

**AUGUST 6, 2014 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 August 6, 2014. 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



Date



Edward Scott
City Controller



Date

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CITY SECRETARY
DALLAS, TEXAS



COUNCIL BRIEFING AGENDA

August 6, 2014

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.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

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 en 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.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de 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 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 este 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 este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, AUGUST 6, 2014
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 June 18, 2014 City Council Meeting
2. Consideration of appointments to boards and commissions and the evaluation and duties of board and commission members (List of nominees is available in the City Secretary's Office)

ITEMS FOR INDIVIDUAL CONSIDERATION

City Attorney's Office

3. An ordinance amending Chapter 13 of the Dallas City Code to: **(1)** provide that the City Council and the ad hoc judicial nominations committee of the City Council may consider all applicants interviewed by the judicial nominating commission for vacancies in the office of municipal judge; and **(2)** update the name of the committee responsible for reviewing and making judicial nomination recommendations to City Council - Financing: No cost consideration to the City

City Controller's Office

4. Authorize the additional professional services of Deloitte Transactions and Business Analytics LLP, regarding the fair value amounts recorded in the Dallas Police and Fire Pension System's Comprehensive Annual Financial Report for the fiscal year ending December 31, 2013 - Not to exceed \$105,500 - Financing: Current Funds

AGENDA
CITY COUNCIL BRIEFING MEETING
WEDNESDAY, AUGUST 6, 2014

BRIEFINGS

6ES

- A. Proposed Transportation-For-Hire Regulation
- B. Proposed Amendments to the Code of Ethics

Lunch

- C. Sex-Offender Residency Restriction Ordinance
- D. DFW Air Quality and State Implementation Plan Update

Closed Session

6ES

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

- East Village Association v. City of Dallas, et al., Cause No. DC-14-07239-I
- City of Dallas v. Master Cleaning Supply, Inc. et al., Cause No. CC-14-01531-D

Open Microphone Speakers

6ES

The above schedule represents an estimate of the order for the indicated briefings and is subject to change at any time. Current agenda information may be obtained by calling (214) 670-3100 during working hours

Note: An expression of preference or a preliminary vote may be taken by the Council on any of the briefing items

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

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

AGENDA ITEM # 3

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 6, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Attorney's Office

CMO: Warren M.S. Ernst, 670-3491

MAPSCO: N/A

SUBJECT

An ordinance amending Chapter 13 of the Dallas City Code to: **(1)** provide that the City Council and the ad hoc judicial nominations committee of the City Council may consider all applicants interviewed by the judicial nominating commission for vacancies in the office of municipal judge; and **(2)** update the name of the committee responsible for reviewing and making judicial nomination recommendations to City Council - Financing: No cost consideration to the City

BACKGROUND

Currently, City Council and the ad hoc judicial nominations committee of the City Council may only interview or consider for vacancies in the office of municipal judge those candidates who are judicial nominating committee nominees. The proposed amendments to Section 13-5.2 would allow City Council and the ad hoc judicial nominations committee of the City Council to interview and consider judicial nominating committee nominees as well as other applicants interviewed by the judicial nominating commission for vacancies in the office of municipal judge.

FISCAL INFORMATION

No cost consideration to the City.

ORDINANCE NO. _____

An ordinance amending Section 13-5.2 of Chapter 13, "Courts, Fines and Imprisonments," of the Dallas City Code, as amended; providing that City Council and the ad hoc judicial nominations committee of the City Council may consider all applicants interviewed by the judicial nominating commission for vacancies in the office of municipal judge; updating the name of the committee responsible for reviewing and making judicial nomination recommendations to City Council; 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 13-5.2, "Judicial Nominating Commission Duties and Responsibilities; Selection of Municipal Judges," of Article II, "Municipal Court of Record," of Chapter 13, "Courts, Fines And Imprisonments," of the Dallas City Code, as amended, is amended to read as follows:

"SEC.13-5.2. JUDICIAL NOMINATING COMMISSION DUTIES AND RESPONSIBILITIES; SELECTION OF MUNICIPAL JUDGES.

