

Memorandum

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CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE March 5, 2010

TO Transportation and Environment Committee Members: Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Transportation and Environment Committee Meeting Agenda

Monday, March 8, 2010 at 2:00 – 4:00 p.m.
City Hall, 1500 Marilla, Room 6ES
Dallas, TX 75201

1. **Approval of Minutes for the February 22, 2010 Meeting and Correction for the Minutes of September 15, 2009**
(Action / 5 Minutes)
2. **DFW Airport Board Nominee Interview: Forrest Smith**
(Action / 20 Minutes)
3. **Community Gardens**
Kris Sweckard, Managing Director, Office of Environmental Quality
(Action / 30 Minutes)
4. **North Central Expressway Landscaping**
Rick Galceran, Director, Public Works and Transportation
(Briefing / 30 Minutes)
5. **Implementation of Head-of-the-Line Privileges for CNG Taxicabs at Love Field**
Dan Weber, Director, Aviation
(Action Item / 30 Minutes)

Linda L. Koop 
Linda L. Koop, Chair
Transportation and Environment Committee

- c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Edward Scott, Director, Controller's Office
Rick Galceran, P.E., Director, Public Works and Transportation
Theresa O'Donnell, Director, Sustainable Development and Construction
Helena Stevens-Thompson, Assistant to the City Manager – Council Office

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 is 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.

**TRANSPORTATION AND ENVIRONMENT
COMMITTEE MEETING RECORD**

The Transportation and Environment Committee (TEC) meetings are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Public Works and Transportation TEC Staff Coordinator at 214.670.4545.

Meeting Date: February 22, 2010 **Start Time:** 2:04 p.m. **Adjournment:** 3:55 p.m.

Committee Members Present:

Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, and Vonciel Jones Hill

Committee Members Absent:

None

Other Council Members Present:

Ann Margolin

City Executive Staff Present:

Jill A. Jordan, Assistant City Manager and A. C. Gonzalez, Assistant City Manager

TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA

1. Approval of Minutes for February 8, 2010

Action Taken/Committee Recommendation:

Motion was made to approve the minutes for the February 8, 2010 meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Natinsky

Seconded by: Hunt

Passed unanimously

2. DFW Board Interviews

The Committee interviewed Robert Hsueh and Bernice Washington as nominees for reappointment to the DFW Airport Board. Dallas City Council is scheduled to vote on nominees for DFW Board Place 6 and 9 on February 24, 2010.

State Representative Helen Gittings was introduced to the Committee.

Action Taken/Committee Recommendation:

Motion was made to forward DFW Board Nominations to full Council for consideration on February 24, 2010.

Made by: Atkins

Seconded by: Kadane

Passed unanimously

3. Love Field Concession Plan

Presenter: A.C. Gonzalez, Assistant City Manager

Mr. Gonzalez briefed the Committee on the Love Field Concession Plan which included “food/beverage” and “retail” components. Staff recommended amendments to the current concession agreements and new agreements for additional space in Love Field’s new terminal. If endorsed by the Committee concession agreements would be scheduled for full City Council consideration April 28, 2010.

Action Taken/Committee Recommendation:

Mr. Kadane stated that the recommendation was a brilliant plan and thanked Mr. Gonzalez. Mr. Kadane asked Mr. Gonzalez to provide some additional explanation about the plan to expand availability of bottled water. Mr. Gonzalez indicated that the City will not be setting the price for bottled water. However, there is a formula that will protect the existing revenue stream for the food and beverage concessionaire.

Mr. Natinsky asked if the storage rental fixed rate of \$40 a square foot applies to the next contract. Mr. Gonzalez stated that the fixed rate is not on existing space, it is for the new space and is effective through the term of the lease. Mr. Natinsky stated that the proposal was a good solution that serves the City and the concessionaires well.

Ms. Jasso asked about the level of local and minority-owned businesses. Mr. Gonzalez indicated that there is very strong participation from the incumbent vendors with one being 99 percent minority-owned and the other having 40 percent participation through a joint venture. Bidding for the additional new space will be on RFP basis with the City looking for a viable proposal from local businesses that want to be a part of the airport.

Mr. Atkins asked how many of the airport concession clients of Unison Consulting, Inc. were for airports of similar size to Love Field. Unison Consulting was the City’s consultant for concession planning. Mr. Andrew Weddig with Unison Consulting, Inc. stated that they have worked with several airports similar to Love Field including Milwaukee, Kansas City, Memphis, Houston Hobby, and San Antonio. Mr. Atkins asked if Unison uses the same business model throughout the country. Mr. Weddig indicated that Unison does use the same basic approach.

Mr. Atkins asked when the RFP would be available for the additional new space. Mr. Gonzalez stated that it is expected later this year, possibly in November.

Ms. Davis asked for details on the new proposals listed on slide 7 of the presentation. Mr. Gonzalez stated that “new proposals” reference the additional new space that will be awarded through an RFP process.

Ms. Medrano asked for more information on the space development plan listed on slide 13 of the presentation. Mr. Gonzalez stated that the reason the space is expanded in phases is so that the amount of concession space is matched with the amount of business that would be generated at different enplanement levels. Ms. Medrano agreed with the phased approach for space development. She indicated that she had spoken with Council members from other cities who confirmed that they had used a similar approach.

Mr. Atkins recognized Daniel Bruce, a former Director of Aviation, who was seated in the audience.

Ms. Koop thanked Dan Weber and the concessionaires for their hard work.

Motion was made to recommend approval of amendments for the current concession agreements and to move forward with the RFP process for additional space in the new terminal. Full City Council consideration will be scheduled for April 2010.

Made by: Atkins

Seconded by: Medrano

Passed unanimously

Linda L. Koop, Chair
Transportation and Environment Committee

DRAFT

**CORRECTED
TRANSPORTATION AND ENVIRONMENT
COMMITTEE MEETING RECORD**

The Transportation and Environment Committee (TEC) meetings are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Public Works and Transportation TEC Staff Coordinator at 214.670.4147.

Meeting Date: September 15, 2009 **Start Time:** 2:05 p.m. **Adjournment:** 3:31 p.m.

Committee Members Present:

Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Atkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

Committee Members Absent:

None

Other Council Members Present:

Mayor Pro Tem Dwaine Caraway

City Executive Staff Present:

Jill Jordan, Assistant City Manager
A.C. Gonzalez, Assistant City Manager

TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA

1. Approval of Minutes for August 11, 2009 and August 25, 2009

Action Taken/Committee Recommendation:

Motion was made to approve the corrected minutes for the August 11, 2009 meeting subject to any further corrections. Corrected minutes were approved as submitted.

