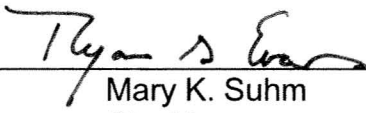


**APRIL 6, 2011 CITY COUNCIL BRIEFING AGENDA
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Briefing Agenda dated April 6, 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

4-1-11

Date



Edward Scott
City Controller

4/1/11

Date

RECEIVED

2011 APR -1 PM 3:21

CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

April 6, 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, APRIL 6, 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 March 2, 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. Urban Forestation: Regional and City of Dallas Initiatives
- B. Group Housing Facilities Regulation and Enforcement
- C. TicketCity Bowl

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

3. A resolution designating the absences by Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen as being for "official city business" - Financing: No cost consideration to the City

Office of Management Services

4. Authorize Dallas City Council support for the Texas Trees Foundation's Tree North Texas Initiative - Financing: No cost consideration to the City

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, APRIL 6, 2011

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

Park & Recreation

5. Authorize a seven-year agreement with FOOTBALL STARR, INC., d/b/a TicketCity Bowl, a Texas for-profit corporation, ("Football Starr") for the City to provide the Cotton Bowl Stadium to Football Starr to hold a New Year's Day game in the Cotton Bowl Stadium each of January 2012, 2013, 2014, 2015, 2016, 2017, and 2018 - Estimated Revenue: \$200,000 over next four years
6. Authorize a third amendment to the Fair Park Contract (hereinafter "Agreement") with the State Fair of Texas for marketing Fair Park - Estimated Revenue Foregone: \$200,000 over the next four years

Lunch

Briefings (Continued)

6ES

- D. 82nd Session - State Legislative Update
- E. 2011 Redistricting: 2010 Census Data and Process
- F. 2011 Redistricting Guidelines

Closed Session

6ES

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

- Association of Taxicab Operators, USA v. City of Dallas, Civil Action No. 3:10-CV-769-K and legal issues involving Ordinance No. 27831
- Kenneth E. Albert et al. v. City of Dallas et al., No. 199-697-94;
Anthony Arredondo et al. v. City of Dallas et al., No. 199-1743-99;
David L. Barber et al. v. City of Dallas et al., No. 199-624-95;
David S. Martin et al. v. City of Dallas, No. 1-95-506;
George G. Parker et al. v. City of Dallas, No. 1-95-107;
Kevin Michael Willis et al. v. City of Dallas et al., No. 199-00200-95;
City of Houston v. Steve Williams, et al., Cause No. 09-0770
- United States of America ex rel. Doug Moore, et al. v. City of Dallas, et al., Civil Action No. 3:09-CV-1452-O
- Legal issues involving DFW General Counsel Position

Attorney Briefings (Sec. 551.071 T.O.M.A.), Real Property Deliberations (Sec. 551.072 T.O.M.A.) and Economic Development Deliberations (Sec. 551.087 T.O.M.A.)

- City of Dallas v. James H. Addison, et al., Cause No. 06-12538-A and Preston Center Parking Garage

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, APRIL 6, 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 APRIL 1 - APRIL 15, 2011

Tuesday, April 5, 2011

Civil Service Board **(Cancelled)**

8:30 a.m.

City Hall Suite 1C-South

Memorandum



DATE **APRIL 1, 2011**

TO **HONORABLE MAYOR AND
MEMBERS OF THE CITY COUNCIL**

SUBJECT **BOARDS AND COMMISSIONS NOMINEES/RENOMINEES**

The following board and commission nominees/renominees will be considered on April 6, 2011 for appointment.

The list represents the following category for your consideration:

- Individual Nominees/Renominees

The nominee meets all qualifications for service on these boards.

If you need additional information, please advise.


Deborah Watkins
City Secretary

c: Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney

**CITY OF DALLAS BOARDS AND COMMISSIONS
NOMINEES FOR INDIVIDUAL APPOINTMENTS
CLEARED FOR COUNCIL ACTION**

CPR DALLAS CITIZENS POLICE REVIEW BOARD

12 N. ANNA VILLARREAL NOMINATED REC 02/17/2011

H F 12 I Appointed by NATINSKY

PLA PERMIT AND LICENSE APPEAL BOARD

14 GAYNELL C. METHVIN NOMINATED REC 02/24/2011

W M 09 I Appointed by HUNT

SAC SENIOR AFFAIRS COMMISSION

13 FRIEDA HUDSPETH NOMINATED REC 02/14/2011

W F 13 I Appointed by MARGOLIN

55+ Yoa

AGENDA ITEM # 3

KEY FOCUS AREA: Make Government More Efficient, Effective and Economical

AGENDA DATE: April 6, 2011

COUNCIL DISTRICT(S): All

DEPARTMENT: City Secretary

CMO: Deborah Watkins, 670-0653

MAPSCO: N/A

SUBJECT

A resolution designating the absences by Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen as being for "official city business" - Financing: No cost consideration to the City

BACKGROUND

Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city councilmember, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city councilmember's compensation...for that year will be reduced proportionately by the number of meetings missed... Meetings missed by a city councilmember while he or she is on official business of the city and at the direction of the city council will not be counted towards the percentage of meetings missed for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business."

Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a councilmember for (1) attending a meeting or conference of a professional organization or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the councilmember has been appointed by the mayor, or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city councilmember for purposes of determining the councilmember's annual compensation.

BACKGROUND (continued)

Section 4.11 (c) of the City Council Rules of Procedure provides that in addition to those absences automatically considered to be on "official city business at the direction of the city council," under Section 4.11(b) above, the city council may by resolution designate whenever a councilmember's absence is for official city business and not counted as a missed meeting for purposes of determining the councilmember's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

Section 4.12 (a) of the City Council Rules of Procedure provides that "If a city councilmember is absent from more than 50 percent of a regular city council meeting, or more than 50 percent of a regular meeting of a city council committee to which he or she is assigned, and he or she is not on official city business at the direction of the city council as approved under Subsection 4.11 of these Rules, the member will be deemed to be absent from the meeting, and the absence will be counted against the member for purposes of determining the member's annual compensation under Chapter III, Section 4 of the Dallas City Charter."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

April 6, 2011

WHEREAS, Chapter III, Section 4(e) of the Dallas City Charter provides in part:

If any city councilmember, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city councilmember's compensation ... for that year will be reduced proportionately by the number of meetings missed.... Meetings missed by a city councilmember while he or she is on official business of the city and at the direction of the city council will not be counted towards the percentage of meetings missed for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business; and

WHEREAS, Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a councilmember for (1) attending a meeting or conference of a professional organization or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the councilmember has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city councilmember for purposes of determining the councilmember's annual compensation; and

WHEREAS, Section 4.11 (c) of the City Council Rules of Procedure provides that in addition to those absences automatically considered to be on "official city business at the direction of the city council," under Section 4.11(b) above, the city council may by resolution designate whenever a councilmember's absence is for official city business and not counted as a missed meeting for purposes of determining the councilmember's annual compensation under Chapter III, Section 4 of the Dallas City Charter; and

WHEREAS, Section 4.12 (a) of the City Council Rules of Procedure provides that "If a city councilmember is absent from more than 50 percent of a regular city council meeting, or more than 50 percent of a regular meeting of a city council committee to which he or she is assigned, and he or she is not on official city business at the direction of the city council as approved under Subsection 4.11 of these Rules, the member will be deemed to be absent from the meeting, and the absence will be counted against the member for purposes of determining the member's annual compensation under Chapter III, Section 4 of the Dallas City Charter."

WHEREAS, Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen participated in various events as noted in **Exhibit A**, attached, which required each to miss more than 50 percent of a city council, and/or council committee meetings; and

April 6, 2011

WHEREAS, the purpose for participating in these various meetings required Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen to miss more than 50 percent of a city council, and/or council committee meetings as noted in **Exhibit A** attached; **Now, Therefore,**

BE IT RESOLVED BY THE CITY COUNCIL OF CITY OF DALLAS

SECTION 1. That, in accordance with Chapter III, Section 4(e) of the Dallas City Charter and Section 4.11(c) of the City Council Rules of Procedure, the purposes for Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen being absent from more than 50 percent of city council, and/or council committee meetings as noted in **Exhibit A** attached, are hereby deemed to be for "official city business" and any absences associated with being absent from part of these council committee meetings will not be counted against Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 2. That, in accordance with Section 4.11 of the City Council Rules of Procedure, the City Secretary shall maintain a record of this absence so that such absence will not count against Deputy Mayor Pro Tem Pauline Medrano, Councilmember Steve Salazar, Councilmember Tennell Atkins and Councilmember Jerry Allen in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the Charter of the City of Dallas and it is accordingly so resolved.

EXHIBIT A
CITY COUNCIL MEMBER(S)
TRIPS – REQUEST ABSENT ON OFFICIAL CITY BUSINESS

COUNCILMEMBER	TRIP/EVENT	LOCATION	DATE	PURPOSE	MEETING(S) MISSED	STATUS
Pauline Medrano	National Association of Latino Elected Officials Redistricting Committee	Washington, D.C.	02/07/11 - 02/10/11	Participate in the NALEO Redistricting Committee	Trinity River Corridor Project - 02/08/11 City Council Meeting - 02/09/11	Complete
Pauline Medrano	Meeting with members of the Texas Legislature	Austin, Texas	02/28/11 - 03/01/11	Meeting with members of the Texas Legislature	Transportation Committee - 02/28/11	Complete
Jerry Allen	Texas Senate's Business and Commerce Committee meeting	Austin, Texas	02/22/11	Testify before the Texas Senate's Business and Commerce Committee hearing on pay day lending	Economic Development Committee - 02/22/11 Public Safety Committee - 02/22/11	Complete
Tennell Atkins	Meeting in District 8	Dallas, Texas	02/22/11	Meeting with District 8 constituents	Economic Development Committee - 02/22/11	Complete
Tennell Atkins	Texas Black Caucus Conference	Austin, Texas	02/28/11	Attend presentation of the Outstanding Community Leader Award given by the Texas Black Caucus Conference	Transportation and Environment Committee - 02/27/11	Complete
Steve Salazar	Texas Legislative Session Reception	Austin, Texas	02/16/11	Attend Texas Legislative Session Reception	City Council Meeting - 02/16/11	Complete

AGENDA ITEM # 4

KEY FOCUS AREA: A Cleaner, Healthier City Environment

AGENDA DATE: April 6, 2011

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Management Services
Office of Environmental Quality

CMO: Jeanne Chipperfield, 670-7804
Jill A. Jordan, P.E., 670-5299

MAPSCO: N/A

SUBJECT

Authorize Dallas City Council support for the Texas Trees Foundation’s Tree North Texas Initiative – Financing: No cost consideration to the City

BACKGROUND

Tree North Texas is a regional initiative with a goal to plant 3 million trees in the next 10 years. It is planned to be the largest regional tree planting initiative in the country. It is anticipated that up to 70 North Texas cities will pledge support. Texas Trees Foundation will manage the initiative, providing resources for education, executing contracted or volunteer plantings, facilitating charitable giving, and managing grants.

Pledging support to Tree North Texas will result in the City of Dallas continuing and improving upon efforts to educate and promote planting trees. The City has several initiatives in place, such as the Urban Forest Advisory Committee, the City Forester and Arborist positions, the Dallas Reforestation Fund, the Adopt-A-Median program, the Citizen Forester program, and the honor of receiving the “Tree City USA” designation from the Arbor Day Foundation for six years.

Tree plantings as a result of these initiatives, as well as trees planted in parks, golf courses, and other City-owned properties will count towards the regional goal. Trees planted on private property as a result of requirements of the Dallas Development Code or initiatives by homeowner groups or neighborhood associations would also count. As part of the initiative, Texas Trees Foundation is creating a website where individuals or groups can register their tree planting(s) that will be used to track the numbers.

BACKGROUND (continued)

The City of Dallas's environmental policy emphasizes the importance of environmental stewardship and sustainable development. Trees have many environmental benefits, including improving air quality, decreasing erosion of topsoil, reducing energy costs, moderating temperature, providing habitat for our wildlife and beautifying our communities. In addition, properly planned and managed green infrastructure can save municipal governments millions of dollars in air and storm water management costs as well as energy costs, helps meet federal regulatory requirements for air and water quality, and increases property values.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

April 6, 2011

WHEREAS, Texas Trees Foundation, a nonprofit organization dedicated to creating healthy communities through tree planting, education, and advocacy, is seeking partners for the Tree North Texas initiative; and

WHEREAS, Tree North Texas is a large tree planting initiative involving public and private sector partners with a plan to plant 3 million trees in North Texas over the next 10 years; and

WHEREAS, the City of Dallas adopted an environmental policy which emphasizes the importance of environmental stewardship and sustainable development; and

WHEREAS, the City prides itself on working towards implementing measures designed to preserve and protect the limited natural resources around us; and

WHEREAS, the City of Dallas recognizes the importance of trees and their many benefits including improving air quality, decreasing erosion of topsoil, reducing energy costs, moderating temperature, providing habitat for our wildlife and beautifying our communities; and

WHEREAS, properly planned and managed green infrastructure saves municipal governments millions of dollars in air and storm water management costs, helps cities meet federal regulatory requirements for air and water quality, and increases property values; and

WHEREAS, as expressed through the development of the City's Comprehensive Plan and the Renaissance Plan, citizens consider trees, clean air, clean water and beautification a top value and concern for how the city should look and feel in the decades to come; and

WHEREAS, the City's commitment to the protection and planting of trees is shown through city initiatives such as forming the Urban Forest Advisory Committee, creating the City Forester and Arborist positions, establishing the Dallas Reforestation Fund, coordinating the Adopt-A-Median program, establishing the Citizen Forester program, and the honor of receiving the "Tree City USA" designation from the Arbor Day Foundation for six years; and

WHEREAS, to continue this commitment to the protection and planting of trees the City of Dallas supports the Texas Trees Foundation's Tree North Texas Initiative and agrees to participate in order to help the Foundation reach its goal of planting 3 million trees in the North Texas region over the next 10 years; **Now, Therefore,**

April 6, 2011

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

Section 1. That the Dallas City Council supports the Texas Trees Foundation's Tree North Texas Initiative.

Section 2. That the City Manager be authorized to participate in this initiative through the City's existing urban forestry programs.

Section 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 6, 2011
COUNCIL DISTRICT(S): 7
DEPARTMENT: Park & Recreation
CMO: Paul D. Dyer, 670-4071
MAPSCO: 45Q

SUBJECT

Authorize a seven-year agreement with FOOTBALL STARR, INC., d/b/a TicketCity Bowl, a Texas for-profit corporation, (“Football Starr”) for the City to provide the Cotton Bowl Stadium to Football Starr to hold a New Year’s Day game in the Cotton Bowl Stadium each of January 2012, 2013, 2014, 2015, 2016, 2017, and 2018 - Estimated Revenue: \$200,000 over next four years

BACKGROUND

On January 1, 2011, the inaugural TicketCity Bowl was held in the Cotton Bowl Stadium featuring a Big 12 and a Big Ten Conference Team. The City of Dallas supported the efforts to bring a new bowl game to the Cotton Bowl Stadium by **(1)** providing facilities, personnel and services to promote local economic development and to stimulate business and commercial activity in the City of Dallas, and more particularly within the South Dallas/Fair Park area; **(2)** the creation of a grant program, pursuant to Chapter 380 of the Local Government Code, under the Public/Private Partnership Program guidelines and criteria to allow the use of City funds to support the Dallas Football Classic Bowl Game (TicketCity Bowl) and associated events at Fair Park; and **(3)** entering into an escrow and contingent grant agreement with Comerica Bank providing for escrow of game revenues and a contingent 380 grant from game revenues pursuant to such program – Revenue: \$400,000.

The City Council approved an economic incentive to Comerica Bank to induce the bank to provide a \$2 million letter of credit to the benefit of the NCAA and assigned to the teams selected to play in the Bowl Game, as a backup support for the Host’s promised payments to the teams for participating in the TicketCity Bowl. The purpose of providing funding for this game is to **(1)** create vibrancy and activity in Fair Park; and **(2)** increase in the economic impact to the City through the bed tax and other taxes.

BACKGROUND (continued)

The City and Football Starr, Inc. desire to enter into a seven-year agreement where the City will provide the Cotton Bowl Stadium to Football Starr to host the New Year's Cotton Bowl football game at Fair Park each January of 2012, 2013, 2014, 2015, 2016, 2017, and 2018. The annual game will feature teams from the Big Ten, Big 12, and/or Conference USA. Holding the game at the Cotton Bowl Stadium along with the advertising broadcasting, news media, and promotion activities related to the TicketCity Bowl, will attract tourists to the City and Fair Park, providing significant economic impact to the City, increase business opportunities throughout the City, and portray the City nationally in a positive fashion.

Securing a long-term agreement will insure that the bowl game will be contractually bound to be played in the Cotton Bowl Stadium for the next seven years, contingent upon continued licensing of the bowl game by the NCAA.

