

**JANUARY 4, 2017 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 January 4, 2017. 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.



A.C. Gonzalez
City Manager

12/30/16

Date



Elizabeth Reich
Chief Financial Officer

12-30-16

Date

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

January 4, 2017

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 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

If you need interpretation in Spanish language, please contact the City Secretary's Office at 214-670-3738 with a 48 hour advance notice.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-3738 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.

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 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 City Cable* 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 5:00 pm del último día hábil anterior a la reunión. 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.

Si necesita interpretación en idioma español, por favor comuníquese con la oficina de la Secretaría del Ayuntamiento al 214-670-3738 con notificación de 48 horas antes.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-3738 (aparato auditivo V/TDD). La Ciudad de Dallas está comprometida a 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 Cortesía

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 de 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 de 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.

Handgun Prohibition Notice for Meetings of Government Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, JANUARY 4, 2017
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 Special Called Meeting of December 6, 2016, December 7, 2016 City Council Meeting and Special Called Meeting of December 9, 2016
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. The BIG Picture 2017 Capital Bond Program: Draft Bond Program
- B. Amendments to the Code of Ethics

Lunch

- C. Community Development in Dallas

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, JANUARY 4, 2017

- Closed Session 6ES
Attorney Briefings (Sec. 551.071 T.O.M.A.)
- Osric Stevens et al. v. City of Dallas, Cause No. DC-15-02678-H.
 - Legal issues related to the Dallas Police & Fire Pension System.
 - Vickie Cook et al. v. City of Dallas et al., Civil Action No. 3:12-CV-03788-N.
 - Center for Housing Resources, Inc. v. City of Dallas, Inquiry No. 510888, HUD Case No. 06-17-6202-8.
- 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.

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.086]

Memorandum



CITY OF DALLAS

DATE December 30, 2016

TO Honorable Mayor and Members of the City Council

SUBJECT The BIG Picture 2017 Capital Bond Program: Draft Bond Program

On Wednesday, January 4, 2017, you will be briefed on The BIG Picture 2017 Capital Bond Program: Draft Bond Program. The briefing materials are attached for your review.

Please feel free to contact me if you have questions or need additional information.

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

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

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Mark McDaniel, Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council
Rick Galceran, P.E., Director, Public Works Department

The BIG Picture

2017 Capital Bond Program:

Draft Bond Program

City Council Briefing

January 4, 2017



Purpose

- Summarize Council Direction from November 2, 2016 Briefing
- Provide an Overview of the Status of the Planning for a Bond Program
- Obtain Council direction on whether to proceed with a May election
- Discuss the use of Citywide designation for certain projects
- Describe a draft bond program

Summary of Council Direction from November 2nd Briefing

- Street Propositions should-
 - Be split between projects that do and do not improve street condition
 - Concentrate on both local streets and thoroughfares/arterials
- Street funding should be split evenly between districts (5 votes) vs proportionally by lane miles (4 votes) or lane miles in unacceptable condition (4 votes)
- Park focus should be on neighborhood parks, followed by trails and recreation centers
- Do not allocate funding for Fair Park until after the decision on its operation is made (6 votes) vs fund \$75M in a separate proposition (5 votes) or fund a smaller amount (2 votes)
- Leverage private dollars for park projects for which the private funds have already been raised

Overview of the Status of Planning for a Bond Program

- As directed at the November 2nd briefing, City staff met with Council Members in November and December to present potential Citywide Projects and obtain feedback
- Council raised several issues:
 - Should the election remain in May 2017?
 - Should any citywide projects be selected first or should the bond funds just be dividedly evenly? If evenly, divide by 14 or 15?
 - How do projects become designated as citywide?
 - Why were certain projects recommended for the draft bond program while others were not?
- Given the holidays, staff is still working with the Council offices to finalize district specific project lists

Council Direction Needed

- Now is the time to decide whether the bond election will be this May
- Town hall meetings should not be held if the election is going to be postponed
 - Notices for the second round of town hall meetings have not been sent out pending this decision
 - If the decision is made to proceed with a May election, notices of these meetings will go out today

Considerations for the Timing of the Election

- Cost of a stand alone election is approximately \$1Million
- Relationship to the Police/Fire pension and pay issues
 - Effects upon the ability to issue commercial paper and bonding capacity
- Effects of running a bond campaign at the same time as council elections
- Delay could also result in increased costs due to inflation
- Budget for maintaining street condition in FY17 is predicated upon the bond program providing funding for resurfacing beginning in June 17
- November election gives the next council a short window to shape the bond program

Remaining Steps for Completing a Bond Program

Item	May Bond Election	November Election
Decide when is bond election	Today	-
Decide on citywide projects	Today	May 17
Finish Selecting District Projects	ASAP	June 9
Seat new council	-	June 19
Second Round of Public Meetings	January 11- 26	July
Public Hearing	January 25	August 2
Council Amends the Draft Bond Program	February 1	August 2
Call Election	February 8	August 9
Bond Election	May 6, 2017	November 6, 2017



What are Citywide Projects?

- **Citywide Projects include-**
 - Facilities that are part of a system
 - Ex: Pump stations, branch libraries, rec centers or fire stations
 - Large parks or cultural institutions that draw patrons citywide
 - Ex: Zoo, Arboretum, Meyerson or White Rock Lake
 - Projects whose costs are so high that one district would have difficulty bearing the cost alone
 - Ex: Mill Creek Drainage project or West Dallas Gateway
 - Projects for which a specific site is unknown
 - Ex: 50/50 Sidewalk replacement program, future warranted traffic signals or Economic Development projects
 - Facilities that serve citizens from multiple districts
 - Ex: City Hall, city service centers, or animal shelter

Other Thoughts on Citywide Designation

- Some projects, like Service Centers, lack a constituency
 - Drainage follows topography not district boundaries
 - Service or lack thereof in one district can affect service in other districts
 - Ex., slow fire response times due to a station not being in an area lowers the City's overall fire rating for insurance purposes
 - Geographic distribution of city facilities is not even across districts
 - Funding for citywide projects varies from one bond program to the next
 - One district may receive extra funding for a citywide project in one bond program and a different district may get more funding the next time
- Therefore, previous bond programs have not had equal amounts between districts**

Citywide Assets by District

District Assets	1	2	3	4	5	6	7	8	9	10	11	12	13	14
Libraries	1	3	2	1	2	3	3	2	1	2	1	2	1	3
Recreation Centers	2	5	3	6	2	3	5	4	2	2	2	2	2	2
Service Centers	-	1	2	-	1	1	2	-	-	1	-	2	-	-
Police Facilities	-	2	3	-	1	1	1	1	-	1	-	1	-	1
Fire Stations	3	7	4	2	3	7	3	4	4	3	2	3	5	3
Fire Facility	-	1	-	-	-	-	1	-	-	-	-	-	-	-
City Hall/OCMC/Court	1	1	-	-	-	-	-	-	-	-	-	-	-	1
Citywide Parks	-	-	-	2	1	1	1	1	2	-	-	-	-	1
Cultural Facilities	1	1	-	-	-	-	2	-	1	-	-	-	-	9
Pump Stations	1	-	-	-	-	5	1	-	-	-	-	-	-	1
Community Centers	-	-	-	-	-	1	1	-	-	-	-	-	-	-
Totals:	9	21	14	11	10	22	20	12	10	9	5	10	8	21

Additional Considerations for Selecting Projects

- Petition projects have always been funded
- Projects that leverage others' dollars have received preferential treatment but-
 - Promises of raising those outside dollars have been problematic
- Projects that promote the public's safety and enhanced economic development have also received preferential treatment
- New O&M costs resulting from projects must be considered
- Prior commitments and compliance with federal laws receive additional consideration

Recommended Guiding Principles

Considering all these factors and keeping the bond program at \$800M, staff used the following guiding principles for recommending projects for the draft 2017 bond program:

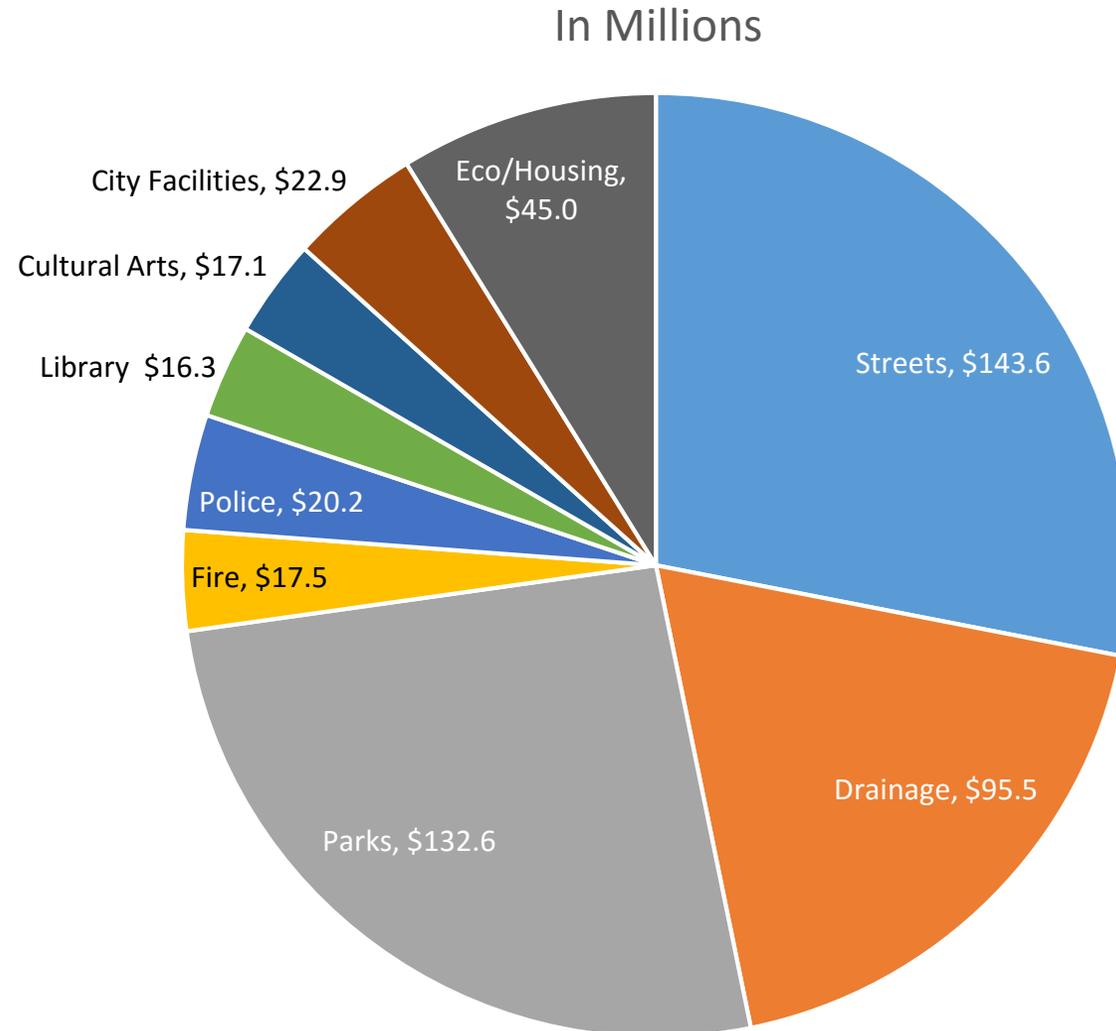
- Enhance Public Safety
- Leverage Outside Funding
- Promote Mobility, Economic Development and Housing
- Protect City Employees and Improve Their Efficiency
- Fill in Key Service Gaps
- Perform Major Maintenance and Renovation of City Facilities
- Complete Projects that Received Partial Funding on Earlier Bond Programs or fulfill commitments

Overview of the Draft Bond Program

- The draft bond program proposed to use \$800 million of bonding capacity
- Critical needs across a wide spectrum of city infrastructure types would be addressed but many other needs are left undone
- Critical council district needs are met
- It leverages **\$216M** of outside dollars
- Three major flooding areas are addressed
- The core of the city's trail system is built
- Major maintenance of critically needed repairs is performed on 30+ buildings, four buildings are replaced, three are expanded, and four new ones are built
- Critically needed street improvements would promote economic vitality and public safety

Overview of the Draft Bond Program- Continued

Allocation of Funding Recommended As of 12/30/16



Shown is an allocation of \$511M out of \$800M. Each of the 14 districts would receive an additional \$20.6M to be allocated between Streets, Drainage and Parks

Recommended Approach for the Street Proposition

- **Enhance Public Safety**- warranted traffic signals, sidewalks, bridge repairs
- **Leverage Outside Funding**- petition and intergovernmental projects
- **Promote Mobility, Economic Development and Housing** thoroughfares and target neighborhood
- **Perform Major Maintenance and Renovation of City Streets**- resurfacing and reconstruction projects
- **Complete Projects that Received Partial Funding on Earlier Bond Programs or fulfill commitments**- Canada Drive, Commerce Street and Pemberton Hill

Note: Lists of street projects in individual council districts is still being finalized; hence the use of TBD on the next slide

Overview of Streets Proposition

Project Type	\$ in Millions
Alley Reconstruction	4.0
Bridge Repair	3.3
Intergovernmental	40.4
Petition sidewalks, alleys, and streets	12.6
Sidewalks- Safety for Schools/Transit/Trail Access & 50/50	6.0
Street Reconstruction- Thoroughfares	TBD
Street Reconstruction- Locals	TBD
Street Resurfacing- Thoroughfares	TBD
Street Resurfacing- Locals	TBD
Target Neighborhood	TBD
Thoroughfares/Infrastructure	+47.6
Warranted Traffic Signals	29.7
TOTAL	+143.6

Warranted Traffic Signals, School/Pedestrian Flashers

Location: Multiple

Council District: Multiple

Project Type: New

Project Cost: \$29,748,500

O&M Cost: \$356,860

Description: Install new warranted traffic signals and school flashers citywide where a need has been identified

Impact: New traffic signals will help improve traffic flow ,alleviate congestion and enhance safety. School/pedestrian flashers will enhance safety in school zones.



Thoroughfare/Infrastructure Improvements

Project	Type	Category	Description	Council District	City Cost	City's O&M Cost
10 th Street/Bottoms/Clarendon Infrastructure Improvements	Street & Alley Reconstruction	Thoroughfare, Local Streets, and Alleys	Reconstruct existing streets and alleys to City standard	4	\$10,000,000	\$163,620
Commerce Street – Good Latimer Expwy to Exposition St	Street Reconstruction	Thoroughfare	Complete Street project to provide two lane, two-way roadway as called for in the thoroughfare plan	2	\$9,677,500	\$50,000
Canada Drive – Westmoreland to Hampton	Street Reconstruction	Thoroughfare	Complete Street reconstruction project to provide a four lane divided roadway [S-4-D] with sidewalks and dedicated bicycle facilities	6	\$7,595,000	\$111,900
Pemberton Hill Road	Street Reconstruction	Thoroughfare	Street Reconstruction	5, 7, 8	\$14,000,000	\$88,000
Casa View Project	Street Reconstruction	Thoroughfare	Complete streets project with drainage improvements	9	\$6,300,000	\$43,000
				Total	\$47,572,500	\$456,520

Intergovernmental Partnership Projects

Project	Type	Description	Council District	Partner	Match	City Cost	City's O&M Cost
Davis Street – Ft. Worth Ave to Clinton St	New	Roadway and bike lane improvements	1	Dallas County	\$2,700,000	\$3,400,000	\$120,000
Garland/Gaston at East Grand Ave	Reconstruction	Intersection Improvements	2, 9, 14	TxDOT	\$4,500,000	\$1,050,000	\$68,000
Davis Street – Cockrell Hill to Fort Worth Ave	New	Roadway and bike lane improvements	3	Dallas County	\$500,000	\$500,000	\$33,000
Quiet Zone	New	Install Quiet zone required infrastructure improvements at railroad crossings	6, 7, 9	TxDOT	\$2,200,000	\$542,675	N/A
Dolphin Road – Haskell Ave to Spring Rd	Reconstruction	reconstruct existing 4 lane undivided roadway to 4 lane divided	7	TxDOT	\$8,000,000	\$2,021,250	\$136,000
Riverfront – Cadiz to UPRR Line	Reconstruction	Thoroughfare and bike facilities	1, 2, 6	TXDOT	\$1,900,000	\$1,900,000	N/A

Intergovernmental Partnership Projects

Project	Type	Description	Council District	Partner	Match	City Cost	City's O&M Cost
McKinney Ave/Cole	New	Convert existing roadway to two-way	14	NCTCOG	\$11,150,000	\$8,000,000	N/A
SoPAC/Katy Trail Drainage Improvements	New	Install proper drainage infrastructure at these locations	9	Dallas County	\$250,000	\$673,750	N/A
LBJ/Skillman Interchange Bridge	New	Lighting and Streetscaping	10	TxDOT/ NCTCOG	N/A	\$8,575,000	\$225,000
Pedestrian improvements along US 75 between Mockingbird Ln, Lovers Ln, and Greenville Ave	New	Provide pedestrian safety improvements recommended by TxDOT's 2016 Pedestrian Safety Study	14	TxDOT/ NCTCOG	\$5,600,000	\$1,102,500	\$30,000
Cockrell Hill – La Reunion to Singleton	New	Construct a new 4 lane divided roadway including a new bridge over UPRR and new traffic signals at Singleton	6	Dallas County	\$1,650,000	\$1,653,750	\$50,000
Prairie Creek Rail Road Bridge over UPRR	New	Construct a new 4-lane bridge over UP railroad tracks just South of Forney Rd with sidewalk and bicycle facilities	7	NCTCOG/ UP RR	\$12,000,000	\$9,187,500	\$50,000
Wheatland Road – City Limits to University Hills	New	Construct a new 4 lane undivided roadway with bike lanes	8	TxDOT/ NCTCOG	\$3,200,000	\$1,837,500	\$40,000
				Total	\$53,650,000	\$40,443,925	\$752,000

Property Owner Petition Projects

Project	Type	Proposition	Council District	Cost
Edgefield and Windomere from 12 th St to Wentworth	Alley Petition	Streets and Transportation	1	\$214,375
Glenleigh Dr and Manning Ln from existing pavement to Manchester Dr	Alley Petition	Streets and Transportation	13	\$62,475
Amhurst Ave and Stanford Ave from Linwood Ave to Briarwood Lane	Alley Petition	Streets and Transportation	13	\$211,827
La Rue Street and Wyoming Street from Cockrell Hill Road to La Rue Street	Alley Petition	Streets and Transportation	3	\$122,500
Palo Pinto Ave and Valesco Ave from Concho St to Skillman St	Alley Petition	Streets and Transportation	14	\$173,884
Hord Ave – Moler St to Brandon St	Street Petition	Streets and Transportation	3	\$850,003
Ginger Avenue – Dacki Ave to Goldie Ave/Brandon St	Street Petition	Streets and Transportation	3	\$1,968,700
Harlandale Ave – Ohio Ave to Illinois Ave	Street Petition	Streets and Transportation	4	\$539,000

Property Owner Petition Projects

Project	Type	Proposition	Council District	Cost
Lonsdale Drive Ave – Sarah Lee Ln to Lake June Road	Street Petition	Streets and Transportation	5	\$1,457,750
Trojan St – Burma Rd to Fellows Ln	Street Petition	Streets and Transportation	7	\$1,090,250
Ridgecrest Road - Holly Hill Drive to Sopac Trail east of Eastridge Drive	Street Petition	Streets and Transportation	13	\$5,512,500
Dirk St – Alley south of Martel Ave to Martel Ave	Street Petition	Streets and Transportation	14	\$146,510
Jeffries St –Tanner St to Warren Ave	Sidewalk Petition	Streets and Transportation	7	\$36,750
Easton Rd – 146 Easton Rd to Alley south of NW Highway	Sidewalk Petition	Streets and Transportation	9	\$85,750
Greentree Ln/Rockway Dr – from Fisher Rd to Westbrook and Fisher – Rockway to Trammel	Sidewalk Petition	Streets and Transportation	9	\$122,500
			Total	\$12,594,774

Sidewalk Improvement Programs

Location: Citywide

Council District: Citywide & 9

Project Type: Reconstruction/Rehabilitation

Project Cost: \$6,000,000

O&M Cost: N/A

Description: Funds \$5M for the sidewalk replacement 50/50 cost share and sidewalk safety programs. Includes installation of barrier free ramps where applicable. Also funds \$1M for trail access and critical missing sidewalks in District 9

Impact: The Sidewalk replacement program assists residents with replacing dilapidated sidewalks. The Sidewalk Safety Program helps install sidewalks and barrier free ramps a long school routes and public transit routes. Both programs increase pedestrian safety, encourage walkability, help improve air quality and assist with ADA requirements.



Alley Reconstruction/Rehabilitation

Council District: 12

Project Type: Reconstruction/Rehabilitation

Project Cost: \$4,000,000

O&M Cost: N/A

Description: Reconstruct/replace existing alleys that have deteriorated beyond repair.

Impact: Improves drainage, upgrades alley to City design standards and protects residential property.



Maple Avenue Bridge Repair

Location: Maple Avenue over Turtle Creek

Council District: 2 and 14

Project Type: Major Maintenance

Project Cost: \$612,500

O&M Cost: N/A

Age: 98 years old

Description: Repair bridge that has experienced extended erosion damage

Impact: Although Mobility and Streets Services has done temporary repairs, a permanent fix is needed to prevent any further loss of soil from under the roadway from occurring. Such erosion of soil from under the roadway would result in expensive repairs of this elevated roadway that crosses Reverchon Park along Turtle Creek.



Second Avenue Bridge Repair

Location: Second Avenue over White Rock Creek

Council District: 5 & 7

Project Type: Major Maintenance

Project Cost: \$869,750

O&M Cost: N/A

Age: 87 years old

Description: Repair of this bridge includes bridge pedestal repair that is currently cracked, strengthening of steel piers that have corrosion, concrete repair and painting of bridge, seal deck, and bridge railing repair

Impact: Due to the disrepair of this bridge, it is load limited for vehicular traffic and presents a potential bridge failure



Marsh Lane Bridge Repair

Location: Marsh Lane over Furneaux Creek

Council District: 12

Project Type: Major Maintenance

Project Cost: \$117,600

O&M Cost: N/A

Age: 32 years old

Description: Repair the southeast wing wall and masonry wall that has been damaged by erosion

Impact: Severe erosion has damaged the south east wing wall and the masonry wall used to protect the roadway is failing. These repairs should be done now before more expensive repairs to the roadway are required.



Camp Wisdom Road Bridge Repair

Location: Camp Wisdom over Ricketts Creek

Council District: 3, 8

Project Type: Major Maintenance

Project Cost: \$857,500

O&M Cost: N/A

Age: 30 years old

Description: Repair the concrete that has deteriorated due to erosion.

Impact: Erosion has caused the concrete to begin cracking which has resulted in soil being pulled away from the roadway. Recent TxDOT inspections have resulted in a low rating due to the continued erosion problem.



Marsalis Avenue Bridge at the Zoo Repair

Location: Marsalis over the Dallas Zoo and Cedar Creek

Council District: 4

Project Type: Major Maintenance

Project Cost: \$245,000

O&M Cost: N/A

Age: 61 years old

Description: Repair the bridge decking.

Impact: Concrete underneath the bridge has begun to crack and start falling. This needs to be repaired to address this public safety issue since many pedestrians walk underneath this bridge to the zoo entrance.



Marsalis Bridge Over Five Mile Creek Replacement

Location: Marsalis Bridge over Five Mile Creek

Council District: 4

Project Type: Reconstruction/Rehabilitation

Project Cost: \$612,500 (City Share)

O&M Cost: N/A

Age: 87 years old

Description: This bridge is being replaced as part of a joint project between the City of Dallas and the Texas Department of Transportation

Impact: The funding entails the City's share of the remaining cost to complete the project.



Recommended Approach for the Drainage Proposition

Enhance public safety-

- Save lives and reduce property loss
- Continue to update the City's interior drainage system along the Trinity by adding a new pump station to address flooding of homes and a major highway

Leverages Outside Dollars-

- Pump stations along the Trinity are eligible for Credit from the Corps against future flood control/eco restoration projects in the floodway

Overview of Drainage Proposition

Project	\$ in Millions
Trinity Portland Pump Station	65.0
Redbird/Polk Bridge Project	10.1
Vinemont Channel	7.1
Replacement of River Levee Operations Building	13.4
Erosion Control	TBD
Storm Drainage Systems	TBD
Total	+95.6

Trinity Portland Pump Station

Location: Mexicana Drive in Eagle Ford Area

Council District: Citywide

Project Type: New

Project Cost: \$65,000,000

O&M Cost with project: \$ 166,000/Year*

Description: New 256,000 gallons per minute pump station and sump in West Dallas

Impact: Increases capacity to levee system, prevents repetitive flooding in the surrounding neighborhoods, and highway (Loop 12)

**Weather Dependent*



Polk and Redbird Bridges Reconstruction

Location: Near the intersection of Polk Street and Redbird Lane

Council District: 3

Project Type: Reconstruction/Rehabilitation

Project Cost: \$10,111,000

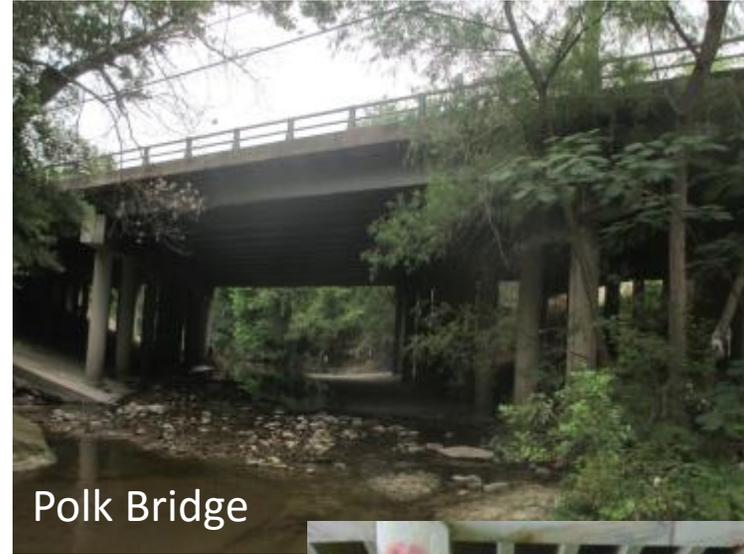
O&M Cost with project: N/A

Age: Polk Bridge – 48 years

Redbird Bridge – 52 years

Description: Reconstruct both bridges over Woody Branch to relieve flooding affecting 30 to 40 homes

Impact: These bridges constrict flow resulting in flooding in the area behind them; there is also significant channel erosion that is threatening the bridge abutments.



Vinemont Channel

Location: East of Buckner Blvd and Lake Highlands Drive a long Dixon Branch

Council District: 9

Project Type: New

Project Cost: \$7,056,000

O&M Cost with project: \$500K/Mile*

O&M Cost without project: \$1.5 M/Mile*

Description: Construct a storm drainage diversion system to relieve flooding from the existing undersized concrete-lined channel

Impact: Relieves frequent flooding of 16 repetitive flood loss structures; homes will remain in the 100-year floodplain of Dixon Branch but would see less frequent flooding during 2- through 10-year floods

* *Weather Dependent*



Flood Control Operations Center Replacement

Location: 2255 Irving Blvd

Council District: Citywide

Project Type: Reconstruction/Rehabilitation

Project Cost: \$13,350,000

O&M Cost: N/A

Age: 52 years old

Description: Replace existing facility with a new 26,000 SF building.

Impact: New building meets City Code and moves system-wide electrical control equipment for pump stations/Flood Warning & ALERT systems from the potential for failure due to electrical failure or flooding



Recommended Approach for the Parks Proposition

- Leverage Outside Funding
- Promote Mobility, Economic Development and Housing
- Fill in Key Service Gaps
- Perform Major Maintenance and Renovation of City Facilities
- Complete Projects that Received Partial Funding on Earlier Bond Programs or fulfill commitments

Overview of the Parks Proposition

Project	Amount
Circuit Trail - Complete Inner Loop	\$ 20,000,000
Circuit Trail - Outer Loop	\$ 9,200,000
Downtown Parks	\$ 35,000,000
Southern Gateway	\$ 10,000,000
Fair Park Major Maintenance for Park Facilities	\$ 10,000,000
Aquatics Phase I	\$ 7,700,000
Crawford Lake	\$ 7,800,000
Rec Centers Major Maintenance	\$ 433,937
Singing Hills Recreation Center	\$ 10,400,000
Eloise Lundy Recreation Center Expansion	\$ 8,450,000
Willie B Johnson Recreation Center Expansion	\$ 3,575,000
Dallas Midtown	\$ 5,460,000
White Rock Lake Stone Tables	\$ 468,000
Linear Trails	\$ 4,200,000
Total	\$132,686,937
Neighborhood Park Improvements	TBD

Circuit Trail- Complete Inner Loop

Location: East Dallas/Trinity River/Pleasant Grove/Design District/North Oak Cliff

Council Districts: Citywide

Project Type: New

City's Project Cost: \$20,000,000

Trinity Forest Spine Trail - \$8,000,000 (leveraging \$5,000,000 in additional funding committed from Dallas County and \$5,000,000 private funding from Circuit Trail Connection)

Remainder - \$12,000,000 (leveraging \$5,000,000 match funding committed from Circuit Trail Conservancy and \$8,000,000 from NCTCOG).

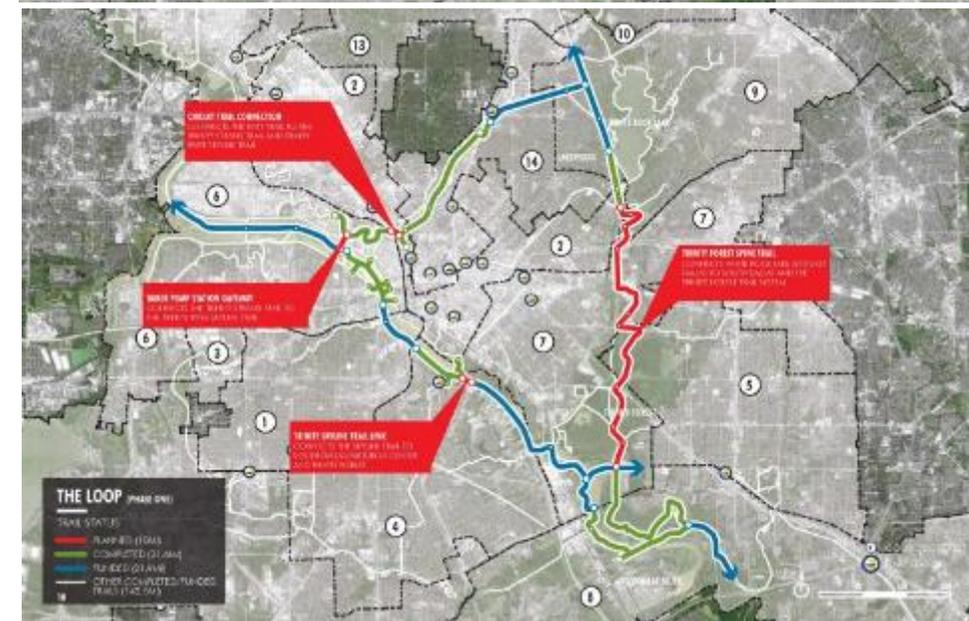
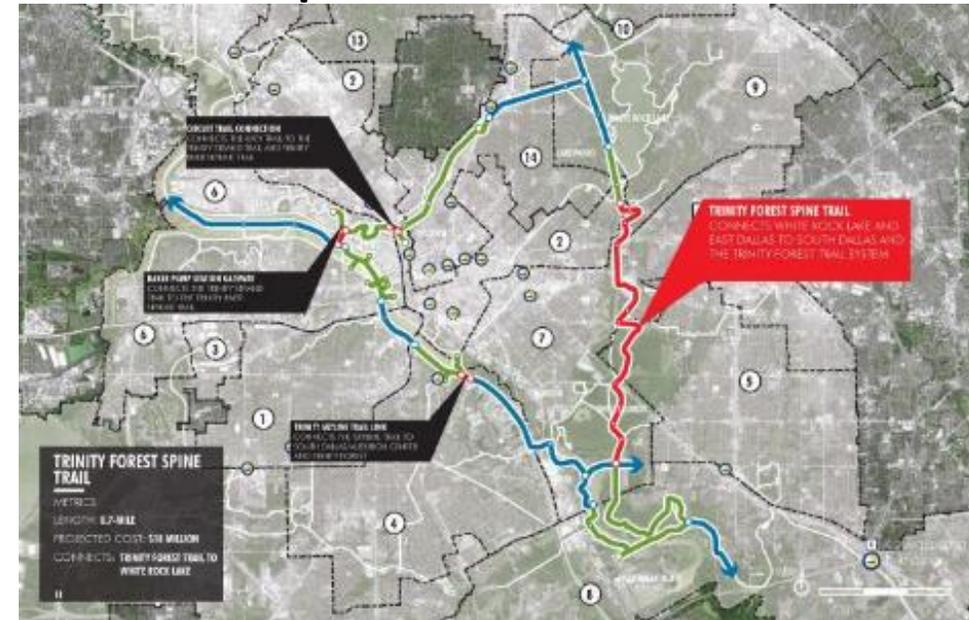
Funds:

- Circuit Trail Connection
- Trinity Strand/Skyline Gateway
- Trinity Forest/Skyline Connection

O&M Cost: \$93,800 with Private sources raising \$13m for endowment and other amenities

Description: Connects White Rock to the Katy Trail to the Strand Trail to the Skyline Trail to the forest trails and back to White Rock, creating a 50 mile loop

Impact: Crucial connection for a city-wide linear trail system. Connecting segments of existing trails to create a cohesive and connected trail system that benefits all communities, promotes economic development, and improves multi-modal access.



