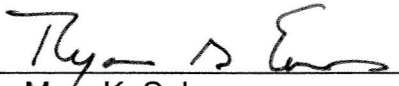


**FEBRUARY 2, 2011 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated February 2, 2011. 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

1-28-11

Date



Edward Scott
City Controller

1-28-11

Date

RECEIVED

2011 JAN 28 PM 2:12

CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

February 2, 2011

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, FEBRUARY 2, 2011
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 January 19, 2011 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. Mayor's Youth Fitness Initiative (MyFi)
- B. FY 2010-11 Community Development Block Grant Extensions and Reprogramming

Lunch - *Tour of Southside Wastewater Treatment Plant - Cogeneration Project*

- C. Proposed Plan to Address Abandoned Shopping Carts

Closed Session 6ES

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

- Legal issues regarding Larry Bankston Trial Board Hearing
- Allan G. Ramirez, Claim No. 10285693
- Jose Hernandez and Jose Garcia v. City of Dallas, Cause No. 09-06740-E
- Marcus Wood, et al. v. Tom Leppert, et al., Cause No. 10-14835-M

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, FEBRUARY 2, 2011

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.

PUBLIC MEETINGS FOR FEBRUARY 1 - FEBRUARY 14, 2011

Tuesday, February 1, 2011

Civil Service Board (**Cancelled**)
8:30 a.m.
City Hall, Suite 1C-South

Memorandum



DATE January 28, 2011

TO Honorable Mayor and Members of the City Council

SUBJECT Dallas City Council Mayor's Youth Fitness Initiative (MyFi) Briefing

On Wednesday, February 2, 2011 the Dallas City Council Mayor's Youth Fitness Initiative (MyFi) briefing will be presented to you by Michael S. Rawlings, President of the Dallas Park and Recreation Board. The briefing material is attached for your review.

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



Forest E. Turner
Assistant City Manager

Attachment

c: Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Helena Stevens-Thompson, Assistant to the City Manager – Council Office
Paul D. Dyer, P.E., Director, Park and Recreation Department



Dallas City Council Briefing Mayor's Youth Fitness Initiative (MyFi)

February 2, 2011

Our Challenge as a City



- **One in every four** Dallas-area high school students is obese or overweight – significantly higher than the Texas and national rates.
- **In 2008, only one in five** Dallas third-graders passed the Texas-mandated FitnessGram® assessment, compared to about one in three statewide.
- **Only one-third** of high school students get the recommended levels of physical activity.
- Many kids don't have access to fruit and vegetables or nutritional meals at school or may live in, what Children's Medical Center calls, **food "deserts"**.
- **Obesity and physical inactivity** are risk factors for more than 20 chronic diseases, including diabetes, heart disease, orthopedic conditions, gallbladder disease, sleep apnea and mental health problems.
- Considering these current trends, **one in three** kids born after the year 2000 will develop Type II diabetes.

Background



- Oncor stepped forward with a commitment to help with funding and to develop a new initiative for long-term sustainable change.
- Oncor's \$1 million contribution provides seed money for new programs. Additional funding will be needed to expand and sustain programs.
- Recruitment of key leaders and additional funding began late last summer.

Role of Dallas Parks System



- Existing System is a valuable resource that could be utilized as the Key Delivery System for MyFi in Dallas.
- Key strategy is to deliver real benefits for citizens – this will be a major priority.
- Robust and ample system is already available:
- 18,361 kids already use system.
 - 43 Recreation Centers
 - 16 Pools open
 - 104 Miles of Hike and Bike Trails
- We are reorganizing current programs to do this in the most cost effective manner.

Why MyFi?



- **Current youth health trends are not acceptable.**
- **There are many groups focused on aspects of youth fitness & health.**
- **Missing Elements:**
 - **Pulling it all together**
 - **A plan for each child**
 - **Periodic assessment**
 - **Rewards & Recognition**
- **Our goal is to change lifestyles in order to change a child's:**
 - **Health**
 - **Self Confidence**
 - **School Performance**
 - **Future**

Executive Committee Members



- Dallas Mayor – **Tom Leppert**
- Dallas Park and Recreation Board President – **Mike Rawlings**
- Oncor Chairman and CEO – **Bob Shapard**
- Baylor Health Care System President and CEO – **Joel Allison**
- Cooper Institute Chairman and CEO – **Dr. Kenneth Cooper**
- LaLa-USA Chief Executive Officer – **Steven McCormick**
- Combs Produce CEO – **Jeff Partridge**
- Walmart Senior Vice President, Texas Division – **Jeff McAlister**
- Luke's Locker Founder – **Don Lucas**
- Dallas County Commissioner – **John Wiley Price**
- Dallas Cowboys Executive Vice President Brand Management/President of Charities – **Charlotte Jones Anderson**
- Dallas Mavericks President and CEO – **Terdema Ussery**
- FC Dallas - **Clark Hunt**
- Rangers Baseball – **Chuck Greenberg & Rick George**
- Pursuant Sports President – **Robin Blakeley**

Our Vision: A New Generation Taking Shape



- We want Dallas to have the healthiest kids in the nation. To achieve this goal, the Mayor's Youth Fitness Initiative will help:
 - **Improve** the long-term physical and mental health of children across our city
 - **Improve** scholastic performance
 - **Reduce** the economic impact of health care burden
 - **Create** sustainable opportunities for families to learn a lifetime of healthy habits

Our Plan



- The Initiative seeks to make a long-term difference—not just a difference through a single program in a single year.
- Our goal is to bring together organizations to set high and achievable standards for youth health and fitness programs and support healthy eating and active living.
- This initiative will also work to make Dallas Park and Recreation Centers a more vibrant and fundamental part of the incremental change to a healthy and productive community, utilizing the centers a primary distribution vehicle for MyFi programs.
- We will use a consistent measurement tool to chart improvement and success.
- MyFi's focus is to engage all kids, including those who aren't involved in activities and sports. Indeed, this is where MyFi stands to have the greatest impact.
- MyFi will also target kids who enjoy sports (especially those who watch more than participate) by leveraging relationships with mayor sports franchises and interests in the area.