The bowl will pay \$50,000 to Fair Park for park programs and marketing for the first four years of the contract.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

City Council authorized the creation of a grant program to allow the use of Dallas Football Classic Bowl Game revenues to support the bowl and an escrow agreement for game revenues, capped at \$400,000, was established on April 7, 2010 by Resolution No. 10-0848.

City Council authorized execution of the Other Events Trust Fund Agreement with the Texas Comptroller of Public Accounts for the benefit of the 2011 TicketCity Classic Bowl Game for the period of December 8, 2010 through December 31, 2011; and the acceptance and deposit of funds from the Dallas Convention & Visitors Bureau in the amount of \$57,798 to be deposited in the Other Events Trust Fund with the State Comptroller of Public Accounts on March 9, 2011 by Resolution No. 11-0681.

FISCAL INFORMATION

Estimated Revenue: \$200,000 over next four years

April 6, 2011

WHEREAS, the City of Dallas supported the efforts to bring a new bowl game to the Cotton Bowl Stadium on January 1, 2011, the inaugural TicketCity Bowl by providing facilities, personnel and services to promote local economic development and to stimulate business and commercial activity in City of Dallas, and more particularly within the South Dallas/Fair Park area; and

WHEREAS, in furtherance of these programs, or as an additional program, and to promote within the City of Dallas, and particularly within the South Dallas/Fair Park area **(1)** development and diversification of the economy; **(2)** elimination of unemployment and underemployment; and **(3)** development and expansion of commerce, the City desires to enter into a seven-year agreement with FOOTBALL STARR, INC., d/b/a TicketCity Bowl, a Texas for-profit corporation, to host the New Year's Day Cotton Bowl football game in the Cotton Bowl Stadium at Fair Park each January of 2012, 2013, 2014, 2015, 2016, 2017, and 2018; and

WHEREAS, the TicketCity Bowl desires to play the next seven football games in the Cotton Bowl Stadium selecting teams from the Big 10, Big 12 and/or Conference USA; and;

WHEREAS, holding the game at the Cotton Bowl Stadium along with the advertising broadcasting, news media, and promotion activities related to the TicketCity Bowl, will attract tourists to the City and Fair Park, increase business opportunities throughout the City, and portray the City nationally in a positive fashion. **Now, Therefore,**

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

SECTION 1. That **(1)** a seven-year agreement with FOOTBALL STARR, INC. is hereby approved to hold a bowl game in the Cotton Bowl Stadium each January of 2012, 2013, 2014, 2015, 2016, 2017, and 2018; **(2)** FOOTBALL STARR, INC. will pay \$50,000 to the City of Dallas by March 1st of 2012, 2013, 2014 and 2015 for Fair Park programs and marketing, and **(3)** that the City Manager is hereby authorized to execute the agreement, following approval as to form by the City Attorney.

SECTION 2. That FOOTBALL STARR, INC. will provide NCAA football teams ranked highly in the Big 10 Conference, Big 12 Conference and/or Conference USA to play in the Cotton Bowl annually.

SECTION 3. That the agreement shall provide for termination by the City Manager, without liability.

SECTION 4. That the City Controller be and is hereby authorized to receive and deposit funds in Fund 0001, Dept PKR, Unit 5206, Revenue Source 7219.

April 6, 2011

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 6, 2011
COUNCIL DISTRICT(S): 7
DEPARTMENT: Park & Recreation
CMO: Paul D. Dyer, 670-4071
MAPSCO: 45Q

SUBJECT

Authorize a third amendment to the Fair Park Contract (hereinafter "Agreement") with the State Fair of Texas for marketing Fair Park - Estimated Revenue Foregone: \$200,000 over the next four years

BACKGROUND

On August 28, 2002, the City Council approved the Agreement between the City of Dallas and State Fair of Texas, Inc. for a twenty-five year term, with two five-year extensions. (Council Resolution 02-2405) to provide a location for the annual (SFT). Following is the annual rental fee that was due to the City of Dallas from SFT over the terms of the original Agreement:

2003 through 2007	\$ 950,000
2008 through 2012	\$1,150,000
2013 through 2017	\$1,350,000
2018 through 2022	\$1,550,000
2023 through 2027	\$1,750,000

As an additional consideration under the Agreement, the State Fair of Texas pays a marketing fee to the City of Dallas in the amount of \$50,000 to provide for marketing and community programs involving Fair Park, as determined by the City, in its sole and absolute discretion. The payment is due to the City of Dallas on or before January 15th of each year.

On December 5, 2005, the City Council was briefed on potential improvements and funding strategies for the Cotton Bowl Stadium in an effort to secure long-term commitments from NCAA football teams and to position the Cotton Bowl Stadium as a premier college football and international soccer venue. The projected economic impact from current and potential future games over a ten year period of \$1.49 billion.

BACKGROUND (continued)

The State Fair of Texas agreed to provide certain improvements to the Cotton Bowl Stadium totaling an estimated \$19.5 million, if the City of Dallas would accept these agreed Cotton Bowl improvements as in-kind payment of the contractual annual rental fees instead of cash payment of rent for a defined period. The cash rental deferment will be October 1, 2006 through first quarter of 2018.

The State Fair of Texas provided the other costs and financing for the Cotton Bowl improvements through approval of Amendment #1 of the Agreement between the State Fair of Texas and the City of Dallas. These improvements consisted of a new scoreboard and video board costing 19.5M that were installed by the SFT in September 2006.

The City of Dallas Park and Recreation Department would receive these Cotton Bowl improvements as in kind payments reflected in the following annual rent payments due from the State Fair of Texas:

2006	\$ 237,500 (last quarterly payment)
2007	\$ 950,000
2008	\$ 1,150,000
2009	\$ 1,150,000
2010	\$ 1,150,000
2011	\$ 1,150,000
2012	\$ 1,150,000
2013	\$ 1,350,000
2014	\$ 1,350,000
2015	\$ 1,350,000
2016	\$ 1,350,000
2017	\$ 1,350,000
2018	<u>\$ 212,500</u>
Total	\$13,900,000

These calculations are based on State Fair of Texas borrowing \$4.9 million at 6.6% for 36 months and the remaining \$15.0 million at approximately 7% for 144 months for a total principal and interest of \$27.8 million. Under the First Amendment to the Agreement, the cash payment to the City over the next thirteen years will be reduced by an aggregate of \$13.9 million which is equivalent to one-half of the State Fair of Texas financed cost of the scoreboard and videoboard.

Also, on October 22, 2008, the City Council, per Resolution No. 08-2858, amended (amendment #2) the Agreement to allow State Fair of Texas the right to enter into naming rights contracts for the Cotton Bowl Stadium and Summer Place Park Operation.

BACKGROUND (continued)

The City is proposing to amend the Agreement to direct the \$50,000 annual marketing fee to the Dallas Convention and Visitor's Bureau for marketing Fair Park. These payments shall be made by the State Fair of Texas to the DCVB on or before January 15 of 2012, 2013, 2014 and 2015 for the DCVB to fund Fair Park marketing initiatives.

In this proposed third amendment the City is proposing to amend the agreement to waive the \$50,000 marketing fee due to the City, for four years to allow the State Fair of Texas to pay the Dallas Convention and Visitors Bureau \$200,000 up front to assist in paying Bowl game team payouts.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board approved a twenty-five year agreement on August 15, 2002.

Authorized a twenty-five year agreement on August 28, 2002, by Resolution No. 02-2405.

Briefed to City Council on December 5, 2005, by Resolution No. 05-3379.

Authorized the first amendment to the agreement on August 9, 2006, by Resolution No. 06-2070.

Authorized the second amendment to the agreement on October 22, 2008, by Resolution No. 08-2858.

FISCAL INFORMATION

Estimated Revenue Foregone: \$200,000 over the next four years

April 6, 2011

WHEREAS, on August 28, 2002, the City Council approved a Fair Park Contract (hereinafter "Agreement") between the City of Dallas and State Fair of Texas ("State Fair") for a period of 25 years with two five-year extensions for use of Fair Park to host the annual State Fair; and

WHEREAS, under the Agreement, State Fair shall pay an annual rental fee beginning initially at \$950,000 and increasing every five years to an annual rate of \$1,750,000 for the last five years of the 25-year agreement; and

WHEREAS, on August 9, 2006, by Resolution No. 06-2070, the City Council authorized a First Amendment to the Agreement that identified certain improvements to the Cotton Bowl Stadium at Fair Park totaling an estimated \$19,500,000 (the "Phase I Improvements"); and

WHEREAS, State Fair has agreed to provide the Phase 1 Improvements totaling \$19,500,000 if the City of Dallas will accept in-kind payment of rent instead of cash payment of rent totaling approximately \$13.9 million; and

WHEREAS, on October 22, 2008, by Resolution No. 08-2858, the City Council authorized a Second Amendment to the Agreement to allow State Fair the right to enter into naming rights contracts for the Cotton Bowl Stadium and Summer Place Park Operation; and

WHEREAS, the agreement further provides that the State Fair of Texas will pay an annual marketing fee of \$50,000 to the City of Dallas to provide for marketing and community programs involving Fair Park as determined by the City in its sole and absolute discretion; and

WHEREAS, the City of Dallas has determined that it is in the best interests of the City that the marketing fee be paid to the Dallas Convention and Visitors Bureau (DCVB) for marketing purposes, rather than to the City; and

WHEREAS, in this proposed third amendment the City is proposing to amend the agreement to waive the \$50,000 marketing fee due to the City, for four years to allow the State Fair of Texas to pay the Dallas Convention and Visitors Bureau \$200,000 up front to assist in paying Bowl game team payouts.

Now, Therefore,

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

April 6, 2011

SECTION 1. That the City Manager, upon approval by the City Attorney as to form, is hereby authorized to enter into a supplement to the Agreement with State Fair that will provide that the State Fair will pay the annual \$50,000 marketing fee due to the City to the DCVB for 2012, 2013, 2014 and 2015 for marketing Fair Park.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Memorandum



DATE April 1, 2011

TO The Honorable Mayor Dwaine Caraway and
Members of the Dallas City Council

SUBJECT Urban Forestation: Regional and City of Dallas Initiatives

You are scheduled to receive a briefing on Urban Forestation: Regional and City of Dallas Initiatives at your April 6, 2011 Council Briefing. Attached is a copy of the briefing for your review.

Please contact me if you have any questions.



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

C: Mary K. Suhm, City Manager
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, CPA, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, First Assistant City Manager
A. C. Gonzalez, Assistant City Manager
Forest Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Helena Stevens-Thompson, Assistant to the City Manager

Urban Forestation

Regional and City of Dallas Initiatives

“The best time to plant a tree was
20 years ago.
The next best time is now.”
~Chinese Proverb



Purpose

- Introduce Texas Trees Foundation's "Tree North Texas" regional initiative
- Provide overview of existing City of Dallas initiatives
- Introduce the Roadmap Model for Urban Tree Planning & Planting
- Staff recommendation for Council resolution to support Tree North Texas

What is “Tree North Texas”?

Regional Urban Forestation Initiative

Largest Regional Tree Planting Initiative in the Country

- 3 Million Trees Planted
- Over 10 Years

Different Ways to Plant

- Public & Private Land
- Sponsor, Grant, Corporate, or Residential

Register Your Tree

“For in the true nature of things, if we rightly consider, every green tree is far more glorious than if it were made of gold and silver”

~Martin Luther

- VOLUNTEER
- PLANT
- LEARN



Tree North Texas

- Tree North Texas Tree Tracker
- Tree North Texas Tree Tracker Progress

Tree the Town

- Tree the Town Sponsorship
- Right Tree Right Place
- Tree the Town Photos
- Tree the Town Sponsors

Super Grow XLV

- Super Grow XLV Media Room
- Super Grow XLV Partners
- Touchdown for Trees

Calendar of Events

- Press Room
- Newsletter
- Blog

BLOG CATEGORIES

- Uncategorized
- BLOG ARCHIVES
- March 2011
- February 2011
- January 2011

SEARCH

Browse: [Home](#) / [News & Events](#) / [Tree North Texas](#) / [Tree North Texas Tree Tracker](#)

TREE NORTH TEXAS TREE TRACKER

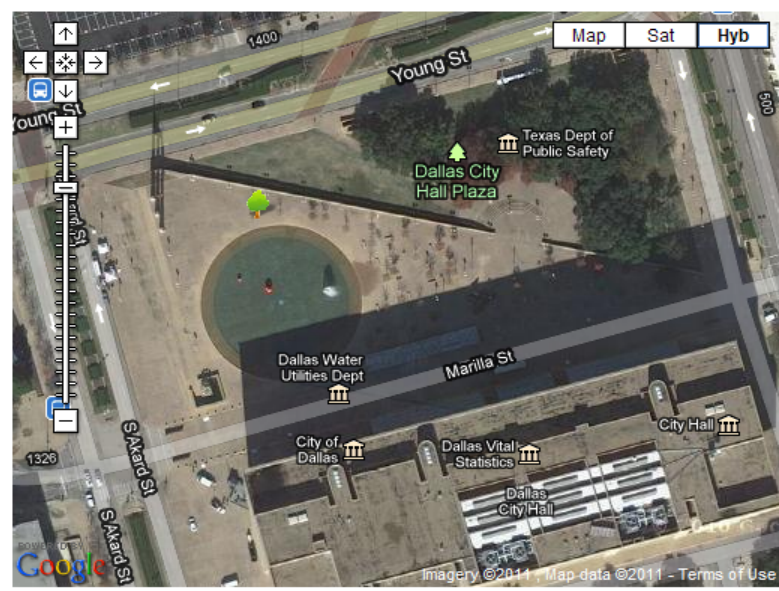
Step 1: Enter your street address

Address:

City:

Step 2:

Step 3: Drag your tree to the best spot



Step 4: Enter your information and Submit

Who Partners in “Tree North Texas”?

Regional Urban Forestation Initiative

- Texas Trees Foundation is the official non-profit of “Tree North Texas”
 - Resource for Advice/Education to Participating Cities
 - Execute Contracted or Volunteer Plantings
 - Facilitate Charitable Giving & Manage Grants
- Up to 70 Cities Will Pledge to “Tree North Texas”
 - Set a Goal for Their City
 - Educate & Promote Planting Trees

“The true meaning of life is to plant trees, under whose shade you do not expect to sit.” ~Nelson Henderson

Tree North Texas

Regional Urban Forestation Initiative

What Has Been Done?

Contacts w/ Mayors of 70 North Texas Cities

Discussions with Potential Major Donors

Meetings with North Central Texas Council of Governments

“If I knew I should die tomorrow, I would plant a tree today.”
~Stephen Girard

3 Million Tree North Texas Regional Urban Forestation Initiative

What Next?

Cities Confirm Participation (February-March)

Council Consideration if Needed

Kicking Off “Tree North Texas” (April 2011)

Pledge Signing Ceremony for Participating Mayors

Centralized Website for Overall Initiative

“It’s the little things citizens do. That’s what will make the difference. My little thing is planting trees.” ~Wangari Maathai

3 Million Tree North Texas Regional Urban Forestation Initiative

If We Pull This Off...