Made by: Kadane Seconded by: Atkins Passed unanimously

Motion was made to approve the minutes for the August 25, 2009 meeting subject to corrections. Ms. Hill requested that the minutes be revised to remove hyphen in her name. The minutes were approved with the correction to Ms. Hill name.

Made by: Atkins Seconded by: Kadane Passed unanimously

2. RTC Sustainable Development Call for Projects – Project Recommendations

Presenters: John Brunk, Assistant Director, Public Works and Transportation
PM Summer, Senior Planner, Public Works and Transportation

Mr. Summer provided an overview of the RTC Sustainable Development Program, and briefed to the Committee on the process used to solicit private sector project proposals then evaluate and rank the projects. Staff asked the Committee to endorse the recommended projects for submission to NCTCOG by the October 2, 2009 deadline. Karl Stundins and Sue Hounsel from Economic Development helped answer Committee questions on specific projects.

Action Taken/Committee Recommendation:

Ms. Davis asked if all the projects submitted were around train or light rail transit stations. Mr. Summer confirmed that many were near rail transit stations, however, some were located along bus routes as well. Ms. Davis asked if all the submitted projects would be awarded funding. Mr. Summer stated that it was likely that only about a third of the submitted projects would be approved for funding. He explained that the City's recommended projects would be submitted to the North Central Texas Council of Governments for review. The Regional Transportation Council (RTC) would then decide which projects would be funded.

Motion was made to endorse the recommended project list as presented to the Committee.

Made by: Allen Seconded by: Davis Passed unanimously

3. Taxicab Task Force Status Report – Temporary Modification of Insurance and Age Limit Requirements

Presenter: John Brunk, Assistant Director, Public Works and Transportation

~~Due to a conflict of interest,~~ Ms. Koop was not present in the briefing room for this item.

Mr. Brunk provided an update on the Taxicab Task Force and presented a proposal to temporarily modify insurance and age limit requirements that was originally presented to the Committee on June 8, 2009. Staff requested that the Committee either endorse the changes and move it forward to full Council, or reject the proposals and instruct the Taxicab Task Force to continue its work.

Action Taken/Committee Recommendation:

Mr. Kadane asked if the City of Dallas changes its insurance requirements such that they don't match the requirements of DFW Airport, can Dallas taxicabs still serve the airport. Mr. Brunk stated that if the Dallas Council takes action to change the current insurance requirements, the proposal would be taken to the Airport Board for their consideration. However, DFW Airport representatives have stated that they will not change their insurance requirements unless both Fort Worth and Dallas make the same change. A taxicab would be able to drop off passengers at the Airport if the

insurance requirements were different but would not be able to pick up passengers at the Airport.

Mr. Atkins asked that the Committee not forget that we are making rules that affect the region, not just Dallas and Fort Worth. Mr. Brunk stated that one of the primary goals of the Task Force was to look at the Taxicab issues from a regional perspective.

Ms. Hunt asked what percentage of Dallas taxicabs go to DFW Airport per day. Mr. Brunk indicated that staff didn't have that number available. Ms. Hunt asked if there was a general consensus that we have an over abundance of taxicabs in our area. Mr. Brunk stated that the general consensus was that we do have too many taxicabs. Ms. Hunt stated that she has reservations about lowering any of our standards. Ms. Hunt asked if Fort Worth was interested in making these same changes being discussed. Mr. Brunk stated that the representative from Fort Worth supports keeping the current standards.

Ms. Davis asked about Fort Worth's standards. Mr. Brunk responded that Fort Worth requires \$500,000 in liability insurance and has a 5-year age limit on taxicabs. Ms. Davis asked if taxicab companies might go out of business. Mr. Brunk stated that given the current economic recession and overabundance of taxicabs, it was possible that some of the smaller companies may go out of business in the next few months. Ms. Davis asked why there would not be enough taxicab business with the NBA All-Star game, NFL Super Bowl, and new Convention Center Hotel. Mr. Brunk indicated that although special events would bring taxicab business, the day-to-day business would not necessarily be enough to support all the currently permitted taxicabs.

Ms. Jasso stated that she is concerned about the total number of cabs within the City.

Mr. Allen stated his support for the current requirements and that he is in opposition to lowering those standards.

Mr. Natinsky stated that he is in opposition to lowering current requirements, but indicated his support for moving towards a regional approach.

Motion was made to maintain the current requirements of \$500,000 combined single limit for liability insurance and five years for the taxicab age limit.

Made by: Natinsky

Seconded by: Allen

Passed unanimously

4. Love Field Modernization Program Bond Financing Preparations

Presenter: Dan Weber, Director, Department of Aviation

Mr. Weber provided a brief overview of the Love Field Modernization Program bond financing preparations. The Department of Aviation asked that the Committee recommend approval of their request to authorize the City Manager to execute a supplemental agreement with Unison Consulting Group to conduct a Bond Feasibility Study.

Action Taken/Committee Recommendation:

This item was briefed to the Council's Budget, Finance and Audit Committee earlier in the day. There was no further discussion.

Motion was made to recommend approval and move this item forward for full Council consideration on September 23, 2009.

Made by: Hunt

Seconded by: Atkins

Passed unanimously

Linda L. Koop, Chair
Transportation and Environment Committee

Memorandum



DATE March 5, 2010

TO Members of the Transportation and Environment Committee:
Linda L. Koop (Chair), Sheffie Kadane (Vice Chair), Jerry Allen, Tennell Adkins, Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT DFW Airport Board Interview

The application for Mr. Forrest Smith who is being interviewed for the DFW Airport Board will be emailed to you on Friday, March 5, 2010. Please note that the application contains personal information and should be properly disposed of after the meeting.

Please contact me if you need additional information.



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

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Helena Stevens-Thompson, Assistant to the City Manager – Council Office

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TO Members of the Transportation and Environment Committee:
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SUBJECT Community Gardens Briefing

On March 8, 2010 staff will brief the Committee on the zoning options for a municipal community gardens program. Please find attached a copy of the presentation, and feel free to contact me if you need additional information.

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

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

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Thomas P. Perkins, City Attorney
Craig Kinton, City Auditor
Judge C. Victor Lander
Ryan S. Evans, First Assistant City Manager
A. C. Gonzalez, Assistant City Manager
Jill A. Jordan, PE, Assistant City Manager
Forest Turner, Assistant City Manager
Frank Libro, Public Information Office
Helena Stevens-Thompson, Assistant to the City Manager

Community Gardens

Creating a Sustainable Dallas

Dallas City Council
Transportation and Environment Committee
March 8, 2010



What is a Community Garden?

