

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, MAY 2, 2022

22-0016

ENVIRONMENT AND SUSTAINABILITY COMMITTEE
CITY COUNCIL CHAMBER, CITY HALL/VIDEO CONFERENCE
COUNCILMEMBER PAULA BLACKMON, PRESIDING

PRESENT: [7] Blackmon, Ridley, *Arnold, *Bazaldua, *Resendez, Schultz, West (**9:04)

ABSENT: [0]

The meeting was called to order at 9:03 a.m. with a quorum of the committee present.

The meeting agenda, posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the committee had been considered, the meeting adjourned at 10:21 a.m.

Chair

ATTEST:

City Secretary Staff

Date Approved

The agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the committee are attached to the minutes of this meeting as EXHIBIT B.

The briefing materials are attached to the minutes of this meeting as EXHIBIT C.

***Note: Members of the Committee participated in this meeting by video conference.**

**** Note: Indicates arrival time after meeting called to order/reconvened.**

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, MAY 2, 2022

EXHIBIT A

RECEIVED

2022 APR 28 PM 8: 53

CITY SECRETARY
DALLAS, TEXAS

City of Dallas

1500 Marilla Street,
Council Chambers, 6th Floor
Dallas, Texas 75201

Public Notice

220445

POSTED CITY SECRETARY
DALLAS, TX



Environment and Sustainability Committee

REVISED

May 2, 2022

9:00 AM

General Information

The Dallas City Council regularly meets on Wednesdays beginning at 9:00 a.m. in the Council Chambers, 6th floor, City Hall, 1500 Marilla. Council agenda meetings are broadcast live on WRR-FM radio (101.1 FM) and on Time Warner City Cable Channel 16. Briefing meetings are held the first and third Wednesdays of each month. Council agenda (voting) meetings are held on the second and fourth Wednesdays. Anyone wishing to speak at a meeting should sign up with the City Secretary's Office by calling (214) 670-3738 by 5:00 p.m. of the last regular business day preceding the meeting. Citizens can find out the name of their representative and their voting district by calling the City Secretary's Office.

Sign interpreters are available upon request with a 48-hour advance notice by calling (214) 670-5208 V/TDD. The City of Dallas is committed to compliance with the Americans with Disabilities Act. **The Council agenda is available in alternative formats upon request.**

If you have any questions about this agenda or comments or complaints about city services, call 311.

Rules of Courtesy

City Council meetings bring together citizens of many varied interests and ideas. To insure fairness and orderly meetings, the Council has adopted rules of courtesy which apply to all members of the Council, administrative staff, news media, citizens and visitors. These procedures provide:

- That no one shall delay or interrupt the proceedings, or refuse to obey the orders of the presiding officer.
- All persons should refrain from private conversation, eating, drinking and smoking while in the Council Chamber.
- Posters or placards must remain outside the Council Chamber.
- No cellular phones or audible beepers allowed in Council Chamber while City Council is in session.

"Citizens and other visitors attending City Council meetings shall observe the same rules of propriety, decorum and good conduct applicable to members of the City Council. Any person making personal, impertinent, profane or slanderous remarks or who becomes boisterous while addressing the City Council or while

Información General

El Ayuntamiento de la Ciudad de Dallas se reúne regularmente los miércoles en la Cámara del Ayuntamiento en el sexto piso de la Alcaldía, 1500 Marilla, a las 9 de la mañana. Las reuniones informativas se llevan a cabo el primer y tercer miércoles del mes. Estas audiencias se transmiten en vivo por la estación de radio WRR-FM 101.1 y por cablevisión en la estación *Time Warner City Cable* Canal 16. El Ayuntamiento Municipal se reúne en el segundo y cuarto miércoles del mes para tratar asuntos presentados de manera oficial en la agenda para su aprobación. Toda persona que desee hablar durante la asamblea del Ayuntamiento, debe inscribirse llamando a la Secretaría Municipal al teléfono (214) 670-3738, antes de las 5:00 pm del último día hábil anterior a la reunión. Para enterarse del nombre de su representante en el Ayuntamiento Municipal y el distrito donde usted puede votar, favor de llamar a la Secretaría Municipal.

Intérpretes para personas con impedimentos auditivos están disponibles si lo solicita con 48 horas de anticipación llamando al (214) 670-5208 (aparato auditivo V/TDD). La Ciudad de Dallas se esfuerza por cumplir con el decreto que protege a las personas con impedimentos, *Americans with Disabilities Act*. **La agenda del Ayuntamiento está disponible en formatos alternos si lo solicita.**

Si tiene preguntas sobre esta agenda, o si desea hacer comentarios o presentar quejas con respecto a servicios de la Ciudad, llame al 311.

Reglas de Cortesía

Las asambleas del Ayuntamiento Municipal reúnen a ciudadanos de diversos intereses e ideologías. Para asegurar la imparcialidad y el orden durante las asambleas, el Ayuntamiento ha adoptado ciertas reglas de cortesía que aplican a todos los miembros del Ayuntamiento, al personal administrativo, personal de los medios de comunicación, a los ciudadanos, y a visitantes. Estos reglamentos establecen lo siguiente:

- Ninguna persona retrasará o interrumpirá los procedimientos, o se negará a obedecer las órdenes del oficial que preside la asamblea.
- Todas las personas deben abstenerse de entablar conversaciones, comer, beber y fumar dentro de la cámara del Ayuntamiento.
- Anuncios y pancartas deben permanecer fuera de la cámara del Ayuntamiento.
- No se permite usar teléfonos celulares o enlaces electrónicos (*paggers*) audibles en la cámara del Ayuntamiento durante audiencias del Ayuntamiento Municipal

"Los ciudadanos y visitantes presentes durante las

attending the City Council meeting shall be removed from the room if the sergeant-at-arms is so directed by the presiding officer, and the person shall be barred from further audience before the City Council during that session of the City Council. If the presiding officer fails to act, any member of the City Council may move to require enforcement of the rules, and the affirmative vote of a majority of the City Council shall require the presiding officer to act." Section 3.3(c) of the City Council Rules of Procedure.

asambleas del Ayuntamiento Municipal deben de obedecer las mismas reglas de comportamiento, decoro y buena conducta que se aplican a los miembros del Ayuntamiento Municipal. Cualquier persona que haga comentarios impertinentes, utilice vocabulario obsceno o difamatorio, o que al dirigirse al Ayuntamiento lo haga en forma escandalosa, o si causa disturbio durante la asamblea del Ayuntamiento Municipal, será expulsada de la cámara si el oficial que este presidiendo la asamblea así lo ordena. Además, se le prohibirá continuar participando en la audiencia ante el Ayuntamiento Municipal. Si el oficial que preside la asamblea no toma acción, cualquier otro miembro del Ayuntamiento Municipal puede tomar medidas para hacer cumplir las reglas establecidas, y el voto afirmativo de la mayoría del Ayuntamiento Municipal precisara al oficial que este presidiendo la sesión a tomar acción." Según la sección 3.3 (c) de las reglas de procedimientos del Ayuntamiento.

Handgun Prohibition Notice for Meetings of Governmental Entities

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

"Pursuant to Section 46.03, Penal Code (places weapons prohibited), a person may not carry a firearm or other weapon into any open meeting on this property."

"De conformidad con la Sección 46.03, Código Penal (coloca armas prohibidas), una persona no puede llevar un arma de fuego u otra arma a ninguna reunión abierta en esta propiedad."

2021 CITY COUNCIL APPOINTMENTS

COUNCIL COMMITTEE	
ECONOMIC DEVELOPMENT Atkins (C), Arnold (VC), McGough, Narvaez, Resendez, West, Willis	ENVIRONMENT AND SUSTAINABILITY Blackmon(C), Ridley (VC), Arnold, Bazaldua, Resendez, Schultz, West
GOVERNMENT PERFORMANCE AND FINANCIAL MANAGEMENT Mendelsohn (C), Willis (VC), Atkins, Bazaldua, McGough, Ridley, West	HOUSING AND HOMELESSNESS SOLUTIONS Thomas (C), Moreno (VC), Arnold, Blackmon, Mendelsohn, Ridley, Schultz
PUBLIC SAFETY McGough (C), Mendelsohn (VC), Atkins, Moreno, Resendez, Thomas, Willis	QUALITY OF LIFE, ARTS, AND CULTURE Bazaldua (C), West (VC), Arnold, Blackmon, Narvaez, Ridley, Thomas
TRANSPORTATION AND INFRASTRUCTURE Narvaez (C), Atkins (VC), Bazaldua, Mendelsohn, Moreno, Schultz, Willis	WORKFORCE, EDUCATION, AND EQUITY Schultz (C), Thomas (VC), Blackmon, McGough, Moreno, Narvaez, Resendez
AD HOC JUDICIAL NOMINATING COMMITTEE Resendez (C), Arnold, Bazaldua, Ridley, Thomas, West, Willis	AD HOC LEGISLATIVE AFFAIRS Atkins (C), McGough, Mendelsohn, Narvaez, Willis
AD HOC COMMITTEE ON COVID-19 RECOVERY AND ASSISTANCE Thomas (C), Atkins, Mendelsohn, Moreno, Ridley	AD HOC COMMITTEE ON GENERAL INVESTIGATING & ETHICS Mendelsohn (C), Atkins, Blackmon, McGough, Schultz

(C) – Chair, (VC) – Vice Chair

The City Council Environmental and Sustainability meeting will be held by videoconference and in the Council Chambers, 6th Floor at City Hall.

The public is encouraged to attend the meeting virtually; however, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols.

The following videoconference link is available to the public to listen to the meeting and Public Affairs and Outreach will also stream the City Council Briefing on Spectrum Cable Channel 95 and [bit.ly/cityofdallastv](https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e77f3d3c6a8b1606f02af5f1f206a072b).

<https://dallascityhall.webex.com/dallascityhall/onstage/g.php?MTID=e77f3d3c6a8b1606f02af5f1f206a072b>

Call to Order

MINUTES

1. [22-1078](#) Approval of the April 4, 2022 Committee Minutes

Attachments: [Minutes](#)

DISCUSSION ITEM

- A. [22-1105](#) Dallas Urban Forest Master Plan

BRIEFINGS

- B. [22-1079](#) Love Field Noise Program
[Mark Duebner, Director, Department of Aviation]

Attachments: [Presentation](#)

- C. [22-1080](#) Environmental Commission Update
[Kathryn Bazan, Chair, Environmental Commission]

MEMORANDUM BRIEFINGS

- D. [22-1081](#) Batch Plant and Industrial Uses Code Amendment Update
[Julia Ryan, Director, Planning & Urban Design]

Attachments: [Memorandum](#)

- E. [22-1082](#) Follow-Up on Local Solid Waste Management Plan Update
[Jay Council, Director, Sanitation Services]

Attachments: [Memorandum](#)
[Executive Summary](#)

UPCOMING AGENDA ITEMS

- F. 22-898 An ordinance amending Ordinance No. 32000, previously approved on September 22, 2021, authorizing certain transfers and appropriation adjustments for FY 2021-22 for the maintenance and operation of various departments, activities, and amending the capital budget; and authorize the City Manager to implement those adjustments - Not to exceed \$4,345,607,636 - Financing: General Fund (\$1,560,076,196), Enterprise, Internal Service, and Other Funds (\$1,476,881,876), Capital Funds (\$911,461,085), and Grants, Trusts and Other Funds (\$397,188,480)

Attachments: Mid-Year Budget Ordinance for FY 21-22 - CAO edits 4-28-22_SZ

- G. [22-432](#) Authorize a two-year cooperative purchasing agreement for (1) citywide hazardous and non-hazardous waste disposal services with Green Planet, Inc. through an interlocal agreement with Dallas/Fort Worth International Airport in an estimated amount of \$2,430,000.00; and (2) citywide bio-hazardous decontamination and spill clean-up services with Cleaning Guys, LLC dba CG Environmental through an interlocal agreement with the Texas Department of Transportation in an estimated amount of \$1,927,380.72 - Total estimated amount of \$4,357,380.72 - Financing: General Fund (\$3,521,059.77), Equipment and Fleet Management Fund (\$442,634.35), Dallas Water Utilities Fund (\$197,895.53), Capitol Construction Fund (\$97,895.53), Airport Fund (\$48,947.77), and Sanitation Operation Fund (\$48,947.77)

Attachments: [Resolution](#)

- H. 22-1020 Public hearing to receive comments regarding consideration of amending permanent and temporary concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses, in Dallas Development Code Chapter 51 and 51A

ADJOURNMENT

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, MAY 2, 2022

EXHIBIT B

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

Item 1: Approval of the April 4, 2022 Committee Minutes

Councilmember Ridley moved to adopt the minutes as presented.

Motion seconded by Councilmember Schultz and unanimously adopted. (West absent when vote taken)

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

DISCUSSION ITEM

Item A: Dallas Urban Forest Master Plan

The committee discussed the item.

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

BRIEFINGS

Item B: Love Field Noise Program

The following individuals briefed the committee on the item:

- Mark Duebner, Director, Department of Aviation

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

BRIEFINGS

Item C: Environmental Commission Update

The following individual briefed the committee on the item:

- Kathryn Bazan, Chair, Environmental Commission

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

MEMORANDUM BRIEFINGS

Item D: Batch Plant and Industrial Uses Code Amendment Update

The following individual briefed the committee on the item:

- Julia Ryan, Director, Planning & Urban Design

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

BRIEFING MEMORANDUMS

Item E: Follow-Up on Local Solid Waste Management Plan Update

The following individual briefed the committee on the item:

- Jay Council, Director, Sanitation Services

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

MAY 2, 2022

UPCOMING AGENDA ITEMS

- Item F: An ordinance amending Ordinance No. 32000, previously approved on September 22, 2021, authorizing certain transfers and appropriation adjustments for FY 2021-22 for the maintenance and operation of various departments, activities, and amending the capital budget; and authorize the City Manager to implement those adjustments - Not to exceed \$4,345,607,636 - Financing: General Fund (\$1,560,076,196), Enterprise, Internal Service, and Other Funds (\$1,476,881,876), Capital Funds (\$911,461,085), and Grants, Trusts and Other Funds (\$397,188,480)
- Item G: Authorize a two-year cooperative purchasing agreement for (1) citywide hazardous and non-hazardous waste disposal services with Green Planet, Inc. through an interlocal agreement with Dallas/Fort Worth International Airport in an estimated amount of \$2,430,000.00; and (2) citywide bio-hazardous decontamination and spill clean-up services with Cleaning Guys, LLC dba CG Environmental through an interlocal agreement with the Texas Department of Transportation in an estimated amount of \$1,927,380.72 - Total estimated amount of \$4,357,380.72 - Financing: General Fund (\$3,521,059.77), Equipment and Fleet Management Fund (\$442,634.35), Dallas Water Utilities Fund (\$197,895.53), Capitol Construction Fund (\$97,895.53), Airport Fund (\$48,947.77), and Sanitation Operation Fund (\$48,947.77)
- Item H: Public hearing to receive comments regarding consideration of amending permanent and temporary concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses, in Dallas Development Code Chapter 51 and 51A

The committee discussed the items.

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, MAY 2, 2022

EXHIBIT C



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 22-1078

Item #: 1.

Approval of the April 4, 2022 Committee Minutes

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, APRIL 4, 2022

22-0016

ENVIRONMENT AND SUSTAINABILITY COMMITTEE
CITY COUNCIL CHAMBER, CITY HALL/VIDEO CONFERENCE
COUNCILMEMBER PAULA BLACKMON, PRESIDING

PRESENT: [6] Blackmon, Ridley, *Arnold (**9:20 a.m.), Bazaldua **(9:07 a.m.),
*Resendez, Schultz

ABSENT: [1] West

The meeting was called to order at 9:03 a.m. with a quorum of the committee present.

The meeting agenda, posted in accordance with Chapter 551, "OPEN MEETINGS," of the Texas Government Code, was presented.

After all business properly brought before the committee had been considered, the meeting adjourned at 11:09 a.m.

Chair

ATTEST:

City Secretary Staff

Date Approved

The agenda is attached to the minutes of this meeting as EXHIBIT A.

The actions taken on each matter considered by the committee are attached to the minutes of this meeting as EXHIBIT B.

The briefing materials are attached to the minutes of this meeting as EXHIBIT C.

***Note: Members of the Committee participated in this meeting by video conference.**

**** Note: Indicates arrival time after meeting called to order/reconvened.**

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, APRIL 4, 2022

EXHIBIT A

RECEIVED

2022 MAR 30 PM 5: 41

**CITY SECRETARY
DALLAS, TEXAS**

City of Dallas

1500 Marilla Street,
Council Chambers, 6th Floor
Dallas, Texas 75201

Public Notice

220352

POSTED CITY SECRETARY



Environment and Sustainability Committee

April 4, 2022

9:00 AM

The Environment and Sustainability Committee will be held by videoconference and in the City Hall Council Chambers (6th Floor).

Members of the public are encouraged to attend the meeting virtually. However, City Hall is available for those wishing to attend the meeting in person following all current pandemic-related public health protocols.

The meeting will be broadcast live on Spectrum Cable Channel 16 and online at <https://bit.ly/cityofdallastv>.

The public may also listen to the meeting as an attendee at the following videoconference [link](#).

Call to Order**MINUTES**

- A. [22-858](#) Approval of the March 7, 2022 Committee Minutes

Attachments: [Minutes](#)

BRIEFING ITEMS

- B. [22-859](#) Bank of America Plaza Green Business Certification Recognition
[Carlos Evans, Director, Environmental Quality & Sustainability;
Jay Council, Director, Sanitation Services]

- C. [22-860](#) Urban Forestry Update
[Sarah Standifer, Assistant Director, Dallas Water Utilities;
Eduardo Valerio, Manager, Dallas Water Utilities;
M. Renee Johnson, Assistant Director, Parks and Recreation;
Tina Richardson, Assistant Director, Public Works;
Megan Wimer, Assistant Building Official, Development Services]

Attachments: [Presentation](#)

- D. [22-861](#) Forward Dallas Comprehensive Land Use Plan Update
[Andrea R. Gilles, Assistant Director, Planning & Development]

Attachments: [Presentation](#)

- E. [22-862](#) Environmental Commission Update
[Kathryn Bazan, Chair, Environmental Commission]

BRIEFING MEMORANDUM

- F. [22-863](#) Building Services Department Agenda Items for Upcoming Solar, Lighting Retrofits at City Facilities and Participation in Oncor Incentive Program
[Amani Saleh, Business Administration Manager, Building Services;
Srinivas Vemuri, Senior Program Manager, Building Services]

Attachments: [Memorandum](#)

ADJOURNMENT

EXECUTIVE SESSION NOTICE

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. seeking the advice of its attorney about pending or contemplated litigation, settlement offers, or any matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. [Tex. Govt. Code §551.071]
2. deliberating the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.072]
3. deliberating a negotiated contract for a prospective gift or donation to the city if deliberation in an open meeting would have a detrimental effect on the position of the city in negotiations with a third person. [Tex. Govt. Code §551.073]
4. deliberating the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee unless the officer or employee who is the subject of the deliberation or hearing requests a public hearing. [Tex. Govt. Code §551.074]
5. deliberating the deployment, or specific occasions for implementation, of security personnel or devices. [Tex. Govt. Code §551.076]
6. discussing or deliberating commercial or financial information that the city has received from a business prospect that the city seeks to have locate, stay or expand in or near the city and with which the city is conducting economic development negotiations; or deliberating the offer of a financial or other incentive to a business prospect. [Tex Govt. Code §551.087]
7. deliberating security assessments or deployments relating to information resources technology, network security information, or the deployment or specific occasions for implementations of security personnel, critical infrastructure, or security devices. [Tex Govt. Code §551.089]

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, APRIL 4, 2022

EXHIBIT B

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

APRIL 4, 2022

Item A: Approval of the March 7, 2022 Committee Minutes

Councilmember Ridley moved to adopt the minutes as presented.

Motion seconded by Councilmember Schultz and unanimously adopted. (Arnold absent when vote taken; West absent)

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

APRIL 4, 2022

BRIEFING

Item B: Bank of America Plaza Green Business Certification Recognition

The following individuals briefed the committee on the item:

- Carlos Evans, Director, Environmental Quality & Sustainability
- Jay Council, Director, Sanitation Services

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

APRIL 4, 2022

BRIEFING

Item C: Urban Forestry Update

The following individuals briefed the committee on the item:

- Sarah Standifer, Assistant Director, Dallas Water Utilities
- M. Renee Johnson, Assistant Director, Parks and Recreation
- Kristoffer Rasmussen, Manager- Forestry, Public Works
- Christopher McMaster, City Forester, Park and Recreation
- Megan Wimer, Assistant Building Official, Development Services
- Brett Johnson, Urban Biologists, Park and Recreation

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

APRIL 4, 2022

BRIEFING

Item D: Forward Dallas Comprehensive Land Use Plan Update

The following individual briefed the committee on the item:

- Andrea R. Gilles, Assistant Director, Planning & Development

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

APRIL 4, 2022

BRIEFING

Item E: Environmental Commission Update

The following individual briefed the committee on the item:

- Kathryn Bazan, Chair, Environmental Commission

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

APRIL 4, 2022

BRIEFING MEMORANDUMS

Item F: Building Services Department Agenda Items for Upcoming Solar, Lighting Retrofits at City Facilities and Participation in Oncor Incentive Program

The committee discussed the item.

MINUTES OF THE CITY COUNCIL COMMITTEE
MONDAY, APRIL 4, 2022

EXHIBIT C

Environment and Sustainability Committee Meeting Record

The Environment and Sustainability Committee meetings are recorded. Agenda materials are available online at www.dallascityhall.com.

Meeting Date: March 7, 2022

Convened: 9:05 a.m.

Adjourned: 11:05 a.m.

Committee Members Present:

Paula Blackmon, Chair
Paul E. Ridley, Vice Chair
Carolyn King Arnold
Adam Bazaldua
Jaime Resendez
Jaynie Schultz
Chad West

Committee Members Absent:

Other Council Members Present:

Presenters:

Jay Council, Director, Sanitation Services
Cliff Gillespie, Assistant Director, Sanitation Services
Paul White II, Superintendent – Air, Soil, & Groundwater Division, Environmental Quality & Sustainability
Kevin Overton, Senior Environmental Coordinator, Environmental Quality & Sustainability

AGENDA

Call to Order (9:05 a.m.)

A. Approval of the February 7, 2022 Environmental and Sustainability Committee Minutes

Presenter(s): Paula Blackmon, Chair

Action Taken/Committee Recommendation(s): A motion was made to approve the minutes for the February 7, 2022 Environmental and Sustainability Committee meeting.

Motion made by: Paul E. Ridley

Item passed unanimously: X

Item failed unanimously:

Motion seconded by: Chad West

Item passed on a divided vote:

Item failed on a divided vote:

B. Local Solid Waste Management Plan Update

Presenter(s): Jay Council, Director, Sanitation Services; Cliff Gillespie, Assistant Director, Sanitation Services

Action Taken/Committee Recommendation(s): The Committee discussed: Recycled items taken to the landfill and recycling markets. Methane collection process and utilization of that gas. Results of the brush-bulk collection program and the possible expansion of the program. Status of the electronic recycling program. The City's 2011 recycling objectives and its goals. The research of successful recycling programs of other cities to determine how Dallas compares and where we can improve. What the City is doing with recycled tires. A public information campaign to inform residents of this program. Looking into securing a tire recycling permit from the state so that

the City able to expand upon these efforts in a way that does not burden residents at the expense of commercial enterprises.

Motion made by: Paul E. Ridley
Item passed unanimously: X
Item failed unanimously:

Motion seconded by: Jaynie Schultz
Item passed on a divided vote:
Item failed on a divided vote:

C. North Central Texas Council of Governments (NCTCG) Air Quality Program

Presenter(s): Jenny Narvaez, Program Manager, North Central Texas Council of Government

Action Taken/Committee Recommendation(s): The Committee discussed: Reaching out and creating opportunities to the region as a whole for the behavior changes presented. Possible incentives we can offer to employers to encourage emission-reduction behaviors such as working from home. Penalties for major polluters and major sources of emissions.

Motion made by:
Item passed unanimously:
Item failed unanimously:

Motion seconded by:
Item passed on a divided vote:
Item failed on a divided vote:

D. Regulatory Air Quality Program

Presenter(s): Paul White II, Superintendent – Air, Soil, & Groundwater Division, Environmental Quality & Sustainability

Action Taken/Committee Recommendation(s): The Committee discussed: Layering the various different air quality monitors to ensure accurate measurement of local emissions.

Motion made by:
Item passed unanimously:
Item failed unanimously:

Motion seconded by:
Item passed on a divided vote:
Item failed on a divided vote:

E. Non-Regulatory Air Quality Programs

Presenter(s): Kevin Overton, Senior Environmental Coordinator, Environmental Quality & Sustainability

Action Taken/Committee Recommendation(s): The Committee discussed:

Motion made by:
Item passed unanimously:
Item failed unanimously:

Motion seconded by:
Item passed on a divided vote:
Item failed on a divided vote:

F. Environmental Commission Update

Presenter(s): Kathryn Bazan, Chair, Environmental Commission

Action Taken/Committee Recommendation(s): The Committee discussed:

Motion made by:
Item passed unanimously:
Item failed unanimously:

Motion seconded by:
Item passed on a divided vote:
Item failed on a divided vote:

Adjourn (11:05 a.m.)

APPROVED BY:
Paula Blackmon, Chair
Environment & Sustainability Committee

ATTESTED BY:
Juan Garcia, Committee Coordinator
Environment & Sustainability Committee

Urban Forestry Updates



City of Dallas

Environment & Sustainability Committee

April 4, 2022

Urban Forest Task Force-Executive Team

Sarah Standifer, DWU

Eduardo Valerio, DWU

M. Renee Johnson, PKR

Tina Richardson, PBW

Megan Wimer, DEV

Presentation Overview



- Urban Tree Canopy Management Actions
 - Overview
 - Tree Inventory
 - Public Tree Plantings
 - Development Initiatives
- Invasive Plants, Animals, and Insects
 - Alternative Vegetation Management
 - Emerald Ash Borer
- Outreach Efforts
- Next Steps





Urban Forestry Management Overview

- City owns approximately 35,000 acres of open space
- CECAP adopted May 2020, UFMP adopted June 2021
- City provides regulatory oversight of private and public urban forest canopies
- Cooperative management approach with local, state and federal agencies
 - Coordination efforts with non-profit and other partners
 - Regulatory efforts with development sites
- Ongoing “lifting” of canopies and removal of decayed and dying trees, mainly when present with public safety hazard to people or property





Urban Tree Canopy Overview

- What is an Urban Forest?

