

TRANSPORTATION AND ENVIRONMENT  
COMMITTEE MEETING RECORD

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CITY SECRETARY  
DALLAS, TEXAS

**Meeting Date:** October 27, 2008 **Start Time:** 2:12 p.m. **Adjournment:** 4:04 p.m.

**Committee Members Present:**

Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Vonciel Jones Hill, Pauline Medrano, Carolyn R. Davis

**Committee Members Absent:**

Ron Natinsky, Absent on city business  
Jerry R. Allen, Absent on city business  
Angela Hunt, Absent on city business

**Other Council Members Present:**

Dwaine R. Caraway, Deputy Mayor Pro Tem

**City Executive Staff Present:**

Ramon Miguez, Assistant City Manager  
Jill Jordan, Assistant City Manager

**TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA**

**1. Approval of Minutes for October 13, 2008**

**Action Taken/Committee Recommendation:**

Motion was made to approve the minutes for the October 13, 2008 meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Kadane

Seconded by: Medrano

Passed unanimously

**2. Love Field Modernization Program Development Agreement**

**Presenters:** Dan Weber, Director, Department of Aviation Services

Mr. Weber briefed the Committee on the recommended Program Development Agreement (PDA) between the City of Dallas, Southwest Airlines and the Love Field Airport Modernization Corporation (LFAMC) that was negotiated pursuant to the Term Sheet approved by the City Council June 25, 2008. The PDA establishes the

scope, budget, funding, management organization, program control, design and construction processes, and finance plan for the Love Field Modernization Program.

The Committee is being asked to support the Program Development Agreement which is scheduled for City Council consideration on November 10, 2008.

**Action Taken/Committee Recommendation:**

Ms. Koop asked who would be the Program Manager. Mr. Weber said that the Program Manager is an employee of Southwest Airlines, Mr. Enrique Mendez. She also asked for clarification on the funding sources. Mr. Weber explained that \$325 million would be financed, \$23 million from Southwest Airlines, \$93 million from the FAA Airport Improvement Program, \$20 million from TSA Grants, \$32 million from passenger facility charges (PFC), and \$28 million from the Aviation Capital Fund.

Ms. Davis asked if the TSA funding was already secured. Mr. Weber stated that this funding has not been secured but is estimated at a typical level for this type of project. Ms. Davis asked what would be the alternative if we don't get the funding. Mr. Weber said that any funding deficit would either have to come from another source or be bond financed.

Ms. Davis also asked about the MWBE process and how that will be done to ensure good faith. Mr. Weber said that this would be done in accordance with the City's processes.

Mr. Kadane asked who paid the bills and signs the checks. Mr. Weber explained that the LFAMC will issue bonds with Council approval and the proceeds will be held by a trustee. Any request for payment to a contractor or consultant will be made through that trustee and he will issue checks on behalf of the corporation.

Motion was made to move this item forward to full Council on November 10, 2008.

Made by: Kadane      Seconded by: Hill      Passed unanimously

**3. Amended and Restated Lease of Terminal Building Premises**

**Presenters:** Dan Weber, Director, Department of Aviation

Mr. Weber briefed the Committee on the staff recommendations to approve a new Airport Use and Lease Agreement with airlines operating at Love Field. The lease agreement would implement the business framework to achieve the commitments of the 5-party agreement, support financing for the Love Field Modernization Program at airline cost, ensures the airport operates with net revenues, and provides substantial contributions annually to the Aviation Capital Fund.

The Committee is being asked to support the Airport Use and Lease Agreement for all scheduled airlines operating at Love Field and an increase in the landing fee for commercial aircraft found in Section 5-31 of the Dallas City Code which is scheduled for City Council consideration on November 10, 2008.

**Action Taken/Committee Recommendation:**

Ms. Hill asked for further clarification on rate model. Mr. Weber explained that the rate model is designed to cover operating and maintenance budgets for the particular fiscal year, but also to generate excess revenues that will be applied to the capital fund. The capital fund will be used for capital improvements such as the modernization program, people mover, and improvements to the Cedar Springs/Mockingbird intersection. Ms. Hill asked when airlines would be eligible for reimbursements from the capital fund. Mr. Weber stated that in instances where the capital fund is not spent down sufficiently, those moneys over that cap would be reimbursed back to the airlines. Mr. Miguez stated that rather than reimbursing airlines, rates would be adjusted to correct the balance the next year.

Ms. Medrano asked if capital funds could be used for another project should the people mover not be pursued. Mr. Weber stated that the Capital Fund could be used for any capital improvement at the airport.

Ms. Davis asked how the new lease rates would affect those with a current lease. Mr. Weber stated that the new lease agreement would affect the three airlines currently operating at the airport and those that may come in the future. Interim rates would apply until operations transition into the new space. Mr. Miguez confirmed that the airlines had been notified of the rate increases. Ms. Davis asked if concessionaires would be affected. Mr. Miguez stated that the increases in this presentation affect only airlines and not concessionaires. Mr. Miguez also stated that there are on-going conversations with concessionaires about amending their leases.

Mr. Kadane asked if these were 20-year leases. Mr. Weber stated that this is a lease extension to 2028 which is effectively 20 more years.

Motion was made to move this item forward to full Council on November 10, 2008.