- “Any piece of land gardened by a group of people.”
 - *American Community Gardening Association*
- Common element: all of these gardens are created and maintained by members of the community for the benefit of the community
 - *Brooklyn Botanic Garden All-Region Guide: Community Gardening*
- Typically considered a publicly functioning asset in terms of ownership, access, and management
- May consist of individually tended plots on a shared parcel or may be communal (everyone shares a single plot)

Purpose

- Provide additional information to the Committee on zoning options for community gardens
 - Follow up to December 14th, 2009 TEC briefing
- Allow for gardens on vacant lots while meeting the needs of surrounding property owners, community gardening groups, and the City

Current Dallas Regulations

Community gardens are currently allowed “by right” in all zoning districts as an accessory use to a main use

- **In other words, anyone can have a garden in their backyard, on the side of their church, school, business, etc.**

Examples of successful gardens in Dallas

- GICD: Gardeners in Community Development
- REAL School Gardens

Other Municipalities

Community gardens are typically treated as open space or as a specific use listed in City zoning regulations

- Key Considerations

- Lot size
- Animals/bees
- Responsible party
 - license or user agreement
- Accessory structures, setbacks, fencing, screening, structure height, lighting
- Sales
- Avenue for complaints

	Cincinnati	Denver	Durham	Portland
Zoning Definition	Agricultural and Extractive Uses, Community Gardens	Specific Agricultural Use, Urban Gardens	Parks and Open Areas	Parks and Open Spaces
Districts Allowed	All Zoning Districts By Right, except intense manufacturing district	All Zoning Districts By Right	All Districts By Right	Any Zoning District By Right
Lot Size	No restrictions, limited equipment size	Compatible with zoning district	Compatible with zoning district	None in the code; park standard, minimum of 10,000 sq. ft. = 15 garden plots [30-50 is better] with walkways/parking
Animals/Bees	Dealt with in other municipal code sections	Bees allowed; chickens by appeal to the Zoning Administrator	Accessory use to residential only for chickens/bees	Considering allowing chickens/bees
Responsible Party	Property owner responsible for all requirements; If City owned land - "Good Gardener's Contract" between group and City	Owner (owner or lessee can be cited for code violation); User agreement (between DUGS, a non-profit, and gardeners)	Property owner leases land to SEEDs, a non-profit, that contracts with gardeners who renew annually	City Parks Department; participants sign annual agreement with City; Volunteer managers run gardens
Accessory Structures	Specific rules included in zoning regulations	Associated structures, equipment allowed	Not regulated if under 120 sq.ft., required fence	Compatible with surrounding zoning district
Sales	On-site sales prohibited	Allowed in all zones except residential	Derived food distributed among neighborhood; not sold	Prohibited because City funded program (not for profit)
Avenue for Complaints	Building or health inspectors	3-1-1, none received	None received	Outreach and public meeting before creating garden to talk about concerns; once established, no complaints received

Zoning Issue - Vacant Lots

Zoning for gardens becomes an issue when located on vacant lots and not accessory to a main use

- No specific use in the development code for community gardens
- Agricultural uses are listed in 51A-4.201
 - Require a minimum of 3 acres
 - Community gardens are often smaller than 3 acres

Goal: For the Development Code to explicitly allow community gardens on vacant lots

Vacant Lot Zoning Options

1. By right in all districts
2. By SUP only in all districts
3. Hybrid approach in all districts
 - Community Gardens and/or Neighborhood Gardens
 - By SUP only in Single Family and Duplex Districts
 - By right in all other zoning districts
 - Urban Agriculture
 - By SUP only

Definitions:

Neighborhood Garden: lot size compatible with zoning district, must be run by organized neighborhood group where garden is located

Community Garden: ≤ 1 acre, can be run by non-profit group

Urban Agriculture: 1-3 acres, can be run by outside group

Comparison of Options

	By Right	SUP	Hybrid
Other Cities	Consistent	Inconsistent	Unique; mostly consistent
Cost to Garden	None	\$1170 application fee; reapplication fees	\$0 for use by right; \$1170 SUP application fee and reapplication fees for Urban Agriculture and Neighborhood/Community Gardens in Single Family and Duplex
Process	Private agreement between property owner and gardeners	<ol style="list-style-type: none"> 1) Pay \$1170 application fee 2) Make case before Council 3) 6 month process 4) Draft ordinance 5) Public hearing 6) Application accepted or rejected 	<ol style="list-style-type: none"> 1) If 0-1 acres, community garden or neighborhood garden and in Single Family or Duplex 2) If 1-3 acres, urban agriculture, or if in Single Family or Duplex see SUP column for process
Accountability System	CO requires compliance with zoning regulations. If not meeting zoning regulations, responsible party may be cited or CO could be revoked.	<p>SUP ordinance lists conditions that the property must meet before BI issues certificate of occupancy</p> <p>Options:</p> <ol style="list-style-type: none"> 1) SUP with no expiration date 2) SUP with expiration date but allows for automatic renewal 3) SUP with expiration date with no automatic renewal 	<ol style="list-style-type: none"> 1) CO requires compliance with zoning regulations. If not meeting zoning regulations, responsible party may be cited or CO could be revoked. 2) SUP: see SUP column

Option 1: Gardens By Right

- Allowing by right in all districts is consistent with other City zoning regulations
- Lower cost will encourage neighborhoods to create these gardens
- Neighbors and City have little control
- Development Code changes:
 - Add “Neighborhood Garden” and “Community Garden” as two new specific accessory uses under 51A-4.217(b), “Specific Accessory Uses” (similar to accessory community center [private] in that it need not be located on the same lot as the main use)
 - Add “Urban Agriculture” as a new main use under 51A-4.201, “Agricultural Uses”

Option 2:

SUP- Specific Use Permit

- Interested gardeners or urban agriculturalists would have to make their case before Council
- Applicants pay **\$1170** to file an application, and could still be denied the SUP
- For each SUP application, CPC holds public hearing before submitting their recommendation to Council
- Process is slow, cumbersome, and costly; could keep many people from trying, especially in lower income neighborhoods where community or neighborhood gardens offer the most benefit and are the most needed
- Development Code changes:
 - Add “Neighborhood Garden” and “Community Garden” as two new specific accessory uses under 51A-4.217(b), “Specific Accessory Uses” (similar to accessory community center [private] in that it need not be located on the same lot as the main use); by SUP only
 - Add “Urban Agriculture” as a new main use under 51A-4.201, “Agricultural Uses”; by SUP only

Option 3:

