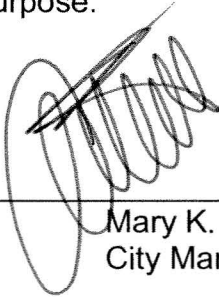


**APRIL 18, 2012 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

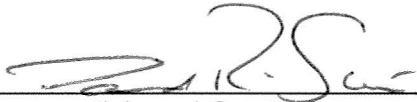
This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated April 18, 2012. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the 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

4-13-12

Date



Edward Scott
City Controller

4-13-12

Date

RECEIVED

2012 APR 13 PM 7:01

CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

April 18, 2012

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 before 9:00 a.m. on the meeting date. 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 Alcaidía, 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 CityCable* 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 9 de la mañana del día de la asamblea. 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 Cortesia

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, APRIL 18, 2012
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 April 4, 2012 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)

Briefings 6ES

- A. Operation: Beautification, A Citywide Community Cleanup
- B. Water Conservation Program: Twice Weekly Watering

Lunch

- C. Debt Issuance Options
- D. Proposed FY 2012-13 Consolidated Plan Budget

ITEMS FOR INDIVIDUAL CONSIDERATION

Water Utilities

3. An ordinance amending Chapter 49 of the Dallas City Code to: **(1)** provide restrictions on the frequency and days for watering lawns and landscapes in the city using hose-end sprinklers and automatic irrigation systems; and **(2)** repeal Resolution No. 12-0474, passed by the City Council on February 8, 2012, which extended Stage 1 of the City's drought contingency plan - Financing: No cost consideration to the City

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, APRIL 18, 2012

- Closed Session 6ES
Attorney Briefings (Sec. 551.071 T.O.M.A.)
- City of Dallas v. Larry Gatlin, et al., Cause No. CC-10-01369-D
 - Lavell Fairbanks v. Travis French, Cause No. 10-02144
 - Rodarick Lyles v. City of Dallas, et al., Cause No. 3:11-CV-0428-P
 - Andrew Collins v. Paul Bauer, et al., Cause No. 3:11-cv-887-B

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.

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.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: April 18, 2012

COUNCIL DISTRICT(S): All

DEPARTMENT: Water Utilities

CMO: Forest E. Turner, 670-3390

MAPSCO: All

SUBJECT

An ordinance amending Chapter 49 of the Dallas City Code to: **(1)** provide restrictions on the frequency and days for watering lawns and landscapes in the city using hose-end sprinklers and automatic irrigation systems; and **(2)** repeal Resolution No. 12-0474, passed by the City Council on February 8, 2012, which extended Stage 1 of the City's drought contingency plan – Financing: No cost consideration to the City

BACKGROUND

The proposed ordinance would amend Sections 49-1 and 49-21.1 of the Dallas City Code to restrict lawn and landscape watering by hose-end sprinklers and automatic irrigation systems to twice a week on designated outdoor water use days. Designated outdoor water use days would be Sundays and Thursdays for water customers with a street address ending in an even number (0, 2, 4, 6 or 8) or with no street address, and Saturdays and Wednesdays for water customers with a street address ending in an odd number (1, 3, 5, 7 or 9). Defenses and variances would be provided. The proposed ordinance would also repeal Resolution No. 12-0474 (passed by the City Council on February 8, 2012) which had extended Stage 1 of the City of Dallas' Drought Contingency Plan for 120 days from February 10, 2012 through June 8, 2012.

In 2001, Dallas was the first city in the North Texas region to adopt an ordinance prohibiting lawn and landscape water waste. In 2005, Council adopted a Five-Year Strategic Plan that defined water conservation goals for Fiscal Year (FY) 2004-05 through FY 2009-10 and recommended conservation strategies to achieve those goals. From FY 2001-02 through FY 2010-11, ongoing water conservation efforts and implementation of the Plan have helped Dallas save approximately 200 billion gallons of water. This item will strengthen the lawn and landscape watering guidelines to further extend Dallas' water supplies.

BACKGROUND (Continued)

Outdoor water use, particularly lawn watering, can account for half or more of annual residential water use. Average summer water demands in many North Texas cities can spike to more than 80% above average winter consumption. Experts agree that lawns and landscapes that are native or adapted to this region can survive on twice weekly irrigation or less in many cases.

The goal of the ordinance amendment is to reduce excessive outdoor watering and water waste, especially during peak summer months when rain is scarce and demands are high. The maximum twice weekly watering rule is a sustainable approach to helping the city meet the increasing demands on its water supplies.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized adoption of the first Five-Year Strategic Plan on Water Conservation and state mandated Water Conservation Plan on April 13, 2005, by Resolution No. 05-1221.

Authorized adoption of 2010 Five-Year Strategic Plan Update and state mandated Water Conservation Plan on June 9, 2010, by Resolution No. 10-1509.

Briefed Transportation and Environment Committee on April 9, 2012.

FISCAL INFORMATION

No cost consideration to the City.

ORDINANCE NO. _____

An ordinance amending Sections 49-1 and 49-21.1 of CHAPTER 49, "WATER AND WASTEWATER," of the Dallas City Code, as amended; defining terms; restricting the frequency and days for watering lawns and landscape in the city using hose-end sprinklers and automatic irrigation systems; repealing Resolution No. 12-0474, passed by the city council on February 8, 2012, which extended Stage 1 of the city's drought contingency plan; providing a penalty not to exceed \$2,000; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, it is essential for the city of Dallas to conserve its available water supply and protect the integrity of future water resources needed for the economic growth of the city and for the health, safety, and welfare of the citizens of the city; and

WHEREAS, the city council finds that it is for the benefit and protection of the public health, safety, and welfare to require all persons and premises using the city's water system to limit the watering of lawns and landscape with hose-end sprinklers or automatic irrigation systems to twice a week and on designated outdoor water use days; Now, therefore,

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

SECTION 1. That Section 49-1, "Definitions," of Article I, "General," of CHAPTER 49, "WATER AND WASTEWATER," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 49-1. DEFINITIONS.

In this chapter:

(1) ACT means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

(2) AMENABLE TO TREATMENT means that a substance:

(A) does not discharge or interfere with the operations of the wastewater system;

(B) is acceptable for stream discharge and normal sludge disposal methods used by the city; and

(C) does not pose a health or safety threat to city employees or contractors performing work in the wastewater system.

(3) APPLICANT means a person who makes application to receive a service from the department.

(4) APPROVAL AUTHORITY means the Director of the Texas Commission on Environmental Quality (TCEQ).

(5) AUTHORIZED REPRESENTATIVE OF THE INDUSTRIAL USER means:

(A) if the industrial user is a corporation,

(i) the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions governing the operation of the regulated facility (Examples of management decisions or activities include, but are not limited to, having the explicit or implicit duty to make major capital investment recommendations, and initiate and direct these comprehensive measures to assure long-term compliance with environmental laws and regulations; having the authority to establish a system to gather complete and accurate information for individual wastewater discharge permit requirements; and having the authority to sign documents and bind the corporation in accordance with corporate procedures.);

(B) if the industrial user is a partnership or sole proprietorship, a general partner or proprietor, respectively;

(C) if the industrial user is the federal, state, or local government, the director or highest official appointed or designated to oversee the operation and performance of the activities of the governmental facility governed by these regulations, or the director's or official's designee; or

(D) any individual designated to act as the authorized representative by an individual described in Paragraphs (5)(A) through (5)(C) if the authorization is in writing, specifies the individual or the position that is responsible for the overall operation of the facility from which the discharge originates (or position that has the overall responsibility for environmental matters for the entity), and is submitted to the city.

(6) AUTOMATIC IRRIGATION SYSTEM means an irrigation system that will automatically cycle water using landscape sprinklers according to a preset program, whether used on a designated timer or through manual operation.

(7) BACKFLOW PREVENTION DEVICE means a device, including but not limited to reduced pressure devices, double check valves and vacuum breakers, approved by the director and used to prevent water of unknown quality in private plumbing facilities from flowing back into the water system.

(8) [~~(7)~~] BEST MANAGEMENT PRACTICES (BMPs) means a schedule of activities, maintenance procedures, and other management practices that prevent the unlawful discharge of pollutants, listed in Section 49-36(b) and (c), into the wastewater system. BMPs include treatment requirements, operating procedures, and practices that control plant site runoff, spillage or leaks of chemicals, sludge or waste disposal, and drainage from raw material storage.

(9) [~~(8)~~] BOD (BIOCHEMICAL OXYGEN DEMAND) means the quantity of oxygen utilized in the biochemical oxidation of organic matter under standard laboratory procedures for five days at 20 degrees centigrade, usually expressed as a concentration (e.g., mg/L).

(10) [~~(9)~~] BUILDING DRAIN means that part of the lowest horizontal piping of a drainage system that receives wastewater discharge from drainage pipes within a building, and conveys it to the building lateral that begins two feet outside the inner face of the building wall or foundation.

(11) [~~(10)~~] BUILDING LATERAL means the conduit or pipe extending from the building drain to the wastewater service line at the property line or other lawful place of disposal.

(12) [~~(11)~~] BUILDING WATER LINE means the water line on private premises that acts as the main water service to the premises.

(13) [~~(12)~~] BYPASS means the intentional diversion of industrial waste from any portion of an industrial user's treatment facility.

(14) [~~(13)~~] CATEGORICAL INDUSTRIAL USER means an industrial user subject to a categorical pretreatment standard or categorical standard as defined in Title 40, Code of Federal Regulations, Part 403.3(v)(1)(i), as amended.

(15) [~~(14)~~] CITY means the city of Dallas, Texas.

(16) [~~(15)~~] CITY ATTORNEY means the city attorney of the city, or the city attorney's authorized assistants.

(17) [~~(16)~~] CITY COUNCIL means the governing body of the city.

(18) [~~(17)~~] CITY ENVIRONMENTAL HEALTH OFFICER means the environmental health officer of the city appointed by the city manager pursuant to Section 19-1(b) of this code, or an authorized representative.

(19) [~~(18)~~] CITY MANAGER means the city manager of the city, or the city manager's authorized assistants.

(20) [~~(19)~~] CITY PLAN COMMISSION means the city plan and zoning commission of the city. The city plan commission is the body authorized to give final approval to plats of property within the city.

(21) [~~(20)~~] CITY RESERVOIR means Lake Ray Hubbard, White Rock Lake, Bachman Lake, and that portion of Joe Pool Lake located within the territorial jurisdiction of the city.

(22) [~~(21)~~] CITY SECRETARY means the city secretary of the city, or the city secretary's authorized assistants.

(23) [~~(22)~~] CLOSED SPRINKLER SYSTEM means a fire protection system with automatic water flow sprinklers from which no water may be taken manually except from the test cock.

(24) [~~(23)~~] COD (CHEMICAL OXYGEN DEMAND) means the measure of oxygen consuming capacity, expressed in mg/L. The term is expressed as the amount of oxygen consumed from a chemical oxidant in a specific test. The term does not differentiate between stable and unstable organic matter and does not necessarily correlate with biochemical oxygen demand.

(25) [~~(24)~~] COMPOSITE SAMPLES means samples collected during a period of time exceeding 15 minutes and combined into one sample.

(26) [~~(25)~~] CONTROL AUTHORITY means the city of Dallas.

(27) [~~(26)~~] CORNER LOT means a lot that abuts upon not more than one pair of intersecting public streets within a larger platted subdivision.

(28) [~~(27)~~] CROSS CONNECTION means any physical connection or arrangement of pipes or devices between two otherwise separate water supply systems, one of which contains potable water and the other water of unknown or questionable quality, whereby water may flow from one system to the other, the direction of flow depending upon pressure differential between the two systems.

(29) [~~(28)~~] CUSTOMER means a person who:

(A) is the customer of record;

(B) has made application for a service, and the service has been provided or made available by the department at the location specified in the application pending final approval of the application; or

(C) actually uses, receives, or benefits from a service, even though no account for service may exist or no application for service may have been made in that person's name.

(30) [~~(29)~~] CUSTOMER OF RECORD means a person who has an account in that person's name with the department for a service, based upon an application made with and approved by the director.

(31) [~~(30)~~] DAILY MAXIMUM LIMIT means the maximum allowable discharge limit of a pollutant during a calendar day. Where daily maximum limits are expressed in units of mass, the daily discharge is the total mass discharged over the course of the day. Where daily maximum limits are expressed in terms of a concentration, the daily discharge is the arithmetic average measurement of the pollutant concentration derived from all measurements taken that day.

(32) [~~(31)~~] DEPARTMENT means the water utilities department of the city, except that for purposes of administering, implementing, and enforcing provisions of this chapter relating to the construction of public infrastructure improvements by private developers, "department" means the department of sustainable development and construction.

(33) DESIGNATED OUTDOOR WATER USE DAYS means Sundays and Thursdays for a customer with a street address ending in an even number (0, 2, 4, 6, or 8) or with no street address number, and Saturdays and Wednesdays for a customer with a street address ending in an odd number (1, 3, 5, 7, or 9). An apartment complex, office building complex, or other property containing multiple street addresses must use the lowest street address number to determine the designated outdoor water use days for the property.

(34) [~~(32)~~] DEVELOPER means:

(A) the owner or agent of the owner platting, replatting, or otherwise developing lots or tracts of property for further sale, lease, development, or redevelopment for residential, commercial, or industrial uses; or

(B) a person who does not otherwise qualify as an individual owner under this chapter.

(35) [~~(33)~~] DIRECTOR means the director of the department designated to implement, administer, or enforce a particular provision of this chapter, or the director's authorized assistants and representatives.

(36) [~~(34)~~] EPA means the United States Environmental Protection Agency or, where appropriate, the regional administrator or other duly authorized official of the agency.

(37) [~~(35)~~] EVALUATED COST means the cost of a water or wastewater main, established by unit values for the size of main and appurtenances, as prescribed in Section 49-18.11.

(38) [~~(36)~~] FIRE PROTECTION SYSTEM means any configuration of pipes connected to a sprinkler system or other fire protection device on private premises that, when connected to the water system, is used to extinguish fires.

(39) [~~(37)~~] FOOD SERVICE ESTABLISHMENT means any industrial user engaged primarily or incidentally in the preparation of food for human or animal consumption, except that the term does not include any user discharging domestic wastewater from premises used exclusively for residential purposes. The term includes but is not limited to restaurants, motels, hotels, cafeterias, hospitals, schools, bars, delicatessens, meat processing operations, bakeries, and similar operations.

(40) [~~(38)~~] FLOATABLE GREASE means grease, oil, or fat in a physical state such that it will separate or stratify by gravity in wastewater.

(41) [~~(39)~~] GARBAGE means animal and vegetable waste and residue from the preparation, cooking, and dispensing of food and from the handling, storage, and sale of food products and produce.

(42) [~~(40)~~] GENERAL SERVICE means service to premises that are not residential service premises.

(43) [~~(41)~~] GOVERNMENTAL ENTITY means the United States, the State of Texas, any county, any municipal corporation, town, or village other than the city, any school, college, or hospital district, any district or authority created and existing under Article XVI, Section 59 or Article III, Section 52 of the Texas Constitution, any other entity considered a political subdivision of the State of Texas under state law, and any lawfully created and existing agencies of these governmental entities.

(44) [~~(42)~~] GRAB SAMPLE means a sample taken during a period of 15 minutes or less.

(45) [~~(43)~~] GREASE means oils, fats, cellulose, starch, proteins, wax, or other types of grease, oil, or fat regardless of origin and whether or not emulsified.

(46) [~~(44)~~] GREASE TRAP/INTERCEPTOR means a device that:

(A) is designed to use differences in specific gravities to separate and retain light density liquids, waterborne fats, oils, and greases prior to the wastewater entering the wastewater system; and

(B) serves to collect settleable solids, generated by and from food preparation activities, prior to the water exiting the trap/interceptor and entering the wastewater system.

(47) HOSE-END SPRINKLER means a device through which water flows from a hose to a sprinkler to water any lawn or landscape.

(48) [~~(45)~~] INDIRECT DISCHARGE or DISCHARGE means the introduction of pollutants into the wastewater system from any nondomestic source.

(49) [~~(46)~~] INDIVIDUAL OWNER means:

(A) an owner requesting extension of an existing water or wastewater main to property that is or will be used in the operation of the owner's own residence or in the operation of a business not requiring larger than a one-inch water service connection, which property will not be further sold or leased in connection with its intended function; or

(B) a governmental entity requesting the construction or extension of a water or wastewater main to serve property the entity owns or leases for its own use, regardless of the size of service connection utilized, except that this term does not include a governmental entity that requires, among other things, the construction or extension of an off-site water or wastewater main in order to serve its proposed land use or development.

(50) [~~(47)~~] INDUSTRIAL SURCHARGE means the additional charge made to a person who discharges into the wastewater system industrial waste that is amenable to treatment by the wastewater system but that exceeds the strength of normal wastewater.

(51) [~~(48)~~] INDUSTRIAL USER means a source of indirect discharge or the nondomestic source of pollutants into the wastewater system.

(52) [~~(49)~~] INDUSTRIAL WASTE means wastewater or other water-borne solids, liquids, grease, sand, or gaseous substances resulting from an industrial, manufacturing, or food processing operation, from the operation of a food service establishment, from the development of a natural resource, or from any other nondomestic source, or any mixture of these substances with water or normal domestic wastewater.

(53) [~~(50)~~] INSTANTANEOUS MAXIMUM ALLOWABLE DISCHARGE LIMIT means the maximum concentration of a pollutant allowed to be discharged at any time, determined from the analysis of any discrete or composite sample collected, independent of the industrial flow rate and the duration of the sampling event.

(54) [~~(51)~~] INTERFERENCE means a discharge that, alone or in conjunction with a discharge or discharges from other sources, inhibits or disrupts the wastewater system, its treatment processes or operations, or its sludge processes, use, or disposal.

(55) [~~(52)~~] INTERRUPTIBLE SERVICE means the supply of untreated water provided by contract specifically stating that the supply may be totally discontinued for indefinite periods of time due to the need to conserve or have the untreated water available for municipal use.

(56) [~~(53)~~] MAYOR means the mayor of the city.

(57) [~~(54)~~] MGD means million gallons per day.

(58) [~~(55)~~] MGL (MILLIGRAMS PER LITER) (mg/L) is a weight per volume concentration; the milligram-per-liter value multiplied by the factor 8.34 is equivalent to pounds of constituent per million gallons of water.

(59) [~~(56)~~] MONTHLY AVERAGE LIMIT means the highest allowable average of “daily discharges” over a calendar month, calculated as the sum of all “daily discharges” measured during a calendar month divided by the number of “daily discharges” measured during that month.

(60) [~~(57)~~] NATIONAL CATEGORICAL PRETREATMENT STANDARDS means the national pretreatment standards promulgated by the EPA, pursuant to Sections 307(b) and (c) of the Act, imposed upon existing or new industrial users in specific industrial subcategories as specified in Title 40, Code of Federal Regulations, Parts 405 through 471, as amended.

(61) [~~(58)~~] NATIONAL PRETREATMENT STANDARDS means any pretreatment regulations containing pollutant discharge limits that have been established or will be established for industrial users by the EPA, including but not limited to prohibitive discharge limits established pursuant to Title 40, Code of Federal Regulations, Part 403.5, as amended.

(62) [~~(59)~~] NEW SOURCE means any building, structure, facility, or installation from which there is (or may be) a discharge of pollutants, the construction of which commenced after the publication of proposed pretreatment standards under Section 307(c) of the Act, provided that all of the following apply:

(A) The building, structure, facility, or installation is constructed at a site at which no other source is located.

