



Dallas City Council Agenda

Monday, May 16, 2011, 7:00 p.m.
 Mayor Brian Dalton, Presiding
 Dallas City Hall
 187 SE Court Street
 Dallas, Oregon 97338

City Council

Mayor
 Brian Dalton

Council President
 Wes Scroggin

Councilor
 Jim Fairchild

Councilor
 Beth Jones

Councilor
 Jackie Lawson

Councilor
 Mark McDonald

Councilor
 Kevin Marshall

Councilor
 Murray Stewart

Councilor
 LaVonne Wilson

Councilor
 Ken Woods, Jr.

Staff

City Manager
 Jerry Wyatt

Asst. City Manager
 Kim Marr

City Attorney
 Lane Shetterly

Community Development
 Director
 Jason Locke

Finance Director
 Cecilia Ward

Fire Chief
 Bill Hahn

Police Chief
 John Teague

Public Works Director
 Fred Braun

City Recorder
 Emily Gagner

All persons addressing the Council will please use the table at the front of the Council. All testimony is electronically recorded. If you wish to speak on any agenda item, please sign in on the provided card.

<u>ITEM</u>	<u>RECOMMENDED ACTION</u>
1. ROLL CALL	
2. PLEDGE OF ALLEGIANCE	
3. QUESTIONS OR COMMENTS FROM THE AUDIENCE <i>This time is provided for citizens to address the Council or introduce items for Council consideration on any matters.</i>	
4. PUBLIC HEARINGS <i>Public comment will be allowed on items appearing on this portion of the agenda following a brief staff report presenting the item and action requested. The Mayor may limit testimony.</i> There are no public hearings scheduled.	
5. CONSENT AGENDA <i>The following items are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Council member so requests, in which case the item will be removed from the Consent Agenda and considered separately.</i> a. Approval of May 2, 2011, City Council Minutes	
6. ITEMS REMOVED FROM CONSENT AGENDA	
7. REPORTS OR COMMENTS FROM THE COUNCIL MEMBERS	
8. REPORTS FROM CITY MANAGER AND STAFF a. Aquatic Center promotional rates update b. Other	Information
10. RESOLUTIONS a. <u>Resolution No. 3226</u> : A Resolution designating the week of May 15 – 21, 2011, as Police Week.	Roll call vote
11. FIRST READING OF ORDINANCE	

Dallas City Council Agenda

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Our Vision

Our vision is to foster an environment in which Dallas residents can take advantage of a vital, growing, and diversified community that provides a high quality of life.

Our Mission

The mission of the City of Dallas is to maintain a safe, livable environment by providing open government with effective, efficient, and accountable service delivery.

Our Motto

*Commitment to the Community.
People Serving People.*

Dallas City Hall is accessible to persons with disabilities. A request for an interpreter for the hearing impaired or for other accommodations for persons with disabilities should be made at least 48 hours before the meeting to the City Manager's Office, 503-831-3502 or TDD 503-623-7355.

12. SECOND READING OF ORDINANCE

13. OTHER BUSINESS

14. ADJOURNMENT

Note: There will be a meeting of the Urban Renewal Agency Board of Directors following the Council meeting.

Note: The Budget Committee and Urban Renewal Agency Budget Committee will meet following the Council meeting to recommend a budget to the Council.

DALLAS CITY COUNCIL
Monday, May 2, 2011
Council Chambers

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The Dallas City Council met in regular session on Monday, May 2, 2011, at 7:00 p.m. in the Council Chambers of City Hall with Mayor Brian Dalton presiding.

ROLL CALL AND PLEDGE OF ALLEGIANCE

Council members present: Council President Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor Mark McDonald, Councilor Kevin Marshall, and Councilor Ken Woods, Jr. Councilor LaVonne Wilson participated via telephone.

