

MINUTES OF THE CITY COUNCIL COMMITTEE  
THURSDAY, JANUARY 12, 2023

23-0016

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

PRESENT: [6] Blackmon, Ridley, \*West, Arnold (\*\*1:25 p.m.), \*Resendez, Schultz

ABSENT: [1] Bazaldua

The meeting was called to order at 1:02 p.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 3:01 p.m.

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Chair

ATTEST:

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City Secretary Staff

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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  
THURSDAY, JANUARY 12, 2023

EXHIBIT A

**RECEIVED**

2023 JAN -6 PM 2: 55

CITY SECRETARY  
DALLAS, TEXAS

**City of Dallas**

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

*Public Notice*

2 3 0 0 2 8

POSTED CITY SECRETARY  
DALLAS, TX



**Environment and Sustainability Committee**

January 12, 2023

1:00 PM

**SPECIAL CALLED MEETING**

**REVISED**

(For General Information and Rules of Courtesy, Please See Opposite Side.)

(La Información General Y Reglas De Cortesía Que Deben Observarse

Durante Las Asambleas Del Consejo Municipal Aparecen En El Lado Opuesto, Favor De Leerlas.)

## 2022 CITY COUNCIL APPOINTMENTS

COUNCIL COMMITTEE	
<b>ECONOMIC DEVELOPMENT</b> Atkins (C), Arnold (VC), McGough, Narvaez, Resendez, West, Willis	<b>ENVIRONMENT AND SUSTAINABILITY</b> Blackmon(C), Ridley (VC), Arnold, Bazaldua, Resendez, Schultz, West
<b>GOVERNMENT PERFORMANCE AND FINANCIAL MANAGEMENT</b> Mendelsohn (C), Willis (VC), Atkins, Bazaldua, McGough, Ridley, West	<b>HOUSING AND HOMELESSNESS SOLUTIONS</b> Thomas (C), Moreno (VC), Arnold, Blackmon, Mendelsohn, Ridley, Schultz
<b>PUBLIC SAFETY</b> McGough (C), Mendelsohn (VC), Atkins, Moreno, Resendez, Thomas, Willis	<b>QUALITY OF LIFE, ARTS, AND CULTURE</b> Bazaldua (C), West (VC), Arnold, Blackmon, Narvaez, Ridley, Thomas
<b>TRANSPORTATION AND INFRASTRUCTURE</b> Narvaez (C), Atkins (VC), Bazaldua, Mendelsohn, Moreno, Schultz, Willis	<b>WORKFORCE, EDUCATION, AND EQUITY</b> Schultz (C), Thomas (VC), Blackmon, McGough, Moreno, Narvaez, Resendez
<b>AD HOC JUDICIAL NOMINATING COMMITTEE</b> Resendez (C), Arnold, Bazaldua, Ridley, Thomas, West, Willis	<b>AD HOC LEGISLATIVE AFFAIRS</b> Atkins (C), McGough, Mendelsohn, Narvaez, Willis
<b>AD HOC COMMITTEE ON PROFESSIONAL SPORTS RECRUITMENT AND RETENTION</b> Johnson (C), Atkins, Bazaldua, Blackmon, Thomas	<b>AD HOC COMMITTEE ON GENERAL INVESTIGATING &amp; ETHICS</b> Mendelsohn (C), Atkins, Blackmon, McGough, Schultz
<b>AD HOC COMMITTEE ON ADMINISTRATIVE AFFAIRS</b> Willis (C), McGough, Moreno, Schultz, West	

(C) – Chair, (VC) – Vice Chair

Note: A quorum of the Dallas City Council may attend this Council Committee meeting.



## **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

## **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."*

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.

The City Council Environment 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 Channels 16 (English) and 95 (Spanish) and at [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv) and [bit.ly/cityofdallastv](http://bit.ly/cityofdallastv).

### Call to Order

### MINUTES

1. [23-186](#) Approval of the December 5, 2022 Committee Minutes

**Attachments:** [Minutes](#)

### BRIEFING ITEMS

- A. [23-187](#) Building Code Updates & Net-Zero Carbon Policy Recommendations  
[Susan Alvarez, Assistant Director, Office of Environmental Quality & Sustainability; David Session, Assistant Building Official, Development Services Department]

**Attachments:** [Presentation](#)

- B. [23-229](#) Sanitation Collections Update  
[Jerome Council, Director, Sanitation Services; Cliff Gillespie, Assistant Director, Sanitation Services]

**Attachments:** [Presentation](#)

- C. [23-188](#) Environmental Commission Update  
[Kathryn Bazan, Chair, Environmental Commission]

**Attachments:** [Commission Recommendations](#)

### BRIEFING MEMOS

- D. [23-189](#) Gas-Powered Landscape Equipment Policy Follow-Up  
[Carlos Evans, Director, Office of Environmental Quality & Sustainability; Susan Alvarez, Assistant Director, Office of Environmental Quality & Sustainability]