... *dynamic ecosystems that provide critical benefits to people and wildlife. Urban forests **help to filter air and water, control storm water, conserve energy, and provide animal habitat and shade.** U.S. Forest Service*

- What do we have?

- the Tree - when a forester is evaluating an individual tree for risk
- the Trees, plus everything else -When a forester is evaluating a tree, multiple trees, or a forest, all the forest community is evaluated. This may include, but not be limited to, multiple natural resources such as soils, wildlife, grasses, prairies, water, sunlight, understory vegetation, and adding to it the adjacent human activity or structures.
- COD forestry encompasses all natural resources and thus, all master plans, CECAP and Codes





Urban Forestry Management Overview

- Executive oversight led by implementation departments:
 - City Managers Office
 - Dallas Fire Rescue
 - Dallas Water Utilities
 - Development Services
 - Park and Recreation
 - Public Works
- Technical team meets weekly to address planning and best management practices
- Executive Team meets bi-monthly
- City-Wide Task Force meet monthly including interested city, state and federal partners quarterly





Urban Forestry Management Overview

- **CECAP** addresses several initiatives that aid in canopy development, natural spaces, and conservation strategies
- **Urban Forest Master Plan recommendations** guide work plans and sets the stage for future funding requests
- Task Force implements programs and activities with CECAP & UFMP in mind
- The following UFMP overarching goals are being addressed during FY 21-24:
 1. Complete a comprehensive tree inventory of all right-of-way and park trees.
 2. Centralize coordination and communication efforts and activities for City of Dallas urban forestry programs
 3. Develop a Storm Response and Recovery Plan.
 4. Strengthen and support existing relationships and partnerships.
 6. Ensure Dallas regulations, best management practices, and guidelines are in place to support tree canopy growth, protection, and preservation.



Urban Forestry Management Overview Continued



8. Development of one-year planting Plan for fiscal year 2022-2023.

9. Create and implement a management program to monitor and address environmental threats to Dallas' urban forest.

10. Develop and implement a public engagement, outreach, and education plan.

12. Strengthen working relationships and partnerships with private utilities, organizations, and contractors whose activities impact trees by instituting regular dialogue and project coordination.

13. Enhance and develop programs that encourage and support active participation by residents and volunteers in the planting and care of Dallas's urban forest.

14. Review and update the Great Trinity Forest Management Plan



Urban Tree Canopy Overview



- City of Dallas Urban Forestry efforts are located on a main page:
 - <https://dallascityhall.com/projects/forestry/Pages/home.aspx>
- Includes informational material on emerald ash borer (EAB), upcoming tree plantings, community forester program, and other links to wildlife and biological resources



HOME
TREES 101
TREE PLANTINGS
VOLUNTEER OPPORTUNITIES
RESOURCES
INVENTORY
EMERALD ASH BORER (EAB)
URBAN WILDLAND INTERFACE
INVASIVE SPECIES

City of Dallas Forestry

Overview

The City of Dallas has a vast urban forest, including approximately 6,000-acre Great Trinity Forest. City staff maintain existing trees, plants new trees and provide trees to citizens to plant in their yards or along their street.

Per American Forests, over 140 million acres of America's forests are in cities and towns. Urban forestry is defined as protection, planting, and care of trees in an urban and suburban environment.

Urban forestry involves both the planning and management of the urban forest because the right tree, planted in the right place, in the right way help to promote the many benefits trees to people, wildlife, and the climate.

In addition, to the overall improved health and well-being of residents, tree benefits also include improved academic performance, fewer illnesses, and instances of death caused by extreme heat and poor air quality. As we seek remedies for the climate crisis, urban forestry will continue to be a key component to any strategy looking to maximize the benefits that trees provide.





Urban Forestry Management Actions

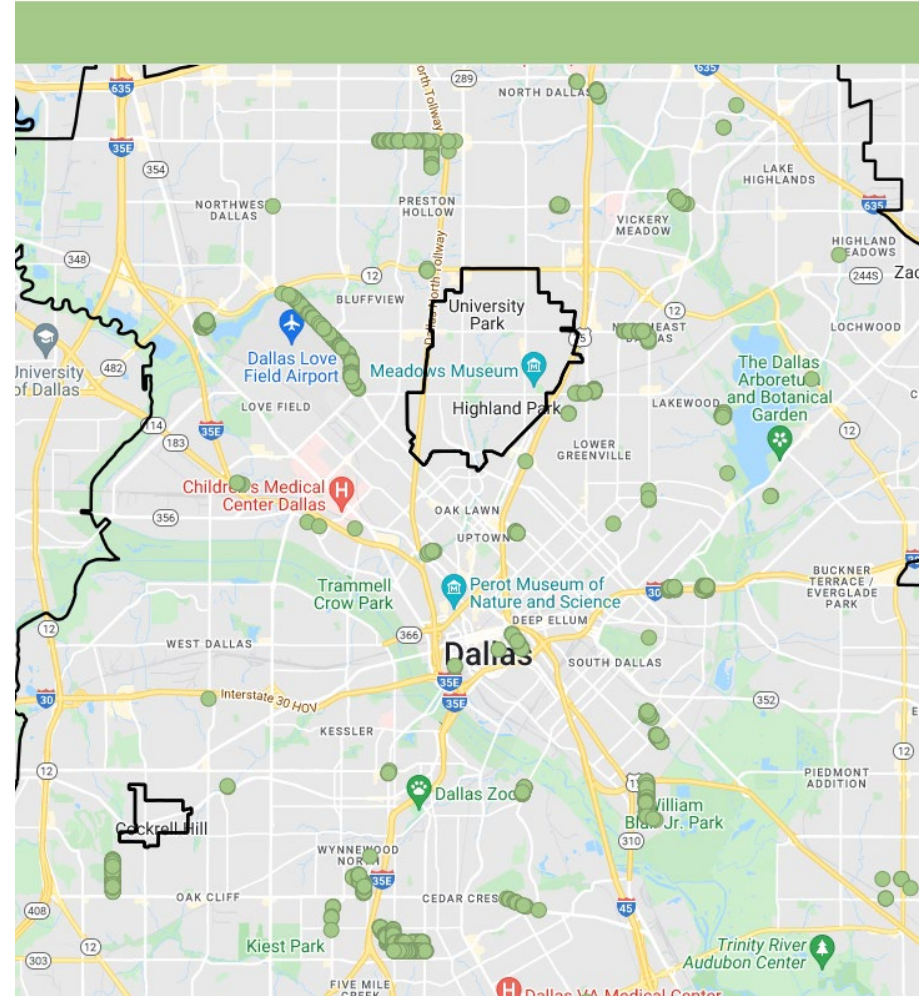
- Focus over the next 5 years include:
 - Increase diversity of canopy through public & private tree plantings
 - Complete inventory of public trees
 - Reduce invasive plant species, monitor and mitigate insect populations
 - Provide education material to communities
 - Complete planning, design and construction of federal projects associated with Dallas Floodway Extension to facilitate Great Trinity Forest mitigation, acquisition and planting activities
 - Utilize city general fund, DWU revenue, and reforestation fund





Tree Inventory

- TreeKeeper software training and inventory efforts underway on five-year inventory plan
 - Staff identified previous inventories and verified current status of 42 areas
 - Median and street trees ongoing
 - Parks, open space and floodways underway



Public Tree Plantings



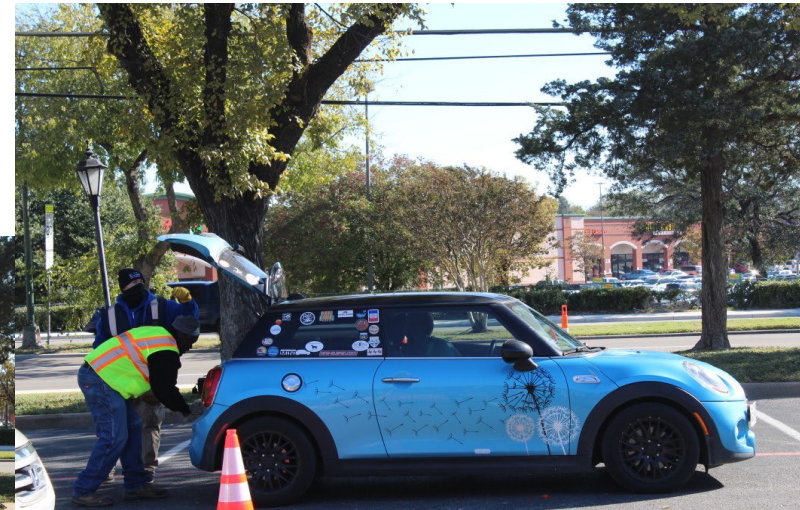
- Efforts to address tree plantings on public and private property
- 4,000 trees planted in calendar year 2021
 - 1,400 public trees in 10 neighborhoods
 - 2,600 trees for private residential properties



Public Tree Plantings



- < 3,500 estimated trees to be planted in calendar year 2022
 - <1,000 public trees in 12 neighborhoods
 - 2,500 trees for private residential properties





Development Initiatives

- CECAP Goal 6: Dallas protects and enhances its ecosystems, trees and green spaces that in turn improve public health
 - Targets include increasing the urban forest canopy to 40% or more by 2050; reducing the urban heat island index by up to 75%; and to significantly improve the public's access to parks or trails
 - Increase the tree canopy in both private and public realm to complete implementation of recommendations from the Urban Forest Master Plan
- Article X was amended in 2018 to improve the adaptability and efficiency of the landscaping and tree conservation ordinances for development
 - Purpose: The general objectives “are to promote and protect the health, safety, and welfare of the public.”





Development Initiatives

- Article X landscaping is adaptable to most development types by employing incentives to build sustainably and with more tree canopy cover
- Protected trees are classified by species and size where more valued significant specimen are encouraged to be maintained
- Only 'historic' trees, designated by council, are prohibited from removal
- Article X conforms to existing city zoning regulations and policies so they can be fully implemented. Development choices are originated by developers and the city to attain long term goals for city growth



Invasive Plants, Animals and Insects

- An invasive species is an introduced organism that becomes overpopulated and harms its new environment
 - Some introduced species may be neutral or beneficial with respect to other species
 - Some adversely affect habitats and bioregions causing ecological, environmental, and/or economic damage
- Adaptive management and natural areas are passively or actively managed
- Various efforts to increase native plantings through low ground vegetation and new saplings by City and Federal partners





Invasive Plants, Animals, and Insects

- Alternative management of vegetation under consideration, namely the use of goats to control invasive species
- Goals
 - Winter vegetation management targeting privet
 - Spring/Summer vegetation management to open forest understory
- Pilot programs to include areas with creeks, floodways, and “difficult to reach” management areas





Invasive Plants, Animals, and Insects

- Ongoing development of fuel load reduction strategies with Dallas Fire Rescue, Texas Forest Services and Technical Team
 - Utilize areas for training, tool work and skills practice
 - Identify areas for prescribed burn and develop plan, in conjunction with state and local agencies



Invasive Plants, Animals, and Insects



- Feral Hogs cause damage to the urban forest and are not limited to any one geological location
 - Traditionally follow creeks and rivers
 - Populations increase rapidly
 - Destroy grasses, tree roots and other vegetation
- City initiated contracts for removal on area-by-area basis in the early 2010 timeframe
- Consolidated to larger trap & release master service agreement in 2017 as a citywide approach to trapping efforts
 - Approximately 2500 feral hogs removed existing contract





Invasive Plants, Animals, and Insects

Emerald Ash Borer (EAB)

- EAB continues to be of concern to healthy ash tree populations throughout the US
 - At this time, no EAB have presented within a 40-mile radius of Dallas
- EAB Draft Action Plan available for public comment March 14 – April 11 at dallascitynews.net and/or Forestry web page



Actions

- Continue trapping at designated sites with partner agencies
- Preliminary sourcing of pesticide applications for limited treatments
- Removal of damaged ash canopies
- Plantings to diversify canopy
- Working with A&M Texas Forest Service to monitor

Active site visit June 3, 2022



Outreach




- Team is working towards implementing marketing materials
 - Includes, but not limited: ads, printed materials, social media, etc.
 - Intended to be utilized by City and partners
 - Six-month focus will be Dallas Forestry, EAB information and events
- Non-profit and City Partners Virtual Meeting Spring 2022
 - Go over materials, efforts for plantings and partnering
- Neighborhood Urban Forest Virtual Meeting Summer 2022
 - Outline upcoming volunteer efforts,
 - programs and learn about neighborhood needs

EMERALD ASH BORER (EAB)
CITY OF DALLAS FORESTRY

The emerald ash borer (*Agrilus planipennis*) is a destructive non-native wood-boring pest of ash trees. Native to Asia, the emerald ash borer beetle (EAB) was unknown in North America until its discovery in southeast Michigan in 2002. All native ash species are susceptible to attack.


Ash trees with low population densities of EAB often have few or no external symptoms of infestation. EAB is a significant threat to urban, suburban, and rural forests as it kills both stressed and healthy trees.




What do I do?

First, do you know what kind of tree you have?
Visit the [Trees of Texas](#) website to help you identify your tree. Is it an ash tree?

Second, have there been reports of the beetle nearby? dead branches near the top of a tree, leafy shoots sprouting from the trunk, bark splits exposing



Third, call a professional certified forester to verify the presence of EAB, then discuss ALL of your options!



Finally, if removal is needed plant a new Tree!
Check out the Dallas Forestry website for alternate tree's and more tree information at [insert website here](#)

"The great French Marshall L'Anney once asked his gardener to plant a tree. The gardener objected that the tree was slow growing and would not reach maturity for 100 years. The Marshall replied, 'In that case, there is no time to lose; plant it this afternoon!'"
— John F. Kennedy





Next Steps

- Continue to implement updates to manuals and emergency response & recovery plans
 - Landscape and Tree Manual
 - Storm Response
- Continue public education efforts through ongoing meetings, field assessments and interactive updates to the Urban Forestry website

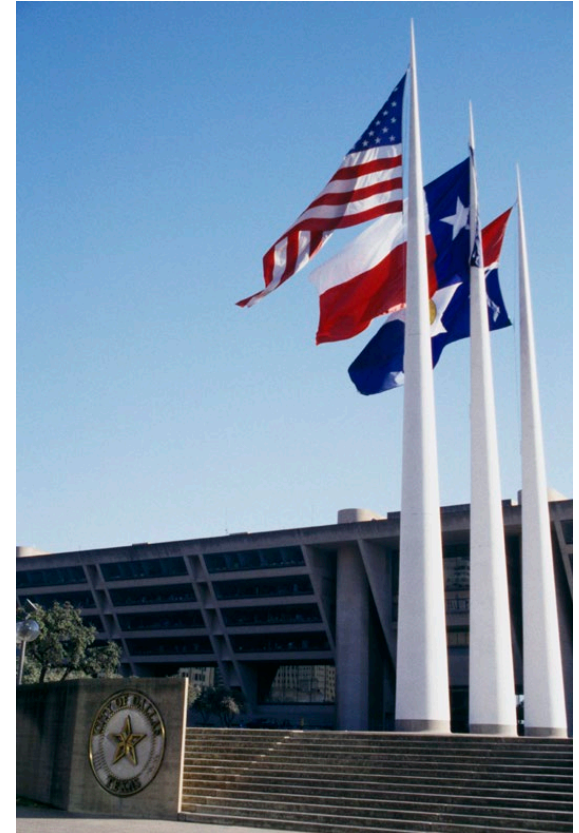




Questions?

Contact Us

- [City of Dallas Forestry Website](#)
- Urban Forest Task Force-Technical Team CODForestry@dallascityhall.com



@DallasWaterUtilities





Comprehensive land use plan update

Environment & Sustainability Committee

April 4, 2022

Andrea R. Gilles, AICP
Assistant Director
Planning + Urban Design





PROJECT OVERVIEW + BACK

TEAMS + ROLES | PAST + CURRENT PLANS | WHAT IS A LAND USE PLAN
HISTORICAL OVERVIEW | EXPECTATIONS

Project Overview



Council District: All

Estimated Total Cost: \$649,960

Funding Sources:

\$415,960 Building Inspection Fund (City of Dallas)

\$234,000 Capital Projects Reimbursement Fund (Dallas County)

Scope: Limited to land use plan

Initiation: Requested by City Council

Project Team ROLES



PLANNING + URBAN DESIGN

- Project Management + Coordination
- Contract Administration + Monitoring
- Stakeholder Engagement (Internal + External)
- Plan Document Development
- Preliminary Land Use Analysis
- Marketing and Website Development
- Plan Implementation

CONSULTANT TEAM

- HL - Scenario planning & community development expertise
- Norris - Local planning & urban design expertise
- KSG - Local community outreach & public relations expertise
- Toole - Mobility planning expertise

Project Team ROLES



City of Dallas

TECHNICAL COMMITTEE

- Provide Explicit Procedural Feedback and Guidance on Deliverables
- Help identify key stakeholder groups
- Vet Consultant Analyses and Recommendations
- Inform Development of Implementation Plan

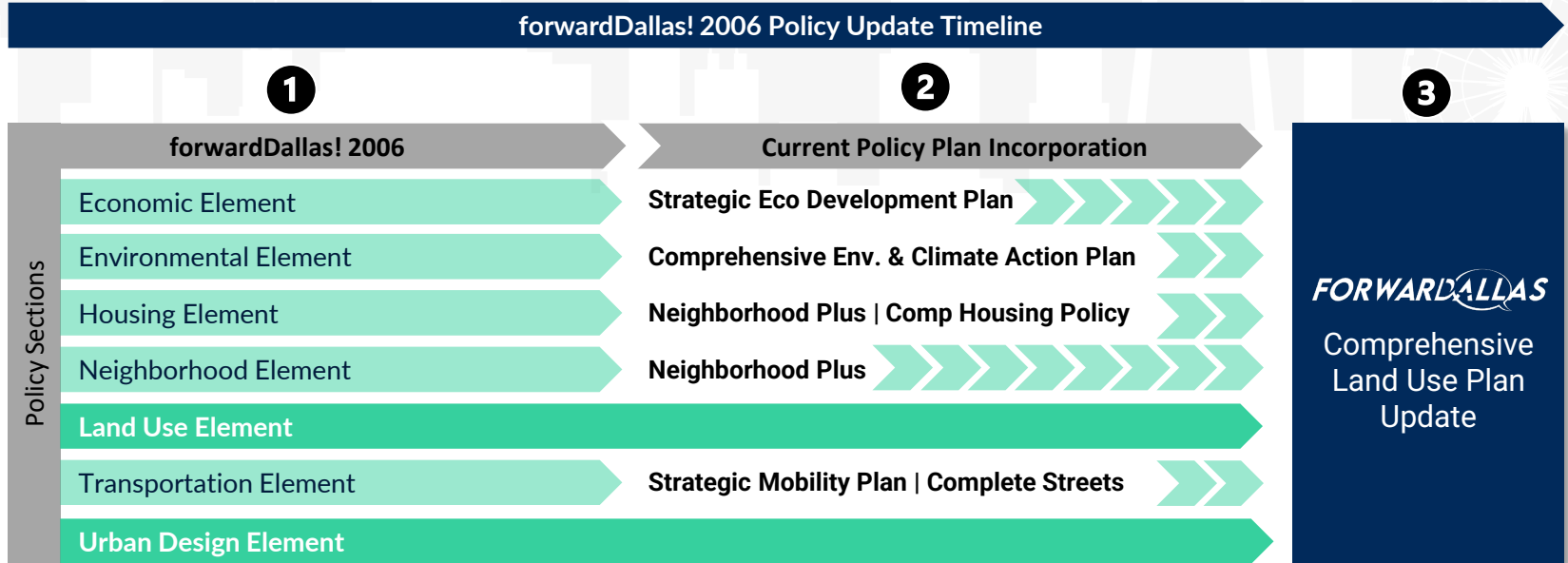
CPC CLUP COMMITTEE

- Community Advisory Committee
- Meet At Key Points To Discuss Issues And Plan Direction
- Provide Feedback
- Inform Broader CPC
- Oversee and guide planning process
- Listen To The Community
- Monitor implementation

Past + Current Plans

RELATIONSHIP TO OTHER PLANS

The original forwardDallas! (2006) had 7 policy sections. The **land use** and **urban design** elements have a direct relationship to the current update.



Relationship Legend to ForwardDallas Update: Direct Indirect

Historical Overview

HISTORICAL URBAN DEVELOPMENT

Over time, the City's urban form and public realm have been affected by the following land use patterns:

- 1 Transportation
- 2 Development
- 3 Ecological

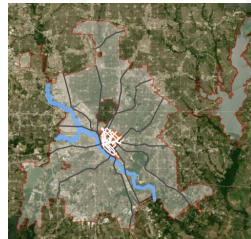
1855



1875



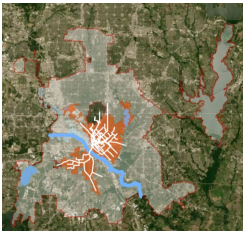
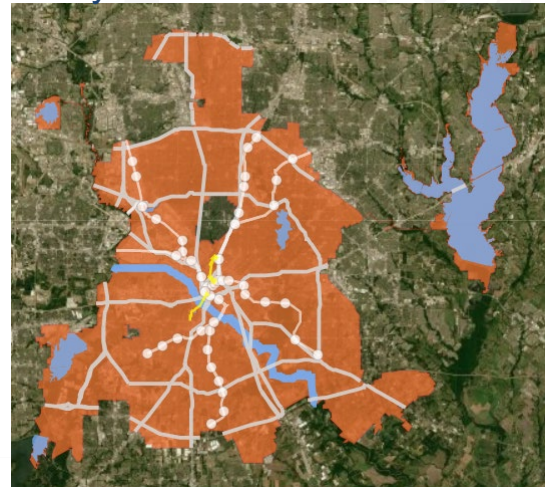
1900



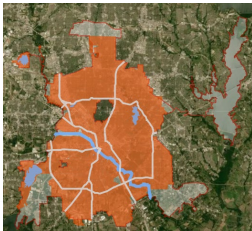
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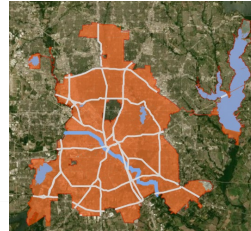
today



1940



1960



1980



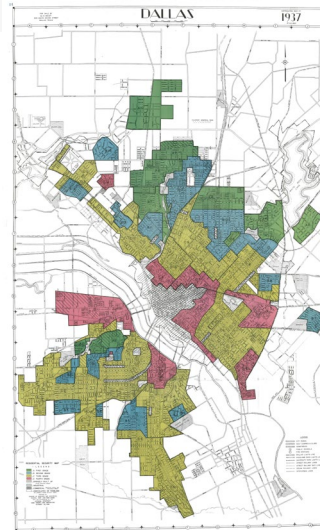
2000

Historical Overview

ZONING + LAND USE INEQUITIES

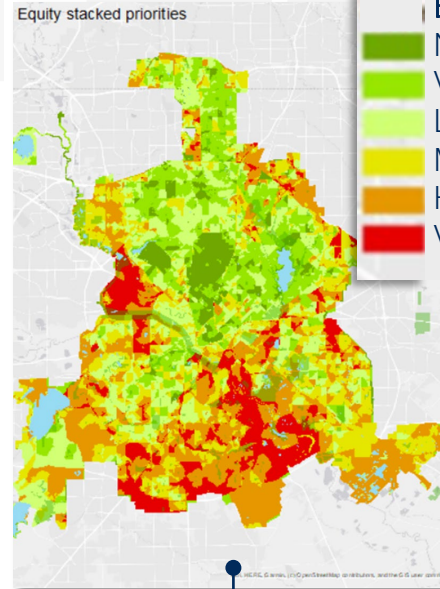
Segregation that was built into the zoning and land use policies led to inequitable:

1. Land Distribution
2. Concentrations of People
3. Opportunities to Access



1937

Redlined HOLC Overlay Historically Affected Communities



Now

Smart Growth for Dallas
Equity Overall Priorities



Key Issues

1

Racial inequities in land use were not addressed

2

Neighborhood **plans not integrated** into process

3

Lack of implementable policies and programs

4

Recent planning efforts don't align with current policies

5

Land use vision doesn't represent current desires

6

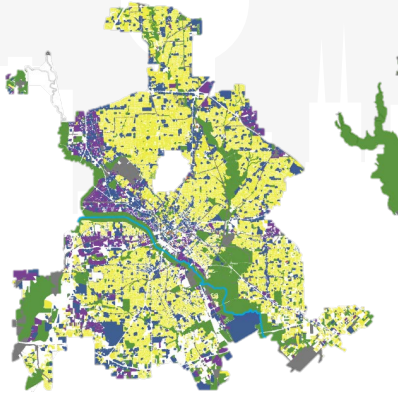
Need to account for **changing growth demands** in Dallas



