

# Memorandum

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CITY SECRETARY  
DALLAS, TEXAS



DATE: November 10, 2011

TO: Honorable Members of the Quality of Life Committee: Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine R. Caraway, Carolyn R. Davis

SUBJECT: Quality of Life Committee Meeting

**Monday, November 14, 2011, 9:30 a.m.**

Dallas City Hall - 6ES, 1500 Marilla St., Dallas, TX 75201

The agenda for the meeting is as follows:

1. Approval of October 24, 2011 minutes (9:30 a.m. – 9:31 a.m.) Angela Hunt, Chair
2. An Update for Revisions to Article X Tree and Landscaping Ordinance (9:31 a.m. – 10:15 a.m.) Robert Curry, Chairman  
Urban Forest Advisory Committee
3. Downtown Vending (10:15 a.m. – 11:00 a.m.) Joey Zapata, Interim  
Assistant City Manager
4. Adjourn (11:00 a.m.) Angela Hunt, Chair

Please let me know if you have any questions.

*Angela Hunt*  
Angela Hunt  
Chair  
(djt)

Cc: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Rosa A. Rios, Acting City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
C. Victor Lander, Administrative Judge  
A.C. Gonzalez, First Assistant City Manager  
Ryan S. Evans, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Forest E. Turner, Assistant City Manager  
Joey Zapata, Interim Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Helena Stevens-Thompson, Assistant to the City Manager

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.

# Quality of Life Council Committee

## Meeting Record

(DRAFT)

**Meeting Date:** 10-24-2011

**Convened:** 9:31 a.m.

**Adjourned:** 10:07 a.m.

Angela Hunt, Chair  
Sandy Greyson, Vice-chair  
Monica R. Alonzo  
Carolyn R. Davis  
Dwayne R. Caraway

**Briefing Presenter(s):**

- James Childers, Assistant  
Director, Code Compliance  
- Molly McCall, Director  
Human Resources

**Staff Present:**

Joey Zapata, Lisa Christopherson, Clifton Gillespie, Daniel Huerta, Richard Abernathy, Helena Stevens-Thompson

**AGENDA:**

1. **Approval of the September 26, 2011 minutes**

**Presenter(s):**

**Information Only:** \_\_\_\_\_

**Action Taken/Committee Recommendation(s):**

Motion to approve the September 26, 2011 minutes.

Motion made by: Carolyn R. Davis

Item passed unanimously: \_\_X\_\_

Item failed unanimously: \_\_\_\_\_

Motion seconded by: Monica R. Alonzo

Item passed on a divided vote: \_\_\_\_\_

Item failed on a divided vote: \_\_\_\_\_

2. **Mobile Food Preparation Vehicles**

**Presenter(s):** James Childers

**Information Only:** \_\_\_\_\_

**Action Taken/Committee Recommendation(s):**

The purpose of the briefing was to update the committee on revisions to regulations for mobile food preparation vehicles also known as MFPV's or "hot trucks" adopted by Council in June 2011 and to recommend further revisions to expand the permitting and availability of hot trucks.

A motion was made to move the ordinance for Council consideration at the November 2011 Council Agenda meeting.

Motion made by: Sandy Greyson

Item passed unanimously: \_\_X\_\_

Item failed unanimously: \_\_\_\_\_

Motion seconded by: Carolyn R. Davis

Item passed on a divided vote: \_\_\_\_\_

Item failed on a divided vote: \_\_\_\_\_

3. **The Volunteer Center**

**Presenter(s):** Molly McCall

**Information Only:** \_\_X\_\_

**Action Taken/Committee Recommendation(s):**

# **Quality of Life Council Committee**

## **Meeting Record**

**(DRAFT)**

The purpose of the briefing was to give an overview of the Volunteer Center of North Texas' partnership with the City of Dallas. The briefing also included information regarding participating departments, volunteer opportunities, special events, emergency response, community service restitution, media and marketing, 2010 activity and next steps.