**Attachments:** [Memorandum](#)

- E. [23-190](#) Texas Legislative Report: Environmental Agenda  
[Carlos Evans, Director, Office of Environmental Quality & Sustainability]

**Attachments:** [Memorandum](#)

- F. [23-191](#) Comprehensive Urban Agriculture Plan Draft Update  
[Susan Alvarez, Assistant Director, Office of Environmental Quality & Sustainability]

**Attachments:** [Memorandum](#)

### **UPCOMING AGENDA ITEMS**

- G. [23-235](#) Authorize a five-year service price agreement for industrial, commercial, and institutional water assessments for the Office of Environmental Quality and Sustainability - Alan Plummer and Associates, Inc. dba Plummer Associates, Inc., only bidder - Estimated amount of \$971,220 - Financing: General Fund (subject to annual appropriations)

### **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  
THURSDAY, JANUARY 12, 2023

EXHIBIT B

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

JANUARY 12, 2023

Item 1: Approval of the December 5, 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; Bazaldua absent)



OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

JANUARY 12, 2023

BRIEFING ITEMS

Item A: Building Code Updates & Net-Zero Carbon Policy Recommendations

The following individuals briefed the committee on the item:

- Carlos Evans, Director, Office of Environmental Quality & Sustainability;
- Susan Alvarez, Assistant Director, Office of Environmental Quality & Sustainability; and
- David Session, Assistant Building Official, Development Services Department

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

JANUARY 12, 2023

BRIEFINGS ITEMS

Item B: Sanitation Collections Update

The following individuals briefed the committee on the item:

- Jerome Council, Director, Sanitation Services;
- Cliff Gillespie, Assistant Director, Sanitation Services; and
- Donzell Gipson, Director, Fleet Management

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

JANUARY 12, 2023

BRIEFING ITEMS

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

JANUARY 12, 2023

BRIEFING MEMOS

Item D: Gas-powered Landscape Equipment Policy Follow-Up

Item E: Texas Legislative Report: Environmental Agenda

Item F: Comprehensive Urban Agriculture Plan Draft Update

The committee discussed the items.

OFFICIAL ACTION OF THE CITY COUNCIL COMMITTEE

JANUARY 12, 2023

UPCOMING AGENDA ITEMS

Item G: Authorize a five-year service price agreement for industrial, commercial, and institutional water assessments for the Office of Environmental Quality and Sustainability - Alan Plummer and Associates, Inc. dba Plummer Associates, Inc., only bidder - Estimated amount of \$971,220 - Financing: General Fund (subject to annual appropriations)

The committee discussed the item.

MINUTES OF THE CITY COUNCIL COMMITTEE  
THURSDAY, JANUARY 12, 2023

EXHIBIT C



**City of Dallas**

# **Building Code Updates & Net-Zero Carbon Policy Recommendations**

**Environment & Sustainability  
Committee**

**January 12, 2023**

David Session, Assistant Building Official  
Development Services Department

Susan Alvarez, Assistant Director  
Office of Environmental Quality &  
Sustainability

# Presentation Overview

- Background
- Building Code Update Process
- Recommended Building Code Updates
- Net Zero Carbon Process
- Recommended Net Zero Carbon Policy



*Vickery Park Branch Library achieves LEED Gold Certification & Carbon Neutral Design Designation (November 2, 2022)*

<https://www.usgbc.org/projects/vickery-park-branch-library?view=scorecard>





# Background: Existing “Green Policies”

- Environmental Policy (2005)
- ★ Green Building Policy (2003, 2008, 2012, 2015)
- Complete Streets (2016)
- Update to Tree & Landscape Ordinance (Article X), (2018)
- Green Energy Policy (2019)
- Updates to City Paving/ Drainage Criteria (2019).....
- CECAP (2020)
- Sustainable Procurement (2021)



# Sustainable Procurement Policy



- Council Resolution # 21-0908 adopted May 26, 2021
- *“Comprehensive Sustainable Procurement Policy to guide procurement decisions to positively impact the City's social, economic, and environmental health”*
- Implemented through a Sustainable Procurement Working Group of affected departments, and AD 04-05;
- Sustainable Procurement Working Group charged with:
  - **Maintaining environmentally preferred products lists,**
  - **Identifying sustainability standards** for writing specifications;
  - **Analyzing citywide purchases for efficiency and waste reduction opportunities;** and
  - **Making recommendations** related to the social, economic, and environmental aspects of contracting.





## GOAL 1: DALLAS' ***BUILDINGS*** ARE ENERGY EFFICIENT AND CLIMATE RESILIENT.

### Objectives

- Increase energy efficiency of **existing buildings** or facilities.
- Ensure that **new buildings** are constructed sustainably and are carbon neutral.
- Increase **climate resilience** for new and existing buildings through structural and operational improvements.

