

Memorandum

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2009 NOV 11 PM 3: 59



CITY OF DALLAS

DATE November 13, 2009

CITY SECRETARY
DALLAS, TEXAS

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

SUBJECT Special Called Transportation and Environment Committee Meeting Agenda

Monday, November 16, 2009 at 9:30 a.m. – 11:30 a.m.
City Hall, 1500 Marilla, Room 6ES
Dallas, TX 75201

1. **Approval of Minutes for October 26, 2009**
(Action / 5 Minutes)
2. **TxDOT Transportation Enhancement Call for Projects**
John Brunk, Senior Program Manager, Sustainable Development and Construction
PM Summer, Senior Transportation Planner, Sustainable Development and Construction
(Action / 20 Minutes)
3. **Stormwater Fees for Cemeteries**
Errick Thompson, Assistant Director, Public Works and Transportation
(Action / 20 Minutes)
4. **"Contested Streets Documentary" Film**
(Briefing / 60 Minutes)

Linda L. Koop (DB)

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
David Cook, Chief Financial Officer
Jeanne Chipperfield, Director, Budget and Management Services
Edward Scott, Director, Controller's 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 is 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**

RECEIVED

2009 NOV 11 PM 3:53

The Transportation and Environment Committee (TEC) meetings are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Public Works and Transportation TEC Staff Coordinator at 214.670.4545.

Meeting Date: October 26, 2009

Start Time: 2:04 p.m.

Adjournment: 4:06 p.m.

Committee Members Present:

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

Committee Members Absent:

Ron Natinsky, Absent on City business for a portion of the briefing

Other Council Members Present:

None

City Executive Staff Present:

Jill A. Jordan, Assistant City Manager

TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA

1. Approval of Minutes for October 12, 2009

Action Taken/Committee Recommendation:

Motion was made to approve the minutes for the October 12, 2009 meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Hill

Seconded by: Kadane

Passed unanimously

2. Drainage Design Practices

Part 1: Overview of Current Drainage and Erosion Control Practices

Part 2: Alternative Technique – Integrated Storm Water Management (iSWM)

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

Ms. Jordan presented a two part briefing on the City's drainage design practices. The first part provided an overview of current drainage design criteria, reviewed the City's erosion control program, and discussed how erosion control projects are identified and implemented. The second part of the briefing defined "integrated storm water management" and outlined a three phase approach to adopt an iSWM manual.

Action Taken/Committee Recommendation:

Ms. Koop commented that the EPA is moving towards developing guidelines for iSWM, which may become mandatory, and that the North Central Texas Council of Governments in Arlington has a library with materials on iSWM.

Mr. Atkins asked is there is a timeline for addressing the three types of erosion threats. Ms. Jordan stated that staff will revisit the latest ranking before deciding which projects to recommend for funding in the next bond program.

Mr. Atkins asked how porous paver surfaces would be maintained over a 5 to 10-year period. Ms. Jordan said that there are several different types of porous pavements. The example shown in the presentation appeared to be on private property. When a private property owner elects to install this type of pavement, they are responsible for its maintenance. Pavement in the street right-of-way would be the City's responsibility to maintain.

Mr. Atkins also asked how the City addresses development that was done in the past before the iSWM standards. Ms. Jordan stated that once development has occurred there is not much to be done on private property, which is why the City has a Storm Water Management Program and flood control management plans for all major creeks.

Mr. Atkins said that he had concerns with the water runoff in the UNT, Loop 12, and Kleberg-Rylie areas. Ms. Koop commented that this was one of the reasons for the proposed NCTCOG Master Plan around the inland part – they are not equipped to handle large amounts of storm water runoff.

Mr. Kadane asked if there are no concerns with erosion unless it was occurring near a residential structure. Ms. Jordan confirmed that this was correct, and that garages, pools, and fences would be a lower priority than a home. Mr. Kadane stated that he agreed with the recommendations to form technical and policy committees to guide development of the iSWM Manual.