Also present were: City Manager Jerry Wyatt, City Attorney Lane Shetterly, Assistant City Manager Kim Marr, Deputy Police Chief Tom Simpson, Fire Chief Bill Hahn, Finance Director Cecilia Ward, Public Works Director Fred Braun, and Recording Secretary Emily Gagner.

Mayor Brian Dalton led the Pledge of Allegiance.

SELECTION PROCESS TO FILL COUNCIL VACANCY

Mayor Dalton asked if anyone wanted to speak about the Councilor selection process. He reviewed the selection process that was adopted at the previous Council meeting.

The Councilors turned in their ballots, and then Councilor Wilson announced her vote. The result of the voting was five votes for Murray Stewart (Council President Scroggin, Councilor Fairchild, Councilor Marshall, Councilor Wilson, and Councilor Woods), two votes for Kelly Gabliks (Councilor Jones and Councilor Lawson), and one vote for Steven DeDominick (Councilor McDonald). Mr. Stewart was sworn in and seated.

QUESTIONS OR COMMENTS FROM THE AUDIENCE

Victor Reppeto stated he wanted to speak about the proposed change to limit chickens in the backyard only. He provided a map showing his property and explained how the proposed change would be restrictive on his property. He suggested changing the language to “not visible from the street.” Mr. Wyatt explained the definition of a rear yard according to the Code and stated Mr. Reppeto’s coop was within the back yard so it would satisfy the Code with the proposed changes.

Kelly Gabliks thanked the Councilors for developing a way for people to apply to fill the Council vacancy. She congratulated Councilor Stewart on his selection.

David Marvin stated he came back to Dallas last year to make a motion picture. He indicated he graduated from Dallas High. He explained he had provided the Councilors a description of his movie, and asked if there were any questions. There were none.

Faye Frei stated neither she nor her husband were smokers and never had been. She said she read in the local paper about the proposed smoking ban in the park and asked the Councilors to do some serious consideration, though it was admirable to be so concerned of everyone’s health. She asked if they had considered that smokers were taxpayers who supported the upkeep of the park. She asked if they had given any thought that smokers were allowed to smoke within “x” number of feet outside public buildings and could walk up and down the sidewalk and smoke. She added there were no studies that showed that smoke affected others’ health at all. Ms. Frei commented that the Councilors should back off and do some studying, adding they could talk to physicians and veterinarians who would back her up. She proclaimed the number one health risk in Dallas during winter when people were running around with colds and flu was men spitting all over parking areas, adding that medically was a serious health risk and a disease spreader. Ms. Frei said deer droppings and urine causes diseases for children and dogs, pointing out she had a vet bill for her dog caused by deer urine. She stated these things were a far greater risk to citizens’ health than people smoking in the park. She then commended the Council in their thinking because she knew the Council wouldn’t want the biomass facility in Dallas because of the pollution that would produce and the effect it would have on children’s health. Ms. Frei concluded by quoting Lars Larsen, “Don’t let your government walk on our rights as individual American citizens.”

Tanya Silva stated she was a registered nurse and worked for Polk County Public Health as the

1 Tobacco Prevention Coordinator. She explained it was her job to keep Dallas residents and
2 children healthy, which included providing smoke-free public parks. She reviewed reasons to go
3 smoke-free. She discussed second-hand or environmental tobacco smoke, noting it posed a major
4 health risk to non-smokers through exposure to nicotine and other chemicals. She stated second
5 hand smoke was related to asthma, SIDS, and other issues in children as well as cancer in adults,
6 adding 800 Oregonians die annually due to second hand smoke. Ms. Silva explained there was no
7 safe level of second hand smoke inhalation. She also discussed the litter issues of cigarette butts,
8 noting smoke-free policies reduce litter. Ms. Silva stated 84% of Polk County adults didn't
9 smoke. She advised a smoke-free park didn't mean smokers couldn't use the parks.