### Targets

#### **Net zero energy new construction**

- 100% starting in 2030

#### **Energy use in existing residential buildings**

- 10% of existing buildings reduce energy use 10% by 2030
- 10% of existing buildings reduce energy use 25% by 2030



# US DOE Better Climate Challenge



Part of USDOE Better Buildings Challenge:

Dallas committed in 2022 for **140** Buildings in City Portfolio:

- 50% Scope 1 & 2 GHG reduction emissions within 10 years
- 20% reduction in Energy Intensity
- Fleet transition





# Current Green Building Codes



- Adopted 2008; updated in 2012, 2015
- Chapter 52 Admin procedures for Construction Codes
- Chapter 53, Dallas Building Codes
- Chapter 57 Dallas One- and Two-Family Dwelling Codes (Water Conservation)
- Chapter 61 of the Dallas City Code
- Adopted in 2008; updated in 2012 and 2016
- Generally based on International Green Construction Code of the International Code Council (2012/ 2015)





# Background: Building Code Update Process:

Update to International Construction Codes  
(every 3 years) [2018 through 2020]

Update to Texas State Building Codes  
(every 3 years) [*Same as ICC, Published  
December 2020*]

Update to NCTCOG Regional Construction Codes  
through Regional Codes Coordinating  
Committee  
*[January 2021 through July 2021]*

Draft Update to Dallas Construction Codes  
*[Staff Process, August 2021 through September  
2022]*

Public Process, October 2022 through March  
2023, Pending adoption – April 10, 2023

Coordination with Building  
Inspection Advisory, Examining  
and Appeals Board

Community Meetings/ Public  
Hearings  
October 1- November 5, 2022

Draft Variance(s) from  
Statewide Code- Notification &  
Concurrence Letters



# Recent Updates (in effect as of June 13, 2022):



**CHAPTER 53:** 2015 International Building Code with Dallas Amendments Code Update: Ordinance Number 32198

**CHAPTER 56:** 2020 National Electrical Code with Dallas Amendments

**CHAPTER 57:** 2015 International Residential Code with Dallas Amendments Code Update: Ordinance Number 32200


**CHAPTER 58:** 2021 International Existing Building Code with Dallas Amendments

**CHAPTER 62:** 2021 International Swimming Pool and Spa Code with Dallas Amendments



# Planned Updates:

- **CHAPTER 54:** 2021 International Plumbing Code with Dallas Amendments
- **CHAPTER 55:** 2021 International Mechanical Code with Dallas Amendments
- **Chapter 59:** 2021 Proposed Revisions to the 2021 International Energy Conservation Code with Dallas Energy Conservation Code Amendments
- **CHAPTER 60:** 2021 International Fuel Gas Code with Dallas Amendments Code Update

City of Dallas		Schedule for Proposed Revisions to the 2021 Dallas Code Amendment	
<b>OCT 1</b>	Draft Amendments to 2021 International Codes shared to BSD website for public review		
<b>OCT 25</b>	Deadline for public comments on Draft Amendments due		
<b>OCT 29</b>	Public comments on Draft Amendments posted		
<b>NOV 5</b>	Deadline for rebuttal comments and visual presentations due		
<b>NOV 7</b>	Rebuttal comments on Draft Amendments posted		
<b>NOV 18</b>	Final draft ordinances and memos posted		
<b>DEC 13</b>	Tentative date of Building Inspection Advisory, Examining, and Appeals Board meeting		
<b>FEB 27</b>	Tentative date of City Council Committee Meeting		
<b>MAR 8</b>	City Council adoption date		





# Significant Updates



- Wiring to allow Solar Photovoltaics: IRC Section R334.
- Wiring to allow EV Charging/charging readiness: IRC and IBC.
- Energy Efficiency: 2021 Edition, Energy Code



# Significant Updates



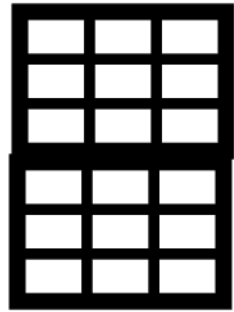
- IRC Appendix AW allows for 3-D Printed Buildings.
- IBC Section 307.1.1 to allow local brewing with simple compliance with fire code – no hazardous classification.
- IBC Section 903.2.10, Sprinklers required in all commercial parking garages exceeding specified conditions.
- Accessibility not required at certain Electrical Vehicle Charging stations associated with Group R-2, R-3, and R-4 occupancies.
- Intermodal Shipping Containers recognized as structural units.
- Replacements of exterior wall cladding beyond certain limits (area and stories) must comply with current code
- Recognition of need to lockdown Educational occupancies subject to Egress requirements.