(B) The building, structure, facility, or installation totally replaces the process or production equipment that causes the discharge of pollutants at an existing source. If the construction only alters, replaces, or adds to existing process or production equipment, no new source is created.

(C) The production or wastewater generating processes of the building, structure, facility, or installation are substantially independent of an existing source at the same site. To determine whether the production or wastewater generating processes are substantially independent, the extent to which the new facility is integrated with the existing plant, and the extent to which the new facility is engaged in the same general type of activity as the existing source, must be considered. If the construction only alters, replaces, or adds to existing process or production equipment, no new source is created. For purposes of this definition, construction of a new source has commenced if the owner or operator has:

(i) begun, as part of a continuous onsite construction program, any placement, assembly, or installation of facilities or equipment or significant site preparation work, including the clearing or excavation of the property, or the removal of existing buildings, structures, or facilities necessary for the placement, assembly, or installation of new source facilities or equipment; or

(ii) entered into a binding contractual obligation for the purchase of facilities or equipment that are intended to be used in its operation within a reasonable time. An option to purchase, a contract that can be terminated or modified without substantial loss, or a contract for feasibility, engineering, and design studies does not constitute a contractual obligation.

(63) [~~(60)~~] NONCONTACT COOLING WATER means water used for cooling that does not come into direct contact with any raw material, intermediate product, waste product, or finished product.

(64) [~~(61)~~] NORMAL WASTEWATER means wastewater of the city for which the average concentration of total suspended solids and five-day BOD is established at and does not exceed 250 mg/L.

(65) [~~(62)~~] NORMAL DOMESTIC WASTEWATER means wastewater normally discharged from the commodes or sanitary conveniences of dwellings (including apartment houses and hotels), office buildings, factories and institutions, free from storm or ground water and industrial waste.

(66) [~~(63)~~] OBSTRUCT means to:

(A) make passage impossible or unreasonably inconvenient or hazardous; or

(B) interfere or cause interference with a specific activity in order to prevent the activity from starting, continuing, or concluding.

(67) [~~(64)~~] OFF-SITE EXTENSION means a water or wastewater main extension lying totally outside of the tract of land to be platted, replatted, developed, or redeveloped, except that this term does not include a water or wastewater main extension directly adjacent to or fronting on, and intended to serve or capable of serving only, the tract of land to be platted, replatted, developed, or redeveloped.

(68) [~~(65)~~] ON-SITE EXTENSION means a water or wastewater main extension that:

(A) lies totally within a tract of land to be platted, replatted, developed, or redeveloped; or

(B) lies directly adjacent to or fronting on the tract of land to be platted, replatted, developed, or redeveloped and is intended to serve or is capable of serving only that tract.

(69) [~~(66)~~] OVERSIZE COST means the difference between the evaluated cost of a water or wastewater main as built and the evaluated cost of the size of main determined to be the minimum size required to serve the subdivision. The minimum size used to determine oversize cost must never be less than the standard size water and wastewater mains as defined in this section.

(70) [~~(67)~~] OVERSIZE MAIN means a main that exceeds the minimum size of main necessary to serve a particular subdivision, as determined by the director, in order to allow the main to serve other property, as well as the subdivision.

(71) [~~(68)~~] OWNER means the legal fee title holder of record of property.

(72) [~~(69)~~] PASS THROUGH means the discharge of pollutants through the city's wastewater system, treatment processes, or operations, or through a publicly-owned treatment works of a governmental entity treating wastewater under a contract with the city, into navigable waters in quantities or concentrations that, alone or in conjunction with a discharge or discharges from other sources, is a cause of a violation of any requirement of the federal or state effluent discharge permit of the city or of a publicly-owned treatment works of a governmental entity treating wastewater under a contract with the city, including an increase in the magnitude or duration of a violation.

(73) [~~(70)~~] PAYMENT DEVICE means any check, item, paper or electronic payment, or other payment device used as a medium for payment.

(74) [~~(71)~~] PERMITTEE means a person granted a permit under this chapter.

(75) [~~(72)~~] PERSON means an individual, private or public corporation, partnership, association, limited liability company, governmental entity, firm, industry, or other entity.

(76) [~~(73)~~] pH means the logarithm (base 10) of the reciprocal of the hydrogen ion concentration of a solution.

(77) [~~(74)~~] POLLUTANT means any of the following:

- (A) Dredged spoil.
- (B) Solid waste.
- (C) Incinerator residue.
- (D) Filter backwash.
- (E) Sewage and sewage sludge.
- (F) Garbage.
- (G) Munitions.
- (H) Medical wastes.
- (I) Chemical wastes.
- (J) Biological or radioactive materials.
- (K) Heat.
- (L) Wrecked or discarded equipment.
- (M) Rock, sand, or cellar dirt.
- (N) Municipal, agricultural, and industrial wastes.
- (O) Certain characteristics of wastewater (e.g., pH, temperature, total suspended solids, turbidity, color, BOD, COD, toxicity, or odor).

(78) [~~(75)~~] PREMISES or PROPERTY means real property and includes improvements.

(79) [~~(76)~~] PRETREATMENT means the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to, or in lieu of, introducing such pollutants into the wastewater system. Pretreatment does not include the dilution of pollutant concentration unless allowed by applicable pretreatment standards.

(80) [~~(77)~~] **PRETREATMENT REQUIREMENTS** means any substantive or procedural requirement related to pretreatment imposed on an industrial user, other than a pretreatment standard.

(81) [~~(78)~~] **PRETREATMENT STANDARDS** means pollutant concentration discharge limitation requirements established in this chapter and national pretreatment standards, including but not limited to prohibitive discharge limits established pursuant to Title 40, Code of Federal Regulations, Part 403.5, as amended.

(82) [~~(79)~~] **PROCESS WASTEWATER** means any water that, during manufacturing or processing, comes into direct contact with or results from the production or use of any raw material, intermediate product, finished product, by-product, or waste product.

(83) [~~(80)~~] **PROGRAMMED EXTENSION** means the water or wastewater main extensions included in or consistent with the master plan of the system, for which funds have been currently budgeted and made available through a properly authorized capital expenditure program.

(84) [~~(81)~~] **PROPERLY SHREDDED GARBAGE** means garbage that has been shredded to such an extent that all particles will be carried freely under the flow conditions normally prevailing in wastewater mains, with no particle having greater than a one-half inch cross-sectional dimension.

(85) [~~(82)~~] **PUBLICLY-OWNED TREATMENT WORKS (POTW)** means that term as defined in Title 40, Code of Federal Regulations, Part 403.3(o), as amended.

(86) [~~(83)~~] **RESIDENTIAL SERVICE** means service to premises that are single-family or duplex dwelling units, or other premises containing dwelling units, each of which units is individually metered.

(87) [~~(84)~~] **SATISFACTORY CREDIT HISTORY WITH THE DEPARTMENT** means that service has not been cut off within the past 12 months for nonpayment of charges.

(88) [~~(85)~~] **SERVICE** means all water and water-related service provided for the use and benefit of persons inside and outside the city through the operations and facilities of the department, including but not limited to:

- (A) supply of untreated water;
- (B) supply of treated water;
- (C) wastewater collection, treatment, and disposal;
- (D) building and extension of service mains;

- (E) providing of meters and service connections to property;
- (F) discontinuance, restoration, or repair of service;
- (G) issuance and use of permits;
- (H) extension or replacement of service mains for which lot or acreage fees or other assessments are charged;
- (I) collections of rates or fees for service; and
- (J) other department activities for the benefit of the general public authorized under this chapter.

(89) [~~(86)~~] SERVICE LINE means the pipe or conduit that extends from the water or wastewater main and that connects with the meter or the building lateral to provide a water or wastewater service connection.

(90) [~~(87)~~] SIGNIFICANT INDUSTRIAL USER means an industrial user that is subject to categorical pretreatment standards under Title 40, Code of Federal Regulations, Part 403.6, as amended, and Title 40, Code of Federal Regulations, Chapter I, Subchapter N, as amended, and:

(A) discharges an average of 25,000 gallons per day or more of process wastewater to the wastewater system, excluding sanitary, noncontact cooling, and boiler blowdown wastewater;

(B) contributes a process wastestream that makes up five percent or more of the average dry weather hydraulic or organic capacity of the treatment plant of the wastewater system; or

(C) is designated as a significant industrial user by the control authority on the basis that the industrial user has a reasonable potential for adversely affecting the wastewater system's operation or for violating any pretreatment standard or requirement in accordance with Title 40, Code of Federal Regulations, Part 403.8(f)(6), amended.

(91) [~~(88)~~] SIGNIFICANT NONCOMPLIANCE means any of the following:

(A) Chronic violations of wastewater discharge limits, defined as those in which 66 percent or more of all of the measurements taken for the same pollutant parameter during a six-month period exceed (by any magnitude) a numeric pretreatment standard or requirement, including instantaneous limits, as defined in Title 40, Code of Federal Regulations, Part 403.3(1), as amended.

(B) Technical review criteria (TRC) violations, defined as those in which 33 percent or more of all of the measurements taken for the same pollutant parameter during a six- month period equal or exceed the product of the numeric pretreatment standard or requirement including instantaneous limits, as defined in Title 40, Code of Federal Regulations, Part 403.3(1), as amended, multiplied by the applicable TRC (TRC=1.4 for BOD, total suspended solids, fats, oil, and grease, and 1.2 for all other pollutants except pH).

(C) Any other violation of a pretreatment standard or requirement as defined in Title 40, Code of Federal Regulations, Part 403.3(1), as amended (daily maximum, long-term average, instantaneous limit, or narrative standard), that the publicly-owned treatment works determines has caused (alone or in combination with other discharges) interference or pass-through (including endangering the health of the publicly-owned treatment works' personnel or the general public).

(D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the publicly-owned treatment works' exercise of its emergency authority under Title 40, Code of Federal Regulations, Part 403.8(f)(1)(vi)(b), as amended, to halt or prevent such a discharge.

(E) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.

(F) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and compliance reports with compliance schedules.

(G) Failure to accurately report noncompliance.

(H) Any other violation or group of violations, including a violation of best management practices, that the director determines will adversely affect the operation or implementation of the local pretreatment program.

(92) [~~(89)~~] SLUG LOAD OR SLUG DISCHARGE means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 49-43 of this chapter. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, that has a reasonable potential to cause interference or pass-through, or in any other way violates the wastewater system's regulations, local limits, or permit conditions.

(93) [~~(90)~~] STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE means a classification scheme based on the type of manufacturing or commercial activity at a facility. Some facilities, depending on the manufacturing and activities occurring on site, may have more than one code number.

(94) [~~(91)~~] STANDARD METHODS means the laboratory procedures or techniques for the testing, sampling, or analysis of pollutants:

(A) established and approved by the EPA; or

(B) approved by the director with the concurrence of the EPA, where the EPA has not established procedures or techniques for testing, sampling, or analyzing a pollutant in question or determines that approved procedures or techniques are inappropriate for the pollutant in question.

(95) [~~(92)~~] STANDARD SIZE WASTEWATER MAIN means a wastewater main not less than eight inches in diameter.

(96) [~~(93)~~] STANDARD SIZE WATER MAIN means a water main that is:

(A) not less than eight inches in diameter, but also of a size adequate to meet the hydraulic capacity of the water system; and

(B) used for standard fire protection purposes as recognized by the Insurance Services Office, which is not less than six inches in diameter adequately supported by mains not less than eight inches in diameter, but also of a size adequate to meet the hydraulic capacity of the water system.

(97) [~~(94)~~] STANDBY SERVICE means connections, not normally used, to governmental entities contracting with the city for treated water.

(98) [~~(95)~~] STORM SEWER means a conduit, drainage ditch, stream, or other water course that may directly or indirectly carry storm or ground water to the Trinity River.

(99) [~~(96)~~] TCEQ means the Texas Commission on Environmental Quality.

(100) [~~(97)~~] TOTAL SUSPENDED SOLIDS (TSS) means solids that either float on the surface of, or are suspended in, water, wastewater, or other liquids and that, in accordance with standard methods, are removable by a standard, specific laboratory filtration device.

(101) [~~(98)~~] WASTE MANAGEMENT OPERATOR means a person engaged in the private business of receiving, storing, treating, or disposing of industrial waste.

(102) [~~(99)~~] WASTEWATER means water-carried waste.

(103) [~~(100)~~] WASTEWATER MAIN means a conduit or pipe of the wastewater system that conveys domestic wastewater or industrial wastes, or a combination of both, and into which storm surface water, ground water, or unpolluted wastes are not intentionally admitted. The term includes access structures, valves, and other appurtenances that are incidental to use of the wastewater main.

(104) [~~(401)~~] WASTEWATER SYSTEM means:

(A) all treatment plants, mains, conveyances, pumps, interceptors, lift stations, connections, meters, sludge storage facilities, appurtenances, and other facilities of the city employed in the collection, treatment, and disposal of wastewater; or

(B) the publicly-owned treatment works of the city or of a governmental entity receiving or treating wastewater of the city under a contract with the city.

(105) [~~(402)~~] WATER MAIN means a conduit or pipe of the water system that conveys water. The term includes fire hydrants, access structures, valves, and other appurtenances that are incidental to use of the water main.

(106) [~~(403)~~] WATER SYSTEM means all treatment plants, mains, pumps, meters, connections, supply reservoirs, storage tanks, appurtenances, and other facilities of the city employed in the purification, transportation, and supply of treated and untreated water.

(107) [~~(404)~~] WATER YEAR means the period that begins on June 1 of a year and ends on May 31 of the following year.

(108) [~~(405)~~] WHOLESale SERVICE means:

(A) the furnishing of untreated water to a customer, except for untreated water furnished only for domestic use;

(B) the furnishing of treated water to a governmental entity for resale to customers of that entity; or

(C) the collection and discharge of wastewater from the collection facilities of a governmental entity into the wastewater system for purposes of treatment.”

SECTION 2. That Section 49-21.1, “Conservation Measures Relating to Lawn and Landscape Irrigation,” of Article III, “Water and Wastewater Generally,” of CHAPTER 49, “WATER AND WASTEWATER,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 49-21.1 CONSERVATION MEASURES RELATING TO LAWN AND LANDSCAPE IRRIGATION

(a) Purpose. Lawn and landscape irrigation practices within the city, especially during the summer months, can cause a waste of valuable water resources. The purpose of this section is to mandate that water be used for lawn and landscape irrigation in a manner that

prevents waste, conserves water resources for their most beneficial and vital uses, and protects the public health.

(b) Lawn and landscape irrigation restrictions.

(1) A person commits an offense if, during the period from April 1 through October 31 of any year and between the hours of 10:00 a.m. and 6:00 p.m. on any day during that period, the person [he] irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by the person [him]. It is a defense to prosecution under this paragraph that the person was only using water from a source other the city's water or wastewater system.

(2) A person commits an offense if, at any time during the year, the person irrigates, waters, or causes or permits the irrigation or watering of any lawn or landscape located on premises owned, leased, or managed by the person with a hose-end sprinkler or automatic irrigation system on a day other than a designated outdoor water use day for the property address. It is a defense to prosecution under this paragraph that the person was:

(A) using a hand-held hose, drip irrigation device, soaker hose, or hand-held bucket;

(B) irrigating during the repair or testing of a new or existing automatic irrigation system;

(C) irrigating nursery stock at a commercial plant nursery; or

(D) only using water from a source other than the city's water or wastewater system.

(3) A person commits an offense if the person [he] knowingly or recklessly irrigates, waters, or causes or permits the irrigation or watering of a lawn or landscape located on premises owned, leased, or managed by the person in a manner that causes:

(A) a substantial amount of water to fall upon impervious areas instead of upon the lawn or landscape, such that a constant stream of water overflows from the lawn or landscape onto a street or other drainage area; or

(B) an automatic irrigation system or other lawn or landscape watering device to operate during any form of precipitation.

(4) [(3)] A person commits an offense if, on premises owned, leased, or managed by the person [him], the person [he] operates a lawn or landscape automatic irrigation system or device that:

(A) has any broken or missing sprinkler head; or

(B) has not been properly maintained in a manner that prevents the waste of water.

(c) Rain and freeze sensing devices ~~[and freeze gauges]~~.

(1) Any automatic ~~[new]~~ irrigation system installed or operated within the city ~~[on or after January 1, 2002]~~ must be equipped with a working rain and freeze sensing device~~[s and freeze gauges approved as to number and type by the director]~~.

~~(2) [Any irrigation system installed before January 1, 2002 may not be operated after January 1, 2005 without being equipped with rain sensing devices and freeze gauges approved as to number and type by the director.]~~

~~(3)~~ A person commits an offense if, on premises owned, leased, or managed by the person ~~[him]~~, the person ~~[he]~~:

(A) installs, or causes or permits the installation of, an automatic ~~[a new]~~ irrigation system in violation of Subsection (c)(1); or

(B) operates, or causes or permits the operation of, an automatic irrigation system that does not comply with Subsection (c)(1)~~;~~~~or~~

~~(C) —operates, or causes or permits the operation of, an irrigation system that does not comply with Subsection (c)(2)].~~

(d) Variances. The director may, in special cases, grant variances from the provisions of Subsections (b)(1), (b)(2), or ~~[Subsection]~~ (c) to persons demonstrating extreme hardship and need. The director may grant variances only under all of the following circumstances and conditions:

(1) The applicant must sign a compliance agreement on forms provided by the director, and approved by the city attorney, agreeing to irrigate or water a lawn or landscape only in the amount and manner permitted by the variance.

(2) Granting of a variance must not cause an immediate significant reduction in the city's water supply.

(3) The extreme hardship or need requiring the variance must relate to the health, safety, or welfare of the person requesting it.

(4) The health, safety, and welfare of other persons must not be adversely affected by granting the variance.

(e) Revocation of variances. The director may revoke a variance granted when the director determines that:

- applicable;
- (1) the conditions of Subsection (d) are not being met or are no longer applicable;
 - (2) the terms of the compliance agreement are being violated; or
 - (3) the health, safety, or welfare of other persons requires revocation.”

SECTION 3. That Resolution No. 12-0474, passed by the city council on February, 8, 2012, which extended Stage 1 of the city's drought contingency plan, is hereby repealed.

SECTION 4. That a person who violates a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$2,000.

SECTION 5. That CHAPTER 49 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 laws (Chapter 49 and Resolution No. 12-0474) are continued in effect for that purpose.

SECTION 6. 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 7. That this ordinance will take effect on April 23, 2012, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed _____

LC/DCC/00522A

Memorandum



CITY OF DALLAS

DATE April 13, 2012

TO The Honorable Mayor and Members of the City Council

SUBJECT Operation: Beautification, A Citywide Community Cleanup

On Wednesday, April 18, 2012 the Council will be briefed on Operation: Beautification, A Citywide Community Cleanup. Briefing materials are attached for your review.

If you have any questions, or require additional information, please do not hesitate to contact me.

A handwritten signature in blue ink, appearing to read 'Joey Zapata'.

Joey Zapata

Assistant City Manager

cc: Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
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
Jeanne Chipperfield, Chief Financial Officer
Stephanie Cooper, Assistant to the City Manager



OPERATION: BEAUTIFICATION

A Citywide Community Cleanup
May 19, 2012

Briefing to City Council
April 18, 2012



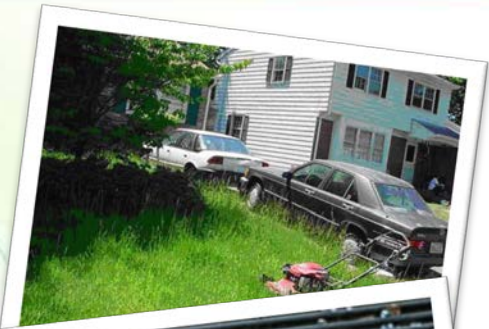
Why does the City sponsor community cleanups?