10 Randi Phillips, Manager of Polk County Public Health stated she was there to express her support
11 of smoke free parks and congratulated the Council for making it a high priority. She commented
12 that everyone had a right to smoke and everyone had a right to breathe fresh air, adding smoke-
13 free policies were becoming the norm across the United States. She stated there was a lot of talk
14 about the right to smoke and indicated it was not a discrimination issue against smokers because
15 the City wasn't saying smokers couldn't use the parks. Ms. Phillips reported that in every age
16 group there was a decrease in cigarette consumption except in our youth. She stated we were
17 creating an environment that smoking was socially acceptable. She commented that enforcement
18 would be challenging, especially if there were designated smoking areas, so for ease of
19 enforcement, she recommended 100% smoke-free parks. Ms. Phillips reviewed a list of areas in
20 Dallas that were smoke free, including Sounds of Summer, Summerfest, Chemeketa, all school
21 grounds, West Valley Housing, and West Valley Hospital. Ms. Phillips expressed her support
22 and gratitude to the Council for exploring the option.

23 Glen Harmison reviewed Section 4 of the proposed ordinance and stated the current restriction of
24 25 feet was sufficient. He then reviewed the minutes of the April 4 Council meeting where there
25 was discussion that the current code was difficult to enforce, adding it did nothing to address
26 issues with litter and fire issues created by smoking in the park. He commented that it was
27 unfortunate that people littered other things besides used cigarettes and that was no reason to
28 restrict smokers. He stated if the present laws of underage smoking were enforced, a great deal of
29 the litter problem would be eliminated. He asked if there had been a recent fire in the parks due
30 to cigarettes, adding Oregon law required cigarettes sold here be made with fire-retardant paper to
31 prevent fires from starting. Mr. Harmison stated the proposed smoking ban would have a
32 negative fiscal impact to the City because it would affect the car show, family reunions, and
33 Frisbee golf course. He said if signs were posted in areas of no smoking and signs with no
34 littering, it was his opinion it would cut down on the litter. He stated he had toured three parks
35 and there were no signs anywhere and he only saw one butt, but he did see other litter and dog
36 poop. He stated he surveyed several people in the park that day and they all didn't think it would
37 be right to stop smoking in the park. He asked the Council to enforce the current laws and vote
38 no on the bill.

39 Korena Lund stated she loved living in Dallas and felt especially blessed to have a beautiful and
40 safe park system where her kids could have picnics and get exercise. She stated she attended a
41 Council meeting last June as a concerned citizen to tell the Council about adults, the majority of
42 which were care providers, smoking in the children's play area despite the ordinance that banned
43 that. She added she had requested proper signage be installed. Ms. Lund said she was excited
44 when she read in the IO that the Council was considering a smoking ban and reminded the
45 Council she had submitted a letter the past week that included 2 sheets of 49 signatures of
46 concerned parents and grandparents in support of the ban. She added 47 of the 49 signatures were
47 collected in a two-hour time span. Ms. Lund commented that the Council vision statement said
48 the City's desire was to foster an environment in which Dallas residents can take advantage of a
49 vital, growing, and diversified community that provides a high quality of life. She said the facts
50 show that smoking and second hand smoke pollute the earth and injure and kill people.

51 Julie Crow stated she was a little ticked off about what she was hearing. She indicated she paid
52 taxes on those parks as well as anyone else. She added she went by two parks every day and had
53 never seen a smoker except in the Arboretum where they tended to keep away from the children.
54 She declared that she had children that were asthmatics and she smoked most of her life and none
55 of them were asthmatics now. She said she was also a little upset about the infringements of her
56 rights to have fresh air also and to be left alone. Ms. Crow indicated she didn't throw her butts on
57 the ground, she put them in her purse when she was done. She said she was so furious this had