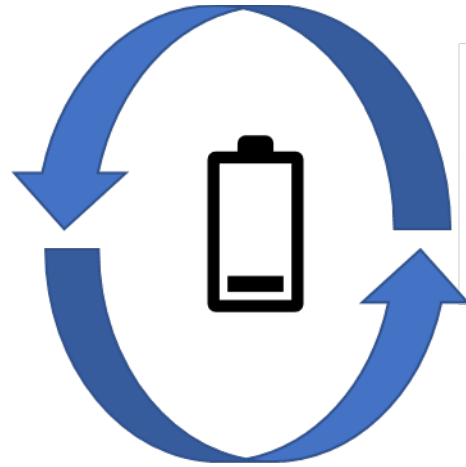
# THE FIVE FOUNDATIONS OF ZERO CARBON BUILDING POLICIES



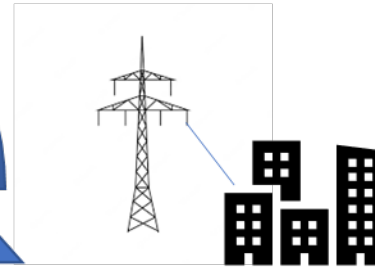
ENERGY  
EFFICIENCY



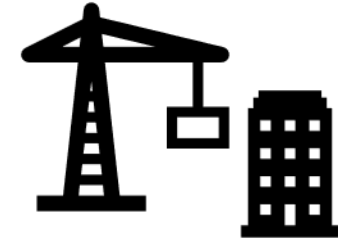
RENEWABLE  
ENERGY



GRID INTEGRATION +  
STORAGE



BUILDING  
ELECTRIFICATION



EMBODIED  
CARBON



=

NET ZERO  
CARBON  
BUILDING  
POLICY

ADAPTED FROM NEW BUILDINGS INSTITUTE, 2020



# Background – Net Zero Carbon Pathway



- **May 25, 2021:** OEQS invited to meet Office of Bond Construction to discuss sustainable building specifications relative to CECAP net-zero goals.
- **August 4, 2021:** OEQS invited to meet with Kay Bailey Hutchison Convention Center Design Team to discuss sustainable building specifications relative to CECAP net-zero goals.
- **January 14, 2022:** OEQS provided Green Building Code Update briefing to the Environmental Commission
- **February 7, 2022:** OEQS briefed ENVS Committee on Green Building Code Options;
- **April 12, 2022:** OEQS engaged the American Institute of Architects (AIA) – Committee on the Environment (COTE) to advise on considerations for the City to consider in updating Bond Program specifications to support CECAP Net Zero Emissions goals
- **July 7, 2022:** AIA-COTE provided several recommendations for the City to consider (in Appendix).
- **November 4, 2022:** Briefing Memo provided to Environmental Commission outlining recommended strategies for implementation.



# Net Zero Design Opportunities Moving Forward



- LEED Net Zero (2020)
- International Green Building Construction Code (2021)
- Building Industry Design Challenges:
  - AIA Architecture 2030 Challenge (2006)
  - Structural Engineers 2040 Challenge (2020)
  - Mechanical-Electrical-Plumbing 2040 Challenge (2021)
- Institute of Living Building Initiatives (2020)
- WELL Building / Fitwel (2020) focused on indoor health
- Building Decarbonization Code(NBI/ US DOE – National Renewable Energy Laboratory) (2021)





# US Cities with Net Zero Carbon Codes:

- **Boston, MS**: Established a **Building Emissions Performance Standard** for New Construction/ performance standards for existing large buildings (worked with City's Green Ribbon Commission to develop); **set Low Carbon Building Emission Targets, minimum renewable energy generation standards, and requires incorporating passive design standards** (Construction cost premium to meet new standard predicted to be less than 1%) <https://www.bostonplans.org/planning/planning-initiatives/zero-net-carbon-building-zoning-initiative>
- **New York, NY**: Adopted **carbon neutral road map** for all new residential construction and substantial re-development, including commercial and educational facilities. Plan updates every 2 to 3 years. <https://www.nyserda.ny.gov/all-programs/carbon-neutral-buildings>
- **Portland, OR**: Uses City of Portland Sustainable Procurement Policy to influence purchases related to building construction. <https://www.portlandoregon.gov/brfs/article/695574>
- **Austin, TX**: in process, but not yet adopted.



# AIA COTE Recommendations for Consideration:



1. **ZONING AND LAND USE** policies are a key instrument for embodied carbon reduction. This policy requires all construction for areas within a certain zoning designation to meet embodied carbon requirements, and constraints zoning in a way to ensure that it will be achieved.
2. **BUILDING REGULATIONS/ORDINANCES** exert influence over all private and public construction, making these policies effective carbon reduction instruments
3. **PUBLIC PROCUREMENT** policies uses sustainable procurement policy to set fixed maximum carbon limits for key construction materials, including concrete, steel, bricks, glass, gypsum board and insulation, and requiring all projects completed with city funding to use products meeting those carbon limits.
4. **WASTE AND CIRCULARITY** policies leverage a city's power to regulate permits and therefore attach requirements on waste handling to different types of projects to ensure that building elements and materials can be recovered via deconstruction and reused, not just recycled.
5. **FINANCIAL** policies govern taxation, fees and incentives such as using an Increased Property Tax for Unoccupied Properties. This policy will only work in cities where speculative investment or other conditions keep many properties unoccupied, by setting a direct and strong link to reducing embodied carbon by limiting unnecessary construction.
6. **MUNICIPAL** building policies specifically target municipal buildings, which typically account for a small percentage of total citywide building stock including using embodied carbon as a design contract selection criteria.
7. **INFRASTRUCTURE** development typically covers a significant portion of all city construction, and infrastructure projects use vast amounts of basic materials. In addition to covering built assets, this category also covers green areas such as parks. This recommendation includes setting specific carbon targets to be set for this type of construction as well.