Hybrid Approach

- Allow community gardens by right in all districts and by SUP in Single Family and Duplex Districts on properties less than one acre (neighborhood gardens on lot sizes compatible with zoning district where garden is located)
 - Development Code change: Add “Neighborhood Garden” and “Community Garden” as two new specific accessory uses under 51A-4.217(b), “Specific Accessory Uses”
 - Similar to accessory community center (private) in that it need not be located on the same lot as the main use
- Allow urban agriculture by SUP on properties between one and three acres
 - Development Code change: Add “Urban Agriculture” as a new main use under 51A-4.201, “Agricultural Uses”; by SUP only

Hybrid Approach

	Neighborhood Garden	Community Garden	Urban Agriculture
Lot Size	Compatible with district	One acre or less	Between one and three acres
Sales	Two harvest sales allowed annually (consistent with garage sale regulations)	Two harvest sales allowed annually (consistent with garage sale regulations)	Harvest sales allowed (consistent with City regulations on markets)
Accessory Structures	Consistent with zoning district	Consistent with zoning district	Consistent with zoning district
Animals/Bees	Animals prohibited; bees regulated in other code provisions	Animals prohibited; bees regulated in other code provisions	Animals allowed; bees regulated in other code provisions
Responsible Party	Must consist of members from the established Neighborhood Association in which the site is located	Responsible party comes in from outside the neighborhood (i.e. non-profit like SEEDs in Durham)	Participants allowed to come in from outside the community (i.e. youth educational group); SUP only
Code Change	List in Development Code as a specific accessory use under 51A-4.217(b)	List in Development Code as a specific accessory use under 51A-4.217(b)	List in Development Code as a specific main use under Agricultural Uses in 51A-4.201

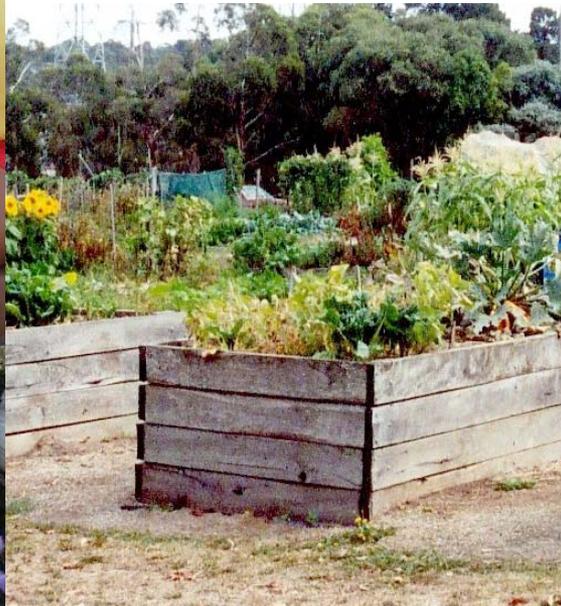
Staff Recommendation

- The Hybrid Model best meets the objective to allow for gardens on vacant lots while meeting the needs of the surrounding property owners, the community gardening group, and the City

Next Steps

- Receive direction from TEC committee
- City Attorney's Office drafts ordinance to reflect staff recommendation
- Staff takes recommendation to ZOC
- ZOC submits recommendation to CPC
- CPC submits recommendation to City Council
- Council action

Questions?



Memorandum



DATE March 5, 2010

TO Members of the Transportation and Environment Committee:
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Tennell Atkins,
Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky,
Vonciel Jones Hill

SUBJECT North Central Expressway Landscaping

Attached is the "North Central Expressway Landscaping" briefing that will be presented to you on March 8, 2010. It provides information on the existing landscaping and amenities and provides options to discuss and further consider as the City and the Texas Department of Transportation plan for future efforts in this area.

Please contact me if you need additional information.



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

c: The Honorable Mayor and Members of the City Council
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Gilbert Aguilar, Director, Street Services

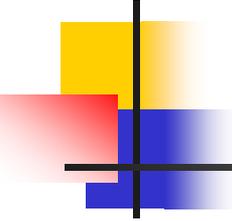
North Central Expressway Landscaping

Council Transportation and
Environment Committee

March 8, 2010

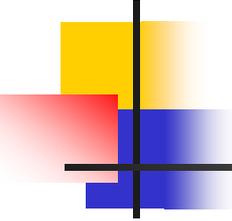
Public Works and Transportation and
Texas Department of Transportation





Purpose of Briefing

- Provide update on TxDOT's plan to modify landscaping on North Central Expressway between Woodall Rodgers and LBJ Freeway
- Identify options that maintain a strong amenities package on North Central and the potential cost impact to the City
- Obtain Committee direction regarding which option to pursue with TxDOT



Background

- City Council accepted provisions of the original North Central amenities package in 1986
 - State and City to each pay half of a \$10.1 million amenities package
 - State would “maintain that portion of the work which is its responsibility in accordance with applicable maintenance agreements”
- The amenities package included:
 - Landscaping for medians, window boxes in retaining walls, bridges and service road parkways
 - Pavers on transitions for cross streets
 - Architectural treatment of bridges and retaining walls

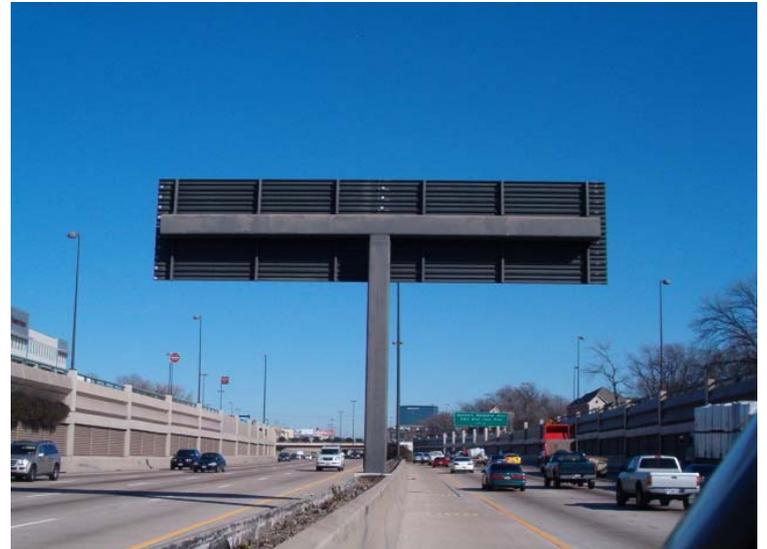
Background

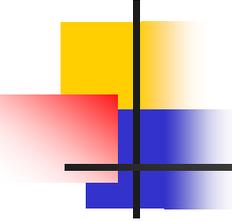
- North Central is the only enhanced landscaping program in the Dallas District without a local maintenance partner
- TxDOT is primarily interested in reducing or eliminating landscaping costs associated with the median, window boxes and bridges
- Decorative architectural features on bridges were removed in 2003-2004
- Median landscaping from Woodall Rodgers to Mockingbird was removed in late 2007