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Angela Hunt, Chair  
Quality of Life Committee

# Memorandum



DATE November 11, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),  
Sandy Greyson (Vice Chair), Monica R. Alonzo, Dwaine R. Caraway, Carolyn R.  
Davis

SUBJECT An Update for Revisions to Article X Tree and Landscaping Ordinance

On Monday, November 14, 2011, you will be briefed on An Update for Revisions to Article X Tree and Landscaping Ordinance by Robert Curry, Chairman of the Urban Forest Advisory Committee. The material is attached for your review.

If you have questions or need additional information, please let me know.



Forest E. Turner  
Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Rosa A. Rios, Acting City Secretary  
Thomas P. Perkins, Jr., City Attorney  
Craig D. Kinton, City Auditor  
C. Victor Lander, Administrative Judge  
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Jill A. Jordan, P.E., Assistant City Manager  
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Jeanne Chipperfield, Chief Financial Officer  
Frank Libro, Public Information Office  
Helena Stevens-Thompson, Assistant to the City Manager

# Quality of Life Committee

Monday, November 14, 2011

Presented by:

Robert Curry

Chairman, Urban Forest Advisory  
Committee

## An Update for Revisions to Article X Tree and Landscaping Ordinance



# Why Trees

- Integral to overall air quality improvements
  - Large trees 70 times more important than small ones
- Reduce heat island effect and lowers utility bills for residents
- Remove toxins from soil and reduces stormwater runoff
- An important amenity to quality of life

# Why Revise the Ordinance

- Increased awareness that trees are an important element in addressing air, water and quality of life issues
- Development community contends that the current ordinance is a burden
- Tree advocates contend that the ordinance passed in 1994 failed to preserve trees



# Timeline

- 1994 -Modified tree ordinance established
- 2005 -Urban Forest Advisory Committee (UFAC) formed
- September 2007 - Ordinance revision process began by UFAC
- June 15, 2009 - Public hearing
- 2009 -Collaboration with Green Building Task Force include development input

# Timeline (continued)

- 2010 - Representatives from development community, Real Estate Council, Home and Apartment Builders Association, Oak Cliff Chamber of Commerce, and architects
- 2010 - Review and discussion with City technical staff support
- 2010 - Concluded with agreed conceptual changes and established a sustainability matrix to reward developers for best practices

# Timeline (continued)

- Received input from environmental groups such as Save Open Space , Dallas Historic Tree Coalition and several individuals
- The changes agreed during this process were concurred in by UFAC on January 4, 2011
- Subsequent suggested changes have been received but are not concurred by all groups

# Summary of Changes

- Many proposed changes are “fine tuning” the existing ordinance;
  - Staff is given more discretion to allow more flexibility in plan review process
  - Establish a user-friendly “technical manual” to specify standards and procedures for various issues, for example:
    - Lists of acceptable and prohibited plant species
    - Tree spacing
    - Standards for tree protection during construction
    - In general, issues that can change over time

# New Ordinance Features

- Incentive Matrix
  - A list of sustainable practices that a developer can use to lower tree mitigation costs
- Provide for Historic and Heritage Trees with increased mitigation costs
- Encourages native plant species to reduce water use and improve neighborhood appeal

# New Ordinance Features (2)

- Changes to tree removal
  - Establishes credit for transplanting trees on property from which they were removed
  - Increased cost for removing large irreplaceable Historic Trees
- Reforestation Fund
  - Allow donated wooded land
  - Expand to allow education of Quality Tree Conservation and Sustainable Development Incentives

# New Ordinance Features (3)

- Additional measures to preserve trees during construction
- Ordinance violations
  - Authorize use of aerial photographs in assessing fines for illegal removal

# Additional Suggestions (not concurred)

- Eliminate the 2 acre residential exemption
- Restrict “clear cutting” of development sites
- Amend 51A-4.702 to limit exemption of Article X from planned development districts



# Conclusion

- The Quality of Life Committee voted to move the ordinance forward but was deferred because of redistricting, budget, and Council elections
- We ask that the remaining unsolved issues get resolved as quickly as possible and then begin a draft of the ordinance with all proposed changes

# Memorandum



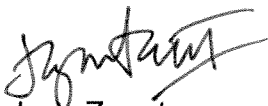
DATE November 10, 2011

TO Honorable Members of the Quality of Life Committee: Angela Hunt (Chair),  
Sandy Greyson (Vice Chair), Monica Alonzo, Dwaine Caraway, Carolyn R. Davis

SUBJECT Downtown Vending Briefing

On Monday, November 14, 2011, you will be briefed on Downtown Vending.  
The material is attached for your review.