Largest Regional Tree Planting Initiative in the Country

Major Step Towards Attainment of National Ambient Air Quality Standards (Serious Non-Attainment Categorization)

“Someone’s sitting in the shade today because someone planted a tree a long time ago.” ~Warren Buffett

Dallas: Tree City USA



- Growing public awareness of the need to reduce our environmental “footprint”
- Many benefits offered by trees
- Support for tree and urban forestry projects continues to grow
- forwardDallas! Comprehensive Plan
 - Goal 6.2: Preserve and Increase Tree Canopy
- Dallas has received “Tree City USA” designation from the Arbor Day Foundation for six years
 - Tree ordinance
 - Tree board (Urban Forest Advisory Committee)
 - Official Arbor Day
- City of Dallas has several ongoing tree initiatives which are described on the following pages

City of Dallas Initiatives Adopt-A-Median

- Individuals, citizen groups (e.g., homeowner associations) and corporations take ownership of a street median as good stewards and/or good corporate citizens of Dallas
 - Coordinated through Street Services Department's MOWmentum Program

City of Dallas Initiatives

Dallas Reforestation Program

- Citizen access to trees provided by the City for planting on public property
 - City of Dallas parks, recreation centers, approved medians and parkways, schools, and other public properties
- Must commit to planting and watering the trees
- During planting season only, October - March

City of Dallas Initiatives

Citizen Forester Program

- Trains citizens on basic tree skills to promote tree plantings and advocate the importance of Dallas' urban forests
- Required to return fifteen volunteer hours annually and six hours of continuing education by assisting with a variety of city tree plantings and projects
 - They become the eyes, ears, and hands for the City Arborist
 - Help educate the public by speaking to homeowner associations, schools, garden clubs, and home and garden shows about how to plant and care for trees

City of Dallas Initiatives

Other Tree Planting Projects

- Parks, golf courses, and other City-owned properties
 - Trees planted in association with Park and Recreation construction projects
 - Trees planted in cooperation with Civic partners
 - Dallas Mavericks “Trees for Threes”
- Neighborhoods
 - Partner with homeowner groups, Neighborhood Associations, and DISD
 - Trees are planted in parkway open spaces, pocket parks and schools

Urban Forest Advisory Committee

- Established in 2005 by the Dallas City Council
- Assists in developing best management practices to conserve and properly manage the city's trees and forests
- Educates citizens on trees and organizes tree plantings
- Comprised of citizens, various experts and professionals, and Dallas City officials

Dallas Development Code

- Tree protection measures
 - If trees are removed, must add back same amount (total diameter) of trees

Or

- Alternative off-site mitigation opportunities
 - Planting within 1-mile of property
 - Donate to Park and Recreation department
 - Contribute to Reforestation Fund
 - Create conservation easement

**The Dallas GIS
ROADMAP MODEL
For Urban Tree Planning & Planting:
The Potential Urban Forest of Dallas, Texas**



**TEXAS TREES
FOUNDATION**

CREATING HEALTHY COMMUNITIES

The Dallas Roadmap – Results at a Glance:

Urban Tree Canopy (UTC): 30% of land area - *excluding water citywide and ranging from 16-39% within City Council districts*

Number of Planting Sites by Roadmap Criteria:

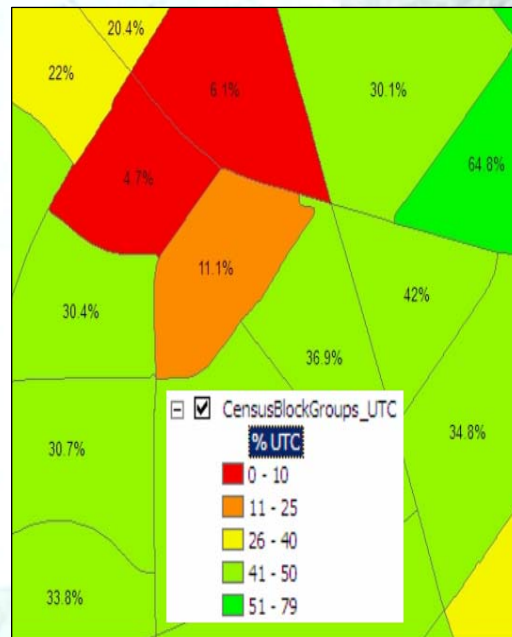
•Maximum Energy Savings Potential:	332,194
•Single Family Residential (SFR) Property:	458,850
•Public rights-of-way (PROW):	480,790
•On Commercial Property:	301,648
•On School Property:	53,019
•In or Adjacent to Parking Lots:	84,577
•Lowest income range (<\$20K);	214,809
•Highest urban heat island range (>140F):	<u>19,097</u>

Total Potential Planting Sites: 1,855,310*

Tree Canopy Cover



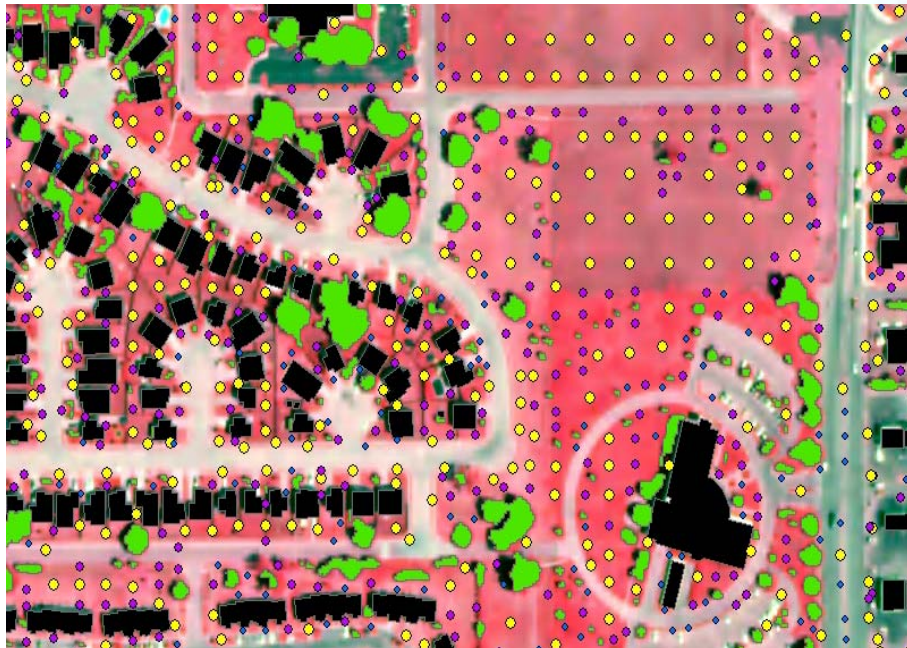
UTC by Census Block



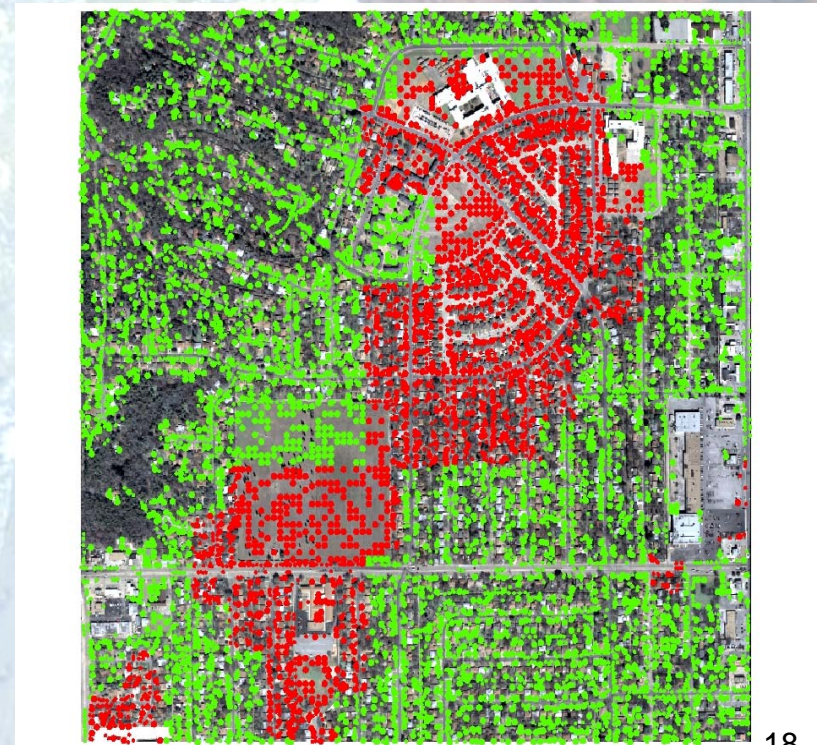
UTC by Parcel



Roadmap to Tree Planting and Planning



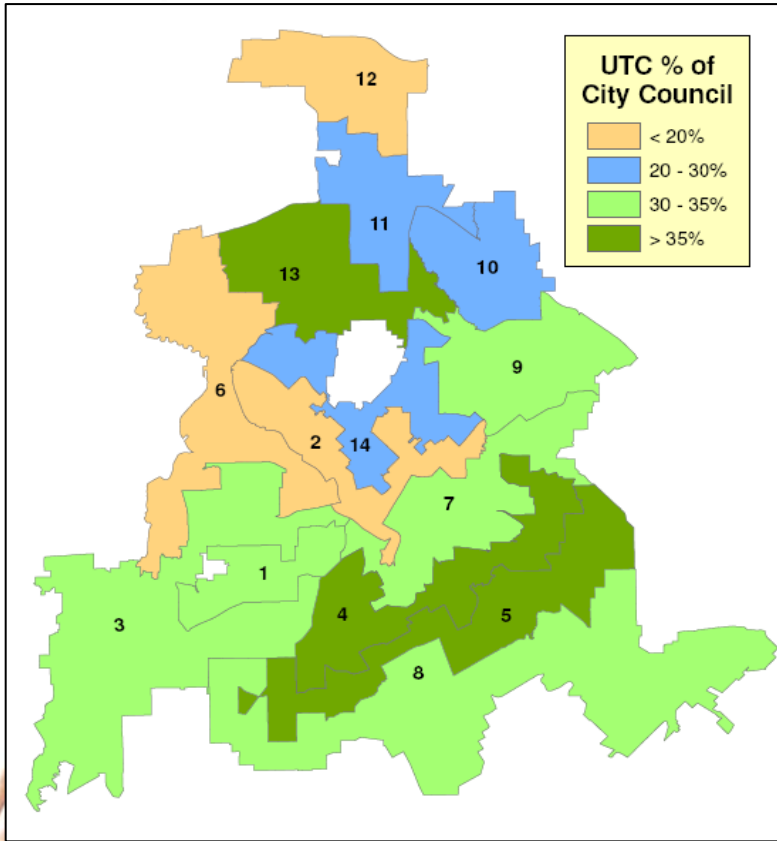
- Planting Sites
 - Size
 - large
 - medium
 - small
- Tree Canopy
 -
- Buildings
 -



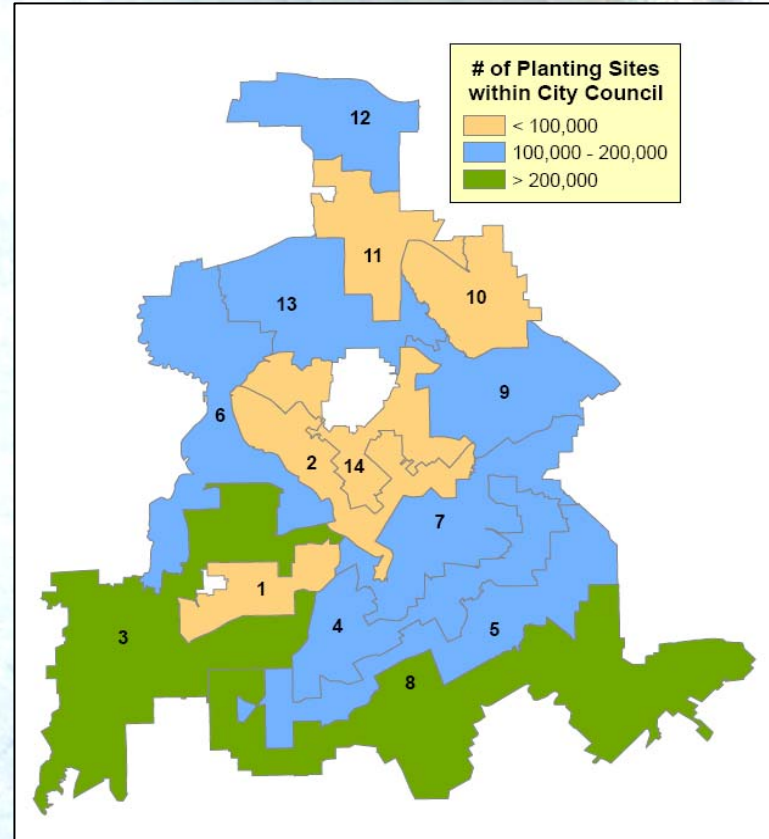
- Harry_Hines_Urban_Heat_Island
 - Temp_Value
 - 110-120
 - 120-130
 - 130-140
 - 140-181



Roadmap to Tree Planting and Planning



% Tree Canopy by City District



of Planting Sites by District

Summary

Benefits¹

- Cooling and temperature reduction
 - Reduces energy usage and generation emissions
 - Reduces ozone formation
 - Reduces urban heat island effect
- Air pollutants reduction
- Stormwater run-off reduction

Current Efforts

- Adopt-A-Median
- Dallas Reforestation Program
- Citizen Forester Program
- Community Tree Planting Projects
- Urban Forest Advisory Committee
- Dallas Development Code

¹Sources: California Research Board, School of Earth and Atmospheric Study – Georgia Tech, David Novak – USDA Forest Service

Staff Recommendation

- Council resolution for Tree North Texas

Memorandum



DATE April 1, 2011

TO Honorable Mayor and Members of the City Council

SUBJECT Group Housing Facilities Regulation and Enforcement Briefing

On Wednesday, April 6, 2011 you will be briefed on Group Housing Facilities Regulation and Enforcement. The briefing material is attached for your review.

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

for EJT
for 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

Group Housing Facilities Regulation and Enforcement

Briefing to the City Council
April 6, 2011

Purpose of Briefing

- ❑ Describe the different type of group housing facilities and applicable regulations
- ❑ Review the process to identify violations and enforce code, fire safety, zoning and other regulations
- ❑ Provide update on identified group housing facilities in Dallas

Background

- ❑ A multi-departmental Boarding House Task Force was created in June 2007 to:
 - Better coordinate the City's inspection and enforcement process and
 - Report results and recommendations to the Quality of Life Council Committee
- ❑ Code Compliance, Crisis Intervention, DPD, Dallas Fire-Rescue, Building Inspection and City Attorney's Office participated in the task force
- ❑ Inspections and enforcement targeted code violations, building and zoning requirements, public safety and fire safety issues
- ❑ Task Force investigated 345 properties and performed enforcement activities

Background

- ❑ Final recommendations by the task force in November 2008 included:
 - Registration of all residential rental properties
 - Authorization to allow the City to enforce the State's Assisted Living Facilities statute
 - Support changes to State law to authorize local governments to:
 - ❑ Deny licenses to group housing facilities when they violate City ordinances
 - ❑ Seek appointment of a trustee to operate licensed homes when closure would adversely affect residents
 - ❑ Order emergency closures and seek injunctive relief for violations of State law

Background

- ❑ City's 2009 Legislative Agenda recommended a full array of enforcement tools to identify, regulate and enforce state law and municipal ordinances applicable to group housing facilities
- ❑ HB 216, adopted in 2009, allows the City to regulate boarding home facilities not licensed by the State, but did not fully achieve the City's recommendations
 - City's 2011 Legislative Agenda includes recommendations to strengthen or clarify HB 216
- ❑ In FY 09-10, Code Compliance assumed responsibility for coordinating multi-department inspections of group facilities

What is a Group Housing Facility?

- ❑ A group housing facility is an interim or permanent residential facility that provides room/board to a group of persons who are not a family, regardless of whether it is operated for profit
 - A family is defined as individuals living together as a single housekeeping unit in which not more than four individuals are unrelated to the head of the household by blood, marriage, or adoption
- ❑ Several different types of group housing facilities are identified in the Dallas City Code



Who Regulates Group Housing Facilities?

- ❑ The State's Department of Aging and Disability Services (DADS), licenses some facilities, such as:
 - Adult Day Care Centers
 - ❑ Offer daytime programs for seniors or people with disabilities, and assistance with some tasks, such as taking medicine.
 - Assisted Living Facilities
 - ❑ Offers residents their own room or apartment, allows personal belongings to make it feel like home, and group dining. Residents usually pay monthly rent as well as additional fees for services.
 - Nursing Homes
 - ❑ Offers 24-hour nursing care, rehabilitative services or medical care to persons with needs that keep them from living independently.
 - Hospices
 - ❑ Offer pain relief, comfort and support to people who expect to live for six months or less and choose to give up care to treat their terminal illness. Services include care to treat pain, as well as other services, such as counseling, and are offered in homes, hospitals, nursing homes, hospice facilities, and intermediate care facility for persons with mental retardation.
 - Home and Community-based Service (HCS) Facilities:
 - ❑ Up to four people with intellectual or developmental disabilities live in a home-like place and types of assistance are individually planned. Daily living assistance is offered, such as taking medicine, dressing, cooking or bathing, managing behaviors.

Who Regulates Group Housing Facilities?

- The State's focus is on operations and health conditions, and these facilities typically provide:
 - Medications dispensed by staff to residents
 - Assistance for daily living activities such as bathing, dressing, etc.
- The State performs inspections:
 - After receiving an initial application
 - Annually for State-licensed facilities
 - In response to reported complaints/incidents
 - When notices of violation are issued and follow-up is required

Who Regulates Group Housing Facilities?