Background

- Median landscaping from Mockingbird to LBJ Freeway was scheduled for removal in early 2009
- City began discussions with TxDOT in early 2008
- City options previously discussed with Committee:
 - Do Nothing
 - Maintain Current Program
 - Native Grasses Program
 - Hardscape Program

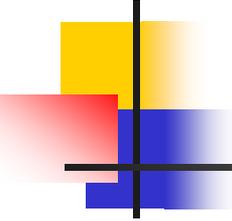




Do Nothing

City Option 1

- City does not partner with TxDOT
- Remaining median and window box landscaping will be removed in subsequent maintenance contracts
- TxDOT will seek private sector partners to maintain bridge landscaping; without partners, bridge landscaping and planter amenities will likely be reduced over time
- Reduced mowing/pruning cycles for areas between main lanes and frontage roads (3 per year by TxDOT)
- TxDOT could install some type of hardscape median treatment in response to community concerns
- City of Dallas cost: None



Maintain Current Program

City Option 2

- City partners with TxDOT - five year financial commitment with option to renew annually
- TxDOT repairs irrigation system and replaces dead plant material with existing plant types in median, planter boxes, and on bridges
- Maintain existing mowing/pruning cycles for parkway area between main lanes and frontage roads (10 to 12 per year by City)
- City of Dallas estimated cost: \$750,000/year

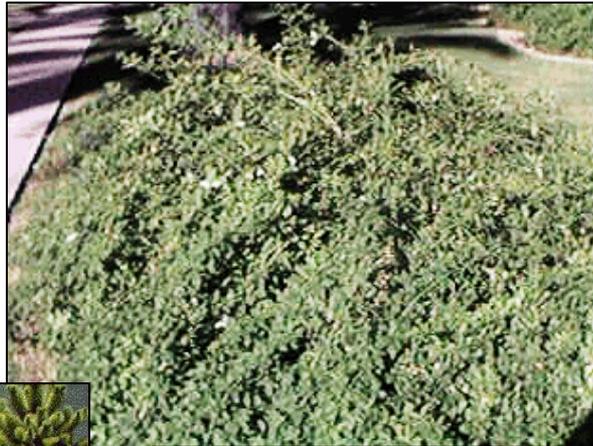
Maintain Current Program

City Option 2



Dwarf Burford Holly

Primrose Jasmine



Honeysuckle



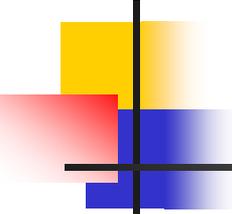
Red Yucca



Abelia



Purple Wintercreeper



Native Grasses Program

City Option 3

- City partners with TxDOT - five year financial commitment with option to renew annually
- TxDOT terminates irrigation system and replaces plant material with native grasses in median and on bridges if desired by City
- TxDOT will seek private sector partners to maintain bridge landscaping; without private sector partners, bridge landscaping and planter amenities will likely be reduced over time
- Plant material in window boxes will be removed
- Reduced mowing/pruning cycles for parkway area between main lanes and frontage roads (3 per year by TxDOT)
- City of Dallas estimated cost: \$300,000/year (for median only) 9

Native Grasses Program

City Option 3



Maiden Grass



Muhly Grass



Fountain Grass



Love Grass

Native Grasses Program

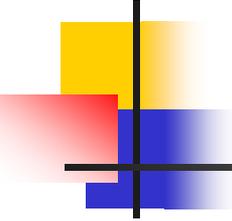
City Option 3 - Test Site – November 2008



Native Grasses Program

City Option 3 - Test Site – September 2009/January 2010





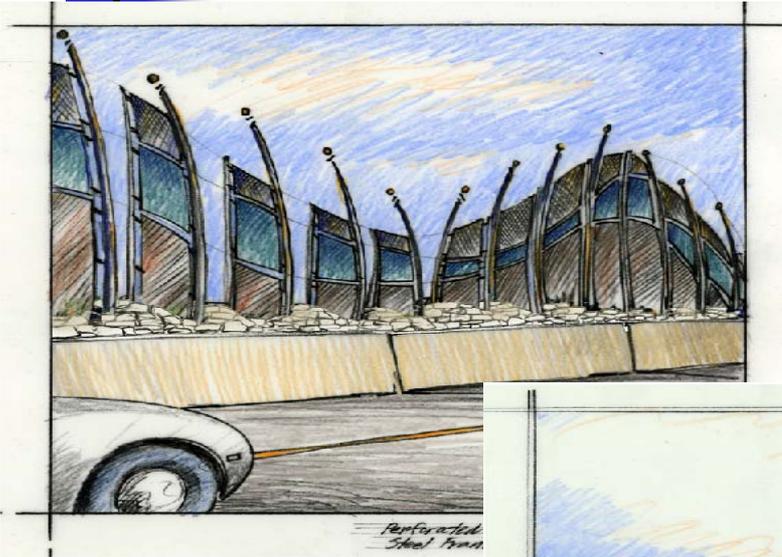
Hardscape Program

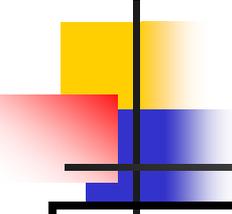
City Option 4

- TxDOT replaces landscaping in the median and window boxes with a “hardscape” element such as a fence, rail, screen or sculpture.
- TxDOT will seek private sector partners to maintain bridge landscaping; without partners, bridge landscaping and planter amenities will likely be reduced over time
- Reduced mowing/pruning cycles for parkway area between main lanes and frontage roads (3 per year)
- City of Dallas cost: None

Hardscape Program

City Option 4



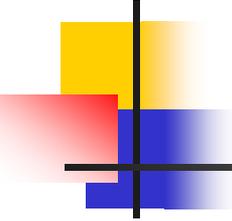


Summary of Options

Area To Be Maintained	OPTION			
	1	2	3	4
Median	No	Yes	Yes	Yes**
Window Boxes	No	Yes	No	No
Bridges	No*	Yes	No*	No*
Parkway Between Main Lanes and Frontage Roads	Yes – 3X/yr.	Yes - 10-12X/yr.	Yes – 3X/yr.	Yes – 3X/yr.
Estimated Annual Cost to City	\$0	\$750,000	\$300,000	\$0

