

Memorandum

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CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE April 9, 2010

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

SUBJECT Transportation and Environment Committee Meeting Agenda

Monday, April 12, 2010 at 2:00 – 4:00 p.m.
City Hall, 1500 Marilla, Room 6ES
Dallas, TX 75201

1. **Approval of Minutes for the March 8, 2010 Meeting**
(Action / 5 Minutes)
2. **North Central Expressway Landscaping**
Rick Galceran, Director, Public Works and Transportation
(Action / 30 Minutes)
3. **Neighborhood Markets**
Jack Ireland, Executive General Manager, City Manager's Office
(Action / 30 Minutes)
4. **Air Quality Standards and Clean Construction Pilot Program**
Kris Sweckard, Managing Director, Office of Environmental Quality
(Briefing / 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 are available online at www.dallascityhall.com. Recordings may be reviewed/copied by contacting the TEC Staff Coordinator at 214-670-4545.

Meeting Date: March 8, 2010 **Start Time:** 2:06 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:

None

City Executive Staff Present:

Jill A. Jordan, Assistant City Manager

TRANSPORTATION AND ENVIRONMENT COMMITTEE AGENDA

1. Approval of Minutes for February 22, 2010 and Corrections for the Minutes of September 15, 2009

Action Taken/Committee Recommendation:

Motion was made to approve the minutes for the February 22, 2010 meeting subject to corrections. No corrections were suggested and the minutes were approved as submitted.

Made by: Kadane Seconded by: Atkins Passed unanimously

Motion was made to approve the corrected minutes for the September 15, 2009 meeting subject to any further corrections. Ms. Koop requested that only the phrase "Due to a conflict of interest," be removed from page two concerning the Taxicab Task Force Status Report. The minutes were approved with the correction.

Made by: Kadane Seconded by: Atkins Passed unanimously

2. DFW Board Interview

The Committee interviewed Forrest Smith as nominee for reappointment to the DFW Airport Board. Dallas City Council is scheduled to vote for DFW Board Place 4 on March 10, 2010.

Action Taken/Committee Recommendation:

Motion was made to forward the DFW Board Nomination to full Council for consideration on March 10, 2010.

Made by: Kadane Seconded by: Atkins Passed unanimously

Ms. Koop distributed a memo to the Committee regarding interviews for the Dallas Area Rapid Transit Board appointments for Place 1, 2 and 9. The DART Board appointments and applications for nominees/renominees must be received by March 19, 2010, with interviews scheduled for April 26, 2010. Dallas City Council is scheduled to vote on nominees for the DART Board on April 26, 2010.

3. Community Gardens

Presenter: Kris Sweckard, Managing Director, Office of Environmental Quality

Mr. Sweckard briefed the Committee on three zoning options for Community Gardens: (1) by right in all zoning districts, (2) by specific use permit (SUP) in all zoning districts, and (3) through a hybrid approach.

Action Taken/Committee Recommendation:

Ms. Hunt asked if the SUP "hybrid process" would be applicable only in single-family and certain multi-family districts. Mr. Sweckard stated that the process has been defined such that an SUP would be required in single-family and duplex districts, but not in townhouse districts and above.

Ms. Hunt asked if there is a way to reduce the cost of the permits in single-family and duplex districts. Ms. Theresa O'Donnell, Director of Sustainable Development and Construction, stated that an appropriate fee would typically be set once Chapter 51A is amended to modify the Development Code with new definitions. Ms. Hunt stated that she likes the hybrid approach; however, she will hold her support until the lowest possible fee for an SUP is determined. Ms. O'Donnell stated that the fee for an SUP could be determined by the notification cost, which would be approximately \$500 to cover the cost of newspaper advertisement and signs. Ms. Hunt requested that the cost be set as low as possible.

Ms. Jasso introduced Mary Anna Griggs, President of Community Gardens in Oak Cliff, and Mr. Don Lambert and asked that they share their opinions on the three options presented.

Ms. Davis asked why the City was proposing to regulate community gardens. Ms. Jordan stated that some communities are divided as to whether they wanted a garden in their neighborhood. Ms. Davis stated that she supports community

gardens, but would not support a fee for an SUP.

Mr. Atkins asked how it was determined to allow two harvest sales per year for the hybrid approach. Mr. Sweckard stated that this was consistent with the number of garage sales allowed per year, and would be enforced by Code Compliance. Mr. Atkins indicated that he had concerns regarding possible City liability for the harvest sales and did not believe Code Compliance would be able to monitor the number of harvest sales. He also wanted to be assured that community gardens would not compete with the City's Farmers Market.

Mr. Natinsky introduced Mr. Russell Scott, from the City's Environmental Health Commission, and asked that he provide his perspective on community gardens. Comments from the Environmental Health Commission were distributed to the Committee.