Ms. Jasso thanked Ms. Jordan and Mr. Elias Sassoon for their efforts on the iSWM project and asked about the timeline for each phase. Ms. Jordan indicated that staff would like to bring the manual forward for Council consideration in November or December 2009, and immediately form the technical and policy committees. It is anticipated that ZOAC and City Plan Commission review of any Code amendments would take approximately one year with the encouragement of Council.

Ms. Jasso asked if each committee would include professionals, architects and developers; and if the developers had seen the presentation. Ms. Jordan stated that the developers who have participated had seen the criteria.

Ms. Davis asked if the committees would only exist until their task was completed or would they be ongoing. Ms. Jordan stated that the committees would exist for about six months to develop recommendations for ZOAC review.

Ms. Davis asked how community gardens would play a role on this issue. Ms. Jordan stated that some of the open areas that result from the reconfiguration of subdivisions could provide opportunities for community gardens which will be complimentary to this effort.

Ms. Davis asked if the committees would be looking into existing flooding issues. Ms. Jordan indicated that the committees would be looking at policy issues and not get into specific problem areas.

Ms. Davis asked if this effort would result in a water utilities fee increase. Ms. Jordan stated that currently it would not cause a fee increase.

A motion was made to approve the three phase approach to the implementation of iSWM and to recommend voluntary use of the iSWM criteria manual for consideration by the full Council in December 2009.

Made by: Jasso

Seconded by: Atkins

Passed unanimously

3. Urban Forestry Inventory using Concurrent Airborne LiDAR and Hyperspectral Remote Sensing

Presenters: Dr. Fang Qiu, Associate Professor, Geographic Information Systems, University of Texas at Dallas, and Steve Houser, Chair of the Dallas Urban Forest Advisory Committee

The briefing provided an overview of the technical process developed to conduct an urban forestry inventory using concurrent airborne LiDAR and hyperspectral images.

Action Taken/Committee Recommendation:

Ms. Koop asked if this process could help determine how much carbon the urban forest absorbs. Dr. Qui indicated that some research had been done on carbon absorption, and that different tree species have different rates of absorption. Ms. Koop suggested that if you could determine the species of all the trees in a specific area and knew how much carbon each species absorbed by the average height, then it would be possible to estimate how much carbon the geographic area was absorbing from the atmosphere. Mr. Houser stated that most of the available carbon absorption data was developed for trees the northern part of the United States.

Ms. Koop suggested looking to the NCTCOG and EPA for grants to help fund this effort.

Ms. Davis asked if this process could identify power lines near trees. Mr. Houser stated that it was very important to know where to plant trees near power lines, and that this research could be used by the Streets Department and Storm Water Management.

Ms. Jasso asked if this research had been shared with developers or other City staff who are working with developers. Mr. Houser stated that he been working with developers for over three years to develop recommendations for the tree ordinance.

Mr. Natinsky asked Ms. Koop if determining the carbon amount of absorption from the urban forest would help with the region's air quality efforts. Mr. Natinsky suggested that Dr. Qui may be able to assist. Dr. Qui stated that it would be possible to determine the level of carbon absorption, but that the equipment to measure it would be very expensive. He indicated that UTD does not have the equipment, but that it may be possible to collaborate with other universities. Mr. Natinsky suggested that if it helped the City meet air quality standards, it could be worth millions.

Ms. Medrano asked if there was research on what other cities have done; the length of time it has taken; and the cost. Mr. Houser indicated that prior to the development of this new process, a tree inventory required manual surveyors. This often took many years and was very unreliable. He indicated he would research the cost.

Ms. Koop stated that in December a decision will be made in Copenhagen deciding what to do about carbon, carbon capture and carbon credits. Depending on whether or not the United States supports the decision, we will know what type of federal legislation to expect.

Ms. Koop asked if trees absorb other elements that are monitored from the EPA, such as lead and mercury. She gave an example of a battery plant in Frisco that will have to mitigate for the lead that it has put into the air and the soil. Dr. Qui indicated that he did not know whether an analysis could be done regarding tree absorption of other chemicals.

Ms. Koop suggested that once new federal regulations are adopted, funding should be sought from the NCTCOG.

No action was taken on this item.