Circuit Trail- Outer Loop- Low Five Connector & SoPac Trail Phase IVB

Location: Central Expressway and Royal Lane Corridor

Council Districts: Citywide

Project Type: New

Project Cost: \$9,200,000

- **Low Five:** \$5,000,000 (City), Dallas County \$7,000,000 (match); State/Federal funds \$9,000,000 (match)
- **SoPac Trail Phase 4B:** \$4,200,000 (City)

O&M Cost: \$160,826

Primary Purpose: Connect Northaven Trail over North Central Expressway to White Rock Creek Trail, Cottonwood Trail, and completes SoPac Trail

Impact to the City: Expands citywide trail connectivity by connecting hike and bike trail network west of Central Expressway to hike and bike trail network east of Central Expressway



Downtown Parks

Location: Downtown Dallas

Council Districts: 2 and 14

Project Type:

Reconstruction/Rehabilitation/New Parks

Project Cost: \$35,000,000 (\$44,000,000 match from Parks for Downtown Dallas)

O&M Cost: \$586,000 (total)

Carpenter Park - \$230,000

Pacific Plaza - \$120,000

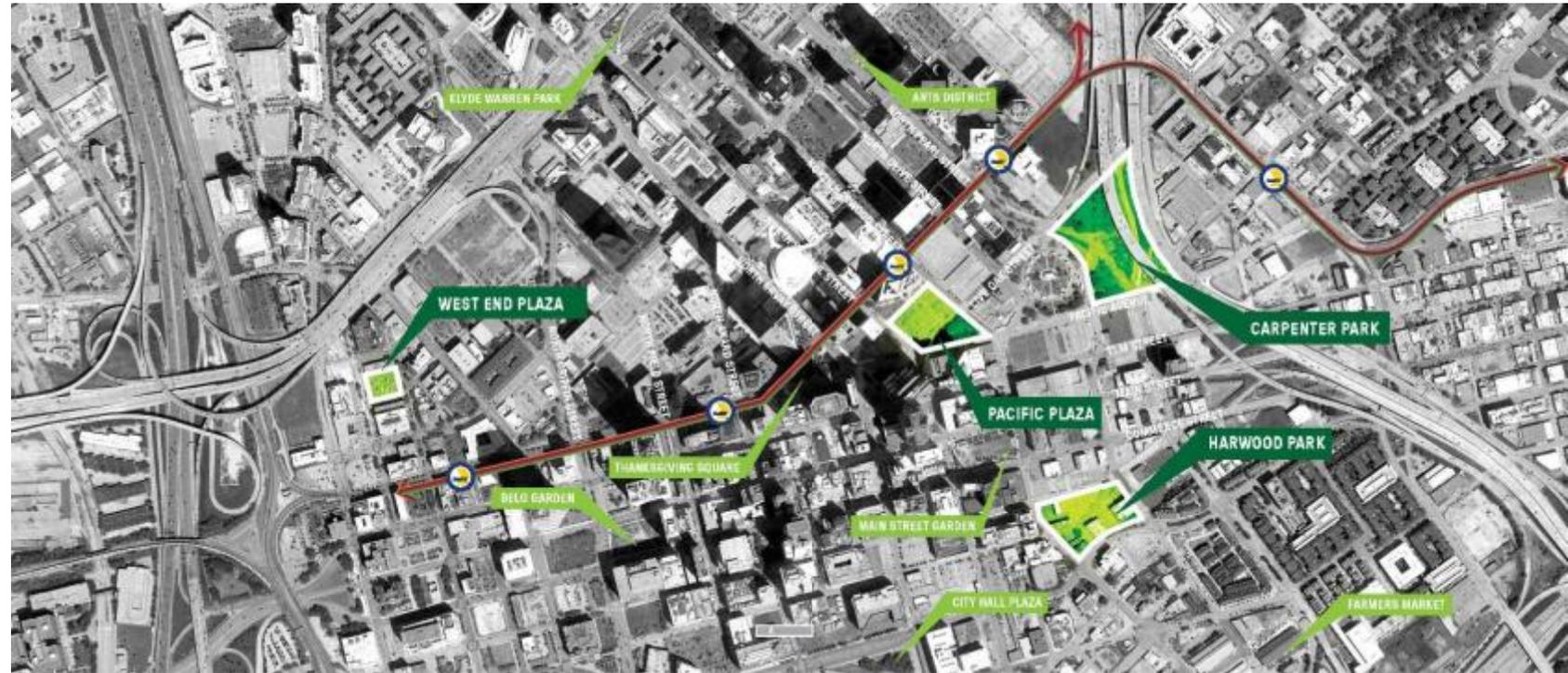
Harwood Park: \$210,000

West End Plaza: \$26,000

Parks for Downtown Dallas to establish maintenance endowment to eliminate O&M impact on general funds

Primary Purpose: Redevelopment of Carpenter Park and development of Harwood and West End parks by City and Pacific Plaza by Private

Impact: Enhances quality of life in downtown and provides linkages between neighborhoods in the Central Business District.



Southern Gateway Public Green

Location: Interstate 35E at Ewing Avenue

Council Districts: Citywide

Project Type: - New

Project Cost: \$10,000,000 (City Match which leverages \$72M of COG and Private funding)

O&M Cost: \$3,000,000 (Park Phase 1)

Description: Phase 1 development of Southern Gateway Public Green from Ewing Ave to Lancaster Avenue. If funds are available depending upon fund raising efforts, could help fund the widening of Ewing Ave on zoo property and relocation of the Zoo Entrance due to changes needed to accommodate the reconstruction of I35.

Phase 2 development of Southern Gateway Public Green from Lancaster Avenue to Marsalis Avenue.

Impact: The project will link neighborhoods and create a destination park for the southern sector.



SOUTHERN GATEWAY DECK PARK

OJB 10/05/2016 CONCEPTUAL PACKAGE

Fair Park Major Maintenance for Park Facilities

Council District: Citywide

Project Type: Major Maintenance

Project Cost: \$10,000,000

O&M Cost: N/A

Description: Major maintenance items including ADA compliance, roof replacements, mechanical/electrical repair, stabilizing structural integrity of buildings, storm drainage improvements, ductwork replacements, and water infiltration prevention.

Impact: Helps to keep the park competitive and attract more visitors year round. Work is critically needed regardless of who operates the park to protect the facilities and its historical landmarks.



Aquatics Master Plan – Phase I

Location: Citywide

Council Districts: Citywide

Project Type: New

Project Cost: \$7,700,000

O & M Cost: N/A

Project Description: This is supplemental funding for Phase 1 of the Aquatics Master Plan

- **Regional Facilities** - Samuel Grand, Crawford Park, Fretz Park. Includes eight lane lap pool, children's pool, spray area, waterslides, a lazy river, bath houses, changing facilities and concessions.
- **Community Facilities** - Kidd Springs, and Lake Highlands North. Includes six lane lap pool, water slides, concessions, children's area spray areas and pavilions.
- **Neighborhood Facilities** – Tietze Park. Includes four lane lap pool, children's Pool, a water slide, spray area and concessions.

Impact: Project will enhance quality of life for residents throughout the city and spraygrounds will provide aquatic facilities in areas of the city previously underserved



Crawford Lake Project

Location: Pleasant Grove – N. Prairie Creek Blvd and CF Hawn Freeway

Council District: Citywide

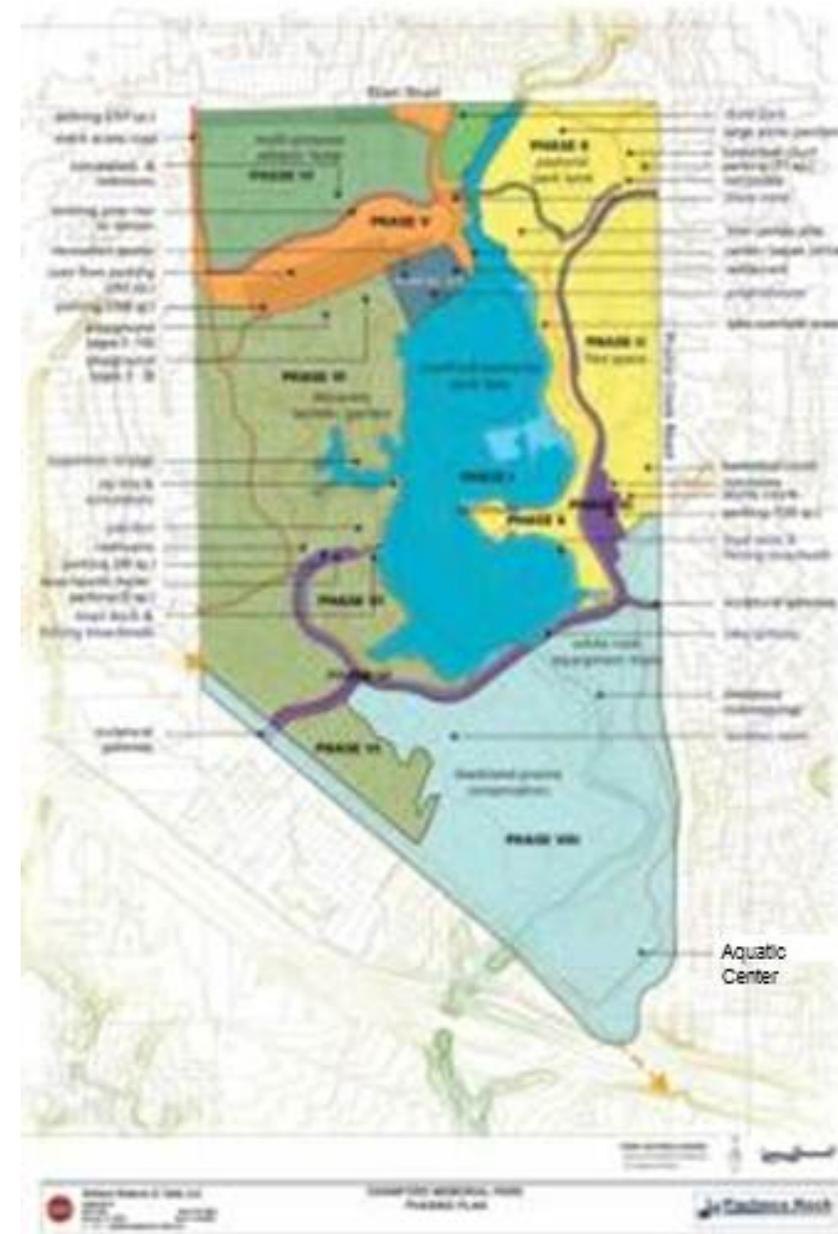
Project Type: Reconstruction/Rehabilitation

Project Cost: \$7,800,000

O&M Cost: No increase to current O&M

Description: This project will establish the lake. Future phases include re-routing a loop trail and adding a recreation center.

Impact: Phase 1 of the Crawford Park Master Plan will develop the signature park in the southern sector of the City.



Recreation Centers - Major Maintenance

Facility Name	Proposition	Address	Description	Cost
Tommie Allen Recreation Center	Park and Recreation	7071 Bonnie View Road	Exterior Enclosure, Plumbing, HVAC, and Roofing Improvements	\$68,574
Ridgewood/Belcher Recreation Center	Park and Recreation	6818 Fisher Road	Ceiling and Plumbing Improvements	\$106,698
KB Polk Recreation Center	Park and Recreation	6801 Roper St.	Roofing and Electrical	\$124,613
Pike Recreation Center (Currently Closed)	Park and Recreation	2807 Harry Hines Blvd	Roofing, Plumbing, HVAC, Fire Protection, and Electrical Improvements	\$134,052
			Total	\$433,937



Singing Hills Recreation Center Expansion

Location: 1909 Crouch Road

Council District: Citywide

Project Type: Recreation Center Expansion

Project Cost: \$10,400,000

O&M Cost: \$98,000

Description: New Singing Hills Recreation Center is currently under construction (completion schedule for May 2017). Funding would expand the center to include a single gym and plaza between building and DART Singing Hills Station.

Impact: Provides additional recreation opportunities to the surrounding community.



Eloise Lundy Recreation Center Expansion

Location: 1229 Reverend CBT Smith St

Council District: Citywide

Project Type: Rehabilitation/Expansion

Project Cost: \$8,450,000

O&M Cost: \$130,000

Description: Construct a 10,000 SF addition and renovate the existing recreation center.

Impact: Provides additional programming opportunities for the surrounding community.



Willie B. Johnson Recreation Center Expansion

Location: 12225 Willowdell Drive

Council District: Citywide

Project Type: Rehabilitation/Expansion

Project Cost: \$3,575,000

O&M Cost: No additional O&M Cost

Description: Expansion of existing recreation center to include a Senior Center addition. The addition might be made to the replacement Forest Green Library if its site is large enough

Impact: Provides additional senior programming opportunities for the surrounding community



Linear Trails

Location: Citywide

Council Districts: 12

Project Type: Linear Trails

City's Project Cost: \$4.2M Timberglen Trail to Preston Ridge Trail

O&M Cost: \$29,203

Description: Project would extend the Preston Ridge Trail through Katie Jackson Park, connecting with an expanded Timberglen Trail.

Primary Purpose: Develop trails to connect residents to city parks and other amenities

Impact: Connects segments of existing trail system to create cohesive and connected trail system that benefits all communities, promotes economic development, and improves multi-modal access.



White Rock Lake – Stone Tables

Location: White Rock Lake

Council District: Citywide

Project Type: Restoration

Project Cost: \$468,000 (matches \$400,000 committed by the White Rock Lake Conservancy)

O&M Cost: No increase to current O&M

Description: Restoration of tables and grounds around Stone Tables Pavilion

Impact: Restores a signature Civilian Conservation Corps project at White Rock Lake Park and enhances user



Recommended Approach for the Fire Proposition

- Enhance Public Safety
- Fill in Key Service Gaps
- Perform Major Maintenance and Renovation of City Facilities
- Improve the Efficiency and Working Conditions for City Employees

Projects	\$ in Millions
New Fire Station at Jim Miller and Loop 12	8.0
Replacement of Station 46 at 331 E. Camp Wisdom	8.5
Major maintenance at 8 fire buildings	1.1
Total	\$17.6

New Fire Station – Jim Miller Road and Loop 12

Location: Jim Miller Road and Loop 12

Council District: Citywide

Project Type: New

Project Cost: \$8,000,000

O&M Cost: \$3,055,871

Description: New Fire Station designed to meet current station program standards

Impact: Will serve an area with growing neighborhood development. New station is also necessary to meet response time goals.



Fire Station #46 Replacement

Location: 331 E. Camp Wisdom Rd

Council District: Citywide

Project Type: Reconstruction/Rehabilitation

Project Cost: \$8,500,000

O&M Cost: N/A

Age: 56 years old

Description: Replace existing outdated Fire Station that was built in 1961

Impact: Current facilities do not meet the building program or NFPA Standards. The current facility has foundation concerns and has been evacuated frequently due to HVAC challenges.



Fire Facilities - Major Maintenance

Facility Name	Proposition	Address	Description	Cost
Fire Station # 8	Public Safety	1904 N. Garret Ave	HVAC and Electrical Improvements	\$119,783
Fire Station # 11	Public Safety	3828 Cedar Springs Rd.	HVAC and Electrical Improvements	\$115,883
Fire Station # 12	Public Safety	7520 W. Wheatland Rd.	Interior Finishes, Plumbing, HVAC and Electrical Improvements	\$95,636
Fire Station # 18	Public Safety	660 N. Griffin	Exterior Enclosure, Plumbing, Electrical and HVAC Improvements	\$130,097
Fire Station # 24	Public Safety	2524 Elsie Faye Heggins St.	Plumbing, Electrical and HVAC Improvements	\$105,550
Fire Station # 36	Public Safety	3421 N. Hampton Dr.	HVAC and Electrical Improvements	\$123,302
Fire Station # 53	Public Safety	1407 John West Dr	HVAC and Electrical Improvements	\$74,998
Life Safety & Professional Standards Bureau	Public Safety	1551 Baylor St	Roof Replacement	\$286,534
			Total	\$1,051,783

Recommended Approach for the Police Proposition

- Enhance Public Safety
- Protect City Employees and Improve Their Efficiency
- Complete Projects that Received Partial Funding on Earlier Bond Programs or fulfill commitments

Projects	\$ in Millions
Security Upgrades of Headquarters and Substations	10.0
Reality Based Training Facility	10.0
Major Maintenance at 2 facilities	0.2
Total	\$20.2

Security Upgrades – Dallas Police Department

Location: Jack Evans Police Headquarters and Seven Patrol Stations

Council District: Citywide

Project Type: New

Project Cost: \$10,000,000

O&M Cost: \$150,000

Description: Security Upgrades at Jack Evans Police Headquarters and 7 Patrol Stations. Includes fencing, speed crash gates, lighting, digital video cameras, card access control and intercom systems

Impact: The project will enhance security and ensure the safety of the City's Police Officers and visitors



Impasse II Security Fencing



H1 Speed bi-fold gates



LED Light pole



Wall mounted LED fixture



Wall mounted LED fixture

Reality Based Training– Dallas Police Department

Location: Cadillac Heights

Council District: Citywide

Project Type: New

Project Cost: \$10,000,000

O&M Cost: \$275,000

Description: Training facility comprised of realistic structures and lifelike environments to support scenario training.

Impact: Scenario-based training in a realistic setting is a recognized strategy to improve decision-making. Training officers at the facility will develop skills and practices toward increasing opportunities for preferred outcomes. Complements Police Executive Research Forum’s recommended Integrating Communications, Assessment and Tactics approach to training and enhances current de-escalation techniques.



Police Facilities - Major Maintenance

Facility Name	Preliminary Proposition	Address	Description	Cost
Northeast Patrol Station	Public Safety	9915 E. NW Highway	Roof Replacement	\$33,137
Central Patrol Station	Public Safety	334 S. Hall St	Electrical Improvements	\$173,263
			Total	\$206,400

Recommended Approach for the Library Proposition

- Fill in Key Service Gaps
- Perform Major Maintenance and Renovation of City Facilities
- Complete Projects that Received Partial Funding on Earlier Bond Programs or fulfill commitments

Projects	\$ in Millions
New Library at Vickery Meadow	8.6
Replacement for Forest Green	7.7
Major Maintenance at Central	0.1
Total	\$16.4

Vickery Meadow Branch Public Library

Location: 8225 Park Lane

Council District: Citywide

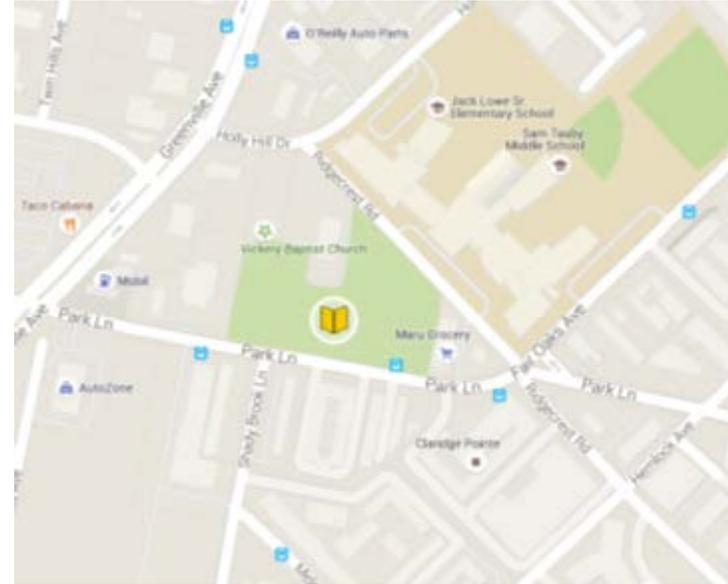
Project Type: New

Project Cost: \$8,575,000

O&M Cost: \$619,127 (estimate) – includes 9.5 new FTEs, estimated annual charges for utilities, internal services charges, supplies and maintenance costs

Description: New library to serve the Vickery Meadow/Midtown area, would offer flexible community meeting spaces, multiple classrooms and a large auditorium, free computer/WiFi access

Importance: Initial funding included in 2006 bond program for land acquisition only. This library would offer workforce development, GED/ESL classes, citizenship training, makers space and out-of-school time enrichment.



Forest Green Branch Library Replacement

Location: 9619 Greenville Avenue

Council District: Citywide

Project Type: New/Expansion

Project Cost: \$7,700,000

O&M Cost: \$171,584 (estimate)

Age: 41 years old

Description: Replacement library will be 9,000 sf larger than the existing and include flexible meeting space, expanded classrooms, enhanced auditorium space for artistic and educational programs and community gatherings

Impact: Initial funding included in 2006 bond program for land acquisition and design only. The existing Forest Green site lacks sufficient space for programming such as additional ESL/GED classes to support neighborhood vitality, community engagement and neighborhood demand and has inadequate electrical and data support limiting the number of computers that can be made available to the public.



Library Facilities - Major Maintenance

Facility Name	Proposition	Address	Council District	Description	Cost
J. Erik Jonsson Central Library	Library Facilities	1515 Young St	2	Roofing and Plumbing Improvements	\$99,782



Recommended Approach for Cultural Facilities Proposition

- Leverage Outside Funding
- Perform Major Maintenance and Renovation of City Facilities



Cultural Facilities Major Maintenance

Facility Name	\$ in Millions	Description
Hall of State	7.0	ADA, fire alarm upgrade, replace exterior doors/windows, MEP repairs
Meyerson	3.8	Roof, Elevator, Water Infiltration, controls, and Reverberation Doors
African American Museum	2.0	Water infiltration, Mechanical/Electrical
Dallas Museum of Art	1.6	Repair broken water walls and leaking piping in sculpture garden (leverage \$5M matching funds)
Bath House	1.5	ADA restrooms, plumbing improvements, kitchen upgrade
Music Hall	1.0	Mechanical, electrical, plumbing and roofing repairs
Kalita Humphreys Theater	0.3	Roofing, electrical improvements
Total	\$17.1	

Recommended Approach for City Facilities Proposition

- Perform Major Maintenance and Renovation of City Facilities
- Continue to Address ADA Issues in City Buildings
- Complete Projects that Received Partial Funding on Earlier Bond Programs
- Improve the Efficiency and Working Conditions for City Employees

Projects	\$ in Millions
Southeast Service Facility- Complete Fleet Building	15.5
City Hall Major Maintenance	5.4
Various ADA Improvements	2.0
City Marshall's Office/Detox Major Maintenance	0.1
Total	\$23.0

Southeast Fleet Service Center Replacement

Location: 2621 Municipal

Council District: Citywide

Project Type: Reconstruction/Rehabilitation

Project Cost: \$15,500,000

O&M Cost: N/A

Description: Second phase (approx. 40,000 sf) of replacement fleet repair facility (total approx. 60,000 sf) for repair of street repair, police, recycling/refuse, and other City service delivery vehicles and equipment

Importance: The current facility under-sized, has inadequate clearance for modern equipment, poor lighting, poor ventilation, inadequate HVAC and electrical systems, and is generally in substandard condition



City Facilities - Major Maintenance

Facility Name	Preliminary Proposition	Address	Description	Cost
City Marshalls/Detox Ctr.	City Facilities	1602 Pearlstone St	Interior Finishes, Plumbing, HVAC, and Electrical Improvements	\$100,874
ADA Improvements	City Facilities	Various	ADA Improvements	\$2,000,000
City Hall	City Facilities	1500 Marilla	Replace and upgrade electrical distribution and sub-stations, garage and roof replacements	\$5,381,500
			Total	\$7,482,374

Asian American Cultural Center

- This recommended bond program does not yet include funding for the \$19.5M first phase of the Center because there were no firm commitments to provide the private funding at the time that these recommendations were being made
- On December 29th, staff received a letter of commitment to fund up to 25% of the land cost for the Center.
- Using the standard cost sharing formula and the budgeted amount for the site of \$5M, the City would fund \$3.75 M of the land cost
- If desired, the Council could amend the draft bond program to accommodate this project

Recommended Approach for Economic Development and Housing

- Leverage Outside Funding
- Promote Mobility, Economic Development and Housing

Economic Development and Housing

Location: TBD

Council District: Citywide

Project Type: New

Project Cost: \$45 Million (\$30M for Housing Projects and \$15M for Economic Development)

O&M Costs: N/A

Description: Respond to developers for such projects as:

- Permanent Supportive Housing
- Mixed income housing development
- Revitalization of Neighborhoods
- Focus on new or redevelopment projects in commercial corridors and districts within southern Dallas
- Revitalize and promote the adaptive reuse of underutilized and obsolete commercial properties/facilities
- Transit -Oriented Development

Impact: Projects would expand the tax based, help revitalized underutilized areas and promote affordable housing or permanent supportive housing throughout the City



Summary- What the Draft Bond Program Would Accomplish

- The recommended bond program totals to \$800 million
- Critical needs across a wide spectrum of city infrastructure would be addressed
- It leverages \$216M of outside dollars
- Major flooding issues are addressed
- The core of the city's trail system is built
- Major maintenance of critically needed repairs is performed on 30+ buildings, four buildings are replaced, three are expanded, and four new ones are built

Summary- What Would Not Be Accomplished

- To keep street condition at its current overall level for the five year duration of this bond program, additional resurfacing or reconstruction projects would need to be done even above the amounts that the district allocations will contribute
- Options for funding these additional lane-miles are:
 - Increase the size of this bond program
 - Have a second bond program in a couple of years using the bond capacity above the \$800M level
 - Increase the operating budget for street treatment

Financial Aspects of the Draft Bond Program

An \$800M bond program would-

- Use Commercial Paper (CP) to interim finance projects and the bonds to retire the CP
- Issue bonds over four years: FY20, FY21, FY22, and FY23
- Does not use \$350M in bonding capacity projected in longer term scenarios
- Does not require a tax rate increase
- Has a total estimated O&M impact of \$10.8M
- Has an estimated repayment cost of bond program of \$1.16B

The effects of not doing the bond program are the-

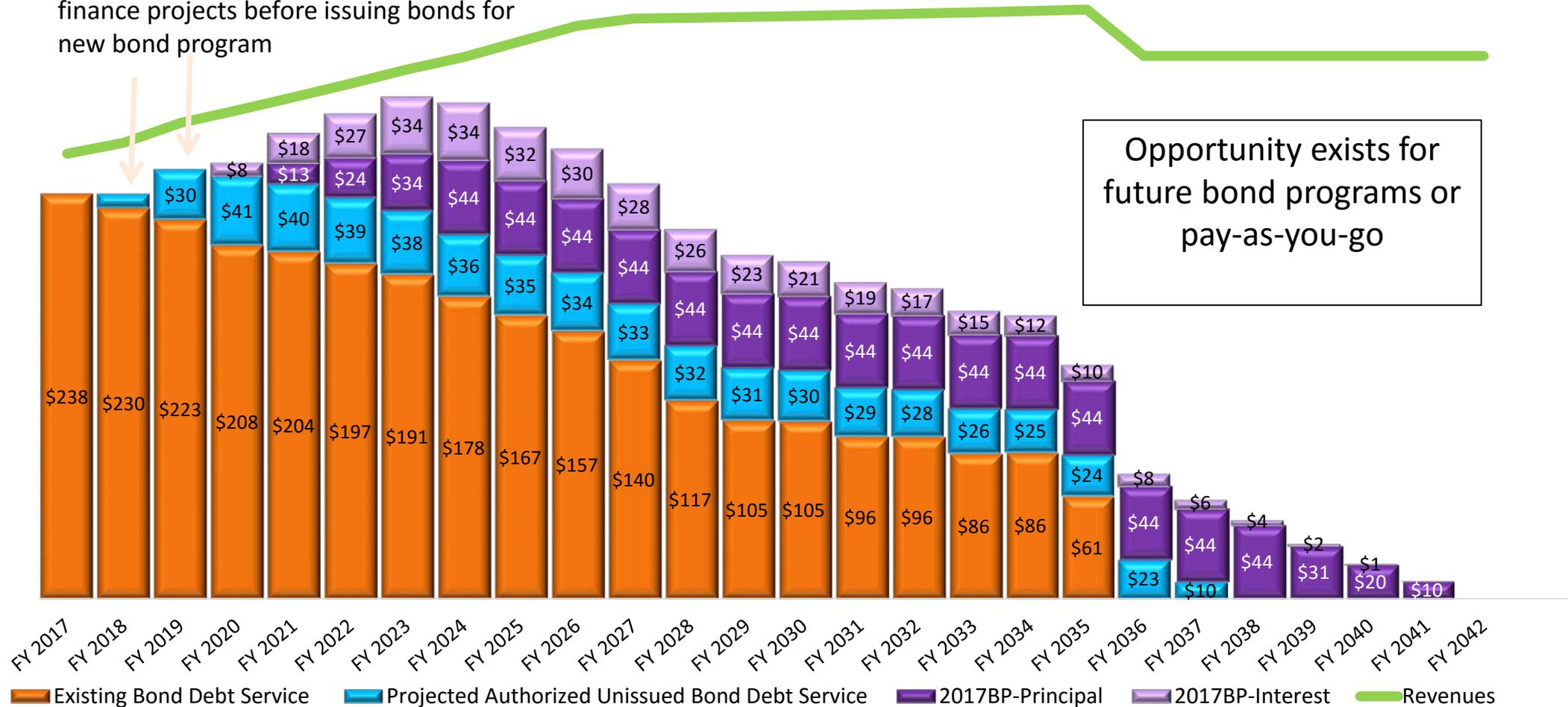
- Continued deterioration of the city's streets and other infrastructure;
- Continued risk to the public from flooding, slower fire response, potholes and the like
- Increased project costs from the effects of inflation and worsened condition of the infrastructure

Financial Aspects- continued

- The cost estimates for projects assume that projects in this bond program are awarded beginning in June 2017 through June 2022
- Project costs are inflated to the midpoint of the bond program which is assumed to be January 2020
- Because of the use of Commercial Paper, the schedule for selling bonds does not match the actual implementation of the bond program.

Debt Service Future Projections

Commercial Paper is used to interim finance projects before issuing bonds for new bond program



Opportunity exists for future bond programs or pay-as-you-go

Financial Assumptions for Bond Program

- All financial models for 2017 Bond Program assume continued use of Commercial Paper (CP) to interim finance projects
 - CP enables projects to be awarded and work to begin while delaying need to issue long-term bonds in advance
- Recent downgrades to City's GO bond rating resulting from DFPF situation have impacted City's ability to sell CP in credit markets
- A perceived decline in City's creditworthiness might impact the ability to continue using CP for interim financing of projects
- Inability to use CP would result in delay of bond program implementation until November 2019
 - \$400m of 2006/2012 bonds are scheduled to be issued in Nov 2017 and Nov 2018 prior to issuing any 2017 Bonds

Financial Assumptions for Bond Program

- City's credit agreements for CP program expire in Dec 2017
- CP program's cost and fees are variable based on City's bond rating
 - Downgrades increase cost to City to maintain access to CP facility
 - Standard & Poor's currently reviewing City's rating
- City and its financial advisors are exploring alternatives for interim financing should CP no longer be available

Discussion

Appendix A

List of projects by Proposition

Appendix A: Streets Projects

Projects	Cost (\$)	District
Alley Petition between Edgefield/Windomere from 12th to Wentworth	214,375	1
Intergov Davis from Ft Worth to Clinton	3,400,000	1
Thoroughfare Commerce from Good Latimer to Exposition	9,677,500	2
Street Petition Hord Ave - Moler to Brandon	850,003	3
Street Petition Ginger Ave - Dacki Ave to Goldie Ave/Brandon St	1,968,700	3
Intergov Davis to Crockell Hill to Fort Worth	500,000	3
Alley Petition between Larue & Wyoming from Cockrell Hill to Larue	122,500	3
10th ST/Bottoms/Clarendon area Infrastructure Improvements	10,000,000	4
Street Petition Harlandale - Ohio Ave to Illinois Ave	539,000	4
Marsalis BR over Cedar Creek Repair	245,000	4
Intergov Marsalis Bridge over 5 Mile Creek	612,500	4

Appendix A: Streets Projects (con't)

Projects	Cost (\$)	District
Street Petition Lonsdale - Sarah Lee Ln to Lake June Rd	1,457,750	5
Complete Canada Dr from Westmore-land to Hampton	7,595,000	6
Intergov Cockrell Hill to Singleton	1,653,750	6
Intergov Prairie Creek Bridge Over UPRR	9,187,500	7
Sidewalk Petition Jeffries - Tanner St to Warren Ave	36,750	7
Street Petition Trojan - Burma Rd to Fellows Ln	1,090,250	7
Intergov Dolphin - Haskell to Spring	2,021,250	7
Wheatland Road from City Limits to University Hills (Intergov)	1,837,500	8
Casa View Drainage and Complete Street Improvements for retail enhancement	6,300,000	9
Sidewalk Petition Easton	85,750	9
Sidewalk Petition Greentree Rockway	122,500	9
Intergov SoPac/Katy drainage for trails	673,750	9
Sidewalk & Trail Access Money for District 9	975,000	9

Appendix A: Streets Projects (con't)

Projects	Cost (\$)	District
Intergov LBJ/Skillman	8,575,000	10
Alley Rehab	4,000,000	12
Marsh Bridge repair	117,600	12
Alley Petition between Glenleigh Dr and Manning Ln	62,475	13
Alley Petition Amherst and Stanford Ave from Linwood to Briarwood	211,827	13
Street Petition Ridgecrest - from Holly Hill Dr to SoPac Trail east of Eastridge D	5,512,500	13
Alley Petition between Palo Pinto and Valesco Ave from Concho St to Skillman	173,884	14
Street Petition Dirk St Alley south of Martel Ave to Martel Ave	146,510	14
McKinney Cole two way conversion leveraging COG funds	8,000,000	14
Pedestrian Safety 75 and Mockingbird	1,102,500	14
Traffic Signals	29,748,500	15
Sidewalks 50/50	5,000,000	15

Appendix A: Streets Projects (con't)

Projects	Cost (\$)	District
Intergov Riverfront from Cadiz to UPRR	1,900,000	1, 2, 6
Maple Bridge Repair	612,500	2, 14
Intergov - Garland/Grand/Gaston Intersection	1,050,000	2, 9, 14
Camp Wisdm Bridge @ Ricketts Creek Repair	857,500	3, 8
2nd Ave Bridge Repair	869,750	5, 7
Thoroughfare Pemberton Hill Rd	14,000,001	5, 7, 8
Quiet Zones	542,675	6, 7, 9
Sum	143,649,550	

Appendix A: Drainage Projects

Projects	Cost (\$)	District
Rebuild Bridges at Redbird and Polk over Woody Branch to relieve flooding	10,111,000	3
Vinemont Channel	7,056,000	9
Trinity Portland Pump Station	65,000,000	15
River Levee Operation Building Replacement	13,350,000	15
Sum	95,517,000	

Appendix A: Parks Projects

Projects	Cost (\$)	District
Southern Gateway Public Green	10,000,000	15
Aquatics Ph1	7,700,000	15
CBD park (Harwood)	20,000,000	14, 2
Circuit Trail Inner Loop	20,000,000	15
Eloise Lundy Rec Center Expansion	8,450,000	15
Crawford Park	7,800,000	15
Fair Park - Park Facility Major Maintenance	10,000,000	15
Singing Hill Gym Expansion	10,400,000	15
Stone Tables at White Rock Renovations	468,000	15
Circuit Trail Outer Loop-Northaven Trl/Low Five Connector	5,000,000	15
Midtown Park	5,460,000	15
Carpenter Park	15,000,000	14
Tommie Allen Recreation Center - Major Maintenance	68,574	15
Ridgewood / Belcher Recreation Center - Major Maintenance	106,698	15
K.B. Polk Recreation Center - Major Maintenance	124,613	15
Pike Recreation Center - Major Maintenance	134,052	15
Circuit Trail Outer Loop- Sopac Ph 4B	4,200,000	15
Timberglen/Preston Ridge Trail segments	4,200,000	12
Johnson Rec Center - Senior Addition	3,575,000	15
Sum	132,686,937	

Appendix A: Fire Projects

Projects	Cost (\$)	District
Fire Station 46 Replacement	8,500,000	15
New Fire Station at Jim Miller/Lp 12	8,000,000	15
Fire Station #53 Major Maintenance	74,998	15
Fire Station #12 Major Maintenance	95,636	15
Fire Station #24 Major Maintenance	105,550	15
Fire Station #11 Major Maintenance	115,883	15
Fire Station #08 Major Maintenance	119,783	15
Fire Station #36 Major Maintenance	123,302	15
Fire Station #18 Major Maintenance	130,097	15
Life Safety & Professional Standards Bureau Major Maintenance	286,534	15
Sum	17,551,782	

Appendix A: Police Projects

Projects	Cost (\$)	District
DPD security upgrade at Jack Evans & Substations	10,000,000	15
DPD reality based Training facility	10,000,000	15
Northeast Patrol Station Major Maintenance	33,137	15
Central Patrol & Traffic & Tactical Major Maintenance	173,263	15
Sum	20,206,400	

Appendix A: Library Projects

Projects	Cost (\$)	District
Forest Green Library	7,700,000	15
Vickory Meadow Library	8,575,000	15
J. Erik Jonsson Central Library Major Maintenance	99,782	15
Sum	16,374,782	

Appendix A: Cultural Projects

Major Maintenance Projects	Cost (\$)	District
Bath House Cultural Center	1,488,500	15
Kalita Humphreys Theater	251,308	15
Meyerson Symphony Center	3,835,750	15
Dallas Museum of Art	1,573,230	15
African American Museum	2,000,000	15
Hall of State	7,000,000	15
Music Hall	1,000,000	15
Sum	17,148,788	

Appendix A: City Facilities Projects

Projects	Cost (\$)	District
City Marshals Office/Detox (Central Service Center) Major Maintenance	100,875	15
City Hall Major Maintenance	5,381,500	15
Various ADA Improvements	2,000,000	15
Southeast Fleet Service Center Phase 2 Replacement	15,500,000	15
Sum	22,982,375	

Appendix A: ECO/Housing

Projects	Cost (\$)	District
Eco	15,000,000	15
Housing	30,000,000	15
Sum	45,000,000	