Mr. Natinsky stated that he did not agree with any of the proposed options and indicated that he would support a permitting process instead of an SUP. Mr. John Rogers, Assistant City Attorney, stated that it would be possible to add community gardens as an accessory use for a small lot and main use if it is on a large lot in the Building Code to allow for permitting that would have neighborhood input.

Ms. Hill stated that she does not agree with taking rights or control away from the neighborhoods. However, Ms. Hill also indicated that she has some concerns with use of vacant lots and food distribution.

Mr. Kadane stated that he did not want to see a fee for community gardens.

Ms. Hunt stated that while she supports community gardens, she is concerned about someone from outside a community coming into a neighborhood to develop a community garden. She also indicated that she likes the idea of a petition process instead of an SUP process.

Motion was made for staff to continue its review of the issue and to return to the Committee with another option that includes a permitting process and neighborhood petitions.

Made by: Jasso

Seconded by: Hill

Passed unanimously

4. North Central Expressway Landscaping

Presenter: Rick Galceran, Director, Public Works and Transportation

Due to time constraints, this item was not briefed. Ms. Koop requested that it be placed on the next agenda.

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

Presenter: Dan Weber, Director, Aviation

Mr. Weber briefed the Committee on the proposed head-of-the-line incentive for compressed natural gas (CNG) taxicabs at Love Field. If endorsed by the

Committee, the ordinance amendment would be scheduled for full City Council consideration on March 10, 2010, with an effective date of April 10, 2010.

Action Taken/Committee Recommendation:

Ms. Hill asked if the City restricts access at Love Field only to taxicabs that are permitted in Dallas and Fort Worth.

Ms. Koop stated that there are taxicabs permitted in other area cities which are allowed to pick up at our airports, but do not meet the same standards as the Dallas and Fort Worth taxicabs.

Mr. Natinsky clarified that taxicabs at Love Field are already restricted to Dallas-permitted taxicabs.

Mr. Kadane asked if a change in the age limit was included in this proposal. Ms. Koop stated that there is currently a five year age limit on taxicabs with alternative fuel vehicles getting an additional two years for a total of seven years. This proposal does change that policy.

Motion was made to recommend approval to implement head-of-the-line privileges for CNG taxicabs at Love Field. Full City Council consideration will be scheduled for March 10, 2010.

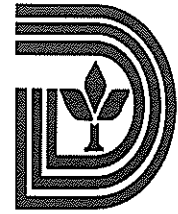
Made by: Natinsky

Seconded by: Atkins

Passed unanimously

Linda L. Koop, Chair
Transportation and Environment Committee

Memorandum



CITY OF DALLAS

DATE April 9, 2010

TO Members of the Transportation and Environment Committee:
Linda Koop (Chair), Sheffie Kadane (Vice Chair), Jerry R. Allen, Tennell Atkins,
Carolyn R. Davis, 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 April 12, 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.

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

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

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Rick Galceran, P.E., Director, Public Works and Transportation
Gilbert Aguilar, Director, Street Services

North Central Expressway Landscaping

Council Transportation and
Environment Committee

April 12, 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

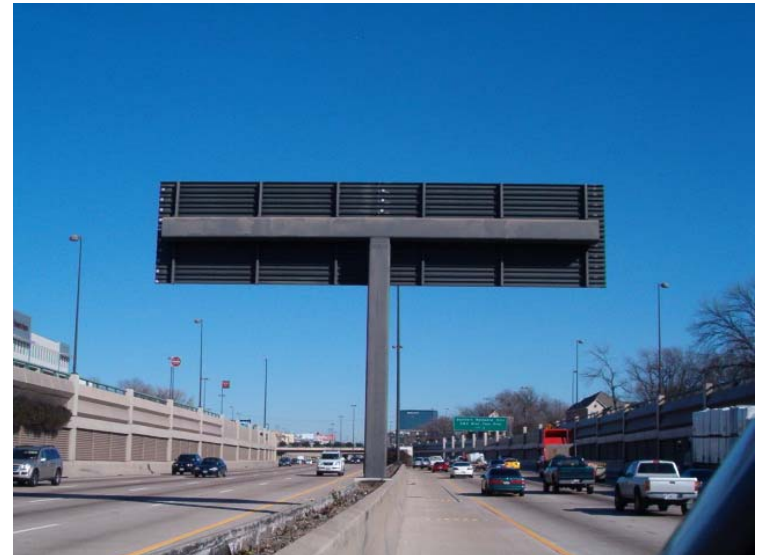
Background

- 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 as the plant material dies
- 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: \$650,000/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