- A strong city
 - Needs vibrant workforce and residents
 - Needs clean, safe, attractive neighborhoods
- Dallas supports neighborhoods in order to promote a strong city



Background

- Dallas averages approximately 132,000 service requests annually for Code concerns, including
 - High Weeds
 - Litter
 - Illegal Outside Storage
- Nuisance Abatement crews in Code Compliance perform an average of 28,000 abatements annually
 - Mowed and/or cleaned
 - Heavy clean
 - Graffiti removed
 - Structures secured
- The City can't address all neighborhood issues alone
 - Neighborhood associations are vital
 - Community partnerships are necessary for sustained compliance in our neighborhoods



- The City participates in 25 to 30 community cleanup events every year, ranging from smaller, one block cleanups to larger events
- Cleanups include more than picking up litter, mowing high weeds and covering graffiti
 - There are many neighborhoods that have homes with code violations (peeling paint, exposed/rotted wood, etc.) that the owner cannot repair for various reasons
 - Elderly
 - Disabled
 - Financial Hardship
- Volunteers often step up to address problems and code violations with more lasting effect than the City enforcement process

- The Quality of Life Committee was briefed on Community Cleanups on February 13, 2012
- The committee was in favor of proceeding with a citywide cleanup event
 - *Operation: Beautification* is the result of staff's efforts to organize an event based on the committee's recommendations
 - The first of what is hoped to become a semi-annual citywide event

- Goal is to coordinate as many cleanup projects during the targeted period as possible, with an emphasis on community-led projects that are viable for each participating neighborhood
- The long-term goal of the citywide community cleanup concept is to foster community empowerment to allow neighborhoods to take proactive leadership roles to enhance overall quality of life

Before



After



- *Operation: Beautification* will take place May 19, 2012
 - City staff is contacting community groups and businesses by email, the City's website, public service announcements on Clear Channel electronic billboards, and in person at community meetings and events to encourage participation
 - Participating groups are responsible for identifying and organizing projects in their neighborhoods that are viable to undertake
 - Groups should register their participation online at DallasCityHall.com, or by completing a registration form that has been widely distributed to organizations, council members, city staff, and the media
 - The City will assist in advertising cleanup events that have been registered in order to encourage volunteerism, and will provide an out-of-schedule trash collection for organizations that participate

- Staff will continue to update Council on the citywide cleanup as the date approaches
- Experience from this event will be used to improve and grow more citywide cleanup efforts

Memorandum



CITY OF DALLAS

DATE April 13, 2012

TO Honorable Mayor and Members of the City Council

SUBJECT Water Conservation Program: Twice Weekly Watering

Attached is the Dallas Water Utilities' Water Conservation Program: Twice Weekly Watering Briefing to be presented by the Water Utilities Department at the April 18, 2012 meeting of the Dallas City Council. Also attached are answers to committee feedback and questions raised during the April 9, 2012 briefing to the Transportation and Environment Committee.

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

A handwritten signature in black ink, appearing to read 'Forest E. Turner'.

Forest E. Turner
Assistant City Manager

Attachments

cc: Mary K. Suhm, City Manager
Rosa A. Rios, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge 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
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Stephanie Pegues-Cooper, Assistant to the City Manager – Council Office

Water Conservation Program: Twice Weekly Watering

Presented to
Dallas City Council
April 18, 2012





Purpose

- To seek Council approval of recommendation that Dallas amend water conservation provisions in Chapter 49 of the Dallas City Code to include permanent restrictions limiting outdoor irrigation to a maximum of two days per week

Outline

- Background
- Twice Weekly Watering Approach
- Implementation Process for Twice Weekly Watering
- Variances, Compliance and Communication Plan
- Future Steps and Summary
- Appendix
 - Committee Questions and Feedback
 - Drought Conditions
 - Bibliography of Council Briefings





Background

Background

- Large North Texas cities are moving towards twice weekly watering measures, including Dallas, Fort Worth, Arlington and Irving
- Austin is also rewriting its rules to make twice-a-week restrictions permanent
- Tarrant Regional Water District (TRWD) is supportive of maximum twice weekly watering
- The Trinity River Authority said it would encourage its customers to follow the twice weekly rules if the TRWD recommends the measure
- Other area cities are likely to follow





Background (continued)

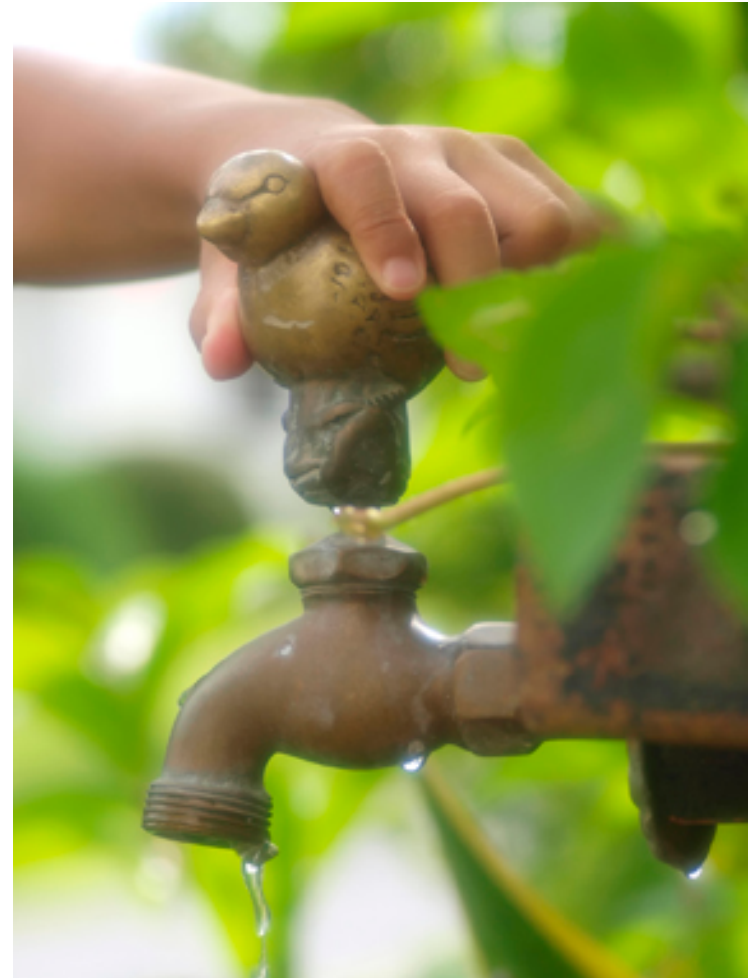
- Limiting irrigation to a maximum of two days per week will result in long term benefits
 - Creates a lasting effect across the region for efficient water use
 - Continues regional water conservation, especially important in times of persistent drought
- Although recent rains have improved current water supply availability, a twice weekly watering schedule:
 - Provides predictable expectations to customers for landscape planning
 - Provides a way forward for Dallas and the region to:
 - Continue to use water resources wisely
 - Maintain leadership role in conservation initiatives
- Provides opportunities for future cost avoidance by delaying infrastructure and may result in reduced revenues

Twice Weekly Watering Approach



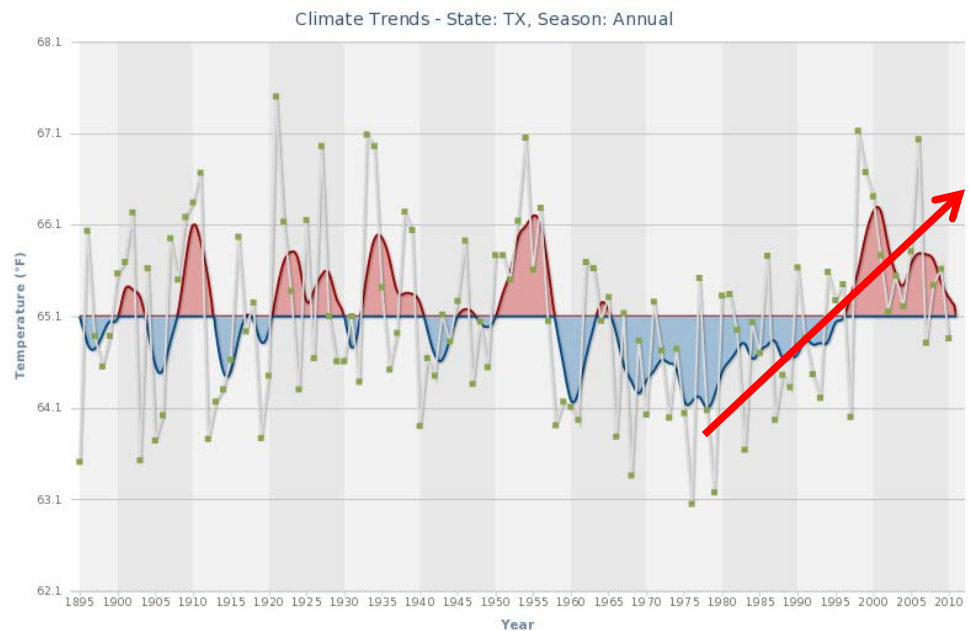
Twice Weekly Watering Approach

- Frequency of drought conditions and future supply shortages drive home the need to strengthen lawn and landscape watering guidelines
- Twice weekly watering requirements can reduce outdoor water use by up to 16%
- Permanently adopting twice weekly requirements will further extend Dallas' current water supplies



Twice Weekly Watering Approach - Sustainability

- Precipitation changes uncertain
- Temperatures going up since mid-1970s
- Higher temperatures = more evaporation
- Easier to cross the threshold into drought
- Future droughts expected to be hotter and drier



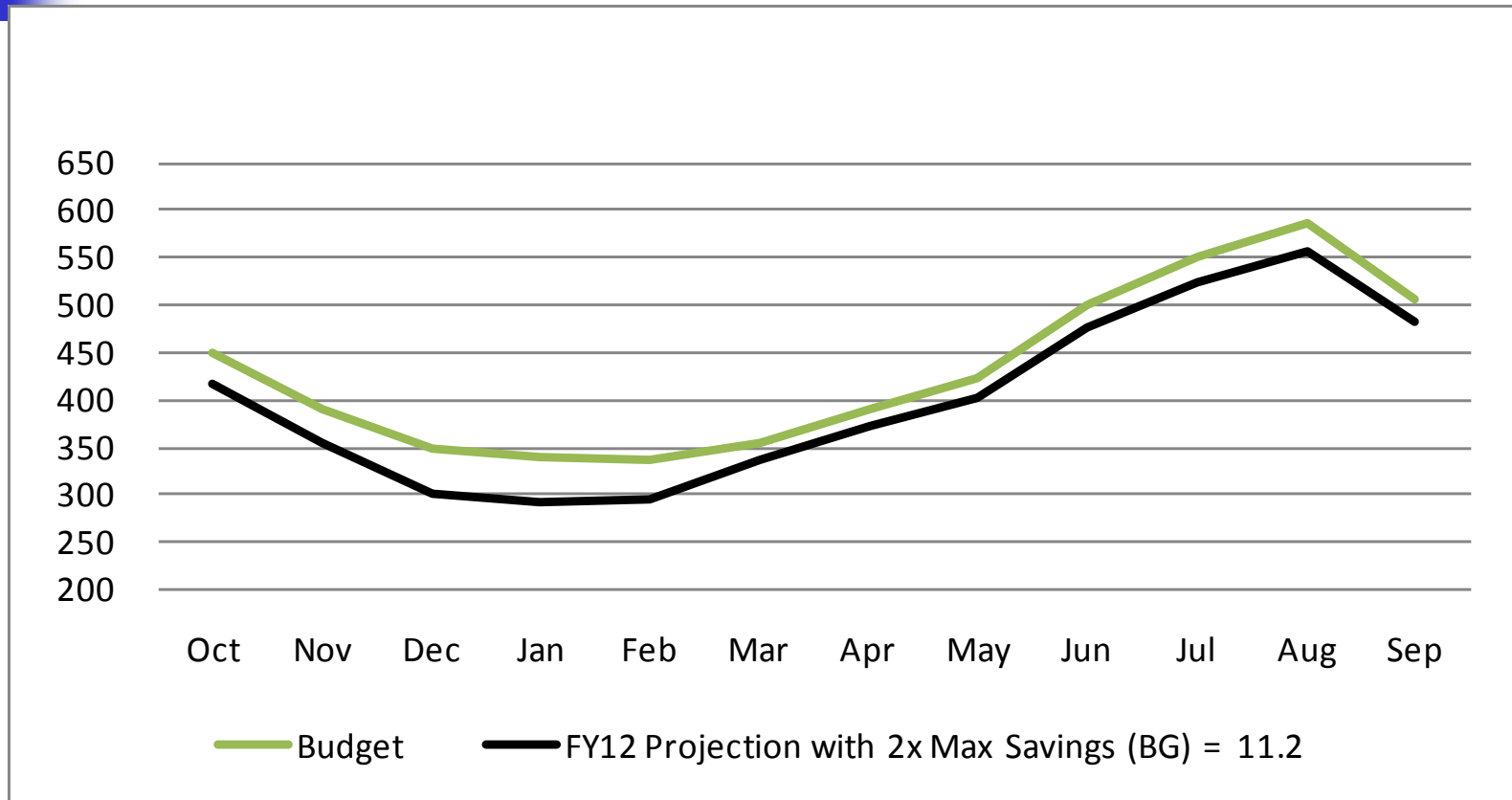
Source: Presentation by David P. Brown, Ph.D., Regional Climate Services Director, NOAA Southern Region, March 9, 2012



Twice Weekly Watering Approach – Why It Will Work

- “Fewer but heavier lawn watering encourages deeper roots that withstand dry weather better. A deeply watered lawn should be able to go 5 to 8 days between watering.” **AgriLife Extension, Texas A&M System**
- “Adjust schedule seasonally to allow for deep, infrequent watering in order to maintain an even moisture level. About 1" of water per week in the summer is a good starting point.” **Howard Garrett - *The Dirt Doctor***
- “With careful observation and experience, one can determine the correct number of days between waterings.
 - Common bermuda grass lawns can go 5 to 7 days or longer between waterings without loss of quality.
 - It takes about 1/2 inch of water to achieve the desired wetting depth if the soil is high in sand, and about 3/4 inch of water if the soil is a loam.
 - For soils high in clay, an inch of water is usually necessary to wet the soil to the desired depth.” **Larry Stein and Doug Welsh, Horticulturists Texas AgriLife Extension Service**

Twice Weekly Watering Approach – Possible Impacts



Twice weekly watering may result in approximately a \$5M decrease in expenses and a \$15M decrease in revenues



Implementation Process for Twice Weekly Watering



Implementation Process – Ordinance Amendment

- Amend water conservation provisions in Chapter 49 of the Dallas City Code
- Irrigation of landscaped areas with hose-end sprinklers or automatic irrigation systems will be limited to a maximum of twice weekly:
 - Street addresses ending in even numbers or no number
 - Sundays and Thursdays
 - Street addresses ending in odd numbers
 - Saturdays and Wednesdays
 - Apartments, office building complexes or other property containing multiple addresses
 - Identified by lowest address number

Implementation Process - Ordinance Amendment (continued)



- A person may not irrigate at a residential or commercial facility on a day other than designated water use day, *except*
 - If using hand-held hose or hand-held bucket
 - If using drip irrigation technology that does not spray water into the atmosphere
 - During repair or testing of new or existing irrigation system
 - Irrigating nursery stock at a commercial plant nursery

Examples of Watering Allowed on Any Day of the Week



Hand-held Hose



Hand-held Bucket



Soaker Hose



Drip Irrigation

Examples of Watering Allowed Only on Designated Days

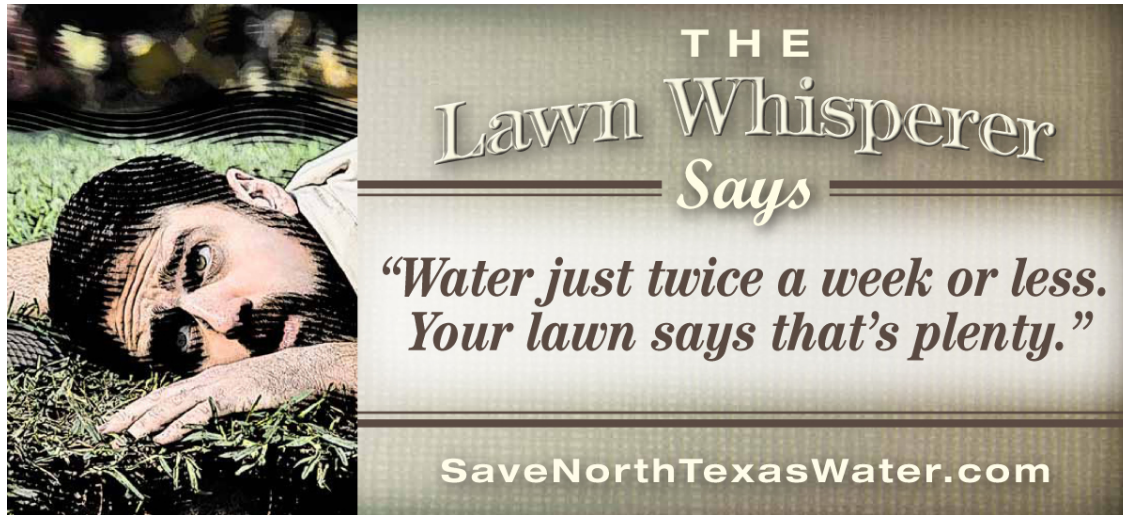


Hose-end Sprinkler



Automatic Irrigation System

Variances, Compliance and Communication Plan





Variations

- Current ordinance allows for variations in the case of extreme hardship and need
- Applicants must sign a compliance agreement
- Variance requirements may include:
 - Must demonstrate that size of property prohibits ability to irrigate in 1 day
 - Irrigation system audit
- Variations may be revoked if applicant is determined to be not in compliance with conditions of agreement
- Examples: golf courses, campuses, athletic fields, etc.
- Variations will require demonstrated reduced water usage



Compliance

- Compliance will be accomplished using Code Compliance and Dallas Water Utilities personnel (similar to existing plan)
- Any person who violates the ordinance is guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not less than \$250 and not more than \$2,000
- Each violation shall constitute a separate offense



Communication Plan

- City submits notification to news media, customers and other area agencies
 - Provide education and outreach through Save Water public awareness campaign
 - Press release announcing permanent maximum twice weekly restrictions
 - Provide customers information through water bill inserts
 - Update dallascityhall.com and savedallaswater.com websites message to include mandatory watering schedule
 - Use social media messaging through City of Dallas and Lawn Whisperer Campaign
- Provide copy of adopted amendment to wholesale customer cities



Future Steps and Summary



Future Steps

- Continue working with Department of Sustainable Development & Construction
 - Ensure consistency of development related codes to achieve water conservation goals
 - Update Article X amendments to incorporate recommendations from Water Conservation Five-Year Strategic Plan
- Staff review of alternative compliance regulations for water conservation program
- Work with other regional water providers to better coordinate drought contingency plans
- Update Dallas' State mandated Drought Contingency Plan and Water Conservation Plan
- Continue monitoring water treatment plant construction in order to make sure demands are met



Summary

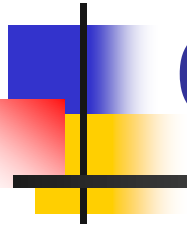
- Seek Council support to amend water conservation provisions in Chapter 49 of the Dallas City Code to include permanent restrictions limiting outdoor irrigation to a maximum of two days per week (includes rescinding Stage 1 of Drought Contingency Plan)



Appendix

- Committee Feedback and Questions
- Drought Conditions
- Bibliography of Council Briefings

Committee Feedback and Questions





Committee Questions and Feedback

- Twice Weekly Watering briefed to Transportation and Environment Committee on April 9, 2012
- The following pages contain questions and comments raised during the committee meeting



Have You Engaged Landscape Industry? Need Feedback from Stakeholders

- Staff spoke to the Dallas Irrigation Association (DIA) Feb 17
 - Discussion included the possibility of making twice weekly mandatory
 - No concerns were raised during the question and answer period
 - The leadership of the DIA spoke in favor of the measure, but there has not been an official endorsement
- Staff spoke at Texas Nursery and Landscape Association (TNLA) meeting on March 13
 - Discussion included the possibility of twice weekly watering as a conservation tool
 - During the open forum period all comments were positive
 - Chairman sent email in support of twice weekly watering



Have You Engaged Landscape Industry? Need Feedback from Stakeholders (continued)

- Staff spoke at the Metroplex Mayors meeting on April 10
- Dallas met with customer cities and sent letters to customer cities and stakeholder groups including:
 - Citizen's Council
 - Dallas Regional Chamber
 - Greater Dallas Planning Council
 - Texas Municipal League
 - American Institute of Architects
 - North Texas Commission
 - Apartment Association
 - Homebuilder's Association
 - Texas Real Estate Commission



How Can We Encourage Customer Cities to Implement Twice Weekly Watering?