Appendix B

List of projects by District

Appendix B – List of projects by District 1 – 7

CD 1	Cost(\$)	CD 2	Cost (\$)	CD 3	Cost (\$)	CD 4	Cost (\$)	CD 5	Cost (\$)	CD 6	Cost (\$)	CD 7	Cost (\$)
Alley Petition between Edgefield/Windomere from 12th to Wentworth	214,375	CBD park (Harwood)	9,500,000	Rebuild Bridges at Redbird and Polk over Woody Branch to relieve flooding	10,111,000	10th ST/Bottom/Clarendon area infrastructure improvements	10,000,000	Street petition Lonsdale	1,457,750	Complete Canada Dr from Westmoreland to Hampton	7,595,000	Prairie Creek Bridge Over UPRR	9,187,500
Riverfront from Cadiz to UPRR	850,000	Maple Bridge Repair (shared with Dist 14)	306,250	Street Petition Hord Ave	850,003	Street Petition Harlandale	539,000	2nd Ave Bridge	434,875	Quiet Zone	122,500	Sidewalk petition Jeffries	36,750
Intergov Davis from Ft Worth to Clinton	3,400,000	Riverfront from Cadiz to UPRR	100,000	Camp Wisdm Bridge @ Ricketts Creek	428,750	Marsalis BR over Cedar Creek Repair	245,000	Pemberton Hill Rd	4,669,001	Cockrell Hill to Singleton	1,653,750	Street petition Trojan	1,090,250
Additional District Allocation TBD	20,600,000	3G Intergov	350,000	Street Petition Ginger Ave	1,968,700	Intergov Marsalis Bridge over 5 Mile Creek	612,500	Additional District Allocation TBD	20,600,000	Riverfront from Cadiz to UPRR	950,000	2nd Ave Bridge repair	434,875
		Commerce from Good Latimer to Exposition	9,677,500	Intergov Davis to Crockell Hill	500,000	Additional District Allocation TBD	20,600,000			Additional District Allocation TBD	20,600,000	Intergov Dolphin	2,021,250
		Additional District Allocation TBD	20,600,000	Alley Petition between Larue & Wyoming from Cockrell Hill to Larue	122,500							Quiet Zone	245,000
				Additional District Allocation TBD	20,600,000							Pemberton Hill Rd	7,000,000
												Additional District Allocation TBD	20,600,000
Sum	25,064,375		40,533,750		34,580,953		31,996,500		27,161,626		30,921,250		40,615,625

Appendix B – List of projects by District 8 – 14

CD 8	Cost(\$)	CD 9	Cost (\$)	CD 10	Cost (\$)	CD 11	Cost (\$)	CD 12	Cost (\$)	CD 13	Cost (\$)	CD 14	Cost (\$)
Pemberton Hill Rd	2,331,000	Vinemont Channel	7,056,000	Intergov LBJ/Skillman	8,575,000	District Allocations TBD	20,600,000	Alley Rehab	4,000,000	Alley Petition Glenleigh	62,475	Carpenter Park	15,000,000
Camp Wisdom Bridge @ Ricketts Creek	428,750	Casa View Drainage and Complete Street Improvements for retail enhancement	6,300,000	District Allocations TBD	20,600,000			Marsh Br repair	117,600	Street Petition Ridgecrest	5,512,500	CBD parks	10,500,000
Wheatland Road from City Limits to University Hills (Intergov)	1,837,500	Sidewalk & Trail Access Money for District 9	975,000					Timberglenn/Preston Ridge Trail segments	4,200,000	Alley petition Amherst	211,827	Maple Bridge repair (shared with Dist 2)	306,250
District Allocations TBD	20,600,000	Sidewalk petition Easton	85,750					District Allocations TBD	20,600,000	District Allocations TBD	20,600,000	Alley Petition Palo Pinto	173,884
		Sidewalk Petition Grenntree Rockway	122,500									Street Petition Dirk St	146,510
		Intergov 3G	350,000									Intergov 3G	350,000
		Intergov SoPac/Katy drainage for trails	673,750									Pedestrian Safety 75 and Mockingbird	1,102,500
		Quiet Zone	175,175									McKinney Cole two way conversion leveraging COG funds	8,000,000
		District Allocations TBD	20,600,000									District Allocations TBD	20,600,000
Sum	25,197,250		36,338,175		29,175,000		20,600,000		28,917,600		26,386,802		56,179,144

Appendix B – List of projects by District – Citywide

Project	Cost (\$)	Proposition
Traffic Signals	29,748,500	Streets
Sidewalks 50/50	5,000,000	Streets
Trinity Portlnd Pump Station	65,000,000	Drainage
River Levee Operation Building - Replacement	13,350,000	Drainage
Southern Gateway Public Green	10,000,000	Parks
Aquatics Ph1	7,700,000	Parks
Circuit Trail Inner Loop	20,000,000	Parks
Eloise Lundy Rec Center Expansion	8,450,000	Parks
Crawford Park	7,800,000	Parks
Fair Park - Park Facilities Major Maintenance	10,000,000	Parks
Singing Hill Gym Expansion	10,400,000	Parks
Stone Tables at White Rock Renovations	468,000	Parks
Circuit Trail Outer Loop-Northaven Trl/Low Five Connector	5,000,000	Parks
Midtown Park	5,460,000	Parks
Tommie Allen Recreation Center - Major Maintenance	68,574	Parks
Ridgewood / Belcher Recreation Center - Major Maintenance	106,698	Parks
K.B. Polk Recreation Center - Major Maintenance	124,613	Parks
Pike Recreation Center - Major Maintenance	134,052	Parks
Circuit Trail Outer Loop- Sopac Ph 4B	4,200,000	Parks
Willie B Johnson Rec Center - Senior Addition	3,575,000	Parks

Appendix B – List of projects by District – Citywide (con't)

Project	Cost (\$)	Proposition
Fire Station 46 Replacement	8,500,000	Fire
New Fire Station at Jim Miller/Lp 12	8,000,000	Fire
Fire Station #53 - Major Maintenance	74,998	Fire
Fire Station #12 - Major Maintenance	95,636	Fire
Fire Station #24 - Major Maintenance	105,550	Fire
Fire Station #11 - Major Maintenance	115,883	Fire
Fire Station #08 - Major Maintenance	119,783	Fire
Fire Station #36 - Major Maintenance	123,302	Fire
Fire Station #18 - Major Maintenance	130,097	Fire
Life Safety & Professional Standards Bureau - Major Maintenance	286,534	Fire
DPD security upgrade	10,000,000	Police
DPD reality based Training facility	10,000,000	Police
Northeast Patrol Station - Major Maintenance	33,137	Police
Central Patrol & Traffic & Tactical - Major Maintenance	173,263	Police
Vickory Meadow Library - New	8,575,000	Library
Forest Green Library - Replacement	7,700,000	Library
J. Erik Jonsson Central Library - Major Maintenance	99,782	Library

Appendix B – List of projects by District – Citywide (con't)

Project	Cost (\$)	Proposition
Bath House Cultural Center - Major Maintenance	1,488,500	Cultural
Kalita Humphreys Theater - Major Maintenance	251,308	Cultural
Meyerson Symphony Center - Major Maintenance	3,835,750	Cultural
Dallas Museum of Art - Major Maintenance	1,573,230	Cultural
African American Museum - Major Maintenance	2,000,000	Cultural
Hall of State - Major Maintenance	7,000,000	Cultural
Music Hall - Major Maintenance	1,000,000	Cultural
City Marshals Office/Detox (Central Service Center) - Major Maintenance	100,875	City Facilities
City Hall - Major Maintenance	5,381,500	City Facilities
Various ADA Improvements	2,000,000	City Facilities
Southeast Fleet Service Center Phase 2 - Replacement	15,500,000	City Facilities
ECO	15,000,000	ECO
Housing	30,000,000	Housing
Total	345,849,563	

Memorandum



Date December 30, 2016
To Honorable Mayor and Members of the City Council
Subject Amendments to the Code of Ethics

On Wednesday, January 4, 2017, the City Council will be briefed on proposed changes to the Dallas City Code that will help strengthen the City's ethical standards, programs and policies. The briefing materials are attached for your review.

If you have any questions, let me know.



Rosa A. Rios
City Secretary

Attachments

c: Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Eric D. Campbell, Assistant City Manager
Mark McDaniel, Assistant City Manager
Jill Jordan, P.E., Assistant City Manager
Joey Zapata, Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Amendments to the Code of Ethics

City Council
Briefing
January 4, 2017



Process and Purpose

- Year long review process
 - Reviewing Chapter 12A, “Code of Ethics.”
 - Reviewing sections pertaining to city-funded officeholder accounts in Chapter 2, “Administration” and Chapter 15A, “Elections.”
 - Researching best practices from cities around the country.
 - Discussion and deliberation at commission meetings.

Process and Purpose cont'd

- Gathering input from many departments including:
 - City Attorney's Office.
 - City Auditor's Office.
 - City Secretary's Office.
 - Office of Ethics and Compliance.

Purpose of Amendments

- Update code of ethics.
- Adopt best practices from other cities.
- Clarify confusing or ambiguous provisions.
- Create a culture of ethics at city hall.
- Improve ethics complaint process.

Proposed Amendments Summary

1. Making breach of fiduciary duty an ethics violation.
2. Creating standards of civility.
3. Amending the gifts provision.
4. Creating a gift policy for employees.
5. Creating a donation policy.

Summary cont'd

6. Requiring confidentiality of executive sessions.
7. Prohibiting city officials from endorsing candidates for public office.
8. Prohibiting disclosure of draft documents.
9. Requiring lawyers who represent clients to register as lobbyists.
10. Requiring employee associations to register as lobbyists.

Summary cont'd

11. Prohibiting city councilmembers from meeting with bidders and lobbyists regarding pending contracts.
12. Prohibiting campaign managers from acting as lobbyists.
13. Requiring the Chief Financial Officer and supervisors of department directors to file financial disclosure reports and travel reports.
14. Expanding the jurisdiction of the Ethics Advisory Commission.

Summary cont'd

15. Allowing ethics complaints filed on the fraud, waste, and abuse hotline to be forwarded to the Ethics Advisory Commission.
16. Providing additional sanctions for violations of the code of ethics.
17. Cleaning up ambiguous or confusing language.
18. Adopting best ethics practices from other cities.
19. Creating rules for city-funded city council officeholder accounts.

1. Fiduciary Duty

- Section 12A-1.1
 - Provides that city officials have a fiduciary duty to the city.
 - City officials are required to act in the best interest of the city as a corporate entity on behalf of the public.
 - Breach of fiduciary duty is an ethics violation.

1. Fiduciary Duty cont'd

Fiduciary duties includes:

- Duty of care.
 - Inform themselves of all material information available.
- Duty of loyalty.
 - Not harm the city.
- Duty of good faith.
 - Advance the interests of the city.

1. Fiduciary Duty cont'd

Fiduciary duties includes:

- Duty of confidentiality.
 - Keep information confidential.
- Duty of prudence.
 - Exercise reasonable skill and caution.
- Duty of disclosure.
 - Disclose relevant facts.

2. Standards of Civility

- Establishes standard of civility for city officials.
- Standard of civility for employees are covered by the Personnel Rules.
- Section 12A-1.2(b)
 - Standards include:
 - Respect and courtesy.
 - No discrimination.

2. Standards of Civility cont'd

- Other standards include:
 - Must treat city employees as professionals and not interfere with work.
 - No comments that are abusive, crude, derogatory, disparaging, impertinent, profane, rude, slanderous, or threatening.
 - Must preserve order and decorum in meetings.

2. Standards of Civility cont'd

- To preserve independent advice, members of city council may not:
 - Use their position to influence deliberations or decisions of boards and commissions.
 - Lobby board or commission members on behalf of a private person of a particular policy or decision.
 - Demand board or commission members to vote as requested or threaten to remove members.

3. Gifts Provision

- Section 12A-2(16.1)
 - Adds a definition of “donation” to distinguish it from “gifts.”
- Section 12A-5(a)(2)
 - Prohibits persons from giving gifts given to influence or reward official conduct.

3. Gifts Provision cont'd

- Section 12A-5(a)(3)
 - Requires that gifts comply with the city's gift policy.
- Section 12A-5(b)
 - Requires city officials and employees to report certain gifts.

4. Gift Policy for Employees

- Section 12A-5(c)(6) states city council will establish a gift policy.
- There are existing gift policies for city council and city officials, but not for city employees.
- Gift policy is by resolution and not adopted in the code.
- Builds on general prohibition on gifts and provides additional clarity for employees.

4. Gift Policy for Employees

- Based on existing gift policy for city councilmembers and city officials.
- Distinguishes between gifts (given to individuals) and donations (given to city).
- Gifts should be approved in advance, if possible.
- Ceremonial gifts must be delivered to the city manager as city property.

4. Gift Policy for Employees cont'd

- Employees must also comply with department rules regarding gifts.
- Gifts cannot influence or reward official conduct.
- Gifts that are not accepted can be returned, given to the city, given to another government entity, or donated to charity.
- Employees may not solicit gifts.

4. Gift Policy for Employees cont'd

- Gifts may not be given to family members to circumvent the gifts policy.
- Lists items that are not considered gifts.
- Lists gifts that may not be accepted.
- Allows gifts with nominal value (under \$50 or \$100 per year from a single source).

4. Gift Policy for Employees cont'd

- Provides rules for:
 - Tickets.
 - Meals, travel, lodging, and entertainment.
- Requires employees to file an annual gift disclosure statement of gifts:
 - \$50 or more, and
 - \$100 or more of cumulative gifts received in a calendar year from a single source.

5. Donation Policy

- Section 12A-5.1(a)
 - Statement of purpose and procedures for donations.
- Section 12A-5.1(b)(1)
 - Prohibits officials and employees from receiving donations given to influence or reward official conduct. Prohibits persons from giving donations to influence or reward official conduct.

5. Donation Policy cont'd

- Section 12A-5.1(c)
 - Requires reporting of donations.
- Section 12A-5.1(d)
 - Donations must be managed in accordance with the administrative directive (AD) for gifts and trusts. (The AD for gifts and trusts is currently being revised.)

6. Requiring Confidentiality of Executive Sessions

- Section 12A-6(c)
 - Prohibits officials and employees from disclosing the agenda, recording, or discussion of an executive session, unless made with lawful authority.
- Section 12A-13(b)
 - Prohibits former officials and former employees from disclosing the agenda, recording, or discussion of an executive session, unless made with lawful authority.

7. Prohibiting City Officials from Endorsing Candidates for Public Office

- 12A-10(a)(1)(B)
 - Prohibits city councilmembers from endorsing candidates for public office.
 - City councilmembers may lend their names and titles on a proposition or measure.
 - City councilmembers may lend only their name in support of candidates.
 - This is the same rule that currently applies to board and commission members.

8. Prohibit Disclosure of Draft Documents

- Section 12A-2(12)(D)
 - Current definition includes:
 - All information held by the city that is not available to the public pursuant to the Texas Open Records Act;
 - Any information from a meeting closed to the public pursuant to the Texas Open Meetings Act;
 - Any information protected by attorney-client, attorney work product, or other applicable legal privilege.

8. Prohibit Disclosure of Draft Documents cont'd

- Proposed amendment:
 - Amend the definition to include draft documents that has not yet been released in final form to the public.
 - “[A]ny research, opinions, advice, recommendations, reasoning, or conclusions in a draft document concerning city business or city policy that has not yet been released in final form to the public in accordance with established city procedures.”

8. Prohibit Disclosure of Draft Documents cont'd

Sections 552.106 and 552.111 of the Texas Open Records Act states the following:

- Preliminary drafts are exempt from open records because they are advice, opinions, and recommendations.
- Final documents are subject to open records.

9. Attorneys to Register as Lobbyists.

- Section 12A-15.3(c)
 - Requires attorneys representing a client to register as a lobbyist if the attorney meets the compensation requirements.

10. Employee Associations to Register as Lobbyists

- Section 12A-15.3(d)
 - Requires any person who is representing a city employees association to register as a lobbyist.

11. Prohibiting Councilmembers from Meeting with Bidders and Lobbyists Regarding Pending Contracts

- Section 12A-15.8(g) currently prohibits lobbyists from talking to city councilmembers about pending contracts.
- Section 12A-15.8(g)(2)
 - The amendment provides that city councilmembers may not discuss requests for bids or requests for proposals with the contractor or a lobbyist from the time the public notice is issued until the time the contract is awarded.

12. Prohibiting Campaign Managers from Acting as Lobbyists

Section 12A-15.8(h)

- Prohibits a campaign manager or campaign treasurer from lobbying city councilmembers for one year after the election.
- “Campaign manager” is a person who directs day-to-day operations of a campaign or who sets strategies and policies of the campaign.

13. CFO and Supervisors of Department Directors to File Disclosure Reports

- Section 12A-2(24)
 - Adds the Chief Financial Officer and the supervisors of department directors to the definition of “City Official.”
- Section 12A-19(a)(1)
 - Requires the Chief Financial Officer to file financial disclosure reports.
- Section 12A-21(d)
 - Requires the Chief Financial Officer and supervisors of department directors to file travel reports.

14. Expanding the Jurisdiction of the EAC

- Section 12A-25(a)
- Expands the jurisdiction to include ethics provisions in the Dallas City Code.
 - Section 8-22, Code of Conduct.
 - Chapter 15A, Elections, except provisions enforced by the Texas Ethics Commission.

14. Expanding the jurisdiction cont'd

Expands the jurisdiction to include ethics provisions in the Dallas City Charter.

- Charter XVI, Section 16(a), Political Activity of Officers and Employees.
- Charter XXII, Section 11, Financial Interests in Contracts.
- Charter XXIV, Section 1, Gifts from Public Utility.

14. Expanding the jurisdiction cont'd

Expands the jurisdiction to include ethics provisions from the Texas Local Government Code.

- Chapter 145, Financial Disclosure.
- Chapter 171, Conflicts of Interest.
- Chapter 176, Disclosure of Relationships with Local Government Officers.
- Section 212.017, Conflict of Interest in Property Development.

14. Expanding the jurisdiction cont'd

Expands the jurisdiction to include ethics provisions from other statutes and regulations.

- Penal Code Chapter 36, Bribery.
- Penal Code Section 39.02, Abuse of Official Capacity.
- Penal Code Section 39.03, Official Oppression.
- Penal Code Section 39.06, Misuse of Official Information.
- Federal regulations for conflicts of interest on federal grants.
- Other city rules pertaining to ethics.

15. Complaints from the Fraud, Waste, and Abuse Hotline

- Section 12A-26
 - Gives the City Auditor discretion to forward ethics complaints that are received on the fraud, waste, and abuse hotline to the Ethics Advisory Commission.
 - If the complaint is anonymous, the City Auditor acts as the complainant.

16. Additional Sanctions for Violations of the Code of Ethics

- Section 12A-37
- The section currently states the sanctioning body only for:
 - Employees.
 - City councilmembers.
 - Board and commission members.

16. Additional Sanctions cont'd

- Proposed amendment establishes the sanctioning body for:
 - Directors.
 - City officials.
 - Former employees.
 - Former officials.
 - Persons doing business with the city.

16. Additional Sanctions cont'd

- Section 12A-37.1(a)
 - Establishes factors to consider when imposing sanctions:
 - The culpability.
 - The harm to public or private interests.
 - The need to preserve public trust.
 - Any pattern of disregard of ethical standards.

16. Additional Sanctions cont'd

- Sections 12A-37.1(b)-(f)
 - Creates appropriate sanctions for the existing categories of persons:
 - Current employees.
 - Civil Service Director, Park and Recreation Director, ERF Administrator.
 - City manager, city attorney, city auditor, city secretary, municipal judges.

16. Additional Sanctions cont'd

- Creates appropriate sanctions for the existing categories of persons:
 - City councilmembers, board and commission members.
 - Former city officials and former city employees.
 - Persons doing business with the city (lobbyists and contractors).

16. Additional Sanctions cont'd

- Sections 12A-37.1(b)-(f)
- Existing possible sanctions
 - Letter of notification
 - Letter of admonition.
 - Reprimand.
 - Suspension from office.
 - Removal from office.

16. Additional Sanctions cont'd

- Creates additional possible sanctions:
 - Resolution of censure.
 - Referral to ethics training.
 - Referral for legal action for damages or injunction.
 - Referral for criminal prosecution.
 - Voiding of prior actions.
 - Disqualification from contracting or lobbying.

16. Additional Sanctions cont'd

- Not all sanctions apply to all categories of persons.
- Section 12A-41(c)
 - Imposition of sanctions does not preclude criminal prosecution.

17. Clean-up Ambiguous or Confusing Language

- Section 12A-2(15.1)
 - Add definition of “doing business with the city.”
- Section 12A-2(20), “Former Official or Employee.”
 - Remove the 2001 date and replace with a person who “terminates official duties.”

17. Clean-up cont'd

- Section 12A-2(22), “Indirect Ownership.”
 - Replace with “a person who holds a financial interest in a business entity in a name other than his own.”
- Section 12A-3
 - Rename to “Improper Financial Interest.”

17. Clean-up cont'd

- Section 12A-4
 - Rename to “Unfair Advancement of Private Interests; Nepotism.”
 - Remove the June 28, 2000 provision.
- Section 12A-7(b)(1) and (2)
 - Clarifies rules for representation before the city by eliminating the double negative as applied to city officials.

17. Clean-up cont'd

- Section 12A-10(g)
 - Remove reference to Wachsman v. Dallas regarding political activities of officers and employees.
- Sections 12A-11 and 12A-18
 - Combined as they both cover participation in ethics violations.

17. Clean-up cont'd

- Section 12A-25
 - Removed outdated January 1, 2001 date.
 - Clarify EAC's power to investigate anything within their jurisdiction.
- Section 12-26(a)
 - Clarify that the phrase “at the time of the complaint” applies to residents, people doing business with the city, city officials, and city employees.

17. Clean-up Cont'd

- Section 12-26(h)
 - Rename to “Preliminary Panel Process.”
 - Delete the 30 day limit to add flexibility for the preliminary panel to make a preliminary finding.
- Section 12A-30(a) and 12A-37
 - Amend disciplinary action to cover everyone who is subject to the Code of Ethics.
- Section 12A-42(a)
 - Delete the outdated reference to January 1, 2001.

18. Adopting Ethics Practices from Other Cities

Reviewed ethics code of other large cities for best practices.

- Arlington
- Austin
- Boston
- Chicago
- Denver
- El Paso
- Fort Worth
- Houston
- Los Angeles
- New York
- Philadelphia
- Phoenix
- Portland
- San Antonio
- Seattle
- Washington, D.C.

18. Adopting Ethics Practices cont'd

- Section 12A-3(g)
 - Disclosure of conflicts in zoning cases.
(Arlington and San Antonio)
- Section 12A-11(d)
 - Duty to report ethics violations.
(Chicago)

18. Adopting Ethics Practices cont'd

- Section 12A-12(d)
 - Prohibits city officials and city employees from making or awarding contracts with their former employers for one year.
(Los Angeles)
- Section 12A-15.1
 - Prohibits city officials and city employees from registering as a lobbyist for one year after leaving the city.
(Chicago)

18. Adopting Ethics Practices cont'd

- Section 12A-18
 - Prohibits ex parte communications with quasi-judicial boards or commissions.
(Philadelphia)
- Section 12A-25(d)
 - Gives the Ethics Advisory Commission the power to issue subpoenas for witnesses and documents.
(Denver and Fort Worth)

18. Adopting Ethics Practices cont'd

- Section 12A-38.1
 - Prohibits interference with an ethics investigation.
(Houston)
- Section 12A-42.1
 - Ethics pledge for city officials.
(Chicago)
- Section 12A-44
 - Appointment of a city ethics officer.
(Washington, D.C.)

18. Adopting Ethics Practices cont'd

- Section 12A-45
 - Designation of departmental ethics liaison.
(Chicago)
- Section 12A-46
 - Mandatory ethics training.
 - Note: City management recommends employee ethics training every other year to allow time to deploy training and provide regularly updated and job-specific training materials utilizing existing staffing levels.
(Atlanta, Chicago, El Paso, Los Angeles, San Antonio)

19. Rules for City-Funded City Council Officeholder Accounts

- Sections 2-37.9(a)(3) and (4)
 - Prohibits city officials and former city officials (for one year) from purchasing surplus city property.
- Section 12A-9(b)
 - Prohibits city councilmembers from using city facilities, personnel, and equipment for campaigns.

19. City-Funded Officeholder Accounts cont'd

- Section 15A-1(1)
 - Adds a definition of “city-funded officeholder account.”
- Sections 15A-7.2(b) and 15A-7.5
 - Gives EAC jurisdiction to consider violation of the rules for city-funded officeholder accounts.

19. City-Funded Officeholder Accounts cont'd

- Section 15A-7.3
 - Purpose statement.
- Section 15A-7.4(a)
 - Expenses from city-funded officeholder accounts must comply with procurement requirements.

19. City-Funded Officeholder Accounts cont'd

- Section 15A-7.4(b)
 - Establishes a test for allowable expenses from a city-funded officeholder account.
- Section 15A-7.4(c)
 - Allows city councilmembers to request an opinion from the city attorney to determine if an expense is allowed.

19. City-Funded Officeholder Accounts cont'd

- Section 15A-7.4(d)
 - Lists examples of permissible expenses.
- Section 15A-7.4(e)
 - Lists examples of impermissible expenses.

19. City-Funded Officeholder Accounts cont'd

- Section 15A-7.4(f)
 - Prohibits deficits in city-funded officeholder accounts.
 - Prohibits transfer between city-funded officeholder accounts.
 - Requires the surpluses to be returned to the city.
- Section 15A-7.4(h)
 - Requires city councilmembers to file an annual report of city-funded officeholder account expenses.



Questions and Discussion

ORDINANCE NO. _____

An ordinance amending Chapter 2, "Administration," of the Dallas City Code by amending Section 2-37.9; amending Chapter 12A, "Code of Ethics," of the Dallas City Code by repealing and reserving Sections 12A-15.12 and 12A-22; amending Sections 12A-1, 12A-2, 12A-3, 12A-4, 12A-5, 12A-6, 12A-7, 12A-9, 12A-10, 12A-11, 12A-12, 12A-13, 12A-15.1, 12A-15.3, 12A-15.4, 12A-15.8, 12A-18, 12A-19, 12A-21, 12A-25, 12A-26, 12A-27, 12A-28, 12A-30, 12A-37, 12A-38.1, and 12A-42; adding Sections 12A-1.1, 12A-1.2, 12A-5.1, 12A-12.1, 12A-35.1, 12A-37.1, 12A-41, 12A-42.1, 12A-44, 12A-45, and 12A-46; amending Chapter 15A, "Elections," of the Dallas City Code by amending the title of Article I-a; adding Article I-b; amending Sections 15A-1, 15A-7.1, and 15A-7.2; adding city officials and former city officials to purchase by certain persons prohibited; providing that city officials have a fiduciary duty to the city; clarifying and adding definitions; expanding the definition of official or city official to include the chief financial officer and department directors' supervisors; adding standards of behavior and civility of city officials; providing for a general recusal and disclosure provision that is applicable to Article II of Chapter 12A; providing for disclosure of conflicts on zoning applications; changing provisions that are outdated; adding additional reporting provisions related to gifts received by a city official or employee; providing rules regarding donations; clarifying provisions relating to the representation of private interests of a city official or employee before the city; regulating the use of public property and resources for campaign expenditures; providing for restrictions on lobbying before city council, any city department, board or commission; providing that no former city official or city employee shall knowingly

disclose to a member of the public any discussion that was lawfully closed to the public; adding persons who are required to register as lobbyists; providing restrictions on ex parte communications; requiring the chief financial officer and executive general managers to complete a financial disclosure report; broadening the jurisdiction of the ethics advisory commission; providing the ethics advisory commission the power to issue subpoenas for an evidentiary hearing; providing for a provision regarding complaints received by the City Auditor's Office; providing factors to take into consideration in determining sanctions; imposing additional types of sanctions; creating a violation if any person interferes with an investigation of an alleged violation; providing for an ethics pledge that all city officials shall sign and file with the city secretary; creating a city ethics officer to promote culture of ethics within the city; creating departmental ethics liaison to promote compliance with any ethics rules and act as a liaison between the department and the city ethics officer in carrying out the policy of Chapter 12A; requiring all new city officials and new city employees to receive ethics training within 30 days after being appointed to office or hired by the city; requiring all current city officials and current city employees to receive training once a year; adding a new article regarding the permissible and impermissible expenses of city-funded officeholder accounts; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Section 2-37.9, "Purchase by Certain Persons Prohibited," of Division 2, "Sale of Unclaimed and Surplus Property," of Article IV, "Purchasing," of Chapter 2, "Administration," of the Dallas City Code is amended to read as follows:

"SEC. 2-37.9. PURCHASE BY CERTAIN PERSONS PROHIBITED.

(a) The following persons shall not, directly or indirectly, submit a bid for, purchase, or acquire ownership of, personal property sold pursuant to the provisions of this article:

(1) City employees who work in the city manager's office or in the department designated by the city manager to enforce and administer this article.

(2) The person who determines that the property is surplus, obsolete, worn out, or useless.

(3) City officials, as defined in Paragraph 12A-2(24) of the Dallas City Code.

(4) Former city officials, as defined in Paragraph 12A-2(20) of the Dallas City Code, for one year after termination of their service with the city.

(b) In addition to other penalties, an employee [~~a person~~] who violates this section forfeits his employment."

SECTION 2. That Section 12A-1, "Statement of Purpose and Principles of Conduct," of Article I, "Declaration of Policy," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"SEC. 12A-1. STATEMENT OF PURPOSE AND PRINCIPLES OF CONDUCT.

(a) Purpose. It is hereby declared to be the policy of the city that the proper operation of democratic government requires that:

(1) city officials and employees be independent, impartial, and responsible only to the people of the city;

(2) governmental decisions and policy be made using the proper procedures of the governmental structure;

(3) no city official or employee have any financial interest, direct or indirect, or engage in any business, transaction, or professional activity or incur any obligation of any nature that is in conflict with the proper discharge of the city official's or employee's [~~his or her~~] duties in the public interest;

- (4) public office not be used for personal gain; and
- (5) the city council at all times be maintained as a nonpartisan body.

(b) Principles of conduct.

[(4)] The city council further believes that an elected or appointed official of the city assumes a public trust and should recognize the importance of high ethical standards within the organization they lead or support. Essential values and ethical behaviors that an elected or appointed official should exemplify include the following:

- (1[A]) Commitment beyond self.
- (2[B]) Obedience and commitment beyond the law.
- (3[C]) Commitment to the public good.
- (4[D]) Respect for the value and dignity of all individuals.
- (5[E]) Accountability to the public.
- (6[F]) Truthfulness.
- (7[G]) Fairness.
- (8[H]) Responsible application of resources.

~~[(2)] In keeping with the values set forth in Subsection (b)(1), and to assist in the fulfillment of responsibilities to the individuals and communities served, each elected or appointed official should subscribed of the following principles.~~

~~(A) To conduct himself or herself and to operate with integrity and in a manner that merits the trust and support of the public.~~

~~(B) To uphold all applicable laws and regulations, going beyond the letter of the law to protect and/or enhance the city's ability to accomplish its mission.~~

~~(C) To treat others with respect, doing for and to others what the official would have done for and to him or her in similar circumstances.~~

~~(D) To be a responsible steward of the taxpayer resources.~~

~~(E) To take no actions that could benefit the official personally at the unwarranted expense of the city, avoiding even the appearance of a conflict of interest, and to exercise prudence and good judgment at all times.~~

~~(F) To carefully consider the public perception of personal and professional actions and the effect such actions could have, positively or negatively, on the city's reputation both in the community and elsewhere.~~

~~(G) To strive for personal and professional growth to improve effectiveness as an elected or appointed official.]~~

(c) Implementation. To implement the purpose [~~policy and principles~~] set forth in this section, the city council has determined that it is advisable to enact this code of ethics for all city officials, ~~[and] employees, and persons doing business with the city [whether elected or appointed, paid or unpaid, advisory or administrative],~~ to serve as a standard [~~not only as a guide~~] for official conduct and [~~of the city's public servants, but also~~] as a basis for discipline [~~for those who refuse to abide by its terms~~].

(d) No cause of action. This section is a statement of purpose and principles only. Nothing in this section may be used to create a cause of action under this chapter.”

SECTION 3. That Article I, “Declaration of Policy,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-1.1, “Fiduciary Duty,” to read as follows:

“SEC. 12A-1.1. FIDUCIARY DUTY.

A city official, in the performance of that person's official duties, shall fulfil the city official's fiduciary duty to the city.”

SECTION 4. That Article I, “Declaration of Policy,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-1.2, “Standards of Behavior; Standards of Civility,” to read as follows:

“SEC. 12A-1.2. STANDARDS OF BEHAVIOR; STANDARDS OF CIVILITY.

(a) Standards of behavior. City officials shall comply with the following standards of behavior:

(1) To conduct themselves and to operate with integrity and in a manner that merits the trust and support of the public.

(2) To uphold all applicable laws and regulations, going beyond the letter of the law to protect and/or enhance the city's ability to accomplish its mission.

(3) To treat others with respect, doing for and to others what the official would have done for and to him or her in similar circumstances.

(4) To be a responsible steward of the taxpayer resources.

(5) To take no actions that could benefit the official personally at the unwarranted expense of the city, avoiding even the appearance of a conflict of interest, and to exercise prudence and good judgment at all times.

(6) To carefully consider the public perception of personal and professional actions and the effect such actions could have, positively or negatively, on the city's reputation both in the community and elsewhere.

(7) To strive for personal and professional growth to improve effectiveness as an elected or appointed official.

(b) Standards of civility. City officials shall comply to the following standards of civility in their interactions with city officials, city employees, citizens, and persons doing business with the city:

(1) City officials shall accord the utmost respect and courtesy to each other, city officials, city employees, citizens, and persons doing business with the city.

(2) City officials shall not discriminate against any person because of the person's race, color, age, religion, marital status, sexual orientation, gender identity and expression, genetic characteristics, national origin, disability, military or veteran status, sex, or political opinions or affiliations.

(3) City officials shall not make comments or take actions that are abusive; belligerent; crude; derogatory; disparaging; impertinent; personal attacks upon the character, integrity, or motives of others; profane; rude; slanderous; or threatening.

(4) City officials shall preserve order and decorum in meetings in accordance with Roberts Rules of Order and the applicable rules of procedure of the city council, board, or commission.

(5) City officials shall treat city employees as professionals and specifically shall not:

(A) interfere with the work of city employees.

(B) impair the ability of city employees to implement city council policies.

(C) influence city employees in the making of recommendations or decisions.

- (D) criticize a city employee's performance in public.
- (E) berate nor admonish city employees.

(6) City officials shall work through the city manager, city secretary, city attorney, or city auditor and the applicable department director to obtain information or request assistance with projects, rather than contacting city employees directly. This provision does not apply to professional and administrative assistants to the mayor and city council.

(7) Because independent advice from boards and commissions is essential to the public decision-making process, city councilmembers shall not:

(A) use their position to influence the deliberations or decisions of boards and commissions.

(B) lobby a board or commission member on behalf of a private person or in support of a particular policy or decision.

(C) demand that board or commission members vote as requested by the city councilmember or threaten board or commission members with removal.

(c) Complaints filed under this section may not be filed anonymously.”

SECTION 5. That Subsection (12), “Confidential Government Information,” of Section 12A-2, “Definitions,” of Article I, “Declaration of Policy,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(12) CONFIDENTIAL GOVERNMENT INFORMATION includes:

(A) all information held by the city that is not available to the public under the Texas Open Records Act;

(B) any information from a meeting closed to the public pursuant to the Texas Open Meetings Act; ~~and~~

(C) any information protected by attorney-client, attorney work product, or other applicable legal privilege; and

(D) any research, opinions, advice, recommendations, reasoning, or conclusions in a draft document concerning city business or city policy that has not yet been released in final form to the public in accordance with established city procedures.”

SECTION 6. That Section 12A-2, "Definitions," of Article I, "Declaration of Policy," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended by adding a new Subsection (15.1), "Doing Business with the City," to read as follows:

"(15.1) DOING BUSINESS WITH THE CITY means any person, either individually or as the officer or principal of an entity, who submits a bid or proposal, or negotiates or enters into any city contract, whether or not the contract is required by state law to be competitively bid."