- “Today, **improper nutrition, along with physical inactivity** and television time, are underlying factors for the approximately 12.5 million cases of childhood obesity...” - *William H. Dietz, Director, Division of Nutrition, Physical Activity, and Obesity, Centers for Disease Control and Prevention*
- More than 80% of Dallas high school students reported eating fewer than 5 servings of fruits and vegetables per day.
- Nutrition and physical activity *must* go hand-in-hand to reap the full benefits.
- MyFi's goal is to help children to make nutritious choices that lead to long term, healthy lifestyle changes.
 - Family farm stands at recreation centers
 - Individual nutritional awards and recognition

Measuring Our Success



- Regular assessments, rewards and recognition are vital components to the Mayor's Youth Fitness Initiative.
 - Benchmark Assessment: FitnessGram®
 - Activity and nutrition logs
 - MyFi recognition and rewards program
- Identifying the appropriate technology to track progress and outcomes will be imperative.

Organizational Structure - Overview

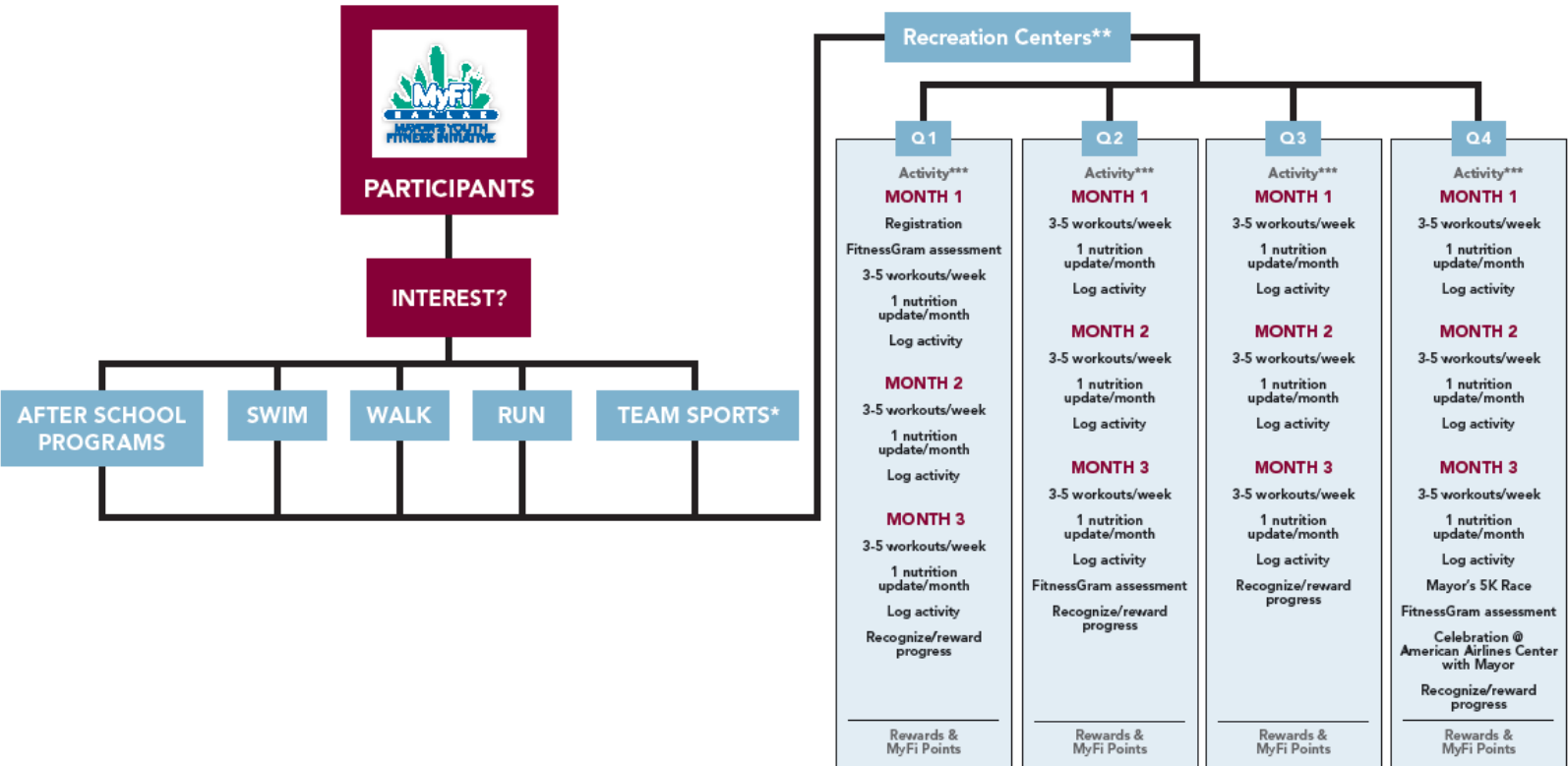


- MYFI is a public/private partnership.
- The Executive Committee will establish a strategic plan.
- An Executive Director and the Park and Recreation Department Director will work closely with the Executive Committee and a Board of key stakeholders and implement the plan and supporting programs.