- The City Code has different classifications than the State for group housing facilities, such as:
 - A. Handicapped Group Dwelling Unit
 - **State's classifications for assisted living facilities sometimes meet the City's classification for Handicapped Group Dwelling Units**
 - B. Lodging/Boarding House
 - C. Residential Hotel
 - D. Group Residential Facility
 - E. Halfway House
- The City's focus has been on premise, structural and zoning violations because State law allowed more limited regulation by local governments before HB 216
 - City Attorney's Office has briefed Council on HB 216, which was enacted in 2009 and allows the City to regulate boarding home facilities not licensed by the State

City's Classifications of Group Housing Facility Use Comparison Table

Use	A. Handicapped Group Dwelling Unit 51A-4.209 (b) (3.1)	B. Lodging/Boarding House 51A-4.205 (2)	C. Residential Hotel 51A-4.209 (b) (5.1)	D. Group Residential Facility 51A-4.209 (b) (3)	E. Halfway House 51(A) 4.204(13)
Use Type	Residential	Lodging	Residential	Residential	Institutional
1.Number of people/units allowed	8 or less who are HC – may include 2 supervisors	5 or less guest rooms rented separately	6 or more guest rooms with Kitchens or guest rooms w/o kitchen, or guest rooms with shared facilities.	More than 4 persons who are not related to “head of household”.	50 people max
2.How facilities negotiated	No reference	No reference	More than 50% of the rental income from occupants of 30 days or more.	Not on daily basis	Only for persons on probation or parole.
3.Kitchen allowed in unit	Kitchen	No kitchens in rooms	May have no kitchen May have kitchen in rooms May have shared Kitchen	May have kitchen, does not have to.	No reference
4.Zoning allowed	By right in A, SF, D, TH, CH, MF1, MF2, MH, GO, CA, MU1, when spaced 1,000 feet; otherwise by SUP. In GO limited to 5% of floor area of building.	By right in MF2, MF3, MF4, RR, CS, LI, IR and CA; by SUP in CR & IM	By right in MF2, MF3, MF4, CA, MU when located 1 mile from other residential hotels.	By right in CH, MF, CA, MU when spaced 1,000 feet – otherwise by SUP By SUP in UC.	SUP in LI, RR, CS, MU-2, MU-3, & CA;
5.Additional provisions	No C.O. required.	Operator may serve meals to occupants.	Subject to Chapter 27 of Dallas City Code. Also must have a guest registry.	Density regulations (beds/units per acre)	1000 ft. from residential districts & uses, parks, schools & child-care facilities; one mile from another halfway house; within 1200 ft. of mass transit. Also must have a security plan.

A. Handicapped Group Dwelling

- ❑ Occupancy Limits
 - 8 or fewer individuals reside at the facility (which includes any staff living at the property)
- ❑ Building and Zoning Requirements
 - Equivalent of a single family use
 - No certificate of occupancy (CO) required
 - Specific Use Permit (SUP) required if distance provisions are not met
- ❑ Distance Restrictions
 - SUP required if located within 1000 feet from another handicapped group dwelling or group residential facility
- ❑ Other Regulations
 - Clients must be handicapped

B. Lodging/Boarding House

- ❑ Occupancy Limits
 - Contain at least one but fewer than six guest rooms that are separately rented
- ❑ Building and Zoning Requirements
 - Not allowed in Single Family zoning
 - Certificate of Occupancy (CO) is required
- ❑ Distance
 - No specific restrictions
- ❑ Other Regulations
 - No kitchens in rooms

C. Residential Hotel

- ❑ Occupancy Limits
 - 6 or more guest rooms with living and sleeping accommodations without kitchen or
 - 6 or more rooms rented on daily basis with kitchen, or
 - 6 or more rooms with shared bathroom, kitchen or dining
- ❑ Building and Zoning Requirements
 - Not allowed in Single Family zoning
 - Certificate of Occupancy (CO) is required
- ❑ Distance
 - Must be at least 1 mile from other residential hotel uses
- ❑ Other Regulations
 - Receives 50% or more income from occupants who stay 30 consecutive days or more
 - Must have a guest registry

D. Group Residential Facility

□ Occupancy Limits

- Interim or permanent residential facility that provides room and board to persons who are not a family

□ Building and Zoning Requirements

- Located within CH, MF, CA, MU zoning
- Not allowed in SF
- Certificate of Occupancy (CO) is required

□ Distance

- Must be at least 1,000 feet from all other group residential facility uses and HGDUs

□ Other Regulations

- Density limits on number of rooms and beds per acre

E. Halfway House

- ❑ Occupancy Limits
 - No more than 50 residents on probation or parole
- ❑ Building and Zoning Requirements
 - Must be located 1000 feet from residential districts, single family, duplex, multifamily uses, parks, child care, and schools
 - Certificate of occupancy (CO) is required
- ❑ Distance
 - Must be at least 1 mile from all other halfway house facility uses
- ❑ Other
 - Provide rehabilitation and training to persons on probation, parole or early release
 - Must be within 1200 feet of mass transit
 - Must have a security plan

Regulation and Enforcement Process

- ❑ For every group housing facility and HGDU the City identifies, a uniform intake form is used to gather information:
 - Address, owner information, contact information, type of facility, number of residents/beds/bedrooms, state licenses, Certificate of Occupancy or permits, multi-family or single-family zoned, intake/inspection date, legal status and council district
- ❑ Group facilities can be difficult to find and the City uses various methods to identify them:
 - Inspecting previously identified residential group facilities to verify on-going operation and compliance and field inspections
 - Information gathered from hospitals, other care agencies, and State Department of Aging & Disability Services (DADS)
 - 3-1-1 Calls – complaints and concerns reported by residents are inspected to identify residential group facilities and coordinate multi-departmental inspections as necessary
- ❑ Data is used to maintain a database of information for various city departments and other agencies

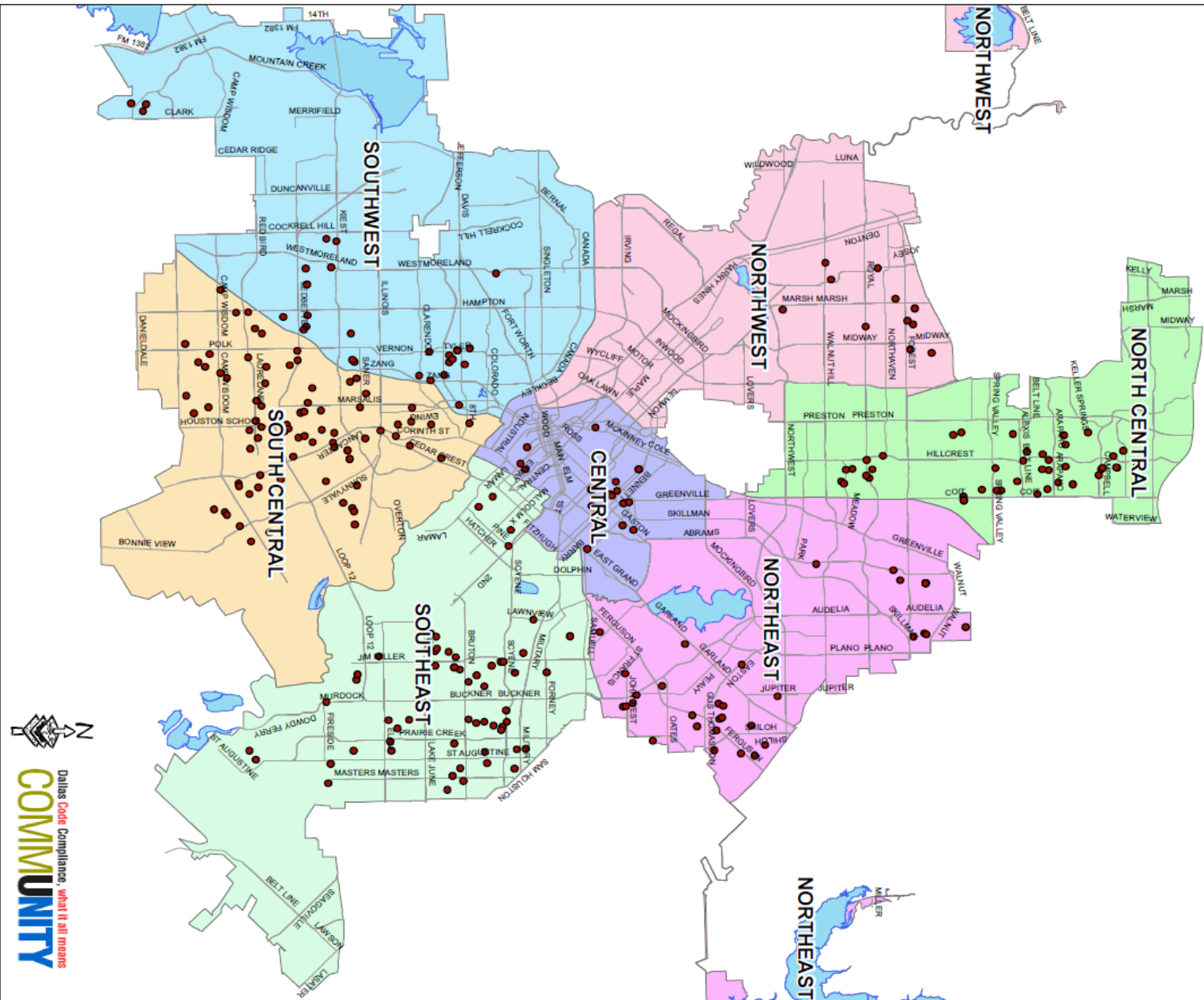
Regulation and Enforcement

- ❑ Approximately 400 properties were assessed in FY09-10 as potential group housing facilities
- ❑ 278 group housing facilities are currently identified as operational
 - 239 Handicapped Group Dwelling Units
 - 6 Lodging/Boarding Houses
 - 20 Residential Hotels
 - 12 Group Residential Facilities
 - 1 Halfway House
- ❑ 11 properties had 5 or fewer residents at time of inspection, technically making them single family uses, but these continue to be monitored

Regulation and Enforcement

- ❑ Of the 278 facilities identified by staff, 48 were found to have violations, including:
 - number of residents (5 locations in violation)
 - distance criteria (28 locations in violation)
 - state criteria (2 locations in violation)
 - zoning regulations (8 locations in violation)
 - code violations (5 locations in violation)
- ❑ Status of enforcement taken on the 48 facilities with violations:
 - Code Compliance issued 14 notices and 3 citations
 - Fire & Rescue issued 18 notices
 - City Attorney's Office issued 3 notices
 - City referred two (2) locations to DADS

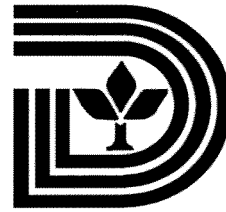
Group Facility Locations in Dallas



Next Steps

- ❑ Continue appropriate enforcement action at identified group housing facilities to gain compliance with applicable codes and address quality of life issues
- ❑ Inspect all properties reported from referrals/complaints and re-inspect existing facilities annually to maintain accurate data
 - Continue collaboration with DPD and Crisis Intervention, Dallas Fire-Rescue, Building Inspection and the City Attorney's Office for comprehensive inspections at each property
- ❑ City Attorney's Office is developing a registration ordinance to enhance the City's ability to identify and monitor handicapped group dwelling units

Memorandum



CITY OF DALLAS

DATE April 1, 2011

TO Honorable Mayor and
Members of the City Council

SUBJECT April 6, 2011 City Council Briefing
"TicketCity Bowl"

Attached is a copy of the "TicketCity Bowl" briefing which will be presented to the City Council on April 6, 2011.

Please contact me at 214-670-4071 if you have any questions.

A handwritten signature in cursive script, appearing to read "Paul D. Dyer".

Paul D. Dyer, Director
Park and Recreation Department

c: Mary K. Suhm, City Manager
Deborah Watkins, City Secretary
Thomas P. Perkins, City Attorney
Craig Kinton, City Auditor
Judge C. Victor Lander, Judiciary
Ryan S. Evans, First Assistant City Manager
Forest E. Turner, Assistant City Manager
A. C. Gonzalez, Assistant City Manager
Jill A. Jordan, P. E., Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Helena Stevens-Thompson, Assistant to the City Manager

TicketCity Bowl

City Council Briefing

April 6, 2011



Background

- Final at&t Cotton Bowl Classic held at the Cotton Bowl in 2009
- Cotton Bowl Stadium, second to only the Rose Bowl Stadium in hosting college bowl games in the history of collegiate football
- In an effort to bring back intercollegiate post-season football to the Cotton Bowl, Tom Starr, d/b/a Dallas Football Classic, approached the Big 12 Conference, the Big 10 Conference and Conference USA to supply teams for a proposed New Year's Day bowl game in the Cotton Bowl
- Dallas Football Classic is currently seeking not-for-profit status

Background (Continued)

- Proposed four-year schedule submitted in the bid to the NCAA, excluding BCS selections:
 - January 1, 2011 Big 12 (#7) v. Big Ten (#6)
 - January 2012 Conf. USA v. Big Ten (#6)
 - January 2013 Big 12 (#7) v. Big Ten (#6)
 - January 2014 Conf. USA v. Big Ten (#6)
- Game agreements for future bowl line-ups from the conferences extend through 2014 Bowl Game

Background (Continued)

- License for Dallas' new bowl game was awarded by the NCAA in April 2010.
- Television contract with ESPNU was secured
- Guaranteed total team payments of \$2.2M
- NCAA required \$2 Million Letter of Credit was secured through Comerica Bank

Background (Continued)

- On April 7, 2010, City Council authorized the creation of a grant program to allow the use of Dallas Football Classic Bowl Game revenues to support the bowl game. An escrow agreement for game revenues (capped at \$400,000) was established.
- at&t Cotton Bowl Classic was supported by a \$700,000 annual stipend from the City of Dallas from 1996 to 2008

Background (Continued)

- TicketCity, a secondary ticket market company based in Austin, TX, signed on as the title sponsor for the January 1, 2011 bowl game
- Inaugural “TicketCity Bowl” featured Texas Tech University and Northwestern University

Opportunities & Challenges

- Announced game attendance of 41,000 for first televised bowl game of the New Year
- Aired on ESPNU and was the highest rated football game ever on that network
- Costs to produce and host the bowl game exceeded sponsorship dollars and anticipated revenues
- Super Bowl XLV created a major fund raising issue for the TicketCity Bowl for January 2011

Building for the Future

- TicketCity Bowl with City support of \$200,000, will be able to meet its team payment obligations
- City support will result in a seven year commitment to keep the bowl game at the Cotton Bowl

Proposal

- The State Fair of Texas (SFT) contract provides \$50,000 to Fair Park for marketing and community programs
 - Payment is made to the City on or before January 15th of each year
 - SFT contract could be amended to redirect these future annual \$50,000 commitments for 2012, 2013, 2014 and 2015 (\$200,000 total) to the Dallas Convention and Visitors Bureau (DCVB)
 - DCVB would remit this \$200,000 to the Big 12 Conference and the Big 10 conference to support team payment pledges

Proposal (Continued)

- FOOTBALL STARR, INC. d/b/a TicketCity Bowl has agreed to
 - Pay the \$200,000 back to the city over the next four years
 - Sign an agreement to keep the bowl game at the Cotton Bowl for the next three years remaining on the current NCAA licensing agreement and an additional four years, if a future license to continue the bowl game is issued by the NCAA

Benefits to the City

- Games would be held at the Cotton Bowl Stadium each January of 2012, 2013, 2014, 2015, 2016, 2017 and 2018
- DCVB would provide an additional \$200,000 to assist the team pledges
- Advertising, broadcasting, news media and promotional activities related to the bowl game would attract tourists to the City and Fair Park

Benefits to the City (continued)

- Major economic impact for the City at a traditionally slow time for hotels, restaurants, rental car agencies and other local businesses
- Major cities throughout the nation provide economic support to bowl games
 - El Paso provides \$2.5M to the Sun Bowl for an estimated economic impact of \$24.6M (source: ElPasoTimes.com)

Benefits to the City (continued)

- ❑ Jacksonville, Florida provides the Gator Bowl a portion of the county hotel bed tax (\$250,000) and \$1.4M from the City for an estimated economic impact of \$30M (source: jacksonville.com)
- ❑ The Florida Sports Foundation provides \$400K for the Orange Bowl for an estimated economic impact of \$180M (source: MiamiTodayNews.com)

Benefits to the City (continued)

- ❑ San Diego provides \$435K from the hotel tax fund to the Holiday Bowl for an estimated economic impact of \$40.7M (source: San Diego State University Center for Hospitality and Tourism Research and signonsandiego.com)
- ❑ Las Vegas Convention and Visitors Authority provides \$400K to the Maaco Bowl for an estimated economic impact of \$24.6M (source: LasVegasSun.com)

Next Steps

- Pursue City Council authorization to
 - 1) amend the State Fair of Texas contract to allow the SFT to pay the DCVB \$200,000 for team payouts
 - 2) authorize a seven year agreement with FOOTBALL STARR, INC., d/b/a TicketCity Bowl

Memorandum



DATE April 1, 2011

TO The Honorable Mayor and Members of the City Council

SUBJECT **82nd Session – State Legislative Update**

On Wednesday, April 6, 2011, Assistant City Attorney Larry Casto will provide you with an update on the 82nd Session of the Texas Legislature. He will focus on pending legislation impacting the City of Dallas, with emphasis on State decisions that could potentially negatively impact local government budgets. Attached are the briefing materials for you to review in preparation for Wednesday's discussion.

Please contact me if you have any questions.



Mary K. Suhm
City Manager

c: Deborah Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, First Assistant City Manager
A.C. Gonzales, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Office
Helena Stevens-Thompson, Assistant to the City Manager

82nd Session - State Legislative Update
April 6, 2011

Section I Budget Impacts

Mixed Beverage Tax Reimbursements

HB1 & SB1 reduce the amount allocated to cities from the current rate of 10.7143 to 8.3065 percent. This reduction would result in a state-wide cut of approximately \$26 million per year.