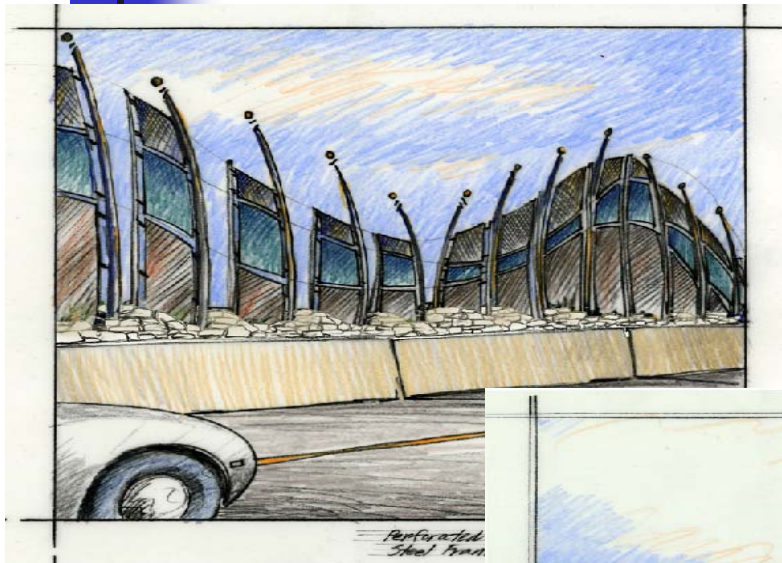
City Option 4

- 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

**Note: Funding not currently available

Hardscape Program

City Option 4





Summary of Options

Area To Be Maintained	OPTION			
	1 – Do Nothing	2 – Maintain Current	3 – Native Grass	4 – Hardscape
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	\$650,000	\$300,000	\$0

* Assumes no private sector sponsor

** Assumes hardscape with minimal maintenance requirements



TxDOT Current Plan

- Existing landscape contract was extended through August 2010
- New landscape contract for entire North Central corridor in Dallas will be let July or August 2010 if the City prefers Option 2 or 3
- If City prefers Option 2 or 3
 - TxDOT will start removing and replacing plants October 2010 (est.)
 - TxDOT maintenance will end September 30, 2011
- If City prefers Option 1 or 4, there is no need for a new landscape contract.



TxDOT Current Plan

- If Option 1 or 4 is selected, TxDOT will
 - Disable remaining irrigation systems
 - Remove plants from window boxes as they die
 - Remove plants from median (Mockingbird to IH 635) as they die or as needed for hardscape
 - Begin removing other plants on bridges as they die unless adopted by a private sponsor
- If Option 4 is selected, plans, options, and phasing opportunities will need to be developed and funding secured. Currently, there is no TxDOT funding for the hardscape option.



Parkway Mowing Option

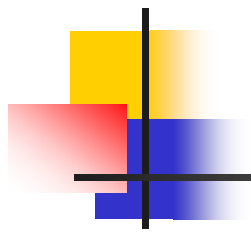
Partnership to Supplement TxDOT Maintenance

- Approximately 43 acres of parkway between the main lanes and frontage road are currently maintained by TxDOT
- TxDOT to reduce from 10 to 12 cycles per year to 3 cycles per year
- City can supplement mowing, if desired, through a separate contract or an existing “City” mowing contract
- City cost per mowing cycle is estimated to be \$2,800 for a total of \$25,200 for 9 cycles
- Approximate parkway area per Council District
 - District 2 – 0.6 acres
 - District 10 – 5.1 acres
 - District 11 – 10.7 acres
 - District 13 – 17.6 acres
 - District 14 - 9 acres



City Action Necessary

- Determine acceptable landscape, hardscape, or mowing option
- Provide input to TxDOT
- Authorize appropriate agreement with TxDOT
- Budget full year cost in FY 2010 - 2011
 - Mowing only - \$25,200
- Budget full year cost in FY 2011 - 2012
 - Option 2 - \$650,000
 - Option 3 - \$300,000
 - Mowing only - \$25,200
- Bid and authorize City maintenance contract



Questions/Discussion

Memorandum



DATE April 9, 2010

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

SUBJECT Neighborhood Markets

Attached is the "Neighborhood Markets" briefing that will be presented to you on April 12, 2010.

Please contact me if you need additional information.