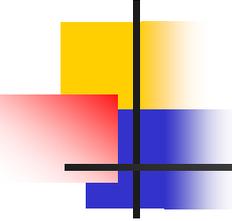
* Assumes no private sector sponsor

** Assumes hardscape with minimal maintenance requirements



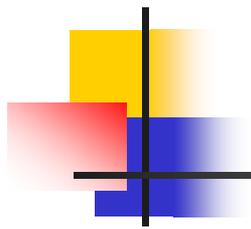
TXDOT Current Plan

- Landscape contract expires March 2010
- New contract to be let July 2010
 - Woodall Rodgers to IH 635
 - Plant median
 - Plant window boxes if desired by City (irrigation required)
 - Add 18" of polymer enhanced soil
- Start construction September 2010
- End TxDOT maintenance April 2011



City Action Necessary

- Determine acceptable landscape or hardscape option
- Provide input to TxDOT
- Authorize appropriate agreement with TxDOT
- Budget cost in FY 2010 - 2011
 - Option 2 - \$315,000 (estimate for partial year)
 - Option 3 - \$125,000 (estimate for partial year)
- Bid and authorize City maintenance contract



Questions/Discussion

Memorandum



DATE March 5, 2010

TO Members of the Transportation and Environment Committee:
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Tennell Atkins,
Carolyn R. Davis, Angela Hunt, Delia Jasso, Pauline Medrano, Ron Natinsky,
Vonciel Jones Hill

SUBJECT Implementation of Head-of-the-Line Privileges for CNG Taxicabs at Love Field

Attached is the "Implementation of Head-of-the-Line Privileges for CNG Taxicabs at Love Field" briefing that will be presented to you on March 8, 2010 and the Draft Ordinance Amending Chapter 5 of the Dallas City Code.

Please contact me if you need additional information.



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

c: The Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Thomas P. Perkins, Jr., City Attorney
Deborah Watkins, City Secretary
Craig Kinton, City Auditor
Judge C. Victor Lander, Administrative Judge
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Edward Scott, Director, Controller's Office
Theresa O'Donnell, Director, Sustainable Development and Construction
Helena Stevens-Thompson, Assistant to the City Manager – Council Office

Implementation of Head-of-the-Line Privileges for CNG Taxicabs at Love Field

Briefing to Transportation and Environment
Committee

Department of Aviation
March 8, 2010



Purpose of Briefing

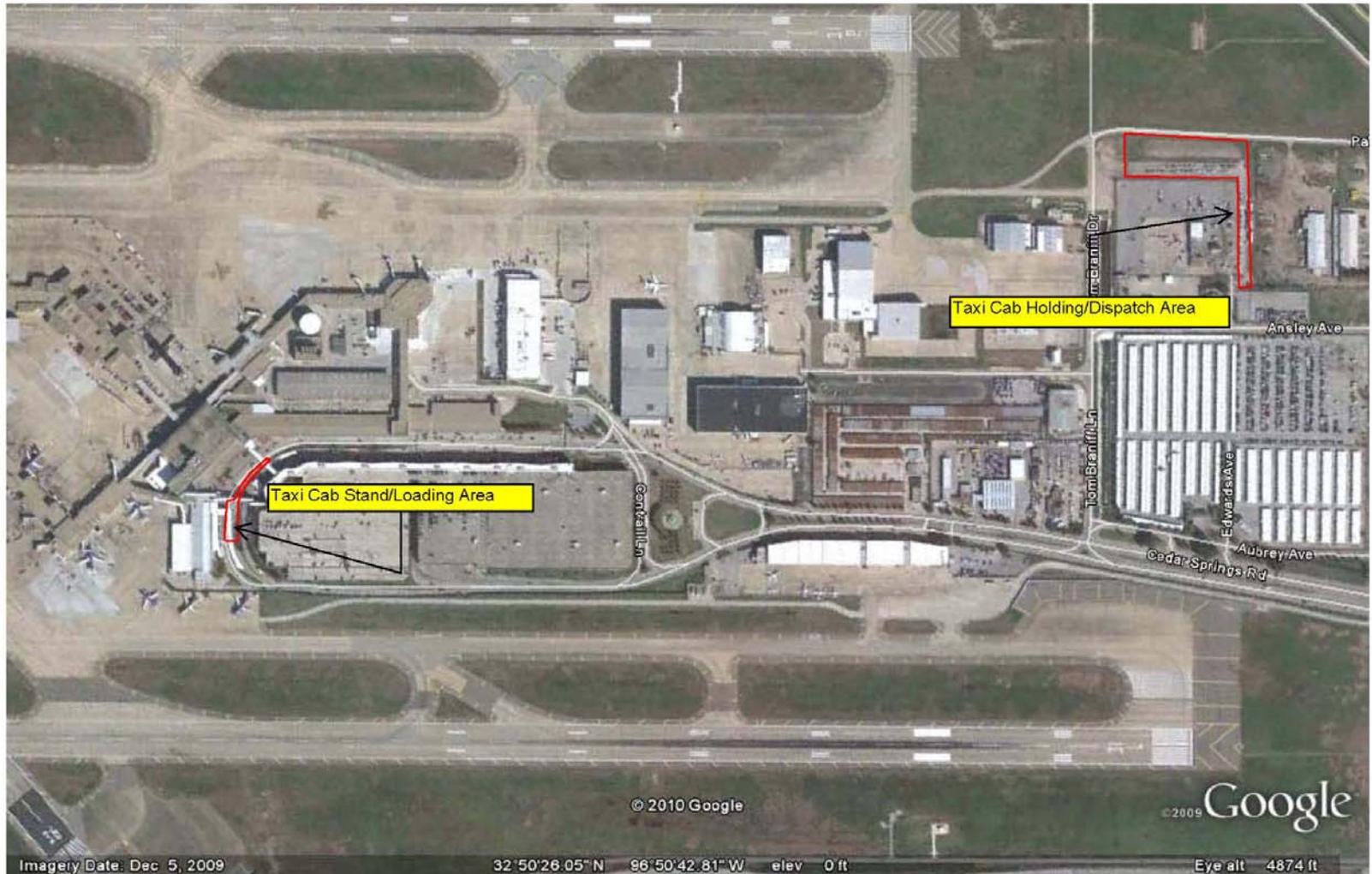
- Background for incentives for Compressed Natural Gas (CNG) Taxicabs at Love Field
- Describe Love Field implementation of Ordinance requirements
- Next Steps