Potential Revenue Loss: \$1.8M

Increased Traffic Fines

HB 258 (Gonzalez, Naomi) increases traffic fines from \$30-\$50. The House Ways and Means Committee passed a bill to increase the state's take from every city traffic ticket, skimming off an additional \$42 million per year from city traffic fines.

Potential Revenue Loss: \$2.6M

Red Light Cameras

HB 1561 (Orr) and SB 500 (Jackson, Mike) eliminate the City's authority to implement a red light camera program. In the City of Dallas, red-light related accidents have decreased 61% since 2007 at intersection approaches with red light cameras. HB 1792 (Gutierrez) allows the state to keep 100% of the revenue after costs are covered.

Potential Revenue Loss: \$1.6M

HB 887 (Geren) calls for a voter referendum before a red light camera program can be implemented.

Potential Cost: \$1,200

Posting of Financial Information

HB 1153 (Paxton) requires the comptroller to maintain an internet portal on which financial information for all political subdivisions must be posted.

Potential Cost: \$4.4M

Texas Fire Commission

HB1 & SB1 proposed cuts to the Texas Fire Commission. A House Rider would raise the firefighters' fees from the current \$35/year to \$85/year to fund the Commission.

Potential Cost: \$108,800

Pension

Current law states that the governing board of any public retirement system may vote to make an annual contribution to the State Pension Review Board not to exceed 50 cents for each active member and annuitant of the retirement system. SB 1612 (Ogden) would make that 50-cent fee mandatory.

Potential Governing Board Cost: \$11,000

Air Quality

HB 820 (Farrar) requires entities that own or operate a major source of emissions to purchase, install, and maintain fence-line monitors or develop alternative monitoring plans.

Potential Implementation Cost: \$2.5M

Potential Annual Monitoring/Reporting Cost: \$200,000

Texas Commission on Law Enforcement Officer Standards and Education (TCLEOSE)

HB 1 & SB 1 reduce \$500,000 in funding for License and Approved Courses. In 2010, Texas Automobile Burglary and Theft Prevention Authority (TABTPA) awarded \$14.1 million in grants to local police departments. Those grants were funded by a \$1 annual fee on auto insurance policies in the state. The bills would continue that fee, but would divert the revenue into the state's general fund.

Potential Grant Funding Loss: \$233,000

Texas Parks and Wildlife Department

HB1 & SB1 drastically reduces local parks grant funding from \$36M/biennium to \$868,000 for the upcoming biennium. These funds are secured through sales tax on sporting goods.

Potential Grant Funding Loss: \$2M

Department of Motor Vehicles/Texas Automobile Burglary and Theft Prevention Authority (TABTPA)

HB1 & SB1 cut TABTPA funding to \$2.1M. This program awards grants to police departments to assist in preventing and investigating automobile theft. In 2010, TABTPA awarded \$14.1 million in grants to local police departments.

Potential Grant Funding Loss: \$607,000

Texas Department of Housing and Community Affairs (TDHCA)

HB1 & SB1 eliminate \$20M in state aid for the 8 largest cities to provide housing and case management for the homeless. A rider has been filed in the Senate to restore this cut.

Potential Grant Funding Loss: \$1.7M

Texas State Library and Archives Commission

HB1 & SB1 reduce funding for the Lone Star Library Grant Program by \$20 million. Funding for the State Library and Archives Commission is reduced and a fee established for TexShare Membership.

Potential Grant Funding Loss: \$547,016

Potential Cost: \$2.39M in fees

Texas Commission on Environmental Quality:

HB1 initially eliminated funding for the Low Income Vehicle Repair, Replacement and Retrofit Program (LIRAP). **HB1** reduces funding for the Texas Emission Reduction Plan (TERP) by 51 percent. However, an amendment has been filed to reinstate funding for LIRAP and increase funding for TERP. There is also a rider bill to reinstate funding for both programs. The City of Dallas wrote letters to House Appropriators opposing the initial cuts and asking members of the delegation to support the partial restoration in funding.

Potential Funding Loss: Unable to determine

Film Incentives

The Film Incentive Program could face reductions from its prior level of \$62M/biennium to \$10M for the 2012-2013 biennium. In fiscal year 2009-2010 productions shot in Dallas received \$13.9M in Texas incentives which generated local net revenue of \$963,000, according to the Dallas Film Commission.

Potential Funding Loss: \$963,000

Section II Legislative Items of Concern to the City of Dallas

Revenue Caps

Current Texas law requires each taxing unit to calculate and publish a rollback tax rate. The rollback tax rate provides the taxing unit approximately the same amount of revenue it spent the previous year for day-to-day operations plus an extra 8 percent cushion, and sufficient funds to pay its debts in the coming year. **SB 720** (Williams) lowers the rollback rate from 8 percent to 5 percent. The City has voiced its opposition to this bill.

Franchise Fees/Video franchising

In FY 10 the City of Dallas received \$102M in franchise fees. The City continues to monitor bills to ensure that these fees are protected.

SB 1087 (Carona) and **HB 256** (Hilderbran) allow cable companies to terminate their local municipal franchises early and begin operations under a state-issued franchise. Dallas' franchise with the major cable provider expires in 2015. Dallas was successful in amending the bill to exclude I-NET obligations by the cable provider from early termination. SB 1087 contains a provision that also makes its passage contingent upon the passage of **SB 259** (Eisland). SB 259 imposes a video assessment fee on all video service providers, including satellite TV services. Revenue generated for cities statewide is estimated to be about \$64 million, with an estimated \$4.5-5 million of that to be additional revenue for the City of Dallas.

Electric Utility Stream-lined rate-making

SB 1693 (Carona) and **SB 3610** (Thompson) have generated a great deal of concern among cities. As filed, these bills generally allow for electric transmission utilities to bypass city-jurisdiction and apply directly to the PUC for increases in allowable rate charges. Both bills have been heard in committee and are pending. Recent substitutes have contained some beneficial amendments for cities, such as allowing the utilities to apply to the PUC for rate adjustments on capital investments only. However, serious concerns remain on issues such as expense reimbursement for cities, preclusion of a city from negotiating a tariff that differs from the Commission's, frequency of rate reviews, and several other matters.

Scrap Metal

Metal theft legislation has been an issue for several sessions now. While the City has a strong ordinance, we are trying to add additional legislative provisions for state-wide application. On Tuesday, after strong negotiations with the metal industry, law enforcement reached an agreement with Senator West's office using **SB 694** (West) as the primary bill.

We believe the compromise meets several law enforcement needs such as:

- a criminal penalty for failing to register (Class B misdemeanor)
- added regulated materials such as catalytic converters
- requires a seller to prove right of possession to sell HVAC parts
- requires metal yards to take photographs of seller & purchased regulated material
- requires electronic reporting to DPS within 2 days of transaction
- allows municipalities who currently have No Cash ordinances to maintain the ordinance

Towing

The City of Dallas, by ordinance, requires towing of vehicles of drivers who do not possess automobile insurance as required by state law. **HB 1047** (Schwertner & Phillips), as filed, preempted the City's ordinance by requiring both the absence of a driver's license and insurance before a vehicle could be towed. After extensive negotiations, the bill as voted out of committee tracks the City's ordinance, providing that a vehicle may be towed without insurance. This raises the question of 'why the need for the legislation now?'

Section III City's Legislative Agenda

Payday Lenders

SB 251 (West) and **HB 1323** (Johnson, Eric) aim at reforming payday lending practices by prohibiting third-party fees to arrange or guarantee certain extensions of consumer credit. The City of Dallas testified at House and Senate Committee hearings. The bills face long odds of passing.

Juvenile Case Management

HB 408 (Walle) establishes minimum standards for juvenile case managers. **HB 409** (Walle) relates to supervision of certain juvenile case managers and requires the judge of a court to supervise the juvenile case manager. The City of Dallas testified at the House Committee hearing and offered an amendment to allow cities to determine which department will house the case managers while retaining the involvement of the judge. The author accepted the amendment. Both bills are currently pending in committee.

Boarding Homes

HB 216 (Menendez et. al) was passed and enrolled during the 79th Legislative Session. This bill relates to the regulation of certain boarding home facilities and assisted living facilities and providing penalties. The City of Dallas hoped to amend this legislation in 2011 to address concerns regarding municipal enforcement of the registration standards. However, the author was not amenable to such amendments.

Convention Center Hotel

HB 3341 (Anchia) provides for the Comptroller to deposit eligible, taxable proceeds related to a qualified hotel project in trust in a separate suspense account of the project. A suspense account is outside the state treasury and allows for rebate, refund, or payment without the necessity of an appropriation.

Public Private Partnerships - SH 183

HB 2186 (Harper-Brown) and **SB 1145** (Shapiro) relate to comprehensive development agreements for State Highway 183. The bills would allow the Texas Department of Transportation (TxDOT) to enter into public private partnerships for the 9.1 miles of State Highway 183 from Dallas through Irving. The City of Dallas testified in support of these bills at the Senate Committee on Transportation and Homeland Security.

Public Improvement Districts

Legislation providing for non-contiguous properties to be included in a PID, **SB 1369** (West) and **HB 3690** (Anchia) have been filed. SB 1369 has been heard in the Senate committee and is pending. **HB 3452** (Anchia) and **HB 2860** (Davis, Yvonne), allowing for the capture of a portion of the increase in the value of

property in a PID by the district, have been filed and are awaiting hearings in committee. These bills would facilitate the construction of the City's street car system.

ATM Theft

SB 922 (Carona) passed the full Senate. The identical bill passed out of House Criminal Jurisprudence committee this week. The bills provide consistency in the charge for ATM theft or any contents or components of the machine making it a Second Degree Felony

Sexually Oriented Businesses

SB 1030 (Carona) passed favorably from the Senate Intergovernmental Relations committee. The bill will standardize the posting of intent for those seeking a Sexually Oriented Business License. Currently, the Government Code states that a person applying for a Sexually Oriented Business License shall post intent to apply for such license **"for a location not previously licensed or permitted."** This bill simply changes the word "previously" to the word "currently", thereby allowing citizens of our state to be better informed of future SOB locations coming into their communities.

HB 175 (Jackson) was voted favorably from committee on March 22, 2011. The bill will place BYOB nightclub locations under regulation by the Texas Alcohol Beverage Commission. Currently, this type of location is unregulated at the state level.

Section IV Governor's Emergency Items

Eminent Domain

Governor Perry declared eminent domain an emergency item. As a result, SB 18, which passed on February 9th, makes several key revisions to current law, including requiring that condemning authorities make a good faith offer before condemning procedures begin, prohibiting the taking of private property unless it is for a public use, improving notice and disclosure by condemning entities, applying condemnation rules to all condemning entities, and providing property owners with the opportunity to buy back property at the original purchase price if the taken property is not used for its public purpose in 10 years, unless the condemning authority can meet 2 of the 7 following criteria to demonstrate that actual progress is made toward the public use: (1) performance of significant amount of labor; (2) provision of significant amount of materials; (3) hiring/significant performance of architect, engineer, surveyor to plat or replat; (4) application for state or federal funds to develop property; (5) application for state or federal permit to develop property; (6) acquisition of adjacent property for the same public purpose; (7) the adoption by the majority of the governing entity of a development plan that indicates that the entity will not complete more than 1 (one) of these items by the 10th anniversary of the property acquisition.

Sanctuary Cities

Governor Perry declared the eradication of sanctuary cities as an emergency item, although no standard definition of a sanctuary city exists. Interestingly, the Texas Department of Public Safety – a state agency – probably comes closest to being a sanctuary agency because it has a policy that it "will not engage in enforcement of federal immigration statutes."

CSHB 12 prohibits local governmental entities from undertaking certain actions that would restrict the enforcement of state and federal immigration law and allows the filing of a citizen complaint with the Attorney General's office. Entities found to be in violation would forfeit certain state funding.

Memorandum



DATE April 1, 2011


TO Honorable Mayor and Members of the City Council

SUBJECT 2011 Redistricting: 2010 Census Data and Process

On Wednesday, April 6, 2011 you will be briefed on 2010 Census results and the 2011 redistricting process. The presentation material is attached for your review.

Also, on Wednesday, April 20, 2011, the Office of Economic Development will review the limited census data released to date to provide an understanding of Dallas' growth and development trends. This briefing will assess whether we are achieving our economic and redevelopment goals and on providing an understanding of how well-positioned we are to capitalize on the economic recovery. As additional census data is released, staff will keep Council abreast of significant findings and trends.

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



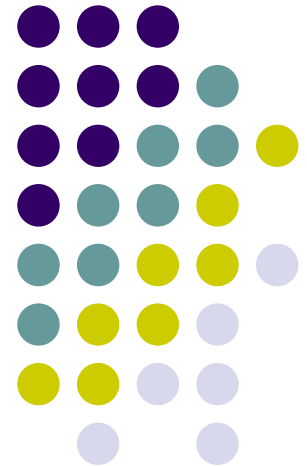
Mary K. Suhm
City Manager

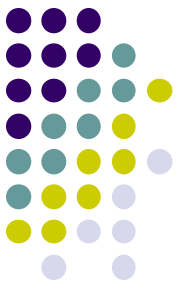
cc: Deborah A. Watkins, City Secretary
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2011 Redistricting 2010 Census Data and Process

A Demographic Profile of the City of Dallas

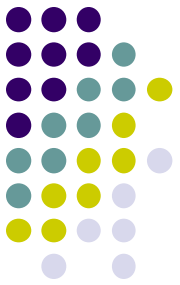
April 6, 2011





Presentation Purpose

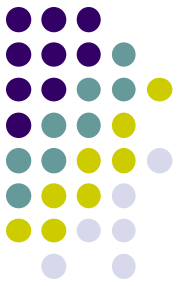
- The purpose of this presentation is to review
 - 2010 Census Results for
 - United States
 - Texas
 - North Texas
 - Demographic Profile of Dallas
 - 2010 Census Results for the Purpose of Redistricting
 - Total Population by Council District
 - Race and Ethnicity
 - Voting Age Population
 - 2011 Redistricting in Dallas
 - Redistricting Overview
 - Redistricting Commission
 - Redistricting Process
 - Redistricting/Districting Project Timeline
 - 2011 Plan Submission Packet
 - Map Development Resources



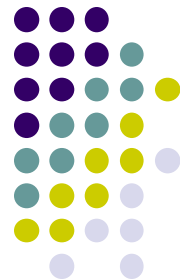
2010 Census Results

- United States
- Texas
- North Texas

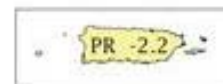
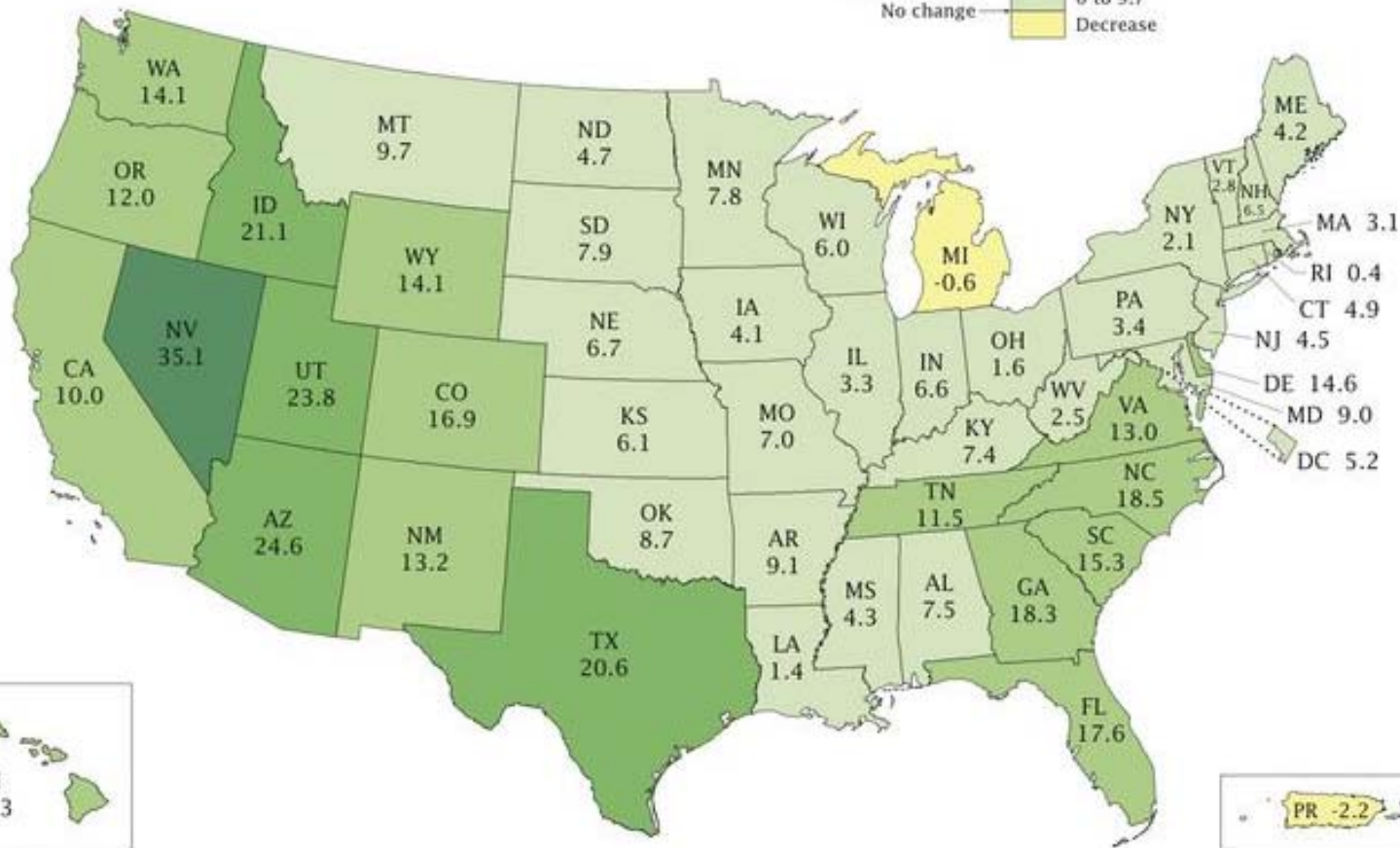
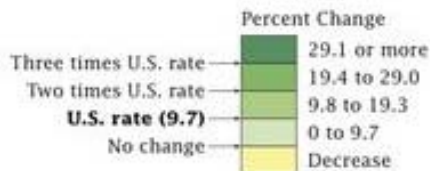
2010 Census Results: United States (Population)