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

- c: Honorable Mayor and Members of the City Council
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Neighborhood Markets

Dallas City Council
Transportation and Environment Committee
April 12, 2010

Purpose of Briefing

- Review discussion from previous Transportation and Environment Committee Meeting
- Update committee on Stakeholder meeting held to discuss Neighborhood Farmers Markets
- Review staff recommendations
- Obtain committee approval of future City Council agenda item for permit process

Previous Discussion with TEC

- Farmers Market – Marketplace for multiple local farmers and growers to sell or distribute their agricultural products directly to consumer
- Over last few years, business owners have shown interest in establishing neighborhood farmers markets
 - Increased popularity with many citizens and stakeholders
 - Increases foot traffic to the anchor business
 - Supports local economy
 - Creates sense of community
 - Serve as another means for local growers/farmers to sell/distribute products directly to consumers
 - Promotes healthy food choices
 - Encourage sustainable living

Previous Discussion with TEC

- The vision is to have neighborhood farmers markets while maintaining the strong and vibrant downtown Dallas Farmers Market
- To accomplish this, the following is needed:
 - Ensure neighborhood farmers markets are complimentary to downtown farmers market with similar guidelines and fees
 - Establish clear permitting process for neighborhood farmers market operators and vendors
 - Provide oversight to neighborhood farmers markets to ensure vendors are protecting health, safety and general welfare of citizens through their distribution of safe food products
 - Allow neighborhood farmers markets to operate temporarily throughout city neighborhoods regardless of zoning

Stakeholder Input

- After December TEC meeting, stakeholder input sought
- Meetings held on February 4th and 22nd to seek input from stakeholders
- About 60 individuals that had indicated interest were invited to give input
- Stakeholders included market organizers, vendors/growers, and neighborhood associations
- Following five pages show input received from each of three stakeholder groups

Stakeholder Input – Definition of Neighborhood Farmers Market

Group	Stakeholder Input
Market Organizers	•An independent farmers market featuring fresh, locally grown produce, other local food products, and locally crafted non-food items.
Vendors and Growers	•A venue to provide locally produced food and other products
Neighbors	•Locally produced fruits and vegetables

Stakeholder Input – Type of Products

Group	Stakeholder Input
Market Organizers	<ul style="list-style-type: none">•Locally grown/produced items such as fruit, vegetables, baked goods, meats, dairy products, packaged foods, eggs, honey.•Locally crafted non-food items such as jewelry, candles, natural skin care products, soaps, art, natural/healthy products, clothing (knitting).•Antiques.•Plants, flowers, and nursery items.•Neighborhood food drives.•Do not include distributors, imports, services, illegal items.•Homegrown or homemade.•Local defined as 150 mile radius, with some exceptions within Texas.•50% food and 50% non-food.

Stakeholder Input – Type of Products

Group	Stakeholder Input
Vendors and Growers	<ul style="list-style-type: none">•Produce (fruits/vegetables), honey, baked goods, eggs, coffee, herbs, meat, cheese, mushrooms, oils, packaged foods.•Hand crafted items, soaps, body products, millinery items, pottery, quilting, jewelry (by local artists).•Earthworms, soil, cut flowers, plants.
Neighbors	<ul style="list-style-type: none">•Produce (fruit/vegetables), eggs, honey, nuts, meat, prepared foods.•Locally grown/harvested (such as within 150 miles).•Emphasis on farmers.•Do not include crafts, animals, or flea market items.

Stakeholder Input – When and Where

Group	Stakeholder Input
Market Organizers	<ul style="list-style-type: none">• Ideally allow consumer demand determine frequency.• 52 market days per year.• During normal retail business hours.• Commercially zoned private property, city owned property, churches, schools.• Not inside CBD in order to limit close proximity to DFM.
Vendors and Growers	<ul style="list-style-type: none">• Twice weekly. (104 times per year)• Light retail, existing restaurant, light commercial, schools, church, community garden, libraries, non-residential.
Neighbors	<ul style="list-style-type: none">• Once per week, no consecutive days.• Mornings to 2:00 pm (latest).• Adequate on-site parking.• Not on residential streets.• No more than one market per neighborhood.

Stakeholder Input – Permit Process

Group	Stakeholder Input
Market Organizers	<ul style="list-style-type: none">•Organizer would apply for an annual permit at downtown market. \$125.•Growers/farmers not required to have permit. No fee.•Vendors (non-growers) must obtain required permits. Less than \$100.
Vendors and Growers	<ul style="list-style-type: none">•Organizers annual permit.•Vendors annual permit.•Hazardous food permit.
Neighbors	<ul style="list-style-type: none">•Non-applicable.

Recommendations

- Provide Neighborhood Farmers Market permits (site specific) that allow temporary operation of markets in non-residential zoned areas and outside Central Business District
- Neighborhood Farmers Markets may operate 24 non-consecutive market days per year between 8 a.m. and 6 p.m.
- Organizers that desire more frequent operation should seek a Specific Use Permit through existing process

Recommendations

- Markets may include:
 - Fruits, vegetables, honey, eggs, nuts, herbs, mushrooms, meats
 - Vendor produced foods such as baked goods, dairy products, packaged foods, oils
 - Hand crafted items such as jewelry, candles, natural skin care products, soaps, art, knitting, quilting, pottery
 - Garden items such as plants, flowers, soil
- All items must be home/farm-grown or home-made by vendor (no resale and no animal sales)
 - Vendor produced food products and packaged foods must be prepared in certified kitchens, meet all health and safety requirements and have appropriate permits
- Products must originate in counties within 150 miles of Dallas County (some exceptions will be made for items that are not grown locally)
- To maintain emphasis on farmers markets, at least half of vendors should be farmers/growers or other food items
 - Non-food vendors may not make up more than half of vendors at a market