- Dallas has had a good working relationship for many years with our customer cities
- Both Dallas and the customer cities are required to have water conservation plans by the State
- The contracts with customer cities require:
 - Customer shall cooperate by imposing conservation measures upon its sales of Potable Treated Water to its end user customers
 - Customer agrees to institute and maintain usage practices which ensure water is used in a manner that prevents waste, conserves water resources for their most beneficial and vital uses, and protects the public health



Provide a List of Golf Courses, Public and Private, Source of Water, Location and The Possibility of Their Conversion to Non-potable Water

- Dallas currently provides treated, untreated or re-use water to 34 golf courses in the Dallas service area
 - There are 16 courses within the City of Dallas
 - Additionally, Dallas has untreated water contracts with 18 golf courses outside the City of Dallas
- Treated, untreated and re-use water provided to golf courses by Dallas originate from the same sources and are accounted for in Dallas permitted yield
- Cedar Crest golf course currently utilizes direct reuse (effluent from Dallas' Central WWTP) and Stevens Park golf course is scheduled to convert to direct reuse in the summer of 2012
- See following two slides for detailed listing of golf courses



Dallas Golf Courses

Dallas Golf Course	Treated Water	Untreated Water	Potential for Conversion to Non-potable water
Bent Tree Country Club	X	X	
Brookhollow Golf Club	X	X	
Cedar Crest Golf Course	X	X	Reuse- DWU Central WWTP
Dallas Athletic Club	X	X	
Dallas National	X	X	
Keeton Park Golf Course	X	X	
L.B. Houston Golf Course	X	X	
Lakewood Country Club	X	X	White Rock Lake
North Texas Golf Center	X		Elm Fork of the Trinity River
Northwood Club	X	X	
Preston Trails Golf	X	X	
Prestonwood Country Club	X	X	
Royal Oaks Country Club	X	X	
Stevens Park	X		convert to reuse in 2012
Tenison Park	X	X	
The Golf Club of Dallas	X	X	

Dallas Untreated Water Golf Course Contracts

Outside City of Dallas (Untreated Water Contract Accounts)	Treated Water	Untreated Water	Location
Twin Creeks Golf Club	*	X	Allen
Chase Oaks Golf - City of Allen	*	X	Allen
City Of Carrollton- Indian Creek Golf Club	*	X	Carrollton
City of Carrollton - McInnish Park	*	X	Carrollton
Riverchase Golf Course	*	X	Coppell
Tour 18	*	X	Flower Mound
Stonebriar Country Club	*	X	Frisco
Plantation Golf Club	*	X	Frisco
Eastern Hills Country Club	*	X	Garland
Firewheel Golf Park - City of Garland	*	X	Garland
Dallas Country Club	*	X	Highland Park
Lantana Golf Club	*	X	Lantana
Evergreen Alliance Golf - Lake Park Golf	*	X	Lewisville
Canyon Creek Country Club	*	X	Richardson
The Shores Country Club	*	X	Rockwall
Waterview Dev. Inc.	*	X	Rowlett
The Tribute Golf Club	*	X	The Colony
Stewart Peninsula	*	X	The Colony

*Treated water information not available



What About An Option of Three Times Weekly Watering and How Would It Impact Consumption?

- Experts indicate that lawns only need one inch of water per week
- The Texas State Forestry Service says that for best results, “Irrigate trees, shrubs, and other landscape plants separately from turf”
- The proposed ordinance amendment allows for watering with soaker hoses, by hand or drip irrigation on any day
- Comparison of 3x weekly to 2x weekly water reduces estimated savings from 6.8 BG to 2.3 BG



Who Currently Has Twice or Three Times Weekly Watering?

- A sampling of cities watering schedules follows:

Required Max 3x Weekly

El Paso, TX

Required Max 2x Weekly

McKinney, TX

Frisco, TX

Lower Colorado River Auth (west Travis County), TX

City of Austin, TX Commercial and Multi-Family

- Note: Cities to the west may require more watering days due to more arid climates, and the cities above may be under more restrictive watering measures due to drought weather conditions or water supply limitations
- Other: North Texas Municipal Water District has asked its customer cities to enact mandatory once weekly watering restrictions during the existing drought



Provide Clarification on Foundation Watering and Impacts to Vegetable Gardens

- Foundations can be watered on any day with soaker hoses, drip irrigation or handheld hoses or buckets
- Experienced vegetable gardeners use soaker hoses, drip irrigation or hand watering
- Spray irrigation increases the potential for pests and diseases in many vegetable plants
- Residents or community gardens who use drip irrigation, soaker hoses or hand watering will not require a variance since these watering options are allowed any day
- Because spray irrigation is not recommended, staff doesn't anticipate granting variances for vegetable gardens using this type of irrigation



Concern That Five Weeks is Not Enough Time to Establish New or Replaced Landscapes - Where Did DWU Get the Five Week Time Frame?

- Under the proposed ordinance amendment, there is no mandatory variance time. Each variance request will be reviewed individually and merits analyzed – a longer time frame could be merited based on the individual facts of a request.
- Staff consulted with experts at Texas AgriLife Extension Service (formerly Texas A&M Extension Service) on the watering requirements for new plantings in North Texas
 - AgriLife confirmed that a period of 5 weeks of more frequent watering would establish new turf (seed or sod), which requires the most water
 - After the 5 week period, twice weekly watering would be more than sufficient for turf, trees, shrubs and perennials if watered deeply into the root zone



What Is the Current Impact of Gas Drillers?

- Existing Council approved contract with Carrizo Oil & Gas allows them to take a maximum of 80 million gallons annually, or about 0.05% of Dallas' annual water usage
- Gas drilling contracts require the purchaser to:
 - Ensure water is used in a manner that prevents waste and conserves water
 - Comply with Dallas' water conservation and drought contingency plan measures
 - Agree Dallas may restrict Purchaser's withdrawals of untreated water when water is needed for municipal purposes
- No restrictions will be imposed on Purchaser unless Dallas has imposed restrictions on other users
- In the event withdrawals are restricted, untreated water shall be allocated to Purchaser on a pro rata basis



Are There Any Other Industries That Do Not Return Water After It is Used?

- The USGS defines “consumptive water” as water that is evaporated, transpired, incorporated into products or crops, consumed by humans or livestock, or otherwise removed from an immediate water environment
- Generally, only 60-70 percent of the water used is returned for treatment, including residential use
- A study by the USGS identified various levels of consumptive water use (percent water not returned) depends on the industry:

<u>Selected Industries and consumptive-use coefficients</u>	<u>Percent</u>
Water bottlers	98
Hardwood, veneer, and plywood	67
Structural clay products	50
Lubricating oils and greases	50
Bottled and canned soft drinks	45



Will the State Allow Us to Charge Some Industries More Due to the Type of Water Use?

- Rates must be fair and equitable
- Texas Water Code - Section 13.182. Just And Reasonable Rates
 - (a) The regulatory authority shall ensure that every rate made, demanded, or received by any utility or by any two or more utilities jointly shall be just and reasonable
 - (b) Rates shall not be unreasonably preferential, prejudicial, or discriminatory but shall be sufficient, equitable, and consistent in application to each class of consumers



How Will Reduced Sales Impact Revenues and the Budget and How Will DWU Deal With That Issue?

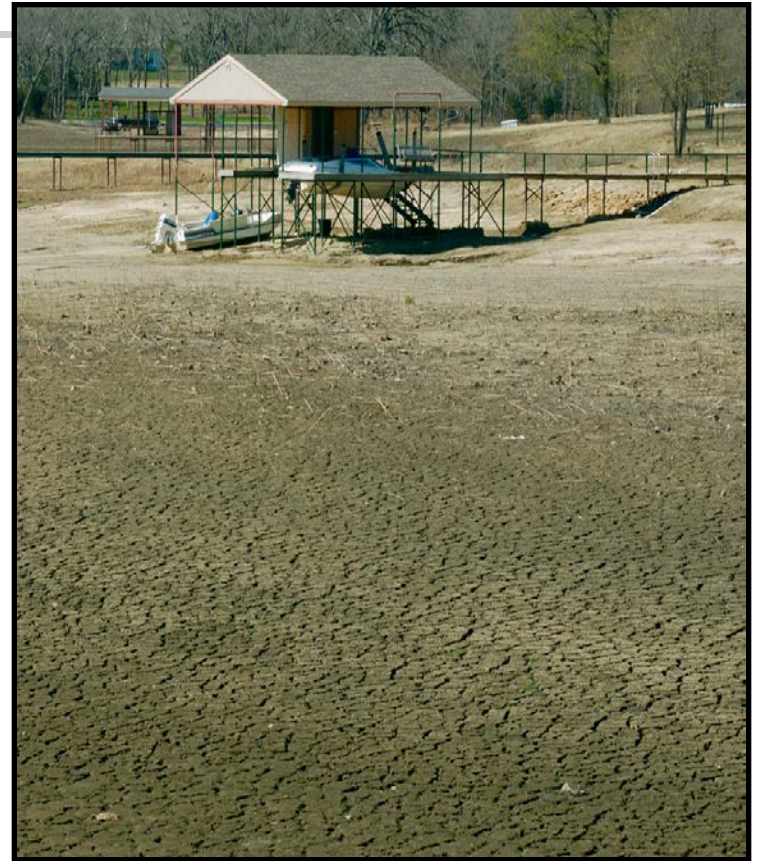
- As indicated previously, it is anticipated that departmental revenues will be \$15M lower, and expenditures will be \$5M lower (\$10M net)
- This scenario is much like what we deal with during years with much rainfall where revenues do not meet budget
- To compensate during a rainy year, the utility will adjust project awards by \$10M (i.e., slip to the next fiscal year)
- To compensate for projects that must be awarded, or where the revenue requirement is constant year to year, either rates will need to be adjusted by approximately 2 percent or O&M expenditures lowered by \$10M



Drought Conditions

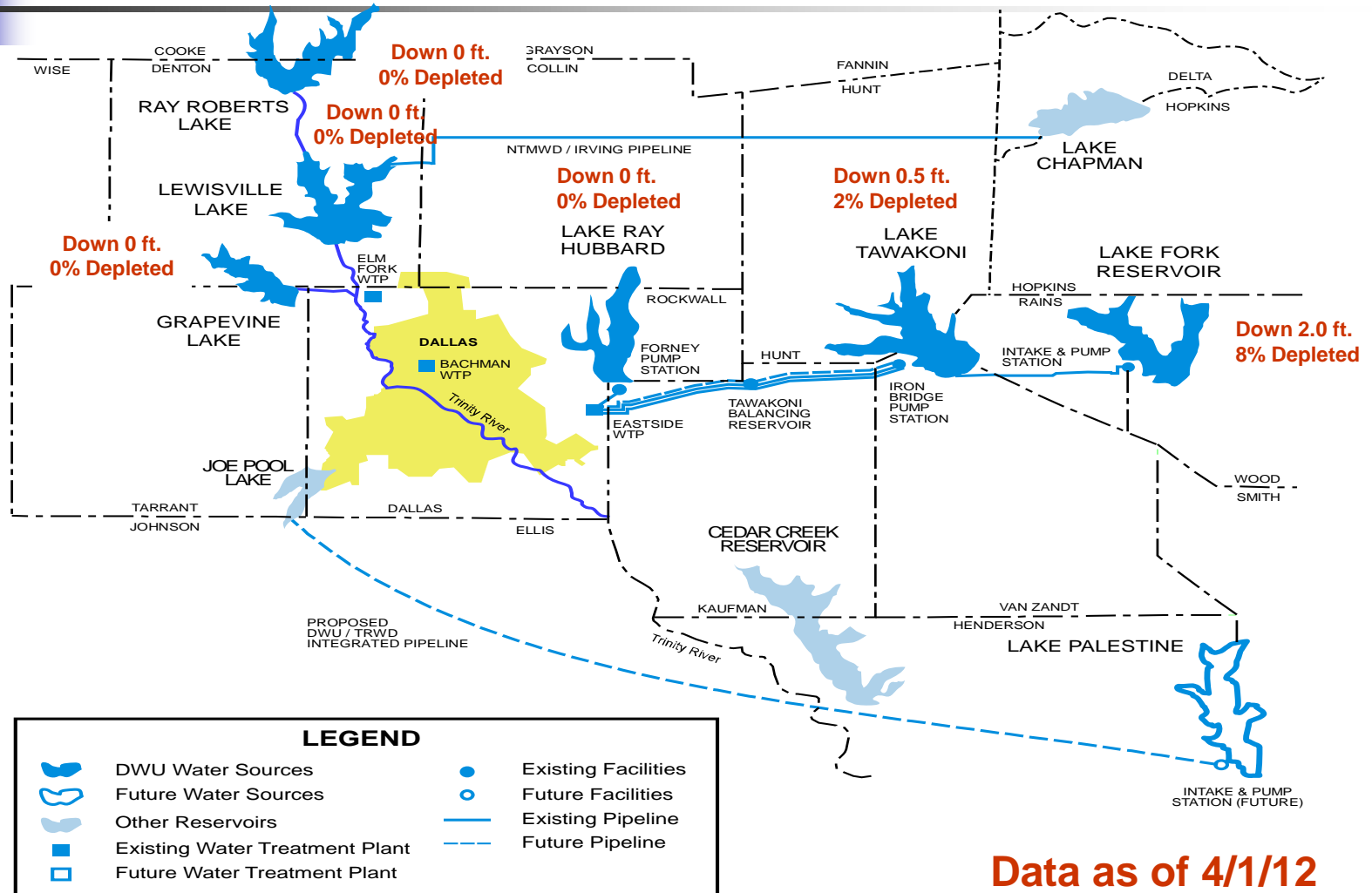
Current Drought Conditions

- In August 2011, lakes were 82 percent full (18 percent depleted)
- In November 2011, lakes were 75 percent full (25 percent depleted)
- Recent rains have helped significantly
- Lakes are currently 98 percent full (2 percent depleted), compared to 90 percent full this time last year
- Dallas still faces treatment plant restrictions this summer due to ongoing infrastructure improvements

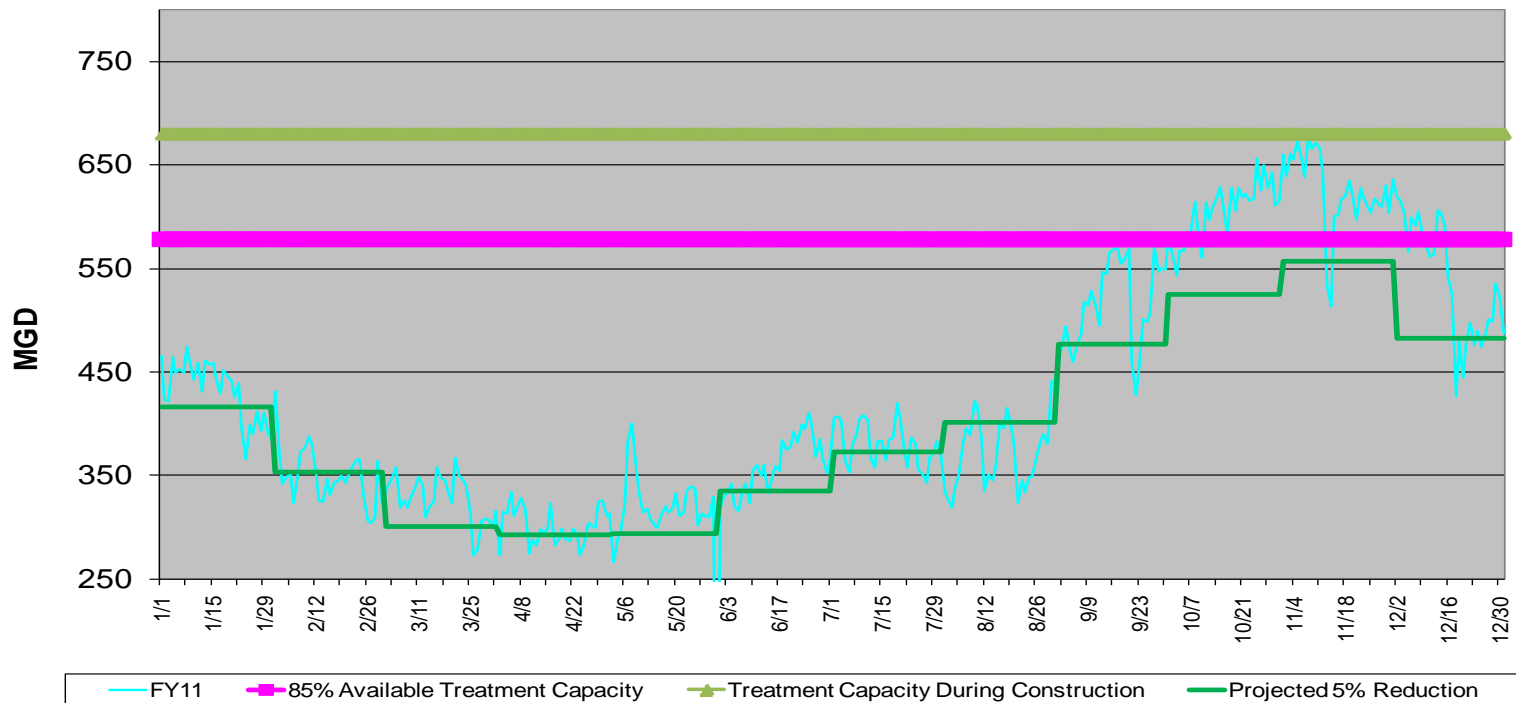


Lake Tawakoni 2006

Current Drought Conditions - Status of Dallas Water Supply Reservoirs



Water Use and 2012 Water System Restriction



Note: Graph shows treatment plant restriction; FY11 water use for a hot dry year and the projected impact of 2 x weekly watering policy on water use demands.