LAND USE PLANNING + ZONING

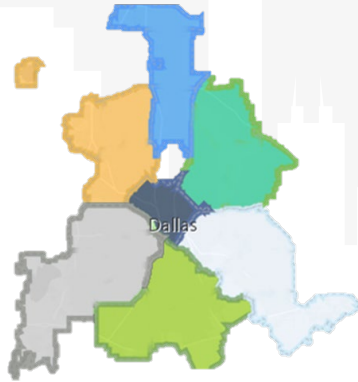
TYPES OF PLANS | LAND USE BASICS

Planning SCALES



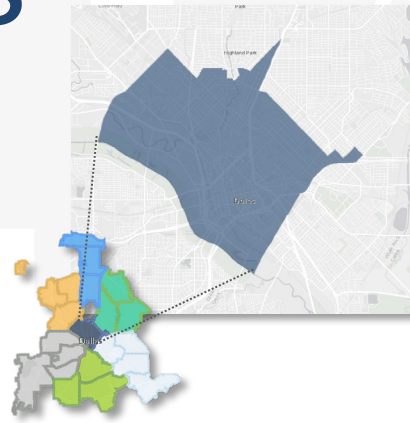
CITYWIDE

- Historical Urban Development
- Existing Land Use
- Future Land Use



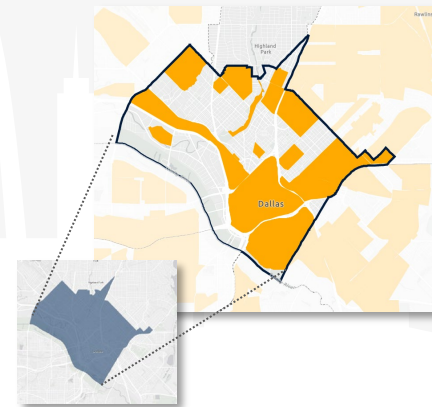
PLANNING DISTRICTS

- Planning Staff Coordination
- Services Delivery



SUB DISTRICTS / AREAS

- Infrastructure Priorities
- Future Land Use & Zoning
- Area Planning



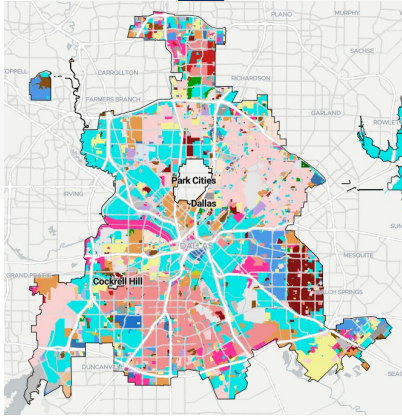
NEIGHBORHOODS

- Cultural Building Blocks
- Neighborhood Organizations
- Neighborhood Planning
- Tactical / Grassroots

CITY-INITIATED PLANNING

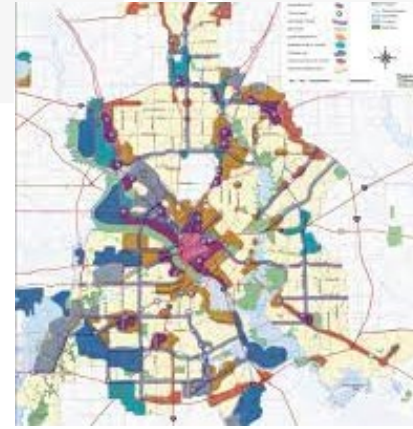
NEIGHBORHOOD-DRIVEN PLANNING

Zoning vs Land use Plan



ZONING

- Primary tool for city to control land use
- Definitive tool for permitting various land uses in a given location
- Requested zoning changes happen frequently throughout the city



LAND USE PLAN

- Overarching guiding document to articulate city goals and objectives
- May not necessarily align with existing zoning
- Changes infrequently, serves as a major anchor for decision making

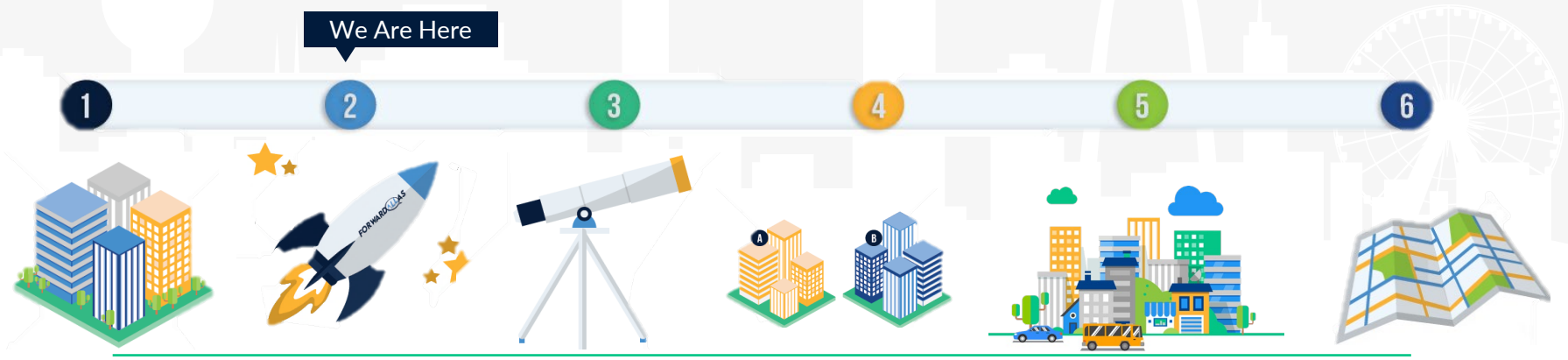


PROJECT OVERVIEW

APPROACH | KEY SCOPE ITEMS | PROJECT OBJECTIVES

Project approach + scope

We Are Here



Initial Community Engagement

Getting the community engagement efforts rolling with a series of workshops and an outline questionnaire to identify priority issues.

Project Initiation & Existing Conditions

Establish a solid technical and conceptual foundation of Dallas with a 3D model of its urban environment and configure ArcGIS Urban to establish a baseline scenario.

Land Use Visioning

Forming the vision of Dallas' future together with the community and key stakeholders.

Scenario Development

Development alternative land use development scenarios based on the community's vision.

Recommended Scenario & Draft Plan

Meeting with the community to refine the scenarios into a single recommended model.

Public briefing/ hearings & Adoption

Preparation of the Land Use Plan document to be considered for adoption.

Project Objectives

- Develop a land use plan that reflects residents needs/concerns as the city grows/changes for decades to come.
- Development of a future land use map.
- Address racial inequities in land use not previously addressed.
- Incorporate neighborhood planning into the process (**Planning at Different Scales**; Plan guided by and for the community.
- Establish a common vision and set of policies and actions that can be measured and evaluated by residents and decision makers on an annual basis.
- Enhancing a framework for TOD planning including urban design standards.
- Identify partnership opportunities and strategic coordination.



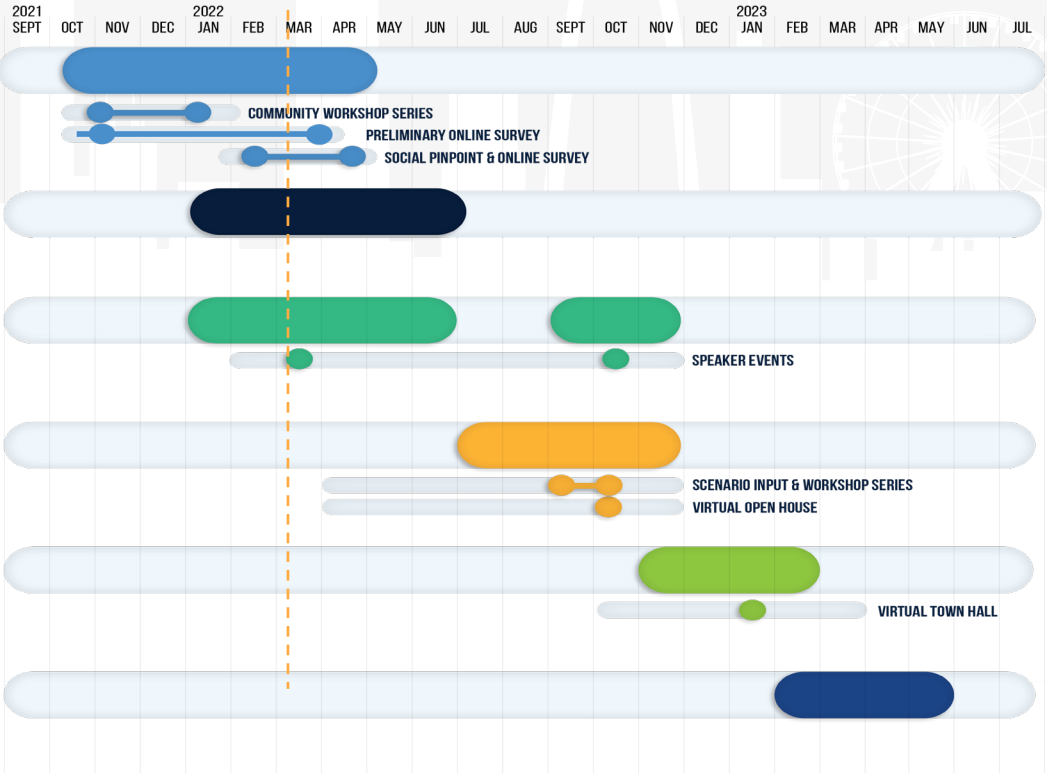
PUBLIC ENGAGEMENT UPDATE

MARKETING STRATEGY | TIMELINE | PUBLIC PARTICIPATION | PRELIMINARY FINDINGS

Engagement Timeline

PROJECT TIMELINE TASK TIMELINE OUTREACH EVENT OUTREACH SERIES

We Are Here



1 INITIAL COMMUNITY ENGAGEMENT
Getting the community engagement efforts rolling with a series of workshops and an online questionnaire to identify priority issues.

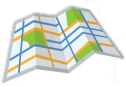
2 EXISTING CONDITIONS & BASELINE SCENARIO
Establish a solid technical and conceptual foundation of Dallas with a 3D model of its urban environment and configure ArcGIS Urban to establish a baseline scenario.

3 LAND USE VISIONING
Forming the vision of Dallas's future together with the community and key stakeholders.

4 SCENARIO DEVELOPMENT
Developing alternative land use development scenarios based on the community's vision.

5 RECOMMENDED SCENARIO & DRAFT PLAN
Meeting with the community to refine the scenarios into a single recommended model.

6 PUBLIC BRIEFING/HEARINGS & ADOPTION
Preparation of the Land Use Plan document to be considered for adoption.



Participant Touchpoints

Participants by Zip Code

Representative of all workshops, summit and popup events as of Dec 2021*

Most Touchpoints

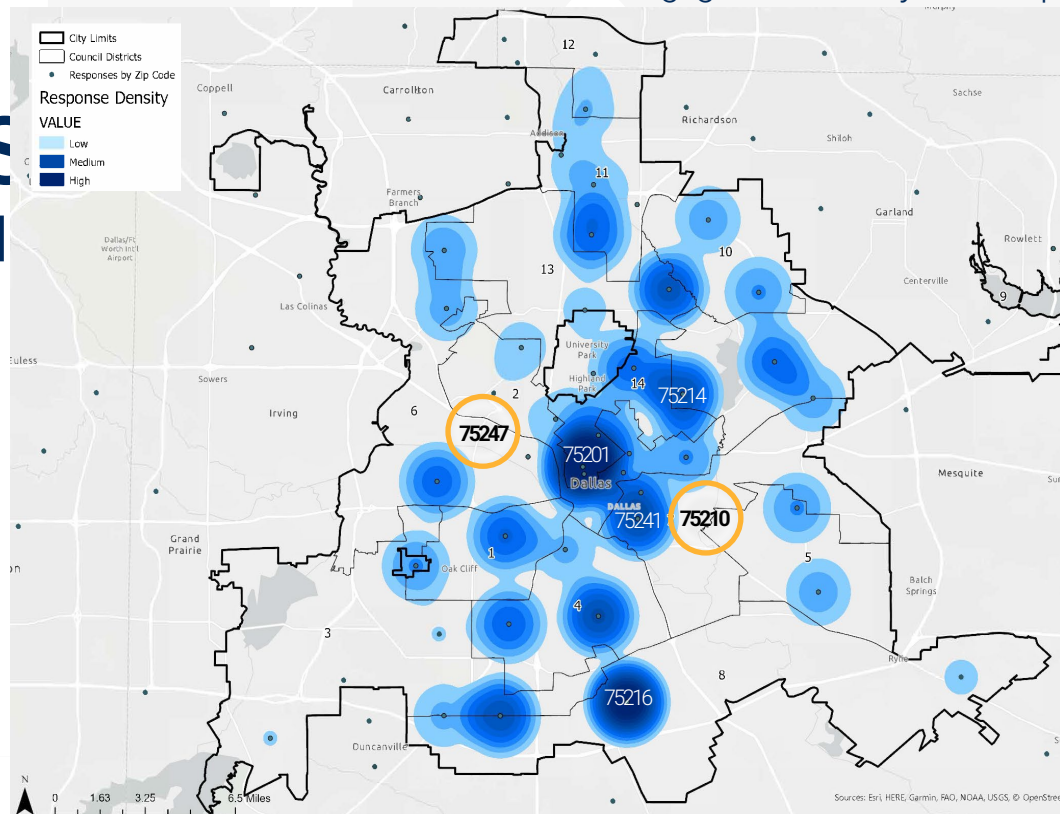
75241 75201

75216 75214

More Touchpoints Needed

75247 75210

Initial Engagement Density Heat Map



*Online survey data to be included in future Engagement Summary in April 2022

Preliminary Findings

DEVELOPMENT PROCESS AND PLANNING

QUALITY OF LIFE

ENVIRONMENTAL JUSTICE

COMPLETE NEIGHBORHOOD CENTERS

ECONOMIC DEVELOPMENT AND REVITALIZATION

MOBILITY AND CONNECTIVITY

HOUSING CHOICE AND QUALITY

NEIGHBORHOOD STABILITY ENVIRONMENTAL QUALITY



NEXT STEPS STAYING INVOLVED



Next Steps for PUD

Social Pinpoint Survey

This launch of a new engagement tool will expand upon the current survey and aims to reach even more participants.

Popup Engagement Events

PUD to continue join in existing community events to promote and receiving feedback regarding ForwardDallas.

ForwardDallas Live (Speaker Event)

2nd of two planning-related talks intended to generate interest and motivate residents and stakeholders in participation of the plan.

Scenario Model Baseline Creation

Development of a current conditions and a business-as-usual scenario model used as conversation starter when soliciting community feedback regarding land use vision.

Community Visioning

Series of engagement events aimed at motivating residents and stakeholders to participate in scenario visioning and assist in the development of the plan.

Stay Involved

1

Check our website
Visite nuestro sitio web



DallasCityHall.com/ForwardDallas

2

Sign up to benotified
Regístrese para semotificado



<https://bit.ly/fdstayinformed>

3

Take the survey
Realiza la encuesta



<https://bit.ly/fwddallassurvey>

4

Open Call
Llamada abierta

PU@DallasCityHall.com

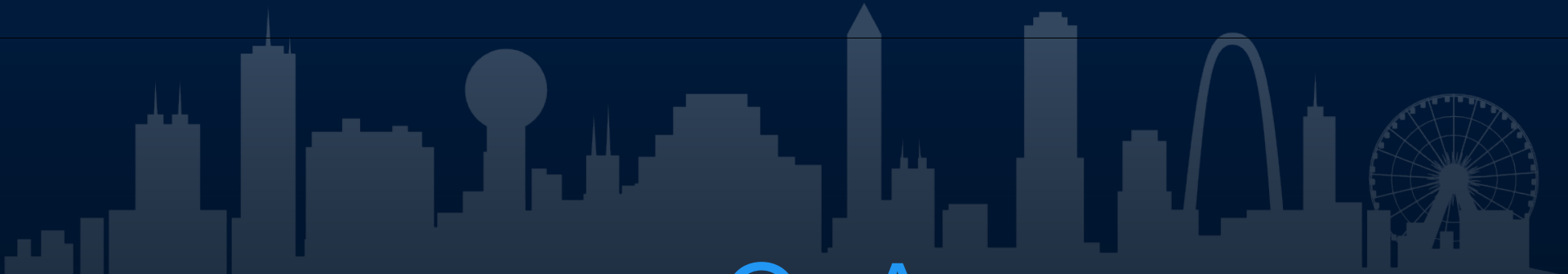


5

Follow us
Síguenos

[@DallasPlanUD](https://twitter.com/DallasPlanUD)





Q+A

FORWARD **DALLAS**



Memorandum



CITY OF DALLAS

DATE April 4, 2022

TO Honorable Members of the Environment & Sustainability Committee

SUBJECT **Upcoming Building Services Department Agenda Items for Upcoming Solar, Lighting Retrofits at City Facilities and for participating in Oncor incentive program**

The following three items related from the Building Services Department (BSD) are scheduled for consideration by the City Council on the April 13, 2022 Agenda:

File ID 22-404: Authorize a service contract for the installation of fully operational high-efficiency lighting systems at multiple City facilities with Facility Solutions Group, Inc. through The Interlocal Purchasing System Contract No. 210601 Part 2 - Not to exceed \$1,030,577.00 - Financing: Capital Construction Fund (\$524,515.00) and Coronavirus State and Local Fiscal Recovery Funds (\$506,062.00).

File ID 22-436: Authorize a construction services contract for the installation of solar photovoltaic systems at multiple City facilities with Ameresco, Inc. through The Interlocal Purchasing System Contract No. 210203 Part 2 - Not to exceed \$993,938.28 - Financing: Capital Construction Fund (\$500,000.00) and Coronavirus State and Local Fiscal Recovery Funds (\$493,938.28).

File ID 22-525: Authorize **(1)** an agreement with Oncor for the City of Dallas to participate in the Oncor Commercial Solar Program which offers rebates for installing solar on City owned facilities; **(2)** an amendment to the agreement with Oncor Delivery Electric Company LLC (Oncor), for City of Dallas to participate in the 2022 Oncor Commercial Standard Offer Program which provides cash incentives for implementing energy efficiency measures at City facilities; **(3)** the receipt and deposit of funds in an estimated amount of \$290,000.00 annually in the Capital Construction Fund; and **(4)** execution of both agreements with Oncor - Estimated Annual Revenue: Capital Construction Fund \$290,000.00.

BACKGROUND

The adopted FY22 budget includes \$500,000 in dedicated funding in the capital construction fund and \$1,000,000 from the American Rescue Plan Act (ARPA) to install solar and energy efficiency initiatives at City buildings in support of the City's Comprehensive Environmental & Climate Action Plan (CECAP) goals. The Environment & Sustainability Committee was briefed in October and November on energy management at city facilities [\[found here\]](#). This included discussion of using the available funding, in part, to reduce electricity consumption through retrofits, thereby enhancing payback periods of future solar installations.

DATE

April 4, 2022

SUBJECT

Upcoming Building Services Department Agenda Items for Upcoming Solar, Lighting Retrofits at City Facilities and for participating in Oncor incentive program

The Building Services Department is developing two contracts for City Council approval on April 13th to install 422.8 kW of solar on three facilities and lighting retrofits at three facilities to reduce electricity consumption by 1,316,945 kWh annually for the two projects. Energy Use Intensity (EUI) energy benchmarking data from Energy Star Portfolio Manager, total annual energy usage, equity considerations, and other factors were used to prioritize the buildings for these projects.

These projects, once implemented, will help to address actions of the CECAP that was adopted by the City in May 2020 to reduce City of Dallas greenhouse gas emissions by 43% below 2015 levels by 2030 and 100% by 2050 to achieve carbon neutrality.

Lighting Retrofits at City Facilities

This service contract will encompass retrofitting parking garage lighting, emergency egress lighting, facility interior lighting, facility exterior lighting and parking lot lighting with new energy efficient lighting along with lighting controls at the City Hall Parking Garage, Hampton-Illinois Branch Library and Juanita Craft Recreation Center.

Facility	Location	Annual Electricity Consumption Reduction (kWh)	Cost
City Hall Parking Garage	1500 Marilla Street	475,721	\$604,682
Hampton-Illinois Branch Library	2951 South Hampton Road	134,802	\$294,716
Juanita Craft Recreation Center	4500 Spring Avenue	51,927	\$131,179
Totals		662,450	\$1,030,577

The current annual energy usage for the City Hall Parking Garage lighting is 729,533 kilowatt hours (kWh), costing \$35,019.00. Retrofitting the garage to high-efficiency lighting along with a lighting control system is expected to reduce the annual energy usage by 65% to 253,812 kWh compared to existing lighting. These retrofits would provide annual energy cost saving of approximately \$22,835. In addition to savings on energy costs, we project an additional savings of \$62,508 in annual maintenance costs.

The current annual energy usage for the Hampton-Illinois Branch Library lighting is 171,158 kilowatt hours (kWh), costing \$8,729. Retrofitting the library interior and exterior lighting to high-efficiency lighting along with a lighting control system is expected to reduce the annual energy usage by 79% to 36,356 kWh compared to existing lighting. These retrofits would provide annual energy cost saving of approximately \$6,875. In addition to savings on energy costs, we project an additional savings of \$8,781 in annual maintenance costs.

DATE April 4, 2022

SUBJECT **Upcoming Building Services Department Agenda Items for Upcoming Solar, Lighting Retrofits at City Facilities and for participating in Oncor incentive program**

The current annual energy usage for the Juanita Craft Recreation Center lighting is 66,680 kilowatt hours (kWh), costing \$3,935. Retrofitting the recreation center interior and exterior lighting to high-efficiency lighting along with a lighting control system is expected to reduce the annual energy usage by 77% to 14,753 kWh compared to existing lighting. These retrofits would provide annual energy cost saving of approximately \$3,064. In addition to savings on energy costs, we project an additional savings of \$3,335 in annual maintenance costs.

Solar PV on City Facilities

This service contract will authorize the installation of fully operational solar photovoltaic (PV) systems and turn-key services at the Dallas West Branch Library, the Fretz Park Recreation Center, and the Pleasant Oaks Recreation Center. Installation of solar PV at the selected facilities optimizes solar output kilowatt hours (kWh) and will significantly offset their energy costs.

Facility	Location	System Size (kW)	Consumption Offset (%)	Cost
Fretz Park Recreation Center	6950 Belt Line Road	119.3	48.9%	\$285,071
Pleasant Oaks Recreation Center	8701 Greenmound Avenue	155.5	57.4%	\$363,391
Dallas West Branch Library	2332 Singleton Boulevard	148	66.2%	\$345,476
Totals		422.8	57.3%	\$993,938

The annual energy usage for the Dallas West Branch Library is 354,880 kilowatt hours (kWh), costing \$23,839.36. Installing solar PV is expected to reduce the annual energy usage by 66% to 119,627 kWh compared to exiting energy usage and reduce the annual energy cost by approximately \$15,803.32.

The annual energy usage for the Fretz Park Recreation Center is 379,008 kilowatt hours (kWh), costing \$22,471.47. Installing solar PV is expected to reduce the annual energy usage by 49% to 193,585 kWh compared to exiting energy usage and reduce the annual energy cost by approximately \$10,993.77.

The annual energy usage for the Pleasant Oaks Recreation Center is 246,777 kilowatt hours (kWh), costing \$37,389.72. Installing solar PV is expected to reduce the annual energy usage by 57% to 182,903 kWh compared to exiting energy usage and reduce the annual energy cost by approximately \$21,473.94.

DATE April 4, 2022

SUBJECT **Upcoming Building Services Department Agenda Items for Upcoming Solar, Lighting Retrofits at City Facilities and for participating in Oncor incentive program**

The proposal also includes to provide data monitoring infrastructure to tie in with existing Niagara building management system. This provision helps the City of monitor the performance of the solar system and with maintenance.

Oncor Incentive Programs

These agreements will authorize the City of Dallas to participate in Oncor incentive programs offered under the Commercial Solar Program and Commercial Standard Offer Program for energy efficiency improvements.

In 2021, the City of Dallas signed an umbrella agreement with Oncor to participate in the energy efficiency rebate program. Currently Oncor offers two energy efficiency rebate programs:

- 1) Commercial Standard Offer Program which provides rebates for energy efficiency improvements such as, but not limited to, high efficiency retrofits, new lighting controls, high efficiency HVAC equipment replacements, energy star rated roof replacements.
- 2) Commercial Solar Program which offers rebates for installing solar on City owned facilities.

Oncor updates the project requirements for both programs every year and requires qualified customers to sign the program addendum to participate in the energy efficiency rebate program. The rebates offered under these programs are not guaranteed as Oncor has a limited annual budget for these programs and offers rebates for customers on a first-come first-serve basis.

Please contact John Johnson, Interim Director of the Building Services Department, or me should you have any questions or concerns.



Robert M. Perez, Ph.D.
Interim Assistant City Manager

c: Honorable Mayor and Members of the City Council
T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Billierae Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager

Jon Fortune, Deputy City Manager
Majed A. Al-Ghafry, Assistant City Manager
M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Carl Simpson, Interim Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Directors and Assistant Directors



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 22-1105

Item #: A.

Dallas Urban Forest Master Plan



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 22-1079

Item #: B.