4. Museum of Nature and Science Landscape Plan

Presenter: Coy Talley, ASLA, Principal, Talley Associates

Mr. Talley briefed the Committee on the innovative landscape plan for the new Museum of Nature and Science.

Action Taken/Committee Recommendation:

Ms. Koop asked if visitors would be allowed on the roof-top garden. Mr. Talley stated that visitors would not be allowed on the roof, but would be able to see it from several vantage points.

Mr. Natinsky asked when the project would be completed and open to visitors. Mr. Talley indicated that project would be complete in 2012.

No action was taken on this item.

5. Crime Prevention Signs

Presenters: Elizabeth Ramirez, P.E., Assistant Director, Public Works and Transportation, and David Brown, 1st Assistant Chief, Dallas Police Department

The briefing provided background on the crime prevention signs program, including the types of signs, cost and installation, and message content. A recommendation was requested to add an approved sign for video surveillance.

Action Taken/Committee Recommendation:

Ms. Koop agreed that adding the additional video surveillance sign to the Code was a good idea.

Mr. Natinsky indicated that neighborhoods had installed signs and video surveillance only to later find out that the signs did not meet City Code. Mr. Natinsky stated that we should use the same process as we do with Crime Watch and VIP to make sure there is a surveillance system installed before installing the new signs.

Mr. Kadane asked if the proposed sign standard had been approved. Ms. Ramirez stated that it would need Council approval. He also asked who would decide where the signs would be installed. Mr. Ramirez said that Public Works and Transportation staff would determine where to install the signs after consulting with the Police Department so that they would not conflict with other regulatory or warning signs.

Ms. Jasso asked if the new video signs could be installed without actually having surveillance cameras. Chief Brown stated that DPD did not recommend installing signs where there was no video surveillance. Ms. Jasso asked about the cost of a surveillance camera. Chief Brown stated that he could provide some cost information for Ms. Jasso after the meeting.

Ms. Davis asked who monitors the cameras and stated that she would have a problem with a citizen monitoring the surveillance camera. Chief Brown stated that citizens do monitor the cameras, but that the cameras only view activity in the public right-of-way not on private property. Ms. Davis asked if Jubilee Park was a test site and if only one person was viewing the surveillance images. Chief Brown indicated that the surveillance was being viewed by several citizens.

Ms. Davis indicated that she wanted to start with six or seven cameras in high crime areas. Chief Brown stated that one option would be to have mobile cameras that could be moved around.

A motion was made to approve the staff recommendation as presented and develop an agenda item for consideration by the full Council.

Made by: Natinsky Seconded by: Jasso Passed unanimously

6. TxDOT Transportation Enhancement Call for Projects

This item will be briefed to the Committee at their November meeting.

No action was taken on this item.

7. Upcoming Agenda Item

Motion was made to recommend approval of Council Agenda Item #60 scheduled for full Council consideration on November 9, 2009.

Made by: Natinsky Seconded by: Kadane Passed unanimously

Linda L. Koop

Linda L. Koop, Chair

Transportation and Environment Committee

(OB)

Memorandum



CITY OF DALLAS

DATE November 13, 2009

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

SUBJECT TxDOT Transportation Enhancement Call for Projects Briefing

Attached is the "TxDOT Transportation Enhancement Call for Projects" briefing that will be presented to you on November 16, 2009.

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
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Theresa O'Donnell, Director, Sustainable Development and Construction Department
Helena Stevens-Thompson, Assistant to the City Manager

TxDOT Transportation Enhancement Program Call for Projects Recommendations

Briefing to the Council Transportation and
Environment Committee

Prepared by

Sustainable Development and Construction
Strategic Planning – Transportation Planning
November 16, 2009





Purpose of Briefing

- Provide an overview of TxDOT's Transportation Enhancement (TE) Program call for projects
- Review City projects identified as good candidates for TE Program submission
- Request Committee endorsement of the recommended projects



TE Program Overview

- The Transportation Enhancement (TE) Program offers funding opportunities to expand transportation choices and enhance the transportation experience
- Unique because it focuses on non-traditional transportation projects
- Authorized by federal transportation legislation beginning in 1991