1 even come up and felt she was being clutched, every right was being squeezed and the Council
2 would ring every single bit of it out. She said it wouldn't stop with just the smoking; the biomass
3 coming in was far worse than any second hand smoke that was coming up and the Council hadn't
4 even started yet. She commented that if the Council started encroaching on everyone's rights
5 they would never know when to stop and they needed to learn to stop. She noted everyone was
6 adults and could go ask a smoker not to smoke around the children, adding she had never heard
7 anyone refuse such a request. She said she raised four children and never had a problem moving
8 away from other people her smoking offended. She said she didn't smoke around other non-
9 smokers. Ms. Crow commented that the Council had made no allowances for smokers. She
10 advised Mr. Fairchild did point out there should be a spot where smokers could go and that was
11 pooh-poohed away. She said she was offended at the whole entire thing and was outraged and
12 upset. She told the Council she fully intended to blog about this and do whatever she could to
13 stop this from going on. She added there was one more thing she had a problem with - that she
14 was watching lemmings because everyone was walking in lock step and no one was discussing
15 anything or having an argument. She said no one had gone out of their way to find out what was
16 going on.

17 Alan Minton stated that with bills like this, he wonders at what point we tell parents they can't
18 have children because they smoke. He reported the founding fathers raised tobacco to create an
19 economy for this country, adding it was legal to grow and purchase tobacco, legal to tax it, but
20 just not legal to smoke it. He stated the proposed ordinance was made without any consideration
21 for those who do smoke. He asked for more statistics on who smoked in Polk County because it
22 should be more than 16%. He proclaimed the Council was taking away liberties and that was a
23 frightening thing.

24 Pamela "P.J." Johnson thanked the Council for the forum tonight and noted she was an avid
25 smoker. Ms. Johnson stated she was in favor of the proposed ban on smoking, adding she didn't
26 think it was discrimination, but was a health issue. She discussed smoking in high school and
27 commented we had come so far with smoking only because of environmental policies and what
28 kids were now taught in school. Ms. Johnson explained she had grandchildren and didn't smoke
29 in front of them because she had no right to do that. She said she would be more than happy to
30 smoke in a designated area.

31 Joe Koubek stated he was speaking in support of Ordinance 1737. He said when he went to the
32 parks, he expected to breathe fresh air and added he didn't appreciate the butts left by smokers.
33 He indicated he had witnessed many fires in the park that were proven to have been caused by
34 cigarettes.

35 Lynette Henshaw asked if people could smoke in the parking lot if they weren't allowed to smoke
36 in the park. Mayor Dalton stated that would be discussed prior to the vote on the ordinance.

37 **PUBLIC HEARINGS**

38 There were no public hearings.

39 **CONSENT AGENDA**

40 It was moved by Councilor Marshall and seconded by Council President Scroggin to approve the
41 Consent Agenda as presented. The motion carried unanimously with Council President Wes
42 Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor Jackie Lawson, Councilor
43 Mark McDonald, Councilor Kevin Marshall, Councilor Murray Stewart, Councilor LaVonne
44 Wilson, and Councilor Ken Woods, Jr. voting YES.

45 Item approved by the Consent Agenda was: a) April 18, 2011, City Council minutes.

46 **ITEMS REMOVED FROM CONSENT AGENDA**

47 There were none.

48 **REPORTS OR COMMENTS FROM COUNCIL**

49 Councilor Woods stated he was on the committee for the Dallas High School Athletics Hall of
50 Fame and reported the banquet would be held on May 13 to honor former athletes who have done

1 well.

2

3 Councilor McDonald stated he had some questions, and referred to a recent article in the Itemizer
4 Observer that reported an error by then-City Attorney Mark Irick resulted in a liability for the
5 City. He asked if his professional liability fund insurance would cover that. Mr. Wyatt stated
6 staff would look into it. Councilor McDonald stated that since Irick passed on in 2007 did the
7 current City Attorney mention that there was a liability and a right of the City to make a claim
8 against his firm when the mistake was discovered. Mr. Shetterly stated he sent the Mayor and
9 City Manager an email. He indicated the issue was that it hadn't been determined yet if there had
10 been a loss over and above what the City would have owed anyway. He stated he had advised the
11 City Manager and Mayor about the possibility of filing a claim against the professional liability
12 fund on his malpractice coverage. Councilor McDonald reported there was a time limitation for
13 filing a claim. He stated he wanted to know if the City was going to move forward with making a
14 claim because it could be a substantial amount of money. Mr. Wyatt stated he would look into it,
15 adding there has been no determination if interest or penalties would be owed.

