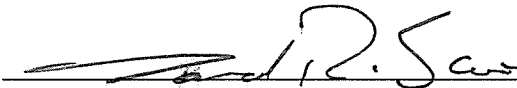


**MARCH 6, 2013 CITY COUNCIL BRIEFING AGENDA  
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated March 6, 2013. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.

  
\_\_\_\_\_  
Mary K. Suhm  
City Manager

3-1-13  
Date

  
\_\_\_\_\_  
Edward Scott  
City Controller

3/1/13  
Date



RECEIVED

2013 MAR -1 PM 4: 32

CITY SECRETARY  
DALLAS, TEXAS



# COUNCIL BRIEFING AGENDA

March, 6, 2013

Date

(For General Information and Rules of Courtesy, Please See Opposite Side.)  
(La Información General Y Reglas De Cortesía Que Deben Observarse  
Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

## General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

## Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

## Informacion General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes.

Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

## Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal.

"Los ciudadanos y visitantes presentes durante las asambleas del Ayuntamiento Municipal deben obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que esté presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisará al oficial que esté presidiendo la sesión a tomar acción." Según la sección 3.3(c) de las reglas de procedimientos del Ayuntamiento.

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, MARCH 6, 2013  
CITY HALL  
1500 MARILLA  
DALLAS, TEXAS 75201  
9:00 A.M.

9:00 am      Invocation and Pledge of Allegiance      6ES

                 Special Presentations

                 Open Microphone Speakers

VOTING AGENDA      6ES

1.      Approval of Minutes of the February 20, 2013 City Council Meeting
2.      Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

**Public Works Department**

3.      Authorize **(1)** a list of candidate projects submitted to the Texas Department of Transportation for the 2012 Texas Transportation Enhancement Program Call for Projects; and **(2)** acceptance and implementation of the projects selected for the Transportation Enhancement Program (list attached) - Financing: No cost consideration to the City

Briefings      6ES

- A.      Downtown Parks Master Plan Update

Lunch

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- National Solid Wastes Management Association et al. v. City of Dallas et al.,  
Civil Action No. 3:11-cv-03200-0

Personnel (Sec. 551.074 T.O.M.A.)

- Personnel issues involving City Attorney's Office and City Attorney

AGENDA  
CITY COUNCIL BRIEFING MEETING  
WEDNESDAY, MARCH 6, 2013

Open Microphone Speakers

6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours.

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items.

**Candidate Projects for the Texas Department of Transportation's  
2012 Transportation Enhancement Call for Projects  
Agenda Item # 3**

<b><u>Project</u></b>	<b><u>Council District</u></b>
<b>1. Coombs Creek Trail Extension (600 feet west of Beckley Avenue to Riverfront Boulevard)</b>	<b>2, 3, 6</b>

Extend the existing 1.5 mile Coombs Creek Trail from its current end point west of Beckley Avenue to connect to and enhance the planned IH 30 bicycle and pedestrian improvements between Riverfront Boulevard and Beckley Avenue that are being constructed as part of TxDOT's Horseshoe Project. Additionally, through enhanced sidewalk and intersection treatments the trail will also connect to funded bicycle improvements on Beckley Avenue and trails along the Trinity River.

Funding Request: \$6,394,000

Local Match: \$3,197,000

<b>2. Bicycle Education Program</b>	<b>Citywide</b>
-------------------------------------	-----------------

Develop an education program for both bicyclists and motorist to improve the safety and shared use of the City's roadways. The media outreach to promote bicycling and increase awareness of bicycle safety, including bill boards, direct mail, television advertisement, and radio advertisement.

Funding Request: \$599,840

Local Match: \$149,960

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.



**PUBLIC MEETINGS FOR MARCH 16 - MARCH 31, 2013**

**Tuesday, March 26, 2013**

Municipal Library Board

4:00 p.m.

J. Erik Jonsson Central Library, Municipal Library Board Room



**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** March 6, 2013

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Public Works Department

**CMO:** Jill A. Jordan, P.E., 670-5299

**MAPSCO:** N/A

---

**SUBJECT**

Authorize **(1)** a list of candidate projects submitted to the Texas Department of Transportation for the 2012 Texas Transportation Enhancement Program Call for Projects; and **(2)** acceptance and implementation of the projects selected for the Transportation Enhancement Program (list attached) - Financing: No cost consideration to the City

**BACKGROUND**

On August 10, 2005, the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was authorized by the United States Congress to guide surface transportation policy and provide transportation program funding. SAFETEA-LU builds on the initiatives and keeps many of the same programs established in the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991, and its successor, the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) of 1998.