Bibliography of Council Briefings

- August 2011 –
 - Requested customers to voluntarily water no more than twice weekly
 - Briefed Council on Water Operations Plan
- November 2011
 - Briefed Council on Long Range Water Supply Plan LRWSP
 - Briefed Council on Approach to Water Conservation
 - Briefed Council on Drought Update
- December 2011
 - City entered Stage 1 Drought Contingency Plan with mandatory maximum twice weekly watering
- February 2012
 - Briefed Council on Drought Update
 - Briefed Budget, Finance & Audit Committee on Retail Rate Structure
 - Briefed Council on Retail Rate Structure
- March 2012
 - Council briefed on Water Conservation and the Land Development Process

ATTACHMENT

Questions and Comments from the April 9, 2012 Transportation and Environment Committee Meeting

1. Have You Engaged Landscape Industry? Need Their Feedback

Staff spoke to the Dallas Irrigation Association (DIA) on Feb 17, Texas Nursery and Landscape Association (TNLA) meeting on March 13, and the Metroplex Mayors meeting on April 10 with discussions that included the possibility of making twice weekly mandatory. There were no concerns raised during the question and answer period, and the comments were positive. The leadership of the DIA spoke in favor of the measure, but there has not been an official endorsement. Also, the Chairman of the TNLA sent an email in support of twice weekly watering.

In addition, Dallas met with customer cities and sent letters to customer cities and stakeholder groups including the Citizen's Council, North Texas Commission, Dallas Regional Chamber, Apartment Association, Greater Dallas Planning Council, Homebuilder's Association, Texas Municipal League, Texas Real Estate Commission, and the American Institute of Architects.

2. How Can We Encourage Customer Cities to Implement Twice Weekly Watering?

Dallas has had a good working relationship for many years with our customer cities. Both Dallas and the customer cities are required to have water conservation plans by the State. The contracts with customer cities require: Customers to cooperate by imposing conservation measures upon its sales of Potable Treated Water to its end user customers; and Customer agrees to institute and maintain usage practices which ensure water is used in a manner that prevents waste, conserves water resources for their most beneficial and vital uses, and protects the public health.

In addition, as demonstrated by the April 11th joint press conference held by the mayors of Arlington, Dallas, Fort Worth and Irving, there is an effort to make twice weekly watering guidelines the standard for the region and to encourage other cities to join in with them.

3. Provide a List of Golf Courses, Public and Private, Source of Water, Location and The Possibility of Their Conversion to Non-potable Water

There are 16 public and private golf courses within the City of Dallas. Cedar Crest golf course currently utilizes direct reuse (effluent from Dallas' Central WWTP) and Stevens Park golf course is scheduled to convert to direct reuse in the summer of 2012. Additionally, Dallas has untreated water contracts with 18 golf courses outside the City of Dallas.

Treated and untreated water provided to golf courses by Dallas originate from the same sources and are accounted for in Dallas permitted yield. Following is a list of golf courses provided treated, untreated or reuse water by Dallas Water Utilities.

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Source: U.S. Geological Survey, Fact Sheet 2008-3032, April 2008

10. Will the State Allow Us to Charge Some Industries More Due to Type of Water Use?

Established rates must be fair and equitable. The Texas Water Code - Section 13.182. Just And Reasonable Rates states:

(a) The regulatory authority shall ensure that every rate made, demanded, or received by any utility or by any two or more utilities jointly shall be just and reasonable

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Memorandum



CITY OF DALLAS

DATE April 13, 2012

TO Honorable Mayor and Members of the City Council

SUBJECT Debt Issuance Options

On Wednesday, April 18, 2012, you will be briefed on Debt Issuance Options. The briefing material is attached for your review.

Please let me know if you require additional information.

A handwritten signature in blue ink that reads "Jeanne Chipperfield".

Jeanne Chipperfield
Chief Financial Officer

C: Mary K. Suhm, City Manager
Rosa A. Rios, 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, Assistant City Manager
Stephanie Pegues-Cooper, Assistant to the City Manager

DEBT ISSUANCE OPTIONS

Presented to the
Dallas City Council
April 18, 2012

Overview

2

The proposed 2012 Bond Program assumes no increase in the tax rate nor any increase in fees

Based on these assumptions, the initial recommended bond program was in the range of \$450-\$550 million

Recent analysis of interest rates, refunding opportunities, debt structure and projected tax base value allows for an increase in the recommended bond program to \$600 million

This bond program will help to relieve some of the demands on the General Fund budget by:

- ▣ Funding those projects which will increase the tax base
- ▣ Addressing infrastructure needs that are negatively affecting maintenance costs
- ▣ Excluding projects that add operating and maintenance costs

Additionally, the outstanding GO debt throughout the bond program will remain in line with current levels

Briefing Contents

3

- 2012 Bond Program Size Update
- Options for Financing
- Debt Structure, Existing Debt and Bond Program Sizing
- Financial Management Performance Criteria (FMPC)
- Rating Agency Considerations
- Current Outstanding Debt Summary
- Storm Drainage Revenue Bonds
- Conclusion and Next Steps
- Appendices

Potential 2012 Bond Program - Revisions (\$ million)

4

Potential 2012 Bond Program	Impact
Initial Proposed Size (Range \$450 - \$550)	\$500
Potential Refunding/Restructure, Revised Interest Rates Assumption	\$125
Cotton Bowl CO's	(\$40)
Change in Tax Base Projection	\$15
Revised Total	\$600

Options for Financing

5

- General Obligation Bonds
- Certificates of Obligation
- Revenue Bonds

General Obligation Bonds

6

- Election approved by voters is required before bonds may issued
- Property taxes are used for repayment of the bonds
- “Full faith and credit” of the City backs the bonds, no reserves are established
- Property tax rate set annually for both debt service and operations and maintenance

Certificates of Obligation

7

- General obligation debt instrument requiring public notice but no election
- Property taxes are used for repayment of the certificates
- “Full faith and credit” of the City backs the certificates, no reserves are established
- Term limited to 10 years by City Charter

Revenue Bonds

8

- ❑ Revenue bonds do not require an election prior to issuance – no “full faith and credit” pledge
- ❑ Bonds are repaid from the pledged revenues which are specified in the ordinance authorizing issuance of the bonds
 - ❑ Bondholders have a lien on the revenues
 - ❑ For example, Dallas Water Utilities bond holders have a first lien on the revenues available after the payment of O&M expenses
- ❑ Revenue bonds often require reserves, revenue coverage of at least 1.25 – 1.5 times annual debt service expense, and an additional bonds test prior to the issuance of more bonds
- ❑ May sell at higher interest rates than comparably rated general obligation bonds

Debt Structure – Level Principal

9

- ❑ *Level principal* – equal annual principal payments, debt service payment decreases over time
- ❑ Total lower interest payment over the life of the debt when compared to level debt service structures
- ❑ Approximately 50% of principal repaid in 10 years of a 20 year term bond issue
- ❑ Continued use of this structure over time results in steeper annual debt service expense reductions compared to the use of level debt service

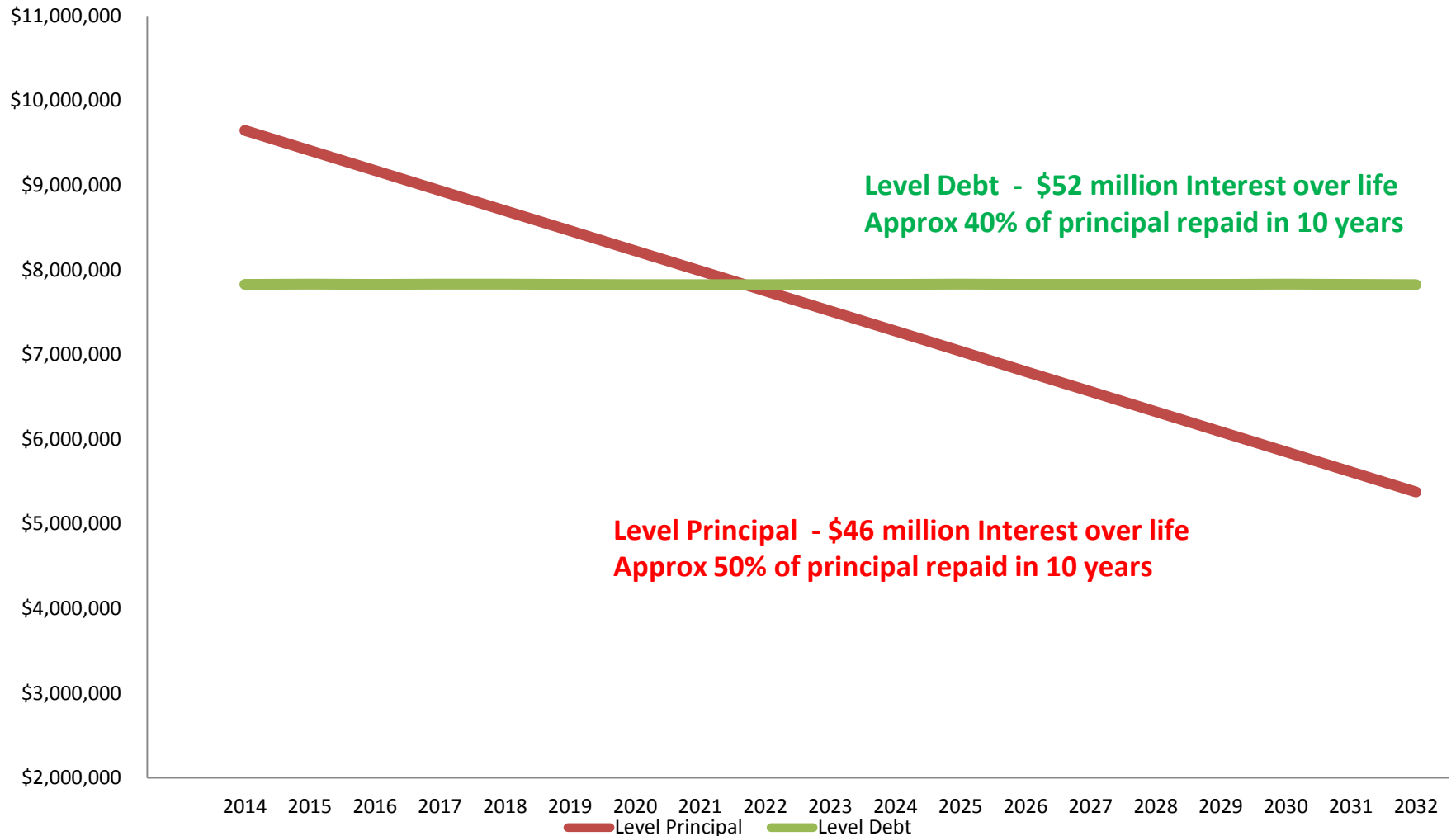
Debt Structure – Level Debt Service

10

- ❑ *Level debt service* – equal annual payments, principal portion of the payment increases over the life of the bonds (like a home mortgage)
- ❑ Greater interest paid than a level principal structure
- ❑ Approximately 40% of the principal repaid in 10 years for a 20 year term bond issue
- ❑ Minimizes coverage impact for revenue bond issuers

Level Debt versus Level Principal \$100 million Issuance Example

11



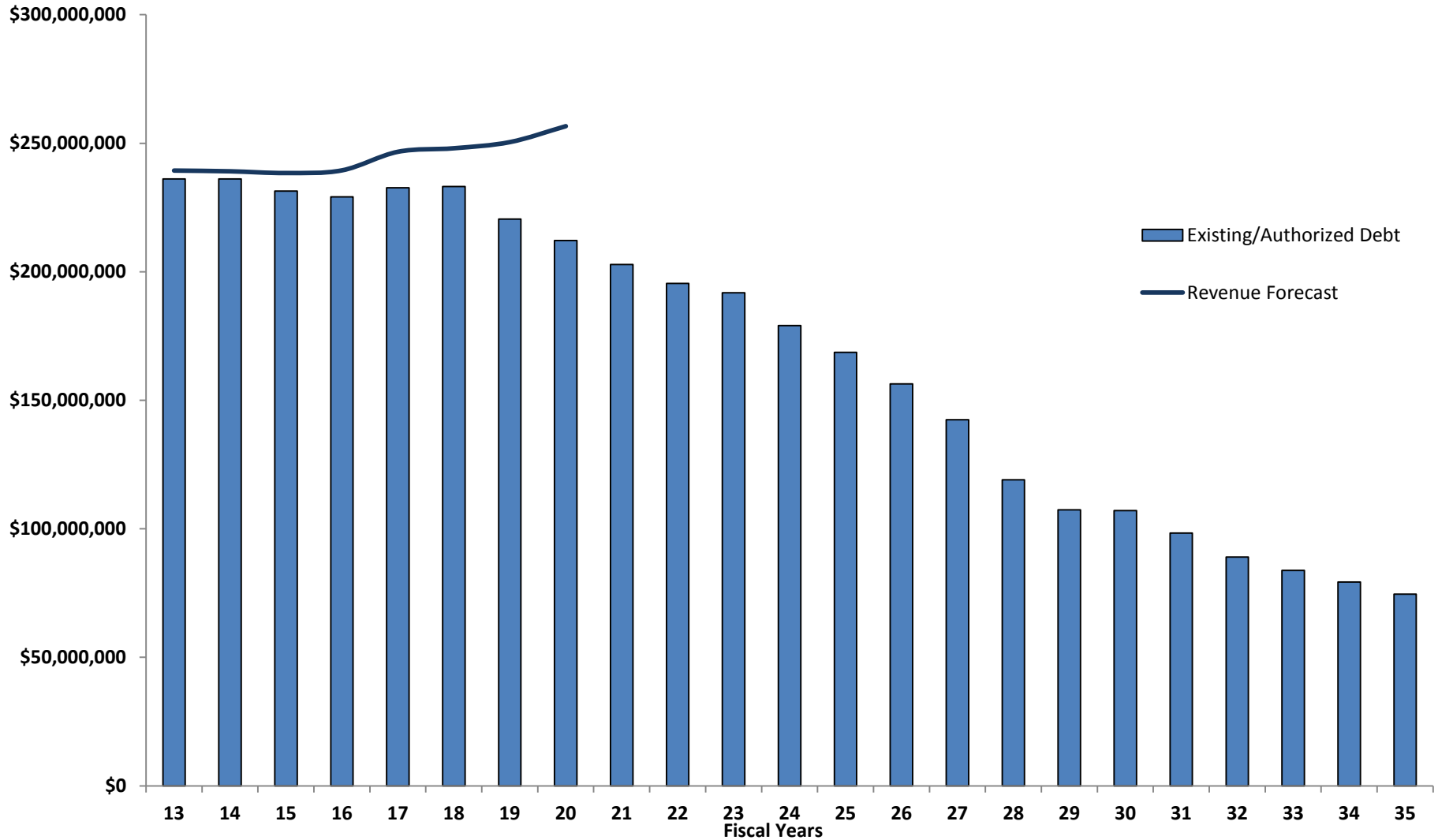
Existing General Obligation Debt

12

- Generally issue 20 year GO bonds with level principal
- Continued use of a level principal structure created the declining annual debt service structure shown on the next slide
- Capacity to issue new bonds occurs each year as payments decline from the prior year in addition to growth in tax base

Existing/Authorized Debt

13



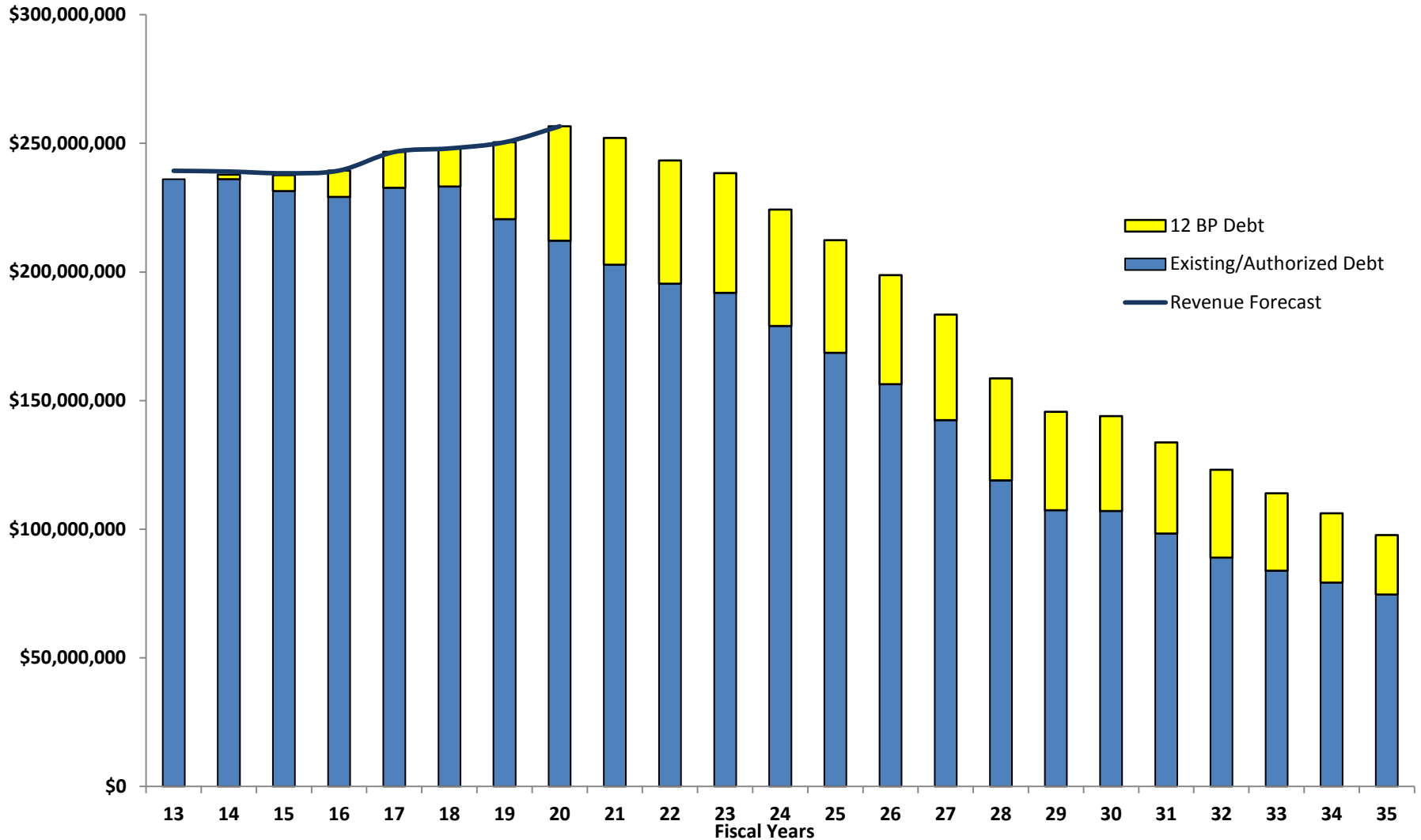
Determining Bond Program Size

14

- Planning for next bond program includes review of financial capacity to determine amount of debt that City can afford to issue
- This is determined by forecasting revenues first
 - Projected property tax base value
 - Ad valorem tax rate
- After assuming the payment of the existing/previously authorized debt, assumptions regarding new debt can be made
 - The difference between the revenue line and the existing/authorized debt expense (blue bars) is the amount of 2012 Bond Program debt that can be afforded within the revenue assumptions – no increase in tax rate or fees to support the new debt
- Revised assumptions include adjusting projected tax base growth and interest rates; a refunding of a portion of the existing debt in October 2012; and adjusting the principal structure
- Results in additional capacity but continues to maintain rapid principal repayment and manageable overall debt levels