Recommendations

- Neighborhood Farmers Market permits must be obtained through Department of Convention and Event Services (downtown Dallas Farmers Market)
 - Organizers permit – \$250 for annual permit
 - Farmers/growers permit – no cost for annual permit
 - Same as for downtown market
 - Approved permit will allow vendor to go to any neighborhood market as well as participate in downtown market (subject to daily stall fees)
 - Non-grower vendor permit – \$125 for semi-annual permit or \$250 for annual permit
 - Same as for downtown market
 - Approved permit will allow vendor to go to any neighborhood market as well as participate in downtown market subject to specific program availability (i.e. handcrafter market) and subject to daily stall fees
 - Permits will generate about \$16,500 per year for City which will only partially cover City cost to implement program
 - Vendors selling potentially hazardous foods (such as meat, dairy products or cut produce) must also obtain Temporary Food Vendor permit but will be exempt from frequency limitations as long as vending in conjunction with Neighborhood Farmers Market

Recommendations

- Organizer responsibilities include items such as:
 - Obtain annual organizer permit through downtown Convention and Event Services (downtown Dallas Farmers Market)
 - Establish and enforce their own market guidelines that comply with City guidelines
 - Ensure that each vendor at their market has obtained a permit from City
 - Ensure that each vendor receives equal treatment
 - Provide access to electricity and running water as may be required for vendors with potentially hazardous foods
 - Establish their own daily stall fees if applicable
 - Provide parking as required
 - Provide restrooms
 - Maintain required insurance
 - Provide City with verification of property owner consent
 - Provide City with calendar of market days

Next Steps

- Committee approval to move recommendations forward to City Council for action
- Implement process for 2010 immediately following Council approval
- Review process in January 2011 and amend if necessary

Memorandum



CITY OF DALLAS

DATE April 9, 2010

TO Transportation and Environment Committee Members: Linda L. Koop (Chair),
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Jasso, Pauline Medrano, Ron Natinsky, Vonciel Jones Hill

SUBJECT Air Quality Standards and Clean Construction Pilot Program Briefing

On April 12, 2010 staff will brief the Committee with an update on air quality standards and an opportunity to participate in a clean construction pilot program. Please find attached a copy of the presentation, and feel free to contact me if you need additional information.

A handwritten signature in cursive script, appearing to read 'Jill Jordan'.

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

c: Honorable Mayor and Members of the City Council
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Air Quality Standards and Clean Construction Pilot Program

Presented to the
Transportation and Environment Committee
April 12, 2010





Purpose of Presentation

- Provide Air Quality Standard Update
- Present Clean Construction Pilot Program Opportunity

Federal Air Quality Standards

- **Federal Clean Air Act:** Passed in 1970;
Amended in 1990

- Requires the Environmental Protection Agency (EPA) to establish health-based standards called National Ambient Air Quality Standards (NAAQS)

- **Six Criteria Pollutants**
 - **Ground Level Ozone/Smog (O₃)**
 - Particulate Matter (PM)
 - Nitrogen Dioxide (NO₂)
 - Sulfur Dioxide (SO₂)
 - Carbon Dioxide (CO)
 - Lead



Air Quality in Dallas-Fort Worth (DFW) Region

- DFW area currently exceeds the EPA's 8-hour ozone standard of 85 ppb but meets all other national ambient air quality criteria
- Designated as a moderate non-attainment area and has until June 2010 to meet the standard
- Based on data from NCTCOG, DFW region is at 86 ppb which is not in compliance with the standard

Potential Consequences of Violation

- Loss of highway funds
- Loss of Community Development Block
- Grant funds
- Stricter permit limits
- Health impacts

Next Ozone Standard

- EPA is proposing to lower the ozone standard to between 60 to 70 ppb
- New ozone standard was published on January 6, 2010, for public comment
 - City of Dallas commented on standard
- Tighter standard will force Dallas and other surrounding cities to look for additional emissions reductions

Proposed Schedule for Ozone Standard Implementation

- **August 31, 2010**
 - EPA will issue final standards for ozone

- **January 2011**
 - States make recommendations for areas to be designated attainment, nonattainment or unclassifiable