Love Field Noise Program

[Mark Duebner, Director, Department of Aviation]

Love Field Noise Program

City of Dallas

Environment and Sustainability Committee

Date: May 2, 2022

**Mark Duebner, Director
Department of Aviation
City of Dallas**



Presentation Overview

- Provide an overview of the Voluntary Noise Program
- Review measures implemented to address noise
- Address findings from the City Auditor's report on the Department's Voluntary Noise Program
- Present Department of Aviation's recommendations to update the Voluntary Noise Program
- Next Steps



Voluntary Noise Program

- To better respond to the concern of our neighbors, the Department of Aviation for the City of Dallas has developed a Voluntary Noise Program for Dallas Love Field
- The Federal Aviation Administration (FAA) controls the National Airspace System in the United States
- FAA's Air Traffic Control (ATC) directs commercial air traffic to and from Dallas Love Field
- Department of Aviation is responsible for complying with FAA regulations and ensuring runways and taxiways meet standards

3



Background/History

- **1980** – The Love Field Citizen’s Action Committee is founded
- **1981** – Voluntary Noise Control Program is adopted by Dallas City Council
- **1982** – Nighttime Preferential Runway measure implemented
- **1986** – Dallas Love Field’s first Noise Program Review
- **1988** – Designated Engine Run-Up area
- **1994** – ISD Public School Soundproofing Program
- **2017** – Casper Solutions is adopted as Department of Aviation’s newest Noise and Operations Monitoring System (NOMS)

4



1981 Noise Study

- January 1981 – Love Field Environmental Advisory Committee selects consultant to evaluate and make recommendations to improve Voluntary Noise Abatement Program
- 15 noise abatement alternatives were recommended and reviewed by Advisory Committee
- December 16, 1981 – Of the 15 alternatives, 7 are approved by City Council to be included in the Voluntary Noise Control Program

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Voluntary Noise Program Overview

- The nighttime preferential runway measure encourages all jets and aircraft over 12,500 lbs. to use Runway 13R/31L (parallel to Denton Ave.) between 9 p.m. and 6 a.m. daily
- There is a non-standard Noise Abatement Departure Procedure for night operations off Runway 13R that routes aircraft over the Trinity River
- Aircraft are prohibited from aircraft engine runups between midnight and 6 a.m. Operators are asked to avoid this activity after 10 p.m. as a voluntary measure

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Airport Noise and Capacity Act of 1990

- Congress passes the Act requiring the approval of FAA
- Marks the elimination of all Stage II aircraft operated in or out of the U.S. airports by December 31, 1999, and is replaced by Stage III aircraft, which are much quieter
- The Act also removes authority for noise abatement/mitigation away from local governments and airport proprietors and grants the FAA sole authority on all noise restrictions
- Airports that had restrictions in place prior were grandfathered in

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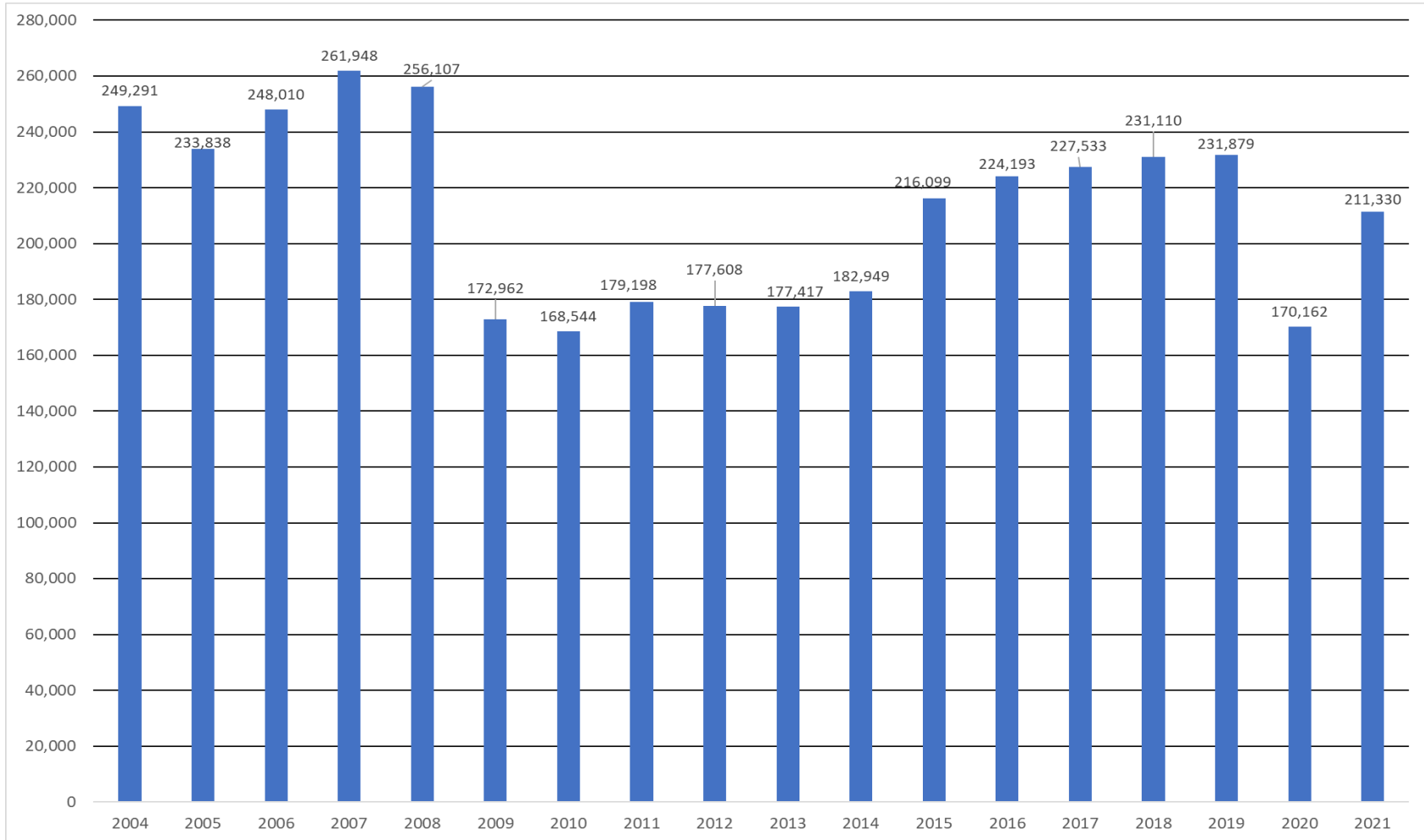
Optimization of the Airspace and Procedures in the Metroplex (OAPM)

- FAA has integrated capabilities in place to improve air traffic flow for an entire region or metroplex
- Airspace was redesigned to consider multiple general aviation airports and major commercial airports
- Redesigned DFW airport traffic to make the Metroplex more integrated, efficient and predictable
- North Texas Metroplex was implemented September 2014
- Dallas Love Field has no authority on arrivals or departures

8



DAL Total Operations



9

“Focus Area”



Total Operations Cont'd

Runway Usage	Aircraft Departures			
	Day		Night	
	13L/31R	13R/31L	13L/31R	13R/31L
2013	49%	51%	40%	60%
2014	66%	34%	54%	46%
2015	52%	48%	43%	57%
2016	50%	50%	40%	60%
2017	41%	59%	28%	72%
2018	46%	54%	34%	66%
2019	37%	63%	28%	72%
2020	50%	50%	41%	59%



Recent Noise Program Improvements

The screenshot displays the Dallas Love Field website interface. At the top, there is a navigation menu with links for HOME, FAQ, NEWS, NOISE EXPLAINED, LIVE FLIGHT TRACKER, HISTORY, NOISE MONITORS, TRAFFIC, and COMPLAINTS. A search icon is located on the right. The main content area includes a map of the airport area, a 'Runway use' section with a diagram, and a 'Weather conditions' section showing 57°F and 18 kts. Below these are sections for 'Welcome to Dallas Love Field', 'Letmon Runway Closure' (Monday, April 19th 11:00 p.m. - Tuesday, April 20th 11:00 a.m.), and a calendar for April 2021. A 'News items' section highlights two articles: 'January 14, 2021 Virtual Love Field Environmental Advisory Committee Meeting' and 'DAL-01 Noise Monitor Commissioned'. A large map of the Dallas area is shown at the bottom left, with a red circle highlighting the airport area as the 'Focus Area'.

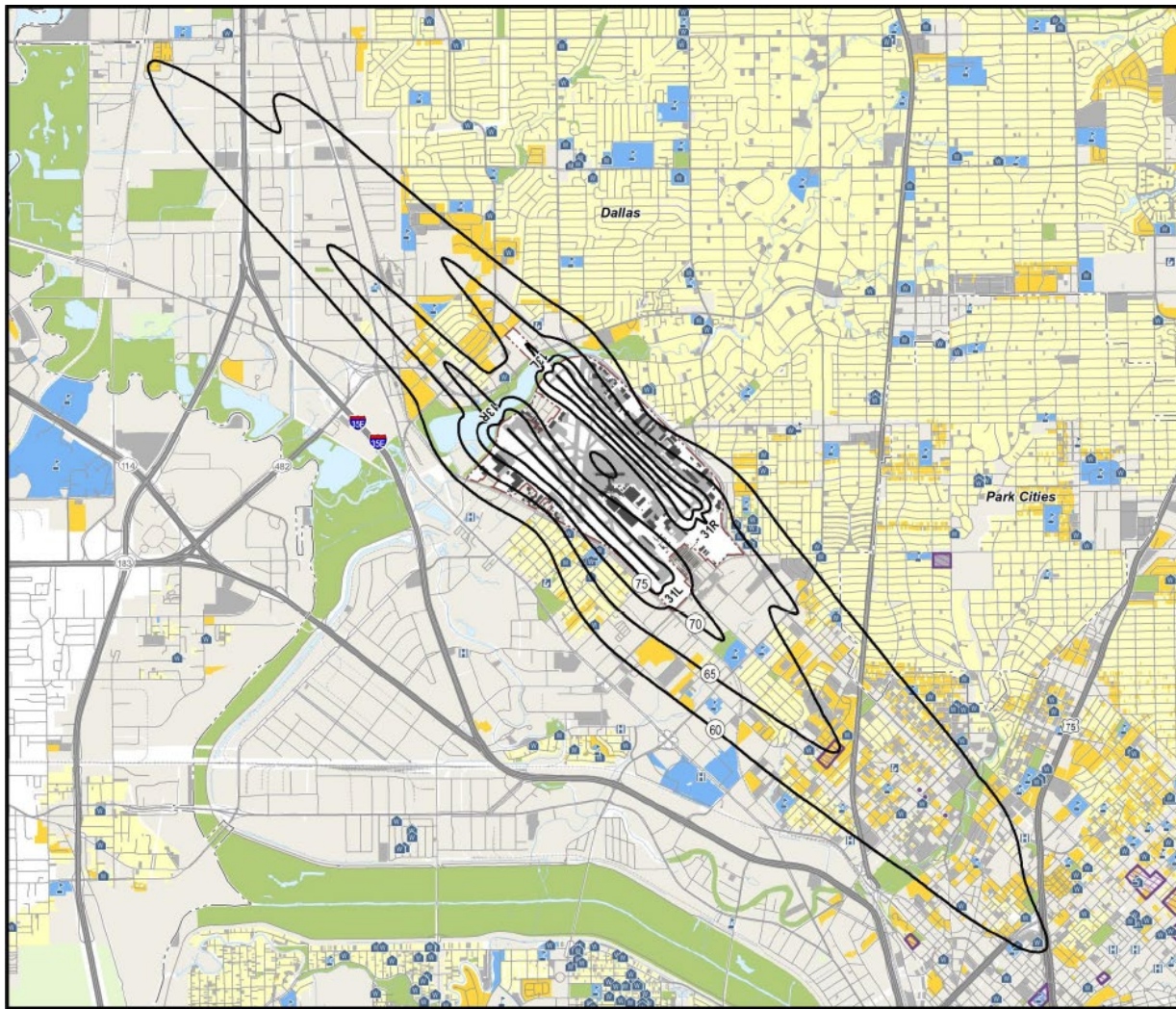
- Upgraded NOMS
- New features available: Casper Noise Lab, ATC Recording
- Noise Complaint Initiative – FAA
- Zoning change request reviews
- Outreach: Quarterly Love Field Environmental Advisory Committee meetings, outreach events and monthly/weekly newsletters
- Pilot Signage

Day-Night Average Sound Level

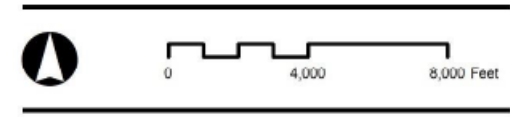
- Day-Night Average Sound Level (DNL) is used to describe the cumulative noise exposure during an average annual day.
- It provides a quantitative basis for identifying potential noise exposure
- DNL has been accepted as the best available method to describe aircraft noise exposure and is the noise descriptor required by the FAA for use in aircraft noise exposure analyses and noise compatibility planning
- The FAA has defined noise exposure at or above DNL 65 decibels as the “significance threshold” to the population
- 14 CFR Part 150 guidelines also indicate that all land uses are normally compatible with aircraft noise at exposure levels below DNL 65

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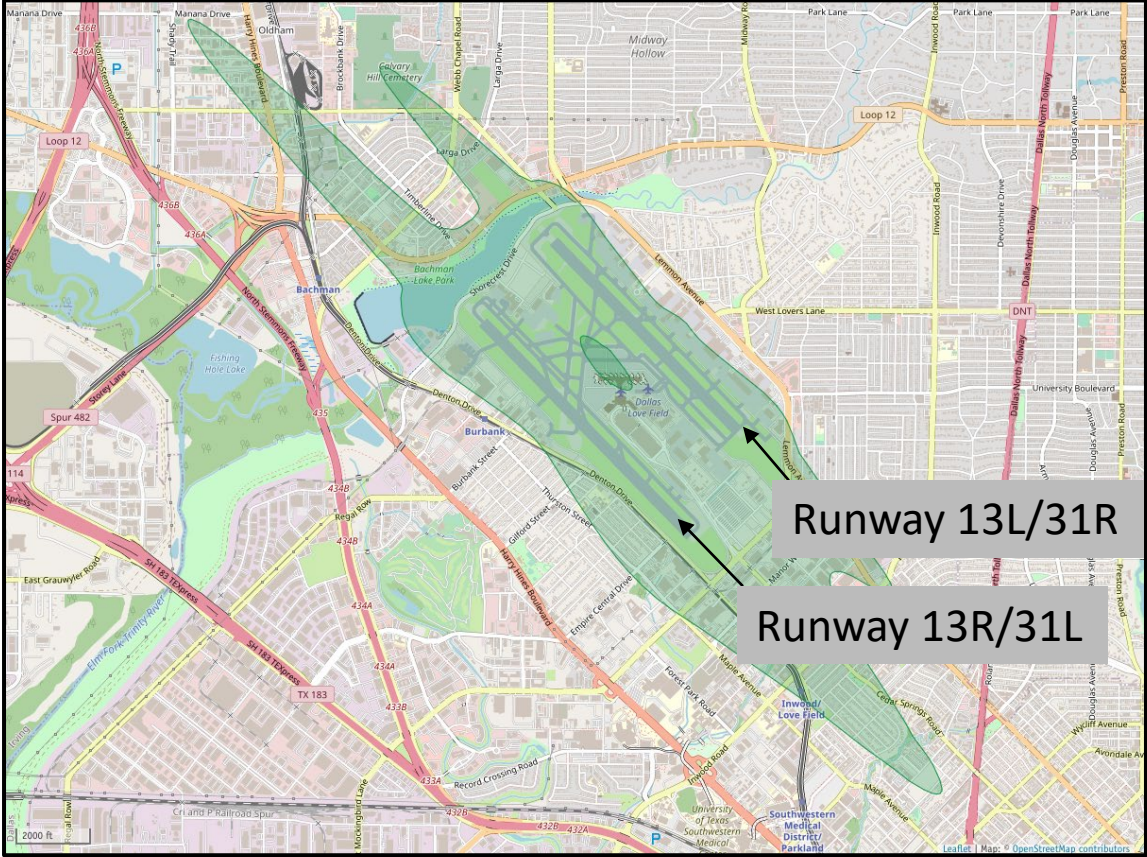


- Airport Boundary
- Airport Runway / Taxiway
- Airport Buildings
- Single Family Residential
- Multi-Family Residential
- Mobile Home
- Transient Lodging
- Public Use
- Open Space / Recreation
- Agricultural
- Water
- Vacant / Undefined
- Non-Residential
- City Limit
- Interstate
- Highways
- Major / Local Roads
- Railroad
- Schools
- Place of Worship
- National Register Historic Place
- National Register Historic District
- Hospital
- Libraries



“Focus Area”

Map of 65 DNL Noise Exposure



“Focus Area”

Audit of the Noise Program

- In November 2019, the City Auditor's Office conducted an audit on the Noise Program to determine whether the Department of Aviation is adhering to the program
- The audit recommended Department of Aviation improve or design controls to effectively monitor and document program participation and performance
- A key issue identified was that the program has not been reviewed and reauthorized by City Council since 1986
- Department of Aviation needs to update its program to be consistent with federal regulations and ensure equity in noise exposure (e.g., balanced runway usage)

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City Auditor's Findings

Auditor's Recommendation	Concurrence/Action Plan
<p>A.1: Develop a plan of action aimed at reversing, slowing down, or holding steady the growing land area and population exposed to excessive noise.</p>	<p>The City Manager accepts the risk as revised building codes now include requirements for sound insulation for all new buildings and some modified buildings, which require soundproofing to achieve DNL of 45 or less inside of the building.</p>
<p>B.1: Develop and implement documented work procedures for investigating excessive noise complaints.</p>	<p>The Department of Aviation will update the existing procedure and develop a checklist for staff to follow and detailed instructions for training future staff.</p>
<p>B.2: Develop and implement documented work procedures for monitoring airline participation in the following program components — Trinity departure, prohibition of engine maintenance run-ups, and optimal take-off profile.</p>	<p><u>Trinity Departure:</u> DAL will initiate reporting on level of use using the Casper Flight Tracking System. However, until the RNAV procedures are implemented by the FAA, the use of the Trinity Departure will remain low.</p> <p><u>Maintenance run-ups:</u> DAL will log maintenance run-ups to track compliance with the current measure.</p> <p><u>Optimal Takeoff Profile:</u> DAL will receive a written acknowledgment from airlines stating that they are flying the optimal takeoff profile</p>



City Auditor's Findings

Auditor's Recommendation	Concurrence/Action Plan
<p>B.3: Create performance measures specifying the participation percentage for the nighttime preferential runway usage that would initiate an escalation to next level of actions.</p>	<p>The City Council has not formally reviewed and re-adopted the noise program, including the preferential runway component, in 30 years. The program has some polices which are no longer applicable. In order to update the program to align with the current legal environment, the Department of Aviation will review the Noise Program and make recommendations to Council to revise the program as needed and sunset outdated policies</p>

Recommended Modifications

- **Modify** - the establishment of channelization tracks and remove altitude restrictions for helicopters
 - Since this measure was adopted, the FAA has published Helicopter routes for Dallas Love Field
 - Implement measure to encourage operators to follow the FAA published routes and monitor usage
- **Remove** - all training flights at night and restrict touch-and-go activity during busy periods
 - FAA requires Dallas Love Field to be open for aircraft 24/7 and controls all traffic; the airport cannot restrict operations

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Recommended Modifications

- **Retain** - optimize jet aircraft orientation during engine maintenance run-ups
 - Monitored and logged by Department of Aviation staff
- **Retain** - optimize turbo-jet take-off profiles
 - Written acknowledgment memos from Southwest Airlines, Alaska Airlines, and Delta Airlines stating that they are flying their optimal take-off profile
- **Remove** - construct a new high-speed exit for Runway 13R/31L
 - Subsequent analysis concluded there was no noise benefit to a proposed high-speed taxiway

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Recommended Modifications

- **Review** - Nighttime Preferential Runway and Trinity Departure utilize Runway 13R/31L (Parallel to Denton Dr.)
 - The Nighttime Preferential Runway measure was initially adopted with the Trinity Departure in mind
 - With FAA's modernization of the National Airspace System, the existing Trinity Departure procedure is not viable or efficient
 - With residential proximity on the west side of the airport, this preference results in disproportionate and unequitable noise exposure impacts
 - When these measures were adopted, the area southwest of the airport was primarily industrial, but now has many multi-family residential units and expanded medical facilities

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Next Steps and Recommendations

- Obtain feedback from Environment and Sustainability Committee regarding recommendations
- Update Love Field Environmental Advisory Committee and obtain feedback
- Facilitate a stakeholder workshop to review the Preferential Runway Program, and any potential program enhancements
- Finalize program recommendations
- Place item on City Council Agenda for official adoption of updated Voluntary Noise Control Program

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Love Field Noise Program

City of Dallas

Environment and Sustainability Committee

Date: May 2, 2022

**Mark Duebner, Director
Department of Aviation**





City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 22-1080

Item #: C.

Environmental Commission Update
[Kathryn Bazan, Chair, Environmental Commission]



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 22-1081

Item #: D.

Batch Plant and Industrial Uses Code Amendment Update
[Julia Ryan, Director, Planning & Urban Design]

Memorandum



CITY OF DALLAS

DATE May 2, 2022

Honorable Chair and Members of the Environment & Sustainability Committee: Paula Blackmon (Chair), Paul E. Ridley (Vice Chair), Carolyn King Arnold, Adam Bazaldua, Jamie Resendez, Chad West

SUBJECT **Batch Plant and Industrial Uses Code Amendment Update**

This serves as a follow up of the Environment & Sustainability Committee memorandums dated November 12, 2021 and January 28, 2022 on Batch Plant and Industrial Use Code Amendment. The memos provided an outline of strategies to effectively address batch plants in ways that protect the community, enhance local air quality, improve public health, and support ongoing construction related to batch plant operations in the City.

The Department of Planning and Urban Design staff initiated a zoning code amendment for concrete batch plants in support of the adopted Comprehensive Environmental & Climate Action Plan goal of ensuring new industries are an appropriate distance away from neighborhoods. Given the urgency of permanent and temporary concrete batching plant permits near sensitive uses such as residences, parks, and schools and the need to provide a public process for these uses, staff proposed a two-phased approach.

Phase I – Under Consideration

The intent of the short-term approach is to immediately address the lack of public process for these intensive industrial land uses by removing the administrative and by-right approval process allowed by Code and adding a Specific Use Permit (SUP) process that will require public hearings at City Plan Commission (CPC) and City Council. Staff initiated Phase I and presented to the Zoning Ordinance Advisory Committee on February 10, 2022 to the Zoning Ordinance Advisory Committee (ZOAC) and received support to move to CPC on March 24, 2022. On March 24, 2022 CPC voted to recommend approval and move to City Council for final consideration. The item is scheduled for May 11, 2022 City Council public hearing. Attached is the staff report that provides the full background, timeline, and draft text of the ordinance for Phase 1 proposed to be considered by City Council.

Phase II – In Process

Phase II is the development of a new ordinance through a comprehensive review and public input strategy, which is anticipated to take approximately 6 to 8 months. Strategies will include, but not be limited to the review of departmental coordination, legal considerations of implications on existing land uses, research of local and national cities regulations and best practices, as well as input from the public, industry and professional organizations, and coordination with state and federal jurisdictions, such as Texas Commission on Environmental Quality.

Phase 2 Timeline: Planning and Urban Design staff have already begun working on the Phase II ordinance update. We will be hosting public meetings with neighborhoods and industry representatives this Spring/Summer 2022. Feedback will be incorporated into a draft ordinance estimated to be presented to ZOAC this summer with an estimated public hearing to City Council in Fall of 2022.

DATE May 2, 2022
SUBJECT **Batch Plant and Industrial Uses Code Amendment Update**

Should you have questions or need additional information, please contact Julia Ryan, Director of the Department of Planning and Urban Design, at 972-849-1648 or julia.ryan@dallascityhall.com.



Majed A. Al-Ghafry, P.E.
Assistant City Manager

Attachment: Staff Report

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager
Jon Fortune, Deputy City Manager

M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager
Robert Perez, Interim Assistant City Manager
Carl Simpson, Interim Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer
Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors

FILE NUMBER: DCA212-003(LL)

DATE FILED: Fall 2022

LOCATION: Citywide

COUNCIL DISTRICT: All

MAPSCO: All

SIZE OF REQUEST: Citywide

CENSUS TRACT: All

REQUEST: Consideration of amending permanent and temporary concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses, in the Dallas Development Code.

SUMMARY: The proposed code amendments will align the Dallas Development Code Chapter 51A, Article IV Zoning Regulations to support and align with the Comprehensive Environmental & Climate Action Plan (CECAP) goal of ensuring new industries are an appropriate distance away from neighborhoods.

CPC RECOMMENDATION: Approval, as briefed per staff's recommendation

STAFF RECOMMENDATION: Approval, as briefed per staff's recommendation

ZONING ORDINANCE ADVISORY COMMITTEE WEBPAGE:

[Planning & Urban Design Code Amendments \(dallascityhall.com\)](http://dallascityhall.com)

CODE AMENDMENT PROJECT WEBPAGE:

[Planning & Urban Design CABatchPlants \(dallascityhall.com\)](http://dallascityhall.com)

BACKGROUND INFORMATION AND PROCESS:

- On November 12, 2021, staff prepared a memo at the request of Councilmember Blackmon, Chair of the Environment & Sustainability Committee on strategies to effectively address batch plants.
- On January 28, 2022, staff prepared a memo on a phasing approach to address batching plant zoning regulations.
- On February 2, 2022, staff cancelled the February 3, 2022 scheduled Zoning Ordinance Advisory Committee (ZOAC) meeting due to inclement weather.
- On February 10, 2022, at the rescheduled special meeting, staff presented recommendations for temporary concrete and asphalt batching plants as part of Phase I of a two-phased approach to the Zoning Ordinance Advisory Committee (ZOAC).
- On March 3, 2022, staff presented recommendations for permanent concrete and asphalt batching plants as part of Phase I of a two-phased approach to the Zoning Ordinance Advisory Committee (ZOAC). Staff also provided feedback regarding direction from ZOAC for staff to consider as part of the future Phase II recommendations regarding: (1) Consider buffering and spacing of concrete or asphalt batching plants from sensitive land uses, such as residential, schools and parks, and using the Dallas Oil and Gas Drilling ordinance as a resource; (2) Consider requiring an environmental study to determine if the site is suitable for uses other than industrial after the concrete or asphalt batching plant operation ceases and is removed from the site; (3) Clarify and determine how SUP process would impact temporary batch plants not finished by 6-month time frame and how to limit extensions; and (4) Consider requirements for streets and other public infrastructure to be repaired or restored back to original condition from any damages.
- On March 24, 2022, CPC was briefed on the proposed amendments, held a public hearing, and voted to recommend approval, as briefed to City Council.

UPDATES FROM 3/3/2022 ZONING ORDINANCE ADVISORY COMMITTEE (ZOAC) BRIEFING AND PUBLIC HEARING

The following information is intended to provide clarity and additional information in response to direction from ZOAC at the 3/3/2022 Briefing and Public Hearing:

1. Buffering and spacing of concrete or asphalt batching plants from sensitive land uses, such as residential, schools and parks. The Dallas Oil and Gas Drilling ordinance was also suggested as a resource.

Staff will review the Dallas Oil and Gas Drilling Ordinance and continue to review other cities regulations, best management practices, health industry standards and seek public input to determine the appropriate buffer and spacing for Dallas and bring recommendations back to ZOAC as part of Phase II recommendations.