# Existing “Green” Building Policy

- “Certifiable” under LEED Programs, Green-Built Texas or an equivalent Green Building standard
- Energy efficiency per ASHRAE 189.1-2011/ 2014
- LEED silver or higher certification: expedited review
- Water Conservation measures of Green-built Texas, LEED NC, LEED CS, LEED CI
- Minimum requirements of ICC 700 (2015)
- Indoor Air Quality Testing
- Cool Roof for Commercial <50,000 sf (white, cool, or vegetated)





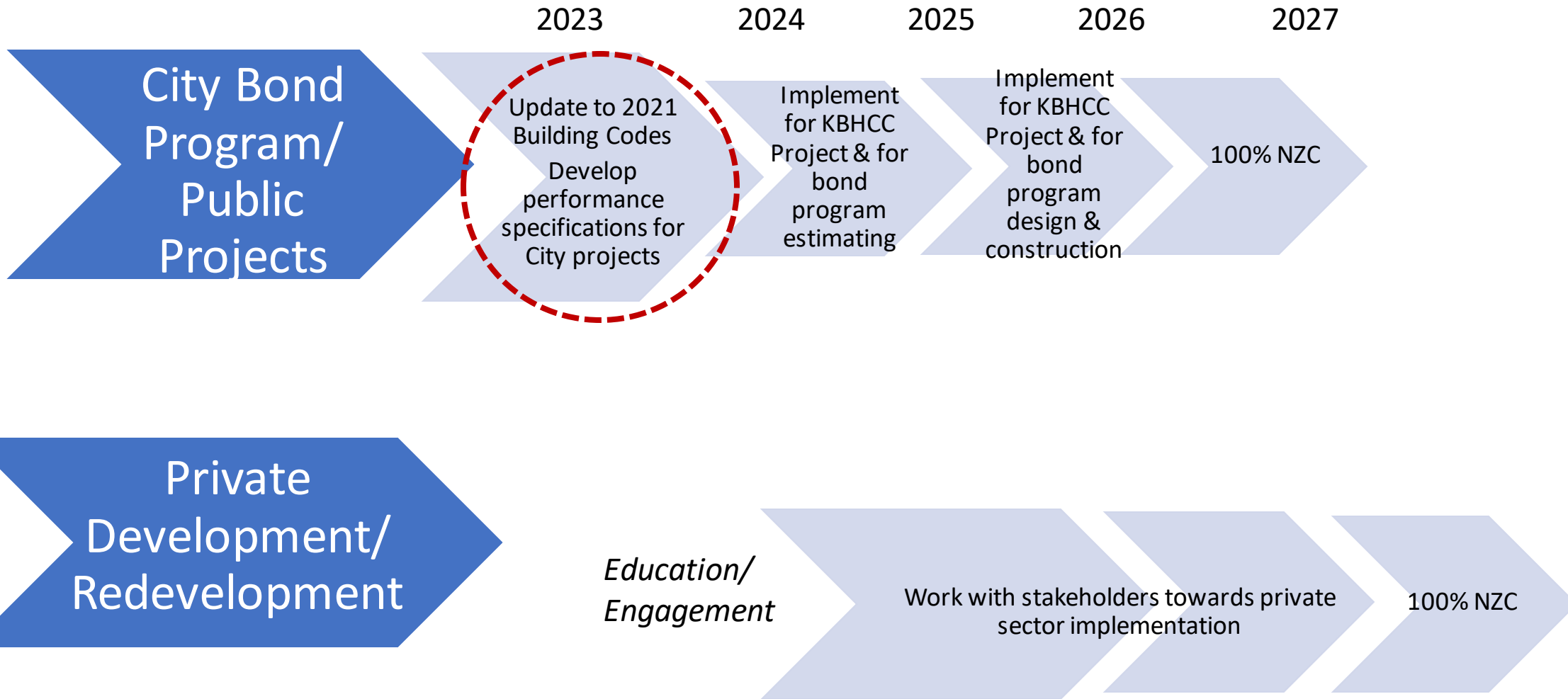
# Recommended Net Zero Carbon Next Steps



- **Implement updates to Dallas Building Code to 2021 International Construction Code** - by Development Services, March, 2023;
- **Develop update to the 2003 Green Building Policy**, (now Green Building Code) to reflect desired Net Zero Carbon result (similar to New York City approach) (April, 2023);
- **Develop performance specs** for Net Zero Carbon-based design to be used in pending, now 2024 Bond Program (similar to recommendations towards implementing Life-Cycle Cost Analyses recommendation from the AIA, and those in use by Boston); (April, 2023 to meet May 2023 technical specification bond program deadline)
- **Developing working group with building industry** (AIA, CBCA, DBA, etc.) to develop specifications for any follow-on update to building code towards CECAP goal of all new construction and substantive redevelopment being Net Zero Carbon by 2030 (April 2027, deadline).



