

TRANSPORTATION AND ENVIRONMENT COMMITTEE MEETING RECORD

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Meeting Date: April 9, 2012 **Start Time:** 1:02 p.m. **Adjournment:** 2:52 p.m.

Committee Members Present:

Linda L. Koop (Chair), Sheffie Kadane (Vice-Chair), Sandy Greyson, Vonciel Jones Hill, Delia Jasso and Pauline Medrano

Committee Members Absent:

None

Other Council Members Present:

Tennell Atkins
Dwayne Caraway
Carolyn Davis
Ann Margolin

City Executive Staff Present:

Mary K. Suhm, City Manager
Jill Jordan, Assistant City Manager
Forest Turner, Assistant City Manager
Theresa O'Donnell, Director, Sustainable Development and Construction
Peer Chacko, Assistant Director, Sustainable Development and Construction
Rick Galceran, Director, Public Works
Alan Hendrix, Assistant Director, Public Works
Kelly High, Director, Trinity Watershed Management
Sarah Standifer, Assistant Director, Trinity Watershed Management
Jody Puckett, Director, Dallas Water Utilities
Terry Lowery, Assistant Director, Dallas Water Utilities

TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA

1. Approval of Minutes for the March 26, 2012 Meeting

Action Taken/Committee Recommendation:

At the request of Ms. Greyson, the March 26, 2012 minutes were held to include additional information on residential and restaurant parking until the April 23, 2012 Meeting.

No action was taken on this item.

2. Water Conservation Program: Maximum Twice Weekly Watering Restrictions.

Jody Puckett, Director, Dallas Water Utilities, provided the Committee with a briefing on twice weekly watering approach; implementation process; variances, compliance and community plan; and future steps. Ileana Fernandez, Assistant City Attorney, assisted in answering questions.

Action Taken/Committee Recommendation:

Ms. Koop mentioned a news conference that Mayor Rawlings and the Mayor's of Fort Worth, Irving and Arlington will hold on April 11, 2012, to present twice-weekly watering as a water conservation policy that is under consideration for all four cities.

Ms. Greyson stated that she did not believe a five-week variance is adequate for someone installing new landscaping. Ms. Greyson asked Ms. Puckett if installing a drip system will sustain new landscapes with 100° or above temperatures. Ms. Puckett stated the drip system will sustain new landscapes with drought-tolerant or native plants, and from a sustainability standpoint, it is beneficial to plant landscaping that will survive the Texas temperatures. Ms. Puckett also stated that as long as we are not in a severe drought situation, this program will allow anyone to water their landscape at any time with a drip system, other than time-of-day. The program is designed to limit the use of automatic irrigation systems. Ms. Greyson mentioned not everyone likes drought-tolerant or native plants and she wants to encourage, not discourage them from installing new landscaping, hedges or plants.

Ms. Greyson also stated that our wholesale city contracts with customer cities require like measures, however, each city will have to pass its own ordinance to implement twice weekly watering restrictions. Ms. Greyson asked if those cities have the ability to not implement the same restrictions imposed on Dallas' customers. Ms. Puckett stated other cities can choose not to impose the restrictions; however, she does not believe they will because their customers will pay a higher rate to the City of Dallas. Ms. Fernandez stated the contracts require those cities adopt like measures but it is left at their discretion how those measure will mirror the City of Dallas; however, there is some flexibility.

Ms. Koop suggested asking the Mayor to encourage the member cities to adopt a resolution implementing the same restriction imposed on Dallas' customers. Ms. Greyson stated that she has an issue with asking Dallas citizens to accept these restrictions and then selling water to other cities who do not have the same restrictions, and she is in agreement encouraging other cities to adopt the measure by resolution.

Ms. Greyson asked if there are mechanisms in place to require non-municipal golf courses or other large users to transition to non-potable use. Ms. Puckett stated she did not have the list of golf courses; however, several of the private courses have non-potable use; and from an infrastructure standpoint, some locations may not lend to that type of usage. Ms. Greyson asked that the Committee be provided with a list of the golf courses that are using non-potable water, those considering, and those not using non-potable water, and the location.