Conceptual Program Flow Chart



- DRAFT -

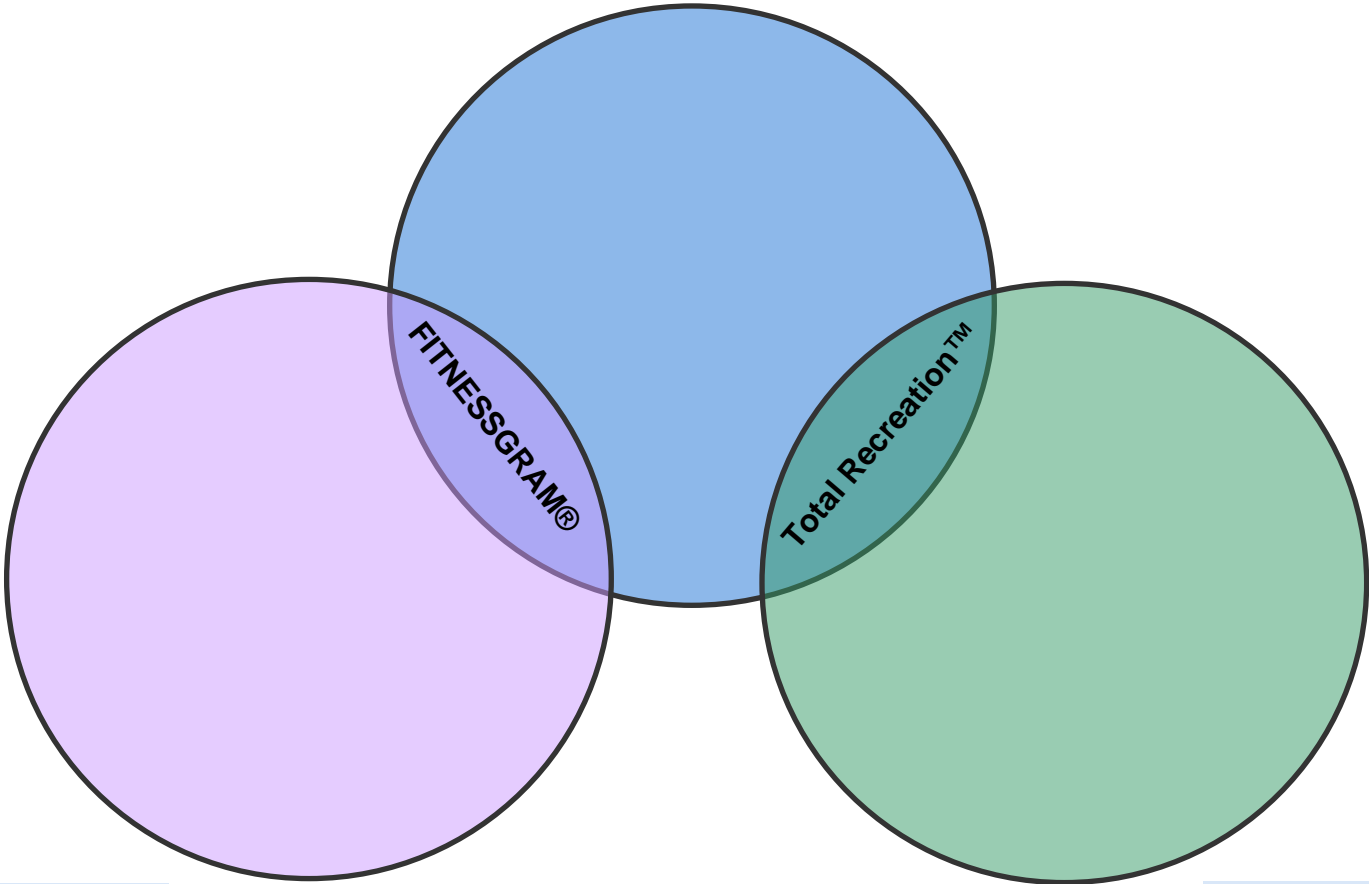


MyFi points can be accumulated for additional rewards.

*Team Sports = all league/city-run team sport programs i.e., basketball, baseball, volleyball, soccer; includes possible partnerships with area professional teams such as Dallas Mavericks, Dallas Cowboys, Texas Rangers.
 **Could be expanded to include YMCA and Boys & Girls Club in the future.
 ***Example list of activities: swimming, running, soccer, baseball, basketball, football, kickball, softball, etc.



**Mayor's Youth
Fitness Initiative**



Cooper Institute

Baylor DWHI

2011 Planning Assumptions



- Target 14 recreation centers for launch in 2011.
- Programs will be launched Summer 2011.
- Recruiting sessions will be held during second quarter in recreation centers and schools.



MyFi Budget* under development that provides for the following:

- Incremental staffing for selected recreation centers
- Program supplies and materials
- Tracking and reporting systems
- Scholarships
- Transportation
- Rewards and recognition incentives

* Funding will be provided by Oncor's initial \$1 million gift and other funding partners.

MyFi Budget, cont'd

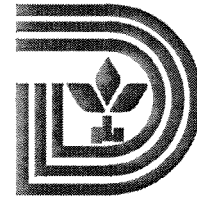


- Executive Committee has not reviewed any budgets to date.
- Budget to be finalized by April 1, 2011.
- Key Partners will cover all incremental costs.
- No incremental costs to the city
- All funds to be held for MyFi programs, initially to be kept at the Dallas Parks Foundation.



Discussion and Feedback

Memorandum



CITY OF DALLAS

DATE January 28, 2011

TO The Honorable Mayor and Members of the City Council

SUBJECT FY 2010-11 Community Development Block Grant
Extensions and Reprogramming

On Wednesday February 2, 2011 you will be briefed on the Community Development Block Grant (CDBG) Extensions and Reprogramming for FY 2010-11. The briefing is attached for your review.

If you have questions, please let me know.

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

Jeanne Chipperfield
Chief Financial Officer

Attachment

C: Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Ryan S. Evans, First Assistant City Manager
A. C. Gonzalez, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest Turner, Assistant City Manager
Helena Stevens-Thompson, Assistant to the City Manager
Jack Ireland, Director, Office of Financial Services

"Dallas – Together We Do It Better"

FY 2010-11 Community Development Block Grant Extensions and Reprogramming



City Council Briefing – February 2, 2011



Purpose of Briefing

- Review Community Development Block Grant (CDBG) timely expenditure requirements and compliance
 - Recommend extension and reprogramming of funds not in compliance
- Review unspent CDBG Recovery (CDBG-R) funds
 - Recommend reprogramming of funds
- Review next steps



Timely Expenditure Requirements

- U.S. Department of Housing and Urban Development (HUD) requires that CDBG funds be expended in a timely manner
 - Federal regulations limit amount of CDBG funds that may be unspent to no more than 1.5 times grantee's annual grant allocation
 - Compliance with this regulation is tested annually on July 31
 - Non-compliance will result in reduction of next annual grant amount by amount grantee exceeds 1.5 requirement
- City continues to be in compliance with this requirement (last tested on July 31, 2010)



Timely Expenditure Requirements

- In Aug 1993, Council established a spending policy for all CDBG projects that requires funds to be obligated within 12 months and fully expended within 24 months
- In March 2007, Council added criteria and benchmarks to be used in determining compliance with City's timely expenditure policy (see attachment A)
 - Categorized various CDBG projects based on intended use of funds: (1) On-going Programs, (2) Unspecified Programs, (3) Public Improvement Projects, and (4) Davis Bacon Restitution Funds
 - Set timeframes regarding obligation and expenditure of funds for each category of project
- Council has authority to approve extensions outside of policy and benchmark timeframes



Timely Expenditure Requirements

- An annual review is conducted to determine compliance of each project
- Project funding determined to not be in compliance is either reprogrammed as part of next CDBG budget cycle or an extension is required
- Based on review of CDBG projects and timely expenditure policies, City Manager recommended action includes:
 - Unspent funds remaining in 34 projects recommended for extension – total \$5.75m
 - Unspent funds remaining in 25 projects recommended for reprogramming – total \$1.68m