# Net Zero Carbon Implementation Timeline:





Questions?



# APPENDICES



# Working Definitions



- **Net Zero Building**: “an energy-efficient building where the annual delivered energy is less than or equal to the on-site renewable energy exported.”
- Net Zero energy buildings typically combine energy efficiency and renewable energy to result in net zero energy consumption over the course of a year.”
  - U.S. Department of Energy



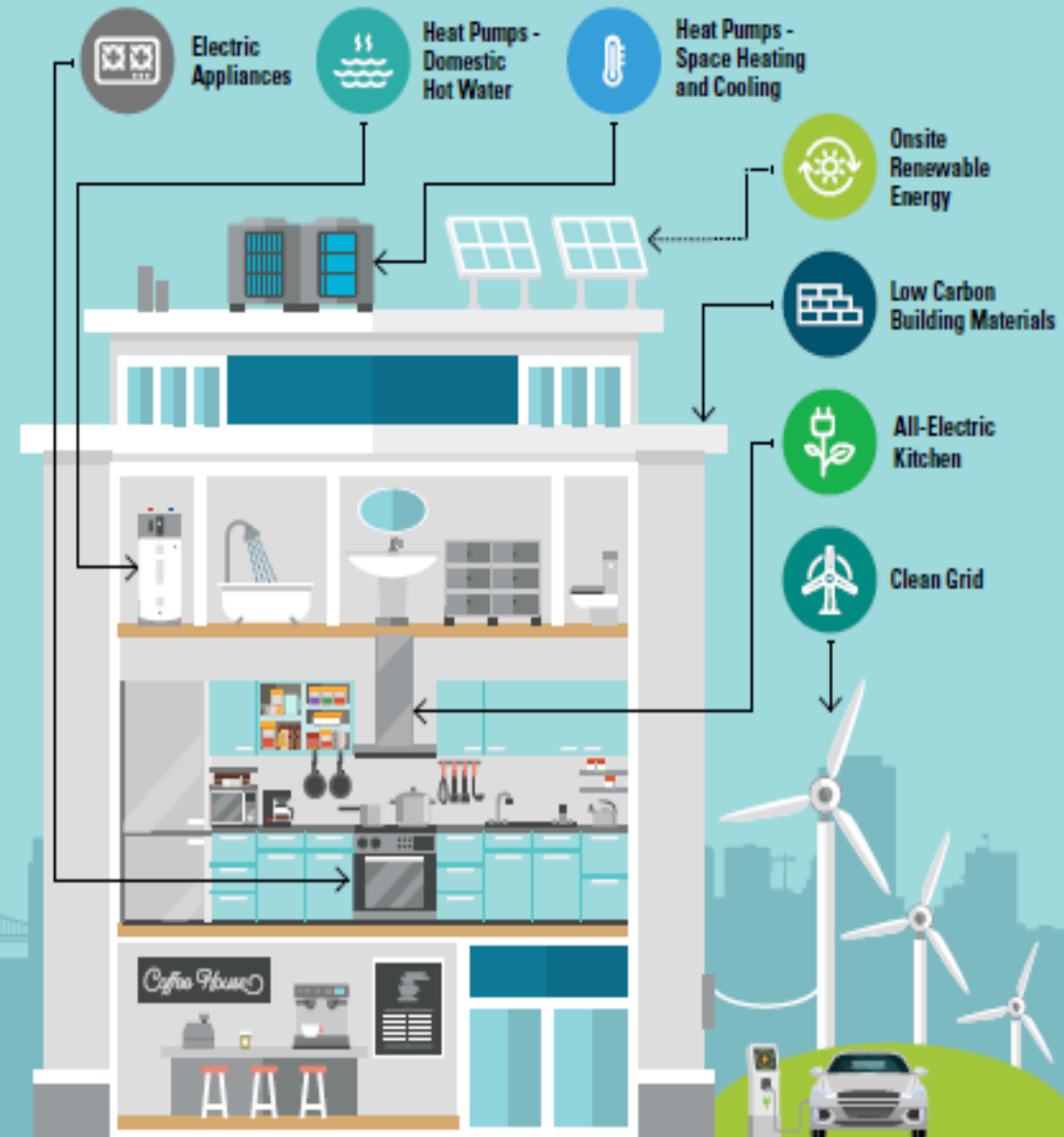


# Working Definitions

- **Zero-Net Carbon:** “A ZNC building is defined as: a highly energy efficient building that produces on-site, or procures, enough carbon-free renewable energy to meet building operations energy consumption annually..”
- “Zero carbon buildings typically assess embodied carbon in building materials in addition to carbon associated with energy consumption over the course of a year.”
  - U.S. Department of Energy