Ms. Greyson also asked what restrictions are in place for water usage for gas drilling. Ms. Puckett stated there are no gas well drilling restrictions associated with conservation and she is not familiar with all of the gas drilling task force recommendations. Irrigation requirements for a site will be subject to the rules. Ms. Greyson stated she has received several emails requesting she not support the restrictions and would like to receive more information.

Ms. Greyson stated that she does not want to wait until the gas drilling task force recommendations are presented to Council and is reluctant to recommend approval. Ms. Greyson also requested a copy of the state law pertaining to water restrictions.

Ms. Jasso stated that she has also received several emails in opposition of the water restrictions. Ms. Jasso stated the impact of twice-weekly water was not addressed and if Dallas Water Utilities considered three-times a week watering during the 100⁰ or above temperatures and its impact. Ms. Puckett stated El Paso, Texas receives approximately ten inches of rain, less than Dallas, and implements three-times a week watering; however, she does not want to trigger the restrictions to temperature because it will be difficult to enforce and she will provide the Committee with more information.

Ms. Koop stated the restrictions should depend on horticulturalists recommendations and those who are using their garden for food production. Ms. Puckett stated there is an allowance for a variance in the drought program for those using their garden for food production.

Ms. Margolin read a letter she received from John Pinkes, owner of North Haven Gardens, with over 50 years experience, expressing his concerns with the water restrictions. Ms. Margolin stated she agrees with Ms. Jasso and is interested in seeing the impact of three-times a week watering. Ms. Margolin also stated she has concerns with implementing the restrictions by ordinance and not on a trial basis.

Mr. Kadane asked for confirmation that hand-watering is permitted any time of day. Mr. Kadane also asked how the restrictions and lack of sales will affect the Water Utilities' budget. Ms. Puckett stated there are no restrictions on hand-watering. The sales go down during wet seasons; however, they can defer projects into the next year, if needed. Mr. Kadane stated he also agrees with Ms. Jasso and Ms. Margolin and is interested in seeing the impact of three-times a week watering.

Mr. Caraway stated he does not have a problem with 100⁰ or above temperatures, but he believes it should be based on two or three consecutive days of 100⁰ or above temperatures.

Ms. Hill reminded the Committee of the state context regarding water usage and the City of Dallas is perceived in the State Legislature as a very wasteful City when it comes to water usage. Ms. Hill also stated the State could impose its own restrictions, which may be more restrictive than twice-weekly watering.

Ms. Koop asked Ms. Puckett to provide the answers to the questions from the Committee prior to the April 18, 2012 Council briefing. Ms. Koop asked that the list include: foundation watering with soaker hoses, vegetable gardens, customer cities, input from horticulturalists regarding tree bags, golf courses, gas drilling, and the ordinance outlining three-days a week watering. Ms. Greyson asked that the list also include large commercial users that have water that cannot be re-used.

No action was taken on this item.

3. Overview of SM Wright Phase I Memorandum of Understanding (Margaret Hunt Hill Bridge)

Michael Morris, Director of Transportation, North Central Texas Council of Governments (NCTCOG), briefed the Committee on the Memorandum of Understanding between the Regional Transportation Council of the North Central Texas Council of Governments, including SM Wright Phase I, Margaret Hunt Hill Bridge, and Rider 42 Texas State Budget. Jill Jordan, Assistant City Manager, and Bill Hale, District Engineer, Texas Department of Transportation (TxDOT) assisted in answering questions.

Action Taken/Committee Recommendation:

Ms. Koop asked if the agreement will slow down or speed up the completion of the I-75/I-45 project and later the Margaret Hunt Hill Bridge. Mr. Morris stated in the long run it will speed up the completion. Currently, the city is purchasing right-of-way at risks, and not sure if the project will ever happen. The NCTCOG is introducing funding which will not allow the city to purchase right-of-way at risks, preventing the purchase of right-of-way for a few months for the environmental clearance to occur. He does not believe the opening of the project will be delayed and will open in the 2013 time-frame.