SECTION 7. That Section 12A-2, "Definitions," of Article I, "Declaration of Policy," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended by adding a new Subsection (16.1), "Donation," to read as follows:

"(16.1) DONATION means a voluntary transfer of property (including the payment of money) or the conferral of a benefit having pecuniary value (such as the rendition of services or the forbearance of collection on a debt) to the city, unless consideration of equal or greater value is received by the donor."

SECTION 8. That Subsection (20), "Former City Official or Employee," of Section 12A-2, "Definitions," of Article I, "Declaration of Policy," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"(20) FORMER CITY OFFICIAL OR EMPLOYEE means a person who terminates ~~[whose]~~ official duties as a city official or employee ~~[are terminated on or after January 1, 2001].~~"

SECTION 9. That Subsection (22), "Indirect Ownership," of Section 12A-2, "Definitions," of Article I, "Declaration of Policy," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"(22) INDIRECT OWNERSHIP. A person who holds a financial interest in a business entity in a name other than that person's own ~~[has "indirect ownership" of an equity of interest in a business entity where the interest is held through a series of business entities, some of which own interest in others].~~"

SECTION 10. That Subsection (24), “Official or City Official,” of Section 12A-2, “Definitions,” of Article I, “Declaration of Policy,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(24) OFFICIAL or CITY OFFICIAL includes the following persons, except when used in Article III-A (lobbyist regulations):

- (A) City council members.
- (B) Municipal judges.
- (C) The city manager, the first assistant city manager, and all assistant city managers.
- (D) The city auditor and the first assistant city auditor.
- (E) The city attorney and the first assistant city attorney.
- (F) The city secretary and the first assistant city secretary.
- (G) All department directors and their supervisors.
- (H) Members of all boards, commissions, committees, and other bodies created by the city council pursuant to city ordinance or federal or state law, including bodies that are only advisory in nature.
- (I) City council appointed members of boards of entities that were not created by the city council.
- (J) Chief financial officer.”

SECTION 11. That Section 12A-3, “Improper Economic Benefit,” of Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“SEC. 12A-3. IMPROPER FINANCIAL INTEREST [~~ECONOMIC BENEFIT~~]

(a) Economic interests affected. To avoid the appearance and risk of impropriety, a city official or employee shall not take any official action that the city official or employee [~~he or she~~] knows is likely to affect particularly the economic interests of:

- (1) the official or employee;

- (2) the official's or employee's outside client;
 - (3) the official's or employee's outside employer;
 - (4) a business entity in which the official or employee knows that the official or employee [~~he or she~~] holds an economic interest;
 - (5) a business entity that the official or employee knows is an affiliated business or partner of a business entity in which that person [~~he or she~~] holds an economic interest;
 - (6) a business entity for which the city official or employee serves as an officer or director or in any other policymaking position; or
 - (7) a person or business entity:
 - (A) from whom, within the past 12 months, the official or employee, directly or indirectly, has:
 - (i) solicited an offer of employment;
 - (ii) received and not rejected an offer of employment; or
 - (iii) accepted an offer of employment; or
 - (B) with whom the official or employee, directly or indirectly, is engaged in negotiations pertaining to a business opportunity
- (b) Substantial economic interests affected. To avoid the appearance and risk of impropriety, a city official or employee shall not take any official action that the city official or employee [~~he or she~~] knows is likely to affect particularly the substantial economic interests of:
- (1) the official's or employee's parent, child, spouse, or other family member within the first degree of consanguinity or affinity;
 - (2) the official's or employee's domestic partner;
 - (3) an outside employer of the official's or employee's parent, child, spouse, or other family member within the first degree of consanguinity or affinity, or domestic partner, but only if the official or employee knows the family member or domestic partner has a substantial economic interest in the outside employer;

(4) a business entity in which the official or employee knows that a substantial economic interest is held by the official's or employee's ~~[his or her]~~:

(A) parent, child, spouse, or other family member within the first degree of consanguinity or affinity; or

(B) domestic partner;

(5) a business entity that the official or employee knows is an affiliated business or partner of a business entity in which a substantial economic interest is held by the official's or employee's ~~[his or her]~~:

(A) parent, child, spouse, or other family member within the first degree of consanguinity or affinity; or

(B) domestic partner; or

(6) a person or business entity:

(A) from whom, within the past 12 months, the official's or employee's spouse or domestic partner, directly or indirectly, has:

(i) solicited an offer of employment;

(ii) received and not rejected an offer of employment; or

(iii) accepted an offer of employment; or

(B) with whom the official's or employee's spouse or domestic partner, directly or indirectly, is engaged in negotiations pertaining to a business opportunity.

~~[(e) Recusal and disclosure. A city official or employee whose conduct or action on a matter would violate Subsection (a) or (b) must recuse himself or herself. From the time that the conflict is recognized, the city official or employee shall:~~

~~(1) immediately refrain from further participation in the matter, including discussions with any persons likely to consider the matter; and~~

~~(2) promptly file with the city secretary a written statement disclosing the conflict on a form provided by the city secretary.~~

~~(d) Additional recusal and disclosure requirements. In addition to the requirements of Subsection (e):~~

~~(1) a supervised employee shall promptly bring his or her conflict to the attention of a supervisor, who will then, if necessary, reassign responsibility for handling the~~

matter to another person;

~~(2) the park and recreation director shall promptly bring his or her conflict to the attention of the park and recreation board;~~

~~(3) the civil service director shall promptly bring his or her conflict to the attention of the civil service board;~~

~~(4) the employees' retirement fund administrator shall promptly bring his or her conflict to the attention of the board of trustees of the employees' retirement fund;~~

~~(5) a municipal judge shall promptly bring his or her conflict to the attention of the administrative municipal judge;~~

~~(6) the city manager, city attorney, city secretary, city auditor, and administrative municipal judge shall promptly bring his or her conflict to the attention of the city council;~~

~~(7) a board or commission member shall promptly disclose his or her conflict to the board or commission of which he or she is a member and shall not be present during any discussion or voting on the matter; and~~

~~(8) a city council member shall promptly disclose his or her conflict to the city council and shall not be present during any discussion or voting on the matter.]~~

(c[e]) Disclosure requirements relating to offers of employment. Whenever a city employee who is a department director or of higher rank receives an offer of employment from any person or business entity that the employee knows had an economic interest in any discretionary contract with the city in which the employee personally participated within the preceding 12 months, the employee shall, immediately upon receiving the offer, disclose the offer, whether rejected or not, to the appropriate supervisory person or body designated under Subsection (d). Unless recusal is required under Subsection (c), the employee may continue to personally participate, on the behalf of the city, in contracts and other matters in which the person or entity making the employment offer has an economic interest.

(d[f]) Board of directors of a reinvestment zone.

(1) Notwithstanding any other provision of this section, a member of the board of directors of a reinvestment zone established under the Tax Increment Financing Act, as amended, may:

(A) own property within that reinvestment zone; and

(B) participate in discussions and voting on matters before the board of directors that may indirectly affect the member's property within the reinvestment zone, but must adhere to the recusal and disclosure requirements in Subsections (c) and (d) of this section on

matters before the board of directors that may directly affect the member's property.

(2) For purposes of this subsection, a matter directly affects a member's property in the reinvestment zone if the matter involves a project in the reinvestment zone that is:

(A) financed with tax increment funds; and

(B) located within 200 feet of the member's property.

(e[g]) City officials and employees serving in policymaking positions for business entities at the direction of the city. The restrictions and requirements of Subsections (a) (6), (c), and (d) of this section do not apply to an official or employee of the city serving as an officer or director or in any other policymaking position for a business entity when taking official action on behalf of the city on matters concerning that business entity, if the official or employee:

(1) was appointed by the mayor, city council, or city manager to represent the city as an officer or director or in any other policymaking position for the business entity; and

(2) has no economic interest in the business entity or in the matter on which the action is being taken.

(f[h]) Municipal management district boards. The restrictions and requirements of this section do not apply to a member of a municipal management district board.

(g) Disclosure of conflicts.

(1) Any applicant seeking city council, city plan commission, board of adjustment, or landmark commission approval on any zoning application shall file a disclosure statement along with the zoning application at the time of application.

(2) The disclosure statement must name any city official or city employee known by the zoning applicant to have a conflict of interest in the matter, along with a statement of the nature of the conflict of interest. "Conflict of interest" means any interest under this chapter that would prevent the city official or city employee from voting on or participating in the application.

(3) Failure to disclose a known conflict of interest is a violation of this chapter."

SECTION 12. That Section 12A-4, "Unfair Advancement of Private Interests," of Article II, "Present City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is retitled as Section 12A-4, "Unfair Advancement of Private Interests; Nepotism."

SECTION 13. That Subparagraph (A) of Paragraph (4), “Appointment or Employment of Relatives,” of Subsection (b), “Special Rules,” of Section 12A-4, “Unfair Advancement of Private Interests; Nepotism,” of Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(A) A city official or employee shall not appoint, or take any action to influence the appointment of, that person’s ~~[his or her]~~ domestic partner or any relative within the first degree of consanguinity or affinity to the ethics advisory commission or to any quasi-judicial board or commission within the city. ~~[Any person who, before June 28, 2000, was appointed to a quasi-judicial board or commission within the city by a city official or employee who was either a domestic partner or a relative within the first degree of consanguinity or affinity may:~~

- (i) ~~complete his or her term on the board or commission; and~~
- (ii) ~~continue to be reappointed to that board or commission by the domestic partner or relative until the maximum number of terms allowed under Section 8-1.5 of the city code have been served.]”.~~

SECTION 14. That Section 12A-5, “Gifts,” of Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“SEC. 12A-5. GIFTS.

(a) General rule.

(1) A city official or employee shall not solicit, accept, or agree to accept any gift or benefit that:

- (A[1]) reasonably tends to influence or reward official conduct; or
- (B[2]) the official or employee knows is intended to influence or reward the discharge of official duties.

(2) A person or business entity shall not knowingly offer any gift or benefit to a city official or employee that:

- (A) reasonably tends to influence or reward official conduct; or

(B) the person or business entity knows is intended to influence or reward the discharge of official duties.

(3) Gifts must comply with city policies.

(b) Reporting [~~Gifts over \$250~~]. All city officials and employees required to file a financial disclosure statement under Section 12A-19 of this chapter shall report all gifts over \$500 [~~\$250~~] in the financial disclosure statement.

(1) City officials and employees receiving a gift must report the gift to the city manager or his designee on a form to be provided by the city manager or his designee. The report must include the date of the gift; the identity of the person or business entity making the gift; the city official or employee receiving the gift; a description of the gift; and the estimated monetary value of the gift. The report must be filed within 30 days after receipt of the gift. This report is required in addition to any other documentation required for the gift.

(2) Reporting is not required for gifts with a monetary value of less than \$500, except that reporting is required for gifts from a single source in a single year with a cumulative value of \$500 or more.

(3) Reporting is not required for gifts from a relative or person with whom the city official or employee has a personal, professional, or business relationship independent of the city official's or employee's status with the city.

(c) Special applications. Subsections (a)(1) and (a)(2) do not include:

(1) reimbursement of reasonable expenses for travel authorized in accordance with city policies;

(2) a public award or reward for meritorious service or professional achievement, provided that the award or reward is reasonable in light of the occasion;

(3) a loan from a lending institution made in its regular course of business on the same terms generally available to the public;

(4) a scholarship or fellowship awarded on the same terms and based on the same criteria applied to other applicants;

(5) admission to an event in which the city official or employee is participating in connection with official duties; or

(6) gifts, tickets, meals, travel, lodging, entertainment, and honoraria accepted by a city official or employee in accordance with policies established by city council resolution.

(d) Campaign contribution exception. The general rule stated in Subsection (a) does not apply to a campaign contribution received and reported in compliance with the Texas

Election Code.”

SECTION 15. That Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-5.1, “Donations to the City of Money, Real Estate, Products, and Services,” to read as follows:

“SEC. 12A-5.1. DONATIONS TO THE CITY OF MONEY, REAL ESTATE, PRODUCTS, AND SERVICES.

(a) Purpose and procedures.

(1) Donations of money, real estate, products, and services to the city allow citizens to make valuable contributions to city programs, and should be encouraged. Persons and business entities making donations should not, however, expect any reward, reciprocal benefit, or influence.

(2) Donations should be documented to ensure transparency of government, enable measurement of the value and usefulness of the donation, and allow for audits of donations.

(3) For long-term or complex projects and projects involving professional services, an agreement should be created to document the scope of goods or services to be donated and to document which party retains ownership of intellectual property. Where donation will lead to city expenditures, expenditures should go through the procurement process if required by city code or state law.

(b) General rule.

(1) A city official, city employee, or city department shall not solicit, accept, or agree to accept any donation to the city of money, real estate, products, or services that:

(A) reasonably tends to influence or reward official conduct; or

(B) the official, employee, or department knows is intended to influence or reward the discharge of official duties.

(2) A person or business entity shall not knowingly offer any donation to the city of money, real estate, products, or services that:

(A) reasonably tends to influence or reward official conduct; or

(B) the person or business entity knows is intended to influence or reward the discharge of official duties.

(c) Reporting.

(1) City officials, city employees, and city departments receiving a donation to the city of money, real estate, products, or services shall report the donation to the city manager or his designee on a form to be provided by the city manager or his designee. The report must include the date of the donation; the identity of the person or business entity making the donation; the city official, city employee, or city department receiving the donation; a description of the donation; the estimated monetary value of the donation; the intended use of the donation; and the actual use of the donation. The report must be filed within 30 days after receipt of the donation. This report is required in addition to any other documentation required for the donation.

(2) The individual or department that receives the donation is responsible for reporting the donation.

(3) Reporting is not required for donations to the city of money, real estate, products, or services with a monetary value of less than \$1,000, except that reporting is required for donations from a single source in a single year with a cumulative value of \$1,000 or more.

(d) Management. Donations to the city of money, real estate, products, and services must be administratively managed in compliance with duly adopted policies.

(e) Exceptions. This section does not apply to gifts made to a city official or city employee in compliance with Section 12A-5. This section does not apply to the items listed in Subsections 12A-5(c) and (d) as exceptions to the gift policy.”

SECTION 16. That Section 12A-6, “Confidential Information,” of Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Subsection (c), “Disclosure of a Closed Meeting,” to read as follows:

“(c) Disclosure of a closed meeting. A city official or city employee shall not knowingly disclose to a member of the public the certified agenda, the recording, or the discussion had within a meeting that was lawfully closed to the public, unless the disclosure is made with lawful authority.”

SECTION 17. That Section 12A-7, "Representation of Private Interests," of Article II, "Present City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended as follows:

”SEC. 12A-7. REPRESENTATION OF PRIVATE INTERESTS.

(a) Representation before the city.

(1) General rule.

(A) Representation for compensation. A city official or employee shall not represent, for compensation, any person, group, or entity (other than himself or herself or his or her spouse, minor children, or domestic partner) before the city. For purposes of this subsection, "compensation" means money or any other thing of value that is received or is to be received in return for or in connection with such representation.

(B) Representation without compensation. A city official or employee who is a member of a board, commission, or body shall not represent any person, group, or entity before:

(i) that city official's or employee's board, commission, or body;

(ii) city staff having responsibility for making recommendations to, or taking any action on behalf of, that board, commission, or body; or

(iii) a board, commission, or body that has appellate jurisdiction over the board, commission, or body of which the city official or employee is a member, if any issue relates to the official's or employee's duties.

(2) Exceptions. The prohibitions in Subsection (a) do not apply to:

(A) A person who is classified as a city official only because that person is an appointed member of a board, commission, or body may represent for compensation a person, group, or entity before the city so long as the representation is not before the board, commission, or body that the person is a member.

(B) If the representation is before a board, commission, or body of which the city official or employee is a member is only advisory in nature.

(C) An employee who is a duly designated representative of an association of municipal employees may represent that association before the city if otherwise permissible by state law.

~~[(a) Representation by a member of a board, commission, or other city body. A city official or employee who is a member of a board, commission, or other city body shall not represent any person, group, or entity:~~

~~(1) before that board, commission, or body; or~~

~~(2) unless the board, commission, or body of which the city official or employee is a member is only advisory in nature:~~

~~(A) before city staff having responsibility for making recommendations to, or taking any action on behalf of, that board, commission, or body; or~~

~~(B) before a board, commission, or other city body that has appellate jurisdiction over the board, commission, or body of which the city official or employee is a member, if any issue relates to the official's or employee's duties.~~

~~(b) Representation before the city.~~

~~(1) General rule. A city official or employee shall not represent for compensation any person, group, or entity (other than himself or herself or his or her spouse, minor children, or domestic partner) before the city. For purposes of this subsection, "compensation" means money or any other thing of value that is received, or is to be received, in return for or in connection with such representation.~~

~~(2) Exceptions. The rule stated in Subsection (b)(1) does not prohibit:~~

~~(A) a person who is classified as a city official only because he or she is an appointed member of a board, commission, or other city body from representing for compensation a person, group, or entity before the city unless such representation is a violation of Subsection (a) of this section; or~~

~~(B) an employee who is a duly designated representative of an association of municipal employees from representing that association before the city if otherwise permissible under state law.]~~

~~(3) Prestige of office and improper influence. In connection with the representation of private interests before the city, a city official or employee shall not:~~

~~(A) assert the prestige of the official's or employee's city position for the purpose of advancing private interests; or~~

~~(B) state or imply that the official or employee [he or she] is able to influence city action on any basis other than the merits.~~

(b[e]) Representation in litigation adverse to the city.

(1) Officials and employees (other than board and commission members). A city official or employee, other than a person who is classified as an official only because that person [~~he or she~~] is an appointed member of a board, commission, or [~~other city~~] body, shall not represent any person, group, or entity (other than himself or herself or his or her spouse, minor children, or domestic partner) in any litigation to which the city is a party, if the interests of that person, group, or entity are adverse to the interests of the city. This rule does not prohibit an employee who is a duly designated representative of an association of municipal employees from such representation if otherwise permissible under state law.

(2) Board and commission members. A person who is classified as a city official only because that person [~~he or she~~] is an appointed member of a board, commission, or other city body shall not represent any person, group, or entity (other than himself or herself or his or her spouse, minor children, or domestic partner) in any litigation to which the city is a party, if the interests of that person, group, or entity are adverse to the interests of the city and the matter is substantially related to the official's duties to the city.

(3) Affiliates of officials and employees. Subject to applicable professional ethical standards, the restrictions stated in Subsections (b[e])(1) and (b[e])(2) do not apply to representation by a partner or other affiliate of a city official or employee so long as the city official or employee does not participate in any manner whatsoever in the partner's or affiliate's representation.

(c[d]) Representation in municipal court. No member of the city council may engage in the practice of law in or before the municipal courts of the city.

(d[e]) Municipal management district boards. The restrictions stated in Subsection[s] (a) [~~and (b)(1)~~] of this section do not apply to a member of a municipal management district board."

SECTION 18. That Section 12A-9, "Public Property and Resources," of Article II, "Present City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"SEC. 12A-9 PUBLIC PROPERTY AND RESOURCES.

(a) A city official or employee shall not use, request, or permit the use of city facilities, personnel, equipment, or supplies for private purposes (including political purposes), except:

- (1) pursuant to duly adopted city policies; or
- (2) to the extent and according to the terms that those resources are generally available to the public.

(b) A city councilmember shall not use, request, or permit the use of city facilities, personnel, equipment, or supplies for any campaign expenditure, campaign contribution, political advertising, or campaign communication as defined in Title 15, "Regulating Political Funds and Campaigns," of the Texas Election Code, as amended, and Texas Election Commission rules, regulations, and opinions."

SECTION 19. That Subparagraph (B) of Paragraph (1) of Subsection (a), "City Officials," of Section 12A-10, "Political Activity," of Article II, "Present City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"(B) a city council member is not prohibited from lending the city council member's [his or her name and] official city title in connection with any election [for public office or in connection with any election] ordered by the city of Dallas on a proposition or measure;"

SECTION 20. That Subsection (g), "Charter Provisions," of Section 12A-10, "Political Activity," of Article II, "Present City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"(g) Charter provisions. A city official or employee shall comply with the provisions governing political activity set forth in Chapter XVI, Section 16 of the city charter [~~as those provisions have been judicially interpreted in Wachsman v. City of Dallas, 704 F.2d 160 (5th Cir. 1983)~~]."

SECTION 21. That Section 12A-11, "Action of Others," of Article II, "Present City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"SEC. 12A-11 ACTION OF OTHERS.

(a) Violations by other persons. A city official or employee shall not knowingly assist or induce, or attempt to assist or induce, any person to violate any provision of this chapter.

(b) Using others to engage in forbidden conduct. A city official or employee shall not violate any provision of this chapter through the acts of another.

(c) Participation in ethics violations. No person shall intentionally or knowingly induce, attempt to induce, conspire with, aid or assist, or attempt to aid or assist another person

to engage in conduct violative of this chapter.

(d) Duty to report violations. Persons shall immediately report any conduct that the person knows to be a violation of this chapter. Failure to report a violation of this chapter is a violation of this chapter. Any person who knowingly fails to report a violation of this chapter shall be subject to sanctions described in this chapter. For purposes of this section, a report made to the fraud, waste or abuse hotline shall be considered to be a report under this section.

SECTION 22. That Subsection (b), “Additional Restrictions Relating to City Contracts,” of Section 12A-12, “Prohibited Interests in Contracts,” of Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(b) Additional restrictions relating to city contracts. A city official or employee may not, while in the service or employment of the city, either individually or as the officer or principal of an [a private business] entity:

(1) submit a bid or proposal [~~on behalf of the city official or employee or on behalf of a private business entity,~~] to make any city contract, whether or not the contract is required by state law to be competitively bid; or

(2) negotiate or enter into any city contract [~~on behalf of the city official or employee or on behalf of a private business entity,~~] whether or not the contract is required by state law to be competitively bid.”

SECTION 23. That Section 12A-12, “Prohibited Interests in Contracts,” of Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Subsection (d) to read as follows:

“(d) During the first year of city service, a city official or city employee shall not participate in the making or awarding of a contract, or attempt to use their official position to influence a city decision relating to a contract if a party to the contract is a person or entity by whom the city official or city employee was employed within one year before beginning city service.”

SECTION 24. That Article II, “Present City Officials and Employees,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-12.1, “Recusal and Disclosure,” to read as follows:

“SEC. 12A-12.1. RECUSAL AND DISCLOSURE.

(a) General rule. A city official or employee whose conduct or action on a matter would violate any section in Article II of this chapter must recuse himself or herself. From the time that the conflict is recognized, the city official or employee shall:

- (1) immediately refrain from further participation in the matter, including discussions with any other persons likely to consider the matter; and
- (2) promptly file with the city secretary a written statement disclosing the conflict on a form provided by the city secretary.

(b) Additional recusal and disclosure requirements. In addition to the requirements of Subsection (a):

- (1) A supervised employee shall promptly bring that person’s conflict to the attention of a supervisor, who will then, if necessary, reassign responsibility for handling the matter to another person;
- (2) the park and recreation director shall promptly bring that person’s conflict to the attention of the park and recreation board;
- (3) the civil service director shall promptly bring that person’s conflict to the attention of the civil service board;
- (4) the employees’ retirement fund administrator shall promptly bring that person’s conflict to the attention of the board of trustees of the employees’ retirement fund;
- (5) a municipal judge shall promptly bring that person’s conflict to the attention of the administrative municipal judge;
- (6) the city manager, city attorney, city secretary, city auditor, and administrative municipal judge shall promptly bring that person’s conflict to the attention of the city council;
- (7) a board or commission member shall promptly disclose that member’s conflict to the board or commission of which that person is a member and shall not be present during any discussion or voting on the matter; and

(8) a city council member shall promptly disclose that member's conflict to the city council and shall not be present during any discussion or voting on the matter."

SECTION 25. That Section 12A-13, "Continuing Confidentiality," of Article III, "Former City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"SEC. 12A-13. CONTINUING CONFIDENTIALITY.

(a) Improper disclosure or use. A former city official or employee shall not use or disclose confidential government information acquired during service as a city official or employee. This rule does not prohibit:

- (1) any disclosure that is no longer confidential government information;
- (2) the confidential reporting of illegal or unethical conduct to authorities designated by law; or
- (3) any disclosure, not otherwise prohibited by law, in furtherance of public safety.

(b) Disclosure of a closed meeting. A former city official or city employee shall not knowingly disclose to a member of the public the certified agenda, the recording, or the discussion had within a meeting that was lawfully closed to the public, unless the disclosure is made with lawful authority."

SECTION 26. That Section 12A-15.1, "Reserved," of Article III, "Former City Officials and Employees," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"SEC. 12A-15.1 RESTRICTIONS ON LOBBYING [RESERVED].

(a) A city council member shall be prohibited from registering as a lobbyist and from lobbying city council, or any city department, board, or commission for one year after leaving service with the city.

(b) A city official other than a city council member who is a member of a board or commission shall be prohibited from lobbying that board or commission for one year after the city official's service on that board or commission ended.

(c) A city employee, including city employees who are city officials, shall be prohibited from registering as a lobbyist and from lobbying city council, or any city department,

board, or commission for one year after leaving employment with the city.

(d) Nothing in this section shall be construed to prohibit a person from lobbying on behalf of another government agency if they are employed by that governmental agency.”

SECTION 27. That Section 12A-15.3, “Persons Required to Register as Lobbyists,” of Article III-A, “Lobbyists,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“SEC. 12A-15.3. PERSONS REQUIRED TO REGISTER AS LOBBYISTS.

(a) Except as provided by Section 12A-15.4, a person must register with the city secretary if the person:

- (1) receives compensation of \$200 or more in a calendar quarter for lobbying;
- (2) receives reimbursement of \$200 or more in a calendar quarter for lobbying; or
- (3) lobbies as the agent or employee of a person who:
 - (A) receives compensation of \$200 or more in a calendar quarter for lobbying;
 - (B) receives reimbursement of \$200 or more in a calendar quarter for lobbying.

(b) A lobbying firm that is not required to register under Subsection (a) of this section may register as a lobbyist with the city secretary if the lobbying firm has more than one employee who is required to register under Subsection (a). A lobbying firm that chooses to register under this subsection for all of its employees that are lobbyists, instead of having them register individually, will be deemed to be a "registrant" and "a person required to register" for all purposes of this article and will be subject to all requirements, procedures, and penalties applicable to a "registrant" and "person required to register," as those terms are used in this article.

(c) An attorney who is representing a client must register as a lobbyist if the attorney meets the compensation or reimbursement standards of Subsection (a).

(d) A person who is representing an association of city employees or an association of former city employees must register as a lobbyist if the person meets the compensation or reimbursement standards of Subsection (a) or if the person is representing the association on a pro bono basis.”

SECTION 28. That Subsection (5) of Section 12A-15.4, “Exceptions,” of Article III-A, “Lobbyists,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(5) A [An attorney or other] person whose contact with a city official is made solely as part of resolving a dispute with the city, provided that the contact is solely with city officials who do not vote on or have final authority over any municipal question involved.”

SECTION 29. That Subsection (g), “Lobbying by Bidders and Proposers on City Contracts,” of Section 12A-15.8, “Restricted Activities,” of Article III-A, “Lobbyists,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(g) Lobbying by bidders and proposers on city contracts.

(1) A person responding to a request for bids or request for proposals on a city contract shall not [~~either personally or through a representative, employee, or agent~~] lobby a city council member either directly or indirectly (through a representative, employee, or agent) from the time the advertisement or public notification of the request for bids or request for proposals is made until the time the contract is awarded by the city council.

(2) A city council member shall not discuss a request for bids or a request for proposals on a city contract either directly (with the person or entity submitting the bid or proposal) or indirectly (with a lobbyist, representative, employee, or agent of the person or entity submitting the bid or proposal) from the time the advertisement or public notification of the request for bids or request for proposals is made until the time the contract is awarded by the city council.

(3) This subsection does not prohibit a bidder or proposer from speaking at the city council meeting where the award of the contract is considered.”

SECTION 30. That Section 12A-15.8, “Restricted Activities,” of Article III-A, “Lobbyists,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Subsection (h), “Campaign Managers,” to read as follows:

“(h) Campaign managers. A person who served as a campaign manager or campaign treasurer for a person seeking election as a city councilmember may not (either personally or through a representative, employee, or agent) lobby a city councilmember or a city official for one year after the date of the city council election. A “campaign manager” is any person who directs day-to-day operations of the campaign or determines the strategies or policies of the campaign.”

SECTION 31. That Section 12A-15.12, “Violations; Penalty,” of Article III-A, “Lobbyists,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is repealed and shall be indicated as “Reserved” as follows:

“SEC. 12A-15.12. RESERVED [VIOLATIONS; PENALTY].

~~[(a) A person who violates a provision of this article, or who fails to perform an act required of the person by this article, commits an offense. A person commits a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.~~

~~(b) An offense under this article is punishable by a criminal fine not to exceed \$500.]”~~

SECTION 32. That Section 12A-18, “Participation in Ethics Violations,” of Article V, “Participation in Ethics Violations,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is replaced as follows:

“SEC. 12A-18. EX PARTE COMMUNICATIONS.

No person shall, directly or indirectly, communicate with any city official of any quasi-judicial city board or commission as to any adjudicative matter which is, or which may reasonably be expected to be, pending before the board or commission, unless a full disclosure of the communication is simultaneously made available to the every other party to the matter. This prohibition does not apply to any communication by a city employee with the city board or commission in the performance of the city employee’s official duties.”

SECTION 33. That Paragraph (1), “Designated City Officials and Designated City Employees,” of Subsection (a), “Who Must File,” of Section 12A-19, “Financial Disclosure Report,” of Article VI, “Financial Disclosure,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(1) Designated city officials and designated city employees. Before initially accepting appointment or assuming the duties of office, and annually thereafter, the following city officials and employees shall file with the city secretary a complete, sworn financial disclosure report complying with Subsection (b) of this section:

(A) City of Dallas appointed members to the following boards, commissions, and committees:

- members.
- board.
- members.
- members.
- (i) Board of adjustment and board of adjustment alternate
 - (ii) Building inspection advisory, examining, and appeals
 - (iii) Business development corporation board.
 - (iv) City plan and zoning commission.
 - (v) Civil service board and civil service board adjunct
 - (vi) Community development commission.
 - (vii) Dallas Area Rapid Transit board.
 - (viii) Dallas-Fort Worth international airport board.
 - (ix) Ethics advisory commission.
 - (x) Fire code advisory and appeals board.
 - (xi) Housing finance corporation board.
 - (xii) Landmark commission and landmark commission alternate
 - (xiii) Park and recreation board.
 - (xiv) Permit and license appeal board.
 - (xv) All reinvestment zone boards.
 - (xvi) All municipal management district boards.
- (B) The first assistant city attorney.
 - (C) The city auditor and city secretary, and their first assistants.
 - (D) Assistant city managers.
 - (E) Municipal judges.
 - (F) Chief financial officer.”

SECTION 34. That Subsection (d) of Section 12A-21, “Traveling Reporting Requirements,” of Article VI, “Financial Disclosure,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(d) The following persons are required to report under this section:

- (1) City council members.
- (2) The city manager, city attorney, city secretary, and city auditor, and their first assistants.
- (3) Municipal judges.
- (4) Members of boards and commissions.
- (5) Assistant city managers.
- (6) Department directors, ~~[and]~~ their assistants, and their supervisors, including the civil service director, the park and recreation director, ~~[and]~~ their assistants, and their supervisors.
- (7) Chief financial officer.”

SECTION 35. That Section 12A-22, “Items Received on Behalf of the City,” of Article VI, “Financial Disclosure,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is repealed and shall be indicated as “Reserved” as follows:

“**SEC. 12A-22. RESERVED [ITEMS RECEIVED ON BEHALF OF THE CITY].**”

~~“[A city official or employee who accepts on behalf of the city any item by way of gift or loan valued over \$250 shall, within 30 days after the acceptance of the gift or loan, report that fact and deliver the item to the city manager, who shall have the item appropriately inventoried as city property.]”~~”

SECTION 36. That Subsection (a), “Jurisdiction,” of Section 12A-25, “Jurisdiction and Powers,” of Article VII, “Ethics Advisory Commission,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(a) Jurisdiction.

(1) The ethics advisory commission shall have jurisdiction to review and make findings concerning any alleged violation of the laws, ordinances, and rules listed in Paragraph (2) of this section [this chapter] by any person subject to those laws, ordinances, or rules [provisions], including but not limited to current city officials and employees, former city officials and employees, and persons doing business with the city~~[, if a complaint is filed within one year after the date of the alleged violation]~~.

(2) The ethics advisory commission may consider violations of the following laws, ordinances, and rules:

(A) Section 8-22, “Board Members,” of Article V, “Code of Conduct,” of Chapter 8, “Boards and Commissions,” of the Dallas City Code;

(B) Chapter 12A, “Code of Ethics,” of the Dallas City Code;

(C) Chapter 15A, “Elections,” of the Dallas City Code, except to the extent that Chapter 15A is administered and enforced by the Texas Ethics Commission;

(D) the second sentence of Chapter XVI, Section 16(a) of the city charter, which reads “No officer or employee of the city shall directly or indirectly, in any way be required to contribute to any political campaign, political party, organization which supports candidates for public office, or for any partisan political purpose whatsoever;”

(E) Chapter XXII, Section 11, “Financial Interest of Employee or Officer Prohibited,” of the city charter;

(F) Chapter XXIV, Section 1, “No Officer or Employee to Accept Gift, Etc., From Public Utility,” of the city charter;

(G) Texas Local Government Code Chapter 145, “Financial Disclosure by and Standards of Conduct for Local Government Officers,” as amended;

(H) Texas Local Government Code Chapter 171, “Regulation of Conflicts of Interest of Officers of Municipalities, Counties, and Certain Other Local Governments,” as amended;

(I) Texas Local Government Code Chapter 176, “Disclosure of Certain Relationships with Local Government Officers; Providing Public Access to certain Information,” as amended;

(J) Section 212.017, “Conflict of Interest; Penalty,” of Texas Local Government Code Chapter 212, “Municipal Regulation of Subdivisions and Property Development,” as amended;

(K) Texas Penal Code Chapter 36, “Bribery and Corrupt Influence,” as amended;

(L) Texas Penal Code Section 39.02, “Abuse of Official Capacity,” as amended;

(M) Texas Penal Code Section 39.03, “Official Oppression,” as amended;

(N) Texas Penal Code Section 39.06, “Misuse of Official Information,” as amended;

(O) conflicts of interest and gift regulations applicable to local government recipients of federal grants, including Subsection (c) of Section 200.318 of Title 2 of the Code of Federal Regulations, as amended; and

(P) any other city rule or city code or city charter provision pertaining to the ethical conduct of city officials or employees.

(3) The commission may not consider any alleged violation that occurred [~~before January 1, 2001 or~~] more than one year before the date of the filing of a complaint. The city secretary shall not accept or process any complaint that is filed more than one year after the date of the violation alleged in the complaint.”

SECTION 37. That Paragraph (6) of Subsection (c), “Powers,” of Section 12A-25, “Jurisdiction and Powers,” of Article VII, “Ethics Advisory Commission,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(6) To make notifications, extend deadlines, and conduct investigations of violations within the jurisdiction of the Ethics Advisory Commission.”

SECTION 38. That Section 12A-25, "Jurisdiction and Powers," of Article VII, "Ethics Advisory Commission," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended by adding a new Subsection (d), "Subpoenas," to read as follows:

“(d) Subpoenas.

(1) The ethics advisory commission shall have the power to issue subpoenas for the attendance of witnesses or subpoenas for the production of documents or other evidence that the ethics advisory commission deems necessary for an evidentiary hearing. The ethics advisory commission may issue a subpoena only after a written request to appear or provide documents or other evidence has not been complied with and after consultation with the city attorney.

(2) A party to an ethics complaint (either the complaining party or the party complained against) may request that the ethics advisory commission issue a subpoena. The ethics advisory commission may issue the requested subpoena for good cause upon a showing of the need for the witness, documents, or other evidence. The ethics advisory commission may refuse the requested subpoena upon a finding that good cause does not exist.