Background for CNG Taxicab Incentives



- Mayor/Council policy initiative in response to EPA-proposed strengthening of air quality standards for ozone
 - State Implementation Plan (SIP) is required to demonstrate how the DFW region intends to reduce ozone levels
 - On-road vehicles identified by EPA as a major contributor to ozone
 - CNG fueled vehicles are recognized by EPA as a means of reducing the contribution to ozone levels
 - City Council proposes that the establishment of an incentive program to promote the use of CNG fueled taxicabs at Love Field is in the best interest of the public health and welfare and will further the City's goal of improving air quality
- Incentive: Head-of-the-line privileges for CNG-fueled Taxicabs

Implementation: Holding, Dispatch & Cab Stand



Implementation: Holding & Dispatch Queues



Implementation: Cab Stand / Loading Area



Implementation: Head-of-the-Line Procedures

- CNG vehicles to be identified by sticker
 - CNG vehicles verified during Transportation Regulation inspection process
- Head-of-the-line privileges apply to Holding and Dispatch Area
- 5 Queues in Holding & Dispatch area
 - 3 for regular cabs
 - 1 for CNG
 - 1 for Dispatch, at which CNG spaces will be reserved at head-of-the-line
- When all CNG-reserved spaces in Dispatch queue fill up, arriving CNG vehicles will go to CNG queue
- The order of vehicles dispatched will be
 - CNG vehicles in Dispatch queue
 - Vehicles from CNG queue will back fill CNG spaces in Dispatch queue as they are vacated, until CNG queue is emptied
 - When no CNG vehicles remain in Dispatch or CNG queues, regular Taxicabs will be dispatched

Other Considerations

- Other EPA-listed alternative fuels
- Potential impact to non-eligible taxicabs

Emissions Comparisons



	Compressed Natural Gas (CNG) light duty vehicle	Gasoline fueled light duty vehicle	Percent Difference
Model Year	2010	2010	N/A
Nitrogen Oxides (NOx)	0.02	0.07	71%
Particulate Matter (PM)	0.01	0.01	0%
Carbon Monoxide (CO)	2.1	4.2	50%

**Source: North Central Texas Council of Governments

Next Steps

- City Council consideration of ordinance amending Sections 5-58 and 5-59, and adding Section 5-61.1 to Chapter 5, “Aircraft and Airports” of the Dallas City Code providing a “head-of-the-line” incentive program for taxicabs operating at Dallas Love Field that are exclusively powered by CNG
 - March 10, 2010 Council agenda
- Staff implementation of ordinance requirements as presented herein, on April 10, 2010 effective date of ordinance

ORDINANCE NO. _____

An ordinance amending Sections 5-58 and 5-59 of and adding Section 5-61.1 to CHAPTER 5, “AIRCRAFT AND AIRPORTS,” of the Dallas City Code, as amended; providing a “head-of-the-line” incentive program for taxicabs operating at Dallas Love Field that are exclusively powered by compressed natural gas; providing a penalty not to exceed \$500; providing a saving clause; providing a severability clause; and providing an effective date.

WHEREAS, in 2004, the United States Environmental Protection Agency (EPA) designated nine counties in North Central Texas (including the counties of Dallas and Tarrant) as nonattainment for the pollutant ozone in accordance with the National Ambient Air Quality Standards (NAAQS); and

WHEREAS, four main sources of ground level ozone-causing emissions include on-road mobile sources like cars and trucks; non-road mobile sources like construction equipment; point sources like electric generating utilities, industrial boilers, and cement kilns; and area sources like solvent use and agriculture; and

WHEREAS, the EPA has proposed strengthening the NAAQS for ground level ozone from the current standard of 75 parts per billion (ppb) to between 60 and 70 ppb; and

WHEREAS, the development of an air quality plan, known as the State Implementation Plan (SIP), is required for all nonattainment areas in order to demonstrate how ozone will be reduced to levels compliant with the NAAQS; and

WHEREAS, the SIP for the Dallas-Fort Worth nonattainment area includes programs to get older cars off the road, technologies to clean up vehicles already on the road, and education programs so that citizens can do their part in improving air quality in North Central Texas; and

WHEREAS, vehicles that operate exclusively on compressed natural gas (CNG), which is an alternative fuel under the Energy Policy Act of 1992, contribute less to local and regional air pollution (including particulate matter) than traditional vehicles and assist in reducing problems such as smog, haze, and health issues; and

WHEREAS, the city council finds that the establishment of an incentive program that promotes the use of compressed natural gas in taxicabs authorized to operate at Dallas Love Field is in the best interest of the public health and welfare and will further the city's goal of improving air quality; Now, Therefore,

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

SECTION 1. That Section 5-58, "Definitions," of Article II, "Ground Transportation Services at Love Field Airport," of CHAPTER 5, "AIRCRAFT AND AIRPORTS," of the Dallas City Code, as amended, is amended to read as follows:

"SEC. 5-58. DEFINITIONS.

In this article:

(1) AIRPORT means all of the land, improvements, facilities, and developments within the boundaries of Dallas Love Field Airport.

(2) AUTOMATIC VEHICLE IDENTIFICATION ("AVI") TAG means an electronic tag issued by the North Texas Tollway Authority that may be used to charge trip fees for ground transportation vehicles operating at the airport.

(3) BUS has the definition given that term in Chapter 10 of this code.

(4) CERTIFICATE OF REGISTRATION or REGISTRATION means a certificate of registration issued by the director under Section 5-62 of this article that authorizes the operation of a courtesy vehicle service at the airport.

(5) CONCESSION CONTRACT means a contractual agreement between the city and another person for the provision of car rental and parking services at the airport, under which the city receives a minimum monthly payment or percentage of the gross revenues received by the contractor for such services.

(6) COURTESY VEHICLE means a motor vehicle that is:

(A) neither for hire nor used to transport a passenger in exchange for direct compensation; and

(B) operated by or on behalf of a hotel, motel, automobile rental, auto auction, or parking company in performing ground transportation service at the airport.

(7) COURTESY VEHICLE SERVICE means the business of performing ground transportation service using courtesy vehicles.

(8) DECAL means a decal issued by the director under Section 5-62 of this article authorizing a courtesy vehicle to be operated at the airport.

(9) DEDICATED COMPRESSED NATURAL GAS VEHICLE means a vehicle that operates exclusively on compressed natural gas.

(10) DIRECTOR means the city's director of aviation or the director's designated representative, including the transportation coordinator.

(11) [(40)] DRIVER means an individual who drives or operates a ground transportation vehicle.