Ms. Koop also asked the description of the overage and cost of the Margaret Hunt Hill Bridge. Mr. Hale stated there were 29 change orders on the project, positive and negative. They include a \$290,000 Stormwater Pollution Prevention Plan; \$370,000 for Drill Shafts; \$1.8 Million for Structural Steel Quality; \$100,000 for Electric Redo; \$495,000 for Erosion Control; \$235,000 for Utilities; \$1.4 Million change order for double-handling of the steel for the Sylvan Bridge, which may be recoverable; and \$200,000 for Anti-Graffiti Coating.

Ms. Koop asked for clarification on recovering the \$1.4 Million change order. Mr. Hale stated that issues that were by error or omissions are recoverable.

Ms. Davis thanked Ms. Koop for her assistance with this project. Ms. Davis asked Ms. Koop if this memorandum is a follow-up to previous follow-up meetings. Ms. Koop stated there were change orders on the Margaret Hunt Hill Bridge and the Regional Transportation Committee (RTC) has to allocate specific funds to specific congestion mitigation programs, sooner rather than later, or lose the funding.

Ms. Davis requested DART hold additional meetings to receive more feed-back from the communities. Mr. Morris stated he would be acceptable to holding additional meetings. Mr. Morris also stated the Traffic Forecast is complete, the Interstate Justification Report is in Washington, DC, the Environmental Process is on schedule, and the Environmental Clearance should be approved by December 2012.

Ms. Caraway asked for clarification on requesting the City not purchase right-of-way. Mr. Morris stated the City is currently using local funds to purchase right-of-way, however, the North Central Council of Governments is switching to federal funds under Rider 42. The City will continue as the NCTCOG's agent, although they are risking a law suit because the environmental clearance has not occurred.

Made by: Kadane

Seconded by: Hill

Passed unanimously

4. D2 Update and Future Blue Line Extension (SOC-3) to UNT Campus

Gary Thomas, President/CEO, Dallas Area Rapid Transit (DART) provided the Committee with a briefing on the D2 Alternatives Analysis Phase 2, including background, AA/DEIS Alternatives, Study Purposes, and other key issues

Action Taken/Committee Recommendation:

Mr. Thomas and Ms. Koop recognized John Danish, Chair of the DART Board and Jesse Oliver, Deputy Executive Director of DART, who were in the audience.

Ms. Koop asked Mr. Thomas when he anticipates construction and revenue for D2. Mr. Thomas stated unless they received additional funding, he anticipates revenue service in the 2035 time-frame. Ms. Koop asked if there is a new Transportation Bill and funding is available, is there anything precluding the City & DART from moving forward with the project. Mr. Thomas stated the study should be complete early next year, final design in the next two to three years, and starting construction in three to four years.

No action was taken on this item.

5. Future Blue Line Extension (SOC-3) to UNT Campus

Gary Thomas, President/CEO, Dallas Area Rapid Transit (DART) provided the Committee with a briefing on the SOC 3 PE/EA Project

Action Taken/Committee Recommendation:

Ms. Koop commended Mr. Atkins on his efforts with the SOC-3 to UNT Campus DART line.

Mr. Atkins thanked DART staff, Ms. Koop and Ms. Hill for their assistance with bringing this vision forward. Mr. Atkins stated this \$250,000 project will bring over 16,000 students to the UNT campus, 12,000 new homes, new jobs, and over \$1.5 Billion in economic impact for the southern sector, which is also a part of the Mayor's Grow South Initiative.

Mr. Thomas also stated that this project includes looking at how to improve the Ledbetter station.

No action was taken on this item.

Linda L. Koop, Chair
Transportation and Environment Committee