<https://www.collaborativedesign.org/building-decarbonization-practice-guide>

## COMMON ELEMENTS OF LOW CARBON CONSTRUCTION



# LEED Net Zero Programs

- **LEED Zero Carbon** recognizes net zero carbon emissions from energy consumption through carbon emissions avoided or offset over a period of 12 months.
- **LEED Zero Energy** recognizes a source energy use balance of zero over a period of 12 months.
- **LEED Zero Water** recognizes a potable water use balance of zero over a period of 12 months.
- **LEED Zero Waste** recognizes buildings that achieve Green Business Certification Institute's TRUE certification at the Platinum level.



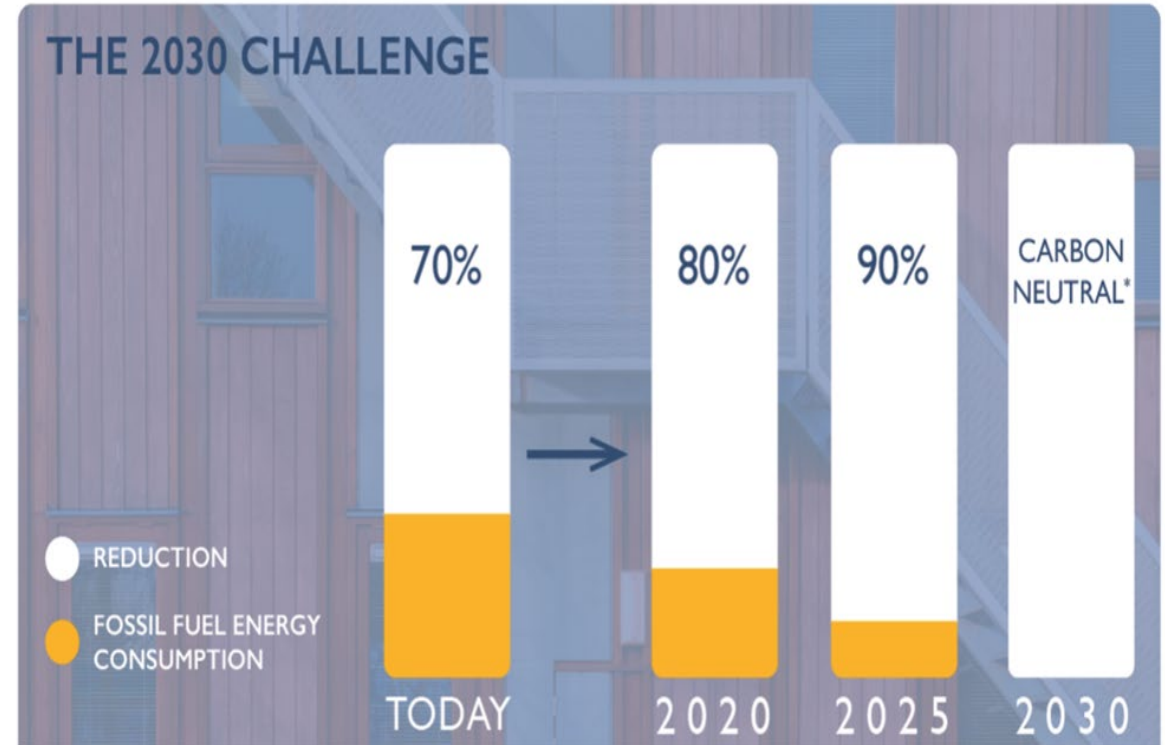
*Bank of America Plaza, Dallas*

# AIA Architecture 2030 Challenge



The American Institute of Architects created the [2030 Commitment Program](#) in 2006, basically challenging architects to holistically respond to the climate crisis. Over 400 A/E/P firms have adopted this Commitment.

- **Establishing an Energy Use Intensity (EUI) baseline and target.**
- **Applying low/no cost passive design strategies** to maximize energy efficiency
- **Integrating energy efficient technologies and systems.**
- **Incorporating on-site and/or off-site renewable energy** to meet the remaining energy demands.
- **Performing iterative energy modeling** throughout the design to assess progress towards meeting the EUI target.



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# REDUCING CARBON

Organized by the  
AIA Dallas Committee on the Environment  
for the  
City of Dallas



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## GLOSSARY

- **Embodied carbon** refers to the total impact of all the greenhouse gases emitted by the supply chain of a construction material, including raw material extraction, transport to the manufacturing plant, the manufacturing process, the transport of finished goods to the construction site, construction site activities and material losses, materials use phase, repair, maintenance and replacement, as well as the end-of-life processing.
- **Operational carbon** refers to the total from all energy sources used to keep our buildings warm, cool, ventilated, lighted and powered. Typical energy sources for this purpose are electricity and natural gas, with occasional contributions from fuel oil, propane and wood.