(12) [(44)] FIXED-BASE[~~D~~] OPERATOR means a person who provides full-service aircraft maintenance, aircraft rental, passenger charter flight service, or fuel operations for compensation at the airport.

(13) [(42)] GROUND TRANSPORTATION SERVICE means the business of using the roadways at the airport for the purpose of dropping off or picking up passengers at the airport's terminal building or other areas of the airport.

(14) [(43)] GROUND TRANSPORTATION VEHICLE means a taxicab, bus, shuttle vehicle, limousine, or courtesy vehicle that is used for performing ground transportation service at the airport.

(15) [(44)] HOLDER means a person who is granted operating authority to perform ground transportation service at the airport, and includes any person with an ownership interest in the ground transportation service.

(16) [~~(15)~~] **LAWFUL ORDER** means a verbal or written directive issued by the director in the performance of official duties in the enforcement of this article and any rules and regulations promulgated under in this article.

(17) [~~(16)~~] **LIMOUSINE** has the definition given that term in Chapter 10A of this code.

(18) [~~(17)~~] **OPERATE** means:

(A) to own, drive, or be in control of a ground transportation vehicle at the airport; or

(B) to own or be in control of a ground transportation service provided at the airport.

(19) [~~(18)~~] **OPERATING AUTHORITY** means a permit, reciprocal agreement, certificate of registration, or other permission granted by the city to operate:

(A) a bus or shuttle service under Chapter 10 of this code;

(B) a limousine service under Chapter 10A of this code;

(C) a taxicab service under Chapter 45 of this code; or

(D) a courtesy vehicle service under this article.

(20) [~~(19)~~] **OPERATOR** means:

(A) the owner or driver of a ground transportation vehicle; or

(B) the holder of operating authority to perform ground transportation service at the airport.

(21) [~~(20)~~] **OWNER** means the person:

(A) who is the legal owner of a motor vehicle;

(B) to whom a motor vehicle is registered by the state; or

(C) who is leasing a motor vehicle.

(22) [~~(21)~~] **PERSON** means an individual; corporation; government or governmental subdivision; or agency, trust, partnership, or two or more persons having a joint or common economic interest.

(23) [(22)] SHUTTLE VEHICLE has the definition given that term in Chapter 10 of this code.

(24) [(23)] TAXICAB has the definition given that term in Chapter 45 this code.

(25) [(24)] TRANSPORTATION COORDINATOR means the person designated by the director to oversee and manage the ground transportation service operations at the airport.

(26) [(25)] TRIP means each time passengers are picked up at the airport by a ground transportation vehicle.

(27) [(26)] TRIP FEE means the monetary amount charged per trip to the owner or operator of a ground transportation vehicle in accordance with Section 5-63 of this article.”

SECTION 2. That Section 5-59, “General Authority for Enforcement,” of Article II, “Ground Transportation Services at Love Field Airport,” of CHAPTER 5, “AIRCRAFT AND AIRPORTS,” of the Dallas City Code, as amended, is amended to read as follows:

“SEC. 5-59. GENERAL AUTHORITY FOR ENFORCEMENT.

(a) The director shall implement and enforce this article and may promulgate and enforce written rules and regulations, not inconsistent with this article, governing the operation of ground transportation vehicles and ground transportation services at the airport as the director determines necessary to provide for the orderly, efficient, and convenient flow of traffic, to protect the public health and safety, and to manage the ground transportation system at the airport.

(b) The director may issue lawful orders, not inconsistent with this article, as the director determines necessary to carry out duties under, or to effect the policy of, this article.

(c) The transportation coordinator is authorized to enforce this article and all rules, regulations, and lawful orders promulgated or issued by the director under this article.”

SECTION 3. That Article II, “Ground Transportation Services at Love Field Airport,” of CHAPTER 5, “AIRCRAFT AND AIRPORTS,” of the Dallas City Code, as amended, is amended by adding new Section 5-61.1, “Taxicabs That Are Dedicated Compressed Natural Gas Vehicles,” to read as follows:

“SEC. 5-61.1 TAXICABS THAT ARE DEDICATED COMPRESSED NATURAL GAS VEHICLES.

(a) A taxicab authorized to operate at the airport will be eligible for “head-of-the-line” privileges in the taxicab holding and dispatch areas if the taxicab is verified as a dedicated compressed natural gas vehicle by the director in accordance with this section and rules, regulations, and procedures promulgated by the director.

(b) “Head-of-the-line” privileges allow an eligible taxicab to advance to the front of a taxicab holding or dispatch area, ahead of all ineligible taxicabs, in accordance with rules, regulations, and procedures promulgated by the director. “Head-of-the-line” privileges do not apply at taxicab stands used for loading passengers at the airport.

(c) To receive “head-of-the-line” privileges, the owner or operator of the taxicab must submit to the director the following information:

(1) The name, address, and telephone number of the taxicab owner or operator.

(2) A description of the taxicab, including the make, model, vehicle identification number, and state license plate number of the taxicab.

(3) Proof that the taxicab was:

(A) equipped by the original manufacturer with an engine exclusively powered by compressed natural gas and has remained unaltered; or

(B) converted to be equipped with an engine exclusively powered by compressed natural gas, and the conversion was in compliance with *Mobile Source Enforcement Memorandum 1A, the Addendum to Mobile Source Enforcement Memorandum 1A, and the Revised Addendum to Mobile Source Enforcement Memorandum 1A*, as issued by the United States Environmental Protection Agency, and with Title 40, Parts 85 through 88, of the Code of Federal Regulations, as amended.

(4) Any other information requested by the director that is reasonably necessary to determine whether the taxicab is a dedicated compressed natural gas vehicle.

(d) Upon determining that a taxicab is a dedicated compressed natural gas vehicle, the director shall issue to the taxicab a sticker or emblem that identifies it as a designated compressed natural gas vehicle eligible for “head-of-the-line” privileges. The sticker or emblem must be displayed on the taxicab in a manner and location approved by the director. The sticker or emblem is nontransferable.

(e) A person commits an offense if he uses a sticker or emblem issued under this section on an unauthorized vehicle or in an unauthorized manner.”

SECTION 4. That a person violating a provision of this ordinance, upon conviction, is punishable by a fine not to exceed \$500.

SECTION 5. That CHAPTER 5 of the Dallas City Code, as amended, will remain in full force and effect, save and except as amended by this ordinance.

SECTION 6. 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 7. That this ordinance will take effect on April 10, 2010, and it is accordingly so ordained.

APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

By _____
Assistant City Attorney

Passed _____

LC/DCC/00478A