2. Consider requiring an environmental study to determine if the site is suitable for uses other than industrial after the concrete or asphalt batching plant operation ceases and is removed from the site.

Environmental assessments and studies are performed by trained environmental scientists or specialists and are often part of a lengthy and rigorous process required in certain states, such as California and Washington. Staff will review options that may be appropriate for Dallas to consider for language that can be included as part of the conditions for concrete or asphalt batching plants to ensure the site is restored back to its original condition when the operation ceases.

3. How would the Specific Use Permit (SUP) process impact those current temporary concrete or asphalt batching plants that are not finished work on the site by the 6 month temporary time frame and request an extension?

The required SUP process as proposed for Phase I would apply at the time of the effective date of ordinance approval, if approved by City Council for any new applications coming in on or after the effective date and would not be retroactive. The SUP process, including expirations and renewals would remain under the current SUP process. The length of time that the temporary concrete or asphalt batching plant would be allowed to operate would be determined at the time of and through the SUP process and within the parameters of the current temporary time frame of 6 months up to 3 yrs. In the event that the work to be performed is not completed and the applicant seeks an extension of time for the temporary concrete or asphalt batching plant, the applicant will be required to follow the current SUP process. Please see the attached 51A-4.219 Specific Use Permit (SUP) that has been added to the Appendix.

Auto Renewals (Current Process)

As part of an SUP ordinance or ordinance amendment, the City Council may declare that an SUP is eligible for automatic renewal. Under the current SUP process, if the applicant reapplies within 3 to 6 months prior to the expiration date as stated in the SUP for the use, the applicant becomes eligible for auto renewal, unless the SUP states otherwise, i.e. if the SUP states that it is not eligible for auto renewal.

Upon the filing of a complete application for automatic renewal, the director (of Planning & Urban Design – Current Planning) shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice. If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with 51A-4.219, the director shall forward the application to the City Plan Commission and City Council for further action.

The City Plan Commission or City Council may also call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal a SUP's eligibility

for automatic-renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance.

Staff will review options and bring back recommendations for a specified limit on the number of renewals, perhaps conditioned on performance regarding pollution and operating best management practices, as part of Phase II.

4. Requirements for streets and other public infrastructure to be repaired or restored back to original condition from any damages.

Staff will review options, such as performance bonds and other best management practices and bring recommendations forward as part of Phase II.

GENERAL INFORMATION ON TEMPORARY AND PERMANENT CONCRETE OR ASPHALT BATCHING PLANTS:

Currently, temporary concrete or asphalt batching plants are allowed in most of the zoning districts across the City, including residential districts with administrative approval by the Building Official and are approved if limited criteria such as screening and buffering can be met.

In response, Planning and Urban Design staff have initiated a zoning code amendment for concrete batch plants in support of the adopted Comprehensive Environmental & Climate Action Plan (CECAP) goal of ensuring new industries are an appropriate distance away from neighborhoods.

Due to the urgency and increasing concerns about concrete or asphalt batching plant applications within the City; particularly with respect to residential adjacency, equitable justice, air quality, water quality and other potentially hazardous pollutant emissions, staff is recommending a two phased approach. A short-term approach (Phase I) as recommended in this report, and a long-term approach (Phase II) that staff will present at a future meeting.

The intent of the short-term approach is to immediately address the issue of the lack of public process for these intensive industrial land uses by removing the administrative and by-right approval process allowed by Code and adding in the Specific Use Permit (SUP) process that will require public hearings and City Plan Commission (CPC) and City Council approval.

Phase II – Long-term approach

A review of concrete or asphalt batching plant and similar industrial land uses will be reassessed for appropriateness and may need further changes to land use categories with

respect to land use intensity, and potential for residential and business adjacency, and other factors contributing to potentially incompatible industrial uses.

This may also include possible additional land use categories for alternative paving materials that are anticipated and encouraged in the future toward achieving CECAP goals.

Phase II, or the longer- term approach will entail a more comprehensive and holistic strategy that staff anticipates will take approximately 4 to 6 months.

Longer- term strategies will include, but not be limited to departmental coordination, including our legal team for consideration of implications on existing land uses with respect to code land use changes, public outreach meetings, meetings with industry and professional organizations, research of local and national cities regulations and best management practices, and external meetings and coordination with state and federal jurisdictions, such as Texas Commission on Environmental Quality (TCEQ).

Longer- term, Zoning Code change strategies may include, but not be limited to:

- ❖ Definitions for categories of land uses.
- ❖ Distances from residential, schools, daycares, parks, and other public spaces, and/or zoning districts other than industrial, or other incompatible uses (measurement from property line, zoning districts and/or structures to be determined).
- ❖ Distances to other concrete batching plants and similar uses, and/or other limits to the number of applications on an annual basis.
- ❖ Time limits or revised time limits for temporary concrete or asphalt batching plants, including renewals.
- ❖ Performance standards or revised standards based on best management practices for stormwater run-off and noxious pollutants and emissions.
- ❖ Standardized signs posted on the property with pertinent information.
- ❖ Additional application information.
- ❖ Additional notification requirements.
- ❖ Curb cuts and other roadway access.
- ❖ Outdoor storage.

Current and Ongoing Status of Concrete or Asphalt Batching Plants in Dallas

There are multiple data sets across different departments for concrete and asphalt batching plants with different data, different time periods and some missing addresses. Staff is continuing to consolidate and clean-up the data. The following status regarding the number of concrete and asphalt batching plants is a current **estimate** of that effort.

An approximately total (record) of Concrete or Asphalt Batching Plants for all years (1978-2021) is 94 [includes temporary, permanent and approved by SUP (1972-2021)]. Of this approximately 94:

Permanent Batch Plants

- 17; 1 of which was cancelled

- *15 of which appear to be operational*
- Majority of which are zoned IR and IM

Temporary Batch Plants

- 77
- 45 of which are in the last 10 yrs. (1 of which was cancelled)
- 6 of which are in residential districts [1 TH-3A, 1 MF-3A, 1 A(A), 2 R-7.5(A), 1 R-5(A)]
- Majority of which are zoned PD, IR and IM
- *26 of which appear to be operational*
- 7 of which are within the last 3 years; (2 no CO yet – pending inspection)

Batch Plants Approved by SUP

- 27; 3 of which are Asphalt batch plants
- 9 of which are permanent
- 1 of which is expired; 1 of which was terminated; 1 of which was repealed
- *23 of which appear to be operational*
- Majority of which are zoned IR and IM

Overview of the Current Status of Concrete or Asphalt Batching Plants in Dallas

- Approx. 94 applications for concrete or asphalt batch plants since 1978
- Approx. 45 applications for temporary batch plants within last 10 yrs.
- Approx. 24 permanent appear operational
- Approx. 27 are by SUP
- Approx. 3 are Asphalt batch plants and all appear operational
- Approx. 53 batch plants (temporary and permanent) appear operational
- Majority of batch plants are zoned PD, IR, and IM

The proposed amendments to Ph. I are expected to remove all new applications for concrete or asphalt batching plants permitted by right or by authorization of the Building Official and only be permitted upon approval of an SUP process with public notification and public input in the coming years.

Overview of Current Div. 51A-4.110-4.117 Residential District Regulations

Div. 51A-4.110-4.117 regulates the land uses for the residential zoning districts and other regulations for land uses. This division regulates and includes the following:

- Purpose of the residential zoning district.
- Main uses permitted in each residential zoning district.
- Uses permitted by-right, by Specific Use Permit (SUP), by special authorization of the Building Official, and other requirements, such as Residential Adjacency Review (RAR), or Development Impact Review (DIR).
- Accessory uses allowed in each residential zoning district.

- Area regulations, and other design standards, including requirements for parking, environmental performance standards, landscape, and additional provisions.

Overview of Current Div. 51A-4.120-4.127 Nonresidential District Regulations

Div. 51A-4.120-4.127 regulates the land uses for the non-residential zoning districts and other regulations for land uses. This division regulates and includes the following:

- Purpose of the non-residential zoning district.
- Main uses permitted in each residential zoning district.
- Uses permitted by-right, by Specific Use Permit (SUP), by special authorization of the building official, and other requirements, such as Residential Adjacency Review (RAR), or Development Impact Review (DIR).
- Accessory uses allowed in each zoning district.
- Area regulations, and other design standards, including requirements for parking, environmental performance standards, landscape, and additional provisions.
- Other regulations, such as residential proximity slope, visual intrusion, garbage collection and mechanical equipment areas, screening surface parking lots from street, and screening side and rear yards from residential districts.

Overview of Use Chart 4.203 Industrial Uses

The Use Charts in Ch. 51A have not been formally adopted by City Council and are meant to serve as a guide. It is necessary to see the text in Ch. 51A for the zoning regulations. Use Chart 51A-4.203 serves as a guide or chart showing the industrial land uses permitted for both the residential zoning districts and the non-residential zoning districts. The industrial use charts show the following:

- The industrial uses permitted for the residential districts and the non-residential districts.
- • - symbol indicates if each of the industrial uses listed in the charts are permitted.
- **S** - symbol indicates if each of the industrial uses listed in the charts are permitted with a Specific Use Permit (SUP).
- **L** - symbol indicates if the use permitted by right is a limited use.
- **D** - symbol indicates if the use permitted is subject to a Development Impact Review (DIR).
- **R** - symbol indicates if the use permitted is subject to Residential Adjacency Review (RAR).
- **R_c** - symbol indicates if the use is permitted as a restricted component in the GO(A) district.
- ★ - symbol indicates to consult the use regulations in Div. 51A-4.200.

(Please see the proposed changes in the Use Charts in the proceeding pages with proposed amendments).

Overview of Sec. 51A-4.203 Industrial Uses

Sec. 51A-4.203 regulates the land uses for the industrial zoning districts and other regulations for land uses. This division regulates and includes the following:

- “Potentially incompatible industrial uses” are permitted by SUP only in the IM (Industrial Manufacturing) district.
- Main uses, activities, operations, and processes that are declared a “potentially incompatible industrial use”.
- Products manufactured by main uses that are declared a “potentially incompatible industrial use.”
- Specific uses and, whether, or not those uses are permitted by right, by SUP, with RAR required or if allowed with special authorization by the building official with additional provisions.
- Definition of the specific use.
- Area regulations, and other design standards, including requirements for parking, environmental performance standards, landscape, and additional provisions, such as a temporary certificate of occupancy.
- Additional provisions for issuance of the temporary certificate of occupancy by the building official, duration that certificate of occupancy is valid, determination for building official to deny the certificate, and when the building official may extend the certificate.
- Additional provisions for whom the temporary certificate of occupancy is issued.

PROPOSED AMENDMENTS TO CHAPTER 51A

The proposed amendments to the sections below in Chapter 51A are intended to address the urgency and increasing concerns of a lack of a public process by adding public notification and input for temporary and permanent concrete or asphalt batching plant applications within the City.

In this first, short-term approach to amending Concrete or Asphalt Batching Plant regulations, staff is recommending the following for CPC consideration and approval of Phase I:

1. Alignment of CECAP goals of ensuring new industries are an appropriate distance away from neighborhoods by:
 - a) Adding the public notification process and public input for temporary concrete or asphalt batching plants in all districts where allowed.
 - b) Removing the administrative approval process for temporary concrete or asphalt batching plants in all districts where allowed.
 - c) Adding the public notification process and public input for permanent concrete or asphalt batching plants in the IM (Industrial Manufacturing) district.

- d) Removing the “by-right” zoning designation for permanent concrete or asphalt batching plants in the IM (Industrial Manufacturing) district.
- e) Adding the public notification process and public input for temporary concrete or asphalt batching plants in the Use Charts for all districts where allowed.
- f) Removing the administrative approval process for temporary concrete or asphalt batching plants in the Use Charts for all districts where allowed.
- g) Adding the public notification process and public input for permanent concrete or asphalt batching plants in the Use Chart for the IM (Industrial Manufacturing) district.
- h) Removing the by-right designation in the IM (Industrial Manufacturing) district for permanent concrete or asphalt batching plants in the Use Chart.

Proposed Amendments

Note: **Red [additions]** and **strikethroughs** represent changes from the current ordinance. These changes were included in the 10 Feb 22 ZOAC approval and have not been modified since that meeting.

Division 51A-4.110. Residential District Regulations.

SEC. 51A-4.111. AGRICULTURAL [A(A)] DISTRICT.

...

(2) Main uses permitted.

...

(C) Industrial uses.

... -- Temporary concrete or asphalt batching plant. **[SUP]**

SEC. 51A-4.112. SINGLE FAMILY DISTRICTS.

(a) R-1ac(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. **[By special authorization of the building official. SUP]**

...

(b) R-1/2ac(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(c) R-16(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(d) R-13(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(e) R-10(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(f) R-7.5(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(g) R-5(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.113. DUPLEX [D(A)] DISTRICT.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.114. TOWNHOUSE [TH-1(A), TH-2(A), and TH-3(A)] DISTRICTS.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.115. CLUSTERED HOUSING (CH) DISTRICT.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.116. MULTIFAMILY DISTRICTS.

(a) MF-1(A) and MF-1(SAH) districts.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(b) MF-2(A) and MF-2(SAH) districts.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(c) MF-3(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(d) MF-4(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.117. MANUFACTURED HOME [MH(A)] DISTRICT.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

SEC. 51A-4.121. OFFICE DISTRICTS.

(a) Neighborhood office [NO(A)] district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...

(b) LO(A) districts (LO-1, LO-2, and LO-3).

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...

(c) MO(A) districts (MO-1 and MO-2).

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...

(d) General office [GO(A)] district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

SEC. 51A-4.122. RETAIL DISTRICTS.

(a) Neighborhood service [NS(A)] district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...

(b) Community retail (CR) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...

(c) Regional retail (RR) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

SEC. 51A-4.123. COMMERCIAL SERVICE AND INDUSTRIAL DISTRICTS.

(a) Commercial service (CS) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...

(b) Light industrial (LI) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(c) Industrial/research (IR) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(d) Industrial manufacturing (IM) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Industrial (outside). [SUP may be required. See Section 51A-4.203(a); otherwise RAR.]

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.124. CENTRAL AREA DISTRICTS.

(a) CA-1(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(b) CA-2(A) district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.125. MIXED USE DISTRICTS.

...

(d) MU-1 and MU-1(SAH) districts.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(e) MU-2 and MU-2(SAH) districts.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

...

(f) MU-3 and MU-3(SAH) districts.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

-- Temporary concrete or asphalt batching plant. [~~By special authorization of the building official.~~ SUP]

SEC. 51A-4.126. MULTIPLE COMMERCIAL DISTRICTS.

...

(d) MC-1 district.

...

(2) Main uses permitted.

...

(C) Industrial uses.

...

...
-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...
(e) MC-2 district.

...
(2) Main uses permitted.

...
(C) Industrial uses.

...
-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

...
(f) MC-3 and MC-4 districts.

...
(2) Main uses permitted.

...
(C) Industrial uses.

...
-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

SEC. 51A-4.127. URBAN CORRIDOR DISTRICTS.

...
(c) UC districts.

...
(2) Main uses permitted.

...
(C) Industrial uses.

...
-- Temporary concrete or asphalt batching plant. ~~[By special authorization of the building official. SUP]~~

SEC. 51A-4.203. INDUSTRIAL USES.

(a) Potentially incompatible industrial uses.

...
(1) The following main uses, activities, operations, and processes are hereby declared to be potentially incompatible industrial uses

- ...
- Concrete batching
- Asphalt batching

- ...
- (b) Specific uses.
- ...
- (6) Temporary concrete or asphalt batching plant.

...
(B) Districts permitted: ~~Special authorization by the building official is required in accordance with the additional provisions for this use.~~ By SUP only in all districts.

Note: The following language has been included by staff and reviewed by legal to further clarify that an SUP is needed for all temporary concrete or asphalt batching plants.

SEC. 51A-4.203. INDUSTRIAL USES.

- (b) Specific uses.
- ...
- (6) Temporary concrete or asphalt batching plant.

...
(E) Additional provisions:

(i) ~~[An application for specific use permit must consider if] A temporary certificate of occupancy is required for this use. The building official may issue a temporary certificate of occupancy in any zoning district for a temporary batching plant to mix, compound, and batch concrete, asphalt, or both, for a public or private project. The certificate is valid for six months. The building official shall deny the certificate if he determines that~~ on-site fencing, screening, or buffering elements ~~do not~~ provide adequate protection for adjacent property. ~~If the project is not completed within six months, the building official may extend the certificate to complete the project].~~

(ii) ~~[This use must] A person to whom a temporary certificate of occupancy is issued shall:~~

- (aa) comply with city, state and federal laws at the batching plant site;
- (bb) clear the site of equipment, material and debris upon completion of the project;
- (cc) repair or replace any public improvement that is damaged during the operation of the temporary batching plant; and
- (dd) locate and operate the temporary plant in a manner which eliminates unnecessary dust, noise, and odor (as illustrated by, but not limited to covering trucks, hoppers, chutes, loading and unloading devices and mixing operations, and maintaining driveways and parking areas free of dust).

(iii) A person shall only furnish concrete, asphalt, or both, to the specific project for which the ~~[specific use permit] temporary certificate of occupancy~~ is issued.

~~(iv) Reserved The placement of a temporary batching plant for a private project is restricted to the site of the project. The board may grant a special exception to this requirement when, in the opinion of the board, the special exception will not adversely affect neighboring properties.~~

[Chart 4.203]

Dallas Development Code: Ordinance No. 19455, as amended

DISTRICTS		Single Family							D/TH			Multifamily								
		A(A)	R-1ac(A)	R-1/2ac(A)	R-16(A)	R-13(A)	R-10(A)	R-7.5(A)	R-5(A)	D(A)	TH(1-3)(A)	CH	MF-1(A)	MF-1(SAH)	MF-2(A)	MF-2(SAH)	MF-3(A)	MF-4(A)	MH(A)	
4.203	INDUSTRIAL USES	RESIDENTIAL																		
0	Alcoholic beverage manufacturing																			
1	Industrial (inside) not potentially incompatible*																			
1A	Industrial (inside) potentially incompatible*																			
1.1	Industrial (inside) light manufacturing																			
2	Industrial (outside) not potentially incompatible*																			
2A	Industrial (outside) potentially incompatible*																			
2.1	Medical / infectious waste incinerator																			
3	Metal salvage facility																			
3.1	Mining	S																		
3.2	Gas drilling and production	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S
3.3	Gas pipeline compressor station																			
4	Municipal waste incinerator																			
4.1	Organic compost recycling facility	S																		
5	Outside salvage or reclamation																			
5.1	Pathological waste incinerator																			
6	Temporary concrete or asphalt batching plant																			

* See Section 51A-4.203(a) to determine whether the proposed use is "potentially incompatible."

Striking, "By special authorization of the building official" and adding, S (SUP) for R-16(A), R-13(A), R-10(A), R-7.5(A), R-5(A), D(A), TH(1-3)(A), CH, MF-1(A) and MF-2(A) Residential Districts for subsection 6. Temporary concrete or asphalt batching plant – and adding, S (SUP) to R-1ac(A), R-1/2ac(A), MF-2(SAH), MF-3(A), MF-4(A) and MH(A), Residential Districts, Ch. 51A-4.203 Industrial Uses to match the text descriptions of these residential districts in Division 51A-4.110. "Residential District Regulations" that includes this Temporary concrete or asphalt batching plant use and verbiage.

Office				Retail			Com./Ind.				Cntrl.		Mixed Use						Multiple Com.				Urban Cor.					
NO(A)	LO(A)	MO(A)	GO(A)	NS(A)	CR	RR	CS	LI	IR	IM	CA-1(A)	CA-2(A)	MU-1	MU-1(SAH)	MU-2	MU-2(SAH)	MU-3	MU-3(SAH)	MC-1	MC-2	MC-3	MC-4	UC-1	UC-2	UC-3			
NONRESIDENTIAL																											4.203	
								Ⓡ	Ⓡ	Ⓡ	S	S																0
								Ⓡ	Ⓡ	Ⓡ																		1
										S																		1A
							●	●	●	●																		1.1
									S	Ⓡ																		2
									S																			2A
									S	S																		2.1
										S																		3
										S																		3.1
S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	3.2
										S																		3.3
									S	S																		4
									S	Ⓡ																		4.1
										S																		5
									S	S																		5.1
													S															6
																												6

Striking, "By special authorization of the building official" and adding S (SUP) for LI, IR, IM, CA-1(A), CA-2(A), MU-1, MU-1(SAH), MU-2, MU-2(SAH), MU-3, MU-3(SAH) Non-Residential Districts for subsection 6. Temporary concrete or asphalt batching plant - and adding S (SUP) to NO(A), LO(A), MO(A), GO(A), NS(A), CR, RR, UC-1, UC-2 and UC-3, Non-Residential Districts, in Div. 51A-4.120, "Non-Residential District Regulations" that includes this Temporary concrete or asphalt batching plant use and verbiage.

Appendix

SEC. 51A-4.219. SPECIFIC USE PERMIT (SUP). [SEC. 51A-4.219. SPECIFIC USE PERMIT \(SUP\). \(amlegal.com\)](#)

SEC. 51A-4.219. SPECIFIC USE PERMIT (SUP).

(a) General provisions.

(1) The SUP provides a means for developing certain uses in a manner in which the specific use will be compatible with adjacent property and consistent with the character of the neighborhood.

(2) The use regulations for each use in Division 51A-4.200 state whether an SUP is required for a use to be permitted in a zoning district. The SUP requirement for a use in a district does not constitute an authorization or an assurance that the use will be permitted. Each SUP application must be evaluated as to its probable effect on the adjacent property and the community welfare and may be approved or denied as the findings indicate appropriate. Each SUP must be granted by the city council by separate ordinance.

(3) The city council shall not grant an SUP for a use except upon a finding that the use will:

(A) complement or be compatible with the surrounding uses and community facilities;

(B) contribute to, enhance, or promote the welfare of the area of request and adjacent properties;

(C) not be detrimental to the public health, safety, or general welfare; and

(D) conform in all other respects to all zoning regulations and standards.

(4) The granting of an SUP has no effect on the uses permitted as of right and does not waive the regulations of the underlying zoning district.

(5) The city council may impose reasonable conditions upon the granting of an SUP consistent with the purposes stated in this chapter.

(6) The applicant shall post the SUP ordinance in a conspicuous place on the property, except where a use has no interior building space (for example, a private street or alley use). The applicant shall post the SUP ordinance by June 1, 2006.

(b) Specific use permit procedure.

(1) An applicant for an SUP shall comply with the zoning amendment procedure for a change in zoning district classification. Each SUP ordinance is incorporated by reference into this chapter.

(2) At the time of applying for an SUP, the applicant shall submit:

(A) a site plan that includes:

(i) the dimensions, bearings, and street frontage of the property;

(ii) the location of buildings, structures, and uses;

(iii) the method of ingress and egress;

(iv) off-street parking and loading arrangements;

(v) screening, lighting, and landscaping, if appropriate;

(vi) the locations, calipers, and names (both common and scientific) of all trees near proposed construction activity (trees in close proximity that all have a caliper of less than eight inches may be designated as a "group of trees" with only the number noted); and

(vii) any other information the director determines necessary for a complete review of the proposed development; and

(B) a traffic impact analysis if the director determines that the analysis is necessary for a complete review of the impacts of the proposed development.

(3) If the director determines that one or more of the items listed in Paragraph (2) is not necessary to allow for a complete review of the proposed development, he shall waive the requirement that the item(s) be provided.

(3) The minor amendment process allows flexibility as necessary to meet the contingencies of development. Amendments that do not qualify as minor amendments must be processed as a zoning amendment. The city plan commission shall, after a public hearing, authorize minor changes in the site plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:

- (A) alter the basic relationship of the proposed development to adjacent property;
- (B) increase the number of dwelling units shown on the original site plan by more than 10 percent;
- (C) increase the floor area shown on the original site plan by more than five percent or 1,000 square feet, whichever is less;
- (D) increase the height shown on the original site plan;
- (E) decrease the number of off-street parking spaces shown on the original site plan so as to create a traffic hazard or traffic congestion or fail to provide adequate parking; or
- (F) reduce setbacks at the boundary of the site as specified by a building or setback line shown on the original site plan.

For purposes of this paragraph, "original site plan" means the earliest approved site plan that is still in effect, and does not mean a later amended site plan. For example, if a site plan was approved with the specific use permit and then amended through the minor amendment process, the original site plan would be the site plan approved with the specific use permit, not the site plan as amended through the minor amendment process. If, however, the site plan approved with the specific use permit was replaced through the zoning amendment process, then the replacement site plan becomes the original site plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

An applicant or owner of real property within the notification area may appeal the decision of the city plan commission to the city council. An appeal must be requested in writing within 10 days after the decision of the city plan commission. City council shall decide whether the city plan commission erred, using the same standards that city plan commission used. Appeal to the city council is the final administrative remedy available.

(5) Reserved.

(6) A time limit may be imposed as a condition upon the granting of an SUP. If a time limit has been imposed, the SUP automatically terminates when the time limit expires. Except as otherwise provided in Subsection (c), the applicant shall go through the procedures outlined above in Paragraphs (1) and (2) to renew an SUP.

(7) As a further condition to the granting of an SUP, the city council may require the property owner to participate in cost-sharing for infrastructure improvements that are in part necessitated by the proposed development. In no case, however, shall the property owner be required to pay for more than 50 percent of the cost of improvements located more than 250 feet from the lot.

(8) The minor amendment process allows flexibility as necessary to meet the contingencies of development. Amendments that do not qualify as minor amendments must be processed as a zoning amendment. The city plan commission shall, after a public hearing, authorize minor changes in the landscape plan that otherwise comply with the SUP ordinance and the underlying zoning and do not:

- (A) reduce the perimeter landscape buffer strip shown on the original landscape plan;
- (B) detrimentally affect the original landscape plan's aesthetic function relative to adjacent right-of-way or surrounding property; or
- (C) detrimentally affect the original landscape plan's screening or buffering function.