If you have questions or need additional information, please let me know.



Joey Zapata  
Interim Assistant City Manager

## Attachments

cc: Honorable Mayor and Members of the City Council  
Mary K. Suhm, City Manager  
Rosa A. Rios, Acting City Secretary  
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Dallas Code Compliance, what it all means  
**COMMUNITY**



# Downtown Vending

## Quality of Life Committee

November 14, 2011

# Purpose

- ▶ Review proposed amendments to street vending regulations designed to foster vibrant streets and public spaces

# Background

- ▶ Street vendors are regulated in Chapter 50, Article XII of the Dallas City Code
  - Protects public health, safety, and welfare through regulation of vendors operating on public or private property in Dallas and selling items such as:
    - Food/Drinks
    - Flowers and Plants
    - Souvenirs/Trinkets
    - Handcrafted Goods
- ▶ Street vending contributes to creating vibrant streets and public spaces
  - Provisions concerning street vendors have not undergone substantive revisions for over 20 years

# Background

- ▶ Downtown stakeholders offered a series of recommendations to expand street vending
  - Downtown Dallas Inc.
  - Dallas Arts District
  - West End Association
  - DART
- ▶ Staff proposes initial changes designed to:
  - Foster more vending in the CBD
  - Enhance the quality of vendors
- ▶ Additional issues, such as entertainment licenses, will be considered in February 2012

# Fostering More Vending in CBD

- ▶ An annual **CBD Concession License** is required of all vendors to sell in the CBD, on both private and public property
- ▶ To encourage active vending in the CBD:
  - Establish deadlines for application renewals and updates
  - Revoke licenses for failure to comply
- ▶ Concession licenses are not transferable
  - Clarify code to prohibit sale, sublease or assignment to others.

# Fostering More Vending in CBD

- ▶ A CBD Location Permit is required only if vendors want to sell on public property in the CBD
- ▶ To encourage active vending in CBD:
  - Require minimum hours of operation: 15 total hours over the span of at least 4 days per week
  - Use a lottery system when multiple vendors apply for a location
- ▶ Remove restriction on the number of years a vendor can operate at a specific site



# Fostering More Vending in CBD

- ▶ Create a new “Transit Mall District” to increase vending options to DART passengers as they exit and board trains
  - Area includes blocks facing DART light rail train line in the CBD (excluding Thanksgiving Square) and bounded by Routh/Hawkins on east and Houston on the west



# Fostering More Vending in CBD

- ▶ Develop inter-local agreement with DART to determine vending locations in the Transit Mall
  - City will retain all enforcement and regulatory functions for vendors in this area
  - DART would be responsible for marketing the Transit Mall

# Fostering More Vending in CBD

- ▶ Expand hours for vending operations to 6 a.m. – Midnight
  - Existing code allows vending from 6 a.m. to 8 p.m.
- ▶ Remove restrictions on vending near schools in CBD
- ▶ Allow selling potted plants, vegetables or fruits in the CBD outside of Farmers Market
  - Requires amendment to Chapter 29 of the City Code

# Enhancing Vendor Quality

- ▶ Strengthen regulations against aggressive selling by requiring sale of goods within five feet of the cart
- ▶ Establish fees and requirements for issuing photo identification badges for all concession licensees and their workers
- ▶ Require that cost of merchandise for sale be legibly marked and visible to customers

# Enhancing Vendor Quality

- ▶ Require that the city telephone number for complaints against vendors be legibly marked on carts
- ▶ Establish a minimum dress code for vendors
- ▶ Prohibit smoking while operating a cart
- ▶ Prohibit use of public trash receptacles by vendors
- ▶ Increase minimum fines to \$100 for the first offense and \$200 for an additional offense in a 12-month period

# Next Steps

- ▶ Prepare draft ordinance
- ▶ Review and consult with stakeholders
- ▶ Schedule ordinance for consideration on City Council agenda
- ▶ Additional issues, such as entertainment licenses, will be considered in February 2012