- Population
 - United States: 308,745,538
 - 9.7% increase over the 281,421,906 counted during the 2000 Census
- Top 5 populated State Population Rankings
 - 1. California 37,253,956 (10.0% change)
 - 2. Texas 25,145,561 (20.6% change)
 - 3. New York 19,378,102 (2.1% change)
 - 4. Florida 18,801,310 (17.6% change)
 - 5. Illinois 12,830,632 (3.3% change)
- Only 2 states/territories had a negative population change
 - Michigan (-0.6%)
 - Puerto Rico (-2.2%)



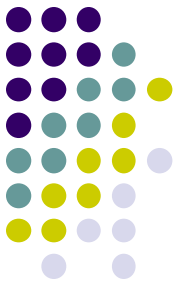
Percent Change in Resident Population for the 50 States, the District of Columbia, and Puerto Rico: 2000 to 2010



U.S. Department of Commerce

USCENSUSBUREAU
Helping You Make Informed Decisions

2010 Census Results: United States (Congressional Apportionment)



● States gaining seats:

- Texas (+4)
- Arizona (+1)
- Florida (+2)
- Georgia (+1)
- Nevada (+1)
- South Carolina (+1)
- Utah (+1)
- Washington (+1)

● States losing seats:

- Illinois (-1)
- Iowa (-1)
- Louisiana (-1)
- Massachusetts (-1)
- Michigan (-1)
- Missouri (-1)
- New Jersey (-1)
- New York (-1)
- Ohio (-2)
- Pennsylvania (-1)

CONGRESSIONAL SEATS

2010
OFFICIAL RESULTS

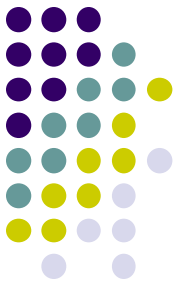


GAINED
LOST
NO CHANGE

United States
**Census
2010**

2010 Census Results:

Texas Population: 25,145,561

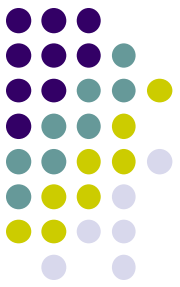


- Texas' population increased 20.6% over the 20,851,820 residents counted during the 2000 Census

County	Population	State Ranking (00)	State Ranking (10)
Bexar	1,714,773	4	4
Dallas	2,368,139	2	2
Harris	4,092,459	1	1
Tarrant	1,809,034	3	3

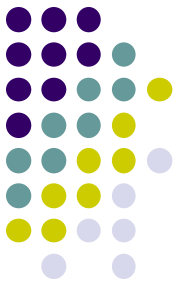
City	Population	State Ranking (00)	State Ranking (10)
Austin	790,390	4	4
Dallas	1,197,816	2	3
Houston	2,099,451	1	1
San Antonio	1,327,407	3	2

2010 Census Results: North Texas Area



County	Population (00)	Population (10)	State Ranking (00)	State Ranking (10)
Collin	491,675	782,341	8	7
Dallas	2,218,899	2,368,139	2	2
Denton	432,976	662,614	9	9
Tarrant	1,446,219	1,809,034	3	3

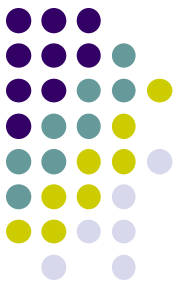
City	Population (00)	Population (10)	State Ranking (00)	State Ranking (10)
Arlington	332,969	365,438	7	7
Dallas	1,188,580	1,197,816	2	3
Fort Worth	534,694	741,206	6	5
Garland	215,768	226,876	10	12
Grand Prairie	127,427	175,396	17	15
Irving	191,615	216,290	12	13
Plano	222,030	259,841	9	9
McKinney	54,369	131,117	46	19
Mesquite	124,523	139,824	18	18



Demographic Profile of Dallas

- 2010 Census Results for the Purpose of Redistricting
 - Total Population by Council District
 - Race and Ethnicity
 - Voting Age Population

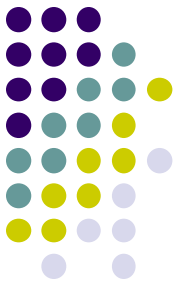
2010 Census Results: Dallas



- Population
 - 1990: 1,006,877
 - 2000: 1,188,580
 - 2010: 1,197,816
 - 0.78% increase over number of residents counted in the 2000 Census
- Highlighted Changes
 - Dallas gained 9,236 people during the 10 year period since the 2000 Census
 - Dallas remains one of the top 3 largest cities in Texas (ranked #3)
 - District 3 saw the largest increase in population (22.13% or 17,927 persons)
 - District 2 saw the largest decrease in population (-12.60% or -10,182 persons)
 - Total population is used to determine district size in the 2011 Redistricting process
 - Dallas total population (1,197,816) divided by number of Council Districts (14) equals the ideal district size (**85,558**)

Total Population by Council District

2001 Plan and 2010 Census

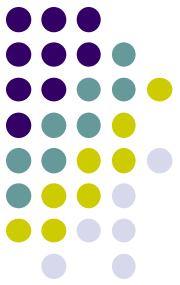


District	2000 Population	2010 Population	2000 to 2010 # Change	2000 to 2010 % Change
1	86,379	80,101	-6,278	-7.27%
2	80,825	70,643	-10,182	-12.60%
3	81,016	98,943	17,927	22.13%
4	82,086	85,671	3,585	4.37%
5	84,257	89,740	5,483	6.51%
6	82,946	74,328	-8,618	-10.39%
7	80,949	74,666	-6,283	-7.76%
8	81,821	96,643	14,822	18.12%
9	89,030	88,076	-954	-1.07%
10	88,902	79,588	-9,314	-10.48%
11	86,621	85,192	-1,429	-1.65%
12	88,977	94,604	5,627	6.32%
13	88,444	80,878	-7,566	-8.55%
14	86,327	98,743	12,416	14.38%
Total	1,188,580	1,197,816	9,236	0.78%

Race and Ethnicity



- Hispanic and Non-Hispanic categories
 - Persons answering yes to the Hispanic inquiry on the 2010 Census form are counted separately from race categories for redistricting purposes
 - Racial categories, including White, Black, American Indian, Asian, and others, do not include persons of Hispanic ethnicity
- Aggregation of multi-race categories
 - Required to follow Office of Management and Budget (OMB) guidelines for allocation into single-race categories



8. Is Person 1 of Hispanic, Latino, or Spanish origin?

- No, not of Hispanic, Latino, or Spanish origin
- Yes, Mexican, Mexican Am., Chicano
- Yes, Puerto Rican
- Yes, Cuban
- Yes, another Hispanic, Latino, or Spanish origin — *Print origin, for example, Argentinian, Colombian, Dominican, Nicaraguan, Salvadoran, Spaniard, and so on.* ↘

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9. What is Person 1's race? Mark one or more boxes.

- White
- Black, African Am., or Negro
- American Indian or Alaska Native — *Print name of enrolled or principal tribe.* ↘

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- | | | |
|---|--|--|
| <input type="checkbox"/> Asian Indian | <input type="checkbox"/> Japanese | <input type="checkbox"/> Native Hawaiian |
| <input type="checkbox"/> Chinese | <input type="checkbox"/> Korean | <input type="checkbox"/> Guamanian or Chamorro |
| <input type="checkbox"/> Filipino | <input type="checkbox"/> Vietnamese | <input type="checkbox"/> Samoan |
| <input type="checkbox"/> Other Asian — <i>Print race, for example, Hmong, Laotian, Thai, Pakistani, Cambodian, and so on.</i> ↘ | <input type="checkbox"/> Other Pacific Islander — <i>Print race, for example, Fijian, Tongan, and so on.</i> ↘ | |

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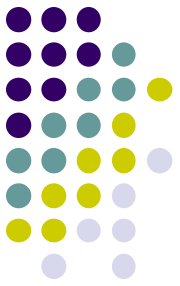
- Some other race — *Print race.* ↘

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2010
Census
Form

Race and Ethnicity

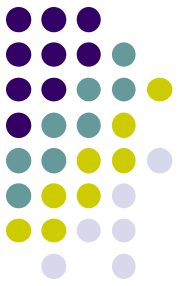
2010 Breakdowns



Race	Total	Hispanic	Non-Hispanic	Non-Hispanic Redistricting Multi-race Allocation
White	607,415	262,210	345,205	345,205
Black	298,993	4,834	294,159	299,634
Asian	34,263	654	33,609	37,060
American Indian	8,099	4,932	3,167	5,651
Pacific Islander	482	171	311	525
Other	216,831	215,007	1,824	2,432
Multi-race	31,733	19,501	12,232	N/A due to allocation
Total	1,197,816	507,309	690,507	690,507

Source: 2010 Census Redistricting Data PL94-171 (www.census.gov)

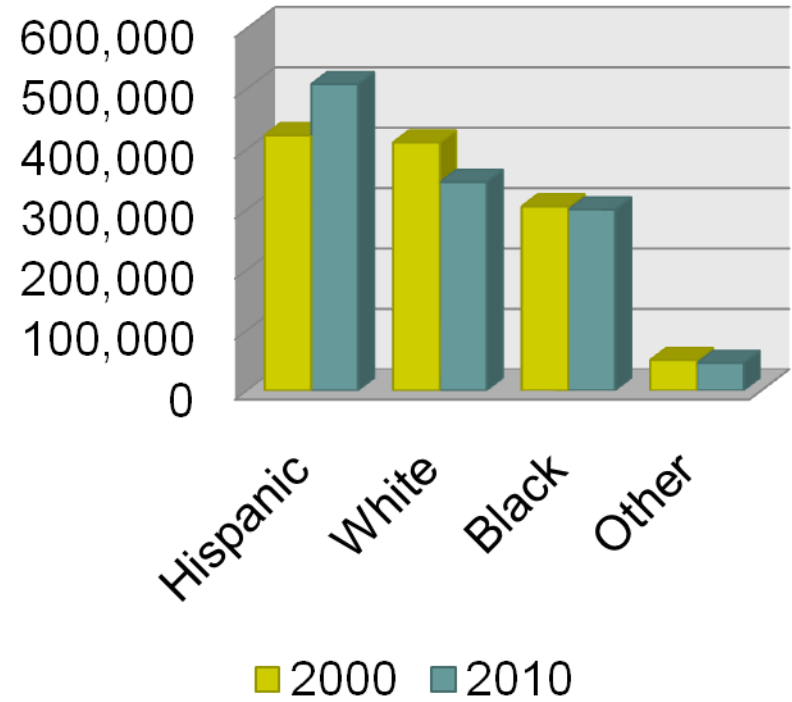
Race and Ethnicity



Between 2000 and 2010

- Hispanic population increased by more than 84,000 (20%)
 - 42% of the City's population
- Non Hispanic Black population decreased by more than 5,000 (2%)
 - 25% of the City's population
- Non Hispanic White population decreased by over 65,000 (16%)
 - 29% of the City's population

**Race and Ethnicity
2000 & 2010**



Race & Ethnicity: Hispanic Population (All Races) 2001 Plan and 2010 Census by Council District

Hispanic population increased by more than 84,000 (20%) between 2000 and 2010 and makes up 42% of the City's population



District	2000 Population	Hispanic #	Hispanic % of Total	2010 Population	Hispanic #	Hispanic % of Total	2000-2010 Change	2000-2010 % Change
1	86,379	69,477	80.43%	80,101	68,798	85.89%	-679	-0.98%
2	80,825	57,043	70.58%	70,643	43,376	61.40%	-13,667	-23.96%
3	81,016	34,344	42.39%	98,943	50,778	51.32%	16,434	47.85%
4	82,086	24,430	29.76%	85,671	38,410	44.83%	13,980	57.22%
5	84,257	27,190	32.27%	89,740	41,550	46.30%	14,360	52.81%
6	82,946	63,926	77.07%	74,328	59,551	80.12%	-4,375	-6.84%
7	80,949	23,118	28.56%	74,666	30,886	41.37%	7,768	33.60%
8	81,821	17,400	21.27%	96,643	36,420	37.69%	19,020	109.31%
9	89,030	22,514	25.29%	88,076	33,654	38.21%	11,140	49.48%
10	88,902	12,487	14.05%	79,588	17,827	22.40%	5,340	42.76%
11	86,621	24,896	28.74%	85,192	30,521	35.83%	5,625	22.59%
12	88,977	7,360	8.27%	94,604	15,740	16.64%	8,380	113.86%
13	88,444	21,445	24.25%	80,878	23,042	28.49%	1,597	7.45%
14	86,327	17,014	19.71%	98,743	16,756	16.97%	-258	-1.52%
Total	1,188,580	422,644	35.56%	1,197,816	507,309	42.35%	84,665	20.03%

Race & Ethnicity: Black Population (Non-Hispanic) 2001 Plan and 2010 Census by Council District

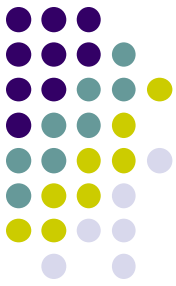
Non-Hispanic Black population decreased by more than 5,000 (2%) between 2000 and 2010 and makes up 25% of the City's population



District	2000 Population	Black #	Black % of Total	2010 Population	Black #	Black % of Total	2000-2010 Change	2000-2010 % Change
1	86,379	4,830	5.59%	80,101	3,539	4.42%	-1,291	-26.73%
2	80,825	8,353	10.33%	70,643	9,452	13.38%	1,099	13.16%
3	81,016	29,143	35.97%	98,943	32,191	32.53%	3,048	10.46%
4	82,086	48,670	59.29%	85,671	40,573	47.36%	-8,097	-16.64%
5	84,257	45,796	54.35%	89,740	42,403	47.25%	-3,393	-7.41%
6	82,946	8,112	9.78%	74,328	7,678	10.33%	-434	-5.35%
7	80,949	42,999	53.12%	74,666	34,204	45.81%	-8,795	-20.45%
8	81,821	46,808	57.21%	96,643	50,380	52.13%	3,572	7.63%
9	89,030	12,031	13.51%	88,076	10,541	11.97%	-1,490	-12.38%
10	88,902	25,782	29.00%	79,588	25,445	31.97%	-337	-1.31%
11	86,621	8,363	9.65%	85,192	13,271	15.58%	4,908	58.69%
12	88,977	6,242	7.02%	94,604	15,434	16.31%	9,192	147.26%
13	88,444	9,373	10.60%	80,878	5,455	6.74%	-3,918	-41.80%
14	86,327	8,315	9.63%	98,743	9,068	9.18%	753	9.06%
Total	1,188,580	304,817	25.65%	1,197,816	299,634	25.02%	-5,183	-1.70%

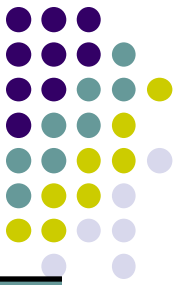
Race & Ethnicity: White Population (Non-Hispanic) 2001 Plan and 2010 Census by Council District

Non-Hispanic White population decreased by over 65,000 (16%) between 2000 and 2010 and makes up 29% of the City's population