TE Program Facts

- Funding available statewide: \$67.5 million
- Dallas received 8.2% of previous TE program funds which would be about \$5.5 million in this call
- Funds provided on a cost reimbursement basis
- 80%/20% federal to local cost sharing
- Awards are subject to availability of federal funds
- Projects should be at least \$250,000 – larger projects are preferred
- Local agency responsible for 100% of cost overruns
- Costs incurred before TxDOT authorization are not reimbursable



RTC Preferred Project Types

- Bicycle and pedestrian projects, including landscaping and education
- Restoration/operation of historic trolley or interurban rail lines and related structures, including landscaping
- Restoration and operation of historic transit stations as new transit stations, including landscaping
- Acquisition of historic railroad rights of way for future rail and/or bicycle trails
- Landscaping transportation facilities



TxDOT Priority Criteria

- Construction plans completed and ready to let when project is selected
- Federal funds used for construction only
- Local match available and in cash
- Project property already secured
- Coordination with appropriate state agencies established for environmental clearance



RTC Priority Criteria

- TxDOT Priority Projects (15%)
- RTC Policy – Preferred Project Type (15%)
- Mobility Benefit (10%)
- Safety (10%)
- Reliability (10%)
- Environment (10%)
- Economic Development (10%)
- Previously Approved by TTC (5%)
- Cost Effectiveness (15%)



Project Identification

- Staff focused on identification of bicycle and pedestrian projects that had funding available and design underway to best meet TxDOT priority for ready-to-go projects
- Several departments involved in identification of projects: Trinity Watershed Management, Park and Recreation, Public Works and Transportation, Economic Development, Sustainable Development and Construction
- Seven bicycle/pedestrian projects – requesting \$18.8 million in TE funds



Recommended Projects

- Five Mile Creek Trail
- Northaven Trail
- Santa Fe Trestle Trail
- Trinity Trail – Phase III-A
- I-20 Gateway Trail and Parking
- Traffic Control and Safety Treatments for Trail-Road Crossings
- Houston Street Viaduct Bicycle/Pedestrian Link



Five Mile Creek Trail

Recommended Transportation Enhancement Project

- Construction of a 12-foot wide multi-purpose trail, approximately 1.75 miles long, from Glendale Park to College Park with a connection to the DART Ledbetter light rail station.
- Funding requested: \$3.5 million
- Council district: 5,8



Northaven Trail

Recommended Transportation Enhancement Project

- Construction of a 12-foot wide multi-purpose trail, approximately 2.75 miles long, from the White Rock Greenbelt Trail to Preston Road, including a new bicycle/pedestrian bridge across White Rock Creek south of Forest Lane.
- Funding requested: \$3.5 million
- Council district: 11



Santa Fe Trestle Trail

Recommended Transportation Enhancement Project

- Construction of a 12-foot wide multi-purpose trail from Moore Park near the Corinth DART Station to the Trinity Levee Trail System, including the conversion of the historic Santa Fe Truss Bridge over the Trinity River into a bicycle/pedestrian facility; the project also includes a walkway to an overlook of Cedar Creek and provides trail access to the planned Standing Wave feature.
- Funding requested: \$5.3 million
- Council districts: 2,7



Trinity Trail – Phase III-A

Recommended Transportation Enhancement Project

- Construction of a 12-foot wide multi-purpose trail, approximately 3.65 miles long, from the Trinity River Audubon Center to the Elam Road trailhead parking at the proposed Texas Horse Park Equestrian Facility; it will connect to 4.5 miles of trail completed or under construction.
- Funding requested: \$2.4 million
- Council district: 4,5



I-20 Gateway Trail and Parking

Recommended Transportation Enhancement Project

- Creation of a new park with trailhead access into the Great Trinity Forest at IH-20 and Dowdy Ferry – the project includes a looped trail around a small lake and landscaping; and provides access to the proposed multi-purpose Trinity trail system as well as an equestrian trail system.
- Funding requested: \$840,000
- Council district: 8