16

17 Councilor Fairchild reported that he recently attended the LOC Board of Directors meeting,
18 noting if anyone was interested in what was discussed, they could contact him.

19

20 Councilor Fairchild commented that he would love to see all those who applied for the Council
21 vacancy on the 2012 ballot because they were all outstanding candidates.

22

23 Councilor Lawson thanked those who attended the Ford Foundation Fundraiser. She indicated
24 they didn't raise as much money as they'd hoped, but added they would not look to the taxpayers
25 to fund any portion of the project. She noted donations of cash, materials, or volunteerism would
26 still be appreciated.

27 **REPORTS FROM CITY MANAGER AND STAFF**

28 **EMPLOYEE LENGTH OF SERVICE AWARD – SEAN CONDON**

29 Mr. Wyatt called up Sean Condon, who had worked for the City for over twenty years. He
30 explained Mr. Condon started with the City as an intern, spent time as an engineer in Public
31 Works and was now the Fire Inspector with the Fire Department. Mr. Condon thanked Mr.
32 Wyatt, noting it had been a great place to work.

33 **DEVELOPMENT CODE AMENDMENT – CHICKENS IN REAR YARD ONLY**

34 Mr. Wyatt reviewed the staff report. There was discussion about what was included in the
35 definition of rear yard. Councilor McDonald stated he was big on property rights and didn't like
36 to tell people what to do on their property. He recommended the decision for having chickens in
37 a front or rear yard be on a case-by-case basis if someone had a complaint. Councilor Lawson
38 stated she would not be opposed to include the verbiage "or not visible to the street" because she
39 felt the proposed amendment was a little restrictive. Councilor Jones asked what the problems
40 were with chickens in the front yard. Mr. Wyatt explained appearance was a big issue, adding
41 they were also a traffic issue in the front yard, because the chickens were closer to the street if
42 they got out.

43 It was moved by Councilor Marshall and seconded by Councilor Stewart to direct staff to prepare
44 an ordinance clarifying that chickens are allowed to be kept only in rear yards.

45 It was moved by Councilor Lawson and seconded by Councilor Fairchild to amend the motion to
46 state the chickens must not be visible from the street. Mr. Shetterly asked if the setback of at least
47 10 feet was to be left in. Councilor Lawson stated it should. The motion carried unanimously
48 with Council President Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor
49 Jackie Lawson, Councilor Mark McDonald, Councilor Kevin Marshall, Councilor Murray
50 Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

51 The amended motion, directing staff to prepare an ordinance clarifying that chickens were not to
52 be visible from the street in residential areas carried unanimously.

53 **OTHER**

1 **RESOLUTIONS**

2 **Resolution No. 3225** – A Resolution designating the week of May 15-21, 2011, as Emergency
3 Medical Services Week.

4
5 Councilor McDonald indicated he had spoken out about the use of resolutions, because it was his
6 opinion that there was nothing in the Charter, what was in the Charter was very limited, and there
7 was nothing in the Code section governing the actions of the Council pertaining to resolutions.
8 He said even the guide to maintaining the Code stated the general ordinances were those that deal
9 with administrative organization or were regulatory in nature and yet the Council was making
10 resolutions that dealt directly with administration and regulation, so the guide specifically says
11 you are to use general ordinances or special ordinances. He indicated it was not that he didn't
12 want to have Emergency Services Week, but it was the fact that the Council was relying on an
13 ambiguity of the law that might leave the City open to a class action lawsuit. He reported he had
14 spoken to various attorneys and gained insight through other municipal attorneys that say what
15 the Council is doing is very ambiguous as far as the law was concerned. He thought if the
16 Council was going to adopt resolutions, they should amend the Charter to allow them to use
17 resolutions for administrative purposes. He added that was just his opinion.