Timely Expenditure Requirements

- Community Development Commission's (CDC) Financial Monitoring Committee reviewed City Manager's recommendation on Dec 13 and made one amendment
 - Reprogram (rather than extend) \$41,422 from South Dallas/Fair Park Major Systems Repair Program since this project has \$100,000 available in FY 2009-10 funding and \$100,000 in FY 2010-11 funding
- On Jan 6, CDC reviewed and approved Financial Monitoring Committee's recommendation
- City Manager does not object to CDC's amendment and recommendation

Note: See Attachment B & C for detail



Timely Expenditure Requirements – Recommendation

- Approval of Feb 23 resolution authorizing extensions of CDBG funds
 - Recommend extension of \$5.71m and 33 projects
- Reprogrammed funds will be included as part of FY 2011-12 CDBG budget recommendation to be presented to CDC on March 3 and to City Council on April 20
 - Recommend reprogramming of \$1.72m from 26 projects
 - Due to anticipated cuts from the Federal government in CDBG funds (up to 25%), City Manager strongly encourages reprogramming funds to be used in conjunction with FY 2011-12 CDBG budget
 - Existing programs may be reduced or eliminated



CDBG Recovery Funds

- City awarded \$4.70m of CDBG Recovery (CDBG-R) – ARRA Stimulus Funds
 - Funds must be spent within defined timelines and stringent compliance requirements
 - Most funds (\$2.86m) allocated for major maintenance projects at City-owned community centers
 - Martin Luther King Community Center
 - West Dallas Multi-purpose Center
 - \$1.84m allocated for public service programs, sidewalk improvements and administration costs



CDBG Recovery Funds

- Consistent with regular CDBG funds, up to 15% of funds could be used for public services
 - \$0.70m awarded for public service programs
 - Contract terms for public service programs have expired
 - \$22,334 remains unspent
- Recommend reprogramming unspent public service funds to add additional site for summer youth program in Hamilton Park neighborhood
 - Expressed desire from community throughout public hearing process
 - Eligible neighborhood not currently receiving CDBG funds in need of youth program
 - Help to ensure compliance with timely expenditure requirements for Recovery funds
 - No impact to existing 15% public service cap



CDBG Recovery Funds – Recommendation

- Approval of Feb 23 resolution authorizing reprogramming of CDBG-R funds
 - Recommend reprogramming of \$22,334 from 2 projects in order to enhance summer youth programming by adding site to serve Hamilton Park neighborhood during summer 2011
 - Preliminary adoption of Consolidated Plan Reprogramming Budget #2 for CDBG-R
 - Call public hearing to be held on April 13th



CDBG Recovery Funds – Recommendation

- Source of Funds (\$22,334)
 - CDBG-R Community Food Pantry & Resource Program - \$21,962
 - CDBG-R Community Re-entry Program - \$372
- Use of Funds (\$22,334)
 - CDBG-R Summer Youth Program – Hamilton Park - \$22,334



Next Steps

- Feb 23 – City Council consideration of (1) extension requests, (2) CDBG Recovery reprogramming, (3) preliminary adoption of FY 2010-11 Consolidated Plan Reprogramming #2, and (4) call public hearing
- Mar 3 – City Manager’s recommended FY 2011-12 Consolidated Plan Budget briefed to CDC
- April 7 – CDC recommends FY 2011-12 Consolidated Plan Budget to City Council
- April 13 – Hold Public Hearing, Final Adoption of FY 2010-11 Consolidated Plan Reprogramming #2 for CDBG-R
- Apr 20 – FY 2011-12 Consolidated Plan Budget with CDC recommended amendments briefing to Council
- May 4 – Council amendments and straw votes on FY 2011-12 Consolidated Plan Budget
- May 18 – Preliminary adoption of FY 2011-12 Consolidated Plan Budget and call public hearing
- Jun 8 – Hold public hearing
- Jun 22 – Final adoption of FY 2011-12 Consolidated Plan Budget



Attachment A

Timely Expenditure Requirements



Timely Expenditure Requirements

1. On-Going Programs - Description: On-going programs are continuing operating programs that are funded annually
 - Individual program budgets are an annual allocation and include these types of costs
 - Staffing, supplies and materials
 - Contracted services
 - Direct assistance to benefit low/mod clientele
 - Programs are designated in specific categories (Public Services, Housing, Economic Development, Planning & Program Oversight)
 - Following categories have spending caps which limit annual obligation and expenditure of funds
 - Public Services cap - 15% of allocation
 - Planning & Program Oversight cap - 20% of allocation
 - Extension of funds in these 2 categories may cause City to exceed caps and should be considered carefully



Timely Expenditure Requirements

1. On-Going Programs (continued)

Benchmarks:

- Reprogram unobligated funds for all categories of on-going programs at end of fiscal year
 - Exception: allow 2 year period to obligate funds in programs that provide direct assistance to low/mod clientele in non-capped Economic Development and Housing categories
 - These programs include: Home Repair Programs, SHARE, Reconstruction, Relocation Assistance, Mortgage Assistance
- Extension of encumbered funds will be considered annually each year in accordance with current policy
- Reprogram unobligated staff and contract costs



Timely Expenditure Requirements

2. Non Specific Projects – Description: Projects that are budgeted without specific details for implementation (examples include Business Development Program, Fair Park Commercial Corridor Demonstration Program, and Residential Development Acquisition Loan Program)

Benchmarks:

- 1 year to identify project
- 1 year to secure additional financing and complete design
- 1 year to initiate implementation or construction
- Annually, extension of funds will be evaluated for project viability and potential for reimbursement of ineligible CDBG expenses to HUD from General Fund
 - Extension recommendation will be submitted to Council for approval, in accordance with current policy



Timely Expenditure Requirements

3. Public Improvement Projects - Description: Capital improvements - Projects generally require more time to implement (examples include NIP Public Improvements, Park Facilities Improvements, City Facilities Major Maintenance, Sidewalk Improvements, Barrier Free Ramps)

Benchmarks:

- Specific Public Improvement Projects (project location identified in budget)
 - 1 year for design
 - 1 year to initiate construction
- Non-specific Public Improvement projects (project location not identified in budget)
 - 2 years to identify project(s) and complete design
 - 1 year to initiate construction
- Annually, extension of funds will be evaluated for project viability and potential for reimbursement of CDBG expenses to HUD from the General Fund
 - Extension recommendation will be submitted to Council for approval, in accordance with current policy