Traffic control and Safety

Treatments for Trail-Road Crossings

Recommended Transportation Enhancement Project

- Implementation of a new signage, pavement marking, and lighting standard for 70 operational at-grade trail-road crossings, including treatments to improve safety in White Rock Lake Park.
- Trails impacted: Preston Ridge, East Dallas Veloway, Katy, White Rock Creek – North, White Rock Lake Loop, and Cottonwood.
- Funding requested: \$670,000
- Council districts: 2,9,11,12,14



Houston Street Viaduct Bicycle/Pedestrian Link

Recommended Transportation Enhancement Project

- Extension of the existing 11-foot wide sidewalk on the north side of the Houston Street Viaduct between downtown and North Oak Cliff across the Trinity River creating a bicycle/pedestrian link between Oak Cliff and downtown.
- Funding requested: \$2.6 million
- Council districts: 2,3



TE Program Schedule

- TxDOT issued call for projects 10/9/2009
- Workshop at NCTCOG 10/15/2009
- TEC briefing memo 10/26/2009
- Project summaries due to NCTCOG 11/13/2009
- TEC briefing – project recommendations 11/16/2009

- Applications due to TxDOT 12/11/2009 <<

- NCTCOG ranking due to TxDOT-Dallas 2/12/2010
- TxDOT-Dallas ranking due to TxDOT-Austin 2/15/2010
- TxDOT-Austin recommendations due to Texas
Transportation Commission (TTC) 6/2010
- TTC selects projects 7/2010



Next Steps

- Committee endorsement of recommended projects
- Submit project applications to TxDOT by 12/11/09 deadline
- Continue development of the submitted projects anticipating project selection

Memorandum



CITY OF DALLAS

DATE November 13, 2009

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

SUBJECT Stormwater Fees for Cemeteries

You are scheduled to receive a briefing on stormwater fees for cemeteries at your November 16, 2009 meeting. Attached is a copy of the briefing for your review.

Please let me know if you have any questions.

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

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

Attachment

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

Stormwater Fees for Cemeteries

Presented to

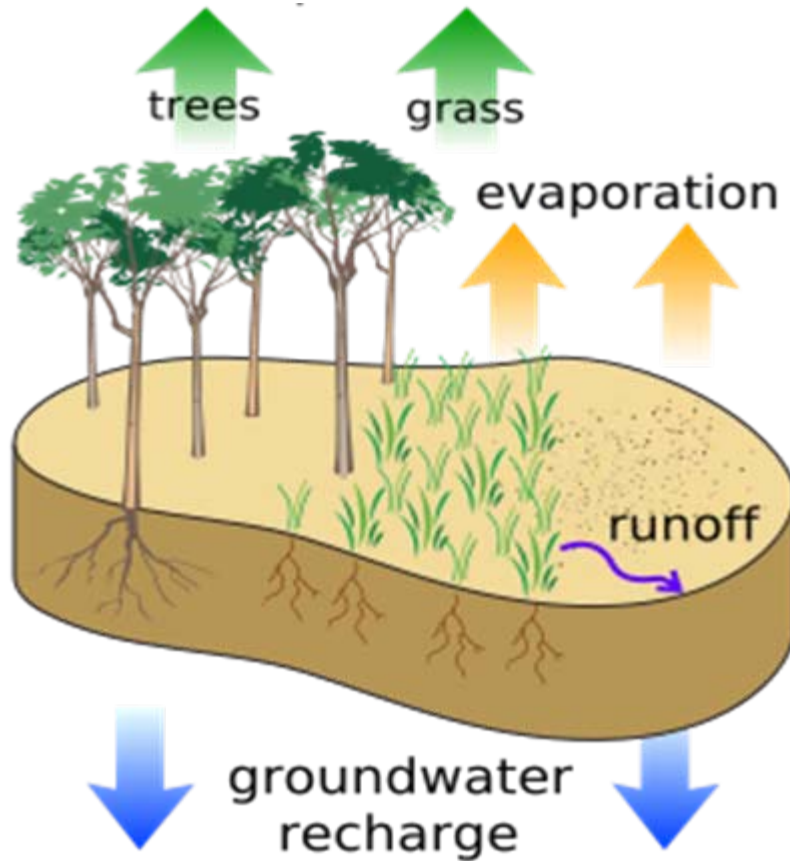
Transportation and Environment Committee
November 16, 2009