(3) A person may object to a subpoena within seven working days after receiving the subpoena. Objections to subpoenas must be in writing and submitted to the city secretary, and copied to the party who requested the subpoena, if any. The party who requested the subpoena shall have three working days after receipt of the objections to respond in writing to the city secretary. The ethics advisory commission shall rule on the objection. Failure to object to a subpoena waives any objection to the subpoena.

(4) Refusal to appear or to produce any document or other evidence after receiving a subpoena pursuant to this section is a violation of this chapter subject to sanctions as described in Section 2-9.”

SECTION 39. That Section 12A-26, "Complaints," of Article VII, "Ethics Advisory Commission," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

“**SEC. 12A-26. COMPLAINTS.**

(a) Filing. Except for an ethics advisory commission member, any person who is a [any] resident of the city, a [any] person doing business or attempting to do business with the city, or a [any] city official or employee, either at the time the alleged violation of this chapter occurred or at the time the complaint is submitted, who believes there has been a violation of this chapter may file a complaint with the city secretary on a form provided by the city secretary. The complaint must contain the following information and items:

(1) The name, address, email address, and telephone number of the complainant.

(2) The name, address (if known), email address (if known), and telephone number (if known) of each person who allegedly committed the violation.

(3) A statement of the facts on which the complaint is based, including the exact date or dates of the alleged violation.

(4) Identification of the ethics laws, ordinances, and rules [~~provision or provisions~~] allegedly violated, using either a citation to the applicable section [~~and paragraph of this chapter~~] or a description containing substantially the same language as the ethics laws, ordinances, and rules [~~provision or provisions~~].

(5) Copies of the documents or other evidence, if any, referenced in the complaint or in the complainant's possession that support the complaint attached to the complaint.

(6) The names, addresses, email addresses (if known), and telephone numbers of witnesses, if any, that can offer testimony in support of the complaint.

(7) Other sources of evidence, if any, that the complainant recommends should be considered by the ethics advisory commission.

(8) An affidavit in which the complainant swears or affirms, under the penalty of perjury, that:

(A) the complaint states a violation of this chapter;

(B) the complaint is not being presented for any improper purpose, such as to harass, cause unnecessary delays, or needlessly increase the cost of defense to the person charged in the complaint; and

(C) either:

(i) all information submitted in and with the complaint is true and correct; or

(ii) to the best of the complainant's knowledge, formed after an inquiry reasonable under the circumstances, the factual contentions in the complaint are supported by credible evidence submitted in and with the complaint.

(b) Format of evidence. If a complainant or a person charged in a complaint submits evidence in an electronic, mechanical, or other format that the city secretary's office cannot duplicate or display, that office shall request that person to provide the evidence in a format that the office can duplicate or display. If that person fails to provide the evidence to the city

secretary's office in a format that the office can duplicate or display within seven days after the office has made a request, then the evidence may not be presented to or considered by the ethics advisory commission or a panel of the commission.

(c) Acceptance of complaint. Upon receiving a complaint, the city secretary shall determine if it is complete. A complaint is complete if it contains the information described in (a)(1), (2), (3), (4), (5), and (8). If the complaint is complete, the city secretary shall proceed as described in this section. If the complaint is incomplete, the city secretary shall, in writing, notify the complainant that the complaint is incomplete and state which required information was not provided. The complainant shall have 20 days after the date the city secretary sends notice to the complainant to provide the required information to the city secretary, or the complaint is deemed abandoned and may not be processed in accordance with this chapter.

(d) Confidentiality of complaints.

(1) No city official or employee shall reveal information relating to the filing or processing of a complaint, except as required for the performance of official duties or as required by law.

(2) Ex parte communications by or to members of the ethics advisory commission are prohibited by Section 12A-27(c) of this chapter.

(3) All papers and communications relating to a complaint must be treated as confidential unless required to be made public under the Public Information Act (Chapter 552, Texas Government Code) or other applicable law.

(e) Notification. The city secretary shall promptly forward a copy of a complete complaint to the chair of the ethics advisory commission and to the person charged in the complaint. The person charged in the complaint shall have the opportunity to submit a sworn statement, together with such other information that person [~~he or she~~] feels is relevant. Copies of all information provided to the ethics advisory commission by the complainant and the person charged in the complaint must be distributed to all parties to the complaint within 10 days after the ethics advisory commission receives the information.

(f) False accusations and responses. The city secretary shall, in writing, advise the person filing the complaint that falsely accusing someone of a violation of this chapter may result in criminal prosecution of anyone who knowingly makes a false accusation. The city secretary shall, in writing, advise the person charged in the complaint that falsely Page 43 of 54 responding to a complaint may result in criminal prosecution of anyone who knowingly makes a false response.

(g) Complaints received by the City Auditor's Office. If the City Auditor determines that a complaint it receives through the Fraud, Waste and Abuse hotline states a violation of this chapter, the City Auditor may refer the complaint to the city secretary for direct review by a preliminary panel, pursuant to Section 12A-26(g), as amended. If the City Auditor receives the complaint anonymously, then the City Auditor shall act as the complainant for purposes of the

preliminary panel review and shall not be subject to:

- (1) Section 12A-26(a)(10), as amended, regarding a complainant affidavit;
 - (2) Section 12A-26(f), as amended, regarding false accusations; and
 - (3) Section 12A-40.1, as amended, regarding frivolous complaints.
- (h[~~g~~]) Preliminary Panel Process [~~Summary dismissal~~].

(1) [~~Within 30 days after receipt of a complete complaint,~~] E[~~e~~]ither the chair or vice chair, selected on a rotational basis and subject to availability, and two commission members, selected by lot by the city secretary and subject to availability, shall make a preliminary finding as to whether or not the complaint states a claim under this chapter and is supported by just cause. "Just cause" means such cause as is found to exist upon a reasonable inquiry, including an assessment of the credibility of the evidence, that would induce a reasonably intelligent and prudent person to believe that a person has committed an act or acts constituting an ethical violation under this chapter.

(2) If the preliminary finding is that the complaint does not state a claim under this chapter or does not have just cause, based upon the statements and evidence submitted, the complaint must be dismissed. A determination that a complaint be dismissed can only be made upon the affirmative vote of at least two of the three preliminary panel members. Written notice of the dismissal must be sent to both the person who made the complaint and the person about whom the complaint was made, identifying the reason or reasons for dismissal.

(3) The chair is recused from serving on a preliminary panel for any complaint filed against the mayor, except that the chair may participate in discussions and voting on a complaint against the mayor when it is being considered by the commission as a whole. If the chair, the vice chair, or both are unable to serve on a preliminary panel, the appropriate number of ethics commission members shall be selected by lot by the city secretary as substitutes on the panel. The preliminary panel must always have three members."

SECTION 40. That Subsection (a), "Evidentiary Hearing," of Section 12A-27, "Hearing Procedures," of Article VII, "Ethics Advisory Commission," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"(a) Evidentiary hearing. If a complaint is not summarily dismissed under Section 12A-26(h[~~g~~]), it will be pursued further at a hearing before the ethics advisory commission. Not less than 10 days before the hearing, the city secretary shall, by certified mail or personal service, give written notice of the hearing to both the person who made the complaint and the person about whom the complaint was made. If a person entitled to notice under this subsection consents in writing, the city secretary may give written notice by facsimile, email, or first class U.S. mail. The notice must state the specific provision or provisions of this chapter alleged in the

complaint to have been violated, as determined by the preliminary panel.”

SECTION 41. That Subsection (a), “Hearing on Complaints,” of Section 12A-28, “Hearing Rules,” of Article VII, “Ethics Advisory Commission,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(a) Hearings on complaints. The rules contained in this section apply to all hearings of the ethics advisory commission on complaints not summarily dismissed under Section 12A-26(h[g]).”

SECTION 42. That Subsection (a) of Section 12A-30, “Referral of Matter for Appropriate Action; Recommendation of Sanctions,” of Article VII, “Ethics Advisory Commission,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Paragraph (5) to read as follows:

“(5) If the complaint involved a person who is not a current or former city official or a current or former city employee, the matter will be referred to the city council.”

SECTION 43. That Subsection (b) of Section 12A-30, “Referral of Matter for Appropriate Action; Recommendation of Sanctions,” of Article VII, “Ethics Advisory Commission,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“(b) When referring a matter under Subsection (a), the ethics advisory commission may recommend any sanction or penalty authorized under Article VIII of this chapter. In recommending a sanction or penalty, the commission shall take into consideration the factors listed in Section 12A-37.1(a). ~~[the following sanctions:~~

~~(1) Letter of notification. A letter of notification may be recommended when the commission finds that a violation of this chapter was clearly unintentional or when the action or conduct found to have been a violation of this chapter was performed by the official or employee in reliance on a public written opinion of the city attorney. A letter of notification must advise the official or employee to whom the letter is directed of any steps to be taken to avoid future violations.~~

~~(2) Letter of admonition. A letter of admonition may be recommended when the commission finds that the violation of this chapter was minor and/or may have been unintentional, but where the circumstances call for a more substantial response than a letter of~~

notification.

~~(3) Reprimand. A reprimand may be recommended when the commission finds that a violation of this chapter was committed intentionally or through disregard of this chapter.~~

~~(4) Removal or suspension from office. Removal from office or suspension from office may be recommended when the commission finds that a serious or repeated violation of this chapter was committed intentionally or through culpable disregard of this chapter. The commission may include the length of any suspension in its recommendation.~~

~~(5) Miscellaneous. The commission may recommend any enforcement remedy or penalty authorized under Article VIII of this chapter.]”~~

SECTION 44. That Article VIII, “Enforcement, Culpable Mental State, and Penalties,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-35.1, “Violations; Penalty,” to read as follows:

“SEC. 12A-35.1. VIOLATIONS; PENALTY.

A person who violates any of the laws, ordinances, and rules listed in Section 12A-25(a)(2), or who fails to perform an act required of the person by any of the laws, ordinances, and rules listed in Section 12A-25(a)(2), commits a violation of this chapter and an offense. A person commits a violation of this chapter and a separate offense each day or portion of a day during which a violation is committed, permitted, or continued.”

SECTION 45. That Section 12A-37, “Disciplinary Action,” of Article VIII, “Enforcement, Culpable Mental State, and Penalties,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended to read as follows:

“SEC. 12A-37. DISCIPLINARY ACTION.

(a) An employee who fails to comply with this chapter or who violates this chapter may be disciplined in accordance with city personnel rules and procedures. Where no specific appeal procedure is otherwise prescribed, an appeal by an employee will be to the trial board.

(b) If a city council member fails to comply with this chapter or violates this chapter, the matter must be decided by the city council in accordance with the city charter.

(c) If a member of a board or commission fails to comply with this chapter or violates this chapter, the matter must be decided by the city council in accordance with the city charter.

(d) If the civil service director, the park and recreation director, or the employees' retirement fund administrator fails to comply with this chapter or violates this chapter they may be disciplined in accordance with the personnel rules and the matter must be decided by their respective boards.

(e) If the city manager, city attorney, city auditor, city secretary, or a municipal judge fails to comply with this chapter or violates this chapter they may be disciplined in accordance with the personnel rules and the matter must be decided by the city council.

(f) If a former city official or former city employee fails to comply with this chapter or violates this chapter, the matter must be decided by the city council.

(g) If a person who is not a current or former city official or a current or former city employee fails to comply with this chapter or violates this chapter, the matter must be decided by city council."

SECTION 46. That Article VIII, "Enforcement, Culpable Mental State, and Penalties," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended by adding a new Section 12A-37.1, "Sanctions," to read as follows:

"SEC. 12A-37.1 SANCTIONS.

(a) In determining sanctions based on a recommendation of the ethics advisory commission, the person or entity authorized by Subsection 12A-30(a) to impose the sanction shall take into consideration the recommendation of the ethics advisory commission and the following factors:

- (1) The culpability of the person charged.
- (2) The harm to public or private interests resulting from the violation.
- (3) The necessity of preserving public trust in the city.
- (4) Whether there is evidence of a pattern of disregard for ethical standards.
- (5) Whether remedial action has been taken that will mitigate the adverse effects of the violation.

(b) For current city employees, the sanctioning person shall take appropriate action in accordance with the personnel rules, and may impose any of the following additional sanctions:

- (1) Referral to ethics training. The sanctioning person may require a city employee to attend ethics training.

(2) Referral for damages or injunction. The sanctioning person may refer the violation to the city attorney for an action to recover damages to the city or to enjoin prohibited actions.

(3) Referral for criminal prosecution. The sanctioning person may refer the violation to the Dallas Police Department, if the sanctioning entity finds that the violation warrants criminal prosecution.

(c) For the civil service director, the park and recreation director, or the employees' retirement fund administrator, the sanctioning entity shall take appropriate action in accordance with the personnel rules, and may impose any of the following additional sanctions:

(1) Referral to ethics training. The sanctioning entity may require the person to attend ethics training.

(2) Referral for damages or injunction. The sanctioning entity may refer the violation to the city attorney for an action to recover damages to the city or to enjoin prohibited actions.

(3) Referral for criminal prosecution. The sanctioning entity may refer the violation to the Dallas Police Department, if the sanctioning entity finds that the violation warrants criminal prosecution

(d) For the city manager, city attorney, city auditor, city secretary, or a municipal judge, the city council shall take appropriate action in accordance with the personnel rules, and may impose any of the following additional sanctions:

(1) Referral to ethics training. The city council may require the person to attend ethics training.

(2) Referral for damages or injunction. The city council may refer the violation to the city attorney for an action to recover damages to the city or to enjoin prohibited actions.

(3) Referral for criminal prosecution. The city council may refer the violation to the Dallas Police Department, if the city council finds that the violation warrants criminal prosecution.

(e) For a city council member, a board or commission member, a former city official, or a former city employee, the city council may impose any of the following sanctions:

(1) Letter of notification. The city council may issue a letter of notification if the city council finds that a violation of this chapter was clearly unintentional. A letter of notification must advise the person of any steps to be taken to avoid future violations.

(2) Letter of admonition. The city council may issue a letter of admonition if

the city council finds that the violation of this chapter was minor, but where the circumstances call for a more substantial response than a letter of notification.

(3) Referral to ethics training. The city council may require a current city official to attend ethics training.

(4) Reprimand. The city council may issue a reprimand if the city council finds that a violation of this chapter was not minor and was committed intentionally or through reckless disregard of this chapter.

(5) Resolution of censure. The city council may adopt a resolution of censure if the city council finds that a serious or repeated violation of this chapter has been committed intentionally or through reckless disregard of this chapter and the violation substantially threatens the public trust.

(6) Voiding of prior actions. The city council may, to the extent allowed by law, void any prior city council or city board or commission action that approved any decision, agreement, award, or contract if the action was taken as a result of a violation of this chapter and the interests of the city require voiding of the prior action.

(7) Suspension from office. The city council may suspend a current city official other than a city council member from office for a period determined by the city council if the city council finds that a serious or repeated violation of this chapter was committed intentionally or through culpable disregard of this chapter. Any proceedings for suspension of a current city official shall be in compliance with the city charter and state law.

(8) Removal from office. The city council may remove a current city official, including a city council member, from office if the city council finds that a serious or repeated violation of this chapter was committed intentionally or through culpable disregard of this chapter and future violations are likely to occur. Any proceedings for removal of a current city official from office shall be in compliance with the city charter and state law.

(9) Referral for damages or injunction. The city council may refer the violation to the city attorney for an action to recover damages to the city or to enjoin prohibited actions.

(10) Referral for criminal prosecution. The city council may refer the violation to the Dallas Police Department, if the city council finds that the violation warrants criminal prosecution.

(f) For a person who is not a current or former city official or a current or former city employee (e.g. lobbyists, people doing business with the city, citizens), the city council may impose any of the following sanctions:

(1) Letter of notification. The city council may issue a letter of notification if the city council finds that a violation of this chapter was clearly unintentional. A letter of

notification must advise the person of any steps to be taken to avoid future violations.

(2) Letter of admonition. The city council may issue a letter of admonition if the city council finds that the violation of this chapter was minor, but where the circumstances call for a more substantial response than a letter of notification.

(3) Reprimand. The city council may issue a reprimand if the city council finds that a violation of this chapter was not minor and was committed intentionally or through reckless disregard of this chapter.

(4) Resolution of censure. The city council may adopt a resolution of censure if the city council finds that a serious or repeated violation of this chapter has been committed intentionally or through reckless disregard of this chapter and the violation substantially threatens the public trust.

(5) Disqualification from contracting or lobbying. The city council may, to the extent allowed by law, prohibit the person from entering into contracts with the city or from lobbying before the city on behalf of clients. The scope and duration of the disqualification shall be determined by the city council.

(6) Voiding of prior actions. The city council may, to the extent allowed by law, void any prior city council or city board or commission action that approved any decision, agreement, award, or contract if the action was taken as a result of a violation of this chapter and the interests of the city require voiding of the prior action.

(7) Referral for damages or injunction. The city council may refer the violation to the city attorney for an action to recover damages to the city or to enjoin prohibited actions.

(8) Referral for criminal prosecution. The city council may refer the violation to the Dallas Police Department, if the city council finds that the violation warrants criminal prosecution.”

SECTION 47. That Article VIII, “Enforcement, Culpable Mental State, and Penalties,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-38.1, “Interference with an Investigation,” to read as follows:

“SEC. 12A-38.1. INTERFERENCE WITH AN INVESTIGATION.

A person commits an offense if the person interferes with any investigation of an alleged violation of this chapter in any manner, including seeking to persuade or coerce others to withhold their cooperation.”

SECTION 48. That Section 12A-41, "Other Ethical Obligations," of Article IX, "Administrative Procedures," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended by adding a new Subsection (c) to read as follows:

"(c) The imposition of sanctions under Section 12A-37.1 does not preclude criminal prosecution for the act under city ordinance or state or federal law. A violation of this chapter shall not be prosecuted in municipal court if the violation can be prosecuted by the district attorney under state law or by the United States attorney under federal law."

SECTION 49. That Subsection (a) of Section 12A-42, "Dissemination of Code of Ethics," of Article IX, "Administrative Procedures," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended to read as follows:

"(a) Within 30 days after entering upon the duties of his or her position, every new official or employee must be furnished with a copy of this chapter. ~~[Before January 1, 2001, and periodically thereafter as appropriate,]~~ The city secretary shall provide a copy of this chapter to every city official. ~~[, and]~~ The city manager, city attorney, city secretary, city auditor, park and recreation director, civil service director, and employees' retirement fund administrator shall provide a copy of this chapter to every city employee under their ~~[each's]~~ supervision. ~~[Within 30 days after entering upon the duties of his or her position, every new city official or employee must be furnished with a copy of this chapter.]~~ Each city official and employee shall acknowledge, in writing, the receipt of a copy of this chapter. Copies of this chapter must be made readily available to the public."

SECTION 50. That Article IX, "Administrative Procedures," of Chapter 12A, "Code of Ethics," of the Dallas City Code is amended by adding a new Section 12A-42.1, "Ethics Pledge," to read as follows:

"SEC. 12A-42.1. ETHICS PLEDGE.

All city officials, prior to their appointment shall sign the following ethics pledge and file it with the city secretary:

"I have received a copy of Dallas City Code Chapter 12A, "Code of Ethics." I have read and understand the code of ethics. I understand that the code of ethics is binding on me, and therefore I agree to comply with the code of ethics. I understand that the code of ethics imposes restrictions on present city officials, former city officials, lobbyists, and persons doing business with the city. I agree to participate in periodic ethics training. I agree to seek advice from the city attorney when necessary to ensure compliance with the code of ethics. I agree that I will not violate the code of ethics, participate in violations of the code of ethics, or fail to report

violations of the code of ethics. I understand that violation of the code of ethics, participation in a violation of the code of ethics, and failure to report a violation of the code of ethics may result in severe consequences.”

SECTION 51. That Article IX, “Administrative Procedures,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-44, “City Ethics Officer,” to read as follows:

“SEC. 12A-44. CITY ETHICS OFFICER.

(a) The city manager shall appoint a city ethics officer. The duties of the city ethics officer shall include, but not be limited to, the following:

- (1) Promoting a culture of ethics within the city.
- (2) Training all city officials, city employees, and departmental ethics liaisons on ethical conduct and the requirements of the code of ethics.
- (3) Assisting the city council, ethics advisory commission, and city manager on matters of ethics, including proposing amendments to the code of ethics.
- (4) Notifying all city departments of any significant amendments to the code of ethics.
- (5) Assisting the ethics advisory commission and the city council in the enforcement of the code of ethics.
- (6) Preparing and submitting an annual report to the city council detailing the activities of the city ethics officer during the prior year.”

SECTION 52. That Article IX, “Administrative Procedures,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-45, “Departmental Ethics Liaison,” to read as follows:

“SEC. 12A-45. DEPARTMENTAL ETHICS LIAISON.

(a) Each city department shall designate an employee who shall serve as the departmental ethics liaison. In addition to their regular job duties, departmental ethics liaison shall have the following responsibilities:

- (1) Act as liaison between the department and the city ethics officer in carrying out the policy of this chapter.

(2) Provide answers to general ethics questions, or refer department employees to the city attorney's office for a written advisory opinion under Section 12A-33.

(3) Promote compliance with this Chapter 12A and any ethics rules specifically applicable to their departments.

(4) Emphasize the importance of ethics within their departments.”

SECTION 53. That Article IX, “Administrative Procedures,” of Chapter 12A, “Code of Ethics,” of the Dallas City Code is amended by adding a new Section 12A-46, “Ethics Training,” to read as follows:

“SEC. 12A-46. ETHICS TRAINING.

(a) All new city officials and new city employees shall receive ethics training within 30 days after being appointed to office or hired by the city. All current city officials and current city employees shall receive ethics training at least once every year.

(b) All city officials who are leaving city service shall receive ethics information concerning requirements for former city officials before the city official ends their city service. All city employees who are terminating their employment shall receive ethics information concerning requirements for former city employees before the city employee ends their employment with the city.

(c) The city secretary shall provide all lobbying registrants with ethics information within 30 days after registration. Each registrant shall provide their individual lobbyists with a copy of the ethics information.

(d) At least annually, the ethics advisory commission shall, with the assistance of the city attorney's office, distribute a plain-language guide to the code of ethics to all city officials, city employees, and registered lobbyists.

(e) The Business Development and Procurement Services Office shall publish on the city's website information as to how this chapter applies to consultants or contractors and to city officials and city employees who work with consultants or contractors.

(f) This ethics training and information required by this section shall be made available in a format and medium as determined by the city ethics officer. The ethics training and information required by this section shall be subject to approval as to form by the City Attorney. Ethics training and information must be structured to ensure that participants have the necessary knowledge to accomplish the statement of purpose in this chapter and comply with all applicable ethics laws.

(g) Failure to receive ethics training, documents, or notices required by this section does not waive that person's duty to comply with this code of ethics or waive enforcement of this chapter."

SECTION 54. That Section 15A-1, "Definitions," of Article I, "Campaign Contributions," of Chapter 15A, "Elections," of the Dallas City Code is amended to read as follows:

"SEC. 15A-1. DEFINITIONS.

The terms used in this article have the meanings ascribed to them in Chapter 251, Texas Election Code, or as defined in this section.

(1) CITY-FUNDED OFFICEHOLDER ACCOUNT means, for the purposes of this chapter, an individual attributable Mayor/Council account that is funded from the city budget and intended for use by a city councilmember to cover the expenses of holding office."

SECTION 55. That Article I-a, "Officeholder Contributions," of Chapter 15A, "Elections," of the Dallas City Code is retitled as Article I-a, "Officeholder Campaign Contributions."

SECTION 56. That Section 15A-7.1, "Use of Officeholder Contributions," of Article I-a, "Officeholder Campaign Contributions," of Chapter 15A, "Elections," of the Dallas City Code is amended to read as follows:

"SEC. 15A-7.1. USE OF OFFICEHOLDER CAMPAIGN CONTRIBUTIONS.

(a) An officeholder who lawfully accepts officeholder campaign contributions, as defined in the Texas Election Code, shall not use more than \$100 in officeholder campaign contributions per city election for campaign expenditures for the officeholder's campaign for election to the city council.

(b) For the purpose of this section an initial election and a runoff election are separate elections.

(c) It is a defense to prosecution under Subsection (a) of this section that the officeholder campaign contribution was used for a campaign expenditure before March 1, 2015."

SECTION 57. That Section 15A-7.2, “Enforcement,” of Article I-a, “Officeholder Campaign Contributions,” of Chapter 15A, “Elections,” of the Dallas City Code is amended to read as follows:

“(a) If the city secretary receives a written complaint alleging a violation of this article, the city secretary shall forward this information to the city attorney for investigation and appropriate enforcement action, if warranted.

(b) The Ethics Advisory Commission shall have jurisdiction to consider a violation of this article pursuant to the procedures detailed in Chapter 12A.”

SECTION 58. That Chapter 15A, “Elections,” of the Dallas City Code is amended by adding Article I-b, “City-Funded Officeholder Accounts,” to read as follows:

**“ARTICLE I-b.
CITY-FUNDED OFFICEHOLDER ACCOUNTS.**

SEC. 15A-7.3. PURPOSE.

- (a) The purpose of this article is to:
- (1) ensure that city-funded officeholder accounts are used only for public purposes;
 - (2) ensure that city-funded officeholder accounts are not used as a gift or transfer of public funds to individuals or entities;
 - (3) prohibit the use of city-funded officeholder accounts for campaign purposes; and
 - (4) ensure the city-funded officeholder accounts are used in compliance with Texas Election Commission rules, regulations, and opinions.

SEC. 15A-7.4. USE OF CITY-FUNDED OFFICEHOLDER ACCOUNTS.

(a) Compliance with procurement requirements. Expenses from city-funded officeholder accounts must comply with the city’s administrative directive and state law regarding procurements.

(b) Test for allowable expenses. City-funded officeholder accounts may only be used for official city business. An expense is for official city business if the expense:

(1) serves a public purpose of the city of Dallas, rather than serving a personal purpose or campaign purpose;

(2) helps to defray the cost of holding public office;

(3) is a reasonable amount for the goods or services purchased;

(4) is not a prohibited gift or transfer of public funds to an individual or entity;
and

(5) is consistent with Texas Election Commission rules, regulations, and opinions for non-campaign expenses of officeholders.

(c) Opinions. City councilmembers may request an opinion from the city attorney pursuant to Section 12A-33 as to whether an expense is allowed under this article and Chapter 12A. An opinion issued under this subsection is not binding on the Texas Election Commission.

(d) Permissible expenses. The following list illustrates permissible expenses for city-funded officeholder accounts (this is not an exhaustive list):

(1) Office supplies and equipment used in the city councilmember's office.

(2) Duplicating, printing, postage, courier service, and express mail expenses.

(3) Reimbursement for use of personal vehicles that are consistent with administrative directives.

(4) Telephone and cell phone expenses.

(5) Conferences, seminars, and training expenses.

(6) Reimbursement for mileage charges for use of city vehicles.

(7) Membership dues or fees in community service or civic organizations.

(8) Business entertainment expenses that are consistent with administrative directives.

(9) Ceremonial and protocol items.

(10) Supplemental temporary help and overtime.

(11) Reimbursement of travel expenses that are consistent with administrative directives.

(12) Newsletters to constituents that are not campaign communications, and determined by Texas Election Commission rules, regulations, or opinions.

(13) Nonpolitical advertising.

(14) An individual ticket for a city council member to events that are related to city business where the council member is attending as a representative of the city.

(e) Impermissible expenses. The following list illustrates impermissible expenses for city-funded officeholder accounts (this is not an exhaustive list):

(1) Purchase of city property, including unclaimed or surplus city property, and including any furniture or equipment used in the city councilmember's office, for personal use by a current city councilmember or a former city councilmember.

(2) Membership dues or fees in athletic clubs, social clubs, or any other organization not allowed by administrative directives.

(3) Any type of sponsorship of city or non-city events, such as purchasing a table at a fundraiser event or providing funds in exchange for being listed as an event sponsor.

(4) Purchase of food, drink, decorations, caterers, audio-visual, or supplies for non-city events.

(5) Hiring individuals or entities to provide products or services, such as improvements to a park or purchase of street furniture, that are not related to the cost of holding public office.

(6) Promotional items intended primarily to promote the public image of the city councilmember.

(7) Expenses to acquire or manage software used to maintain mail or email lists of constituents for personal or campaign purposes.

(8) Any campaign expenditure, campaign contribution, political advertising, or campaign communication as defined in Title 15, "Regulating Political Funds and Campaigns," of the Texas Election Code and Texas Election Commission rules, regulations, and opinions.

(9) Use of city employees or city supplies for campaign purposes or for the personal business of the city councilmember.

(f) Deficits and surpluses.

(1) Expenditures from a city-funded officeholder account may not exceed the amount allocated by the city manager for that city-funded officeholder account. City

councilmembers who exceed the budgeted amount of their city-funded officeholder account shall be personally liable for the amount exceeded.

(2) Funds may not be transferred from one city-funded officeholder account to another city-funded officeholder account.

(3) Any surplus remaining in a city-funded officeholder account at the end of a fiscal year reverts to the fund from which the monies were appropriated.

(g) Campaign contributions and donations.

(1) Campaign contributions may not be deposited into the city-funded officeholder account. Instead, campaign contributions should be deposited into a campaign account maintained by the city councilmember separate from the city financial system.

(2) Donations made to the city may not be earmarked for use by specific city councilmembers. Donations to the city must comply with Section 12A-5.1.

(h) Reporting.

(1) City councilmembers must file an annual statement with the City Secretary itemizing expenses paid from city-funded officeholder accounts during the prior fiscal year. The annual statement must be on a form provided by the City Secretary and filed with the City Secretary no later than 5:00 p.m. on April 30. If April 30 is a Saturday, Sunday, city holiday, or furlough day, the deadline is extended to 5:00 p.m. of the next business day. The annual statement must include to whom the expense was paid, the date the expense was paid, a description of the expense, and the dollar amount of the expense.

(2) These reporting requirements are in addition to any reporting requirements set out in the Dallas City Code or state law.

SEC. 15A-7.5. ENFORCEMENT.

(a) If the city secretary receives a written complaint alleging a violation of this article, the city secretary shall forward this information to the city attorney for investigation and appropriate enforcement action, if warranted.

(b) The Ethics Advisory Commission shall have jurisdiction to consider a violation of this article pursuant to the procedures detailed in Chapter 12A.

(c) A person commits an offense if that person discriminates against, harasses, threatens, harms, damages, penalizes, or otherwise retaliates against any person for refusing to violate this article; filing a complaint alleging a violation of this article; or for testifying, assisting, or participating in an investigation, proceeding, or hearing under this article.”

SECTION 59. That, unless specifically provided otherwise by this ordinance or by state law, a person violating a provision of this ordinance is, upon conviction, punishable by a fine not to exceed \$500.

SECTION 60. That Chapters 2, 12A, and 15A of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 61. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 62. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 63. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

LARRY E. CASTO, City Attorney

By _____
Assistant City Attorney

Passed _____

GIFT POLICY FOR CITY EMPLOYEES

This is the policy governing the acceptance of gifts given to city employees, including gifts of tickets, meals, travel, lodging, entertainment, and honoraria. It is the policy of the City of Dallas to provide and promote a professional and ethical environment for its employees. This policy applies to all City of Dallas employees. Failure to comply with this policy may result in disciplinary action, in accordance with the Personnel Rules, up to and including termination of employment with the City of Dallas.

GENERAL GUIDELINES

1. See Dallas City Code Section 12A-2(6) for the definition of “benefit.” See Dallas City Code Section 12A-2(21) for the definition of “gift.” In this policy, the term “gift” includes “benefits.” “Honoraria” are payments or in-kind gifts made for a service, such as making a speech.
 - a. Gifts should be distinguished from donations. Gifts are given to individual employees and used by that employee. Donations are given to the city and used by the city. This policy does not apply to donations. See Dallas City Code Chapter 12A for rules for donations.
2. The following items are not considered gifts, and are not subject to reporting requirements:
 - a. A loan from a lending institution if it is made in the regular course of business and on the same terms generally available to the public.
 - b. A scholarship or fellowship based on the same criteria and awarded on the same terms applied to other applicants.
 - c. Gifts from a family member or a person with whom the employee has a personal, professional, or business relationship that is completely independent of the employee’s status with the city. The gift can be accepted only if the gift would have been given even if the city employee did not work for the city.
3. Whenever possible, gifts should be approved in advance by the employee’s supervisor. Also, if an employee has questions about whether a gift may be accepted, the employee should discuss it with their supervisor. If the supervisor is uncertain about a gift, the supervisor should contact the City Attorney’s Office. An employee who disclosed all relevant facts, and who reasonably and in good faith relied on the supervisor’s good faith determination, will not be found to have violated this policy.
4. Ceremonial and protocol gifts received by a city employee on behalf of the city must be delivered to the city manager within 30 days after receipt and inventoried as city property in accordance with Section 12A-22 of the Dallas City Code.

5. Employees must also comply with departmental rules regarding gifts, if any. If there is a conflict between this gift policy and a departmental rule, this gift policy controls.
6. Any gift that could be perceived by the public as an attempt to influence or reward the employee in the performance of their duties should be politely declined. When in doubt, it is better to politely decline a gift.
7. An employee who does not wish to accept a gift in order to avoid the appearance of impropriety can return the gift to the giver; donate the gift to the city; donate the gift to another governmental entity with authority to accept the gift; or donate the gift to a recognized tax-exempt charitable organization. A description of the gift, the estimated value, and the disposition of the gift must be documented and retained by the department.
8. Employees should never solicit gifts for themselves or for the employee's parent, child, spouse, domestic partner, or family member of the first degree of consanguinity or affinity.
9. Gifts, including tickets, meals, travel, lodging, and entertainment, that cannot be accepted by an employee cannot be given to another person, including family members, as a means to circumvent this gift policy.
10. The following gifts, including tickets, meals, travel, lodging, or entertainment, shall not be accepted:
 - a. Any gift that reasonably tends to influence or reward official action, or that the employee knows is intended to influence or reward the discharge of official duties.
 - b. Any gift that the employee knows is given in exchange for taking official action, refraining from taking official action, or exercising official discretion.
 - c. Any gift from a person that the employee knows is interested in a matter that is currently pending with the employee's department.
 - d. Any gift from a person that the employee knows is currently subject to enforcement proceedings, inspections, or investigations by the employee's department.
 - e. An employee who conducts inspections, investigations, provides advice, or renders decisions in quasi-judicial hearings shall not accept any gift from a person that the employee knows is an interested party, an agent of an interested party, or a representative of an interested party in that quasi-judicial hearing.

- f. An employee who makes recommendations on, grants, or denies applications shall not accept any gift from a person that the employee knows is an applicant, agent of that applicant, or representative of that applicant.
- g. Any cash, check, gift card, negotiable instrument, or security.
- h. Honoraria given in consideration for services the employee was required to provide as a part of the employee's job duties.

GIFTS

11. If gifts with monetary value are given to employees because of their employment with the city, the gifts may be accepted by employees under the following conditions, unless prohibited under Section 6 or Section 10:

- a. Individual employees may accept gifts with a nominal estimated value. Gifts have a nominal estimated value if they have an estimated value of less than \$25 or a cumulative estimated value of less than \$50 from a single source in a calendar year. Examples include items such as plaques, caps, key rings, mugs, tee shirts, flowers, and small amounts of food, if these gifts are given infrequently.
- b. A public award for meritorious service or professional achievement if the award is reasonable in light of the occasion.

TICKETS

12. If tickets with monetary value are given to employees because of their employment with the city, the tickets may be accepted by employees under the following conditions, unless prohibited under Section 6 or Section 10:

- a. Tickets to events where the employee is performing ceremonial duties or attending as an official representative of the city.
- b. Tickets to fundraiser and charity events that benefit city facilities and programs under the jurisdiction of the employee's department.
- c. Tickets to events at city-owned facilities for which the employee has oversight responsibilities.
- d. No more than two tickets per event may be accepted. One of the tickets must be used by the employee.
 - i. This rule does not apply if an entire city department or all employees are given tickets to an event, such as discount tickets for all employees to State Fair.