The Texas Transportation Enhancement Program is funded through SAFETEA-LU and is administered by the Texas Department of Transportation (TxDOT) for the Federal Highway Administration (FHWA). There are twelve categories for project submission. The City of Dallas wishes to submit two projects eligible under the Transportation Enhancement program for bicycle and pedestrian facilities and safety and education programs.

The Texas Department of Transportation announced a “Call for Projects” for the Texas Transportation Enhancement Program on September 24, 2012. The available funding statewide for the program is \$70 million.

## **BACKGROUND** (Continued)

The Transportation Enhancement Program is a reimbursement program and not a grant. The federal matching funds are not available in advance. The local authority sponsoring the project will be reimbursed up to 80 percent of eligible costs for planning, development, and construction/implementation. The local government is responsible for the minimum 20 percent local match, as well as any nonfederal fundable costs and cost overruns.

TxDOT has stated that they will give priority to projects that meet the following criteria: (1) construction plans are completed and ready to let when the project is selected, (2) federal funds are used for construction only, (3) local match is available and in cash, (4) project right-of-way has already been secured, and (5) coordination is underway with appropriate state agencies regarding environmental clearance.

Staff prepared a recommended list of candidate projects to be submitted for the Transportation Enhancement Program Call for Projects based on the TxDOT criteria. A Council resolution committing to the projects' development, implementation, construction, maintenance, management, and financing is required in order for the City's projects to be eligible for funding consideration.

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

Adopted the 2011 Bike Plan to serve as a policy guide for the implementation of the transportation and trail network in the City of Dallas on June 8, 2011, by Resolution No. 11-1567.

Authorized a Project Specific Agreement with Dallas County for the design and construction of IH 30 bicycle and pedestrian improvements between Riverfront Boulevard and Beckley Avenue on January 23, 2013, by Resolution No. 13-0251.

## **FISCAL INFORMATION**

No cost consideration to the City.

**Candidate Projects for the Texas Department of Transportation's  
2012 Transportation Enhancement Call for Projects**

<b><u>Project</u></b>	<b><u>Council District</u></b>
-----------------------	--------------------------------

- |                                                                                                      |                |
|------------------------------------------------------------------------------------------------------|----------------|
| <b>1. Coombs Creek Trail Extension<br/>(600 feet west of Beckley Avenue to Riverfront Boulevard)</b> | <b>2, 3, 6</b> |
|------------------------------------------------------------------------------------------------------|----------------|

Extend the existing 1.5 mile Coombs Creek Trail from its current end point west of Beckley Avenue to connect to and enhance the planned IH 30 bicycle and pedestrian improvements between Riverfront Boulevard and Beckley Avenue that are being constructed as part of TxDOT's Horseshoe Project. Additionally, through enhanced sidewalk and intersection treatments the trail will also connect to funded bicycle improvements on Beckley Avenue and trails along the Trinity River.

Funding Request: \$6,394,000

Local Match: \$3,197,000

- |                                     |                 |
|-------------------------------------|-----------------|
| <b>2. Bicycle Education Program</b> | <b>Citywide</b> |
|-------------------------------------|-----------------|

Develop an education program for both bicyclists and motorist to improve the safety and shared use of the City's roadways. The media outreach to promote bicycling and increase awareness of bicycle safety, including bill boards, direct mail, television advertisement, and radio advertisement.

Funding Request: \$599,840

Local Match: \$149,960

March 6, 2013

**WHEREAS**, on August 10, 2005, President George W. Bush signed the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU); and,

**WHEREAS**, on September 24, 2012, the Texas Department of Transportation (TxDOT) issued a Call for Projects for funding through the Texas Transportation Enhancement Program (TE); and,

**WHEREAS**, all Transportation Enhancement projects nominated by the City of Dallas must be endorsed by the City Council with a commitment to fund a minimum of 20 percent of the project total cost as the required local match, as well as non-federally fundable costs and cost overruns, if the project is selected; and,

**WHEREAS**, the required local match can be provided from existing bond funds, other city funds, private funding sources, or can be approved in a future bond program; and,

**WHEREAS**, it is now necessary to authorize the projects being submitted and to provide the Texas Department of Transportation a council resolution committing to provide the required local funding participation match if the candidate projects are selected.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to submit the project list as City Council endorsed projects to the Texas Department of Transportation for consideration in the Transportation Enhancement Program.

**Section 2.** That the City Manager is hereby authorized to accept the City of Dallas projects selected by the Texas Transportation Commission for the Transportation Enhancement Program.

**Section 3.** That the City Manager is hereby authorized to develop, implement, construct, maintain, and manage selected projects, and provide the required local funding match as well as cover any nonfederal fundable project costs and 100 percent of any project cost overruns, which can be funded by existing bonds, a future city bond program, other City funds, or private funding sources.

**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.