Purpose

- Background on stormwater fees
- Fees for cemeteries
- Option for consideration
- Next Steps

Stormwater Runoff



Runoff is generated by **all** land

Evolution of the Stormwater Fee

- In 1990 the federal government promulgated the first phase of stormwater regulations for large cities
- In response, the Dallas City Council established the Storm Drainage Management Fund (commonly referred to as the “Stormwater Fee”) to provide a dedicated funding source for:
 - Expenses in support of compliance with these federal (and subsequent state) regulations
 - Expenses related to maintenance of the flood protection system (levees, natural and man-made drainage channels, and local drainage systems)

Evolution of the Stormwater Fee

continued

Implemented in 1990 and adjusted six times since

- 1994
- 2000
- 2003
- 2004
- 2008
- 2009

Stormwater Fee

Based on amount of runoff generated

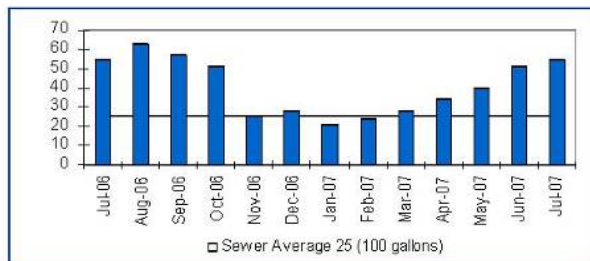
Assessed monthly to all real property unless exempted by law

Billed and collected by Pay1 unified billing system

UTILITY

Service from 6/6/07 to 7/6/07 for 30 days

Service Provided	Meter Number	Read Previous	Read 7/6/07	Usage in 100 Gallons	Usage Charge	Base Charge	Total
Water	454804	21,373	21,428	55	8.36	3.61	\$11.97
Sewer (lesser of sewer average 25 and metered usage 55)				25	18.81	3.23	\$22.04
Sanitation Collection Fee (incl 8.25% Tax)							\$19.36
Storm Water Fee							\$3.99
Utility Charges							\$57.36



charge for sewer also includes cleaning the sewer system to minimize blockage.

Usage Charges: usage water and sewer charges are based on volume of usage and covers variable costs such as chemicals, electric power, facility maintenance, repair of mains and repayment of bonds sold to finance construction of the systems.


Residential Sewer Charges: your monthly sewer charge is based on an average of your water use billed during the previous winter months (Dec-Mar) or your current month's water use, whichever is less.

Sanitation Collection Fee: This fee covers household garbage, collection and disposal of brush and bulky trash, dead animals and recycling.

Storm Water Fee: This fee funds the city's Storm Water utility, formed in 1991, to meet requirements of a federal mandate to control storm water pollution. The fee also pays for other routine maintenance activities that affect storm water quality

Conservation! As part of the conservation plan, lawn watering with an automated sprinkler system is prohibited from 10 a.m. to 6 p.m. from June through September.

Base Charges: base water and sewer charges covers fixed costs such as reading and maintaining the meter, account maintenance and billing, mailing the bills and processing the payments. Base



Customer Name: Customer Name & in care of name
 Account Number: 123456789
 Service Address: 1234 N Any Street

INVOICE SUMMARY	
Previous Balance	\$60.00
Payment(s)	(\$60.00)
Other Charge(s)	\$0.00
Balance Forward	\$0.00
Current Charges	
Water Charges	\$11.97
Sewer Charges	\$22.04
Sanitation Charges	\$19.36
Storm Water Charges	\$3.99
Total Current Charges	\$57.36
Total Amount Due	\$57.36



Current Cemetery Billing

- Monthly fee based on unit rate of \$0.1589 (currently \$0.1031) per 100 square feet of impervious area
- Runoff coefficient of 0.25 (treated similar to park land – by comparison, parking lots have coefficient of 0.90)
- 22 cemeteries currently in the billing system ranging in size from approx. $\frac{1}{4}$ acre to over 100 acres and corresponding monthly bills ranging from \$5 to \$4k
- \$167k (0.37%) of the FY2009-10 revenue budgeted (\$44.6M) is projected to come from cemetery accounts