- ii. This rule does not apply if a category or section of employees are given tickets to an event, such as tickets given to all department directors or tickets given to all employees with a department section.
- iii. This rule does not apply to blocks of complimentary tickets given to a department director for distribution to the general public in accordance with any requirements of the event sponsor, if the department director does not give employees and their family members priority access to the tickets.
- e. Tickets shall not be transferred or sold, except that tickets may be transferred to another employee from the same department who can also represent the city, if the transfer is approved in writing by the employee's supervisor.
- f. Complimentary annual memberships and season tickets shall not be accepted.
- g. If the employee knows that the tickets are offered to the employee at a reduced price or under different conditions from tickets purchased by members of the public because of the employee's employment with the city, employees shall not purchase those tickets as a means to circumvent this gift policy. This provision does not prohibit the city from making discount tickets available to employees.

MEALS, TRAVEL, LODGING, OR ENTERTAINMENT

13. Meals, travel, lodging, and entertainment may be accepted, unless prohibited under Section 10, in connection with a conference, seminar, trade show, or event that is related to the employee's job duties; where the employee is a speaker or presenter; or for training or education that is also being given to other groups who are not employees. Attendance must be approved in accordance with the City's Administrative Directive on travel. Costs must be reasonable and comparable to the costs incurred by other persons attending who are not employees.

REPORTING REQUIREMENTS

14. These reporting requirements are in addition to any reporting requirements for city employees set out in the Dallas City Code or state law.

15. Employees must file an annual gift disclosure statement with the City Manager or his designee itemizing each ticket, meal, travel, lodging, or entertainment accepted with an estimated value of \$50 or more, or cumulative tickets, meals, travel, lodging, or

entertainment from a single source in a calendar year with an estimated value of \$100 or more. Nominal value gifts described in Section 11 do not need to be reported.

- a. The annual gift disclosure statement must be on a form provided by the City Secretary and filed with the City Manager or his designee by no later than 5:00 p.m. on April 30. If April 30 is a Saturday, Sunday, city holiday, or furlough day, the deadline is extended to 5:00 p.m. of the next business day.
- b. The annual gift disclosure statement must include to whom the gift was given, the date the gift was given, the person or entity giving the gift, a description of the gift, and the estimated value of the gift.
- c. An annual gift disclosure statement is not required if the city employee did not receive any reportable gifts.

DRAFT

Memorandum



DATE December 30, 2016

TO Honorable Mayor and Members of the City Council

SUBJECT **Community Development in Dallas**

On Wednesday, January 4, 2017, the Office of Financial Services, Neighborhood Plus, and Housing/Community Services will brief the City Council on Community Development in Dallas. We have attached the briefing for your review.

Please let me know if you have questions.

M. Elizabeth Reich

M. Elizabeth Reich
Chief Financial Officer

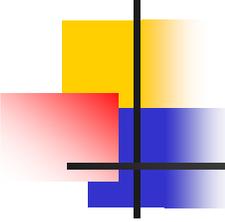
c: A.C. Gonzalez, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Joey Zapata, Assistant City Manager
Mark McDaniel, Assistant City Manager
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager

Community Development in Dallas

City Council Briefing
January 4, 2017



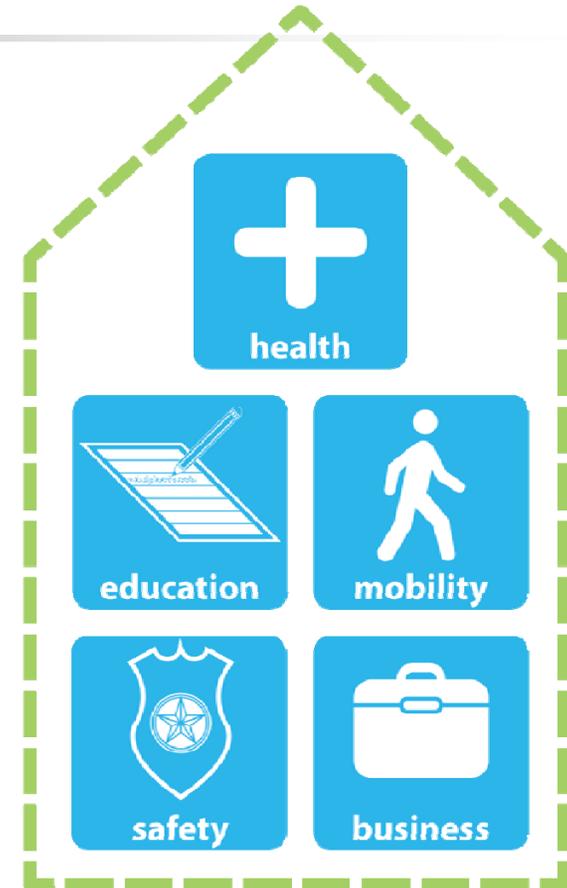


What we will cover

- Community development overview
- Funding community development
- HUD entitlement grants
- Path forward

Holistic Community Development

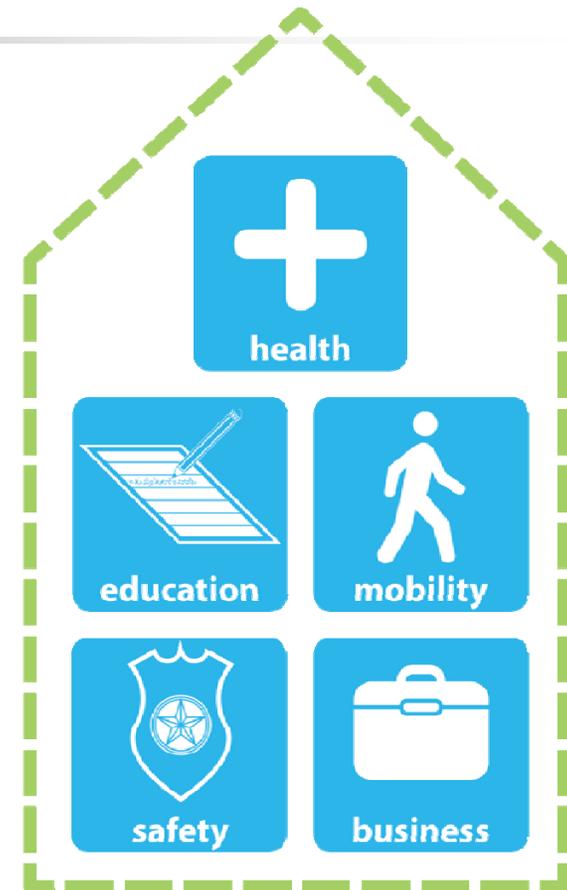
- **Community Development** encompasses housing, education, health care, child care, mobility, business development, infrastructure, and safety



NeighborhoodPlus
The future of living in our city

Community Development Needs to Address

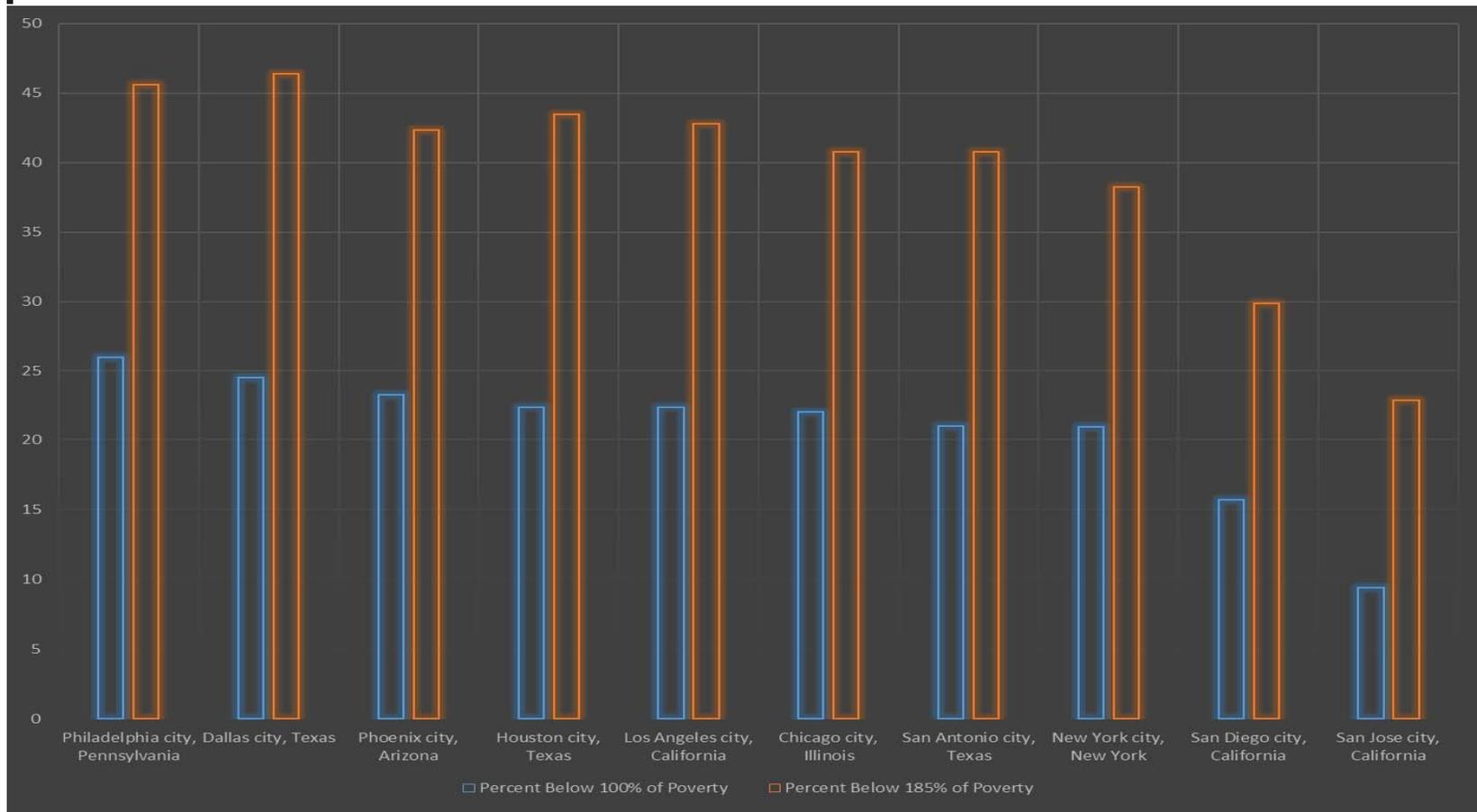
- Declining income
- Mobility and access to jobs
- Low educational attainment
- Limited English proficiency
- Single mothers in poverty and high teen births
- Concentrated poverty
- Children in poverty
- Access to health care and healthy food



NeighborhoodPlus
The future of living in our city

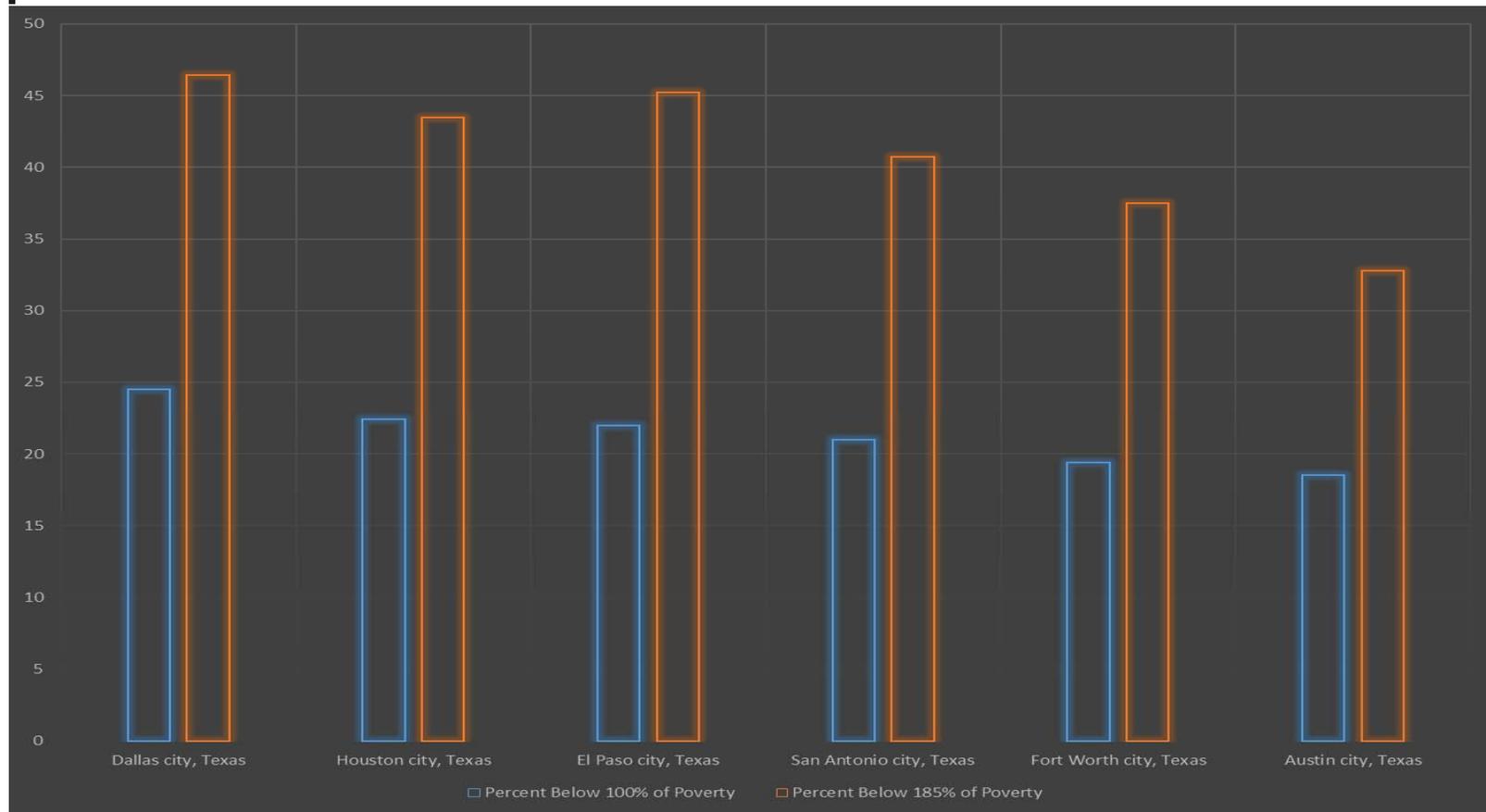
Dallas in National Context

Poverty in Major Cities



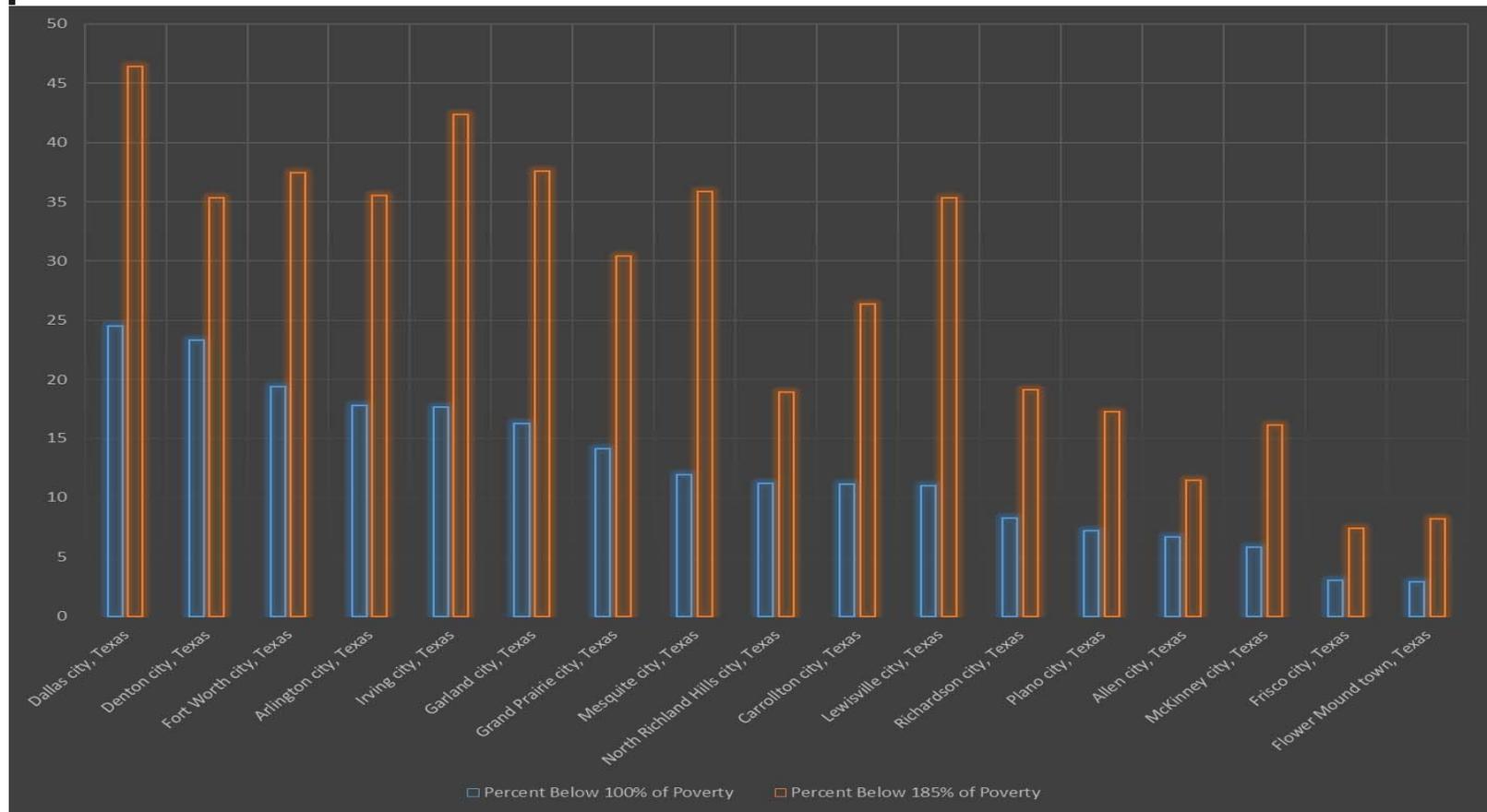
Dallas in State Context

Poverty in Major Cities



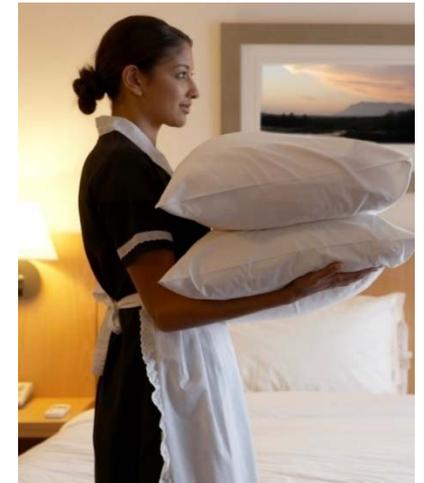
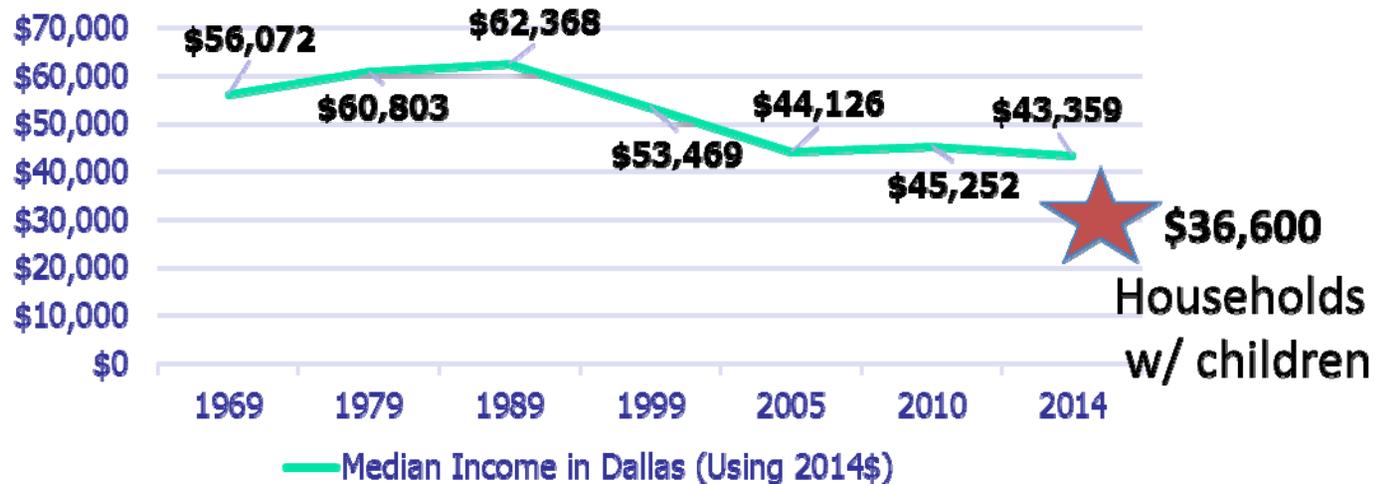
Dallas in Regional Context

Poverty in Major Cities



Declining Median Income

Median Income in Dallas (Using 2014 \$)

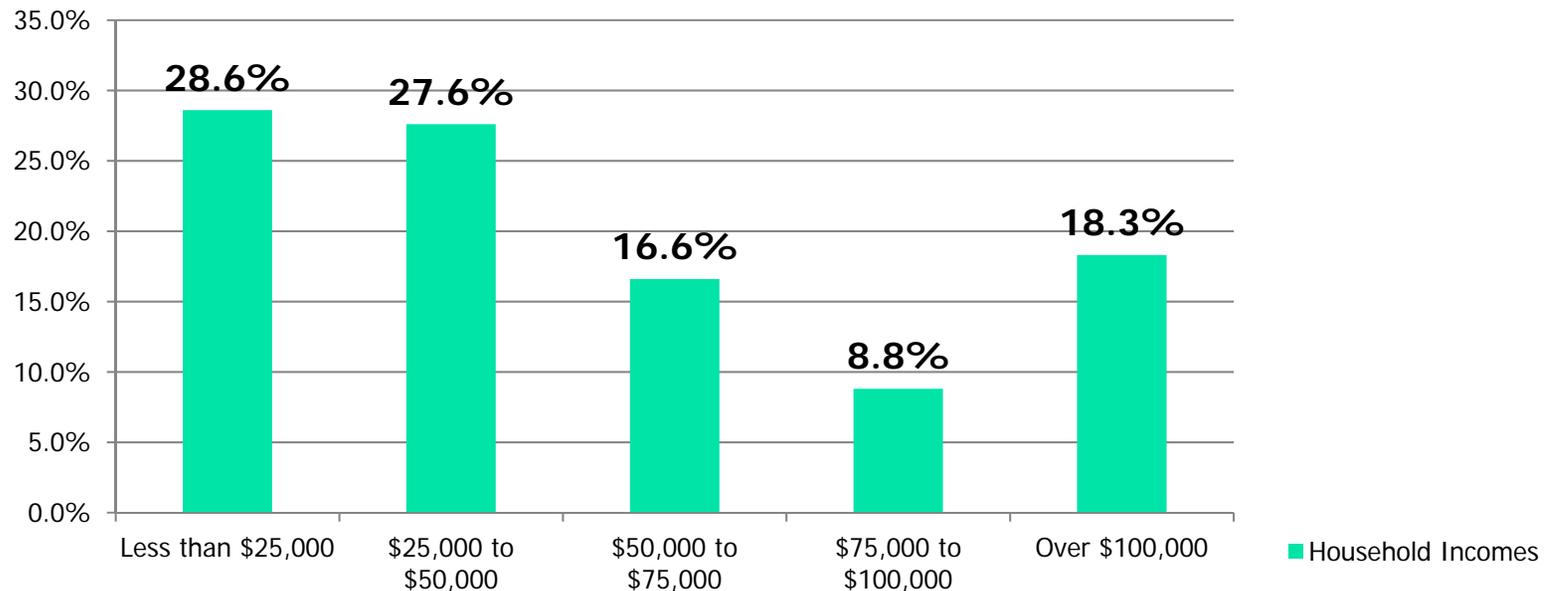


Despite the robust regional economy, Dallas median income has continued to decline.

Predominance of Lower Income Households

Dallas Household Incomes

Total Households	Less Than 25,000	25,000 to 50,000	50,000 to 75,000	75,000 to 100,000	Over 100,000
467,501	131,835	128,095	78,540	42,076	86,955



Over half of Dallas households make less than \$50,000 per year.

Mobility and Access to Jobs

- 263,000 workers leave Dallas everyday to fill low-skill jobs
- Less than 20% of jobs are accessible by transit in less than 90 minutes
- More than 70% of HUD assisted properties are **unaffordable** when housing and transportation costs are combined

Jobs within 30 minutes by transit

Most of Dallas' jobs accessible by transit within 30 minutes are in downtown and surrounding areas, though some suburbs have job centers near public transportation routes. But while the Dallas-Fort Worth region as a whole ranks fifth nationally in terms of the number of jobs, it ranks 21st in how many of them can be reached by transit in under one hour.

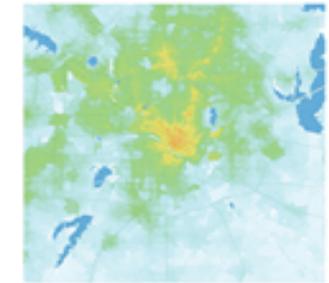
Averaged 7 - 9 A.M.



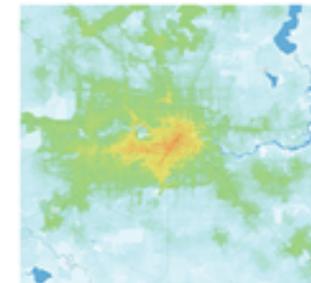
Austin



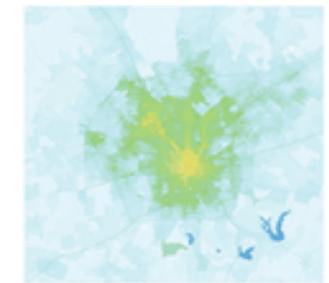
Dallas



Houston

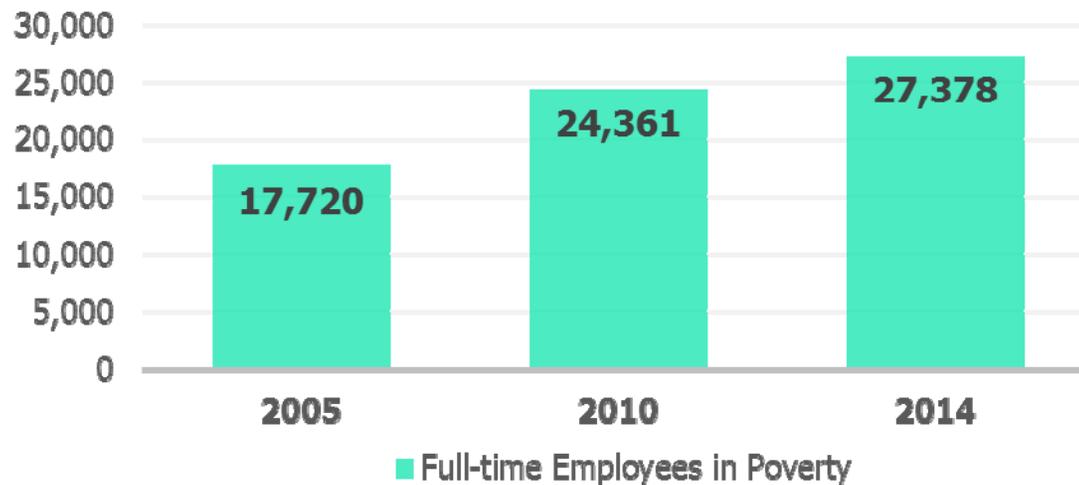


San Antonio



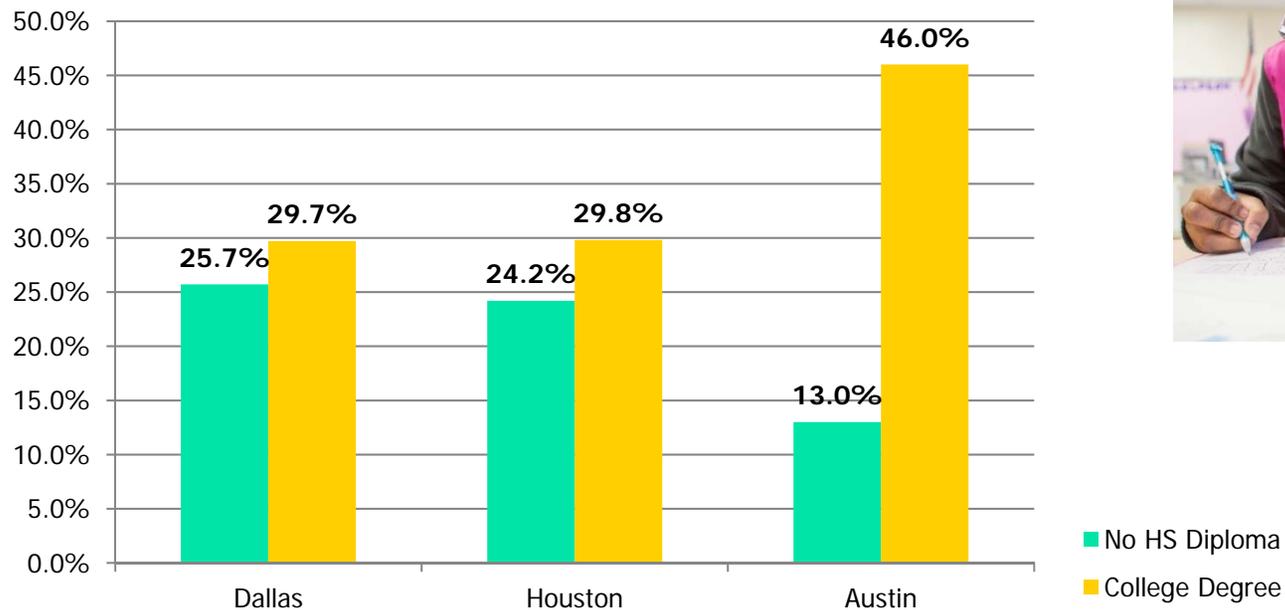
Employees in Poverty

Full-time Employees Living in Poverty



Over 27,300 residents were living in poverty despite full-time employment.

Low Educational Attainment

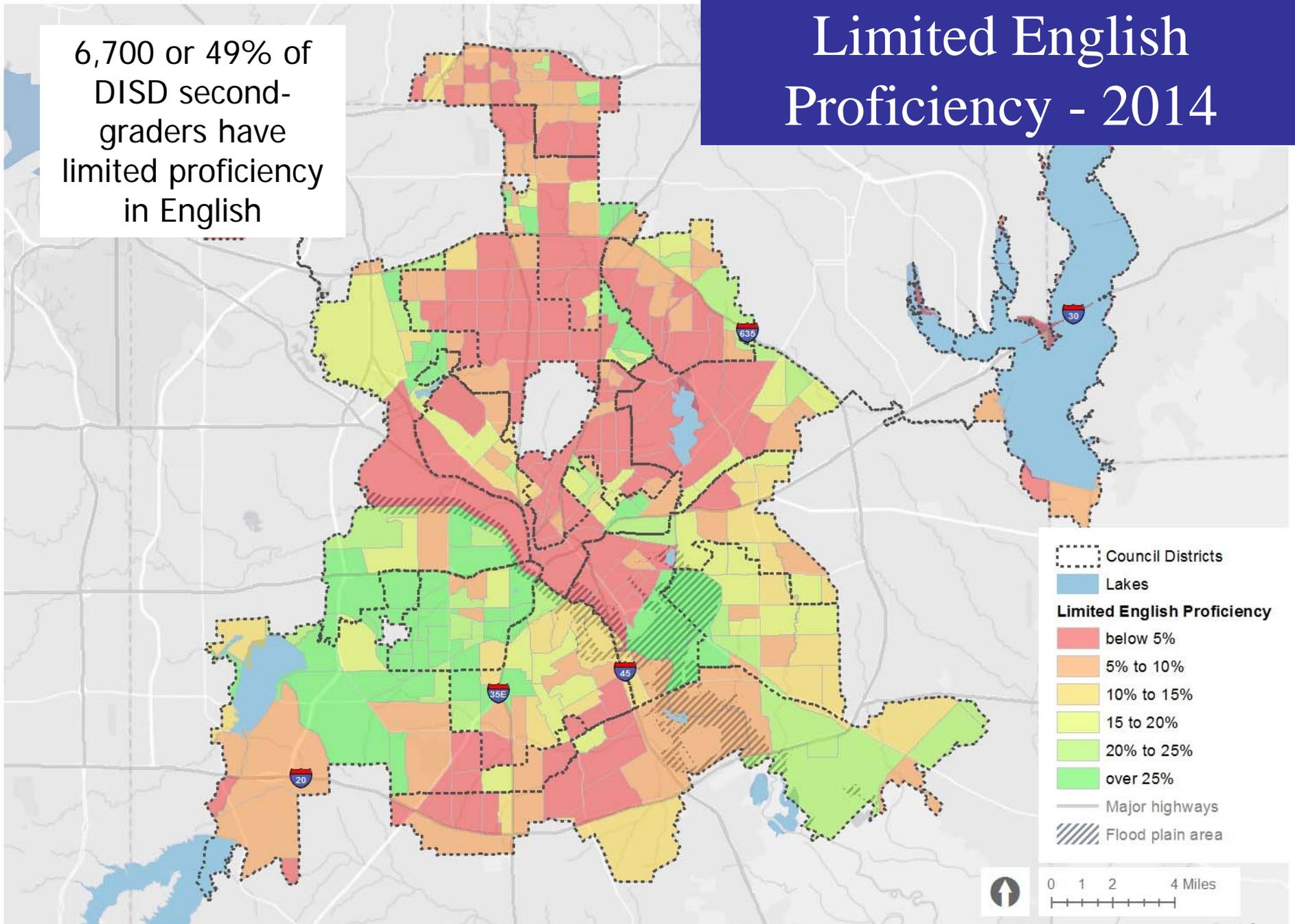


Dallas has the *highest* percent of individuals without a high school diploma and the *lowest* percentage of residents who hold a college degree

Unemployed and underemployed people often lack the education/skills/training necessary to prosper in this economy

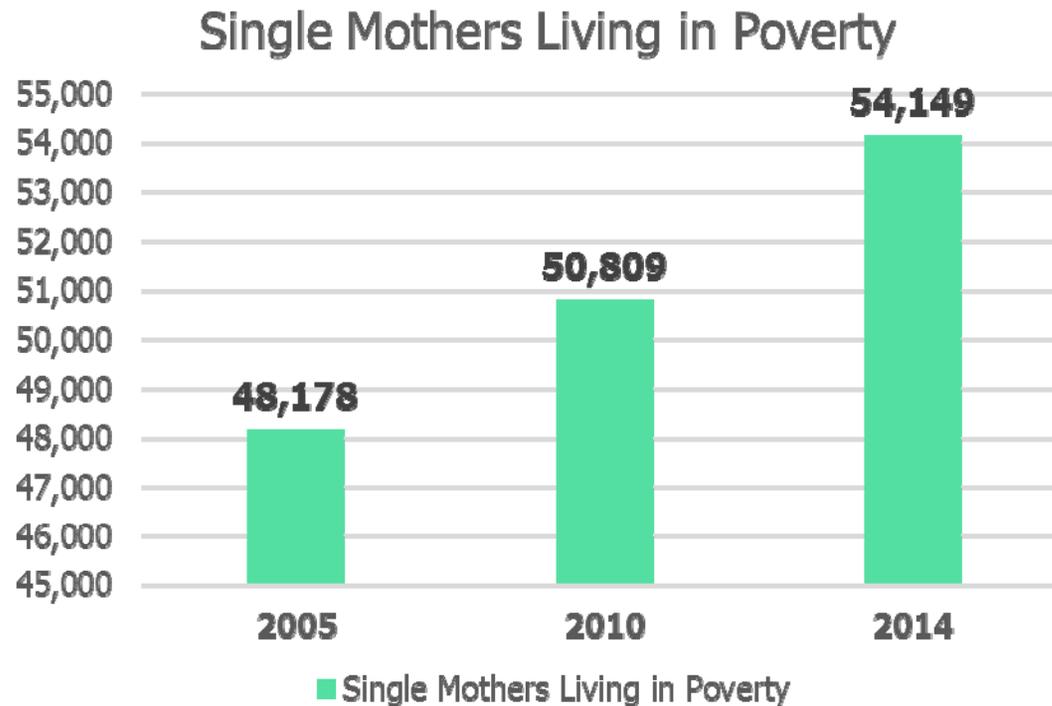
Limited English Proficiency - 2014

6,700 or 49% of DISD second-graders have limited proficiency in English

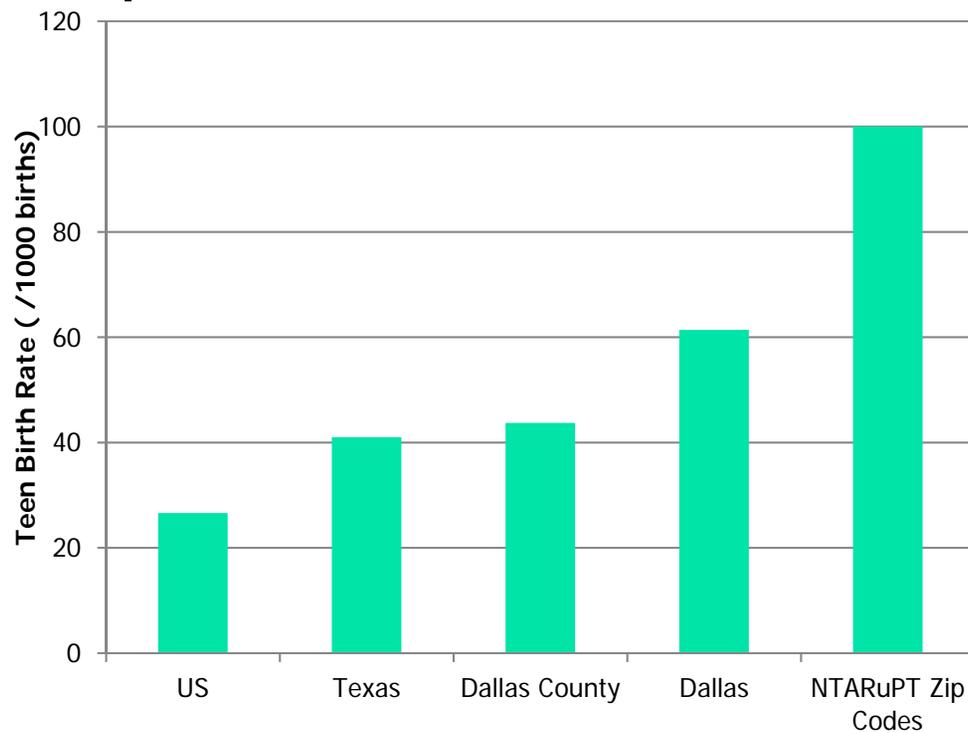


Single Mothers in Poverty

48% of Single Mothers in Dallas live in poverty



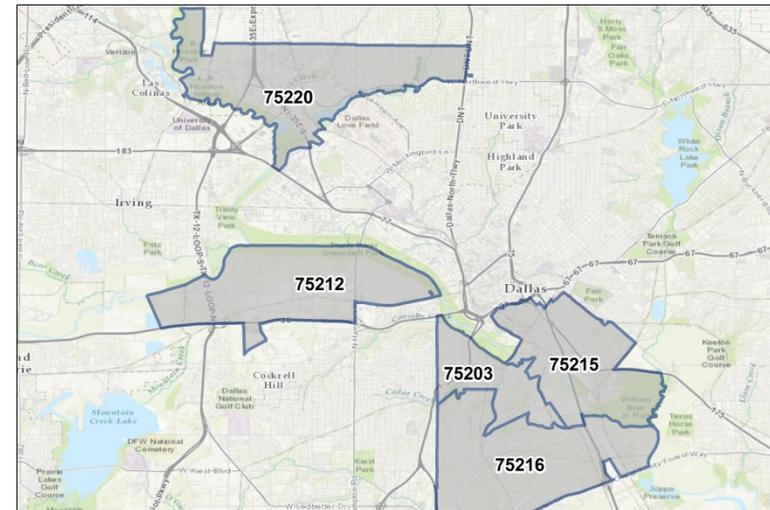
High Teen Births



Zip codes 75203, 75212, 75215, 75216, and 75220 have teen birth rates similar to Burkina Faso, the Gambia and Somalia.

