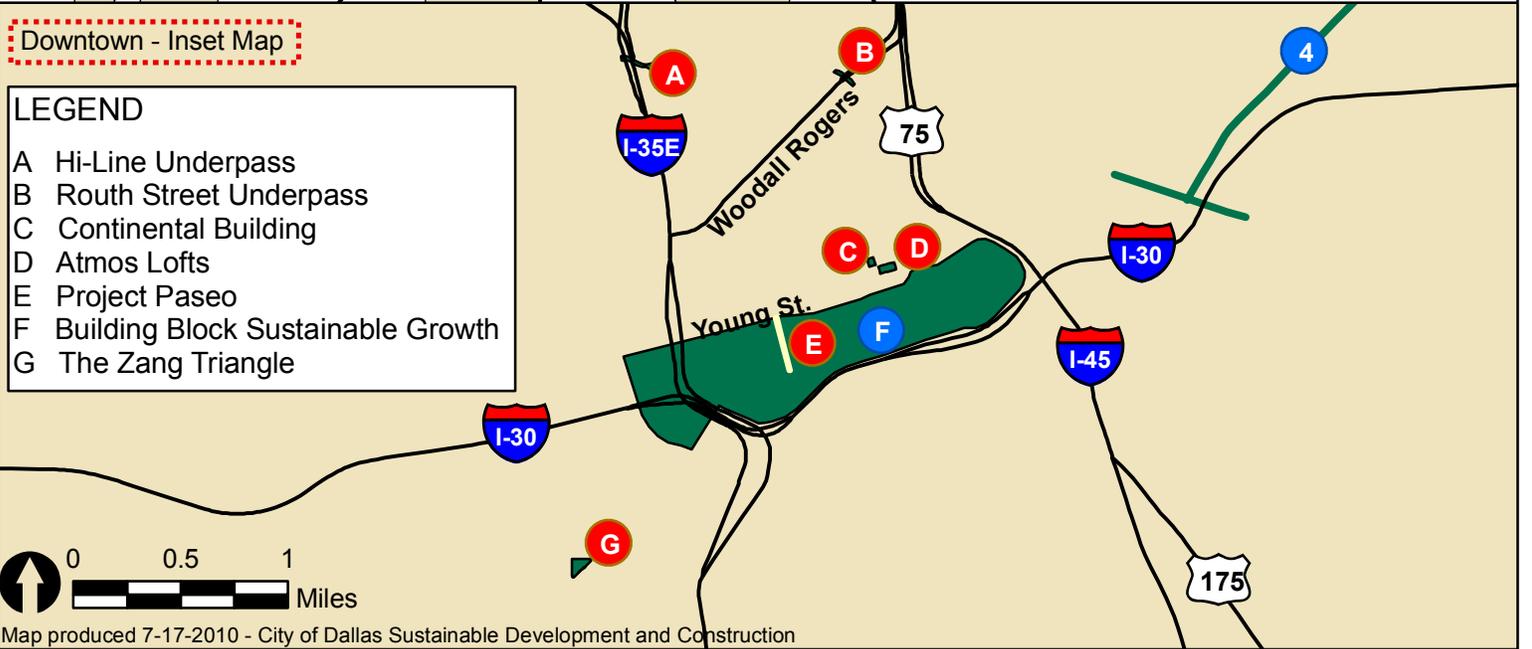


**KEY**

- Infrastructure proposal
- Planning proposal

**LEGEND**

- 1 LBJ Skillman
- 2 Lake Highlands Connectivity
- 3 Butler Development Mixed Use
- 4 Santa Fe Trail
- 5 La Reunion Town Center



**LEGEND**

- A Hi-Line Underpass
- B Routh Street Underpass
- C Continental Building
- D Atmos Lofts
- E Project Paseo
- F Building Block Sustainable Growth
- G The Zang Triangle

# Memorandum



DATE August 6, 2010

TO Members of the Transportation and Environment Committee:  
Linda L. Koop (Chair), Sheffie Kadane, (Vice Chair), Jerry Allen, Tennell Atkins,  
Carolyn R. Davis, Delia Jasso, Pauling Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Unnumbered draft agenda item for the August 25, 2010 City Council Agenda

## **SUBJECT**

An ordinance adding Section 30-3.2 and amending Section 30-5 of CHAPTER 30, "NOISE," of the Dallas City Code to prohibit the use of engine compression brakes in the city -- Financing: No cost consideration to the City

## **BACKGROUND**

The common terminology is "Jake braking or engine braking." This method of reducing vehicle speed is often used by diesel truck drivers to slow down the truck. Any method of slowing diesel trucks down in this manner produces a loud noise, particularly by venting the cylinder of the diesel engine midway through its cycle, which causes the engine to absorb power instead of produce power, thereby slowing down the truck dramatically. Additionally, this braking method causes the production of excessive noise produced by engine retarders due to a truck operating with improperly maintained, defective, or modified muffler systems or the use of straight pipes with no mufflers. Ultimately, the act of engine braking creates a very disturbing noise.