Wide Range of Cemeteries



Lincoln Memorial Cemetery
Not to scale

Example of larger, active cemetery
with extensive road network



Mount Olive Cemetery

Example of smaller, non-profit, inactive
cemetery – no roads, buildings

Wide Range of Impervious Cover



Customer Feedback

- Several older cemeteries lack the resources to proactively maintain the properties
- Many cemeteries are “abandoned” and have no formal entity responsible for them
- Several cemeteries are at capacity and/or have not had a burial for decades

Summary of Dallas Cemeteries

- Staff researched 145 named cemeteries that resulted in **63** unique cemetery locations after removing aliases. Of the 63:
 - 22 - privately owned/operated (and in the billing system)
 - 30 - “abandoned” or without sufficient owner information
 - 9 - owned by the City/ located in parks
 - 1 - is located on Dallas ISD property (part of an administration building and in the billing system)
 - 1 - is located on federal property (Dallas/Fort Worth National Cemetery)
- Ms. Frances James, a local historical researcher, also provided a great deal of valuable information to assist in identifying older properties

Billing Issues

- Inactive and abandoned cemeteries without an “owner” are difficult to bill
- Property tax information is the foundation of our billing records
- Cemeteries are exempt from property taxes (mortuaries are not), so the “owner” information is not always accurately reflected in property tax records

Examples of Inactive Cemeteries



Collection Issues

- Significantly delinquent stormwater accounts are referred to a collection agency
- If necessary liens are placed on the property with hopes of recovery at some point in the future when the property changes ownership
- Cemetery properties remain cemeteries as long as the bodies remain per state law, so there is very little chance of recovery if a lien were to be placed on a cemetery

Option for Consideration

Establish exemption for cemeteries that meet the following criteria:

- Situated on a parcel of land designated as a cemetery (i.e., not part of a funeral home or church/temple or similar use) **and**
- Is no longer selling grave sites as of the effective date of the ordinance (this would include “abandoned” or inactive cemeteries) **OR**
- Has no paved roads

Impact

- Approval by the City Council with an effective date of January, 2010 would result in anticipated fiscal impact of up to approx. \$12k this year and \$20k annually thereafter based on current fee structure
- Use Storm Drainage Management Fund contingency to make up for exemption (the contingency is 1.5% of the fund's budget, or \$670k for FY09)
- Approximately 10 - 12 cemeteries currently billed the fee could be eligible for such an exemption if approved – the onus would be on the individual cemetery to seek the exemption

Exemptions Currently Allowed by City

Code (SEC. 2-168. STORM WATER DRAINAGE UTILITY RATES; BILLING AND

COLLECTION PROCEDURES)

“(d) The following real property is exempt from the charges prescribed in this section:

(1) real property with proper construction and maintenance of a wholly sufficient and privately owned storm water drainage system;

(2) real property owned by the city and used for municipal purposes;

(3) real property that is appraised for agricultural use on the city tax rolls; and

(4) real property owned by a state agency or by a public or private institution of higher education.”

Next Steps

- November 2009 – City Attorney’s Office prepares ordinance language for the exemption
- December 9, 2009 – Council consideration
- January, 2010 (assuming passage) - Notification to cemeteries that the exemption can be applied for (anticipate three weeks or less to verify documentation and adjust the account)

Questions / Discussion

Memorandum



CITY OF DALLAS

DATE November 13, 2009

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

SUBJECT "Contested Streets Documentary" Film

A Documentary regarding "Contested Streets" will be shown to the Transportation and Environment Committee on November 16, 2009.

Please contact me if you need additional information.

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

c: The Honorable Mayor and Members of the City Council
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Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest Turner, Assistant City Manager
David K. Cook, Chief Financial Officer
Jeanne Chipperfield, Director, Official of Financial Services
Edward Scott, City Controller
Rick Galceran, P.E., Director, Public Works and Transportation
Theresa O'Donnell, Director, Sustainable Development and Construction Department
Helena Stevens-Thompson, Assistant to the City Manager