Determining Bond Program Size

15



Financial Management Performance Criteria (FMPC)

16

- Initially adopted by the City Council in 1978 to set standards and to guide decision making
- City of Dallas was a leader among cities in initially establishing the FMPC
- Includes 52 criteria in 5 categories
 - Operating Programs
 - Capital and Debt Management
 - Accounting, Auditing and Financial Planning
 - Cash Management
 - Grants and Trusts
- FMPC are updated/evaluated for compliance during budget preparation and approval process, at year end, and for each debt issuance
- Council periodically reviews and updates the criteria
- Last update was approved by City Council in September, 2011

Financial Management Performance Criteria

(cont'd)

17

- 25 Criteria in the FMPC relate to Capital and Debt Management and address issues such as:
 - Length of bond term
 - GO debt as a percent of market value of taxable property valuation and per capita GO debt as a percent of per capita annual income
 - Weighted average life of GO bonds
 - Debt service expense as a percent of annual general fund, special revenue fund and debt service fund expenses
 - Minimum savings thresholds for debt refundings
 - Issuance of certificates of obligation, PID and TIF bonds
- Current FMPC attached in Appendix C

Rating Agency Considerations

18

- Currently hold Aa1 /AA+ GO ratings from Moody's and Standard & Poor's, respectively
- One notch below highest ratings of Aaa/AAA
- Rating agency comments from October 2010:
 - ▣ Substantial and diverse tax base with potential for on-going development (Moody's)
 - ▣ Strong, conservative financial management practices (S&P)
 - ▣ Continued capital investment in infrastructure for rehabilitation and economic development (S&P)
 - ▣ Narrow fund balance compared to other highly rated cities (Moody's)
 - ▣ **Elevated yet manageable debt profile due to rapid repayment of principal (Moody's)**
- Comparison to other similarly rated cities included in Appendix A

Outstanding Debts as of 3/31/12

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	Balance (\$ million)	Rating (S&P/Moody's)	Revenue Pledge	Comments
General Obligation	\$1,659	AA+ / Aa1	Ad valorem taxes	
Dallas Water Utilities	\$1,806	AAA / Aa1	Net revenues from utility	
Convention Center	\$322	A / A1	Hotel Occupancy Tax, Convention Center Revenues, Alcoholic Beverage Tax for O&M	General Fund covenant to pay O&M costs if revenues are insufficient to maintain the Convention Center
Contingent Credits:				
Convention Center Hotel	\$480	A+ / A2	Net revenues of hotel, hotel tax and sales tax generated at the hotel (City and State portions)	Council consideration of a Chapter 380 Economic Development grant for debt service if reserves are exhausted
Downtown Dallas Development Authority TIF Revenue	\$77	A+ / Aa3	Tax Increment	Council consideration of a Chapter 380 Economic Development grant for debt service if reserves are exhausted
Total	\$ 4,344			

Storm Water Drainage Revenue Bond Requirements

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- Willingness to increase rates to make debt service payments and maintain coverage
- Coverage of revenues over debt service expenses by 1.25-1.5 times
 - ▣ Gross pledge – debt service is paid before any operating expenses and requires no reserves (1.5 times revenues)
 - ▣ Net pledge – debt service is paid after operating expenses and requires reserve fund (1.25 times revenues)
- Additional bonds test to demonstrate that revenues exceed projected debt service requirements for both the outstanding debt and the new bond issue by a stated amount
 - ▣ Assures bondholders that the issuer is financially sound

Effect of Additional Debt Service on Storm Water Rates

Projected Storm Water Rates

	Current Rate (FY2012)	FY2014 Projected Rate*	FY2015 Projected Rate*	Total Increase
<i>Residential Property Area Rates</i>				
Up to 6,000 s.f.	\$ 3.65	\$ 3.92	\$5.23	43%
6,001 - 8,000 s.f.	\$ 5.77	\$6.20	\$8.27	43%
8,001 - 17,000 s.f.	\$ 7.77	\$8.35	\$11.13	43%
17,001 - 215,000 s.f.	\$13.87	\$14.91	\$19.87	43%
More than 215,0000 s.f.	\$43.87	\$47.17	\$62.86	43%
<i>Vacant and commercial Property (per 100 s.f.)</i>				
	\$0.1589	\$0.1708	\$ 0.2277	43%

*Rate adjustments assume no changes in other operating and maintenance costs
 A similar rate adjustment would be required if Storm Water funds were used to repay
 General Obligation debt

Storm Water Drainage Revenue Bonds

Assumptions

22

- Scheduled Contract Awards
 - \$91 million – Able Pump Station - September 2013
 - \$217 million (unfunded portion) – Middle Creek/Peaks Branch/State-Thomas Tunnel Project – June 2014

- Scheduled Bond Issuances
 - \$91 million – August 2013
 - \$217 million – May 2014

- Debt service payments begin February 2014 with additional debt service expense of \$3.7 million increasing to \$21.3 million in FY2015

- **Rate adjustments required - 7.5% for FY2014 and 33% for FY2015**

- 1.5x coverage requirement

Conclusion

23

- Assuming current debt levels and operating fund needs, the total recommended 2012 Bond Program is \$600 million
 - Assumes no tax rate or fee increases

- If the economy continues to improve, it is likely that another bond election could be held sooner than the normal 4-6 year schedule

Next Steps

24

- Currently meeting with Councilmembers to identify district needs
- June 6 - Manager's Recommended Bond Program Briefing
- June 13 - Public Hearing
- June 20 – City Council Workshop to finalize 2012 Bond Program
- June/July – Bond Program Town Hall meetings
- August 15 – Call bond election
- November 6 – Bond Election
- March 2013 – Begin project awards

APPENDIX A

Peer City Credit Comparison
General Obligation Debt

“Peer” City Credit Comparison – G.O. Debt

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City of Dallas vs. Other Aa1 & Aaa Credits

City*	Senior Rating	State	General Fund Balance (\$000)	Total General Fund Revenues (\$000)	General Fund Balance as % of Revenues	Unreserved General Fund Balance as % of Revenues	Direct Net Debt as % of Full Value	Debt Burden (Overall Net Debt as % of Full Value)	Payout of Debt, 10 Years
Austin	Aaa	TX	108,710	628,119	17.3	16.6	1.2	3.8	69.0
Boston	Aaa	MA	707,193	2,295,308	30.8	29.2	1.2	3.2	71.8
Dallas	Aa1	TX	91,972	997,750	9.2	6.5	2.1	5.1	65.5
Fort Worth	Aa1	TX	162,893	558,500	29.2	25.0	1.5	6.3	69.9
Indianapolis	Aaa	IN	166,631	654,535	25.5	20.4	4.2	5.5	91.4
Oklahoma City	Aaa	OK	63,700	329,914	19.3	17.8	1.7	2.4	73.4
Phoenix	Aa1	AZ	255,581	985,852	25.9	23.5	1.4	2.2	48.7
San Antonio	Aaa	TX	229,636	894,074	25.7	22.3	2.5	8.7	59.1
San Jose	Aaa	CA	170,887	671,944	25.4	21.4	1.1	3.4	29.2
Tempe	Aa1	AZ	43,814	147,420	29.7	29.1	1.7	2.9	64.2
Virginia Beach	Aaa	VA	178,980	1,048,424	17.1	16.1	2.0	N/A	67.5
Medians	Aaa		168,759	663,240	25.6	21.8	1.6	3.4	67.5

* All city data as of respective 2010 Fiscal Year End.

APPENDIX B

Storm Water Fees

Q & A

Methodology for Charging the Storm Water Drainage Fee

28

- Fee structure for residential is a tiered billing approach based on a typical lot size with an assumed rate of imperviousness for each tier
- Fee structure for commercial is based on assumed percent of imperviousness
- Both commercial and residential properties pay the same rate per square foot of imperviousness
- Over the next several months, staff will be initiating the procurement process for a fee study
 - ▣ This fee study is anticipated to take approximately one year
 - ▣ Will analyze the methodology for setting the fee based on actual impervious area

Can impact fees be used to pay for storm water drainage infrastructure?

29

- ❑ Requires study to develop appropriate methodology
- ❑ Requires approval of ordinance
- ❑ Typically
 - ❑ Applies to new development, not re-development
 - ❑ Charged one time and dedicated to specific projects within that watershed that are impacted by the development
 - ❑ Cannot retro-actively charge projects
 - ❑ Could hinder development in undeveloped areas
 - ❑ Could delay capital improvements until funds have been collected to cover cost of project

APPENDIX C

Financial Management Performance Criteria
FY2011-12 Adopted Budget

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program

1. The City shall operate on a current funding basis. Expenditures shall be budgeted and controlled so as not to exceed current revenues plus the planned use of unassigned fund balance accumulated through prior year surplus. Nonrecurring or one-time revenues should, to the extent possible, only be used for one-time expenditures (expenditures not expected to reoccur and requiring future appropriations) to avoid future shortfalls.

2. The year-to-year increase of actual revenue from the levy of the ad valorem tax will generally not to exceed 8%:
 - Excluding taxable value gained by through annexation or consolidation;
 - Excluding the value gained through new construction;
 - Excluding expenditure increases mandated by the voters or another governmental entity; and
 - Not excluding the valuation gained through revaluation or equalization programs.

3. Debt will not be used to fund current operating expenditures.

Status

In Compliance

In Compliance

The percentage change in base revenue (from FY 2010-11 to FY 2011-12) is -2.0%.

Adjusted revenues cannot exceed “base” revenues more than 8%.

Base revenues = FY 2010-11 budgeted revenues	
from current tax roll (in 000's)	\$ 640,832
 2011-12 Ad-Valorem Tax Revenue	 \$ 629,965
Less: Voter Mandated-Debt Service	(\$ 3,832)
Growth from Annexation	\$ 0
Growth from New Construction	\$ 5,623
 Adjusted revenue recommendation:	 \$ 628,174
% Change from base revenues:	-2.0%

In Compliance

No debt is programmed in the Operating Budget to fund current expenses.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program (Continued)

4. All retirement systems will be financed in a manner to systematically fund liabilities. The City will assure sufficient funds are provided to pay current service plus interest on unfunded liabilities plus amortization of the unfunded liabilities over a programmed period. No less than annual reviews will be provided to Council by the pension funds.

5. Actuarial analysis will be performed annually on all retirement systems. Adjustments in benefits and contributions will be authorized only after meeting the test of actuarial soundness. All health plans should have actuarial reviews performed bi-annually to determine the required levels of funding necessary. These health plans shall be financed in a manner to ensure sufficient funds are available to fund current liabilities and provide some reserve levels for extraordinary claims.

6. Each enterprise fund of the City will maintain revenues which support the full (direct and indirect) cost of the fund. In addition, each Enterprise Fund and Internal Service Fund should maintain at least 30 days of budgeted operations and maintenance expense in net working capital, and avoid cash deficits.

Status

In Compliance

In Compliance

Not In Compliance

Convention & Event Services does not have sufficient fund balance to meet the guideline.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program (Continued)

7. The Emergency Reserve, a component of unassigned fund balance, shall be used to provide for temporary financing of unanticipated or unforeseen extraordinary needs of an emergency nature; for example, costs related to a natural disaster or calamity, a 5% decline in property values, or an unexpected liability created by Federal or State legislative action. Funds shall be allocated from the Emergency Reserve only after an analysis has been prepared by the City Manager and presented to City Council. The analysis shall provide sufficient evidence to establish that the remaining balance is adequate to offset potential downturns in revenue sources. The analysis shall address the nature of the adopted expenditure and the revenue requirement in subsequent budget years. Prior to allocating funds from the Emergency Reserve, the City Council shall find that an emergency or extraordinary need exists to justify the use of these funds. Funds shall be allocated each year in the budget process to replace any use of the Emergency Reserve funds during the preceding fiscal year to maintain the balance of the Emergency Reserve levels.

Status

In Compliance

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program (Continued)

8. The Contingency Reserve, a component of unassigned fund balance, shall be used to provide for unanticipated needs that arise during the year: for example, expenses associated with new service needs that have been identified after the budget process, new public safety or health needs, revenue shortfalls, service enhancements, or opportunities to achieve cost savings. Funds shall be allocated from the Contingency Reserve only after an analysis has been prepared by the City Manager and presented to the City Council outlining the initial and recurring costs associated with the adopted expenditure. Additionally, these funds would be used prior to use of the Emergency Reserve funds. Funds shall be allocated each year in the budget process to replace any use of the Contingency Reserve funds during the preceding fiscal year and to maintain the balance of the Contingency Reserve at a level ranging from ½% to 1% of budgeted departmental expenditures.

Status

In Compliance

The adopted Contingency Reserve level is \$5,100,000 or 0.5% of the General Fund budget. It will be funded from FY 2010-11 Contingency Reserve ending balance of \$3,436,886 and FY 2011-12 General Fund contribution of \$1,663,114.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program (Continued)

9. The unassigned fund balance of the General Fund, which includes the Emergency and Contingency Reserves, shall be maintained at a level not less than 5% of the General Fund operating expenditures less debt service. (The Risk Reserve is not included in this calculation.)

Status

In Compliance

Emergency Reserve
9/30/11 (projected ending balance) \$ 17.6M

Contingency Reserve
9/30/11 (projected ending balance) \$ 3.4M
FY2011-12 appropriations \$ 1.7M

Fund Balance 9/30/11 (projected) \$ 42.5M

Combined \$ 65.1M
\$65.1M is 6.4% of the adopted General Fund budget

10.A Risk Reserve shall be maintained at a level, which, together with purchased insurance policies, adequately protects the City's assets against loss. An analysis shall be conducted every three years or when the deductible level of the City's property insurance is modified (whichever is earlier), to determine the appropriate level of this reserve.

In Compliance

The adopted Risk Reserve level is \$1,250,000. It will be funded from the FY 2010-11 Risk Reserve ending balance of \$1,250,000.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program (Continued)

11. A General Fund liability fund shall be budgeted annually to provide for outstanding and anticipated claims expense and resulting liabilities during the budget year. An individual judgment settlement cap is set at \$5,000,000. The Emergency Reserve will be accessed should the cap be exceeded. An independent actuarial analysis shall be conducted every two years to determine the appropriate level of this fund.

12. Consider the establishment of a Landfill Closure / Post-Closure Reserve to provide for any future potential liabilities. Analysis will be performed periodically to determine appropriate timing and amount of funding needs. Funds could be allocated from an increase in user fees.

13. Operating expenditures will be programmed to include current costs of fully maintaining City facilities, including parks, streets, levees, vehicles, buildings, and equipment. A cost benefit analysis will be performed on replacement cost versus projected required maintenance costs to determine the level at which City facilities should be maintained. The analysis will also determine the long-term cost of any potential deferred maintenance cost. Normal maintenance will be funded through the operating budget.

14. An annual assessment and five year projection for all equipment and maintenance needs should be performed, and a maintenance and replacement schedule developed based on the projection.

Status

In Compliance

The adopted Liability/Claims Fund will be funded at \$8,568,433. It will be funded from the Liability/Claims Fund FY2010-11 ending balance of \$1,249,240, and FY2011-12 General Fund contribution of \$5,288,198, General Fund departmental contributions of \$735,465 and other funds contributions of \$1,295,530.

Establishment of reserve is not recommended at this time.

Not In Compliance

In Compliance, current replacement fleet and IT equipment schedules are prepared.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Operating Program (Continued)

15. An annual review of selected fees and charges will be conducted to determine the extent to which the full cost of associated services is being recovered by revenues. All fees and charges will be reviewed at least once every four years.

Status

In Compliance

A fees and charges study will be completed for approximately 25% of all fees in FY 2011-12.

Capital and Debt Management

16. Any capital projects financed through the issuance of bonds shall be financed for a period not to exceed the expected useful life of the project. (Bonds issued for street resurfacing shall be financed for a period not to exceed 10 years.)

In Compliance

17. The net (non self-supporting) General Obligation (G.O.) Debt of Dallas will not exceed 4% of the true market valuation of the taxable property of Dallas.

In Compliance
1.8%

18. Total direct plus overlapping debt shall be managed so as to not exceed 8% of market valuation of taxable property of Dallas. All debt, which causes total direct plus overlapping debt to exceed 6% of market valuation, shall be carefully planned and coordinated with all overlapping jurisdictions.

In Compliance
4.5%

19. Interest expense incurred prior to actual operation will be capitalized only for facilities of enterprise activities.

In Compliance

20. Average (weighted) General Obligation bond maturities (exclusive of Pension Obligation Bonds) shall be kept at or below 10 years.

In Compliance
6.6 Years

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

21. Annual General Obligation debt service (contribution) including certificates of obligation debt for risk management funding shall not exceed 20% of the total governmental fund expenditures (comprised of general fund, special funds, debt service funds and capital project funds).

Status

In Compliance
14.0% (Annual Debt Service Contribution, \$233.9m / Adopted Outstanding Debt at 9/30/12 , \$1.67b)

22. Per Capita General Obligation Debt including Certificates of Obligation, Equipment Acquisition Notes and General Obligation Bonds will be managed to not exceed 10% of the latest authoritative computation of Dallas' per capita annual personal income.

In Compliance
3.0% Total Debt
2.4%-GO Bond Debt

23. Debt may be used to finance betterments intended to extend service life of original permanent capital improvements under the following conditions:

In Compliance

- the original improvement is at or near the end of its expected service life;
- the betterment extends the life of the original improvement by at least one third of the original service life;
- the life of the financing is less than the life of the betterment;
- the betterment is financed through either C.O.'s or G.O.'s.

24. Interest earnings from G.O. Bonds shall be used solely to fund capital expenditures, debt service, or used to fund a reserve for capital contingencies.