Timely Expenditure Requirements

4. Davis Bacon Restitution

Description:

- Davis Bacon Act requires minimum wage rates for certain construction work classifications
- City staff evaluates contractor's compliance with Act
- To resolve violations, a restitution amount is determined and City or Contractor has to contact affected employees
- Payments to contractor are suspended and funds are retained to pay restitution to affected employees
- Restitution funds must be held for 3 years, beginning from 1st documented notification to employee (escrow period)

Benchmarks:

- Unclaimed restitution funds will be reprogrammed at end of project's 3 year escrow period



Attachment B

Extensions & Reprogramming Project Listing By Department

**FY 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT
EXTENSION REQUEST AND REPROGRAMMING FUNDS
as of December 31, 2010**

ATTACHMENT B

FY	Dept	Project Name	Appr	Expended	Encum.	Unobligated	Bench Mark#	City Manager's Recommendation		CDC Recommendation	
								Extension	Reprogram	Extension	Reprogram
CITY ATTORNEY											
1	09-10	ATT	Offender Re-Entry Program (ATT)	\$92,209	\$71,957	\$20,252	B-1		\$20,252		\$20,252
2	09-10	ATT	South Dallas/ Fair Park Community Court	\$327,231	\$297,003	\$205	\$30,022	B-1		\$30,022	\$30,022
			TOTAL CITY ATTORNEY	\$419,440	\$368,960	\$205	\$50,274		\$0	\$50,274	\$0
CITY AUDITOR											
3	09-10	AUD	Grant Compliance	\$707,242	\$707,083	\$159	B-1		\$159		\$159
			TOTAL CITY AUDITOR	\$707,242	\$707,083	\$0	\$159		\$0	\$159	\$0
CODE COMPLIANCE SERVICES											
4	08-09	CCS	Community Prosecution Program	\$253,107	\$245,976	\$7,131	B-1		\$7,131		\$7,131
5	09-10	CCS	Community Prosecution Program	\$277,057	\$253,096	\$23,961	B-1		\$23,961		\$23,961
6	09-10	CCS	Dedicated SAFE II Expansion Code Inspection- CCS	\$104,000	\$25,857	\$78,143	B-1	\$30,000	\$48,143	\$30,000	\$48,143
7	09-10	CCS	Neighborhood Investment / Program Code Compliance	\$594,697	\$348,202	\$246,495	B-1		\$246,495		\$246,495
			TOTAL CODE COMPLIANCE SERVICES	\$1,228,861	\$873,130	\$0	\$355,730		\$30,000	\$325,730	\$30,000
DALLAS FIRE DEPARTMENT											
8	09-10	DFD	Dedicated SAFE II Expansion Code Inspection- DFD	\$149,082	\$73,130	\$75,952	B-1		\$75,952		\$75,952
			TOTAL DALLAS FIRE DEPARTMENT	\$149,082	\$73,130	\$0	\$75,952		\$0	\$75,952	\$0
DALLAS POLICE DEPARTMENT											
9	09-10	DPD	Crisis Assistance	\$270,397	\$236,397	\$34,000	B-1		\$34,000		\$34,000
			TOTAL DALLAS POLICE DEPARTMENT	\$270,397	\$236,397	\$0	\$34,000		\$0	\$34,000	\$0
HOUSING/COMMUNITY SERVICES											
10	07-08	EHS	Adolescent Health Services Program	\$60,000	\$41,651	\$18,349	B-1		\$18,349		\$18,349
11	96-97	EHS	E's Haven Academy	\$50,000	\$44,048	\$5,952	B-4	\$5,952		\$5,952	
12	97-98	EHS	E's Haven Academy	\$100,000	\$61,568	\$38,432	B-4	\$38,432		\$38,432	

**FY 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT
EXTENSION REQUEST AND REPROGRAMMING FUNDS
as of December 31, 2010**

ATTACHMENT B

FY	Dept	Project Name	Appr	Expended	Encum.	Unobligated	Bench Mark#	City Manager's Recommendation		CDC Recommendation		
								Extension	Reprogram	Extension	Reprogram	
13	05-06	HOU	Basic Home Repair	\$2,128,501	\$2,128,392	\$109		B-1		\$109		\$109
14	06-07	HOU	Basic Home Repair	\$1,862,624	\$1,859,201	\$3,423		B-1		\$3,423		\$3,423
15	04-05	HOU	Bexar Street Mixed-Used Site Development	\$350,000	\$261,348	\$43,652	\$45,000	B-2	\$88,652		\$88,652	
16	09-10	HOU	City Office of Senior Affairs	\$157,920	\$154,885		\$3,035	B-1		\$3,035		\$3,035
17	06-07	HOU	Housing Assistance Support	\$1,734,527	\$1,670,127	\$64,400		B-1		\$64,400		\$64,400
18	09-10	HOU	Housing Assistance Support	\$2,065,570	\$1,816,356	\$1,047	\$248,167	B-1		\$248,167		\$248,167
19	09-10	HOU	Housing Development Support	\$1,315,645	\$1,017,323		\$298,322	B-1		\$298,322		\$298,322
20	09-10	HOU	Housing Management Support (P/PO)	\$903,277	\$857,440		\$45,837	B-1		\$45,837		\$45,837
21	06-07	HOU	Housing Services Program	\$100,000	\$89,975	\$10,025		B-1	\$10,025		\$10,025	
22	07-08	HOU	Major Systems Repair	\$1,231,225	\$1,215,174	\$16,051		B-1	\$16,051		\$16,051	
23	08-09	HOU	Major Systems Repair	\$1,230,000	\$1,202,765	\$25,169	\$2,067	B-1	\$27,235		\$27,235	
24	06-07	HOU	Neighborhood Enhancement Program (NEP)	\$180,000	\$135,454	\$905	\$43,641	B-1	\$44,546		\$44,546	
25	08-09	HOU	Neighborhood Enhancement Program (NEP)	\$250,000	\$102,797	\$10,773	\$136,430	B-1	\$147,203		\$147,203	
26	04-05	HOU	Neighborhood Investment Prog-Projects	\$1,318,575	\$1,317,908	\$667		B-3		\$667		\$667
27	06-07	HOU	Neighborhood Investment Program-Infrastructure	\$925,000	\$382,430	\$295,685	\$246,885	B-3	\$542,570		\$542,570	
28	08-09	HOU	Neighborhood Investment Program-Infrastructure	\$678,971	\$469,580	\$209,391		B-3	\$209,391		\$209,391	
29	04-05	HOU	Neighborhood Investment Program-Public Improvements	\$2,804,225	\$2,778,919	\$25,306	\$0	B-3	\$25,306		\$25,306	
30	05-06	HOU	Neighborhood Investment Program-Public Improvements	\$1,500,000	\$1,487,201	\$12,799	\$0	B-3	\$12,799		\$12,799	
31	09-10	HOU	Offender Re-Entry Program (HOU)	\$115,054	\$111,000		\$4,054	B-1		\$4,054		\$4,054