18 A roll call vote was taken and Mayor Dalton declared Resolution No. 3225 to have PASSED BY
19 A UNANIMOUS VOTE with Council President Wes Scroggin, Councilor Jim Fairchild,
20 Councilor Beth Jones, Councilor Jackie Lawson, Councilor Mark McDonald, Councilor Kevin
21 Marshall, Councilor Murray Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr.
22 voting YES.

23 **FIRST READING OF ORDINANCE**

24 **SECOND READING OF ORDINANCE**

25 **Ordinance No. 1737:** An Ordinance amending provisions of the Dallas City Code Section 5.210
26 relating to smoking.

27 Councilor Lawson stated she had been a strong proponent of this from a couple years ago, and
28 never expected any discussion because it had been unanimously supported. She indicated she had
29 heard from some people who she did respect as considerate smokers, though they were in the
30 extreme minority. She commented that smokers generated an extraordinary amount of litter
31 which was a burden on the taxpayers because of the staff time to remove it. She advised she felt
32 the small minority could be responsible and she proposed having one designated smoking area in
33 one parking lot of the Dallas City Park. Councilor Lawson said she would hate for Dallas to lose
34 an event such as the car show because of those who are smokers. She commented that she hoped
35 that if the City provided one designated smoking area, people would be considerate and use the
36 provided receptacle. She added parents could avoid that area, especially if the boundaries were
37 made very obvious.

38 Councilor McDonald reported he had heard from quite a few citizens who are very upset and were
39 all against the ban in City parks. He commented that he assumed in the summer there were
40 barbecues being used in the parks and those produced carbon monoxide and other chemicals. He
41 added cars threw off more toxic chemicals than the occasional cigarette smoke in a City park. He
42 stated the proposed smoking ban was a complete usurpation of rights and noted he hadn't had one
43 person that was in support of it.

44 Councilor Fairchild agreed with Councilor Lawson adding he would like to see a designated
45 smoking area. He indicated the status quo at Sounds of Summer was that people could move into
46 the street and smoke there, although he didn't know if that was totally legal. He added that was
47 what he envisioned in the park, though he was in favor of banning smoking in the parks.
48 Councilor Stewart asked for clarification as to where the Councilors were suggesting the smokers
49 go, which parking lots, and how far away.

50 Councilor Jones reported she had given the subject a lot of thought over the past couple weeks
51 and if it was up to her, the world would be no smoking, but she realized that would not be good
52 for everyone. She stated she thought about how the current ordinance was not respected or
53 enforced, noting the amendment wouldn't change anything. Councilor Jones advised she had

1 decided she wouldn't support no smoking in the parks in an effort to protect freedoms, adding it
2 wouldn't change anything if she did support it.

3 Council President Scroggin advised he did support the proposed ban, adding he had been a
4 Rotarian for many years and didn't feel the ban would put the car show in jeopardy. He stated he
5 attended car shows that didn't allow smoking and they were still very well attended. Council
6 President Scroggin indicated the proposed smoking ban had come from the Park Board several
7 times and kept coming back because they wanted this, noting the Council was finally getting
8 around to it. He pointed out that when the Sounds of Summer concerts were made smoke free,
9 people said attendance would drop, but that didn't happen. He explained he supported people
10 being able to smoke in their cars.

11 Councilor Marshall stated it seemed perhaps the Council could keep the 25 foot restriction and
12 leave off the parking lot.

13 Councilor Lawson advised postponing action on the ordinance or sending it back for more
14 refinement.

15 It was moved by Councilor Wilson and seconded by Councilor McDonald to send the ordinance
16 back to the Administrative Committee for further review. The motion carried unanimously with
17 Council President Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones, Councilor
18 Jackie Lawson, Councilor Mark McDonald, Councilor Kevin Marshall, Councilor Murray
19 Stewart, Councilor LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES.