In Compliance

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

	<u>Status</u>
25. Certificates of Obligation should be used only to fund tax-supported projects previously approved by the voters; or for risk management funding as authorized by the City Council; or non-tax revenue-supported projects approved by City Council.	In Compliance
26. Certificates of Obligation (C.O.) Debt including that for risk management funding supported by an ad valorem tax pledge should not exceed 15% of total authorized and issued General Obligation (G.O.) Debt. <ul style="list-style-type: none">• All C.O.'s issued in lieu of revenue bonds should not exceed 10% of outstanding G.O. Debt.	In Compliance 0.6%
27. Certificates of Obligation will be limited to projects consistent with Financial Management Performance Criteria for debt issuance.	In Compliance
28. Certificates of Obligation for an enterprise system will be limited to only those projects, which can demonstrate the capability to support the certificate debt either through its own revenues, or another pledged source other than ad valorem taxes.	In Compliance
29. Certificates of Obligation authorization will remain in effect for no more than five years from the date of approval by the City Council.	In Compliance
30. Certificates of Obligation authorized for risk management funding shall be issued for a term not to exceed 20 years.	In Compliance

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

Status

31. Tax Increment Financing zones should be established where revenues will recover 1.25 times the public cost of debt in order to provide an adequate safety margin. In Compliance
32. A Tax Increment Financing Reinvestment Zone may not be created if more than 10 percent of the property in the adopted zone, excluding property dedicated for public use, is used for residential purposes. "Residential purposes" includes property occupied by a house, which is less than five living units. In Compliance
33. Pursuant to the provisions of the Texas Tax Code, the City creates reinvestment zones both for tax increment financing ("TIF RZ") and for the tax abatement ("TA RZ"). TA RZs are created for the purpose of granting tax abatement on real or business personal property or both located in the TA RZ. For the FMPC, TIF RZs and TA RZs shall be referred to as Reinvestment Zones ("RZ"). In Compliance

No RZ can be created if the total property tax base of certain TIF RZs plus the total real property and business personal property tax base (if there is business personal property tax being abated) of TA RZs exceeds 10% of the total tax base (all real and business personal property) of the City. Reinvestment zones that are no longer collecting tax increment or abating taxes (i.e. now contributing 100% to the City of Dallas property tax revenues) will be excluded from the calculation.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

Status

34. All PID and TIF proposals, even “pay-as-you-go” projects, will be evaluated for service impact. A five-year fiscal note must accompany any request to establish a PID or TIF including repayment terms of any inter-fund borrowing. In Compliance
35. All adopted PID or TIF debt issuances supported by a district's revenues, are subject to the following criteria: In Compliance
- Coverage Tests - The project should provide for revenues, net of overlapping taxes, of 1.25 times maximum annual debt service requirement. The issuance of TIF bonds may be considered prior to achieving coverage ratio of 1.25 if:
 - a developer or property owner provides a credit enhancement such as a letter of credit or bond insurance from an AAA-rated financial institution for the entire amount of the debt issue; and
 - in the event that there is insufficient TIF increment revenues to retire TIF bonds, which event consequently requires that the credit enhancement mechanism be called upon to service the TIF bonded indebtedness, contingent liability to reimburse a credit-enhancer would be the sole liability of the developer or its affiliates; and
 - in the event that there are changes in the rating of the financial institution providing credit enhancement, then that institution shall be replaced with an AAA-rated financial institution within 90 days; and

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

Status

- in the event that no replacement of an AAA-rated institution is provided, no further TIF bonds in advance of the 1.25 coverage ratio will be provided for any additional TIF projects undertaken by the developer or its affiliates.
- Additional Bonds Test - the project should include an additional bonds test parallel to the coverage test.
- Reserve Fund - the project should include a debt service reserve fund equal to the maximum annual debt service requirements.
- Limitations on Amount of PID/TIF Bonds- The total amount of PID/TIF indebtedness will be included and managed as part of the City's overlapping debt, and
- The total amount of PID/TIF debt outstanding should generally not exceed 20% of the City's outstanding general obligation indebtedness.
- PID/TIF bonds should be limited to projects consistent with the City's previously adopted Financial Management Performance Criteria for debt issuance.
- PID bonds should be limited to those projects, which can demonstrate the ability to support the debt either through its own revenues or another pledge source other than ad valorem taxes.
- PID/TIF bond authorizations should remain in effect for no more than five years from the date of City Council approval.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

Status

36. All adopted PID or TIF debt issuances must mature on or before the termination date of the respective PID or TIF district and, further, all bonds must also conform to the district's Financial Plan by maturing on or before the plan's projected date by which all district expenses would be paid, repayment of bonds.
- In Compliance
37. The City will not propose the issuance of any unrated, high yield PID/TIF bond which could be labeled a "high risk bond" except for small (less than \$5 million) private placements coordinated with the City's Financial Advisor.
- In Compliance
- All projects must be carefully evaluated for credit-worthiness and meet the criteria above whether or not a credit rating is obtained.
38. The City should use PID/TIF bonds only when other options have been considered.
- In Compliance
39. Advance refundings and forward delivery refunding transactions should be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 4%.
- In Compliance
- Current refunding transactions should be considered when the net present value savings as a percentage of the par amount of refunded bonds is at least 3%.

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Capital and Debt Management (Continued)

40. Each Enterprise Fund (where applicable) will maintain fully funded debt service reserves. A surety bond (or other type of credit facility such as a letter of credit) may be used in lieu of funding the reserve if the former is economically advantageous.

Status

In Compliance

Accounting, Auditing, and Financial Planning

41. The City will establish and maintain a high degree of accounting practices; accounting practices will conform to generally accepted accounting principles as set forth by the authoritative standard setting body for units of local government.

In Compliance

The basis of budgeting for all funds essentially follows the basis of accounting (modified accrual). The major differences between the budgeting and accounting basis are: 1) encumbrances are recorded as expenditures (budget basis) rather than as a reservation of fund balance (accounting basis); 2) compensated absences (accrued but unused leave) are not reflected in the budget; 3) depreciation expense is not included in the budget basis; 4) change in fair value of investments is not recognized as income (expenditure) in the budget basis.

42. An annual audit will be performed by an independent public accounting firm, with the subsequent issue of an official Comprehensive Annual Financial Report (CAFR) within 120 days of the City's fiscal year end.

Not In Compliance

FY 2009-10 CAFR was issued June 10, 2011.

43. Full disclosure will be provided in the annual financial statements and bond representations.

In Compliance

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Budget

- | <u>Budget</u> | <u>Status</u> |
|---|---------------|
| 44. Revenues and expenditures will be projected annually for at least three years beyond the current budget projections. | In Compliance |
| 45. Financial systems will be maintained to monitor expenditures, revenues and performance of all municipal programs on an ongoing basis. | In Compliance |
| 46. Operating expenditures will be programmed to include the cost of implementing service of the capital improvements, and future revenues necessary for these expenditures will be estimated and provided for prior to undertaking the capital improvement. | In Compliance |
| 47. A report reflecting end of fiscal year status of performance against these criteria will be prepared within 60 days after official presentation of the Comprehensive Annual Financial Report to the City Council. A pro forma report reflecting Adopted Budget status will be submitted with the City Manager's Adopted Budget each year. | In Compliance |

Cash Management

- | | |
|---|---------------|
| 48. Investments will be made in conformance with the City's investment policy, with the primary objectives of preservation of capital, maintenance of sufficient liquidity and maximization of return on the portfolio. | In Compliance |
| 49. The accounting system and cash forecasting system will provide regular information concerning cash position and investment. | In Compliance |

FINANCIAL MANAGEMENT PERFORMANCE CRITERIA

FY 2011-12 Adopted Budget Status

Cash Management (Continued)

50. Internal Service Funds and Enterprise Funds will maintain positive cash balances.

Status

Not in Compliance, Convention and Event Services will not maintain a positive cash balance due to timing of receivables.

Grants and Trusts

51. All grants will be managed to comply with the laws, regulations and guidance of the grantor; and all gifts and donations will be managed and expended according to the wishes and instructions of the donor.

In Compliance

52. Prior to acceptance of proposed gifts and donations and governmental grants a fiscal review will be conducted. The review should consider matching requirements, impacts on both revenues and expenditures for the next five years, whether the objectives of the gifts, donation or grants meet the strategic goals of the City, and any potential impact of loss of funds.

In Compliance

Memorandum



CITY OF DALLAS

DATE April 13, 2012

TO Honorable Mayor and Members of the City Council

SUBJECT Proposed FY 2012-13 Consolidated Plan Budget

Your April 18, 2012 agenda includes an item to discuss the Proposed FY 2012-13 Consolidated Plan budget. The briefing includes the City Manager's recommended budget and amendments proposed by the Community Development Commission. Briefing materials are attached.

Council members are invited to submit any amendments you may have to the City Manager by April 26th. For the purpose of any Council proposed amendments, please use the CDC Amended Budget (column F) as the starting point. You will have the opportunity to discuss potential amendments to the Consolidated Plan budget during the May 2nd briefing meeting.

Please contact me at (214) 670-7804 if you have any questions.

A handwritten signature in cursive script that reads "Jeanne Chipperfield".

Jeanne Chipperfield
Chief Financial Officer

Attachments

C: Community Development Commission
Mary K. Suhm, City Manager
Rosa A. Rios, 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, Assistant City Manager
Stephanie Pegues-Cooper, Assistant to the City Manager
Jack Ireland, Director, Office of Financial Services

Proposed FY 2012-13 Consolidated Plan Budget



City Council Briefing
April 18, 2012



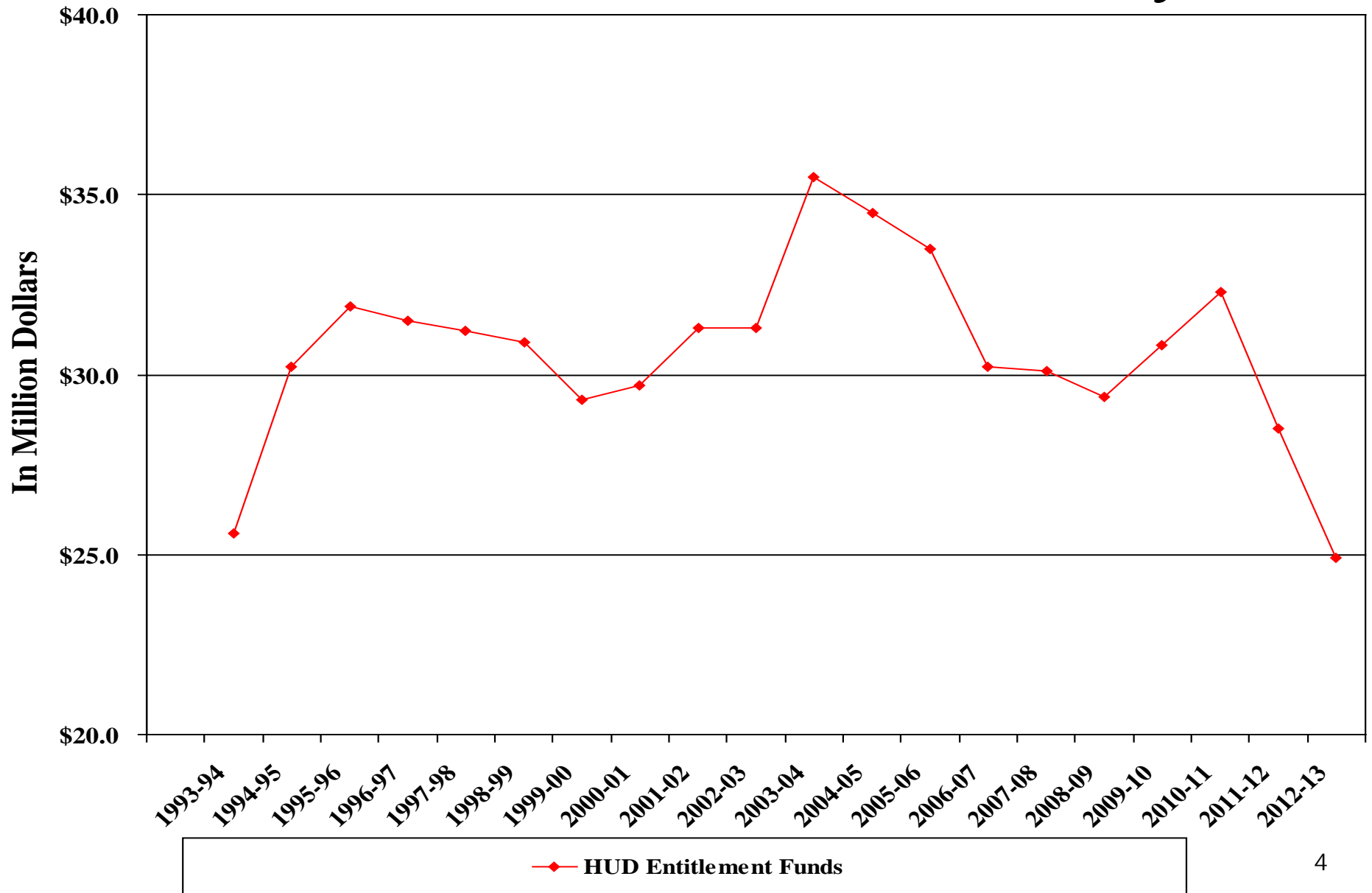
Purpose of Briefing

- Present City Manager's (CMO) recommended FY 2012-13 Consolidated Plan Budget
- Present recommended amendments from the Community Development Commission (CDC)
- Discuss changes included in proposed budget
- Review next steps

HUD Grant Funds

- Consolidated Plan program consists of 4 grants received from U.S. Department of Housing and Urban Development (HUD)
 - Community Development Block Grant (CDBG)
 - HOME Investment Partnerships (HOME)
 - Emergency Shelter Grant (ESG)
 - Housing Opportunities for Persons with AIDS (HOPWA)
- \$24,857,114 to be received from HUD for FY 2012-13 Consolidated Plan Budget
- \$3,633,766 decrease in overall FY 2012-13 grant funding

HUD Grant Funds - History



HUD Grant Funds

- **Community Development Block Grant (CDBG)**
 - \$14,720,740; entitlement and reallocation reduced by \$1,549,786 (9.5%)
 - To develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities

- **HOME Investment Partnerships (HOME)**
 - \$4,700,686; entitlement reduced by \$2,779,694 (37.2%)
 - To provide, develop, support, produce, and expand the supply of decent and affordable housing

HUD Grant Funds

- **Emergency Solutions Grant (ESG)**
 - \$1,375,313; entitlement increased by \$605,180 (78.6%)
 - To prevent homelessness and to assist those already homeless

- **Housing Opportunities for Persons with AIDS (HOPWA)**
 - \$4,060,375; entitlement increased by \$90,534 (2.3%)
 - To provide housing and/or supportive services to individuals with AIDS, persons who are HIV positive, and their families

Source of Funds

Source of Funds (Entitlement)	FY 2011-12 Budget	FY 2012-13 Proposed
CDBG (grant)	15,881,694	14,396,081
CDBG Reallocated Funds	388,832	324,659
HOME (grant)	7,480,380	4,700,686
ESG (grant)	770,133	1,375,313
HOPWA (grant)	3,969,841	4,060,375
Sub-Total HUD Grant Funds	\$28,490,880	\$24,857,114

Source of Funds

Source of Funds (Non-Entitlement)	FY 2011-12 Budget	FY 2012-13 Proposed
CDBG Program Income – Housing Activities	200,000	400,000
CDBG Program Income – Intown Housing Developer Repayments	35,000	35,000
CDBG Program Income – Retained by Sub-Recipient (SDDC)	600,000	600,000
CDBG Reprogramming	1,719,511	1,335,137
CDBG Substantial Amendment #12	150,000	0
HOME Program Income (Housing)	50,000	50,000
Sub-Total Non-Entitlement Funds	\$2,754,511	\$2,420,137
Grand Total All Sources	\$31,245,391	\$27,277,251

Use of Funds

Use of Funds	FY 2011-12 Budget	FY 2012-13 Proposed
Public Services (CDBG)	2,649,561	2,277,061
Housing Activities (CDBG)	9,395,644	9,834,899
Economic Development (CDBG)	1,240,000	1,240,000
Public Improvements (CDBG)	2,388,727	707,769
Fair Housing (CDBG)	375,784	319,416
Program Oversight (CDBG)	2,925,321	2,711,732
HOME Activities	7,530,380	4,750,686
ESG Activities	770,133	1,375,313
HOPWA Activities	3,969,841	4,060,375
Total	\$31,245,391	\$27,277,251

Budget Considerations

- Comply with HUD regulations
- Consistent with 5-Year Consolidated Plan
- Increased service level needs
- Reduced overall funding available for FY 2012-13 (12.7% decrease)
- Comply with City's timely expenditure policy
- Continue to comply with HUD monitoring and reporting requirements



CDBG: Public Services – Changes

- HUD regulations limit funding for Public Services to 15% of entitlement and program income
- All current year Public Services programs continued but reduced by the same amount to comply with HUD cap
- No new programs proposed

CDBG: Public Services – Changes

CDC's Proposed Amendments -

■ Increase

- Clinical Dental Care Program - \$14,060
- Training and Employment for Adults with Disabilities - \$3,515
- After-School/Summer Programs - \$472

■ Decrease

- Arts Education Program - \$18,047

Rationale for CDC Proposed Amendment:

1. CDC considers dental health for youth and seniors a high priority
2. CDC supports programs that serve more eligible people
3. Art education is included in after-school/summer programs

CDBG: Housing – Changes

- Restore funding for Relocation Assistance
 - Ensure funds are available to supplement any unanticipated needs, as required by HUD
- Increase funding for Mortgage Assistance Program to offset reduced funding in HOME grant
 - \$142,473 overall reduction in FY 2012-13 funding
- Increase funding for Residential Development Acquisition Loan Program to sustain affordable housing development due to reduction in HOME grant

CDBG: Housing – Changes

- Maintain level funding for other programs
 - Housing Services Program
 - Community Based Development Organizations
 - South Dallas/Fair Park Major Systems Repair
 - Minor Plumbing Repair/Replacement
 - Dedicated SAFE II Team
- Decrease funding for People Helping People primarily due to one-time cost for program site relocation being funded in FY 2011-12
- Decrease funding for Major Systems Repair Program due to reduced grant funding

CDBG: Housing – Changes

CDC's Proposed Amendments -

■ Decrease

- Relocation Assistance - \$100,000

■ Increase

- Public Improvements for Nonprofits - \$100,000

Rationale for CDC Proposed Amendment:

1. Unspent prior year funds available in Relocation Assistance to comply with HUD requirements
2. CDC supports making funds available to nonprofit organizations for eligible improvements at their facility

CDBG: Economic Dev – Changes

- Continue funding for 8 Business Assistance Centers at current levels (\$80,000 each)
 - Continue use of revolving loan funds (program income of \$600,000) for Business Loan Program
- CDC concurs with City Manager's recommendation – no amendments proposed



CDBG: Public Improvements - Changes

- Restore funding for citywide Neighborhood Street petition grant program
- Decrease funding for Neighborhood Investment Program (and companion Neighborhood Enhancement Program)
- No funding recommended for public improvements at nonprofit organizations

CDBG: Public Improvement – Changes

CDC's Proposed Amendments -

■ Increase

- Public Improvements for Nonprofits - \$100,000

■ Decrease

- Relocation Assistance - \$100,000

Rationale for CDC Proposed Amendment:

1. Unspent prior year funds available in Relocation Assistance to comply with HUD requirements
2. CDC supports making funds available to nonprofit organizations for eligible improvements at their facility

CDBG: Fair Housing and Program Oversight - Changes

- HUD regulations limit funding for Fair Housing, Planning, and Program Oversight activities to 20% of entitlement and program income
- All current year programs continued but at reduced levels as necessary to comply with HUD cap
- CDC concurs with City Manager's recommendation – no amendments proposed

HOME - Changes

- CHDO Development Assistance funding requirements above 15% minimum and CHDO Operating Assistance below 5% maximum of entitlement (HOME regulations)
 - Continue funding for all other programs at reduced levels due to decrease in grant funds
 - Mortgage Assistance Program
 - Reconstruction/SHARE Program
 - Housing Development Loan Program
 - Tenant Based Rental Assistance
- CDC concurs with City Manager's recommendation – no amendments proposed

ESG - Changes

- The Homeless Emergency Assistance and Rapid Transition to Housing Act of 2009 (HEARTH Act) amended the McKinney-Vento Homeless Assistance Act and made major revisions to Emergency Shelter Grant
- One of the revisions to the grant program was the renaming to Emergency **Solutions** Grant (ESG) noting a desire of the Administration to solve homelessness

ESG - Changes

- HEARTH Act also codified into law the Continuum of Care planning process to assist with homeless coordination of services and addressing the needs of the homeless
- New rules for ESG published in Federal Register on December 5, 2011
- ESG emphasis is:
 - Broaden existing emergency shelter and homelessness prevention activities
 - Emphasize rapid re-housing
 - Help people quickly regain stability in permanent housing after experiencing a housing crisis and/or homelessness

ESG - Changes

Eligible Activities	Eligible Clients	
	Those who are Homeless	Those who are at-risk of Homelessness
1. Street Outreach*	X	
2. Emergency Shelter*	X	
3. Homelessness Prevention		X
4. Rapid Re-Housing	X	
5. Homeless Management Information System (HMIS)	X	X
6. Administration (7.5% of grant)	N/A	N/A

* Note: Combined total of Activities 1 and 2 can not exceed 60% of total grant allocation.