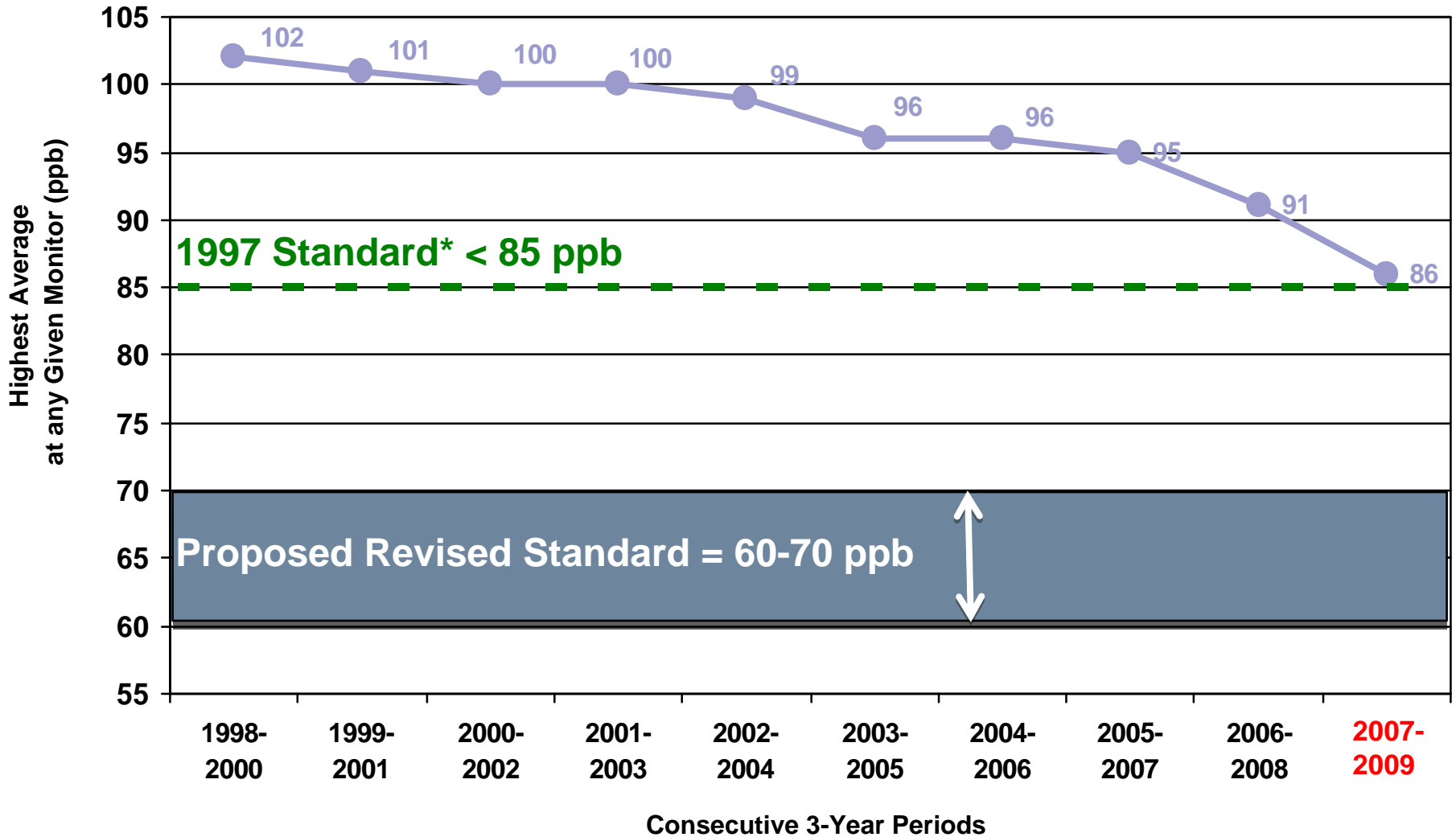
- **July 2011**
 - EPA makes final area designations

- **August 2011**
 - Designations become effective

- **December 2013**
 - State Implementation Plans, outlining how states will reduce pollution to meet the standards, are due to EPA

- **2014 to 2031**
 - States are required to meet the primary standard, with deadlines depending on the severity of the problem

North Central Texas 8-Hour Ozone Historical Trend



* 2010 Attainment Goal - According to the US EPA National Ambient Air Quality Standards, attainment is reached when, at each monitor, the three-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is less than 85 parts per billion (ppb).