(a) The judicial nominating commission shall act as an advisory body to the city council and shall:

(1) recommend nominees to serve as full-time and associate governmental judges;

(2) make reports and recommendations to the city council ad hoc judicial nominations [legislative] committee on the status of the selection process for municipal judges;

(3) review and make recommendations to the city council ad hoc judicial nominations [~~legislative~~] committee on the salary structure for municipal judges, including evaluating the feasibility of a merit pay plan;

(4) make recommendations to the city council concerning the selection, removal, and pay of administrative law judges in accordance with Article XXVII, Chapter 2 of this code; and

(5) perform other duties assigned by the city council.

(b) The ad hoc judicial nominations [~~legislative~~] committee of the city council shall provide to the judicial nominating commission minimum qualifications and evaluation guidelines for assessing applicants for a vacancy in the office of municipal judge and a time schedule for recommending nominees. The guidelines must include appropriate goals for achieving sufficient racial, ethnic, and gender diversity within the municipal court of record. Each associate and full-time municipal judge, including the administrative municipal judge, shall reside in the city of Dallas within four months after the date of appointment and throughout his or her term as a municipal judge for the city of Dallas.

(c) When there is a vacancy in the office of full-time or associate municipal judge (including a vacancy created by the expiration of a judge's term), the director of human resources shall receive applications, which shall be forwarded to the judicial nominating commission through its chair. The commission shall review the applications and resumes, research applicant qualifications, and conduct interviews; except that if a vacancy occurs within 120 days after the appointment of any full-time or associate municipal judge, for which the commission conducted interviews, the commission is not required to conduct additional interviews but may, in its discretion, recommend nominees to fill the new vacancy from applicants who were interviewed for any municipal judge position that was filled within the preceding 120 days. The commission may also, by a two-thirds vote, waive the interview requirement for any person who has completed at least eight consecutive years of continuous service as a full-time municipal judge for the city when that person applies for a position as an associate municipal judge. If in the opinion of the commission, none of the applicants for a municipal judge position meets minimum qualifications established by the city council ad hoc judicial nominations [~~legislative~~] committee, the commission may search for and interview additional applicants.

(d) After deliberation, the judicial nominating commission shall recommend to the city council ad hoc judicial nominations [~~legislative~~] committee a number of nominees equal to 150 percent of the number of vacancies in the office of full-time or associate municipal judge, rounded up to whole numbers. The nominees must be divided into two groups, one for full-time judges and one for associate judges, with the members of each group being ranked in the order of preference by the judicial nominating commission, with Number 1 being the highest ranking. If the number of applicants for all of the vacant municipal judge positions is less than the number of nominees required by this subsection to be recommended to the ad hoc judicial nominations [~~legislative~~] committee, then the commission may, in its discretion, either recommend any persons who have applied or seek additional candidates.

(e) Upon receiving the judicial nominating commission's recommendation of nominees, the city council ad hoc judicial nominations [legislative] committee may interview one or more of the nominees or other applicants interviewed by the commission. If not satisfied with any number of the nominees or other applicants interviewed by the commission, the ad hoc judicial nominations [legislative] committee may request that the commission recommend a specified number of additional nominees to the committee. After deliberation, the ad hoc judicial nominations [legislative] committee shall forward to the full city council a number of nominees equal to 150 percent of the number of vacancies in the office of full-time or associate municipal judge, rounded up to whole numbers. The nominees must be divided into two groups, one for full-time judges and one for associate judges, with the members of each group being ranked in the order of preference by the ad hoc judicial nominations [legislative] committee, with Number 1 being the highest ranking. Rankings of the nominees by the judicial nominating commission must also be forwarded to the full city council.

(f) Upon receiving the recommendation of nominees from the ad hoc judicial nominations [legislative] committee [~~'s recommendation of nominees~~], the city council shall select one nominee or other applicant interviewed by the ad hoc judicial nominations committee or the judicial nominating commission to fill each vacancy. Before making a selection, the city council may interview one or more of the nominees or other applicants interviewed by the ad hoc judicial nominations committee or the judicial nominating commission. If not satisfied with any number of these candidates [nominees], the city council may, in its discretion, fill whatever vacancies it desires and request that the judicial nominating commission recommend to the ad hoc judicial nominations [legislative] committee a specified number of additional nominees for the unfilled vacancies.