ESG - Changes

- New HUD rules require consultation with Continuum of Care (CoC) within geographic area regarding:
 - Determining how to allocate funds
 - Developing performance standards for activities
 - Developing policies and procedures
 - Consistent with CoC established priorities, funding allocations made as recommended at February 28, 2012 monthly CoC meeting.
- CDC concurs with City Manager's recommendation – no amendments proposed

HOPWA - Changes

- Funding allocations made according to priorities established by the Ryan White Planning Council (RWPC) and with needs identified in RWPC 2010 Comprehensive Needs Assessment
 - New programs added
 - Emergency/Tenant Based Rental Assistance – Housing Services split out from Supportive Services per HUD guidance
 - Housing Information/Resource Identification added as recommended by HIV housing community planning group
 - Continue all other programs funded in FY 2011-12
- CDC concurs with City Manager's recommendation – no amendments proposed

Next Steps

- April 18 – FY 2012-13 Consolidated Plan Budget with CDC recommended amendments briefing to Council
- April 26 – Council proposed amendments due to City Manager
- May 2 – Council proposed amendments and straw votes on FY 2012-13 Consolidated Plan Budget
- May 23 – Preliminary adoption of FY 2012-13 Consolidated Plan Budget and call the public hearing

Next Steps

- May 24 – Begin 30 day public review
- June 13 – Public hearing before the City Council
- June 27 – Final adoption of FY 2012-13 Consolidated Plan Budget
- August 15 – Submit FY 2012-13 Action Plan to HUD
- October 1 – Implement plan



Attachment A

- Proposed FY 2012-13 Consolidated Plan Budget

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
SOURCE OF FUNDS					
Community Development Block Grant					
Entitlement (grant)		15,881,694	14,396,081		14,396,081
HUD Reallocated Funds		388,832	324,659		324,659
Program Income - Housing Activities		200,000	400,000		400,000
Program Income - Section 108		35,000	35,000		35,000
Program Income - Sub-Recipient Retained Program Income (SDDC)		600,000	600,000		600,000
Substantial Amendment #12 - For West Dallas Court Reprogramming		150,000			
		1,719,511	1,335,137		1,335,137
		18,975,037	17,090,877		17,090,877
Home Investment Partnership					
Entitlement (grant)		7,480,380	4,700,686		4,700,686
Program Income Housing Activities		50,000	50,000		50,000
		7,530,380	4,750,686		4,750,686
Emergency Solutions Grant					
Entitlement (grant)		770,133	1,375,313		1,375,313
Housing Opportunities for Persons with AIDS					
Entitlement (grant)		3,969,841	4,060,375		4,060,375
	TOTAL SOURCE OF FUNDS	31,245,391	27,277,251		27,277,251
USE OF FUNDS					
Community Development Block Grant					
Public Services (15% of CDBG maximum amount allowed)		2,649,561	2,277,061		2,277,061
Housing Activities		9,395,644	9,934,899	(100,000)	9,834,899
Economic Development Activities		1,240,000	1,240,000		1,240,000
Public Improvements		2,388,727	607,769	100,000	707,769
Fair Housing		375,784	319,416		319,416
Program Oversight (20% of CDBG maximum amount allowed)		2,925,321	2,711,732		2,711,732
		18,975,037	17,090,877		17,090,877
HOME Investment Partnerships Program					
HOME Programs		7,530,380	4,750,686		4,750,686
Emergency Solutions Grant					
ESG Programs		770,133	1,375,313		1,375,313
Housing Opportunities for Persons with AIDS					
HOPWA Programs		3,969,841	4,060,375		4,060,375
	TOTAL USE OF FUNDS	31,245,391	27,277,251		27,277,251

Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)					
CDBG - Public Services					
1 After-School/Summer Program - Provide after school and summer programs for low income youth Monday thru Friday through structured recreational, cultural, social and life skills activities. 24 CDBG funded sites.	CW	616,880	530,175	472	530,647
2 Child Care Services Program - Provide after school programs, and daycare for special needs children, children who are homeless, and children with disabilities via contracts with non-profit agencies.	CW	220,071	189,129		189,129
3 City Child Care Services - Provide child care subsidies for low and moderate income working parents and teenage parents who are attending school and do not qualify for any other form of public assistance.	CW	276,514	237,636		237,636
4 Arts Education Program - Participants learn the art of theatre while applying critical thinking skills, control of language, life skills and create ground rules for life success.	CW	21,000	18,047	(18,047)	0
Youth Programs Sub-Total		1,134,465	974,987	(17,575)	957,412
5 Clinical Dental Care Program - Provide dental health services to seniors and low-income youth through age of 19 via contract with non-profit agency.	CW	100,000	85,940	14,060	100,000
Clinical Health Services Sub-Total		100,000	85,940	14,060	100,000
6 City Crisis Assistance - Provide rapid response, crisis intervention, and intensive case management to Dallas residents, age 60 and above, who may have mental health problems causing high-risk behaviors. In addition, the program provides assertive and persistent street outreach to the city's chronic, unsheltered, and hard-to-reach homeless populations.	CW	230,000	197,662		197,662
7 City Office of Senior Affairs - Enhance the quality of life for older adults by disseminating support services information and providing direct and emergency support services.	CW	160,000	137,504		137,504
8 Senior Services Program - Provide case management and other programs for seniors, as well as investigative support services in both community and institutional settings via contracts with non-profit agencies.	CW	85,000	73,049		73,049
Senior Services Sub-Total		475,000	408,215	0	408,215
9 South Dallas / Fair Park Community Court - Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	5,7	294,653	253,225		253,225
10 South Oak Cliff Community Court - Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	4,8	280,443	241,013		241,013

*CW = City Wide

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
11 West Dallas Community Court - Through the community court, offenses to persons and code violations of property are swiftly adjudicated and restitution made by defendants who plead guilty or no contest.	1,3,6	230,000	197,662		197,662
12 Offender Re-entry Program (HOU) - Provide a comprehensive offender re-entry case management program designed to promote the effective reintegration of offenders as they return to communities.	CW	110,000	94,534		94,534
13 Training and Employment for Adults with Disabilities - Provide development of life skills, vocational training and job placement for adults with disabilities.	CW	25,000	21,485	3,515	25,000
Other Public Services (Non-Youth) Sub-Total		940,096	807,919	3,515	811,434
Total CDBG - Public Services		2,649,561	2,277,061	0	2,277,061
<u>CDBG - Housing Activities</u>					
14 Relocation Assistance - Provide funding and staff for relocation assistance in the City.	CW	0	200,000	(100,000)	100,000
Legal Commitment/Mandates Sub-Total		0	200,000	(100,000)	100,000
15 Housing Development Support - Provide service delivery staff to implement the Mortgage Assistance Program and CHDO Program which benefit low income homeowners.	CW	1,058,540	1,169,179		1,169,179
16 Mortgage Assistance Program - Provide no interest, deferred payment loans for down-payment, principal reduction and closing cost assistance up to a maximum of \$25,000. In addition, provides \$1,500 for minor repairs to meet federal quality standards.	CW	1,342,473	1,800,000		1,800,000
17 Housing Services Program - Provides CDBG funds to CHDOs for cost in support of HOME-funded activities, such as housing counseling, loan processing, and other services related to assisting potential homebuyers participating or seeking to participate in HOME funded projects.	CW	50,000	50,000		50,000
18 Residential Development Acquisition Loan Program - Provide loans and grants to affordable housing developers for acquisition, relocation, and demolition to support affordable housing development for low income households.	CW	750,000	1,000,000		1,000,000
19 Community Based Development Organization (CBDO) - Provide for construction of new housing by CBDO's in targeted revitalization areas (i.e. NIP)	CW	300,000	300,000		300,000
Homeownership Opportunities Sub-Total		3,501,013	4,319,179	0	4,319,179
20 Housing Assistance Support - Provide service delivery staff to implement the Major Systems Repair Program and Reconstruction/SHARE Program, which benefit low income homeowners.	CW	1,721,943	1,816,099		1,816,099

FY 2012-13 CONSOLIDATED PLAN FOR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ATTACHMENT A

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
21 Major Systems Repair Program - Provide homeowner assistance with repairs/replacements of two of the following four major systems: heating/air, plumbing/gas, roof and electrical.	CW	2,104,848	1,933,761		1,933,761
22 South Dallas /Fair Park Major Systems Repair Program - Provide homeowner assistance to those living in the South Dallas/Fair Park trust fund area with repairs/replacements of two of the following four major systems: heating/air, plumbing/gas, roof and electrical.	7	50,000	50,000		50,000
23 Minor Plumbing Repair/Replacement Program - Provide leak repairs, low flow toilet and fixture replacement and minor plumbing repair assistance to low income homeowners.	CW	50,000	50,000		50,000
24 People Helping People (PHP) Program - Provide for minor exterior repair services to single family homes through volunteers and contract services to lower income, elderly and disabled homeowners.	CW	1,242,127	840,147		840,147
Homeowner Repair Sub-Total		5,168,918	4,690,007	0	4,690,007
25 Dedicated SAFE II Expansion Code Inspection - Code Compliance - Provide enhanced code enforcement activities to supplement police investigations where criminal actions hamper or prevent community revitalization.	CW	96,000	96,000		96,000
26 Dedicated SAFE II Expansion Code Inspection - Fire Department - Provide enhanced code enforcement activities to supplement police investigations where criminal actions hamper or prevent community revitalization.	CW	70,538	70,538		70,538
27 Dedicated SAFE II Expansion Code Inspection - Police Department - Provide enhanced code enforcement activities to supplement police investigations where criminal actions hamper or prevent community revitalization.	CW	74,657	74,657		74,657
28 Neighborhood Investment Program - Code Compliance - Provide enhanced code enforcement activities in the targeted neighborhood areas.	1-8	484,518	484,518		484,518
Other Housing/Neighborhood Revitalization Sub-Total		725,713	725,713	0	725,713
Total CDBG - Housing Activities		9,395,644	9,934,899	(100,000)	9,834,899
CDBG - Economic Development					
29 Business Loan Program (Program Income) - SDDC retains program income generated from revolving business loan program to provide additional loans.	CW	600,000	600,000		600,000

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
30 Business Assistance Center Program - Provide comprehensive technical assistance and business support services to Low/Moderate income persons interested in developing Micro-Enterprises and those who own Micro-Enterprises.	CW	640,000	640,000	0	640,000
• BAC #1 -		80,000	80,000		80,000
• BAC #2 -		80,000	80,000		80,000
• BAC #3 -		80,000	80,000		80,000
• BAC #4 -		80,000	80,000		80,000
• BAC #5 -		80,000	80,000		80,000
• BAC #6 -		80,000	80,000		80,000
• BAC #7 -		80,000	80,000		80,000
• BAC #8 -		80,000	80,000		80,000
Total CDBG - Economic Development		1,240,000	1,240,000	0	1,240,000
CDBG - Public Improvements					
31 Neighborhood Street Improvement Petition Grant - Provide grants to low income resident property owners for their share of the costs associated with alley, sidewalk and street paving improvement projects.	CW	0	50,000		50,000
32 Neighborhood Enhancement Program (NEP) - Provide toolbox of neighborhood improvements to increase aesthetic appeal and compliment community development efforts in Neighborhood Investment and other strategically targeted areas.	1-8	50,000	25,000		25,000
33 Neighborhood Investment Program Infrastructure - Provide infrastructure improvements related to architectural and engineering design in the 5 NIP target areas.	1-8	2,253,727	532,769		532,769
34 Public Improvements for NonProfits -Provide grant funds to nonprofit organization(s) for eligible projects.	1,3,6	85,000	0	100,000	100,000
Public Improvements Sub-Total		2,388,727	607,769	100,000	707,769
Total CDBG - Public Improvements		2,388,727	607,769	100,000	707,769
CDBG - Fair Housing					
35 Fair Housing Enforcement - Provide housing discrimination investigations, fair housing education and outreach and citizen referrals.	CW	375,784	319,416		319,416
Total CDBG - Fair Housing		375,784	319,416	0	319,416
CDBG - Planning & Program Oversight					
36 Citizen Participation/CDC Support/HUD Oversight - Office of Financial Services/Community Development Division. Provide coordination of ConPlan budget development, citizen participation, and reporting to HUD as primary City liaison.	CW	806,437	733,263		733,263

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
37 Grant Compliance - Office of Financial Services/Community Development Division. Provide monitoring of Federally funded grant programs to ensure compliance with Federal, State and Local Regulations in order to minimize risk of sanctions being imposed by HUD.	CW	412,931	412,931		412,931
38 Housing Contract Monitoring - Provide comprehensive management, oversight and technical assistance for both external and internal programs receiving grant funds.	CW	554,971	505,474		505,474
39 Housing Management Support - Provide funding for Housing management staff support for housing programs.	CW	785,099	730,167		730,167
40 Economic Development Oversight - Provide contract administration; compliance and oversight of CDBG funded programs.	CW	283,986	248,000		248,000
41 Parks and Recreation Oversight - This position assists the Contract Compliance Manager with the review of all PKR Public Service programs and contracts for compliance with HUD guidelines.	CW	81,897	81,897		81,897
Total CDBG - Planning & Program Oversight		2,925,321	2,711,732	0	2,711,732
Total CDBG - Fair Housing and Planning & Prog. Oversight		3,301,105	3,031,148	0	3,031,148
TOTAL COMMUNITY DEVELOPMENT BLOCK GRANT		18,975,037	17,090,877	0	17,090,877
HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME)					
42 CHDO Development Loans - Development and pre-development loans to nonprofit City-certified CHDOs developing affordable housing for low income households.	CW	1,400,000	1,050,000		1,050,000
43 CHDO Operating Assistance - Provide operational support to assist with the development and management of CHDO projects.	CW	300,000	200,000		200,000
44 HOME Program Administration - Housing department staff administrative costs.	CW	528,223	380,069		380,069
45 MAP Administration - Provide administrative and planning funds for the sub recipients associated with the implementation of the HOME MAP loans.	CW	40,000	40,000		40,000
46 Mortgage Assistance Program - Provide no interest, deferred payment loans for down-payment, principal reduction and closing cost assistance up to a maximum of \$25,000.	CW	1,400,000	800,000		800,000
47 Reconstruction/SHARE Program - Provide deferred loans to low income homeowners for reconstruction of their existing homes.	CW	1,660,006	1,030,617		1,030,617

Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
48 Housing Development Loan Program - Provide private and non-profit organizations with loans/grants for the development of permanent supportive housing and senior housing, including but not limited to pre-development costs, development costs, construction subsidies, relocation costs, demolition costs, acquisition costs, related acquisition costs, rental rehabilitation.	CW	1,372,336	900,000		900,000
Home Ownership Opportunities Sub-Total		6,700,565	4,400,686	0	4,400,686
49 Tenant Based Rental Assistance - Provide transitional rental assistance to homeless persons for a minimum of one year while they become stabilized.	CW	650,000	300,000		300,000
50 Tenant Based Rental Assistance (Admin) - Provide comprehensive management, oversight and technical assistance.	CW	179,815	50,000		50,000
Other Housing Sub-Total		829,815	350,000	0	350,000
TOTAL HOME INVESTMENT PARTNERSHIP PROGRAM		7,530,380	4,750,686	0	4,750,686
EMERGENCY SOLUTIONS GRANT (ESG)					
51 Contracts - Essential Services - Provide direct services to the homeless to address employment (job placement and training), child care, substance abuse treatment and health prevention services.	CW	88,362	88,362		88,362
52 Contracts - Operations - Provide payment of operational costs for shelters or transitional housing facilities for homeless persons.	CW	142,200	142,200		142,200
53 Homeless Assistance Center - Essential Services - Provide case management services to assist clients in obtaining federal, state and local assistance.	CW	122,786	122,786		122,786
54 Homeless Assistance Center - Operations - Provide payment of utilities and other operating costs for the Homeless Assistance Center.	CW	378,279	378,279		378,279
Essential Services/Operations Sub-Total		731,627	731,627	0	731,627
55 Homeless Prevention - Financial Assistance - Provide short-term (3 months) and medium-term (4 - 24 months) of rental assistance; rental arrears up to six months; utilities assistance; moving costs, etc. to persons at-risk of homelessness and meet income limits below 30% of the area median income.	CW	0	93,885		93,885
56 Homeless Prevention - Housing Relocation and Stabilization- Provide case management, housing search and placement, legal services, credit repair to persons at-risk of homelessness and meet income limits below 30% of area median income.	CW	0	35,000		35,000
Homeless Prevention Sub-Total		0	128,885	0	128,885
57 Rapid Re-Housing – Financial Assistance - Provide assistance with application fees, deposits, and rental arrears up to six months for persons who are homeless.	CW	0	30,000		30,000

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
58 Rapid Re-Housing - Housing Relocation & Stabilization - Provide case management, housing search and placement, legal services, credit repair to homeless persons in permanent housing programs.	CW	0	356,653		356,653
Rapid Re-Housing Sub-Total		0	386,653	0	386,653
59 HMIS Data Collection- Provide client-level data collection for persons served by the grant, as well as training, generating reports, monitoring and reviewing data quality.	CW	0	25,000		25,000
HMIS Data Collection Sub-Total		0	25,000	0	25,000
60 ESG Administration - Monitor and evaluate contracts and other program activities.	CW	38,506	103,148		103,148
Program Administration Sub-Total		38,506	103,148	0	103,148
TOTAL EMERGENCY SOLUTIONS GRANT		770,133	1,375,313	0	1,375,313
<u>HOUSING OPPORTUNITIES FOR PERSONS WITH AIDS (HOPWA)</u>					
61 Emergency/Tenant Based Rental Assistance/Financial Assistance - Provide long-term and transitional rental assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area.	CW	1,600,000	1,700,000		1,700,000
62 Emergency/Tenant Based Rental Assistance/Housing Services- Provide long-term and transitional rental assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area.	CW	0	650,000		650,000
63 Housing Facilities Operation - Provide housing operation costs, including lease, maintenance, utilities, insurance and furnishings for facilities that provide assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area.	CW	575,000	464,868		464,868
64 Supportive Services - Provide supportive services, information and referral, and outreach in conjunction with housing assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area, including hospice/respite care for affected children.	CW	1,499,534	849,534		849,534
65 Housing Information/Resource Identification - Provide supportive services, information and referral, and outreach in conjunction with housing assistance to persons with HIV/AIDS and their families who live in the Dallas eligible metropolitan area, including hospice/respite care for affected children.	CW	0	100,666		100,666
Other Public Services Sub-Total		3,674,534	3,765,068	0	3,765,068

FY 2012-13 CONSOLIDATED PLAN FOR U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

ATTACHMENT A

A	B	C	D	E	F
Project Name	CD	FY 2011-12 Amended Budget	FY 2012-13 CMO Proposed Budget	CDC Proposed Amendments +/-	FY 2012-13 CDC Amended Budget
66 Program Administration/City of Dallas - Provide administrative oversight, evaluation and technical assistance for grant funds and program activities.	CW	111,679	111,679		111,679
67 Program Administration/Project Sponsors - Provide administrative costs for project sponsors in oversight and evaluation of program activities.	CW	183,628	183,628		183,628
Program Administration Sub-Total		295,307	295,307	0	295,307
TOTAL HOUSING OPPORTUNITIES FOR PERSONS W/ AIDS		3,969,841	4,060,375	0	4,060,375
GRAND TOTAL CONSOLIDATED PLAN BUDGET		31,245,391	27,277,251	0	27,277,251