For purposes of this paragraph, "original landscape plan" means the earliest approved landscape plan that is still in effect, and does not mean a later amended landscape plan. For example, if a landscape plan was approved with the specific use permit and then amended through the minor amendment process, the original landscape plan would be the landscape plan approved with the specific use permit, not the landscape plan as amended through the minor amendment process. If, however, the landscape plan approved with the specific use permit was replaced through the zoning amendment process, then the replacement landscape plan becomes the original landscape plan. The purpose of this definition is to prevent the use of several sequential minor amendments to circumvent the zoning amendment process.

An applicant or owner of real property within the notification area may appeal the decision of the city plan commission to the city council. An appeal must be requested in writing within 10 days after the

decision of the city plan commission. City council shall decide whether the city plan commission erred, using the same standards that city plan commission used. Appeal to the city council is the final administrative remedy available.

(c) Automatic renewals.

(1) As part of an SUP ordinance or ordinance amendment, the city council may declare that an SUP is eligible for automatic renewal pursuant to this subsection. Automatic renewal is an alternative to the standard method of renewing an SUP by amending the SUP ordinance. In order for automatic renewal to occur, the property owner or his representative must file a complete application for automatic renewal with the director after the 180th day but before the 120th day before the expiration of the current SUP time period. If a fee is required, the application is not considered "filed" until the fee is paid. For more information regarding fees, see Section 51A-1.105.

(2) Automatic renewal does not result in an amendment to the SUP ordinance. An applicant seeking to change the SUP conditions or to otherwise amend the SUP ordinance must go through the procedures outlined in Subsection (b).

(3) An application for automatic renewal must be filed with the director on a form furnished by the city for that purpose. As part of the application, the property owner or his representative shall state that all existing SUP conditions have been complied with, and that no changes to the conditions or other SUP ordinance provisions are being requested.

(4) Failure to timely file a complete application required under Paragraph (1) renders the SUP ineligible for automatic renewal. The city council may, however, reinstate an SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

(5) Upon the filing of a complete application for automatic renewal, the director shall send written notice to all owners of real property lying within 200 feet of the area governed by the SUP. The notice must state that the SUP is eligible for automatic renewal and may be automatically renewed without further notice.

(6) If the owners of 20 percent or more of the land within 200 feet of the area governed by the SUP file a written protest against the automatic renewal in accordance with this paragraph, the director shall forward the application to the city plan commission and city council for further action. Written protests against an automatic renewal must be filed with the director before 5:00 p.m. of the 21st calendar day after the date the notice is mailed. A protest sent through the mail must be received by the director before the deadline. If the deadline falls on a Saturday, Sunday, or official city holiday, then the protests must be filed before noon of the following working day. To the extent that they do not conflict with this subsection, the provisions of Section 51A-4.701 governing written protests in zoning cases apply to protests filed under this subsection.

(7) After the deadline for filing written protests has passed, the director shall review the conditions of the SUP and determine whether the conditions have been met. If the director determines that the conditions have not been met, he shall forward the application to the city plan commission and city council for further action.

(8) "Further action" as that term is used in Paragraphs (6) and (7) means that the director shall schedule the application for public hearings before both the city plan commission and the city council. Notice of the public hearings must be given as would be required by law for a change in zoning district classification. The city plan commission shall make a recommendation to the city council regarding the proposed renewal based on staff reports, field inspections, and the evidence presented at its public hearing.

(9) In connection with an application that has been forwarded to it by the director pursuant to Paragraph (6) or (7), the city council may:

(A) pass an amending ordinance to repeal the SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in the SUP ordinance; or

(B) take no action and thereby allow the SUP to automatically renew as a matter of law.

(10) No renewal or expiration of an SUP may occur while the application is pending before the city plan commission or city council. If the application is pending at the end of the current time period stated in the SUP ordinance, the time period shall be extended as a matter of law until:

(A) the day following the next succeeding official agenda meeting of the city council after the council makes its final decision on the application; or

(B) if the council votes to pass an amending ordinance, until the effective date of the amending ordinance.

(11) The renewal of an SUP eligible for automatic renewal occurs as a matter of law at the end of the current time period as stated in the SUP ordinance, or as extended pursuant to Paragraph (10). Unless otherwise specified in the SUP ordinance, an automatic renewal is for the same time period as the immediately preceding time period [excluding, if applicable, extensions pursuant to Paragraph (10)].

(12) An SUP that is automatically renewed pursuant to this subsection may continue to be automatically renewed in perpetuity so long as the owner or his representative continues to timely file the applications for automatic renewal required under Paragraph (1). Failure to timely file this application during any renewal period renders the SUP ineligible for further automatic renewal. The city council may, however, reinstate the SUP's eligibility for future automatic renewals as part of a new SUP ordinance or ordinance amendment.

(13) This subsection does not impair the ability of the city plan commission or city council to call a public hearing on its own motion for the purpose of passing an amending ordinance to repeal an SUP's eligibility for automatic renewal, or to supplement, remove, or amend any of the conditions or other provisions in an SUP ordinance. (Ord. Nos. 19455; 20132; 20496; 22053; 23997; 26270; 26730)

CPC ACTION

March 24, 2022

Motion: It was moved to recommend **approval** of amending permanent and temporary concrete or asphalt batching plant uses, including but not limited to amending potentially incompatible industrial uses, in the Dallas Development Code, subject to staff's and Zoning Ordinance Advisory Committee's recommendations, as briefed.

Maker: Hampton
Second: Blair
Result: Carried: 10 to 0

For: 10 - Hampton, Shidid, Carpenter, Blair, Jung, Housewright,
Gibson*, Haqq, Kingston, Rubin*

Against: 0
Absent: 3 - Popken, Anderson, Stanard
Vacancy: 2 - District 3, District 7

*out of the room, shown voting in favor

Speakers: For: Kathryn Bazan, 10456 Vinemont St., Dallas, TX, 75218
For (Did not speak): Raul Reyes, 3455 Borger St., Dallas, TX, 75212
Against: None



City of Dallas

1500 Marilla Street
Council Chambers, 6th Floor
Dallas, Texas 75201

Agenda Information Sheet

File #: 22-1082

Item #: E.

Follow-Up on Local Solid Waste Management Plan Update

[Jay Council, Director, Sanitation Services]

EXECUTIVE SUMMARY

Purpose

The City of Dallas' (City) Local Solid Waste Management Plan Update (LSWMP Update) evaluates progress toward the goals and recommendations in the 2011 LSWMP adopted by City Council in February 2013. The purpose of the LSWMP Update is to identify current and future material management needs, evaluate programs, policies, and infrastructure options for meeting these needs, and to define a course of action for managing future waste generated in the City. The City and its consultant, Burns & McDonnell Engineering Company, Inc. (Burns & McDonnell), developed the LSWMP Update by evaluating existing programs, policies and infrastructure and analyzing progress the City has made over the last decade toward the previously adopted goals and recommendations. The intent is to establish goals, objectives and recommendations that offer strategic direction for the City to establish a resilient material management system that provides the ability to continue advancing progress towards Zero Waste in alignment with the City's Comprehensive Environmental & Climate Action Plan (CECAP).

Stakeholder Engagement

The LSWMP Update development process engaged stakeholders from the community and multiple City departments. Community stakeholders included representatives from multiple generator sectors (sectors include single-family, multi-family and commercial and are further described in the Updated Goals and Objectives section) for the purpose of gathering insight and opinions regarding the current material management systems and needs for the future of the system. The City engaged multiple stakeholder groups throughout the LSWMP Update development process. Table ES-1 describes the City's engagement approach and stakeholders.

Table ES-1: Description of Stakeholder Engagement Approaches

Engagement Approach	Description	Stakeholders Engaged
Surveys	Developed and released two surveys to the public to gather initial feedback later to gather feedback on options and recommendations.	More than 5,500 survey respondents that included single-family, multi-family and commercial generators.
Interviews	Conducted informational interviews of key stakeholders to gather feedback on their perspectives around current and future material management.	Neighborhood associations, City departments, non-governmental organizations (NGOs), local chambers of commerce.
Educational Video	Worked with City's Communication Department to develop an educational video about the LSWMP Update.	Single-family, multi-family and commercial generators; City leadership (e.g., City Council members and staff).
Public Meeting	Held an in-person public meeting at the Latino Community Center with option to attend virtually.	Single-family, multi-family and commercial generators.
Public Comment Period	The City published the draft LSWMP Update for public comment in anticipation of presenting to City Council for adoption.	Single-family, multi-family and commercial generators.
Presentations to City Leadership	Presented to the Environmental and Sustainability Commission (formerly Environmental and Sustainability task force) and the City Council's Environmental and Sustainability sub-committee.	City leadership and staff.

The key takeaways from the comprehensive stakeholder engagement effort are incorporated throughout the LSWMP Update to inform the options and recommendations that have been developed. Further detailed information about the surveys, interviews, public meetings and presentations to City leadership is provided in Appendix A.

Updated Goals and Objectives

A key consideration of the updated goals and objectives is to balance the demand for resources to meet near-term goals that strategically position the City to make significant progress toward its long-term Zero Waste goal by 2060 as originally established as part of the 2011 LSWMP. The LSWMP Update has been developed to build on the 2011 LSWMP objectives and update them to:

1. Align with goals and objectives related to materials management adopted by the Comprehensive Environmental and Climate Action Plan (CECAP).
2. Acknowledge changes in the materials management landscape (e.g., recycling commodity markets, regulatory and policies adopted, technology innovations).
3. Incorporate the extensive system analysis and stakeholder engagement conducted as part of the LSWMP Update.

The following updated objectives are meant to guide policies, programs and infrastructure to support progress toward the City’s near- and long-term goals.

1. Empower residents and businesses to reduce the amount of discarded material generated through proactive education, outreach and compliance efforts.
2. Establish and implement innovative operational best practices to provide efficient, cost effective, and environmentally responsible service.
3. Provide excellent customer service and support residents and businesses to maximize diversion from landfill.
4. Operate a clean, green and efficient waste system that seeks to generate energy from organics.

The level of direct control of a material stream determines the City’s ability to increase the City’s recycling rate and set realistic, achievable goals. The level of control varies by generator sectors including single-family (e.g., material generated by single-family detached households), multi-family (e.g., material generated by apartment complexes), and commercial (e.g., material generated by properties, facilities and business operations). The City has direct control over material generated by the single-family sector, because it collects, hauls, processes and/or disposes of this material on a daily basis. The City only has influence over material generated by the multi-family and commercial sectors supported by regular reporting requirements from private-sector haulers active in the City.

Figure ES-1 illustrates the level of control that the City has over the various material types and indicates the volume of material generated by that sector (circles are not to scale and are presented for informational purposes only).

Figure ES-1: Control of Material by Sector

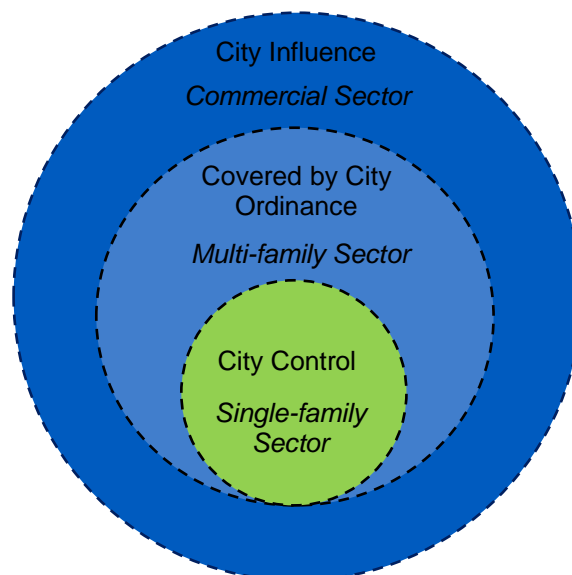


Table ES-2 shows the material management goals adopted by CECAP and how the LSWMP Update addresses them.

Table ES-2: Description of How LSWMP Update Addresses CECAP Goals

No.	Goal	Description of How LSWMP Update Addresses CECAP Goals
1	Actively promote source reduction, recycling and composting to the Dallas community.	Evaluates the City’s education, outreach and compliance programs and provides recommendations on how to enhance its capabilities.
2	Develop a comprehensive green procurement plan.	Supports on-going cross-departmental efforts to develop a comprehensive green procurement plan by providing discussion about the impact of purchasing policy on source reduction efforts.
3	Improve solid waste, recycling and brush/bulky item collection frequency.	Evaluates the City’s current brush and bulky item collection program and provides recommendations on approaches to scale separate collection on a City-wide basis.
4	Improve potential for electric waste collection vehicles.	Incorporates case studies on collection systems that have incorporated Battery Electric Vehicles (BEVs) provides considerations for implementing a BEVs on a pilot basis.
5	Update and implement the Zero Waste management plan.	Establishes realistic goals and metrics by sector (reference Table ES-3) and strategic approaches to achieve these goals.
6	Expand efforts to reduce illegal dumping by implementing recommendations identified in the Litter and Illegal Dumping Assessment Study.	Evaluates the City’s Household Hazardous Waste (HHW) and electronics management programs, including a high-level evaluation of the progress made toward the recommendations of the Litter and Illegal Dumping Assessment Study.
7	Encourage the development of material markets focusing on creating new economic opportunities.	Interviewed the City’s Economic Development Department and Chambers of Commerce as part of the stakeholder engagement effort and leveraged the statewide Recycling Market Development Plan (RMDP) to provide information on economic opportunities related to material markets.
8	Continue to capture gas and expand capacity from landfill for reuse and evaluate for City operations.	Evaluates the Landfill’s gas collection system and provides recommendations to continue to expand capacity to beneficially reuse Landfill gas.
9	Adopt an ordinance to implement a City-wide organics management program.	In addition to the recommendations related to separately collecting brush and bulky items, the LSWMP Update evaluates the City’s non-exclusive franchise ordinances and provides near- and long-term recommendations on increasing organics recycling from the commercial sector.

Table ES-3 summarizes of the updated goals for each generator sector including the goal type and metrics (e.g., recycling rate, program participation, etc.) and organized by 2030 goals and long-term Zero Waste goals (e.g., 2060).

Table ES-3: Updated Goals by Sector

Generator Sector	Single-Family	Multi-family	Commercial
Goal Type and Metrics	Recycling rate, capture rate, disposal per capita.	Program participation; reporting compliance.	Program participation; reporting compliance.
2030 Goals	35% recycling of organic waste by 2030. 60% paper waste by 2030. 35% reduction in waste landfilled by 2030.	90% reporting compliance and verification of entities covered under the Multi-family Recycling Ordinance (MFRO).	Expand Green Business Certification to increase participants year-over-year. 90% reporting compliance and verification from non-exclusive franchise haulers.
Zero Waste Goals	80% recycling of organic waste by 2050. 90% paper waste by 2050. 45% reduction in waste landfilled by 2040.	Analyze data to establish goals consistent with future program in place.	Analyze data to establish goals consistent with future program in place.

Guidance for Reading the LSWMP Update

The LSWMP Update is organized into three overall sections: (1) introductory sections, (2) program, policies and infrastructure sections, and (3) appendices. The introductory sections provide key context about the LSWMP Update, materials management trends, regulations, projected material management needs, and regional facilities and infrastructure. Program, policies and infrastructure sections are dedicated to discussion of a specific aspect of the City’s material management system where each has unique characteristics requiring a customized approach based on varying generators, material types and customers. The appendices provide detailed information compiled and analyzed throughout the LSWMP Update development process.

Each section of the LSWMP Update is intended to be structured consistently, but customized based on unique characteristics. The introductory sections are structured to provide more general information about materials management, material projections and composition profiles, and regional infrastructure. The program, policy and infrastructure sections each begin with a current system review, evaluation of the recommendations from the 2011 LSWMP, relevant case studies, an evaluation of options and key findings and recommendations. Relevant feedback from the stakeholder engagement efforts precedes the evaluation of options but may be incorporated in other locations throughout the LSWMP Update as appropriate. Table ES-4 indicates how the LSWMP Update is organized, listing each section with a brief description of the content included.

Table ES-4: LSWMP Update Section Organization and Description

No.	Title	Description
Introductory Sections		
1.0	Overview, Goals and Objectives	Describes the purpose, key terms, updated goals and objectives, and guidance for reading the LSWMP Update document.
2.0	Planning Studies, Regulatory and Trends Review	Includes applicable planning studies and regulations, roles of government entities in solid waste management, and current solid waste management industry trends.
3.0	Planning Area Characteristics	Reviews the planning area characteristics such as population, economic projections, and projected material management needs.
4.0	Facilities and Infrastructure	Review of material management facilities and infrastructure in the North Central Texas region and presents information on public-private partnership approaches.
Programs, Policies and Infrastructure Sections		
5.0	Transfer Station System	Review of the operational capacity of the program, policy and infrastructure and evaluation of options to support continued strategic usage to meet near- and long-term goals and objectives established by the LSWMP Update.
6.0	Refuse and Recycling Collection	
7.0	Brush and Bulky Item Collection	
8.0	Landfill Operation	
9.0	Recycling Processing	
10.0	Organics Management	
11.0	Multi-Family and Commercial Sector	
12.0	HHW and Electronics Management	
13.0	Public Education, Outreach and Compliance	
Appendices		
A	Stakeholder Engagement Summary	Provides data and results of the stakeholder engagement efforts.
B	Regional Facilities Map	Map of the materials management, processing and disposal facilities in the region.
C	Transfer Station System Evaluation	Detailed technical evaluation of the City’s transfer station system, refuse and recycling collection, and Landfill programs and operations.
D	Refuse and Recycling Collection Evaluation	
E	Landfill Operation Evaluation	
F	Implementation and Funding Plan	Presents a detailed implementation and funding plan matrix that indicates the priority, funding mechanism, difficulty of implementation, and responsible party for each key recommendation of the LSWMP Update.

Key Findings and Priority Next Steps

The following summarizes the most salient key findings and recommendations related to reaching the City's 2030 goals and long-term Zero Waste goals.

- **Continued Population Growth Strains Landfill Capacity and Emphasizes the Importance of Zero Waste Infrastructure.** The continued population growth of the Dallas-Fort Worth Metroplex area will continue to strain the materials management infrastructure and facilities in the region including landfills, Material Recovery Facilities (MRFs) and organics processing facilities (e.g., composting, anaerobic digestion). As landfills continue to fill at an accelerated rate and the regional disposal capacity declines, tonnages to the McCommas Bluff Landfill (Landfill) will likely increase and make the Landfill's airspace an increasingly valuable commodity for the City.

These same regional market dynamics will correspondingly increase the importance to divert material from disposal through single-stream recycling and organics processing, as well as reuse and source reduction. Currently, the existing recycling capacity can handle the amount of material processed for recycling, but as recycling quantities increase from the single-family, multi-family and commercial sectors, there will be a need for additional infrastructure development throughout the region. Similarly, as diversion of organic material increases, there will be a need for the City to increase processing capacity via public-private partnerships.

- **Upgrade Critical Processing and Disposal Infrastructure.** To achieve the near-term 2030 goals and long-term Zero Waste goals, the City must upgrade its transfer station system to manage multiple material streams, engage in a long-term planning effort to maximize Landfill capacity, expand its organics processing capacity, and increase accessibility to HHW and electronics recycling locations.
- **Adjust Collection Vehicle Fleet Routing, Fuel Mix, and Fueling Infrastructure.** The City is in the process of developing a comprehensive re-route of collection vehicles to provide refuse and recycling collection service more efficiently and is considering expanding the use of natural gas vehicles (e.g., Compressed Natural Gas (CNG), Renewable Natural Gas (RNG)). To support these efforts, the City must expand the available fueling infrastructure for the collection vehicle fleet to support more natural gas vehicles. Additionally, the City should evaluate on consider piloting Battery Electric Vehicles (BEVs) as part of its collection fleet and evaluate the needs to provide the charging and maintenance requirements associated with these vehicle types.
- **Near-term Focus on the Single-Family Sector to Achieve 2030 CECAP Goals.** Since the City directly manages single-family sector materials, the LSWMP Update is able to establish specific

actions for the City to achieve the 2030 CECAP goals. To meet the 2030 goals and progress toward Zero Waste, the City must include organics in its recycling rate and make significant efforts to increase the amount of material recycled under its direct control (e.g., single-stream recycling, yard trimmings, brush). The City must implement separate collection of brush and bulky items to increase its recycling rate and leverage cross-departmental collaboration to expand education, outreach and compliance efforts to increase the capture rate of single-stream material (e.g., scaling the “Take-a-Peek” program City-wide).

- **Implement Mandatory Programs in the Long Term to Continue Progress Toward Zero Waste.** When voluntary programs have been shown to drive up the capture rate from the single-stream recycling program, the City should implement mandatory programs such as material bans and residential recycling requirements to increase the capture rate of single-stream recyclables from 60 to 80 percent. Mandatory programs should be considered after the City successfully implements voluntary approaches.
- **Renew Interlocal Agreement (ILA) with Dallas County to Support HHW and Electronics Management.** The City should extend the current agreement in a similar structure to the existing ILA on a one-year basis with multiple available extensions to ensure that the short-term needs of the City will be met but provides the flexibility to explore other options to minimize future costs as the City continues to grow. As the City considers options for the future of the Household Chemical Collection Center (HCCC) and Battery Oil Paint and Antifreeze (BOPA) programs, working with Dallas County to provide an outlet for HHW and electronics serves to minimize the amount of litter, illegal dumping, and prohibited set outs (e.g., tires) critical to sustaining public health and community cleanliness.
- **Maintain the Multi-family Recycling Ordinance (MFRO) and Continue to Increase the Percentage of Covered Entities in Compliance Year-Over-Year.** The City should continue to implement and increase the compliance from generators and haulers as part of the MFRO, monitoring new developments that come online and continuing to support affected entities with education and outreach. The City must leverage its cross-departmental permit review process to ensure new developments provide access to recycling.
- **Adjust Existing Requirements on Non-Exclusive Franchise Haulers.** Material generated by multi-family and commercial sectors represents the next major opportunity for the City to make progress toward Zero Waste. In the near-term the City should adjust franchise and permitted recycling hauler reporting requirements to include more comprehensive tonnage data reports including refuse, recycling and other divertible tonnages currently collected and the location with they are processed and disposed. After the requirements of franchise hauler reporting has been

implemented and analyzed, the City will determine the requirements for haulers to offer diversion services to customers and establish the enforcement mechanisms to ensure that this maintains a level playing field among franchise haulers. The City should consider incentivizing haulers to recycle by providing credits on franchise fees for haulers that recycle single-stream and/or organic materials.

- **Long-term Implementation of Commercial Recycling Requirements to Position the City for the Development of an Exclusive or Zoned Franchise System.** As a long-term consideration after adjusting the franchise and permitted recycling hauler requirements and ensuring that the available recycling processing capacity supports increased tonnage, the City should implement requirements to contract with franchise haulers to recycle based on the levels of material generation quantity, facility size (square footage) or business size (number of employees). Targeted commercial recycling requirements should be rolled out in a phased approach and would position the City establish an exclusive or zoned franchise system in the future.

The implementation and funding plan (reference Appendix F) prioritizes recommendations and next steps developed as part of the LSWMP Update. Table ES-5 presents the highest priority next steps for the City to continue working toward Zero Waste on a sector-by-sector basis for near-, mid- and long-term considerations. For the purposes of the implementation and funding plan, near-term is zero to three years, mid-term is four to eight years (e.g., through 2030), and long-term is eight years and beyond.

Table ES-5: Priority Next Steps by Sector

Timing	Infrastructure	Single-Family	Multi-family	Commercial
Near-term	<ul style="list-style-type: none"> • Upgrade transfer stations to separately manage organics and maintain high level of service for residential customers. • Develop composting facility as part of public-private partnership. • Develop long-term Landfill master plan to maximize site life. 	<ul style="list-style-type: none"> • Increase capture rate from blue roll-cart program by enhancing education, outreach, and compliance efforts. • Implement separate collect and process yard trimmings and brush. • Renew interlocal agreement with Dallas County on short-term basis. 	<ul style="list-style-type: none"> • Increase MFRO compliance from covered entities year-over-year. • Continue to support covered entities with education and outreach. 	<ul style="list-style-type: none"> • Expand Green Business Certification Program • Leveraging cross-departmental efforts to provide technical assistance. • Require submission of more comprehensive and verifiable data including refuse, recycling and other tonnages including the location with they are processed and disposed.
Mid-term	<ul style="list-style-type: none"> • Explore purchase of additional CNG/RNG vehicles. • Install additional natural gas fueling stations. • Explore electric solid waste collection vehicle pilot project. 	<ul style="list-style-type: none"> • Establish more convenient HHW and electronics collection • Work with County to develop permanent or satellite facility in southern areas of City. 	<ul style="list-style-type: none"> • Monitor new multi-tenant developments that come online. • Leverage permit review process to ensure new developments provide accessibility to recycling. 	<ul style="list-style-type: none"> • Adjust non-exclusive franchise ordinance to require haulers offer key services. • Implement targeted commercial recycling requirements in a phased approach.
Long-term	<ul style="list-style-type: none"> • Increase CNG/RNG electric vehicle fueling capacity. 	<ul style="list-style-type: none"> • Implement mandatory recycling program (e.g., material bans, recycling requirements) to further increase capture rate. • Evaluate feasibility to expand capabilities of BOPA collection program. 	<ul style="list-style-type: none"> • Continue implementation efforts and support haulers and apartment managers to increase compliance year-over-year. 	<ul style="list-style-type: none"> • Implement zoned or exclusive franchise system with compliance mechanisms to ensure that this maintains a level playing field among franchise haulers.

Memorandum



CITY OF DALLAS

DATE April 25, 2022

TO Honorable Chair and Members of the Environment and Sustainability Committee

SUBJECT Follow-Up Information On Matters Related To The Local Solid Waste Management Plan Update Briefed To The Committee on March 7, 2022

On March 7, 2022, the Committee received a briefing on the Local Solid Waste Management Plan Update. An executive summary of the Plan Update is attached for your review, and additional information regarding several points of consideration that were raised by committee members during the March briefing is provided below. In addition to this interim update, a final briefing will be presented to the Committee on June 6, 2022, with the goal of receiving an affirmative vote to advance the Plan Update to the full City Council for adoption.