**FY 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT
EXTENSION REQUEST AND REPROGRAMMING FUNDS
as of December 31, 2010**

ATTACHMENT B

FY	Dept	Project Name	Appr	Expended	Encum.	Unobligated	Bench Mark#	City Manager's Recommendation		CDC Recommendation		
								Extension	Reprogram	Extension	Reprogram	
32	06-07	HOU	Reconstruction/SHARE Program	\$1,102,661	\$1,015,081	\$87,500	\$80	B-1	\$87,580		\$87,580	
33	07-08	HOU	Reconstruction/SHARE Program	\$3,282,894	\$3,182,826	\$93,685	\$6,383	B-1	\$100,068		\$100,068	
34	07-08R	HOU	Reconstruction/SHARE Program	\$1,314,346	\$1,176,850		\$137,496	B-1	\$137,496		\$137,496	
35	08-09	HOU	Reconstruction/SHARE Program	\$2,281,740	\$1,281,725	\$747,158	\$252,857	B-1	\$1,000,015		\$1,000,015	
36	02-03	HOU	Residential Development Acquisition Loan Program	\$900,000	\$887,845	\$12,155	\$0	B-2	\$12,155		\$12,155	
37	05-06	HOU	Residential Development Acquisition Loan Program	\$1,000,000	\$890,465	\$109,535		B-2	\$109,535		\$109,535	
38	06-07	HOU	Residential Development Acquisition Loan Program	\$650,000	\$350,000	\$300,000		B-2	\$300,000		\$300,000	
39	08-09	HOU	Residential Development Acquisition Loan Program	\$825,000	\$555,870	\$35,886	\$233,244	B-2	\$269,130		\$269,130	
40	09-10	HOU	Residential Development Acquisition Loan Program	\$960,000	\$1,500		\$958,500	B-2	\$958,500		\$958,500	
41	06-07	HOU	Southern Sector Housing & Economic Development	\$1,350,000	\$1,207,374	\$89,316	\$53,310	B-1	\$142,626		\$142,626	
42	08-09	HOU	South Dallas/Fair Park Major Systems Repair Program	\$100,000	\$58,578		\$41,422	B-1	\$41,422			\$41,422
TOTAL HOUSING/COMMUNITY SERVICES			\$34,827,755	\$29,813,657	\$2,239,019	\$2,775,079			\$4,326,688	\$686,363	\$4,285,266	\$727,785
OFFICE OF ECONOMIC DEVELOPMENT												
43	08-09	ECO	BAC#2 Innercity Community Development Corporation	\$80,000	\$73,665	\$6,335		B-1		\$6,335		\$6,335
44	09-10	ECO	BAC#8 Greater Dallas Indo-American Chamber of Commerce	\$80,000			\$80,000	B-1		\$80,000		\$80,000
45	02-03	ECO	Bexar Street Retail Development Project	\$714,000	\$668,879	\$36,893	\$8,228	B-2	\$45,121		\$45,121	
46	03-04	ECO	Business Development Program	\$350,000			\$350,000	B-2	\$350,000		\$350,000	
47	04-05	ECO	Business Development Program	\$317,351			\$317,351	B-2	\$317,351		\$317,351	
48	09-10	ECO	Economic Development (P/PO)	\$192,860	\$91,390		\$101,470	B-1		\$101,470		\$101,470
49	01-02	ECO	Fair Park Commercial Corridor Demo Program	\$205,813	\$25,000		\$180,813	B-2	\$180,813		\$180,813	
50	08-09	ECO	MLK Blvd Business Facade/Revitalization Project	\$92,522			\$92,522	B-4	\$92,522		\$92,522	
TOTAL OFFICE OF ECONOMIC DEVELOPMENT			\$2,032,546	\$858,934	\$43,228	\$1,130,384			\$985,807	\$187,805	\$985,807	\$187,805

**FY 2010-11 COMMUNITY DEVELOPMENT BLOCK GRANT
EXTENSION REQUEST AND REPROGRAMMING FUNDS
as of December 31, 2010**

ATTACHMENT B

FY	Dept	Project Name	Appr	Expended	Encum.	Unobligated	Bench Mark#	City Manager's Recommendation		CDC Recommendation		
								Extension	Reprogram	Extension	Reprogram	
OFFICE OF FINANCIAL SERVICES												
51	09-10	BMS	Citizen Participation & CDC Support	\$751,141	\$703,666	\$10,175	\$37,300	B-1		\$37,300		\$37,300
TOTAL OFFICE OF FINANCIAL SERVICES			\$751,141	\$703,666	\$10,175	\$37,300		\$0	\$37,300	\$0	\$37,300	
PARK & RECREATION												
52	09-10	PKR	Ferguson Park Trail Improvement	\$125,000	\$111,295		\$13,705	B-3	\$13,705		\$13,705	
TOTAL PARK & RECREATION			\$125,000	\$111,295	\$0	\$13,705		\$13,705	\$0	\$13,705	\$0	
PUBLIC WORKS & TRANSPORTATION												
53	05-06	PBW	Sidewalk Improvement Program	\$139,072	\$65,622		\$73,450	B-3	\$73,450		\$73,450	
54	07-08	PBW	Sidewalk Improvement Program	\$119,253	\$111,123		\$8,130	B-3	\$8,130		\$8,130	
55	08-09	PBW	Sidewalk Improvement Program	\$116,731	\$6,566	\$20,530	\$89,635	B-3	\$110,165		\$110,165	
TOTAL PUBLIC WORKS & TRANSPORTATION			\$375,056	\$183,310	\$20,530	\$171,216		\$191,745	\$0	\$191,745	\$0	
SUSTAINABLE DEVELOPMENT & CONSTRUCTION												
56	07-08	CCS	Relocation Assistance	\$597,179	\$520,679	\$76,500		B-1		\$76,500	\$76,500	
57	09-10	DEV	Relocation Assistance	\$523,293	\$119,287		\$404,006	B-1	\$200,000	\$204,006	\$200,000	\$204,006
TOTAL SUSTAINABLE DEVELOPMENT & CONSTRUCTION			\$1,120,472	\$639,966	\$76,500	\$404,006		\$200,000	\$280,506	\$200,000	\$280,506	
TOTAL			\$42,006,991	\$34,569,529	\$2,389,657	\$5,047,805		\$5,747,945	\$1,678,089	\$5,706,523	\$1,719,511	