District	2000 Population	White #	White % of Total	2010 Population	White #	White % of Total	2000-2010 Change	2000-2010 % Change
1	86,379	10,716	12.41%	80,101	6,887	8.60%	-3,829	-35.73%
2	80,825	11,535	14.27%	70,643	14,309	20.26%	2,774	24.05%
3	81,016	15,575	19.22%	98,943	13,685	13.83%	-1,890	-12.13%
4	82,086	7,743	9.43%	85,671	5,517	6.44%	-2,226	-28.75%
5	84,257	10,010	11.88%	89,740	5,142	5.73%	-4,868	-48.63%
6	82,946	9,150	11.03%	74,328	6,259	8.42%	-2,891	-31.60%
7	80,949	12,100	14.95%	74,666	8,361	11.20%	-3,739	-30.90%
8	81,821	16,406	20.05%	96,643	9,034	9.35%	-7,372	-44.93%
9	89,030	50,648	56.89%	88,076	40,620	46.12%	-10,028	-19.80%
10	88,902	42,957	48.32%	79,588	31,378	39.43%	-11,579	-26.95%
11	86,621	46,707	53.92%	85,192	35,931	42.18%	-10,776	-23.07%
12	88,977	66,274	74.48%	94,604	53,806	56.87%	-12,468	-18.81%
13	88,444	53,996	61.05%	80,878	47,435	58.65%	-6,561	-12.15%
14	86,327	56,914	65.93%	98,743	66,841	67.69%	9,927	17.44%
Total	1,188,580	410,731	34.56%	1,197,816	345,205	28.82%	-65,526	-15.95%

Race & Ethnicity: Additional Races (Non-Hispanic) 2010 Census by Council District

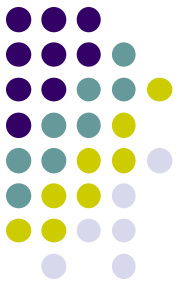


District	2010 Population	American Indian	AI % of Total	Asian	Asian % of Total	Pacific Islander	PI % of Total	All Others	Other %
1	80,101	347	0.43%	428	0.53%	16	0.02%	86	0.11%
2	70,643	412	0.58%	2,876	4.07%	62	0.09%	156	0.22%
3	98,943	398	0.40%	1,726	1.74%	31	0.03%	134	0.14%
4	85,671	269	0.31%	775	0.90%	13	0.02%	114	0.13%
5	89,740	252	0.28%	264	0.29%	15	0.02%	114	0.13%
6	74,328	135	0.18%	544	0.73%	10	0.01%	151	0.20%
7	74,666	349	0.47%	726	0.97%	29	0.04%	111	0.15%
8	96,643	363	0.38%	280	0.29%	39	0.04%	127	0.13%
9	88,076	527	0.60%	2,492	2.83%	45	0.05%	197	0.22%
10	79,588	404	0.51%	4,327	5.44%	33	0.04%	174	0.22%
11	85,192	438	0.51%	4,733	5.56%	49	0.06%	249	0.29%
12	94,604	610	0.64%	8,515	9.00%	85	0.09%	414	0.44%
13	80,878	469	0.58%	4,262	5.27%	39	0.05%	176	0.22%
14	98,743	678	0.69%	5,112	5.18%	59	0.06%	229	0.23%
Total	1,197,816	5,651	0.47%	37,060	3.09%	525	0.04%	2,432	0.20%

Voting Age Population (VAP)

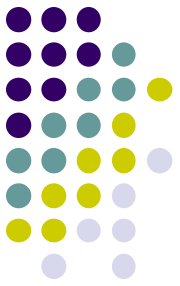
2001 Plan and 2010 Census by Council District

The percentage of voting age population remained steady over the entire City (approximately 73%)



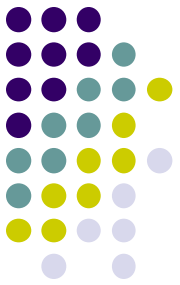
District	2000 Population	2000 VAP	VAP % of Total	2010 Population	2010 VAP	VAP % of Total	2000-2010 Change	2000-2010 % Change
1	86,379	57,040	66.03%	80,101	53,907	67.30%	-3,133	-5.49%
2	80,825	57,546	71.20%	70,643	53,328	75.49%	-4,218	-7.33%
3	81,016	54,759	67.59%	98,943	67,327	68.05%	12,568	22.95%
4	82,086	56,897	69.31%	85,671	60,124	70.18%	3,227	5.67%
5	84,257	56,716	67.31%	89,740	61,362	68.38%	4,646	8.19%
6	82,946	57,934	69.85%	74,328	52,326	70.40%	-5,608	-9.68%
7	80,949	55,988	69.16%	74,666	52,536	70.36%	-3,452	-6.17%
8	81,821	54,599	66.73%	96,643	64,237	66.47%	9,638	17.65%
9	89,030	68,537	76.98%	88,076	65,960	74.89%	-2,577	-3.76%
10	88,902	67,274	75.67%	79,588	58,645	73.69%	-8,629	-12.83%
11	86,621	69,694	80.46%	85,192	66,381	77.92%	-3,313	-4.75%
12	88,977	72,204	81.15%	94,604	76,323	80.68%	4,119	5.70%
13	88,444	67,193	75.97%	80,878	60,525	74.83%	-6,668	-9.92%
14	86,327	75,702	87.69%	98,743	87,707	88.82%	12,005	15.86%
Total	1,188,580	872,083	73.37%	1,197,816	880,688	73.52%	8,605	0.99%

Voting Age Population (VAP) Dallas Compared to Similarly Sized Cities



City	Total 2010 Population	2010 VA Population	% VAP of Total Population
Austin, TX	790,390	614,925	77.80%
Dallas, TX	1,197,816	880,688	73.52%
Fort Worth, TX	741,206	523,563	70.64%
Houston, TX	2,099,451	1,556,427	74.13%
Philadelphia, PA	1,526,006	1,182,169	77.47%
Phoenix, AZ	1,445,632	1,037,291	71.75%
San Antonio, TX	1,327,407	971,407	73.18%
San Diego, CA	1,307,402	1,028,034	78.63%
San Jose, CA	945,942	711,264	75.19%

Source: 2010 Census Redistricting Data PL94-171 (www.census.gov)

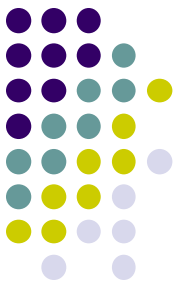


2011 Redistricting

- Redistricting Overview
 - Purpose
 - Voting Rights Act
- Redistricting Commission
- Redistricting Process
- Redistricting/Districting Project Timeline
- 2011 Plan Submission Packet
- Map Development Resources

Redistricting Overview

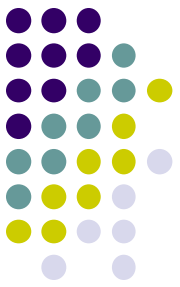
Purpose



- Redistricting is the revision or replacement of existing districts, resulting in new districts with different geographical boundaries.
- To equalize the population among electoral districts after publication of the United States Census indicates an increase or decrease in or shift of population.
 - Resource: *Texas Legislative Council Guide to 2011 Redistricting*

Redistricting Overview

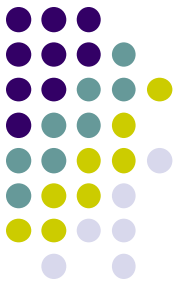
Voting Rights Act of 1965



- Enacted to
 - Ensure that no person is denied the right to vote on account of race, color, language.
 - Outlaw voting qualifications or prerequisites to voting,
 - Examples:
 - The requirement that voters take literacy tests to qualify for the right to vote
 - The requirement of payment of poll taxes to vote
 - Provide pre-clearance from the United States District Court for the District of Columbia or the Department of Justice for districting plans in areas with a history of voting-related discrimination

Redistricting Overview

Voting Rights Act of 1965

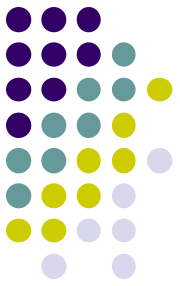


- Redistricting “preclearance” is required in all “covered jurisdictions” – those jurisdictions that were determined to have enforced discriminatory practices
 - Requires covered jurisdictions to obtain pre-approval of any changes to voting standards, practices, or procedures before they become legally effective
 - Texas falls under this requirement
- Preclearance can be obtained by
 - Declaratory Judgment Action filed by the covered jurisdiction in the United States District Court for the District of Columbia
 - Seldom used, very costly and time consuming
 - Submitting the districting plan to the Civil Rights Division of the Department of Justice
 - Most common, least expensive

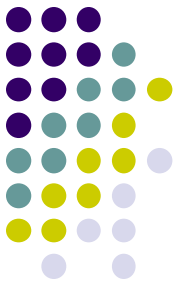
Redistricting Overview

Voting Rights Act of 1965

- Covered jurisdictions
 - Entire state
 - Alabama
 - Alaska
 - Arizona
 - Georgia
 - Louisiana
 - Mississippi
 - South Carolina
 - Texas
 - Virginia
 - Political subdivisions/partial coverage
 - California
 - Florida
 - Hawaii
 - Idaho
 - Michigan
 - New York
 - North Carolina
 - South Dakota

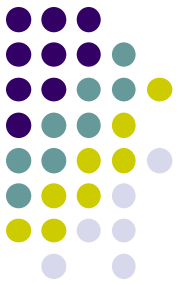


Redistricting Commission



- Dallas City Charter Requirements
 - Each member of the City Council shall appoint one member of the redistricting commission
 - The Mayor shall designate the chair, subject to confirmation by a majority of the City Council.
 - The City Council and the Mayor shall provide fair and balanced representation of all geographical areas of the city in the redistricting process and provide a total membership that reflects the racial and ethnic makeup of the city's population
 - Appointed members serve a term that will end upon completion of the commission's work

Redistricting Commission



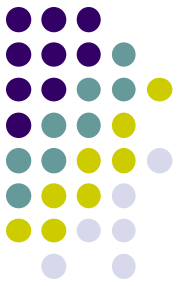
Domingo	Garcia	District 1	Appointee
John P.	Loza	District 2	Appointee
Daniel "Corky"	Sherman	District 3	Appointee
Billy	Ratcliff	District 4	Appointee *Vice-Chair
Hollis	Brashear	District 5	Appointee
John M.	Lozano	District 6	Appointee
Stanley	Mays	District 7	Appointee
Mary	Hasan	District 8	Appointee
Gary	Griffith	District 9	Appointee
Donna	Halstead	District 10	Appointee
Mark	Hord	District 11	Appointee
Tom	Wood	District 12	Appointee
Elizabeth	Jones	District 13	Appointee
Brooks	Love	District 14	Appointee
Ruth	Morgan	Place 15	Appointee *Chair

Redistricting Process



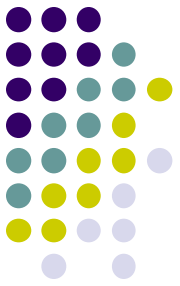
- Dallas City Charter Requirements
 - The Redistricting Commission will hold sessions, including public hearings, to develop, prepare, and recommend a districting plan that proposes the respective boundaries of the 14 districts comprising the Dallas City Council
 - Upon completion, the Redistricting Commission shall file its recommended districting plan with the Mayor
 - Mayor will present the recommended plan at the next City Council meeting

Redistricting Process



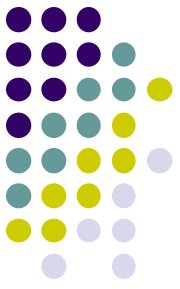
- Dallas City Charter Requirements
 - Council shall adopt, or modify and adopt, the plan within 45 days of receipt from the Mayor
 - If no action is taken, the plan recommended by the Redistricting Commission becomes final and the City Attorney will forward the plan to the Department of Justice for preclearance
 - The Department of Justice has 60 days to review the plan and interpose any objections
 - After 60 days, with no objections, the plan is considered to be effective
 - The effective districting plan must be implemented at the next general election
 - Election can not be conducted until at least 90 days after the plan becomes effective

Redistricting Project Timeline



- **January 2011**
 - City of Dallas Redistricting Commission appointed
- **February 2011**
 - Redistricting Commission meetings begin
 - First meeting was held on February 8, 2011
- **March – August 2011**
 - Redistricting Commission meetings
 - Regular commission meetings held every Tuesday at 6pm
 - No meetings on March 15, 22, and 29, May 31, July 5 and 19
 - Meetings will be held twice per week on Tuesdays and Thursdays beginning on July 26

Redistricting Project Timeline



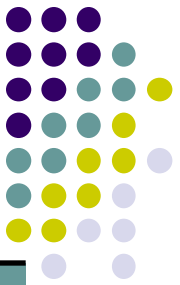
- **March 2011**

- Redistricting Commission Retreat
 - Team Building
- Commission develops and approves recommended redistricting guidelines for submission to the Dallas City Council
- Commission ArcView Software training sessions

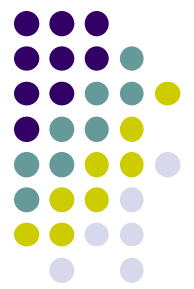
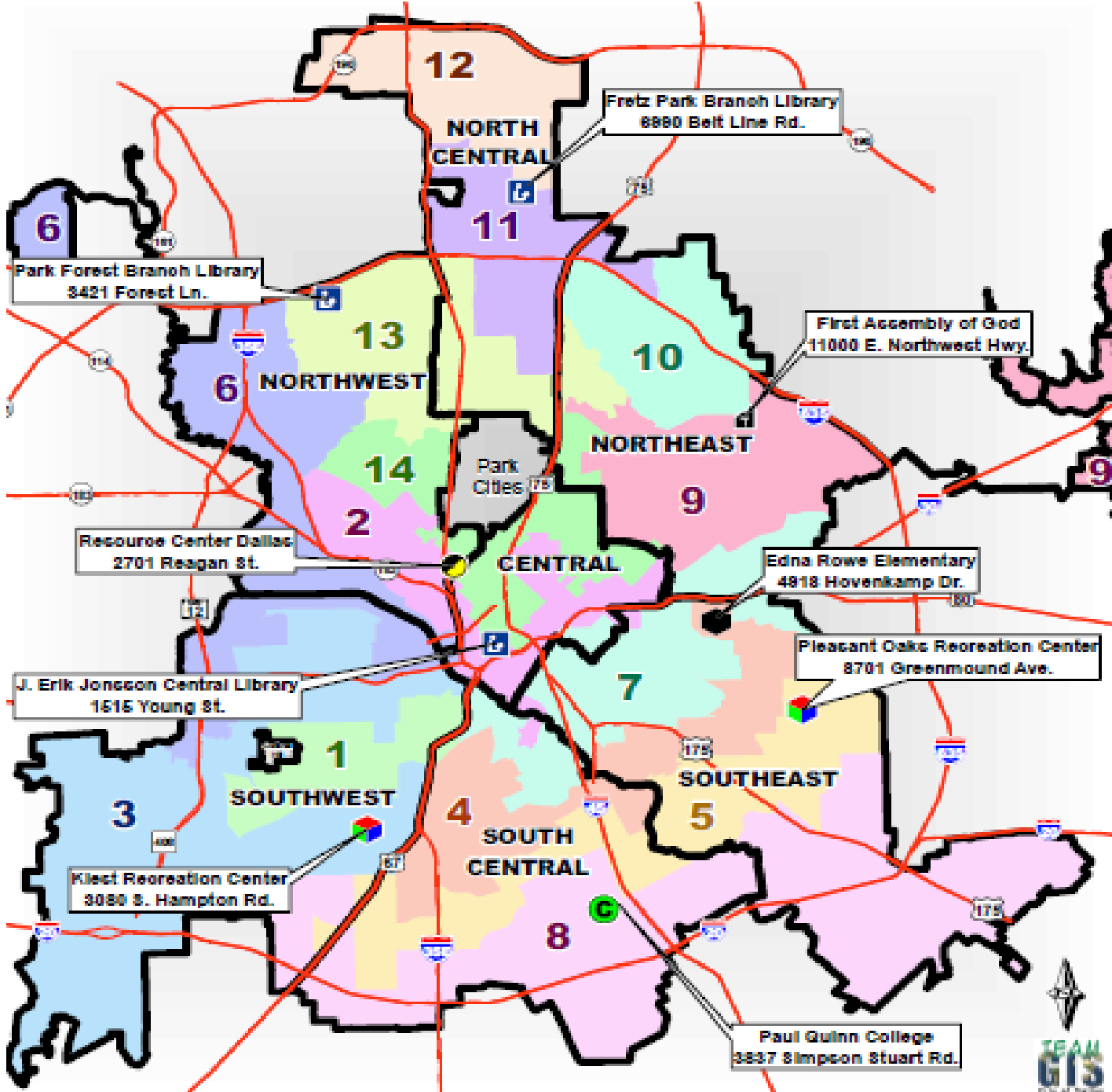
- **April 2011**

- Staff presentation of Census results to Redistricting Commission/City Council
- City Council consideration of a resolution adopting redistricting guidelines
- Public hearings begin