A Plan Update wrap-up public meeting was held at the Latino Cultural Center, and streamed virtually, on March 31. Both in-person and virtual attendees provided feedback on key aspects of the plan.

Supplemental information follows regarding several specific points of consideration raised by councilmembers.

1. Regarding recycling collection and processing, provide a water bill insert to customers explaining what happens to their discarded materials.

The "Where Does My Recycling Go?" water bill insert was mailed to customers in May 2021, and was also sent in customer bills in April 2022. It—or a similar version-- is sent at least once each calendar year to educate customers on the life cycle of products and how recycling contributes to reducing the need to use raw materials for new items.

At the conclusion of each mailing, all SAN water bill inserts can be found by following this link: <https://dallascityhall.com/departments/sanitation/Pages/waterbillinserts.aspx>

2. Will goals from the 2011 plan carry forward along with the new objectives?

The 2011 LSWMP included a series of goals, objectives and programmatic approaches to achieving Zero Waste. The long-term Zero Waste goal adopted in the

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2011 LSWMP has not been changed; however, the LSWMP Update has been developed to build on the 2011 LSWMP objectives and update them to:

- A. Align with goals and objectives related to materials management adopted by CECAP
- B. Acknowledge changes in the materials management landscape (e.g., recycling commodity markets, regulatory and policies adopted, technology innovations)
- C. Incorporate the extensive system analysis and stakeholder engagement conducted as part of the LSWMP Update.

The following updated objectives are meant to guide policies, programs and infrastructure to support progress towards the City's 2030 goals (reference question #3) and the long-term Zero Waste goal:

- A. Empower residents and businesses to reduce the amount of discarded material generated through proactive education, outreach and compliance efforts.
- B. Establish and implement innovative operational best practices to provide efficient, cost effective, and environmentally responsible service.
- C. Provide excellent customer service and support residents and businesses to maximize diversion from landfill.
- D. Operate a clean, green and efficient waste system that seeks to generate energy from organics.

3. What are the measurable goals in the updated plan?

The LSWMP Update evaluated the ability of the City to reach the following goals related to materials management in the single-family sector were adopted by CECAP:

- Achieve 35% diversion of organic waste by 2030
- Achieve 60% diversion of paper waste by 2030
- 35% reduction in waste landfilled in 2030 (compared to 2021 tons disposed)

The City has elected not to establish tonnage-based goals for the multi-family and commercial sectors since the City only has influence over the material rather than direct control. The 2030 goals for the multi-family and commercial sectors are based on program participation and reporting compliance/verification of current and updated requirements of entities covered under the Multi-family Recycling Ordinance, participation in the Green Business Certification program and non-exclusive franchise haulers, as follows:

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- 90 percent reporting compliance and verification of entities covered under the Multi-family Recycling Ordinance by 2030.
- Increasing the number of participants in the Green Business Certification program year-over-year.
- 90 percent reporting compliance and verification from non-exclusive franchise haulers.

4. How will the plan encourage multi-family facility operators to make recycling more accessible to residents?

There are several recommendations in the LSWMP Update document and implementation and funding plan related to increasing recycling accessibility to residents living in multi-tenant properties including:

- A. Continue building on the City's Multi-family Recycling Ordinance by incorporating compliance levels of existing multi-tenant properties as a key performance metric related to the goals established.
- B. Update the non-exclusive franchise hauler agreements and approved recycling hauler reporting requirements to provide City staff with a more comprehensive data-set regarding refuse and recycling tonnage collected from commercial and multi-family generators.
- C. Leverage cross-departmental collaboration between SAN, OEQS, Code Compliance, and Development Services to proactively review multi-tenant permit applications to ensure recycling accessibility for tenants (e.g., refuse and recycling chutes/storage rooms) and haulers (e.g., sufficient space to store refuse and recycling dumpsters, adequate entrance/egress routes for collection vehicles).

5. How are City facilities actively engaged in recycling?

Sanitation provides, through a franchised private hauler, scheduled recycling collection services to city facilities including libraries, police and fire stations, Dallas Love Field and the Kay Bailey Hutchison Convention Center. Recycling training is required for employees whose departments operate under, and are subject to, Environmental Management Systems (EMS) requirements. Employees not subject to EMS training requirements have access to the recycling course through the City's e-learning platform, Learning Zen. Recycling training available to City staff encourages the reduction of waste and recycling of materials including paper, cardboard, cartons, and containers made of plastic, glass, aluminum and tin. It also encourages work groups to create centralized waste collection stations and post educational literature on centralized waste to reduce the need for the daily emptying of garbage and

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SUBJECT Follow-Up Information On Matters Related To The Local Solid Waste Management Plan
Update Briefed To The Committee on March 7, 2022

recycling containers at each workstation by housekeeping staff. In departments like Sanitation where centralized waste stations are used, housekeeping staff can focus cleaning efforts and time on sanitizing, dusting, and other cleaning, rather than on emptying multiple containers. The implementation of centralized waste stations was recommended in the City's Return to Work measures outlined to the City Council and employees after the rise of the coronavirus. The adoption of this approach to consolidated waste management is at the discretion of each department.

6. How do we reduce illegal dumping particularly related to scrap tires? Can McCommas Bluff Landfill increase the number of scrap tires that residents and businesses can dispose of at no charge?

The Department of Code Compliance and City Marshal's Office oversee illegal dumping prevention, investigations, and abatement. Sanitation accepts scrap tires abated by Code Compliance at McCommas Bluff Landfill. Sanitation is permitted by the Texas Commission on Environmental Quality to store no more than 2,000 tires on-site at any one time, inclusive of tires properly received from the public.

Sanitation paid \$98,000 to a contracted tire recycler, All American Tire Recyclers, in FY 2020-21 for recycling costs of tires, including those received from Code Compliance. The expense for abatement of illegally dumped tires is likely a more appropriate expense for the General Fund rather than Sanitation ratepayers and landfill customers.

Sanitation is exploring potential costs associated with a permit modification to accept and store additional tires at McCommas Bluff. Expenses will likely include capital improvements to the tire storage area, personnel costs to manage the material, and contract costs for final disposition of the tires.

If you have any questions please contact Jay Council, Director of Sanitation Services, at (214) 670-4485 or jerome.council@dallascityhall.com.



Carl Simpson
Interim Assistant City Manager

c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary

Majed A. Al-Ghafry, Assistant City Manager
Liz Cedillo-Pereira, Assistant City Manager
Robert Perez, Interim Assistant City Manager
M. Elizabeth Reich, Chief Financial Officer

DATE April 25, 2022

SUBJECT Follow-Up Information On Matters Related To The Local Solid Waste Management Plan
Update Briefed To The Committee on March 7, 2022

Preston Robinson, Administrative Judge
Kimberly Bizer Tolbert, Deputy City Manager
Jon Fortune, Deputy City Manager

Genesis D. Gavino, Chief of Staff to the City Manager
Directors and Assistant Directors



Agenda Information Sheet

File #: 22-898

Item #: 33.

STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: May 11, 2022

COUNCIL DISTRICT(S): N/A

DEPARTMENT: Budget and Management Services

EXECUTIVE: Elizabeth Reich

SUBJECT

An ordinance amending Ordinance No. 32000, previously approved on September 22, 2021, authorizing certain transfers and appropriation adjustments for FY 2021-22 for the maintenance and operation of various departments, activities, and amending the capital budget; and authorize the City Manager to implement those adjustments - Not to exceed \$4,345,607,637 - Financing: General Fund (\$1,560,076,196), Enterprise, Internal Service, and Other Funds (\$1,476,881,876), Capital Funds (\$911,461,085), and Grants, Trusts and Other Funds (\$397,188,480)

BACKGROUND

On September 22, 2021, City Council adopted the Operating, Grants/Trust, and Capital Budgets for FY 2021-22, by Ordinance No. 32000.

City Charter does not allow for expenditure of City funds without sufficient appropriation (City Charter, Chapter XI, Section 6). Management has closely monitored revenues and expenses throughout the fiscal year to ensure compliance with City Charter. The amendments requested reflect: (1) appropriation adjustments previously approved by City Council; (2) adjustments to ensure adequate departmental appropriations in the General Fund; (3) Enterprise, Other, Grant, and Trust funds revenue and expenditure increases; and (4) capital appropriation adjustments.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 22, 2021, City Council adopted the FY 2021-22 City of Dallas Operating, Grants/Trusts, and Capital Budgets by Resolution No. 21-1590; Ordinance No. 32000.

The Government Performance and Financial Management Committee was briefed regarding this matter on April 25, 2022.

FISCAL INFORMATION

General Fund - \$1,560,076,196

Enterprise Funds, Internal Service, and Other Funds - \$1,476,881,876

Capital Funds - \$911,461,085

Grants, Trust, and Other Funds - \$397,188,480

ORDINANCE NO. _____

**AMENDING THE OPERATING AND CAPITAL BUDGETS' APPROPRIATIONS
ORDINANCE**

An ordinance amending Ordinance No. 32000 (2021-22 FY Operating and Capital Budgets' Appropriation Ordinance), to make adjustments for the fiscal year 2021-22 for the maintenance and operation of various departments and activities, amending capital budgets; authorizing the city manager to make certain adjustments; appropriating funds for public improvements to be financed from bond funds and other revenues of the city of Dallas for fiscal year 2021-22; providing a saving clause; and providing an effective date.

WHEREAS, on September 22, 2021, the city council passed Ordinance No. 32000, which adopted the operating and capital budgets' appropriations ordinance for fiscal year 2021-22; and

WHEREAS, shortages and excesses in various departments and activity appropriations have created a need to adjust those appropriations; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 4, of the Dallas City Charter to transfer an unencumbered balance of an appropriation made for the use of one department, division, or purpose to any other department, division, or purpose, upon the written recommendation of the city manager; and

WHEREAS, the city council is authorized in accordance with Chapter XI, Section 5, of the Dallas City Charter to appropriate, from time to time, excess revenues of the city to such uses as will not conflict with any uses for which such revenues specifically accrued; Now, Therefore,

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

SECTION 1. That the city manager is hereby authorized to increase the general fund operating revenue appropriation budget by \$25,057,296 from \$1,535,018,900 to \$1,560,076,196 due to additional sales tax revenue and use of contingency reserve.

SECTION 2. That Section 1 of Ordinance No. 32000 (2021-22 FY Operating and Capital Budgets' Appropriation Ordinance), passed by the city council on September 22, 2021, is amended by making adjustments to fund appropriations for fiscal year 2021-22 for maintenance and operation of various departments and activities, to read as follows:

“SECTION 1. That for the purpose of providing the funds to be expended in the budget for the fiscal year beginning October 1, 2021 and ending September 30, 2022, the available revenues of the city of Dallas are hereby appropriated for the maintenance and operation of the various city departments and activities as follows:

<u>DEPARTMENTS AND ACTIVITIES</u>	<u>PROPOSED</u> <u>2021-22</u>
Building Services	24,338,775 [24,356,319]
City Attorney's Office	*18,565,088 [17,814,203]
City Auditor's Office	3,064,115 [3,048,254]
City Controller's Office	7,804,952 [7,764,698]
City Manager's Office	2,987,300 [2,933,212]
City Secretary's Office	3,068,256 [3,050,306]
Civil Service	3,037,119 [3,021,703]
Code Compliance	35,314,022 [35,032,924]
Court and Detention Services	24,005,239 [24,077,721]
Dallas Animal Services	16,173,829 [16,068,520]
Dallas Fire-Rescue	336,663,887 [335,699,096]
Dallas Police Department	566,879,714 [565,934,568]
Elections	283,013 [104,713]
Housing and Neighborhood Revitalization	3,815,087 [3,825,426]
Human Resources	7,387,253 [7,199,251]
Independent Audit	745,429
Judiciary	3,850,484 [3,675,924]
Lew Sterrett Jail Contract	9,450,527

Liability/Claims Fund Transfer	9,483,807 [4,483,807]
Library	33,155,563 [32,917,306]
Mayor and City Council	5,432,068 [5,351,007]
Non-Departmental	122,818,281 [115,542,145]
Office of Arts and Culture	21,377,336 [21,337,590]
Office of Budget and Management Services	4,541,156 [4,512,904]
Office of Data Analytics and Business Intelligence	4,058,538 [3,988,372]
Office of Economic Development	3,541,806 [3,252,177]
Office of Management Services	46,937,936 [46,283,791]
Park and Recreation	101,068,491 [99,627,169]
Planning and Urban Design	6,752,112 [4,209,553]
Procurement Services	3,103,102 [3,082,909]
Public Works	81,871,019 [76,357,799]
Salary and Benefit Stabilization	3,202,244 [5,020,000]
Transportation	45,298,648 [45,249,577]

**An increase of \$197,558 was previously approved by Resolution No. 21-2023 on December 8, 2021.*

GENERAL FUND TOTAL **1,560,076,196 [1,535,018,900]**

GRANT, TRUST AND OTHER FUNDS

PROPOSED
2021-22

Building Services

American Rescue Plan Act (ARPA)(FC18) 21,000,000 [21,550,000]

City Attorney's Office

FY 2021-22 Community Development Block Grant (CD21) 763,739

Convention and Event Services

Convention Hotel Tax Rebate (0756) 29,892,205

Court and Detention Services

American Rescue Plan Act (ARPA)(FC18) 6,620,750 [6,425,750]

Municipal Jury Fund (0026) 10,731

Dallas Animal Services

Ivor O'Conner Morgan Trust (0320) 233,892

<u>Dallas Fire-Rescue</u>	
American Rescue Plan Act (ARPA)(FC18)	25,000,000
<u>Dallas Police Department</u>	
Confiscated Monies- State (0411)	<u>1,243,613</u> [97,656]
Juvenile Case Manager Fund (0396)	<u>545,173</u> [358,520]
Law Enforcement Officer Standards and Education (LEOSE) (01SN)	180,970
American Rescue Plan Act (ARPA)(FC18)	<u>20,620,255</u> [18,163,647]
Task Forces Fund (0T69)	<u>557,032</u>
Police Gifts and Donation (0321)	<u>18,128</u>
Confiscated Monies- Federal- Dept. of Treasury (0436)	<u>212,800</u>
<u>Dallas Water Utilities</u>	
American Rescue Plan Act (ARPA)(FC18)	37,426,891
<u>Development Services</u>	
Reforestation Fund (0T06)	300,000
<u>Express Business Center</u>	
American Rescue Plan Act (ARPA)(FC18)	5,000,000
<u>Housing and Neighborhood Revitalization</u>	
FY 2021-22 Community Development Block Grant (CD21)	11,375,184
FY 2021-22 HOME Investment Partnership (HM21)	6,397,968
American Rescue Plan Act (ARPA)(FC18)	21,250,000
<u>Information and Technology Services</u>	
American Rescue Plan Act (ARPA)(FC18)	15,000,000
Information Technology Equipment (0897)	<u>2,997,005</u>
<u>Library</u>	
Central Library Gifts and Donations (0214)	230,000
Edmond & Louise Kahn E. Trust (0208)	227,578
Hamon Trust (0458)	10,875
American Rescue Plan Act (ARPA)(FC18)	250,000
<u>Office of Arts and Culture</u>	
Majestic Gift and Donations Fund (0338)	200,000
OCA Gift and Donations Fund (0388)	146,507

American Rescue Plan Act (ARPA)(FC18)	<u>1,000,000</u> [450,000]
<u>OCA Hotel Occupancy Tax (0435)</u>	<u>1,345,727</u>

Office of Budget and Management Services

FY 2021-22 Community Development Block Grant (CD21)	1,157,785
FY 2021-22 Emergency Solutions Grant (ES21)	23,000
FY 2021-22 Housing Opportunities for Persons w/AIDS (HW21)	103,714
American Rescue Plan Act (ARPA)(FC18)	<u>6,426,856</u> [7,000,000]

Office of Management Services

FY 2021-22 Community Development Block Grant (CD21)	1,438,596
FY 2021-22 Emergency Solutions Grant (ES21)	1,267,230
FY 2021-22 Housing Opportunities for Persons w/AIDS (HW21)	7,839,794
American Rescue Plan Act (ARPA)(FC18)	<u>98,828,144</u> [98,180,000]
<u>Child Care Programs (P114)</u>	<u>10,836</u>
<u>88-89 WDMC-Emergency Scl Srvcs (0T04)</u>	<u>70,812</u>
<u>OCC Energy Assistance (0T76)</u>	<u>41,030</u>

Office of Economic Development

Deep Ellum Public Improvement District (9P01)	1,031,370
Dallas Downtown Improvement District (9P02)	6,145,988
Klyde Warren Park/Dallas Arts District Public Improvement District (9P03)	1,288,918
Knox Street Public Improvement District (9P04)	415,978
Lake Highlands Public Improvement District (9P05)	925,565
North Lake Highlands Public Improvement District (9P06)	<u>553,207</u> [533,207]
Oak Lawn-Hi Line Public Improvement District (9P07)	415,497
Prestonwood Public Improvement District (9P08)	402,084
South Dallas/Fair Park Improvement District (9P09)	160,403
South Side Public Improvement District (9P10)	222,832
Tourism Public Improvement District (9P11)	19,410,129
University Crossing Public Improvement District (9P12)	864,135
Uptown Public Improvement District (9P13)	2,704,547
Vickery Meadow Public Improvement District (9P15)	966,154
New Markets Tax Credit (0065)	67,390
Sales Tax Agreement Fund (0680)	600,000
South Dallas/Fair Park Opportunity Fund (0351)	229,228

American Rescue Plan Act (ARPA)(FC18)	2,000,000
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Park and Recreation

FY 2021-22 Community Development Block Grant (CD21)	851,424
Golf Improvement Trust (0332)	1,921,122
Park Land Dedication Program (9P32)	387,230
PKR Program Fund (0395)	139,933
White Rock Lake Beautification Fund (9P30)	333,985
American Rescue Plan Act (ARPA)(FC18)	<u>4,105,000</u> [4,900,000]
Carryout Bag Regulation Fund (0989)	520,000

Public Works

Naval Air Station Redevelopment Fund (0022)	818,189
American Rescue Plan Act (ARPA)(FC18)	6,800,000

Transportation

Bike Lane Fund (0791)	<u>1,700,955</u> [805,000]
Freeway Traffic Signals (0670)	267,397
American Rescue Plan Act (ARPA)(FC18)	<u>13,675,000</u> [13,075,000]

GRANT, TRUST, AND OTHER FUNDS TOTAL	<u>397,188,480</u> [387,144,206]
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<u>ENTERPRISE FUNDS</u>	<u>PROPOSED</u>
	<u>2021-22</u>

Aviation	
Aviation Operations	141,986,787
Transportation Regulation	403,065
Convention and Event Services	100,819,948
Dallas Water Utilities	
Stormwater Drainage Management	<u>71,814,586</u> [69,314,586]
Water Utilities	<u>755,468,335</u> [722,432,650]
Development Services	38,383,670
Municipal Radio	1,815,740
Sanitation Services	<u>141,699,380</u> [139,536,992]

ENTERPRISE FUNDS TOTAL	<u>1,252,391,511</u> [1,214,693,438]
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<u>INTERNAL SERVICE/OTHER FUNDS</u>	<u>PROPOSED</u> <u>2021-22</u>
Employee Benefits	1,936,868
Equipment and Fleet Management	<u>64,284,687</u> [56,541,723]
Express Business Center	2,323,978
Information and Technology Services	
911 System Operations	<u>14,808,520</u> [14,341,472]
Information Technology	99,176,891
Radio Services	<u>13,629,450</u> [13,248,650]
Office of Bond and Construction Management	
Office of Management Services	5,209,374
Park and Recreation	5,231,840
Public Works	12,500,722
Transportation	123,582
Office of Risk Management	5,264,453
INTERNAL SERVICE/OTHER FUNDS TOTAL	<u>224,490,365</u> [215,899,553]
ENTERPRISE/INTERNAL SERVICE/OTHER FUNDS	
GRAND TOTAL	<u>1,476,881,876</u> [1,430,592,991]

SECTION 3. That Section 4 of Ordinance No. 32000, is amended by making adjustments to fund appropriations for fiscal year 2021-22 for maintenance and operation of various departments and activities, to read as follows:

“SECTION 4. That the city manager is hereby authorized, upon written notice to the city controller, to make the following adjustments:

(1) Transfer internal service fund equity from unanticipated excesses to contributing funds.

(2) Transfer funds, not to exceed \$23,484,163, from the Convention Center Operating Fund 0080, Department CCT, Unit 7840, Object 3870, to the 2009 Convention Center Debt Service Fund 0980, Department CCT, Unit P505, Revenue Source 9219, for the payment of debt service on

Series 2009 Revenue Refunding and Improvement Bonds for improvements to the Dallas Civic Center Convention Complex.

(3) Transfer funds, not to exceed \$9,483,807 [~~\$4,483,807~~], from the General Fund 0001, Department BMS, Unit 1997, Object 3621 to the Liability Reserve Fund 0192, Department ORM, Unit 3890, Revenue Source 8525, for payment of small and large claims against the city.

(4) Transfer funds, not to exceed \$5,000,000 to the General Fund 0001, Department BMS, Unit 1995, Revenue Source 9229, from the Sports Arena Lease Fund 0A71, Department CCT, Unit 8851, Object 3690, to support general fund operations.

(5) Transfer funds, not to exceed \$27,241,962 from the Water Utilities Operating Fund 0100, Department DWU, Unit 7015, Object 3690, in the amounts not to exceed \$8,500,000 to the Public/Private Partnership Fund 0352, Department ECO, Unit P151, Revenue Source 9201 and \$18,741,962 to the General Fund 0001, Department BMS, Unit 1991, Revenue Source 9201, as payment in lieu of taxes by the water utilities department to support economic initiatives of the city.

(6) Transfer funds, not to exceed \$2,915,509, from the Convention and Event Services Operating Fund 0080 Department CCT, Unit 7840, Object 3690 to the OCA Hotel Occupancy Fund 0435, Department OCA, Unit 1841, Revenue Source 9201, for the promotion of cultural arts.

(7) Transfer funds, not to exceed \$611,312 [~~\$600,000~~], from the General Fund 0001 Department BMS, Unit 1991, Object 3690, to the Economic Development Tax Agreement Fund 0680 Department ECO, Unit 6696, Revenue Source 9201, for sales tax rebates in accordance with the terms of the sales tax grant agreement pursuant to Chapter 380 of the Texas Local Government Code.

(8) Transfer funds, not to exceed \$627,812, from City of Dallas Regional Center Fund 0067, Department ECO, Unit P682, Object 3090, to General Fund 0001, Department ECO, Unit (Various), Object 5011, in support of economic development activities.

(9) Transfer funds, not to exceed \$200,000, from New Markets Tax Credit Fund 0065, Department ECO, Unit P607, Object 3899, to General Fund 0001, Department ECO, Unit (Various), Object 5011, in support of economic development activities.

(10) Transfer funds, not to exceed \$100,000, from the Clean Energy Program Fund 0750, Department ECO, Unit W183, Object 3899 to the General Fund 0001, Department ECO, Unit (Various), Object 5011 to reimburse the General Fund for costs incurred in administering the Dallas PACE Program.

(11) As part of the restructuring of the Office of Economic Development, authorize any and all actions necessary to effect the following changes on funding and/or City Council resolutions authorized by City Council or via Administrative Action through 09/30/2021: a) Reallocate the remaining balance of the Cares Act Relief Funds – Community Development Block Grant (CDBG) Workforce Development, as referenced in CR 20-1845, in Fund: CCV3, Unit: 991F, from Dept: ECO to Dept: MGT (Small Business Center); b) Reallocate the remaining balance of the 2017 Bond Program – Proposition (I), as referenced in CR 19-0803, in Fund: 1V52, Unit: VI09, from Dept: ECO to Dept: MGT (Small Business Center); c) Reassign the remaining balance of the contract and City Council approved funding related to workforce readiness placement and retention program, as referenced in CR 19-0433, and subsequent amendment authorized by City Council CR#: 21-1374 to contract/encumbrance ECO-2019-00009251 in the Public Private Partnership Fund, Fund: 0352, Unit: W178, from Dept: ECO to Fund: 0438, Unit: W805, Dept: MGT (Small Business Center); d) Reassign the remaining balance of the contract and City Council approved funding related to CR 14-0965 (Adaptive-Reuse) in the Public Private Partnership Fund, Fund: 0352, Unit: P886, and also the remaining balance of the contract related to CR 15-1236 (Adaptive-Reuse) in the Public Private Partnership Fund, Fund: 0352, Unit: W142, from Dept: ECO to Fund: 0438, Units W807 and W806,

Dept: MGT (Small Business Center); e) also authorize any other Reassignment(s) and/or Reallocation(s) and/or transfers of Office of Economic Development funding and/or contracts and/or encumbrances that had been authorized by City Council or via Administrative Action through 09/30/2021 that may be part of any program moving into the new Office of Management Services-Small Business Center.

(12) Transfer and administer gifts and bequests to the city in accordance with the terms and conditions accompanying the gifts or bequests and, for this purpose, the appropriation of donated amounts is hereby made.

(13) Transfer funds, not to exceed \$1,000,000 from the General Fund 0001, Department BSD, Unit 3040, Object 3690, to the Capital Construction Fund 0671, Department BSD, Unit W680, Revenue Source 9236, for the purpose of maintenance and repair of city facilities.

(14) Transfer funds, not to exceed \$2,000,000 from the General Fund 0001, Department TRN, Unit 1579, Object 3637, to the Bike Lane Fund 0791, Department TRN, Unit W660, Revenue Source 9236, for the purpose of citywide bike lanes.

(15) Transfer residual cash balances from one grant fund to another within the same fund category, provided that the total appropriation for each fund is not exceeded by this action.

(16) Decrease appropriation of any fund described in Section 1 to reduce expenditures within the fund when, in the judgment of the city manager, actual or probable receipts are less than the amount estimated and appropriated for expenditures.”