Attachment C

Extensions & Reprogramming
Project Explanations

FY 2010-11 EXTENSION/REPROGRAMMING NARRATIVES - ATTACHMENT C

#1 – Offender Re-Entry Program (ATT)

Reprogrammed - Unspent, unobligated funds

#2 – South Dallas/Fair Park Community Court

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#3 – Grant Compliance

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#4 – Community Prosecution Program

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#5 – Community Prosecution Program

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#6 – Dedicated SAFE II Expansion Code Inspection-CCS

Extension requested - Partial funding for additional code enforcement of SAFE-related cases

#7 – Neighborhood Investment Program-CCS

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#8 – Dedicated SAFE II Expansion Code Inspection-DFD

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#9 – Crisis Assistance

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#10 – Adolescent Health Services Program

Reprogrammed - Unspent, unobligated funds

#11 – E's Haven Academy

Extension requested - Funds under contract; project near completion

#12 – E's Haven Academy

Extension requested - Funds under contract; project near completion

#13 – Basic Home Repair

Reprogrammed - Unspent funds from prior year

#14 – Basic Home Repair

Reprogrammed - Unspent funds from prior year

FY 2010-11 EXTENSION/REPROGRAMMING NARRATIVES - ATTACHMENT C

#15 – Bexar Street Mixed-Used Site Development

Extension requested - Construction underway for 2 mixed-use buildings on Bexar Street

#16 – City Office of Senior Affairs

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#17 – Housing Assistance Support

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#18 – Housing Assistance Support

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#19 – Housing Development Support

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#20 – Housing Management Support (P/PO)

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#21 – Housing Services Program

Extension requested - Ongoing contracts with CHDO's to provide homebuyer counseling

#22 – Major Systems Repair

Extension requested – Funds to be used for final contract expenses

#23 – Major Systems Repair

Extension requested – Funds to be used for 3 repair projects

#24 – Neighborhood Enhancement Program (NEP)

Extension requested – Funds to be used for Bexar Street public space fencing and West Dallas public improvements

#25 – Neighborhood Enhancement Program (NEP)

Extension requested – Funds to be used for South Dallas/Frazier and West Dallas public improvements

#26 – Neighborhood Investment Program-Projects

Reprogrammed - Unspent funds from prior year

#27 – Neighborhood Investment Program Infrastructure

Extension requested – Funds to be used for Spring Avenue design and construction

#28 – Neighborhood Investment Program Infrastructure

Extension requested – Funds to be used for engineering design of public streets and streetscape improvements in Bexar Street Employment Center area

FY 2010-11 EXTENSION/REPROGRAMMING NARRATIVES - ATTACHMENT C

#29 – Neighborhood Investment Program Public Improvements

Extension Requested – Funds to be used for installation of public amenities on Bexar Street

#30 – Neighborhood Investment Program Public Improvements

Extension requested – Funds to be used for design of Bexar Street Phase II

#31 – Offender Re-Entry Program (HOU)

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#32 – Reconstruction/SHARE Program

Extension requested – Project underway

#33 – Reconstruction/SHARE Program

Extension Requested – Funds to be used for 1.5 reconstruction projects

#34 – Reconstruction/SHARE Program

Extension Requested – Funds to be used for 2 reconstruction projects

#35 – Reconstruction/SHARE Program

Extension requested – Funds to be used for 15 reconstruction projects including title services and closing costs

#36 – Residential Development Acquisition Loan Program

Extension requested – Funds to be used for proposed 64 unit project on Lancaster Road

#37 – Residential Development Acquisition Loan Program

Extension Requested – Funds to be used for Jubilee Park scattered site acquisition project

#38 – Residential Development Acquisition Loan Program

Extension Requested – Funds to be used for Jubilee Park scattered site acquisition project

#39 – Residential Development Acquisition Loan Program

Extension requested – Funds to be used for proposed 64 unit project on Lancaster Road

#40 – Residential Development Acquisition Loan Program

Extension requested – Funds to be used for proposed 64 unit project on Lancaster Road

#41 – Southern Sector Housing & Economic Development

Extension Requested – Funds to be used for Spring Street infrastructure project

#42 – South Dallas/Fair Park Major Systems Repair Program

Reprogrammed - Unspent, prior year funds; program funded in FY 10-11

#43 – BAC#2 Inncity Community Development Corporation

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

FY 2010-11 EXTENSION/REPROGRAMMING NARRATIVES - ATTACHMENT C

#44 – BAC#8 Greater Dallas Indo-American Chamber of Commerce

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#45 – Bexar Street Retail Development Project

Extension requested – Funds to be used for Bexar Street project

#46 – Business Development Program

Extension requested – Funds to be used for economic development projects pending

#47 – Business Development Program

Extension requested – Funds to be used for economic development projects pending

#48 – Economic Development (P/PO)

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY 10-11

#49 – Fair Park Commercial Corridor Demo Program

Extension requested – Funds be used for economic development projects pending

#50 – MLK Blvd Business Façade /Revitalization Project

Extension requested – Funds to be used for economic development projects pending

#51 – Citizen Participation & CDC Support

Reprogrammed - Unspent, unobligated funds from ongoing program; program funded in FY10-11

#52 – Ferguson Park Trail Improvement

Extension requested - Funds to be used for construction of exercise station adjacent to park trail

#53 – Sidewalk Improvement Program

Extension requested - Funds provide design for a sidewalk replacement project in the 200-300 block of Neches Street.