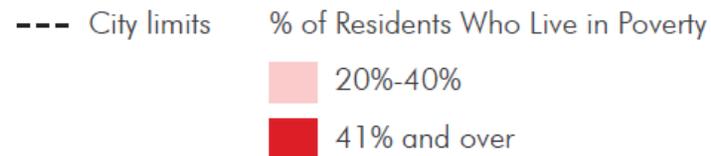
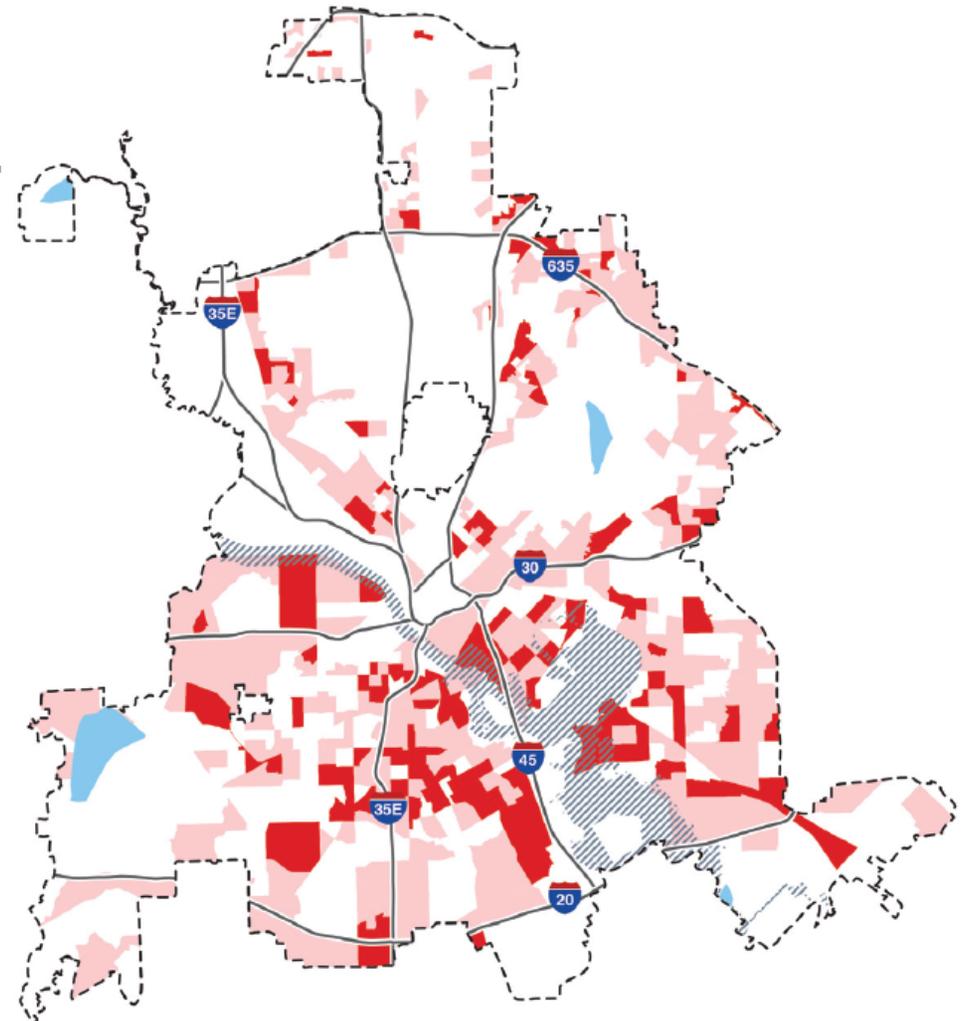
“...in certain zip codes, a teen girl has a higher chance of giving birth before age 19 than ever attending college.”

North Texas Alliance to Reduce Teen Pregnancy



Concentrated Poverty

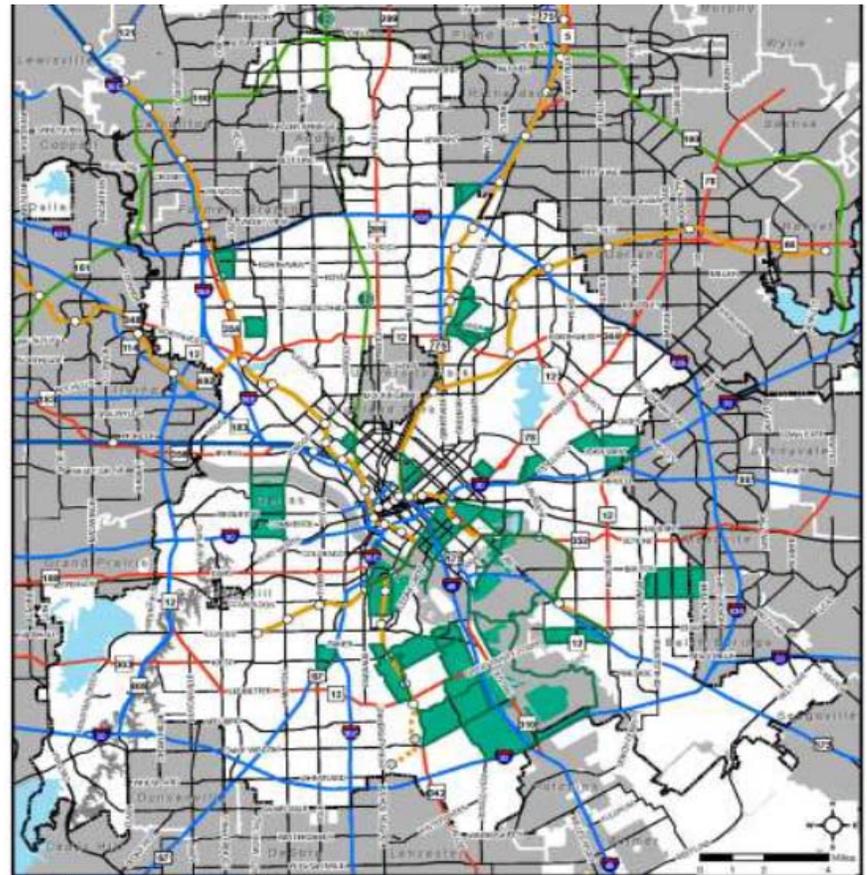
- Concentrated poverty is typically associated with blight conditions



HUD RE/CAP Areas

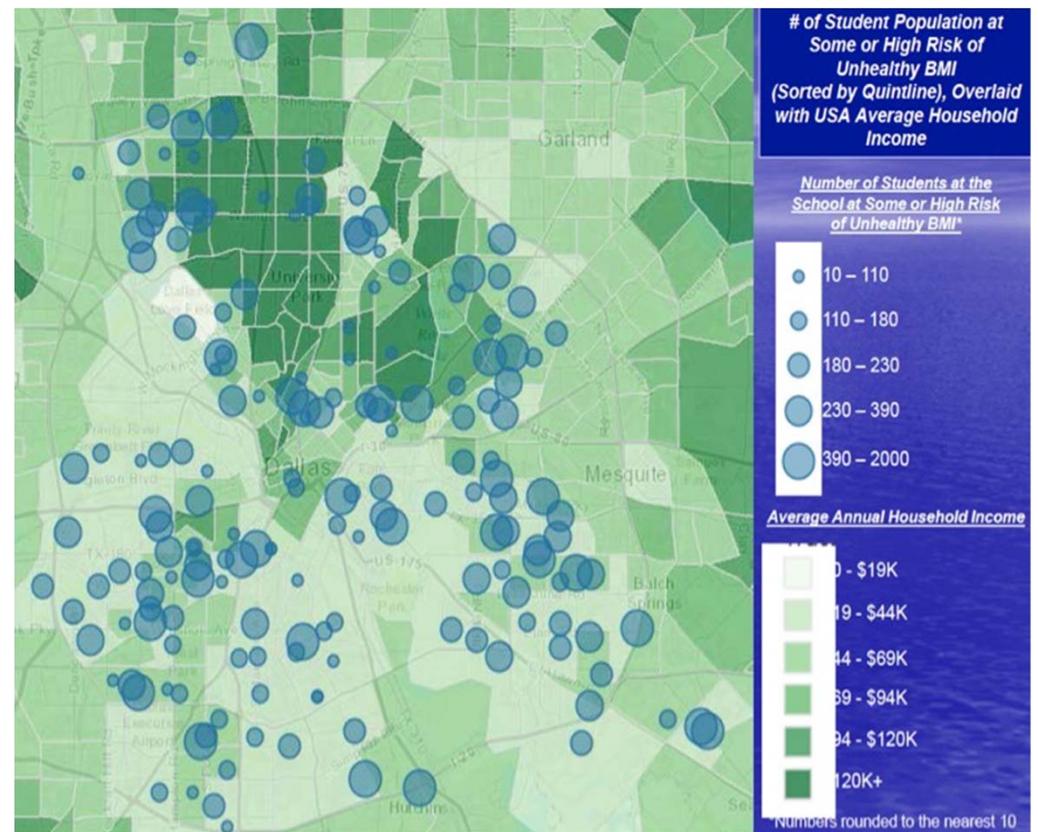
Challenges of education attainment, skills gap, language barriers, limited transportation options, and childcare costs have left many Dallas residents behind

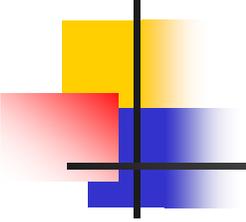
- Per capita income is \$12,291
- Unemployment rate is 13%
- Adults not in the workforce can exceed 30% in some census tracts



Growing Up In Poverty

- 38% of Dallas children live in poverty
- 20% have no health insurance
- 28% have inadequate food and nutrition
- 160,000 children are obese
- 60,000 children have asthma





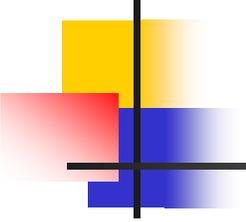
Dallas Housing Affordability - 2015

- 103,800 – Existing affordable housing units occupied by low/mod income households ¹
- 184,900 – Existing unaffordable housing units occupied by low/mod income households ²

Notes:

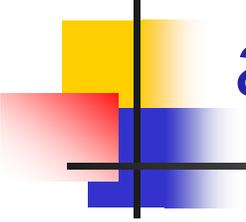
1. Low/mod income households earn up to \$56,320 (80% of the area median income for a family of four).
2. Housing is considered unaffordable if households pay more than 30% of their income on rent and utilities. This affordable housing need may be addressed through a variety of means including new housing construction, existing housing rehabilitation or rental assistance.

Data Source: American Community Survey 2015 1-year data (Table B25106); Data was interpolated to match the low/mod household income range.



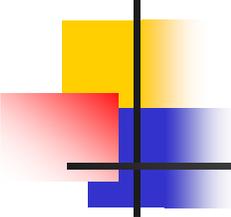
All These Factors Impact Drivers of Poverty

- Housing affordability
- Barriers to finding living wage employment and decline in median income
- Transportation access and costs
- Family structure
- Physical and environmental conditions found in neighborhoods with high concentrations of poverty



Funding for Community Development and Addressing Poverty

- Funds from a variety of sources are used to address community development needs
 - City funds including General Fund
 - State funds
 - Federal funds
 - Partnerships with other entities



City Funds

- City's total annual operating/capital budget is \$3.1 billion including \$1.2 billion in General Fund
 - City budget addresses numerous community development needs through Neighborhood Plus, social services, recreation services, code compliance, public safety, etc.
 - As HUD funds have declined, costs have been evaluated and transferred into General Fund
 - For public service and oversight costs that are capped within HUD grants, additional costs may be incurred within General Fund

Federal Funds available for Housing and Community Development

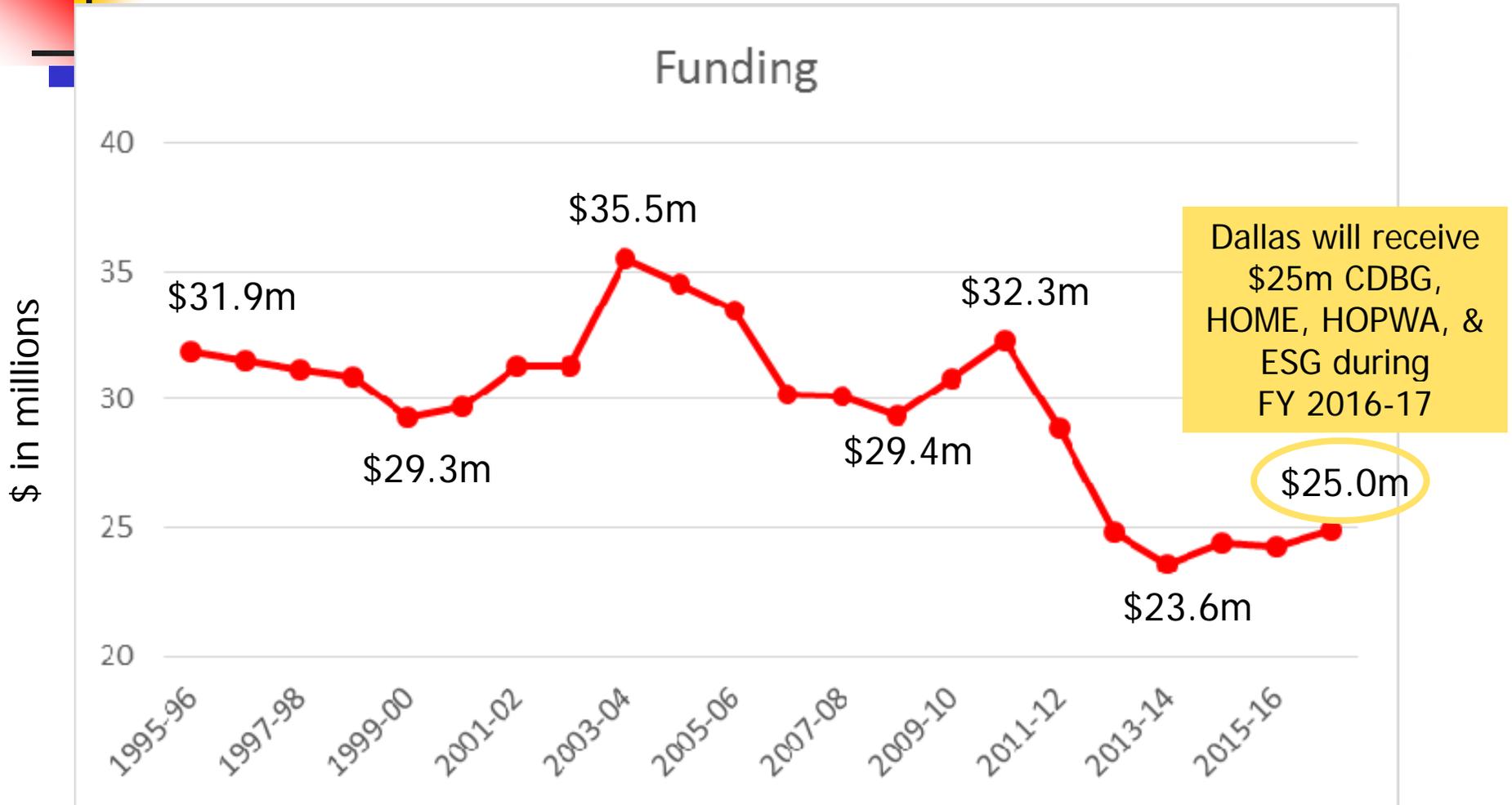
- U.S. Department of Housing and Urban Development (HUD) provides grant funds to cities to address housing and community development needs
- HUD's Consolidated Plan includes the following four grants:

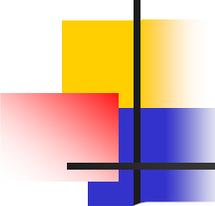


Note: Details for each grant are included in Appendix A.

HUD Grant Funds – History

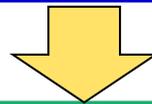
Amounts include CDBG, ESG, HOME, & HOPWA





Consolidated Plan

5-year Consolidated Plan
(Submitted to HUD Aug 2013)



Annual Action Plans

(Application/budget submitted to HUD to receive annual grant funds)

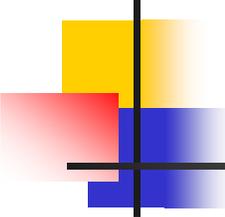
Year 1
FY 2013-14
(submitted
Aug 2013)

Year 2
FY 2014-15
(submitted
Aug 2014)

Year 3
FY 2015-16
(submitted
Aug 2015)

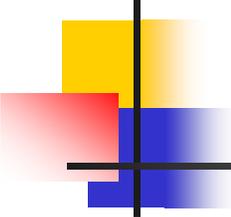
Year 4
FY 2016-17
(submitted
Aug 2016)

Year 5
FY 2017-18
(due to HUD
Aug 2017)



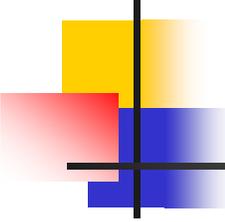
Consolidated Plan

- Formula grants are available to cities with population of 50,000 or more
 - Uses latest Census data
- HUD requires a comprehensive 5-year Consolidated Plan in order to receive four distinct grants and funds are highly regulated
 - Citizen participation
 - Environmental review
 - Davis-Bacon regulations
 - Administrative caps
 - Public Service caps
 - Timely expenditure thresholds
 - Long-term compliance and monitoring



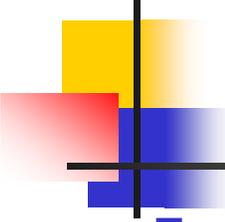
Consolidated Plan

- Sample of grant specific regulations include:
 - CDBG
 - Maximum 15% of funds allowed for social services types programs (i.e. child care, job training, seniors, etc.)
 - HOME
 - 100% of funds must be used for housing activities
 - Minimum 15% of funds must be set-aside for CHDO's
 - ESG
 - 100% of funds must be used to prevent homelessness or to assist those who are already homeless
 - HOPWA
 - 100% of funds must be used to provide support and services to individuals (and/or family members) who have a medical diagnosis and are low income



Consolidated Plan

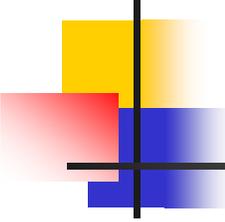
- Grants must be used for eligible activities, yet there is flexibility for each city to determine local needs and uses
- 5-year Consolidated Plan must be approved by HUD that identifies **needs** and provides **plan** for addressing needs



Consolidated Plan

Needs Assessment

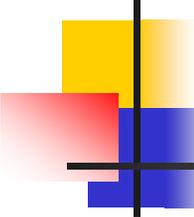
- Identify need for:
 - Affordable housing
 - Homelessness solutions
 - Special needs
 - Other community development challenges
- We consider:
 - Public outreach
 - Consultation with local agencies
 - Demographic and economic data sets
 - Housing market analysis
 - Assessment of Fair Housing



Consolidated Plan

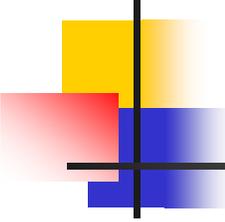
Strategic Plan

- Identify and describe how City will address needs including:
 - Rationale for establishing identified priorities (consistent with analysis in needs assessments and market analysis)
 - All funds that can be reasonably expected to be available, including from HUD and other federal, state, and local resources
 - Multiyear goals to address priorities
- Summarize priority non-housing community development needs



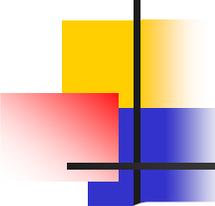
Current Consolidated Plan

- Submitted to HUD in August 2013
- Covers FY 2013-14 through FY 2017-18
- High priority needs identified in plan include:
 - Affordable housing
 - Homelessness
 - Public services
 - Public improvements and infrastructure
 - Economic development
 - Compliance monitoring and program oversight



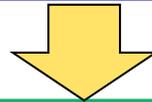
Annual Action Plan

- 5-year Consolidated Plan is carried out through Annual Action Plans (includes annual budget)
- Grant funds are budgeted by City and requested from HUD each fiscal year
- Budget must be developed consistent with needs and priorities identified in 5-year Consolidated Plan
- Action Plan must be submitted by August 15 of each year (for fiscal year beginning October 1)
 - Access to funds is denied if deadline is missed (statutory)



Consolidated Plan

5-year Consolidated Plan
(Submitted to HUD Aug 2013)



Annual Action Plans

(Application/budget submitted to HUD to receive annual grant funds)

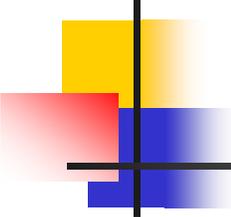
Year 1
FY 2013-14
(submitted
Aug 2013)

Year 2
FY 2014-15
(submitted
Aug 2014)

Year 3
FY 2015-16
(submitted
Aug 2015)

Year 4
FY 2016-17
(submitted
Aug 2016)

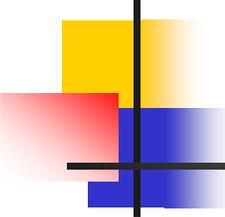
Year 5
FY 2017-18
(due to HUD
Aug 2017)



Citizen Participation

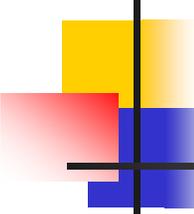
- HUD requires that allocation of grant funds be based on citizen input and needs

HUD Requirements	City of Dallas
Citizen Participation Plan	Citizen Participation Plan
One public input meeting	(Minimum) Six public input meetings
One newspaper ad	(Minimum) Four newspaper ads
30-day review/comment period	30-day review/comment period
	Community Development Commission
	Postings on City cable channel, website and social media
	Postings at City libraries and recreation centers
	Other prior year engagement efforts included: Ads on Dart buses, TV commercials, water bill inserts, etc.



Community Development Commission (CDC)

- CDC is a 15 member advisory board; each appointed by a Council Member and Mayor
- Duties and functions of CDC include:
 - Carry out objectives of Citizen Participation Plan
 - Review and make recommendations on use of HUD Consolidated Plan funds
 - Review status of unspent funds and make recommendations
- During Fall 2016, CDC completed in-depth review into current programs/services and provided feedback (see Appendix F)

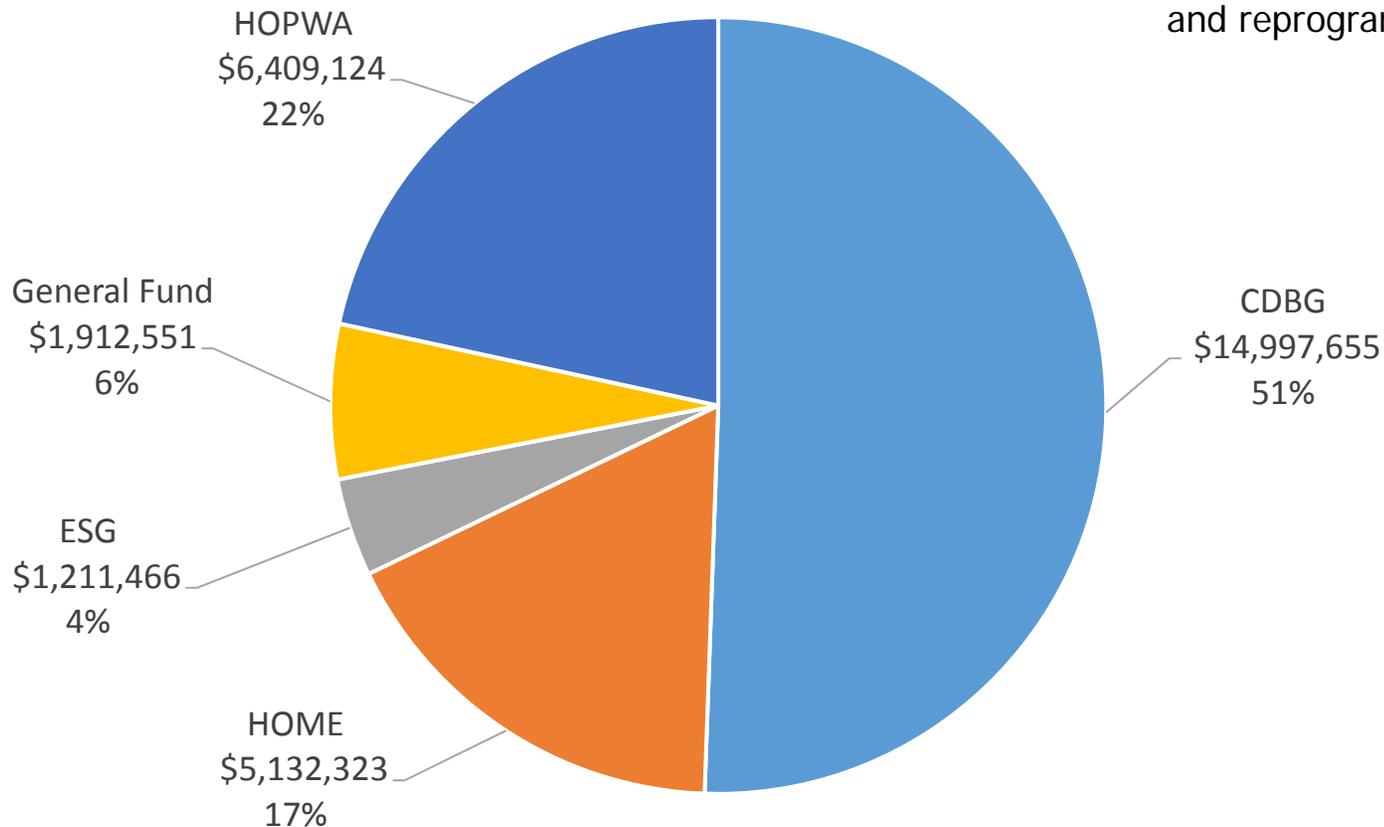


Community Development Commission (CDC)

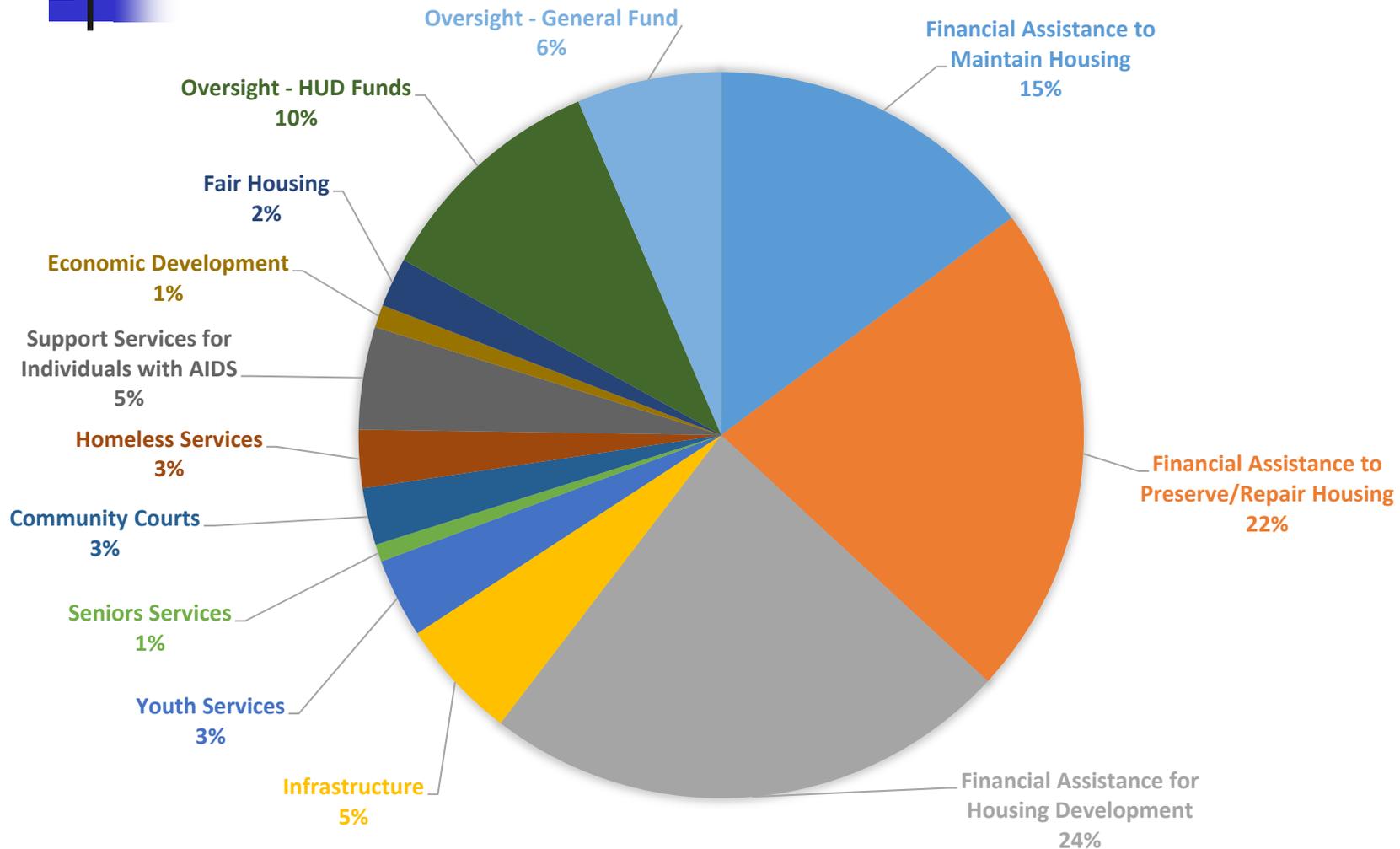
- CDC regular meetings are held on first Thursday each month (except July)
- CDC also has 6 committees
 - Citizen Participation/Policies and Procedures
 - Public Services, ESG and HOPWA
 - Housing and HOME
 - Economic Development
 - Public Improvement
 - Financial Monitoring and Performance Standards

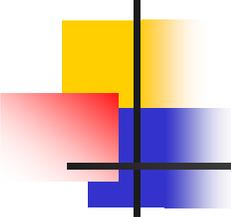
FY 2016-17 Consolidated Plan Allocation (Source of Funds)

Note: Amounts include grant, program income, and reprogramming.