Made by: Medrano

Seconded by: Kadane

Passed unanimously

**4. Traffic Barricades**

**Presenters:** Beth Ramirez, Assistant Director, Public Works and Transportation

Ms. Ramirez provided an overview of traffic barricade and lane closure practices and procedures, and presented recommended actions to improve the visibility and safety

of lane closures. She indicated that a new City Traffic Barricade Manual would be approved in January 2009, and that staff would be working to increase the percentage of work zones in compliance with standards. All City traffic barricade equipment will be updated by August 2011.

No Committee action was requested.

**Action Taken/Committee Recommendation:**

Ms. Davis asked when the upgraded City barricades would be available. Ms. Ramirez stated that that all equipment would be refurbished or replaced in the next two years. Ms. Davis asked about enforcement, who would be getting the \$500 fine that is listed in the presentation. Ms. Ramirez stated that the fine would go to the construction company. City crews would get a notice of violation that would go to Department Directors and be used on performance evaluations.

Ms. Hill asked if the work site was shut down and upon further inspection, the issue was not corrected, would the work site be shut down again. Ms. Ramirez said that the first priority is to make the area safe; therefore, each day that a work site is found to be out of compliance, it would be shut down and a citation issued.

Ms. Medrano asked how inspection sites can be inspected in a methodical way. Ms. Ramirez stated that because Public Works and Transportation has only two employees for these inspections, help is being requested from Code and Building Inspections. Mr. Miguez explained that every project that involves work in the street has to have a traffic control plan and project manager/inspector assigned to it. Part of the responsibility of the project manager and inspectors is to ensure that the traffic control plan is being followed. Ms. Ramirez added that staff will begin pulling a list of permits issued and randomly inspecting the sites for compliance. Ms. Medrano asked what a citizen could do if they saw areas that were unsafe. Mr. Miguez said that if it is an emergency, citizens should call 911. If it is not an emergency, citizens should call 311.

Mr. Kadane stated that he was against shutting down job sites and asked if contractors were required to use the same safety barricade equipment that the City uses. Mr. Miguez stated that only in instances where there are unsafe conditions for the motoring public are job sites shut down. Ms. Ramirez confirmed that the barricade requirements were the same.

Ms. Koop asked when flashing lights would be used. Ms. Ramirez indicated that flashers will be used on residential streets, bike trails, or sidewalks where headlights cannot be relied upon. Ms. Koop asked about the placement of barricades on sidewalks. Ms. Ramirez explained that a lateral clear space of 36 inches should be maintained for sidewalk access.

No action was taken on this item.

## 5. Odor Issue in Southern Dallas

**Presenters:** David Miller, Program Manager, Environmental and Health Services

Mr. Miller briefed the Committee on an odor nuisance in the industrial area near Pontiac Avenue and Cedar Crest Boulevard. He reported that investigations determined that the odor was originating from the Darling International by-products rendering plant and that Darling was determined to be out of compliance with City ordinances related to odors. The next step would be to issue a notice of violation to Darling requiring the company to conduct an odor study and submit an odor control plan.

### **Action Taken/Committee Recommendation:**

Ms. Koop asked if staff had recently inspected the five sites listed in the briefing. Mr. Miller stated that inspections had not been done at each site; however, odor surveys had been conducted.

Ms. Medrano indicated that part of this area is in her district, but she has not received an odor complaint from a neighborhood association or a business. She asked if staff had checked all the locations listed in the presentation as well as our wastewater treatment plant. Mr. Miller confirmed that all the locations had been checked. Ms. Medrano said that she would contact neighborhood associations in the area and ask if they had any complaints.

Ms. Davis stated that this odor has been present for years and had been thought to be coming from the Trinity River. Ms. Davis asked if the City only investigates odor issues when there is a complaint. Mr. Miller said that is typically the case, but that an investigation can remain open for 30 days and multiple trips may be made to a site for investigation purposes.

Ms. Davis asked if a representative from Darling International was at the meeting. It was noted that no representative was present. Ms. Davis asked what would the next step. Mr. Miller stated that a letter would be sent to Darling International because they are in violation of City Code. When a violation is found, someone goes onsite to discuss the violation with the plant manager. A walk through would then be done to find the source and determine what can be done. The plant manager can take immediate action. A notice of violation is issued and can require confirmation of actions taken and written documentation of the actions taken. Additional enforcement could be provided by the Texas Commission on Environmental Quality.

Mr. Kadane asked if we were sure that Darling International was the offender. Mr. Miller stated that we are sure that the odor is emanating from their property.

Mr. Caraway asked if the City had already conducted meetings with Darling International about this issue. Mr. Miller stated that there had been several meetings with Darling, but none since it had been determined that Darling was in violation of City Code. Mr. Caraway said that he wanted Darling International closed until they come into compliance. He requested that staff immediately setup a meeting with Darling International.

Ms. Koop said that she had received a note during the meeting stating that Darling International was unaware of the briefing, but would be happy to meet with the City to discuss any issues. Ms. Koop asked staff to setup the meeting with Darling International, Mr. Caraway, Ms. Medrano, and Ms. Davis within a week. Ms. Koop asked Ms. Rayzer to do a site inspection and bring information back to the Committee about what exactly is done at the Darling International plant.

**6. Items for Discussion**

- **DFW Airport Code Amendment Relating to Pet Hotel**
- **Regional Transportation Council Legislative Program**

There was no discussion and no action was taken on these items.



Linda L. Koop, Chair  
Transportation and Environment Committee

**DRAFT**