

# Memorandum



CITY OF DALLAS

DATE November 9, 2018

TO Honorable Members of the Public Safety and Criminal Justice Committee

SUBJECT **PSCJ Upcoming Agenda Items – November 14, 2018 Council Agenda**

The next scheduled Public Safety and Criminal Justice Committee (PSCJC) Meeting is Monday, November 26, 2018. Due to the Committee not meeting again prior to the November 14, 2018 Council Agenda, I have provided a summary of the items below and attached the information for each item.

- A. Agenda Item #42 (File ID#18-1138): Authorize (1) the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant (Grant No. 2019-Dallas-IDM-00010, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of \$38,655.00 for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 10, 2018 through September 30, 2019; (2) the establishment of appropriations in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund; (3) the receipt and deposit of grant funds in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund; (4) a local cash match in an amount not to exceed \$9,731.51; and (5) execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed \$48,386.51 - Financing: Texas Department of Transportation Grant Funds (\$38,655.00) and General Fund (\$9,731.51)
- B. Agenda Item #43 (File ID#18-1173): Authorize a Memorandum of Understanding with the United States Marshals Service to receive reimbursement of overtime costs related to Operation Triple Beam - a short-term joint anti-gang and violent crime reduction strategy - Financing: This item has no cost consideration to the City (see Fiscal Information)
- C. Agenda Item #49 (File ID#18-1205): Authorize (1) withdrawal of recognition of the 2010 Police and Fire Meet and Confer Team; and (2) recognition of the 2018 Police and Fire Meet and Confer Team - Financing: No cost consideration to the City

DATE November 09, 2018

SUBJECT Upcoming Agenda Items

Please contact me if you have any questions or need additional information.



**Jon Fortune**  
**Assistant City Manager**

**Attachment**

c: Honorable Mayor and Members of the City Council  
T.C. Broadnax, City Manager  
Chris Caso, City Attorney (I)  
Carol A. Smith, City Auditor (I)  
Biliera Johnson, City Secretary  
Preston Robinson, Administrative Judge

Kimberly Bizer Tolbert, Chief of Staff to the City Manager  
Majed A. Al-Ghafry, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Nadia Chandler Hardy, Assistant City Manager & Chief Resilience Officer  
M. Elizabeth Reich, Chief Financial Officer  
Directors and Assistant Directors



Agenda Information Sheet

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**File #:** 18-1138

**Item #:** 42.

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**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** November 14, 2018  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

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**SUBJECT**

Authorize **(1)** the application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant (Grant No. 2019-Dallas-IDM-00010, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation (TxDOT) in the amount of \$38,655.00 for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 10, 2018 through September 30, 2019; **(2)** the establishment of appropriations in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund; **(3)** the receipt and deposit of grant funds in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund; **(4)** a local cash match in an amount not to exceed \$9,731.51; and **(5)** execution of the grant agreement including all terms, conditions, and documents required by the grant agreement - Total not to exceed \$48,386.51 - Financing: Texas Department of Transportation Grant Funds (\$38,655.00) and General Fund (\$9,731.51)

**BACKGROUND**

The Impaired Driver Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant provides for the reimbursement of salaries paid to officers enforcing Driving While Intoxicated and Driving Under the Influence laws at targeted locations throughout the City of Dallas. This grant is one of the "Wave" grants from the Texas Department of Transportation (TxDOT) that are part of the National Traffic Safety Plan and are awarded to TxDOT grant recipients. The grant award is for a one-year period for FY 2018-19. The total grant amount is \$38,655.00 with a City required match of \$9,731.51.

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

On December 11, 2013, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 13, 2013 through September 2, 2014, by Resolution No. 13-2151.

On December 10, 2014, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 1, 2014 through September 30, 2015, by Resolution No. 14-2196.

On December 9, 2015, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 1, 2015 through September 30, 2016, by Resolution No. 15-2218.

On December 14, 2016, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2016 through September 30, 2017, by Resolution No. 16-1996.

On November 8, 2017, City Council authorized an application for and acceptance of the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant from the Texas Department of Transportation for a statewide Driving While Intoxicated enforcement campaign to operate during various holiday periods for the period December 9, 2017 through September 30, 2018, by Resolution No. 17-1747.

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on November 9, 2018.