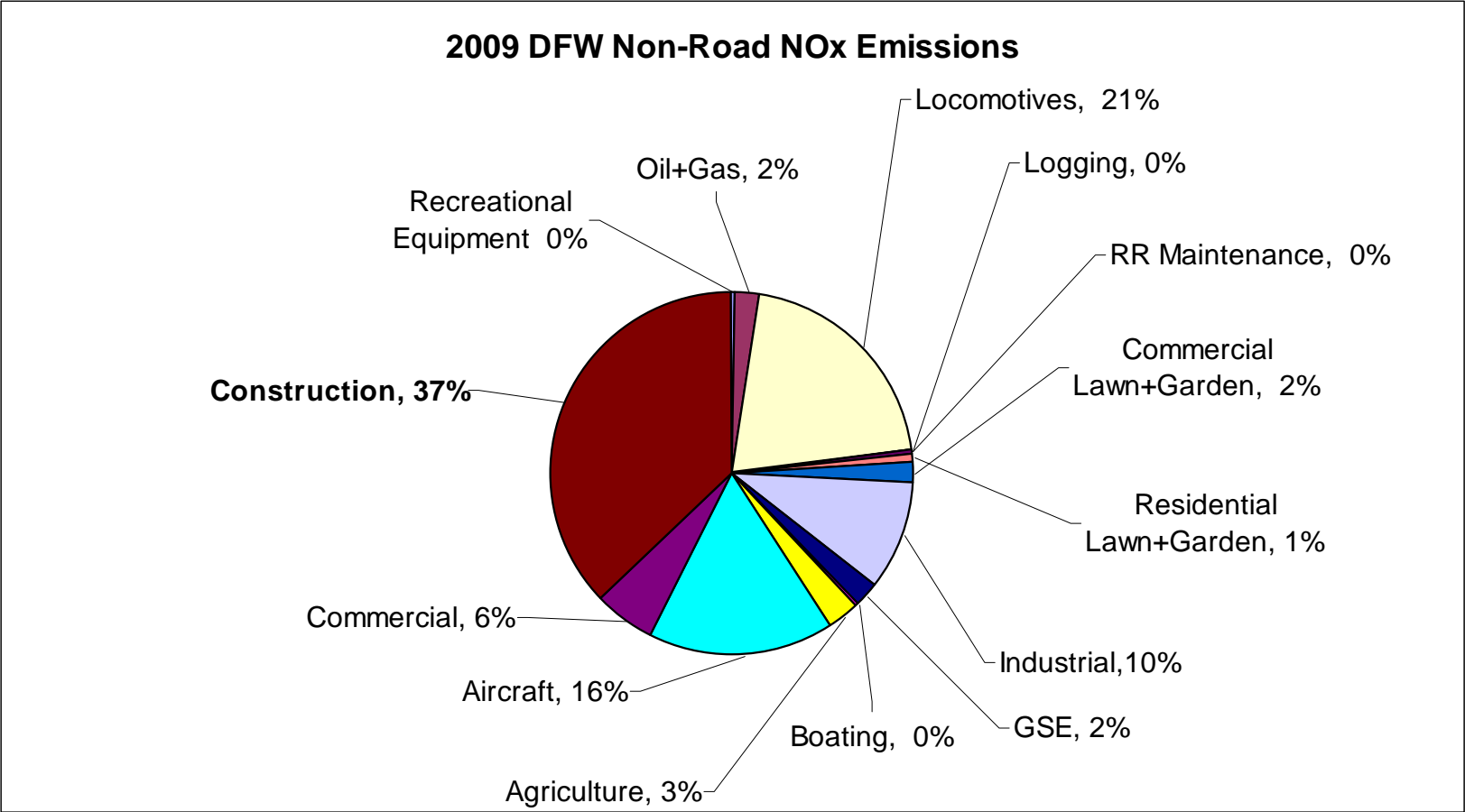
State Implementation Plan

- Plan to reduce pollution to meet health-based standards
- Sets control strategies for reducing emissions
- Applies to areas not meeting federal air quality standards (ozone)
- Sets technical/regulatory process for demonstrating attainment