20 **Ordinance No. 1738:** An Ordinance amending Dallas City Code Section 5.102 relating to
21 discharge of weapons; and declaring an emergency.

22 Mayor Dalton declared Ordinance No. 1738 to have passed its second reading. A roll call vote
23 was taken and Mayor Dalton declared Ordinance No. 1738 to have PASSED BY A MAJORITY
24 VOTE with Council President Wes Scroggin, Councilor Jim Fairchild, Councilor Beth Jones,
25 Councilor Jackie Lawson, Councilor Kevin Marshall, Councilor Murray Stewart, Councilor
26 LaVonne Wilson, and Councilor Ken Woods, Jr. voting YES and Councilor Mark McDonald
27 voting NO.

28 **OTHER BUSINESS**

29 There being no further business, the meeting adjourned at 8:27 p.m.

30 Read and approved this _____ day of _____ 2011.

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Mayor

35 ATTEST:

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City Manager

DALLAS CITY COUNCIL REPORT

TO: MAYOR BRIAN DALTON AND CITY COUNCIL

<i>City of Dallas</i>	Agenda Item No. 8 a	Topic: Aquatic Center promotional rates update
Prepared By: Jason Locke, Com Dev Director	Meeting Date: May 16, 2011	Attachments: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Approved By: Jerry Wyatt		

RECOMMENDED ACTION:

None, for information only

BACKGROUND:

The promotional rates adopted by the City Council were implemented on April 1, 2011. They are slated to run through June 30, 2011. These promotional rates included a single rate for day use passes, coupon books, and annual memberships regardless of residency (city residents receive a 10% discount on annual memberships). The purpose was to determine whether the single rate would produce more attendance, and therefore increase revenue in order to close the gap between revenue and expenditures at the facility. We have done a significant amount of advertising, and it appears to be paying off. These are the results through May 1, the first full month of the promotional rates.

	<u>Total Revenue</u>	<u>Daily Admissions</u>	<u>Coupon Books</u>	<u>Concessions</u>
April 2011	\$32,037	1916 (\$8211)	\$1932	\$3719
April 2010	\$25,408	1644 (\$7601)	\$1800	\$3093

The numbers above demonstrate a significant increase over the previous year. In addition, we have signed up 17 new annual members who are not city residents. While not representing a trend, this data suggests that the single rate system is making a positive difference. We will be reporting the May numbers in mid-June, and will be making a recommendation to the Council regarding the rates at that time.

FISCAL IMPACT:

ATTACHMENTS:

None

RESOLUTION NO. 3226

A Resolution designating the week of May 15 - 21, 2011, as Police Week

WHEREAS, Congress and the President of the United States have designated the week of May 15 - 21, 2011, as Police Week; and

WHEREAS, the members of the Dallas Police Department play an essential role in safeguarding the rights and freedoms of the citizens of Dallas; and

WHEREAS, it is important that all citizens know and understand the problems, duties and responsibilities of their police department, and that members of our police department recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression and intimidation; and

WHEREAS, the Dallas Police Department has grown to be a modern and scientific law enforcement agency that unceasingly provides a vital public service; and

WHEREAS, it is appropriate to recognize the value and the services of the Dallas Police Department by honoring Police Week;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

Section 1. That the week of May 15 - 21, 2011, be, and it hereby is, designated Police Week.

Section 2. That the citizens of Dallas are encouraged to express their appreciation to the members of the Dallas Police Department and observe the week with appropriate programs, ceremonies and activities commemorating police officers, past and present, who by their faithful and loyal devotion to their responsibilities have rendered a dedicated service to their community and, in doing so, have established for themselves and enviable and enduring reputation for preserving the rights and security of all citizens.

Adopted: May 16, 2011
Approved: May 16, 2011

BRIAN W. DALTON, MAYOR

ATTEST:

JERRY WYATT, CITY MANAGER