### **FISCAL INFORMATION**

Texas Department of Transportation Grant Funds - \$38,655.00  
General Fund - \$9,731.51

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**WHEREAS**, the Texas Department of Transportation (TxDOT) has made Impaired Driving Mobilization Selective Traffic Enforcement Program (STEP), Overtime Enforcement Grant Funds available for salaries for statewide Driving While Intoxicated and Driving Under the Influence campaigns during various holiday periods, for the period December 10, 2018 through September 30, 2019; and

**WHEREAS**, the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant will award \$38,655.00 to the City of Dallas for the statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 10, 2018 through September 30, 2019; and

**WHEREAS**, the City of Dallas will contribute a city match in the amount of \$9,731.51; and

**WHEREAS**, it is in the best interest of the City of Dallas to apply for and accept such funding.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to apply for and accept the Impaired Driving Mobilization Selective Traffic Enforcement Program, Overtime Enforcement Grant (Grant No. 2019-Dallas-IDM-00010, CFDA No. 20.616) from the National Highway Traffic Safety Administration passed through the Texas Department of Transportation in an amount not to exceed \$38,655.00 for a statewide Driving While Intoxicated Enforcement campaign to operate during various holiday periods for the period December 10, 2018 through September 30, 2019; provide a local cash match in the amount of \$9,731.51; and sign the grant agreement and all terms, conditions, and documents required by the grant agreement, approved as to form by the City Attorney.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund, Fund F570, Department DPD, Unit 3803, Object 3090.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit grant funds in an amount not to exceed \$38,655.00 in the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund, Fund F570, Department DPD, Unit 3803, and Revenue Code 6506.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse grant funds in an amount not to exceed \$38,655.00 from the TxDOT-STEP Impaired Driving Mobilization Grant FY19 Fund, Fund F570, Department DPD, Unit 3803, Object 3090; to reimburse Fund 0001, DPD, Unit 2127, Object 5011, for expenses incurred.

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**SECTION 5.** That the Chief Financial Officer is hereby authorized to disburse a local match in an amount not to exceed \$9,731.51 from Fund 0001, Department DPD, Unit 2127, various Object Codes, according to the attached Schedule.

**SECTION 6.** That the City Manager is hereby authorized to reimburse to the Texas Department of Transportation any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**SECTION 7.** That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

**SECTION 8.** That this contract is designated as Contract No. DPD-2019-00008321.

**SECTION 9.** 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.

**SCHEDULE**  
**Selective Traffic Enforcement Program Impaired Driving Mobilization Grant**  
**Fund F570, Department DPD, Unit 3803, Revenue Code 6506**  
**December 10, 2018 - September 30, 2019**

Object Code	Description	Amount
3090	City Forces	\$ 38,655.00
<b>Grand Total</b>		<b>\$ 38,655.00</b>

**Matching Funds**

**Cash Match**  
**Fund 0001, Department DPD, Unit 2127**

Object Code	Description	Amount
1306	FICA	\$ 612.26
*Other Object Codes	TBD	\$ 9,119.25
<b>Total</b>		<b>\$ 9,731.51</b>

- \* Other Object Codes
1. Volunteer Sources
  2. In-Kind Contributions
  3. Surveys
  4. Indirect Cost
  5. Fringe Benefits
  6. Vehicle Operation Costs
  7. Salaries not Claimed as Reimbursement
  8. Distribution of Materials
  9. Court Time
  10. Paid Media, Social Media, Earned Media



Agenda Information Sheet

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**File #:** 18-1173

**Item #:** 43.

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**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** November 14, 2018  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Police Department  
**EXECUTIVE:** Jon Fortune

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**SUBJECT**

Authorize a Memorandum of Understanding with the United States Marshals Service to receive reimbursement of overtime costs related to Operation Triple Beam - a short-term joint anti-gang and violent crime reduction strategy - Financing: This item has no cost consideration to the City (see Fiscal Information)

**BACKGROUND**

This Memorandum of Understanding will grant authority for the Dallas Police Department to receive reimbursement of overtime from the United States Marshals Service while providing assistance with Operation Triple Beam.

Operation Triple Beam (OTB) is a collaborative law enforcement anti-gang and violent crime reduction strategy designed to disrupt and destabilize hyperviolent street gangs. The OTB is unique in that it is designed to bring immediate relief to communities ravaged by violence through its short-term anti-gang violent crime reduction methodology.

The intent of this joint effort is to investigate and/or arrest local, state, and federal fugitives, to improve public safety, reduce violent crime, and reduce the number of fugitive non-compliant sex offenders.

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

The Public Safety and Criminal Justice Committee will be briefed by memorandum regarding this matter on November 9, 2018.

**FISCAL INFORMATION**

This item has no cost consideration to the City. Overtime expenses associated with Operation Triple Beam are fully funded as part of the Dallas Police Department budget.

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**WHEREAS**, the City of Dallas desires to enter into a Memorandum of Understanding with the United States Marshals Service to receive reimbursement of overtime costs related to law enforcement efforts with Operation Triple Beam; and

**WHEREAS**, the intent of this joint effort is to investigate and/or arrest local, state, and federal fugitives, to improve public safety, reduce violent crime, and reduce the number of fugitive non-compliant sex offenders; and

**WHEREAS**, it is in the best interest of the City to enter into this Memorandum of Understanding.

**Now, Therefore,**

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

**SECTION 1.** That the City Manager is hereby authorized to execute, upon approval as to form by the City Attorney, a Memorandum of Understanding with the United States Marshals Service to receive reimbursement of overtime costs related to law enforcement efforts with Operation Triple Beam.