SECTION 4. That Section 9 of Ordinance No. 32000 is amended by adding capital funds to fund appropriations for fiscal year 2021-22 to read as follows:

“SECTION 9. (a) That the following amounts are hereby appropriated from the funds indicated for projects listed in the FY 2021-22 capital budget:

CAPITAL FUNDS

PROPOSED
2021-22

<u>From the 01 Southport Business Park Fund (1998 GO Bonds) (0P52)</u>	<u>606</u>
From the 2021 AVI Commercial Paper Fund (0795)	27,500,000
From the 2022 Certificate of Obligation Fund (0793)	55,000,000
From the 2022 Master Lease-Equipment Fund (ML22)	20,000,000
From the Aviation Capital Construction Fund (0131)	500,000
From the Aviation Passenger Facility Charge Near Term Projects Fund (A477)	37,780,302
From the Capital Construction Fund for City and Cultural Facilities (0671)	9,667,669
<u>From the Capital Projects Reimbursement Fund (0556)</u>	<u>*1,750,000</u>
From the Cedars Tax Increment Financing District Fund (0033)	2,547,948
From the City Center Tax Increment Financing District Fund (0035)	8,025,620
<u>From the City Facilities and Improvement Fund (1998 GO Bonds) (1P60)</u>	<u>9,551</u>
<u>From the City Facilities Improvement Fund (1998 GO Bonds) (0P60)</u>	<u>7,782</u>
<u>From the City Facilities Repair Improvement Fund (1998 GO Bonds) (9P60)</u>	<u>1</u>

From the City Hall, City Service and Maintenance Facilities Fund (2006 GO Bonds) (1T60)	122,926
From the City Hall, City Service and Maintenance Facilities Fund (2006 GO Bonds) (2T60)	315,476
From the City Hall, City Service and Maintenance Facilities Fund (2006 GO Bonds) (4T60)	295,660
From the City Hall, City Service and Maintenance Facilities Fund (2006 GO Bonds) (7T60)	103,048
From the City Hall, City Service and Maintenance Facilities Fund (2006 GO Bonds) (9T60)	19,132
From the Convention Center Capital Construction Fund (0082)	17,000,000
From the Court Facilities Fund (2006 GO Bonds) (8T30)	65,753
From the Court Facilities Fund (2006 GO Bonds) (BT30)	132,250
From the Cultural Affairs Fund (2017 GO Bonds) (1V49)	131,484
<u>From the Cultural Arts 04-05</u> <u>Fund (2003 GO Bonds) (4R49)</u>	<u>128,401</u>
From the Cultural Arts Facilities Fund (2006 GO Bonds) (4T49)	67,086
From the Cultural Arts Facilities Fund (2006 GO Bonds) (6T49)	123,214
From the Cultural Arts Facilities Fund (2006 GO Bonds) (BT49)	74,377
<u>From the Cultural Arts</u> <u>Fund (2003 GO Bonds) (3R49)</u>	<u>1</u>

From the Cypress Waters Tax Increment Financing District Fund (0066)	6,530,678
From the Davis Garden Tax Increment Financing District Fund (0060)	2,043,639
From the Deep Ellum Tax Increment Financing District Fund (0056)	6,289,665
From the Design District Tax Increment Financing District Fund (0050)	6,196,903
From the Downtown Connection Tax Increment Financing District Fund (0044)	28,333,574
<u>From the Economic and Business Development Fund (2003 GO Bonds) (5R52)</u>	<u>44,988</u>
<u>From the Economic and Business Development Fund (2003 GO Bonds) (6R52)</u>	<u>1,649</u>
<u>From the Economic Development 4-05 Fund (2003 GO Bonds) (4R52)</u>	<u>537</u>
<u>From the Economic Development Fund (1998 GO Bonds) (8P52)</u>	<u>42,172</u>
<u>From the Economic Development Fund (1998 GO Bonds) (9P52)</u>	<u>372</u>
From the Economic Development Fund (2017 GO Bonds) (1V52)	9,657,745
From the Equipment Notes, Series 2021 Fund (0772)	<u>30,500,000</u> [28,000,000]
From the Facilities Fund (2017 GO Bonds) (1V60)	2,703,750

<u>From the Fair Park Facilities Improvement Fund (1985 GO Bonds) (0D02)</u>	<u>6,406</u>
From the Fair Park Improvement Fund (2017 GO Bonds) (1V02)	7,034,549
From the Farmers Market Tax Increment Financing District Fund (0036)	3,674,363
From the Flood Control Fund (2017 GO Bonds) (1V23)	<u>12,058,956</u> [13,061,956]
From the Fort Worth Avenue Tax Increment Financing District Fund (0058)	5,291,624
From the General Capital Reserve Fund (0625)	3,000,000
From the Grand Park South Tax Increment Financing District Fund (0054)	313,426
From the Homeless Assistance Fund (2017 GO Bonds) (1V43)	<u>3,992,185</u> [2,989,185]
<u>From the Land Acquisition 04-05 Fund (2003 GO Bonds) (4R10)</u>	<u>3,742</u>
<u>From the Land Acquisition Fund (2003 GO Bonds) (3R10)</u>	<u>8,871</u>
From the Library Facilities Fund (2006 GO Bonds) (2T42)	72,849
From the Library Facilities Fund (2006 GO Bonds) (6T42)	79,680
From the Library Facilities Fund (2006 GO Bonds) (7T42)	151,965
From the Library Facilities Fund (2006 GO Bonds) (8T42)	153,783

From the Library Facilities Fund (2006 GO Bonds) (BT42)	166,519
<u>From the Library Services Facilities Improvement Fund (1998 GO Bonds) (0P42)</u>	<u>1,748</u>
<u>From the Library Services Improvement Fund (1998 GO Bonds) (1P42)</u>	<u>18,296</u>
From the Mall Area Redevelopment Tax Increment Financing District Fund (0049)	810,657
From the Maple/Mockingbird Tax Increment Financing District Fund (0064)	4,696,372
From the Oak Cliff Gateway Tax Increment Financing District Fund (0034)	5,780,543
From the Park and Recreation Facilities Fund (2006 GO Bonds) (1T00)	1,264
From the Park and Recreation Facilities Fund (2006 GO Bonds) (2T00)	8,068
From the Park and Recreation Facilities Fund (2006 GO Bonds) (3T00)	2,132
From the Park and Recreation Facilities Fund (2006 GO Bonds) (4T00)	11,572
From the Park and Recreation Facilities Fund (2006 GO Bonds) (6T00)	15
From the Park and Recreation Facilities Fund (2006 GO Bonds) (7T00)	1,007
From the Park and Recreation Facilities Fund (2006 GO Bonds) (8T00)	61,240

From the Park and Recreation Facilities Fund (2006 GO Bonds) (9T00)	128,963
From the Park and Recreation Facilities Fund (2006 GO Bonds) (BT00)	106,139
From the Park and Recreation Facilities Fund (2017 GO Bonds) (1V00)	27,366,933
From the Public Safety Facilities Fund (2006 GO Bonds) (1T33)	6,428
From the Public Safety Facilities Fund (2006 GO Bonds) (2T33)	136,940
From the Public Safety Facilities Fund (2006 GO Bonds) (3T33)	35,759
From the Public Safety Facilities Fund (2006 GO Bonds) (6T33)	139,765
From the Public Safety Facilities Fund (2006 GO Bonds) (7T33)	278,510
From the Public Safety Facilities Fund (2006 GO Bonds) (8T33)	351,314
From the Public Safety Facilities Fund (2017 GO Bonds) (1V33)	2,160,198
From the Public/Private Partnership Fund (0352)	8,500,000
From the Sanitation Capital Improvement Fund (0593)	4,000,000
<u>From the SBC-Multiyear Fund Fund (0438)</u>	<u>250,000</u>
From the Skillman Corridor Tax Increment Financing District Fund (0052)	7,454,567

From the Southwestern Medical Tax Increment Financing District Fund (0046)	1,080,004
From the Sports Arena Tax Increment Financing District Fund (0038)	14,327,817
From the Storm Drainage Management Capital Construction Fund (0063)	<u>**22,181,133</u> [13,027,437]
From the Street and Alley Improvement Fund (0715)	23,036,102
From the Street and Transportation Fund (2017 GO Bonds) (1V22)	112,894,200
<u>From the Street System Improvements Fund (1985 GO Bonds) Fund (0522)</u>	<u>4,562</u>
From the Transit Oriented Development Tax Increment Financing District Fund (0062)	3,531,739
<u>From the Transportation Special Projects Fund (0761)</u>	<u>***1,057,000</u>
From the University Tax Increment Financing District Fund (0051)	1,661,262
From the Vickery Meadow Tax Increment Financing District Fund (0048)	3,070,274
From the Wastewater (Clean Water) - TWDB 2021 Fund (1192)	22,000,000
From the Wastewater Construction Fund (0103)	21,300,000
From the Wastewater Capital Improvement Series F Fund (4116)	83,000,000

From the Wastewater Capital Improvement Series G Fund (5116)	38,750,000
From the Water (Drinking Water) - TWDB 2021 Fund (1193)	44,000,000
From the Water and Wastewater Public Art Fund (0121)	50,000
From the Water Capital Improvement Series F Fund (4115)	38,000,000
From the Water Capital Improvement Series G Fund (5115)	45,000,000
From the Water Construction Fund (0102)	<u>64,485,685</u> [31,450,000]

*An increase of \$1,750,000 was previously approved by Resolution No.22-0129 on January 12, 2022.

**An increase of \$3,370,896 was previously approved by Resolution No. 21-1769 on October 27, 2021.

***An increase of \$3,282,800 was previously approved by Resolution No. 22-0409 on February 23, 2022.

***An increase of \$50,000 was previously approved by Resolution No. 22-0237 on January 26, 2022.

***An increase of \$315,000 was previously approved by Resolution No. 22-0450 on March 9, 2022.

***An increase of \$120,000 was previously approved by Resolution No. 22-0452 on March 9, 2022.

***An increase of \$572,000 was previously approved by Resolution No. 22-0456 on March 9, 2022.

CAPITAL FUNDS TOTAL

911,461,085 [863,435,019]

(b) That in order to reimburse and finance certain 2017 General Obligation (GO) bond funds capital project expenditures authorized in section (a) (Street & Transportation Improvements 1V22, Park and Recreation Facilities 1V00, Fair Park 1V02, Flood Control 1V23, Library 1V42, Cultural Facilities 1V49, Public Safety 1V33, City Facilities 1V60, Economic Development 1V52, and Homeless Assistance 1V43), the City intends to issue one or more commercial paper notes as part of the General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse disbursements incurred.

(c) That in order to reimburse and finance the lease/purchase acquisition of equipment authorized in section (a) (2022 Master Lease-Equipment ML22), the City intends to execute, acknowledge and deliver a Schedule A (as defined in the Master Equipment Lease/Purchase Agreement) pertaining to such equipment including all attachments, financing statements and schedules thereto.

(d) That the following amounts are hereby appropriated from the funds indicated for payment of the FY 2021-22 Debt Service Budget:

<u>DEBT SERVICE FUNDS</u>	<u>PROPOSED</u> <u>2021-22</u>
From the General Obligation Debt Service Fund (0981)	348,776,403
DEBT SERVICE FUNDS TOTAL	348,776,403

(e) That these appropriations and all previous appropriated funds for these projects remain in force until each project is completed or terminated.

(f) That the appropriations listed in Subsections (a) and (b) may be increased by the city council upon the recommendation of the city manager.”

SECTION 5. That Section 12 of Ordinance No. 32000 is amended by adding capital funds to fund appropriations for fiscal year 2021-22 to read as follows:

“SECTION 12. That the city manager is hereby authorized, upon written notice to the city controller, to make the following adjustments:

(1) Transfer funds, not to exceed \$2,520,000, to the General Fund 0001, in the amounts of \$125,000 from the Cedars Tax Increment Financing District Fund 0033; \$200,000 from the Oak Cliff Gateway Tax Increment Financing District Fund 0034; \$200,000 from the City Center Tax Increment Financing District Fund 0035; \$145,000 from the Farmers Market Tax Increment

Financing District Fund 0036; \$185,000 from the Sports Arena Tax Increment Financing District Fund 0038; \$225,000 from the Downtown Connection Tax Increment Financing District Fund 0044; \$100,000 from the Southwestern Medical Tax Increment Financing District Fund 0046; \$125,000 from the Vickery Meadow Tax Increment Financing District Fund 0048; \$100,000 from the Mall Area Tax Increment Financing District Fund 0049; \$115,000 from the Design District Tax Increment Financing District Fund 0050; \$100,000 from the University Tax Increment Financing District Fund 0051; \$110,000 from the Skillman Corridor Tax Increment Financing District Fund 0052; \$125,000 from the Grand Park South Tax Increment Financing District Fund 0054; \$125,000 from the Deep Ellum Tax Increment Financing District Fund 0056; \$110,000 from the Fort Worth Avenue Tax Increment Financing District Fund 0058; \$135,000 from the Davis Garden Tax Increment Financing District Fund 0060; \$125,000 from the Transit-Oriented Development Tax Increment Financing District Fund 0062; \$100,000 from the Maple/Mockingbird Tax Increment Financing District Fund 0064; and \$70,000 from the Cypress Waters Tax Increment Financing District Fund 0066, for reimbursement of tax increment financing administration costs.

(2) Transfer funds, not to exceed \$85,835,685 [~~\$52,800,000~~], from the Water Utilities Operating Fund 0100, in the amounts of \$64,485,685 [~~\$31,450,000~~] to the Water Construction Fund 0102; \$21,300,000 to the Wastewater Construction Fund 0103; and \$50,000 to the Water and Wastewater Public Art Fund 0121, for projects listed in the FY 2021-22 Capital Budget.

(3) Transfer funds, not to exceed \$28,991,133 [~~\$13,027,437~~], from the Storm Drainage Management Operating Fund 0061 to the Storm Drainage Management Capital Construction Fund 0063, for projects listed in the FY 2021-22 Capital Budget.

(4) Transfer funds, not to exceed \$4,990,131 [~~\$3,433,149~~], from the Sanitation Enterprise Fund 0440 to the General Obligation Debt Service Fund 0981, for payment of the 2003 General

Obligation Bonds for flood protection and storm drainage facilities for the McCommas Bluff Landfill and payment of 2020 Equipment Notes, 2021 Equipment Notes, and 2022 Equipment Notes.

(5) Transfer funds, not to exceed \$3,000,000, from the General Capital Reserve Fund 0625 to the Capital Construction Fund 0671 for the purpose of maintenance and repair of city facilities.

(6) Transfer funds, not to exceed \$667,669, from the Convention Center Operating Fund 0080 to the Capital Construction Fund 0671 for the purpose of major maintenance and repair of cultural facilities.

(7) Transfer funds, not to exceed \$8,327,637, from the Water Utilities Operating Fund 0100 to the Street and Alley Improvement Fund 0715, for the purpose of funding citywide street and alley improvement projects.

(8) Transfer funds, not to exceed \$3,435,882, from the Sanitation Enterprise Fund 0440 to the Street and Alley Improvement Fund 0715, for the purpose of funding citywide street and alley improvement projects.

(9) Transfer funds, not to exceed \$8,500,000, from the General Fund 0001 to the Street and Alley Improvement Fund 0715, for the purpose of funding citywide street and alley improvement projects.

(10) Transfer funds, not to exceed \$2,772,583, from the Stormwater Operations Fund 0061 to the Street and Alley Improvement Fund 0715, for the purpose of funding sidewalks and neighborhood infrastructure.

(11) Transfer funds, not to exceed \$10,355,355, from the Convention Center Operating Fund 0080 to the Convention Center Capital Construction Fund 0082, for projects listed in the FY 2021-22 Capital Budget.

(12) Transfer funds, not to exceed \$10,615,955, from the Sanitation Services Fund 0440 to the Sanitation Capital Improvement Fund 0593, for capital improvements and equipment.

(13) Transfer funds, not to exceed \$39,200,283, to the General Obligation Debt Service Fund 0981, from any general government, internal service, or enterprise fund incurring civilian payroll costs based on the pro-rata allocation of the actual civilian payroll costs incurred during fiscal year 2021-22, for payment of debt service on the Pension Obligation Bonds Series 600 and 601.

(14) Transfer funds, not to exceed \$250,000, from the Public Private Partnership Fund 0352 to the SBC-Multiyear Fund 0438, to support economic initiatives of the city.

(15) Transfer funds, not to exceed \$79,744, from the Storm Drainage Management Operating Fund 0061 to the General Obligation Debt Service Fund 0981, for payment of 2022 Equipment Notes.

(16) Transfer funds, not to exceed \$5,000,000, from the Sports Arena Lease Fund 0A71 to the Capital Construction Fund 0671, for the purpose of major maintenance and repair of cultural facilities.

(17) Transfer funds, not to exceed \$1,733,200 to the Debt Service Fund 0981, in the amount not to exceed \$93,000 from 06 Arts Theater Fund 6R07; \$4,000 from Cultural Arts Fund 3R49; \$190,000 from Cultural Arts 04-05 Fund 4R49; \$200 from Central Exprwy-Land Acqui-1990 Fund 0HLC; \$25,000 from City Facilities Repairs & Imp Fund 0N60; \$75,000 from City Fac Imp Fund 0P60; \$202,000 from City Facilities And Imp Fund 1P60; \$133,000 from City Services-Facility Fund 3R60; \$31,000 from City Facilities Repair Imp Fund 9P60; \$32,000 from 01 Southport Business Park Fund 0P52; \$29,000 from Economic Development 4-05 Fund 4R52; \$170,000 from Economic and Business Development Fund 5R52; \$88,000 from Economic and Business Development Fund 6R52; \$319,000 from Economic Development Fund 8P52; \$20,000

from Economic Development Fund 9P52; \$6,000 from Fair Park Facilities Impro Fund 0D02; \$5,000 from Homeless Facilities 04-05 Fund 4R43; \$69,000 from Homeless Assistance Facilities Fund 6S43; \$9,000 from Land Acquisition Fund 3R10; \$4,000 from Land Acquisition 04-05 Fund 4R10; \$2,000 from Library Services Fac Imp Fund 0P42; \$102,000 from Library Services Imp Fund 1P42; \$7,000 from Police Headqtrs Fac Imp Fund 0P44; \$9,000 from Police Headquarters Fac Fund 8P44; \$19,000 from Street System Improvements Fund 0E22; and \$90,000 from Street System Improvements Fund 0522 to close-out inactive general obligation bond funds.

(18) Upon written notice to the city controller, to transfer expenses, appropriations, or both between funds in the 1985 General Obligation Bond Program series of funds, the 1995 General Obligation Bond Program series of funds, the 1998 General Obligation Bond Program series of funds, the 2003 General Obligation Bond Program series of funds, and the 2005 General Obligation Bond Program series of funds, and to transfer residual cash amounts to the General Obligation Debt Service Fund to facilitate the close out of prior bond programs.”

SECTION 6. That it is the intent of the city council, by passage of this ordinance, to appropriate funds for the city departments and activities. No office or position is created by the appropriations.

SECTION 7. That Ordinance No. 32000 will remain in full force and effect, save and except as amended by this ordinance.

SECTION 8. That this ordinance will take effect immediately from its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By _____
Assistant City Attorney

Passed _____

DRAFT



Agenda Information Sheet

File #: 22-432

Item #: G.

STRATEGIC PRIORITY: Government Performance & Financial Management

AGENDA DATE: May 11, 2022

COUNCIL DISTRICT(S): All

DEPARTMENT: Office of Procurement Services

EXECUTIVE: Elizabeth Reich

SUBJECT

Authorize a two-year cooperative purchasing agreement for **(1)** citywide hazardous and non-hazardous waste disposal services with Green Planet, Inc. through an interlocal agreement with Dallas/Fort Worth International Airport in an estimated amount of \$2,430,000.00; and **(2)** citywide bio-hazardous decontamination and spill clean-up services with Cleaning Guys, LLC dba CG Environmental through an interlocal agreement with the Texas Department of Transportation in an estimated amount of \$1,927,380.72 - Total estimated amount of \$4,357,380.72 - Financing: General Fund (\$3,521,059.77), Equipment and Fleet Management Fund (\$442,634.35), Dallas Water Utilities Fund (\$197,895.53), Capitol Construction Fund (\$97,895.53), Airport Fund (\$48,947.77), and Sanitation Operation Fund (\$48,947.77)

BACKGROUND

This action does not encumber funds; the purpose of a cooperative purchasing agreement is to establish firm pricing for services, for a specific term, which are ordered on an as needed basis according to annual budgetary appropriations. The estimated amount is intended as guidance rather than a cap on spending under the agreement, so that actual need combined with the amount budgeted will determine the amount spent under this agreement.

This cooperative purchasing agreement will provide for citywide disposal of confiscated, biologically hazardous, environmentally hazardous and non-hazardous materials and bio-hazardous decontamination and spill clean-up service. Hazardous and non-hazardous materials disposed through this contract include but are not limited to:

- Blood
- Body fluids
- Corrosive/flammable materials
- Liquor, beer, and wine
- Ammunition and fireworks
- Automobile and equipment solid batteries

Disposal services also include the collection and disposing of used and spilled cleaning materials, paints and pesticides to avoid City employee exposure to such materials and to ensure compliance with the Environmental Management Program. These products need to be disposed in accordance with specifications for toxic hazardous substances separately from the City's regular solid waste pickup and materials recycling. Bio-hazardous decontamination and spill clean-up service contract provides the City with decontamination services for incidents involving hazardous substance spills and areas of the City affected by homeless encampments.

The Dallas/Fort Worth International Airport and the Texas Department of Transportation interlocal agreements are cooperative agreements are authorized by Chapter 791 of the Texas Government Code and Subchapter F, Chapter 271, Texas Local Government Code. Section 271.102 of the Texas Local Government Code which authorizes a local government to participate in a Cooperative Purchasing Program with another local government or a local cooperative organization.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 26, 2019, City Council authorized a two-year service price agreement for citywide hazardous and non-hazardous waste disposal services with Green Planet, Inc. through an interlocal agreement with Dallas/Fort Worth International Airport; and citywide bio-hazardous decontamination and spill clean-up services with The Cleaning Guys, LLC dba CG Environmental through an interlocal agreement with the Texas Department of Transportation by Resolution No. 19-1017.

FISCAL INFORMATION

Fund	FY 2022	FY 2023	Future Years
General Fund	\$1,543,875.89	\$1,727,280.43	\$249,903.45
Equipment and Fleet Management Fund	\$221,317.18	\$221,317.17	
Dallas Water Utilities Fund	\$40,000.00	\$78,947.77	\$78,947.76
Capitol Construction Fund	\$32,631.84	\$32,631.84	\$32,631.85
Airport Fund	\$24,473.89	\$24,473.88	
Sanitation Operation Fund	\$24,473.89	\$24,473.88	
Total	\$1,886,772.69	\$2,109,124.97	\$361,483.06

M/WBE INFORMATION

In accordance with the City's Business Inclusion and Development Policy adopted on September 23, 2020, by Resolution No. 20-1430, as amended, the M/WBE participation on this contract is as follows:

Contract Amount	Procurement Category	M/WBE Goal	M/WBE %	M/WBE \$
\$4,357,380.72	Other Services	N/A	57.77%	\$2,430,000.00
<ul style="list-style-type: none"> • The Business Inclusion and Development Policy does not apply to Other Service contracts, however the prime contractor is a certified M/WBE. • Green Planet, Inc. - Non-local; Workforce - 5.00% Local • Cleaning Guys, LLC dba CG Environmental - Non-local; Workforce - 0.00% Local 				

PROCUREMENT INFORMATION

Method of Evaluation for Award Type:

Interlocal Agreement/Intergovernmental Agreement	<ul style="list-style-type: none"> • Interlocal agreements/intergovernmental agreements allow the City to take advantage of competitively bid contracts by a State agency or local government and enable the City to purchase goods or services at lower prices • Interlocal agreements/intergovernmental agreements are an alternative method of meeting the requirements for competitive bidding or competitive sealed proposals, not an exception from that requirement
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OWNERS

Green Planet, Inc.
 6371 Highway 276 West
 Royse City, TX 75189

Virginia Belmore, President
 Hassan Aicha, Vice President

Cleaning Guys, LLC dba CG Environmental
 5255 Teague Road
 Fort Worth, TX 76140

Erick McCallum, President
 William Haan, Vice President

May 11, 2022

WHEREAS, on June 26, 2019 City Council authorized a two-year service price agreement for citywide hazardous and non-hazardous waste disposal services with Green Planet, Inc. through an interlocal agreement with Dallas/Fort Worth International Airport in an estimated amount of \$1,744,066.15; and citywide bio-hazardous decontamination and spill clean-up services with The Cleaning Guys, LLC dba CG Environmental through an interlocal agreement with the Texas Department of Transportation in an estimated amount of \$1,486,388.88, in a total estimated amount of \$3,230,455.03, by Resolution No. 19-1017.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute a cooperative purchasing agreement for **(1)** citywide hazardous and non-hazardous waste disposal services with Green Planet, Inc. (357112) through an interlocal agreement with Dallas/Fort Worth International Airport in an estimated amount of \$2,430,000; and **(2)** citywide bio-hazardous decontamination and spill clean-up services with Cleaning Guys, LLC dba CG Environmental (VS0000055324) through an interlocal agreement with the Texas Department of Transportation in an estimated amount of \$1,927,380.72, approved as to form by the City Attorney, for a term of two years, in the total estimated amount of \$4,357,380.72. The amount payable pursuant to this cooperative purchasing agreement may exceed the estimated amount, but may not exceed the amount of budgetary appropriations for this cooperative purchasing agreement during its term. Payments made to Green Planet, Inc. and Cleaning Guys, LLC dba CG Environmental shall be based only on the amount of the services directed to be performed by the City and properly performed by Green Planet, Inc. and Cleaning Guys, LLC dba CG Environmental under the cooperative purchasing agreement. The City Manager is further authorized, in the City Manager's sole discretion, to exercise an option to extend the agreement for six months by filing a notice of extension with the City Secretary's Office.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an estimated amount of at least \$4,357,380.72, but not more than the amount of budgetary appropriations for this cooperative purchasing agreement during its term to Green Planet, Inc. and Cleaning Guys, LLC dba CG Environmental from Cooperative Purchasing Agreement Contract No. POM-2022-00018122.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.