(g) When there is a vacancy in the office of the administrative municipal judge (including a vacancy created by the expiration of the judge's term), the judicial nominating commission shall conduct interviews of all interested full-time municipal judges of the city of Dallas, and all interested applicants for vacant full-time municipal judge positions, for the office of administrative municipal judge. After deliberation, the commission shall recommend to the full city council three nominees for the office of administrative municipal judge ranked in the order of preference, with Number 1 being the highest ranking. The city council shall interview the nominees and select one as the administrative municipal judge, or, if not satisfied with any of the nominees, the city council may reject all and request that the judicial nominating commission repeat the nominating process.

(h) The city manager shall provide staff to assist the judicial nominating commission in performing its duties and responsibilities.

(i) Nothing in this section affects the holdover status of an incumbent municipal judge under applicable city, state, and federal laws."

SECTION 2. That Chapter 13 of the Dallas City Code shall remain in full force and effect, save and except as amended by this ordinance.

SECTION 3. 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 4. 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:

WARREN M.S. ERNST, City Attorney

By _____
Assistant City Attorney

Passed _____

AGENDA ITEM # 4

KEY FOCUS AREA: Efficient, Effective and Economical Government

AGENDA DATE: August 6, 2014

COUNCIL DISTRICT(S): N/A

DEPARTMENT: City Controller
Office of Financial Services

CMO: Jeanne Chipperfield, 670-7804

MAPSCO: N/A

SUBJECT

Authorize the additional professional services of Deloitte Transactions and Business Analytics LLP, regarding the fair value amounts recorded in the Dallas Police and Fire Pension System's Comprehensive Annual Financial Report for the fiscal year ending December 31, 2013 - Not to exceed \$105,500 - Financing: Current Funds

BACKGROUND

The Dallas Police and Fire Pension System (Pension System) reports certain real estate investments that must be independently appraised using an acceptable valuation method. This phase of the professional services contract will provide the results of an analysis in a written document for the real estate investments held by the Pension System. The report prepared by DTBA will summarize certain information regarding these real estate investments, including:

- General information that describes, but does not identify, the investment;
- Observations related to the appropriateness of methodologies or assumptions used to determine the estimated fair value of the investments as of December 31, 2013.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

\$105,500 – Current Funds

M/WBE INFORMATION

All work related to the contract will be performed by Deloitte Transactions and Business Analytics LLP.

ETHNIC COMPOSITION

Deloitte Transactions and Business Analytics LLP (Dallas, TX offices)

| | | | |
|-----------------|--------|---------------|--------|
| Hispanic female | 1,042 | Hispanic male | 1,111 |
| Black female | 1,526 | Black male | 1,161 |
| Other female | 4,458 | Other male | 7,652 |
| White female | 11,835 | White male | 16,242 |

OWNERS

Deloitte Transactions and Business Analytics LLP,

Barry Salvberg, Chief Executive Officer of Deloitte LLP (United States)

August 6, 2014

WHEREAS, on April 15, 2014, pursuant to Administrative Action No. 14-5761, the City authorized payment for professional services provided by Deloitte Transactions and Business Analytics LLP, in the amount of \$50,000.00, for valuation services necessary in order to complete the City's Comprehensive Annual Financial Report; and,

WHEREAS, additional professional services of Deloitte Transactions and Business Analytics LLP, are necessary to complete the valuation review; **Now, Therefore**,

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

Section 1. That the City Manager is hereby authorized to obtain the additional professional services of Deloitte Transactions and Business Analytics LLP, regarding the fair value amounts recorded in the Dallas Police and Fire Pension System's Comprehensive Annual Financial Report for the fiscal year ending December 31, 2013, in an amount not to exceed \$105,500.00, increasing the authorized amount from \$50,000.00 to \$155,500.00.

Section 2. That the City Controller is authorized to disburse, in periodic payments to Deloitte Transactions and Business Analytics LLP, an amount not to exceed \$105,500.00 from Fund 0001, Dept. BMS, Unit 1991, Obj. 3070, Encumbrance No. VSBMS119014, Vendor No. VS0000049378.

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