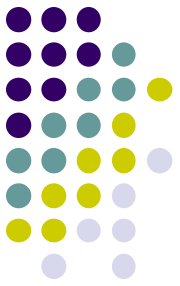
Proposed Redistricting Commission Public Meeting Schedule



Time	Date	Proposed Meeting Site	Address	Council District	Service Sector
7pm	Thursday April 28	Kiest Recreation Center	3080 South Hampton Rd	1 & 3	South West
7pm	Tuesday May 3	First Assembly of God	11000 East Northwest Hwy	9 & 10	North East
7pm	Thursday May 5	Resource Center Dallas	2701 Reagan St	2 & 14	North West
7pm	Tuesday May 10	Pleasant Oaks Recreation Center	8701 Greenmound Ave	5 & 8	South East
7pm	Thursday May 12	Paul Quinn College	3837 Simpson Stuart Rd	5 & 8	South Central
7pm	Tuesday May 17	Fretz Park Library	6990 Beltline Rd	11 & 12	North Central
7pm	Thursday May 19	Edna Rowe Elementary School	4918 Hovenkamp Dr	4 & 7	South East
2pm	Saturday May 21	Central Library	1515 Young St	Citywide	Central
6pm	Tuesday May 24	Park Forest Library	3421 Forest Lane	6 & 13	North West

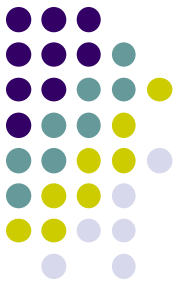


Public Hearings Outreach/Advertising



- PIO to issue News Release to all media
- Newspaper Advertising (English/Spanish)
- City Web site: DallasCityHall.com
- City Social Media pages (Facebook & Twitter)
- Water bill messaging
- Dallas City News Network (DCNN) Billboards
- e-Alert /Gov Delivery (email alerts to HOA, Crime Watch Groups, Individuals = 2,645 recipients)
- Meeting schedule to be posted as full page ad in Dallas Delivers (Monthly e-newsletter sent to media and HOA)
- Internal employee announcements

Redistricting Project Timeline



- **August 2011**

- Redistricting Commission completes work and files recommended districting plan with the Mayor

Dallas City Charter, Chapter IV, Section 5 (b)(3)

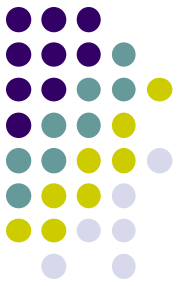
- **September 2011**

- Mayor presents recommended plan to the City Council at its next meeting

Dallas City Charter, Chapter IV, Section 5(b)(3)

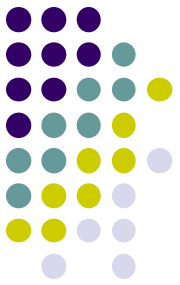
- This begins the 45 day countdown for final adoption, or modification and adoption, of the plan by the City Council

Redistricting Project Timeline



- **October/November 2011**
 - City Council takes action on recommended plan
 - If no action is taken within the 45 period the recommended plan of the Redistricting Commission becomes the final districting plan to be sent to the Department of Justice for final approval
 - Redistricting Plan becomes the Districting Plan ready for submission to the Department of Justice

Districting Project Timeline



- **October/November 2011**

- City Attorney's Office submits approved districting plan to the Department of Justice for final approval
 - **Department of Justice has 60 calendar days to review**
 - Extensions may be required by Department of Justice if additional time is needed

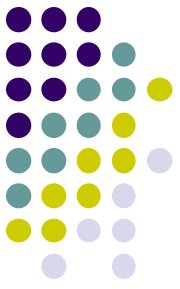
- **January/February 2012**

- End of 60-day review period required by Department of Justice

- **May 2013**

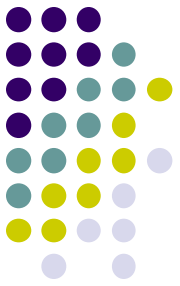
- City Council elections are held under the new district plan
 - Plan must be in effect 90 days prior to the next City Council election

2011 Redistricting Plan Submission



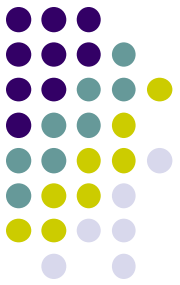
- This Redistricting Commission will accept redistricting plans from individuals and organizations
- What is Plan?
 - A plan is a citywide solution for redistricting all 14 council districts in a manner that is consistent with the approved Redistricting Guidelines
- Consideration of Submitted Plans
 - To be considered by the Redistricting Commission as a submitted plan the submission must include all 14 City Council Districts
 - Partial plans, those not addressing all 14 districts, will be treated as testimony before the Commission and will become part of the Redistricting Commission record

Redistricting Plan Submission

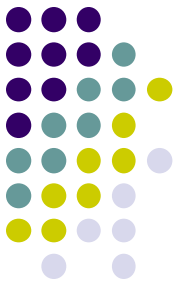


- What should be included when a plan is submitted?
 1. A statement that the submitter of a plan has consulted the approved Redistricting Guidelines before drawing the plan;
 2. A written description of how the submitted plan complies with the Redistricting Guidelines;
 3. A statistical table showing council district population totals, population deviation by district, and any other relevant demographic information;
 4. Name, address and telephone number of submitter;
 5. Any attestations of support for the proposed plan from others (optional); and
 6. The Submission must be signed and dated.

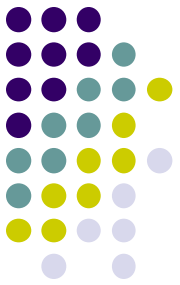
Map Development Resources



- **Option 1: Public Web-Based Application**
 - Written and developed by City of Dallas Geographical Information Systems staff
 - Anticipated release date: June 1, 2011
- **Option 2: City of Dallas Redistricting Computer Lab**
 - Computer lab equipped with 5 desktop computer stations loaded with the ESRI ArcGIS software
 - The lab is available to commissioners and to the public (by appointment only) who do not have access to computers or prefer to draw their plans on the City's computers.
- **Option 3: Individual Commissioner Access to Software License**
 - Software licenses have been made available to Redistricting Commission members for redistricting purposes

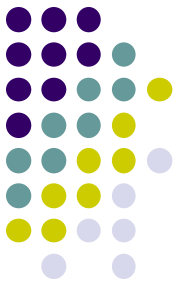


Appendix



Appendix A

Plan Submission Packet



Appendix B

Computer Lab Guidelines

2011 REDISTRICTING COMMISSION PLAN SUBMISSION PACKET

This Redistricting Commission will accept redistricting plans from individuals and organizations. Complying with each of the requirements below will facilitate the Commission's consideration of the plan.

WHAT IS A PLAN?

A plan is a citywide solution for redistricting all fourteen council districts in a manner that is consistent with the approved Redistricting Guidelines.

CAN I SUBMIT A PLAN FOR JUST PART OF THE CITY?

Yes, you can. Partial plans will be treated as testimony before the Commission and will become part of the Redistricting Commission record, but to be considered as a Plan the submission must include all 14 City Council Districts.

WHAT SHOULD BE INCLUDED WHEN A PLAN IS SUBMITTED?

1. A statement that the submitter of a plan has consulted the approved Redistricting Guidelines before drawing the plan;
2. A written description of how the submitted plan complies with the Redistricting Guidelines;
3. A statistical table showing council district population totals, population deviation by district, and any other relevant demographic information;
4. Name, address and telephone number of submitter;
5. Any attestations of support for the proposed plan from others (optional).
6. The Submission must be signed and dated.

PLAN SUBMISSIONS

To ensure proper handling and review of all plans, submissions should be made to:

The Redistricting Commission
c/o Yasmin Tolliver
Redistricting Project Office
Dallas City Hall, L1AN – Suite A
1500 Marilla
Dallas, Texas 75201
(214) 670-5417

PLAN SUBMISSION CHECKLIST

_____ I have consulted the approved Redistricting Guidelines before drawing my plan.

_____ I have included a written description of how the submitted plan complies with the Redistricting Guidelines.

_____ I have included statistical tables showing council district population totals, population deviation by district, and any other relevant demographic information.

_____ I have attached statements of support for the proposed plan from others.

Name (Individual):

Name (Organization):

Street Address:

City and Zip Code:

Telephone:

E-Mail Address:

.....
STATEMENT OF ADHERENCE

I (on behalf of myself or an organization) do hereby attest that I (we) have read the Redistricting Guidelines attached, and have put forth my (our) best efforts to adhere to them in developing this plan.

Person Submitting the Plan

Organization

Date

2011 CITY COUNCIL REDISTRICTING PROJECT COMPUTER LAB GUIDELINES

- The Computer Lab on L1AN (Suite A) at City Hall is solely for the use of the Redistricting Commission, City Council Members and Residents interested in drawing their own maps.
- The Computer Lab will be kept locked; however, staff will be available to let users in and will be present at all times the lab is in use in order to provide technical support and to troubleshoot software problems.
- The normal work hours for the computer lab will be from 8:30 a.m. to 5:30 p.m. Monday through Friday. An appointment should be made with Redistricting Project staff to ensure a computer is available for use.
 - For evening and weekend hours, at least 48 hours advance notice is requested in order to permit staff to coordinate work schedules.
- All users will be logged in by City Staff.
 - If commissioners or council members want to bring advisors with them to the lab to provide advice as a plan is drawn, the commissioner or council member should remain with the guest(s) at all times.
 - If the advisors are skilled in the use of ArcView, they may be permitted to operate the computers once City staff has logged them into the computer. Otherwise a training session will be required before use of the computer.
- Shape files can be saved to the hard drive or to a jump drive, and can be printed in color on an 8 ½" x 11" page in the computer lab. To print large size maps, staff will download the file and print it on a large format (36" x 44") color printer in the project office, and there will be a charge for any such map.

Memorandum



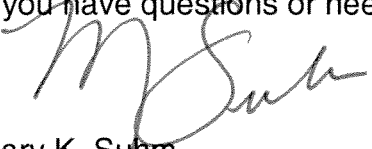
DATE April 1, 2011

TO Honorable Mayor and Members of the City Council

SUBJECT 2011 Redistricting Guidelines

On Wednesday, April 6, 2011 you will be briefed on the 2011 Redistricting Guidelines. The guidelines, approved unanimously by the Redistricting Commission on March 8, 2011, are scheduled for your consideration and approval during the April 13, 2011 City Council Agenda meeting. The presentation material is attached for your review.

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

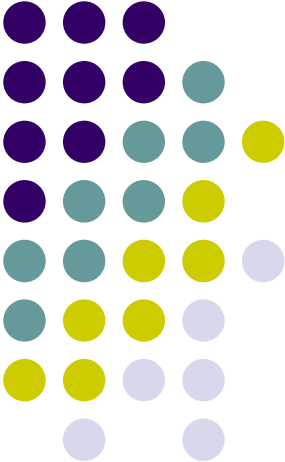

Mary K. Suhm
City Manager

cc: Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
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
Forest Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Frank Libro, Public Information Office
Helena Stevens-Thompson, Assistant to the City Manager

Redistricting Guidelines



April 6, 2011



Overview

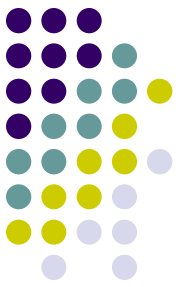


- The Redistricting Guidelines
 - Approved unanimously by the Redistricting Commission on March 8, 2011
 - Placed on the April 13, 2011 City Council agenda for adoption
 - Once approved, will be applied as consistently as possible in drawing new City Council boundaries

Redistricting Guidelines Preamble



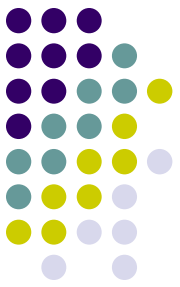
The Redistricting Commission intends to apply the following guidelines as consistently as possible and to the greatest extent possible, in the drawing of the city council district boundaries that are in the best interest of the residents and the city of Dallas. The Redistricting Commission acknowledges, however, that on some occasions these redistricting guidelines may conflict with one another.



Redistricting Guidelines

- Section A: Required by the US Constitution, Voting Rights Act, and other federal/state laws
 - Population Equality
 - Minority Representation
 - Contiguity and Compactness
- Section B: Other guidelines to be considered
 - Neutrality toward incumbents
 - Communities of Interest

Districts of Substantially Equal Population



- Based on total population as determined by the 2010 Census
- Overall range of deviation between population of the largest and smallest district must be less than 10%
- Any deviation between the populations of the largest district and the smallest district must be due to a necessity to achieve another legitimate objective

Minority Representation



- A plan cannot have the effect of diluting racial, ethnic or language minorities, however race cannot be the dominant motive in drawing districts
 - Section 2 of the Voting Rights Act
- Commission can draw districts where the minority has a fair chance to win where certain factors are present

Contiguity and Compactness



- Districts must be composed of contiguous territory
- Districts should be as compact as possible

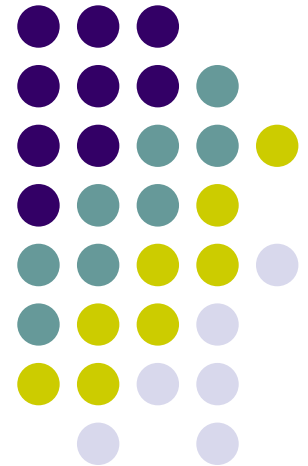
Other Factors to be Considered



- The configuration of districts should be neutral as to incumbents.
 - The districts must not be drawn for the purpose of either protecting or defeating an incumbent
- Districts should attempt to preserve communities of interest and avoid splitting neighborhoods

Appendix A

2011 Redistricting Guidelines



REDISTRICTING GUIDELINES 2011

Approved by the Redistricting Commission: March 1, 2011 with Final Edits March 8, 2011,
To Be Submitted to City Council for Final Adoption: April 13, 2011

The Redistricting Commission intends to apply the following guidelines as consistently as possible and to the greatest extent possible, in the drawing of city council district boundaries that are in the best interests of the residents and the City of Dallas. The Redistricting Commission acknowledges, however, that on some occasions these redistricting guidelines may conflict with one another.

A. The following guidelines regarding Population Equality, Minority Representation and Contiguity and Compactness shall be applied as required by the U.S. Constitution, the Voting Rights Act, and other federal and state laws.

1. Population Equality.

The districts should be drawn so that they are substantially equal in population according to the total count as presented in the 2010 census data. The total deviation between the largest and the smallest district must be as small as possible, but in all cases must be less than ten percent.

Minor population deviations of less than ten percent may be allowed if they are necessary to achieve a good faith, legitimate objective, such as:

- preserving the voting strength of minority populations in compliance with the Voting Rights Act;
- making the districts compact;
- maintaining communities of interest in a single district and avoiding splitting neighborhoods;
- using public school attendance boundaries as defined by the independent school districts in the City of Dallas to assist in defining neighborhoods;
- preserving the cores of existing districts as permitted by case law, meaning to recognize the traditional geographic, economic, cultural or social center of an existing district as supported by public testimony;
- following easily identifiable geographic boundaries and other unique geographical configurations; or
- facilitating responsiveness of elected representatives to their constituents.

2. Minority Representation.

As required by the Voting Rights Act, the voting strength of racial, ethnic, and language minorities in the districts should not be diluted by depriving minority voters of an equal opportunity to elect a candidate of their choice, such as by packing or fracturing districts. Race, ethnicity, and language minority consideration, however cannot be the predominant factor to which other districting legal principles are subordinated.

A majority minority district may be created to provide fair representation to the members of racial, ethnic, and language minority populations where compelling justification requires such a district as determined by the following factors:

- a reasonably compact district can be drawn in compliance with the other redistricting guidelines in which voters of the minority group constitute a majority of the electorate and will increase the probability that members of the minority will be elected;
- the minority community is politically cohesive and usually votes together; and
- other voters in the area generally vote as a bloc to successfully defeat the minority community's preferred candidates.

3. Contiguity and Compactness.

The districts should be geographically compact and composed of contiguous territory. Compactness and contiguity involve both a functional and a geographic aspect. Functional compactness and contiguity include factors such as:

- the availability of transportation and communication;
- the existence of common social, cultural, community, and economic interests;
- the ability of constituents of a council district to relate to each other;
- the existence of shared interests, including a history and tradition of working together;
- the use of public school attendance boundaries as defined by the independent school districts in the City of Dallas to assist in defining neighborhoods; and
- the drawing of district boundaries that facilitate communications between constituents and their elected representatives.

B. Other guidelines which may be considered include:

1. Incumbents.

The configuration of districts shall be neutral as to incumbents. The districts must not be configured for the purpose of either protecting or defeating an incumbent.

2. Communities of Interest.

Communities of interest shall be maintained in a single district, where possible; and attempts should be made to avoid splitting neighborhoods. For purposes of this guideline, "communities of interest" include geographic areas where there are people who share clearly recognizable similarities of social, political, cultural, ethnic, religious or economic interests. Factors to be considered in defining "neighborhoods" include homeowner associations, neighborhood associations, crime watch groups, public testimony, census tract information and traditionally recognized areas of Dallas.