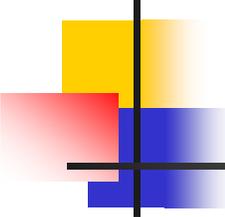
FY 2016-17 Consolidated Plan Allocation (Use of Funds)





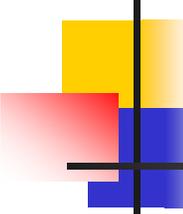
Consolidated Plan - Staffing

- 168 total full-time and part-time positions in FY 2016-17
 - 134 Direct Delivery positions
 - 34 Program Administration positions
- This represents a change of 33 fewer positions from FY 2015-16 to FY 2016-17
 - 14 positions reduced due to decrease funding
 - 19 positions transferred due to compliance



Consolidated Annual Performance and Evaluation Report (CAPER)

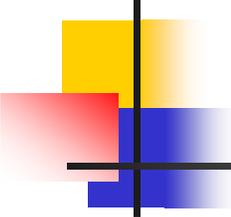
- HUD regulations also require an annual report be submitted by City to HUD which includes:
 - Accomplishments and progress made toward Consolidated Plan goals during previous year
 - Full reconciliation of City's financial records with HUD financial reporting system
- CAPER due by December 30 of each year (90 days after end of fiscal year)



Housing Programs and Results

(FY 2013-14, FY 2014-15, & FY 2015-16)

- 29,000 seniors assisted (see Appendix C for details)
- 534 children assisted through child care
- 444 families became homeowners through mortgage assistance program
- 1,138 homeowners assisted with home repairs
- 249 affordable housing units developed (see Appendix D for details)
- 400 adults with disabilities have been trained for jobs and employed
- 22,951 homeless individuals and families assisted
- 6,333 person/families with HIV/AIDS assisted



Path Forward – Next Steps

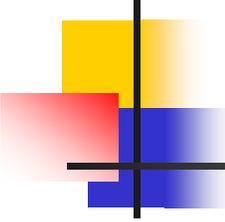
- HUD requirements going forward include:
 - Submit 5th year Action Plan consistent with current 5-year Consolidated Plan
 - FY 2017-18 budget due to HUD August 2017
 - Submit new 5-year Consolidated Plan that identifies current needs & strategic plan for addressing needs
 - FY 2018-19 through FY 2022-23 due to HUD August 2018
 - Submit 1st year Action Plan consistent with new 5-year plan
 - FY 2018-19 budget due to HUD August 2018

Path Forward: Timeline for developing new 5-Year Plan & Action Plans

	Annual Action Plan for FY 2017-18	5-year Consolidated Plan for FY19, FY20, FY21, FY22, & FY23	Annual Action Plan for FY 2018-19
Fall 2016	CDC deep-dive and feedback		
Jan 2017	Citizen input	Hire consultant	
Feb 2017	City Manager develops budget	Briefing to Council – status and plans	
Mar 2017	CDC deliberations	Data collection and stakeholder input	
Apr 2017	Council deliberations	Data collection and stakeholder input	
May 2017	Council deliberations	Data collection and stakeholder input	
Jun 2017	Council adoption of budget	Data analysis and compilation	
Jul 2017	Staff prepare documents for HUD	Data analysis and compilation	
Aug 2017	Due to HUD 8/15/17	Briefing to Council – update	
Sep 2017		Identifying gaps and develop strategies	
Oct 2017		Prepare draft plan	
Nov 2017		Briefing to Council – draft plan	
Dec 2017		Citizen input on draft plan	
Jan 2018		Council adoption of plan	Citizen input
Feb 2018			City Manager develops budget
Mar 2018			CDC deliberations
Apr 2018			Council deliberations
May 2018			Council deliberations
Jun 2018			Council adoption of budget
Jul 2018			Staff prepare documents for HUD
Aug 2018		Due to HUD 8/15/18	Due to HUD 8/15/18

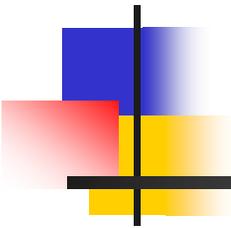
Path Forward: How Do You Picture Dallas Housing & Community Development?



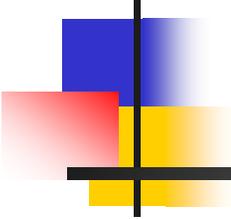


Path Forward

- Council and citizen input
- CDC in-depth review – Fall 2016 (see Appendix F)
- Briefings
 - Quality of Life Committee – November 14th
 - Housing Committee – December 5th
 - Council – January 4th
- Upcoming input opportunities
 - Feedback from Council – now through Spring when City Manager recommends FY 2017-18 Consolidated Plan budget
 - Feedback from CDC – ongoing
 - Feedback from citizens – community meetings scheduled for January

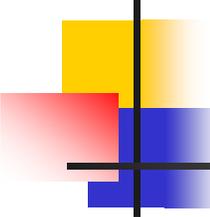


Council Input and Questions



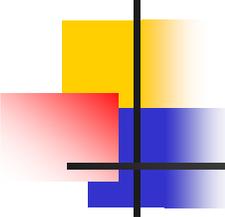
Appendix A

Additional information for each of
the four grants: CDBG, HOME,
ESG, and HOPWA



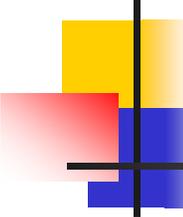
CDBG – What is the purpose?

- To develop viable urban communities by providing decent housing and suitable living environment, and by expanding economic opportunities
- Must meet at least 1 of 3 CDBG national objectives:
 - Principally benefit low to moderate income persons
 - Aid in prevention or elimination of slum and blight
 - Meet needs having a particular urgency



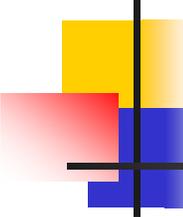
CDBG – Who is eligible?

- Eligibility is based on specific program requirements and must meet national objective
- May include:
 - Low and moderate income persons who may apply directly for various services
 - Low and moderate income areas
 - Services may be provided by both non-profit 501(c)3 organizations and for-profit businesses



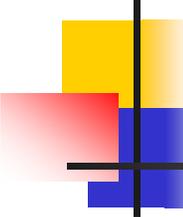
CDBG – What are eligible uses?

(Common) Eligible Uses	City Program
Public Services (Not to exceed 15% of grant)	
Senior Services	Yes
Clinical Health	Not in FY 2016-17
Youth Services (Childcare, Afterschool and Summer)	Yes
Homeless Services	Not in FY 2016-17
Community Courts	Yes
Job Training/Workforce Development	Yes
English as Second Language	Not in FY 2016-17
Offender Re-entry Programs	Not in FY 2016-17
Financial Literacy/Education	Not in FY 2016-17
Transportation	Not in FY 2016-17



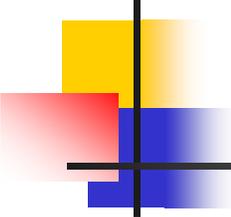
CDBG – What are eligible uses?

Eligible Uses	City Program
Homeownership Assistance/Mortgage Assistance	Yes
Housing Rehabilitation	
Home Repairs	Yes
Reconstructions	Yes
Acquisition of Real Property	Yes
Public Facilities and Improvements	
City Infrastructure Improvements	Yes
City Facilities Improvements	Yes
Non-Profit Public Improvements	Not in FY 2016-17
Commercial or Industrial Improvements	Not in FY 2016-17
Relocation Assistance	Not in FY 2016-17



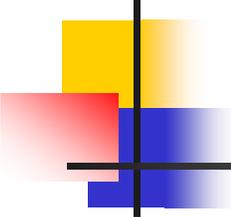
CDBG – What are eligible uses?

Eligible Uses	City Program
Economic Development	
Technical Assistance & Business Loans	Not in FY 2016-17
Job Creation	Yes
Elimination of Blight on a Spot Basis	Not in FY 2016-17
Planning and Program Oversight (not to exceed 20% of grant)	
Plans and studies	Not in FY 2016-17
Fair Housing	Yes
Program Management and Oversight	Yes



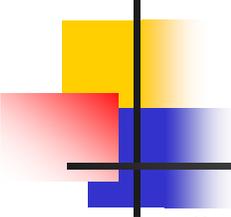
HOME – What is the purpose?

- To provide, develop, support, produce and expand the supply of decent and affordable housing
- To serve low and very low-income persons
 - Households at 60% of Area Median Income and below



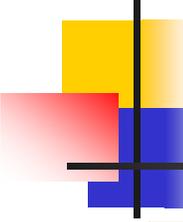
HOME – Who is eligible?

- Eligibility is based on specific program requirements
- May include:
 - Non-profit (501(c)3) organizations
 - Developers
 - Low-income individuals seeking financial assistance to purchase a home



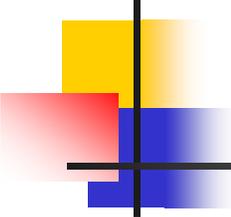
HOME – CHDOs

- Community Housing Development Organizations (CHDOs) are nonprofit housing developers
- HOME regulations require that no less than 15% of HOME grant funds be reserved for CHDOs
 - Funds for operating assistance are limited to no more than 5% of HOME grant funds
- CHDOs must be certified
 - HUD specifically prescribes criteria for certification



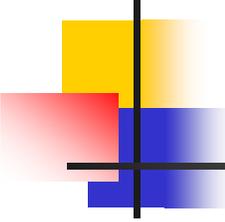
HOME – What are eligible uses?

Eligible Uses	City Program
Mortgage assistance for purchase of single family homes for low-income persons	Yes
Housing Development for single family or multi-family, may include:	
Acquisition	Yes
Rehabilitation	Yes
New Construction	Yes
Tenant Based Rental Assistance	Not in FY 2016-17
CHDO Development Loans (required minimum of 15% of grant)	Yes
CHDO Operating Assistance (not to exceed 5% of grant)	Yes
City Program Management and Oversight (not to exceed 10% of grant)	Yes



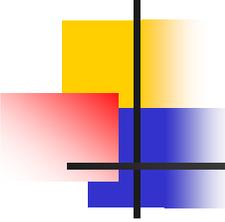
ESG – What is the purpose?

- To prevent homelessness and to assist those already homeless



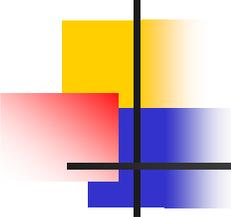
ESG – Who is eligible?

- To qualify for assistance individuals must be homeless or at great risk of becoming immediately homeless
- Individuals cannot receive funds directly; must apply through a contracted organization
- Non-profit agencies, 501(c)3 required



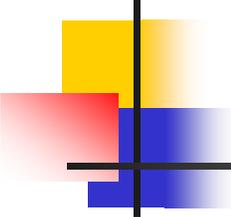
ESG – What are eligible uses?

- Renovation or conversion for use as emergency shelter
- Rental and utility payments to prevent homelessness
- Operational costs for shelter or transitional facilities
- Direct services to clients: drug treatment, legal assistance, child care, dental/health care, psychiatric services, and medications



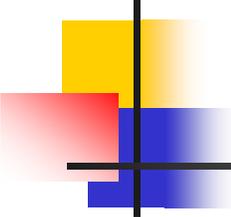
ESG – What are eligible uses?

Eligible Uses	City Program
Renovation or conversion for use as emergency shelter	Not in FY 2016-17
Rental and utility payments to prevent homelessness	Yes
Operational costs for shelter or transitional facilities	Yes
Rapid Re-housing	Yes
Street Outreach	Yes
Direct services to clients: legal assistance, childcare, drug treatment, etc.)	Yes
HMIS Data Collection	Yes
Program Administration (not to exceed 7.5% of the grant)	Yes



HOPWA – What is the purpose?

- To provide housing and supportive services to individuals with AIDS, persons who are HIV positive, and their families living in the Dallas Eligible Metropolitan Statistical Area (EMSA)
- Dallas EMSA includes 7 counties: Collin, Dallas, Denton, Ellis, Hunt, Kaufman, and Rockwall

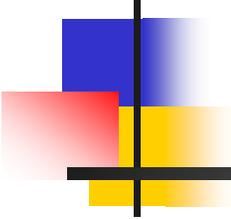


HOPWA – Who is eligible?

- Eligible beneficiaries are low income persons with AIDS, individuals infected with HIV, and their families
- Individuals cannot receive funds directly; must apply through a contracted organization
- Non-profit agencies, 501(c)3 required

HOPWA – What are eligible uses?

Eligible Uses	City Program
Financial assistance for rent, mortgage and utilities	Yes
Operations costs for housing facilities	Yes
Acquisition and repair of facilities to provide housing and services	Yes
HIV/AIDS Housing Information and Resource Identification	Yes
Support Services (i.e. childcare, adult care, case management, meals/nutrition, health care, etc.)	Yes
Program Administration/Project Sponsors (not to exceed 7% of funds awarded)	Yes
Program Administration/City of Dallas (not to exceed 3% of the grant)	Yes



Appendix B

Living wage in Dallas

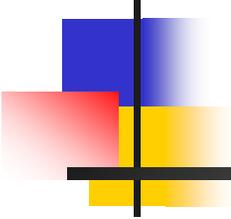
What about a Living Wage?

Costs for a Family of Three in Dallas County

13%	\$6,704	Food
15%	\$7,977	Childcare
13%	\$6,534	Medical
21%	\$10,956	Housing
19%	\$9,859	Transportation
8%	\$4,285	Other
	\$46,315	Required Income
10%	\$5,335	Taxes
	\$51,650	Income Before Taxes
	\$24.83	Required Hourly Wage

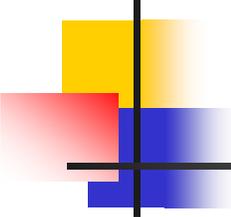
Typical Annual Wages

Education, Training, and Library - \$47,200
Healthcare Support - \$24,600
Protective Service - \$37,000
Food Prep, Serving, & Related - \$18,620
Office & Administrative Support - \$30,920
Production - \$30,460
Community & Social Service - \$42,580



Appendix C

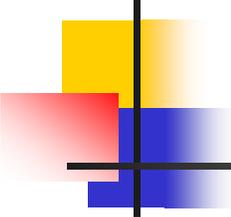
Additional information regarding
senior services and programs



Office of Senior Affairs (OSA)

Purpose of OSA

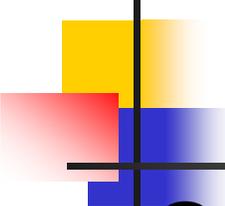
- To enhance the quality of life for seniors and provide activities & opportunities that promote active and healthy aging:
 - Resource for seniors, providing outreach and information on community services
 - Case management and referrals to APS, Dallas County Health & Human Services and other service agencies
 - Training and educational programming
 - Staff support to 15 member Senior Affairs Commission



Office of Senior Affairs (OSA)

OSA Programs

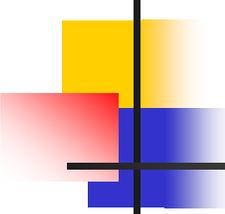
- Senior Service Program (CDBG)
 - Provides outreach, case management, training, and education programming
 - FY 16-17 Goal: Outreach to 2,000 seniors
 - Funding support for Manager I + Caseworker II
- Senior Ombudsman Program (CDBG)
 - Provides an organized source for nursing home and long term care facility residents to voice their concerns and seek resolution to problems
 - Informal solicitation underway w/ vendor selection estimated by January 2017
 - FY 16-17 funding: \$50,000



Office of Senior Affairs (OSA)

OSA Programs

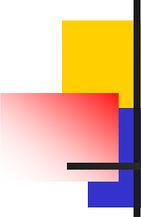
- Senior Dental Program (General Fund)
 - Provides dental services to low and moderate-income seniors, aged 60 and above within the city of Dallas
 - Implementation by Texas A&M College of Dentistry at:
 - **Agape Clinic**
4104 Junius Street, Dallas, TX 75246
 - **Dallas Shared Ministries**
2875 Merrell Road, Dallas, TX 75229
 - Additional location(s) to be consider by vendor
 - Contract execution est. December 2016 w/ program start in January 2017
 - FY 15-16 funding: \$64,000 – Goal is to serve 330 clients and 660 patient visits
 - FY 16-17 funding: \$300,000 – Contract award pending expenditure and evaluation of FY 15-16



Office of Senior Affairs (OSA)

OSA Programs

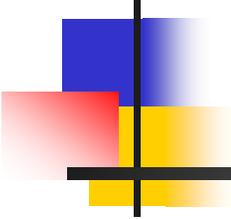
- Senior Medical Transportation Program (General Funds)
 - Provides door-to-door transportation services to medical appointments for low-to-moderate income seniors age 60 and above w/in the city of Dallas
 - RFSCP underway w/ bids due by December 15, 2016. Program implementation estimated by February 2017
 - Service will provide for up to 25 wheelchair &/or ambulatory passenger trips per day (5 days/week, 7am-6pm)
 - Existing Senior Medical Transportation Program was provided in-house and was terminated September 30, 2016. New program being outsourced to achieve greater operating efficiencies
 - FY 16-17 funding: \$190,000 (RFCSP)



Office of Senior Affairs (OSA)

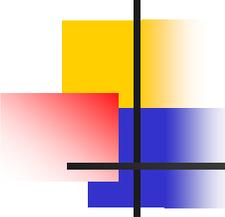
OSA Programs

- Senior Employment Training Program (General Funds)
 - Provides employment assistance to older adults, age 60 and above, including:
 - Job search training seminars
 - Job search referrals
 - Community presentations
 - Employer/Business presentations
 - RFCSP estimated late December 2017. Program implementation estimated by February 2017
 - FY 16-17 funding: \$88,000
- Home Repair
 - Major Systems Repair Program (MSRP) and People Helping People Program – CDBG funds
 - provides up to \$20,000 in repairs for roof, electrical, plumbing and heating & air
 - FY 13-14 funding: \$2,374,983 served: 296 seniors
 - FY 14-15 funding: \$2,405,492 served: 316 seniors
 - FY 15-16 funding: \$2,405,492 served: 314 seniors
 - Emergency repair for seniors and disabled – General Funds
 - provides assistance to respond to living situations which call for immediate actions to protect health and safety
 - FY 16-17 funding: \$1,050,604
 - FY 16-17 Goal: 140 clients served @ \$7,500/client



Appendix D

Additional information on the total
number of housing units
developed in past 3 year

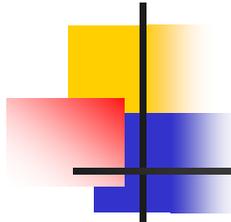


Housing Development

249 total units developed in 3 years

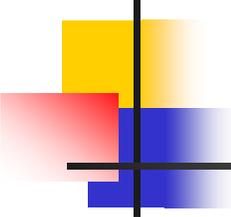
- FY 2013-14 = 106 units

– Heroes House I	20 Multifamily Units
– Pleasant Oaks	13 Single Family Units
– Greenleaf	10 Single Family Units
– Thornton Heights	6 Single Family Units
– Fair Park Estates	9 Single Family Units
– West Dallas Scattered Sites	10 Single Family Units
– Ten Land Bank Lots	10 Single Family Units
– Prairie Creek	15 Single Family Units
– Pittman Place	6 Single Family Units
– Harding	2 Single Family Units
– West Dallas Project	5 Single Family Units



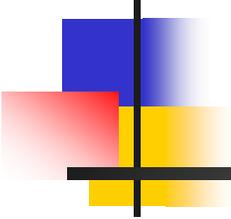
Housing Development

- FY 2014-15 = 59 units
 - Heroes House I 11 Multifamily Units
 - Fowlers Place 6 Multifamily Units
 - Habitat Jimmy Carter 15 Single Family Units
 - West Dallas Project 5 Single Family Units
 - Thornton Heights 5 Single Family Units
 - Fair Park Estates 4 Single Family Units
 - Prairie Creek 10 Single Family Units
 - Builders of Hope Rees Jones 3 Single Family Units



Housing Development

- FY 2015-16 = 84 units
 - Serenity Place 23 Multifamily Units
 - Habitat Joppa 11 Single Family Units
 - Thornton Heights 14 Single Family Units
 - Prairie Creek 18 Single Family Units
 - West Dallas Project 8 Single Family Units
 - Pittman Place 10 Single Family Units
- Private Leveraging \$26,524,363



Appendix E

FY 2016-17 HUD Consolidated Plan Budget

FY 2016-17 HUD CONSOLIDATED PLAN BUDGET

Resolution No. 16-1066

Approved 06-22-16

Project Name

Community Development Block Grant (CDBG)

CDBG - Public Services

1	After-School/Summer Outreach Program	\$	559,112
2	Child Care Services Program		488,826
3	Senior Services Program		230,143
4	Community Court Program		753,006
5	Training and Employment for Adults with Disabilities		25,000
Total CDBG - Public Services			\$ 2,056,087

CDBG - Housing Activities

6	Housing Development Support	\$	1,152,459
7	Mortgage Assistance Program		1,165,856
8	Housing Services Program		50,000
9	Housing Assistance Support		1,703,154
10	Major Systems Repair Program		2,721,964
11	People Helping People (PHP) Program		1,019,051
12	Neighborhood Investment Program -Code Compliance		600,833
Total CDBG - Housing Activities			\$ 8,413,317

CDBG - Economic Development

13	Business Loan Program (Program Income)	\$	275,000
Total CDBG - Economic Development			\$ 275,000

CDBG - Public Improvements

14	Neighborhood Plus	\$	1,601,587
Total CDBG - Public Improvements			\$ 1,601,587

CDBG - Fair Housing and Planning & Program Oversight

15	Fair Housing Enforcement	\$	652,085
16	Citizen Participation/CDC Support/HUD Oversight		721,050
17	Housing Management Support		1,278,529
Total CDBG - Fair Housing and Planning & Program Oversight			\$ 2,651,664

TOTAL 2016-17 CDBG INCLUDING REPROGRAMMING \$14,997,655
--

HOME Investment Partnerships Program (HOME)

1	CHDO Development Loans	\$	1,000,000
2	CHDO Operating Assistance		175,000
3	HOME Program Administration		511,385
4	Mortgage Assistance Program		957,158
5	Housing Development Loan Program		2,492,388
			\$ 5,135,931

TOTAL 2016-17 HOME Investment Partnerships Program \$5,135,931

FY 2016-17 HUD CONSOLIDATED PLAN BUDGET

Resolution No. 16-1066
Approved 06-22-16

Project Name

Emergency Solutions Grant (ESG)

1	Contracts - Essential Services	\$	57,737
2	Contracts - Operations		92,430
3	Homeless Assistance Center - Essential Services		148,005
4	Homeless Assistance Center - Operations		378,279
5	Street Outreach		50,428
6	Homeless Prevention - Financial Assistance/Rent (MLK)		30,700
7	Homeless Prevention - Financial Assistance/Rent (WDMC)		30,700
8	Rapid Re-Housing - Financial Assistance/Rent		11,000
9	Rapid Re-Housing - Financial Assistance/Housing Relocation & Stabilizati		281,452
10	HMIS Data Collection		40,000
11	ESG Administration		90,735
		\$	1,211,466

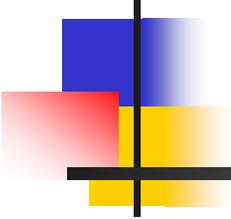
TOTAL 2016-17 Emergency Solutions Grant \$1,211,466
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Housing Opportunities for Persons with AIDS (HOPWA)

1	Emergency/Tenant Based Rental Assistance/Financial Assistance	\$	2,430,204
2	Emergency/Tenant Based Rental Assistance/Housing Services		557,000
3	Housing Facilities Operation		876,000
4	Supportive Services		1,355,170
5	Housing Facilities Rehab/Repair/Acquisition		500,000
6	Housing Information/Resource Identification		168,480
7	Program Administration/City of Dallas		192,270
8	Program Administration/Project Sponsors		330,000
		\$	6,409,124

TOTAL 2016-17 Housing Opportunities for Persons with AIDS \$6,409,124
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TOTAL FY 2016-17 CONSOLIDATED PLAN BUDGET \$27,754,176



Appendix F

Feedback from Community
Development Commission – 2
memos

Memorandum



CITY OF DALLAS

DATE December 16, 2016

TO Honorable Mayor and Members of the City Council

SUBJECT **Community Development Commission Recommendations
for FY 2017-18 Consolidated Plan Budget**

On behalf of the commissioners of the Community Development Commission (CDC), I provide this brief overview of the attached recommendations. To ensure we were proactive in good governance and stewardship, this year we began our subcommittee meetings in August for Economic Development, Public Improvements, Housing and HOME Programs, Public Services, HOPWA and ESG, Financial Monitoring/Performance Standards, and Citizen Participation/Policy & Procedures. Our goal was a detailed review of the existing concepts, City partners, and HUD compliance/criteria so that we could better assess whether the existing priorities and fund usage was optimized.

In these sub-committee meetings, which continued through November, we received in-depth presentations on the current limitations, the areas where funding may exist for similar programs in the general fund, and performance metrics. Meeting participants asked many follow-up questions and had them addressed.

Overall, the process was thoroughly educational. We gained a better understanding that with current HUD requirements for compliance, often the potential partners are a limited pool and City oversight is less expensive than agency administration. As a commission, we still feel that the current conceptual priorities for social services of youth, seniors, job development, and affordable housing/repairs match the City's focus.

We performed a bus tour of several projects and areas including The Bottoms, The Education Corridor, and West Dallas Multipurpose Center, and we reviewed infrastructure projects to get a hands on feel for their impact on our citizens.

Each month, we have hosted reports and training from individual departments and initiatives including NeighborUp, Neighborhood Plus, the Community Court, Housing, and After School programs. We also reviewed important City briefings on housing policy and the Dallas Poverty Task Force report, among others. We used this research as a foundation to review the proposed budget.

We have designated three commissioners to serve as liaisons on coalitions that also provide the City with guidance on the needs in our community, including the Consortium of Care (COC), Ryan White Planning Council, and the Homelessness Commission. We also have commissioners serving with Grow South, the DART Citizen Board, and in many other capacities professionally.

For the following reasons, we are not making many recommendations:

- With the caps to certain grant funds and the criteria for HUD compliance, there are limitations on our ability to fund more social services. As much as we would all like to expand CDBG funding to the community, we determined that the existing concepts closely mirror the gaps that need funding.

DATE December 16, 2016
SUBJECT Community Development Commission Recommendations
for FY 2017-18 Consolidated Plan Budget

- Funds for some of the important focuses exist in the general fund. With limited (and constantly diminishing) federal money, we looked to ensure that the programs were efficient.
- There are some city policy restrictions (e.g., Public Improvement funding match) that make the agencies less likely to be awarded, and less able to meet, criteria.

We respectfully submit the recommendations for consideration and would be happy to provide additional insights to our goal, process, and results.



Kristine Schwoppe, Chair
Community Development Commission

Attachment

c: Community Development Commission
A.C. Gonzalez, City Manager
Larry Casto, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
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Community Development Commission Committee Recommendations of FY 2017-18 Proposed Consolidated Plan Budget for CM

PUBLIC IMPROVEMENT

The committee recommends the CDC continue support for public improvement projects in the Consolidated Plan Budget in target areas (such as Neighborhood Plus) based upon the City's current infrastructure needs. The committee also recommends that the CDC take a look and consider a new request to the Council to revisit the City's current policy for which CDBG funds may be used to fund public improvement activities for non-profit organizations, as approved on October 26, 2010 (Council Resolution No. 10-2778).

HOUSING & HOME PROGRAMS

The committee recommends the CDC maintain the efforts to support housing programs that maintain existing housing stock, opportunities to expand and create new affordable housing units, and increase the number of the working poor residents to become homeowners through the current housing activities listed in the 2016-17 adopted CDBG Budget, which include:

1. Mortgage Assistance Program
2. Housing Services Program
3. Major Systems Repair Program – CDC recommends to increase the deferred payment loan amount available to homeowners from \$20,000 to \$35,000 for the repair and replacement of major systems. The Reconstruction Program was not recommended for funding due to the cost-per-unit to completely rebuild a house when extensive repairs were needed. This increase will provide a greater impact of the number of operational major systems serviced or repaired to a homeowner's residential home.
4. People Helping People (PHP) Program
5. Neighborhood Investment Program – Code Compliance

The committee also recommends the CDC continue support for the HOME program activities which (like the CDBG housing programs) provide opportunities to expand and create new affordable housing units as well as, increase the number of the working poor residents to become homeowners, these programs include:

1. CHDO Development Loans and operating assistance
2. Mortgage Assistance Program
3. Housing Development Loan Program

Community Development Commission Committee Recommendations of FY 2017-18 Proposed Consolidated Plan Budget for CM

In order to receive HOME funds, HUD regulations require that no less than 15% of the total grant award be allocated for Community Housing Development Organizations (CHDO's), which are nonprofit housing developers.

Consistent with Council direction, the committee recommends that staff continue to look for opportunities to streamline the number of programs – do few things really well and make a bigger impact, instead of a lot of things that may serve fewer households; and increase partnerships and leveraging with other funding sources and organizations.

ECONOMIC DEVELOPMENT

The committee recommends the CDC continue support for the Business Revolving Loan Program. This is a self-sustaining program in that as loan repayments are made, those repayments are then used to make additional loans to businesses. No new HUD funds are added each year (as with other grant programs). As outstanding loans have paid off, additional funds available to make new loans have been reduced. Currently, the program is bringing in nearly one-half of the amount funding that it has received in previous years. Over the years, economic development with CDBG funds has also been a challenge, primarily due to stringent regulations. Each year, new CDBG funds from HUD have continued to decline and new funding for this program has not been available. The City has continued its support for small business and creating jobs for low-to moderate income person through other funds (non-CDBG funds), including:

- Section 108 Loan funds – used for projects such as the Lorenzo Hotel. Once completed, this project will provide for approx. 220 jobs to be created for low-to moderate income persons
- Business Assistance Centers Program – provides support for small business and individuals seeking to start a business
- Southern Dallas Small Business Loan Program – very similar to the CDBG Business Revolving Loan Program (except that is also funded by City resources)

PUBLIC SERVICES, HOPWA, & ESG COMMITTEE

The committee recommends the CDC continue to support current programming for CDBG funded Public Services of the After-School/Summer Outreach Program, Child Care Services Program, Senior Services Program, Community Court Program and Training and Employment for Adults with Disabilities program. The committee is responsible for reviewing and making recommendations for Public Services activities. The Public

Community Development Commission Committee Recommendations of FY 2017-18 Proposed Consolidated Plan Budget for CM

Services categories includes part of the CDBG grant and all of the ESG and HOPWA grants. Under CDBG, the Public Services category has a maximum 15% spending cap.

The committee will continue to follow the lead of the Dallas Poverty Taskforce in addressing public service and social service needs. The committee discussed and considered the City's Child Care program and recognized the program is helping in that 98% of the HUD Child Care monies go to single parents. These parents are provided funds for their children to attend any daycare center they choose. Income levels checks are made every 6 months serving 225 units with a staff of 2. The committee did not consider Admin top heavy. The Committee felt this program assist in the poverty prevention area.

Another area of Public Services is Senior Services. In this area the HUD funds provide essential transport necessary for seniors needing transport to pharmacies for medicines, and to doctor appointments. Transport affected by DART services and even taxi based services. Seniors are served at the two City owned community centers: West Dallas Multi-Purpose Center and MLK, Jr. Community Center with assistance from the Senior Source. Not only are transport issues being addressed, but financial literacy issues are covered by education in those seeking to dupe seniors in fraudulent schemes and other criminal activity.

The Community Courts Program, is also a part of CDBG Public Service category. The Community Courts handles misdemeanor or code offenses; but differs greatly from the Municipal Courts because they are community-based with a focus of improving neighborhoods as well as providing social services and support to defendants that are not available through the municipal court process. In lieu of court costs and fines, defendants serve community service hours in the community where they committed their crime. The Court has been successful in leveraging other funds to provide needed services including a recent award for a Drug Court treatment grant and funds for Veterans. The court also assists with transportation by providing bus tokens with DART and the programs van transport as needed.

The Training and Employment for Adults with Disabilities is a workforce development programs specifically designed to assist people with disabilities. The service provider, Citizens Development Center leverages a small amount of CDBG funding to provide assistance to over 100 eligible program participants each year.

Regarding the two other Consolidated Plan grants, Emergency Solutions Grant (ESG) and Housing Opportunities for Persons with AIDS (HOPWA):

HUD regulations require that budget allocations for ESG are in collaboration (and consistent with priorities established by) the Continuum of Care (CoC). The CoC an organized group of service providers who plan comprehensive and long-term solutions to addressing the problem of homelessness in our community.

Community Development Commission Committee Recommendations of FY 2017-18 Proposed Consolidated Plan Budget for CM

Unlike the other three grants of the Consolidated Plan, HOPWA funds are awarded to serve a seven (7) counties, including: Collin, Dallas, Denton, Ellis, Hunt, Kaufman, and Rockwall. Because Dallas is the largest city in the HUD defined area, Dallas serves as the eligible applicant for the entire area. Budget allocations for the HOPWA grant are consistent with priorities identified in the comprehensive HIV/AIDS needs assessment conducted the Ryan White Planning Council of the Dallas area (RWPC). The RWPC is an organized group of service providers who plan comprehensive and long-term solutions to addressing the problem of individuals and families impacted by HIV/AIDS in our community.

Both the CoC and the RWPC meet on a monthly basis and CDC liaisons attend the monthly meetings. Given the focused collaborative efforts of these two organizations on specifically targeted populations, the committee recommends continuing these partnerships.

FINANCIAL MONITORING COMMITTEE

The committee recommends the CDC continue funding these HUD compliance requirements. Unlike some of the other programs or services, reduced funding in this category does not remove or reduce the City's obligation to meet HUD requirements and maintain compliance. Staff is encouraged to continue to seek efficiencies and to right-size budgets to the fullest extent possible each year to reduce unspent funds at the end of the year. All unspent funds are re-budgeted for other uses in non-capped program categories during the next year's CDBG budgeting process.

This committee is responsible for the Planning and Program Oversight category of the CDBG budget, which has a maximum 20% spending cap. HUD requires that the City maintain compliance with applications rules and regulations. In order to receive Consolidated Plans, the City must certify that it will Affirmatively Further Fair Housing. Fair housing costs are also applicable toward the 20% spending cap. Currently, the City funds fair housing, citizen participation, budgeting, reporting and compliance monitoring and oversight in this category. These activities are administered by three (3) departments: Fair Housing, Housing/Community Services and the Community Development section of OFS.

Memorandum



CITY OF DALLAS

DATE December 16, 2016

TO Honorable Mayor and Members of the City Council

SUBJECT **Consideration of Community Development Block Grant Policy
for Funding Nonprofit Organizations Public Improvements Activities**

In January, the City Council and the Mayor will be briefed on the City Manager's Proposed FY 2017-18 Consolidated Plan Budget. The Community Development Commission (CDC) will be reviewing the budget. Prior to the upcoming Public Hearings, our subcommittees have been meeting to discuss any changes or amendments. Much discussion thus far has involved Community Development Block Grant (CBDG) funds used to fund public improvement activities for nonprofit organizations. We recommend that the City Council revisit the City's policy on awarding those funds.

The policy, as approved on October 26, 2010 (Council Resolution No. 10-2778), includes criteria that limits CBDG funds allocated to a public improvement project for a nonprofit organization to no more than fifty percent (50%) of the total cost to fund the project. The nonprofit organization must provide the remaining total cost of the project from banks, lenders, or other sources.

In short, this policy has made it practically impossible for the nonprofit organizations that actually need public improvement dollars to obtain them. Since the policy has been in place, very few requests have been awarded funds. It seems that nonprofits that have 50% of their total project costs do not seek CBDG funds, and nonprofits that have the greatest need for CBDG public improvement funds are unable to access the funds because of the 50% match requirement. Nonprofits need these funds not only for major improvements, but also for smaller projects such as energy upgrades or mobility/accessibility improvements. The 50% match requirement has created a barrier to these funds, to the detriment of their mission and the community.

We understand that additional criteria were added to protect the investment of federal funds and ensure compliance. However, the City has implemented requirements for nonprofit organization that they themselves are not required to meet for grants that the City receives. Viable nonprofit organizations that have a longstanding history of community service have not been able to meet the match requirement. To illustrate, under the previous policy, there was no cash match criteria and 69 projects were funded over a twenty (20) year period, for a total of \$7.6 million. Under the new policy, there has not been this success. Organizations that desperately need public improvement funds do not even apply for them because of the match policy that they could never hope to meet. Organizations that have the financial wherewithal to meet the steep match requirement do not need public improvement funds.

HUD rules do not require that grant funds be matched for CBDG public improvement projects. For grants that may require matching funds, none require a 50% cash match and multiple sources are allowed to meet that match.

DATE December 16, 2016
SUBJECT Consideration of Community Development Block Grant Policy
for Funding Nonprofit Organizations Public Improvements Activities

The CDC recommends that the City:

- Revise the cash match requirement for public improvements to allow for a reduction of the percentage of cash match
 - based on an agreed upon formula, taking into account the applicant's track record of success, length of service, and ability to meet performance metrics; and
- Allow for non-cash sources to meet match requirements, such as
 - in-kind donations;
 - pro-bono services; and
 - volunteer hours.



Kristine Schwope, Chair
Community Development Commission

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