The ordinance will take effect immediately after passage and publication in accordance with the Charter of the City of Dallas.

## **PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

Briefed to the Transportation and Environment Committee on August 10, 2010.

## **FISCAL INFORMATION**

No cost consideration to the City.

  
Jill A. Jordan, P.E. Assistant City Manager  
Assistant City Manager

c: The Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Thomas P. Perkins, Jr. City Attorney  
Deborah Watkins, City Secretary  
Craig Kinton, City Auditor  
Judge C. Victor Lander, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
A.C. Gonzalez, Assistant City Manager  
Forest Turner, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Edward Scott, Director, Controller's Office  
Frank Libro, Public Information Office  
Rick Galceran, P.E., Director, Public Works and Transportation  
Theresa O'Donnell, Director, Sustainable Development and Construction  
Helena Stevens-Thompson, Assistant to the City Manager – Council Office



# Texas Department of Transportation

P.O. BOX 133067 • DALLAS, TEXAS 75313-3067 • (214) 320-6100

May 26, 2010

Ms. Jill A. Jordan, P.E.  
Assistant City Manager  
City of Dallas  
1500 Marilla Street  
Dallas, Texas 75201

Dear Ms. Jordan:

Pursuant to your request that the Texas Department of Transportation (TxDOT) install signage on state facilities, this is to advise that the language referenced by Dallas City Code, Sec. 30-2, regarding car noise, is not sufficient for TxDOT to manufacture and install "No Engine Brakes" signs at the Dallas City limits.

The "No Engine Brakes" ordinance needs to be specific and provide law enforcement officers with language that makes it illegal to use engine brakes. Neither the Texas Transportation Code nor federal requirements make it illegal to use engine brakes. If state or local law enforcement officers hear the use of the brakes on highways, they do nothing as there is no law to disallow them.

I have attached a sample ordinance from the City of Justin on this matter. Note that it provides the law and the penalty for violating the law.

Please call if you have any questions.

Sincerely;

William L. Hale, P.E.  
Dallas District Engineer

Attachments: 1. City of Dallas Request from Jill Jordan (received May 24, 2010)  
2. Sample Ordinance

cc: David Neumann, Council Member for District 3  
Pauline Medrano, Council Member for District 2  
Linda Koop, Council Member for District 11  
Thomas P. Perkins, Jr., City Attorney

ORDINANCE NO. \_\_\_\_\_

An ordinance adding Section 30-3.2 to and amending Section 30-5 of CHAPTER 30, "NOISE," of the Dallas City Code, as amended; prohibiting the use of engine compression brakes in the city; providing a defense; providing the culpable mental state required for the commission of an offense; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That CHAPTER 30, "NOISE," of the Dallas City Code, as amended, is amended by adding Section 30-3.2, "Use of Engine Compression Brakes Prohibited," to read as follows:

**"SEC. 30-3.2. USE OF ENGINE COMPRESSION BRAKES PROHIBITED.**

(a) Definitions. For the purpose of this section, ENGINE COMPRESSION BRAKE means a vehicle retarding device that converts a power producing engine into a power absorbing air compressor in order to reduce motor vehicle speed without the use of the vehicle's foundation brakes.

(b) A person commits an offense if he uses an engine compression brake to slow or stop a motor vehicle in the city.

(c) It is a defense to prosecution under this section that the motor vehicle was a fire apparatus owned or operated by a governmental entity.

(d) Presumption. Whenever a violation of this section occurs, it is presumed that the registered owner of the vehicle for which the citation was issued is the person who committed the violation, either personally or through an agent or employee. Proof of ownership may be made by a computer-generated record of the registration of the vehicle with the Texas Department of Transportation (or the vehicle registration agency of any other state in which the vehicle is currently registered) showing the name of the person to whom state license plates were issued. This proof is prima facie evidence of the ownership of the vehicle by the person to whom the certificate of registration was issued."

SECTION 2. That Subsection (a) of Section 30-5, "Penalties," of CHAPTER 30, "NOISE," of the Dallas City Code, as amended, is amended to read as follows:

"(a) Criminal penalties. Unless specifically provided otherwise in this chapter, an ~~[An]~~ offense under this chapter is punishable by a criminal fine not to exceed \$2,000. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued. The [A] culpable mental state [is not] required for the commission of an offense under this chapter is governed by Section 1-5.1 of this code."

SECTION 3. That CHAPTER 30 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance. Any proceeding, civil or criminal, based upon events that occurred prior to the effective date of this ordinance are saved, and the former law is continued in effect for that purpose.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of CHAPTER 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By \_\_\_\_\_  
Assistant City Attorney

Passed \_\_\_\_\_

RM/DCC/000029