**SECTION 2.** That this contract is designated as Contract No. DPD-2018-00008424.

**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.



Agenda Information Sheet

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**File #:** 18-1205

**Item #:** 49.

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**STRATEGIC PRIORITY:** Public Safety  
**AGENDA DATE:** November 14, 2018  
**COUNCIL DISTRICT(S):** N/A  
**DEPARTMENT:** City Manager's Office  
**EXECUTIVE:** Jon Fortune

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**SUBJECT**

Authorize **(1)** withdrawal of recognition of the 2010 Police and Fire Meet and Confer Team; and **(2)** recognition of the 2018 Police and Fire Meet and Confer Team - Financing: No cost consideration to the City

**BACKGROUND**

On September 18, 2018, the Dallas City Council approved the budget for FY 2018-2019, which provided for pay increases for police officers and firefighters. Because the City has a Meet and Confer Agreement with police officers and firefighters covered under Chapter 147 of the Texas Local Government Code, the City agreed to enter into limited negotiations with the Meet and Confer Team to amend the current Meet and Confer Agreement to implement the pay increases upon the terms and conditions approved by the Dallas City Council on September 18, 2018.

The 2010 Meet and Confer Team consisted of the Coalition of the Dallas Black Fire Fighters Association, Dallas Hispanic Firefighters Association, Dallas Firefighters Association, Black Police Association of Greater Dallas, the National Latino Peace Officers Association of Greater Dallas (currently National Latino Law Enforcement Officers Association), the Dallas Fraternal Order of Police Lodge 588, and the Dallas Police Association.

On September 27, 2018, the City of Dallas received notification that the composition of the meet and confer team has changed as a result of the dissolution of the Dallas Fraternal Order of Police Lodge 588 and its merger into the National Latino Law Enforcement Officers Organization.

The City anticipates receiving a petition from police officers and firefighters covered by Chapter 147 of the Texas Local Government Code requesting withdrawal of the 2010 Meet and Confer Team and recognition of the 2018 Meet and Confer Team consisting of the Coalition of the Dallas Black Fire Fighters Association, Dallas Hispanic Firefighters Association, Dallas Firefighters Association, Black Police Association of Greater Dallas, the National Latino Law Enforcement Officers Organization, and the Dallas Police Association. At the time of this posting, the City has not received the petition and will provide it as soon as it receives the petition.

The law requires that this petition be presented to the City Council to consider three options: 1) grant recognition of the meet and confer team; 2) defer granting recognition of the meet and confer team and order an election by the voters regarding whether the City may meet and confer; or 3) order a certification election to determine whether the employee groups in the meet and confer team represent a majority of the police officers and firefighters.

It is recommended that the City Council grant recognition of the 2018 Meet and Confer Team.

Following the City Council's recognition of the 2018 Meet and Confer Team, City management will meet with the Meet and Confer Team to negotiate amendments to the existing Meet and Confer Agreement to implement the pay increases approved by the City Council through the adoption of the FY 2018-2019 Budget. Upon ratification by the officers and firefighters covered under Chapter 147 of the Texas Local Government Code, the amended Meet and Confer Agreement will be presented to the City Council for approval on December 12, 2018.

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

On February 24, 2010, City Council approved recognition of the 2010 Police and Fire Meet and Confer Team, and authorized establishment of a management meet and confer team, by Resolution No. 10-0534.

### **FISCAL INFORMATION**

This action has no cost consideration to the City. This action may create new amendments to the existing Meet and Confer Agreement subject to approval by future council resolution.

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**WHEREAS**, the 2009 Texas State Legislature enacted House Bill 2307 authorizing police and fire groups to meet with designated management teams to discuss employment matters such as wages, benefits, and working conditions; and

**WHEREAS**, on February 24, 2010, City Council authorized recognition of the 2010 Police and Fire Meet and Confer Team, by Resolution No. 10-0534; and

**WHEREAS**, the City received notification that the composition of the Meet and Confer Team has changed as a result of the dissolution of the Dallas Fraternal Order of Police Lodge 588 and its merger into the National Latino Law Enforcement Officers Organization; and

**WHEREAS**, approval of the withdrawal of the 2010 Police and Fire Meet and Confer Team, and recognition of the 2018 Police and Fire Meet and Confer Team is in the best interest of the City.

**Now, Therefore,**

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

**SECTION 1.** That the City withdraws recognition of the 2010 Police and Fire Meet and Confer Team.

**SECTION 2.** That the City recognizes the 2018 Police and Fire Meet and Confer Team.

**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.