#54 – Sidewalk Improvement Program

Extension requested - Funds provide design for a sidewalk replacement project in the 900-1000 block of Madison Avenue

#55 – Sidewalk Improvement Program

Extension requested - Funds provide design for a sidewalk replacement project on Starr Street from 9th Street to 8th Street

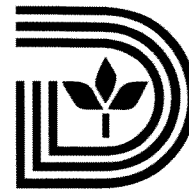
#56 – Relocation Assistance

Reprogrammed – Funds no longer needed for replacement housing project

#57 – Relocation Assistance

Extension requested - Funds will allow compliance with anticipated displacements related to federally funded projects

Memorandum



CITY OF DALLAS

DATE January 28, 2011

TO Honorable Mayor and Members of the City Council

SUBJECT Proposed Plan to Address Abandoned Shopping Carts Briefing

On Wednesday, February 2, 2011 you will be briefed on the Proposed Plan to Address Abandoned Shopping Carts. The briefing material is attached for your review.

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

Attachment

c: Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Officer
Helena Stevens-Thompson, Assistant to the City Manager – Council Office
Joey Zapata, Director, Code Compliance Department

Proposed Plan to Address Abandoned Shopping Carts

Presented to the City Council
February 2, 2011

Outline



Residential alley, 2200 block of Clover Ridge
1,300 feet from Minyard's Store

- Background
- Existing City Ordinance
- Features in Other Cities' Ordinances
- Merchant Input
- Community Input
- Pilot Program
- Recap
- Next Steps

Background

- ❑ Merchants and retailers provide carts as a convenience to customers
- ❑ Both merchants and the City share a common goal in keeping carts on stores' premises
- ❑ When carts are taken off the property by customers, this is theft



Bus stop, Northwest Highway at Ferndale Rd.

500 feet from Wal-Mart Store

Background



Residential area, S. Lancaster and E. Ledbetter Rd.
2,000 feet from nearest grocery (owner unidentified)

- ❑ Abandoned carts create nuisances, and safety hazards, including:
 - Litter violations
 - Street and sidewalk obstructions
 - Drainage blockages in waterways
- ❑ All neighborhoods and apartments are prone to problems associated with abandoned carts

Background

- Vickery Meadows Improvement District has been affected by abandoned carts
 - Implemented a cart collection program in collaboration with some merchants
 - 1,500 carts in 2008, 1,700 in 2009 and approximately 2,000 in 2010
 - Video showing the problem is on YouTube at <http://www.youtube.com/watch?v=c-mTR99Njts>

Existing City Ordinance

- ❑ Shopping carts are regulated in Section 31-40, Offenses – Miscellaneous, of the Dallas City Code
- ❑ City Council adopted Ordinance No. 25439 on November 12, 2003
 - Violation to possess a cart off merchant property
 - Merchants required to place contact information and removal warning on carts
 - Owner pays the City \$25 per abandoned cart collected by the City
- ❑ Council Members requested strengthened ordinance in November 2010



Bus stop, S. Polk St. at W. Camp Wisdom Road
1000 feet from Minyard's Store

Features in Other Cities' Ordinances

- ❑ Merchant responsibilities
 - Mandatory registration or permitting with fee
 - Carts must be secured when the store is closed
 - Off premise carts must be picked up within specified hours of notice (range from 4 to 48 hours)
 - Readily-identifiable carts with owner information
 - ❑ Attach graphic identifying the owner to each cart
 - ❑ Consistent, distinctive color scheme (chain stores may be exempted)
 - Implement an abandoned cart prevention program
 - ❑ Implement specific physical loss prevention measures, such as electronic disabling devices, security personnel, contracted cart retrieval services, employee training, etc.
 - ❑ Provide community outreach

Features in Other Cities' Ordinances

- City responsibilities
 - Attempt notification to owner and time to retrieve it
 - City has the right to pick up carts without notifying the owner
 - City may impound abandoned carts, and return them for a fee
 - City may dispose of unclaimed carts after 30 days written notice



LBJ at Forest Lane

2,600 feet from Wal-Mart Store

Merchants' Feedback

- Staff has requested input from representatives with area merchants and business organizations
 - Fiesta, Kroger, Safeway, Target, Walgreen's, Wal-Mart
 - Texas Grocery and Convenience Store Association
- Merchants' feedback included:
 - Grocers do not want to lose carts, but do not mind borrowed and returned carts
 - Many merchants have preventative measures in place, but none are 100% effective
 - Not all merchants have this problem and solution should not burden those
 - Open to pilot testing solutions in problem areas to identify best solutions

Community Feedback

- ❑ Staff has requested input from stakeholders from homeowner associations (HOA), neighborhood associations (NA) and homeowner crime watches (CW), and other groups
 - Exline HOA, Charles Rice HOA, Valley View HOA/VIP, Wynnewood Heights NA, Buckner Terrace HOA, Kidd Springs HCW, Arden Terrace HOA, Woods/Sugarberry HOA, Oak Cliff Community Development, Apartment Association of Greater Dallas, Vickery Meadows Improvement District and property owners
- ❑ Stakeholders' feedback included:
 - Believe that merchants will not take stronger action without a City ordinance requiring it
 - Generally support increase in abandoned cart collection by the City or contractor at higher cost than current \$25

Staff Recommendation

- ❑ Implement a six-month pilot program to identify collaborative solutions
 - March 1 through August 31, 2011
 - Target five test areas to assess and test different areas of Dallas
 - ❑ Partner with area merchants and stakeholders to implement collaborative preventive measures to abandoned shopping carts
 - ❑ Increase abandoned cart collection by City crews
 - Measure and assess effectiveness of preventative programs, required resources and collection frequency, and impact to communities
 - Provide results and recommendations to Council in October 2011

Recap

- ❑ Merchants, stakeholders and the City have a common goal in preventing abandoned carts, which create nuisances, and safety hazards, including:
 - Litter violations
 - Street and sidewalk obstructions
 - Drainage blockages in waterways
- ❑ Dallas regulates carts in Section 31-40, Offenses – Miscellaneous, of the Dallas City Code adopted by City Council on November 12, 2003
- ❑ Comparable cities' abandoned cart programs are one-size fits all and require registration programs, specific preventative measures by merchants and stronger penalties for violations
- ❑ A six-month pilot program in Dallas would identify collaborative solutions and any required changes to the City's ordinance
 - Recognize merchants' voluntary efforts to prevent abandoned shopping carts
 - Target active enforcement and cart collection efforts where needed

Next Steps

- February 2: Receive council direction
- March 1 through August 31: Conduct pilot program
- October 2011: Provide recommendations to City Council