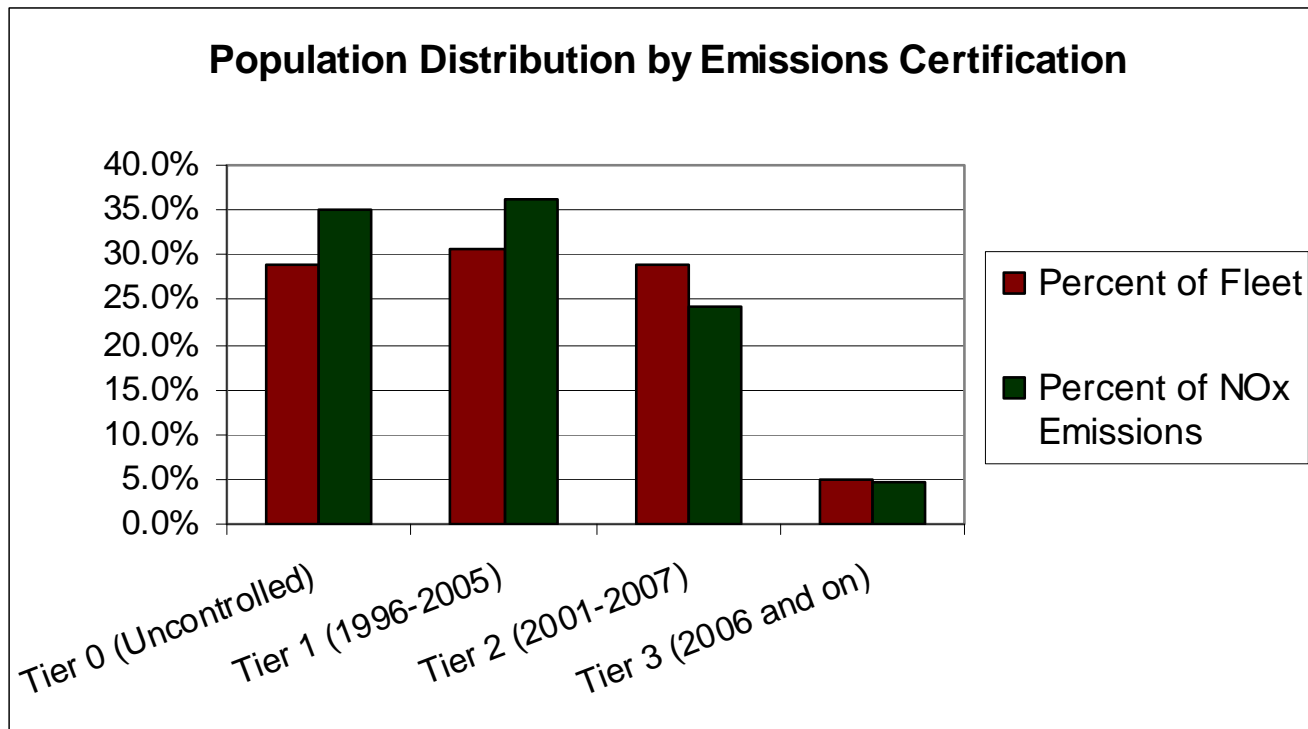
State Implementation Plan: Voluntary Control Strategies in Tons Per Day

Aviation Efficiencies	0.95 tpd
HOV/Managed Lane Projects	0.79 tpd
Locally Enforced Idling Restriction	0.62 tpd
Employee Trip Reduction	0.43 tpd
Diesel Freight Idling Reduction	0.33 tpd
Rail Transit Projects	0.28 tpd
Clean Vehicle	0.24 tpd
Grade Separation Projects	0.18 tpd
Intersection Improvement Projects	0.15 tpd
Vanpool Projects	0.08 tpd
Policy for Construction Equipment	0.06 tpd
Park and Ride Improvement Projects	0.04 tpd
Bicycle/Pedestrian Projects	0.01 tpd
SmartWay Transport Demonstration Project	0.002 tpd

Construction Contribution to NOx in DFW Area



Existing Fleet Composition of Diesel Construction Equipment in DFW



1. Source: NCTCOG
2. Construction equipment means all machinery of 25 horsepower or more which is powered by an internal combustion engine
3. Both public and privately owned equipment is included in data

Public Agency Policy for Construction Equipment Demonstration Project

- On March 11, the Regional Transportation Council of the North Central Texas Council of Governments (NCTCOG) approved a one-year demonstration project to evaluate potential cost impacts of a Clean Construction Specification
- For public works projects that are going out to bid, Clean Construction Specification for the equipment to be used will be provided to City contractors
 - Contractors will estimate the bid price that they would have submitted for the project if they were required to comply with the standards
- Award of contract will not be tied to pilot program or the submitted estimated bid price if clean construction specifications are in effect
- Goals of demonstration project
 - Collect information on changes of bid costs which could financially impact City
 - Findings will be presented to determine feasibility of the implementation of a permanent policy
- City of Dallas would voluntarily participate in the NCTCOG's demonstration project
- Time Frame: One year for collection of data

Clean Construction Specifications – Include:

1) Engine Requirements

- Tier 2 or Equivalent

- Exemptions

- Engine age less than or equal to 10 years old
- Equipment subject to grant requirements
- Low-use equipment
- Emergency situations

Clean Construction Specifications – Include: (continued)

2) Operational Requirements

- Fuel Usage: Ultra-Low Sulfur Diesel (ULSD) or TxLED-compliant Biodiesel blends
- Limits idling to no more than five minutes unless exceptions occur:
 - Emergency response purposes
 - Necessary component of operation, maintenance, or diagnostic purposes
 - Health or Safety of operator
- Staging/Minimizing use of equipment

3) Reporting Requirements

- Inventory of equipment used on-site

Next Steps

- Participate in NCTCOG demonstration project for one year to evaluate cost impacts of a Clean Construction Specification
- April 28, 2010: Meeting at NCTCOG to discuss implementation of demonstration project