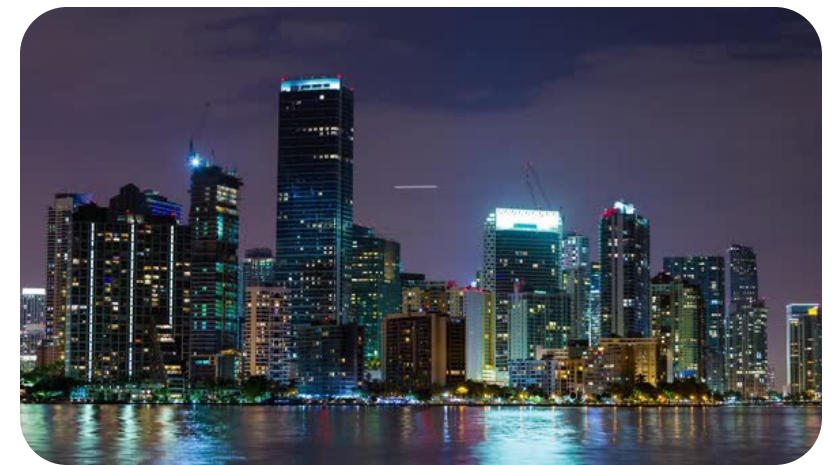
## Embodied Carbon

Manufacturing, transportation and installation



## Operational Carbon

Building energy consumption

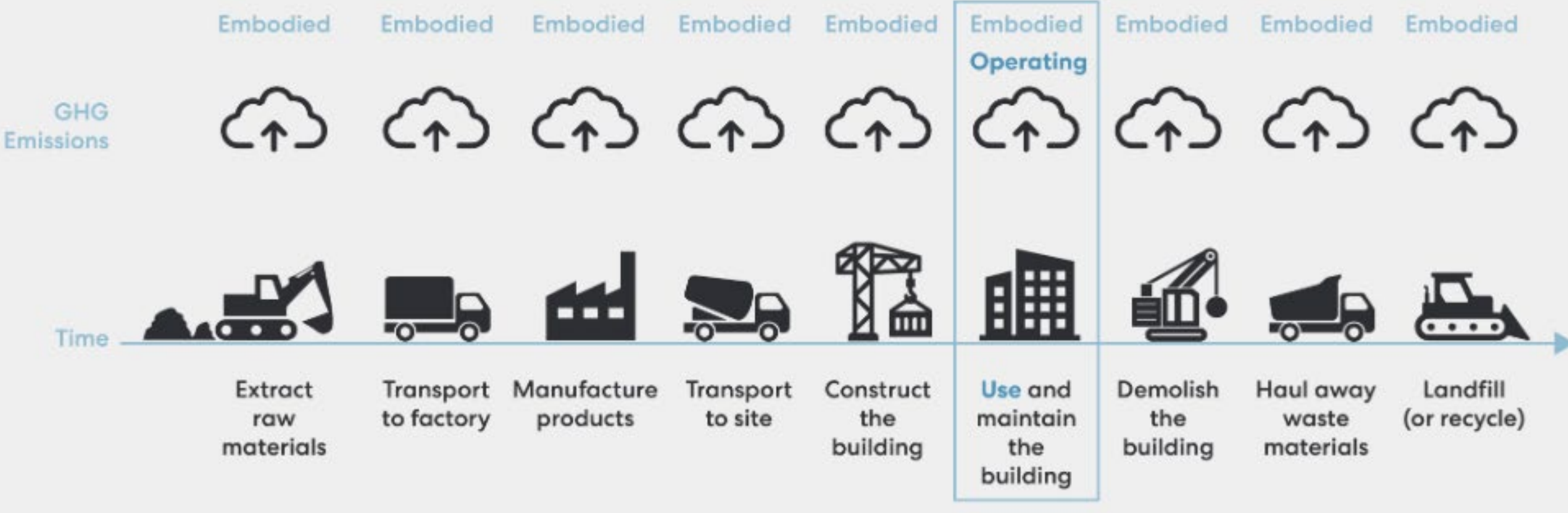




## GLOSSARY

- **Life Cycle Assessment** (or LCA) is a method of assessing the environmental impacts associated to all stages of a product or building's life, from raw material extraction to its processing, manufacture, distribution, use, repair, maintenance, and end of life treatment.
- **Life Cycle Carbon** means the total impacts of all the greenhouses gases emitted for a built asset, including embodied carbon (see above) as well as operational carbon from use of energy and water, over its whole life-cycle from construction through use to end of life.
- **Environmental Product Declaration** (or EPD) is a third-party verified report of Life Cycle Assessment (LCA) results, relating here to a construction product or a material. It uses ISO and often also EN standards. It documents the actual environmental performance of a product.





# LIFE CYCLE ASSESSMENT STAGES



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# Main sources of embodied carbon



The main sources of embodied carbon emissions, in descending order of impact, are:

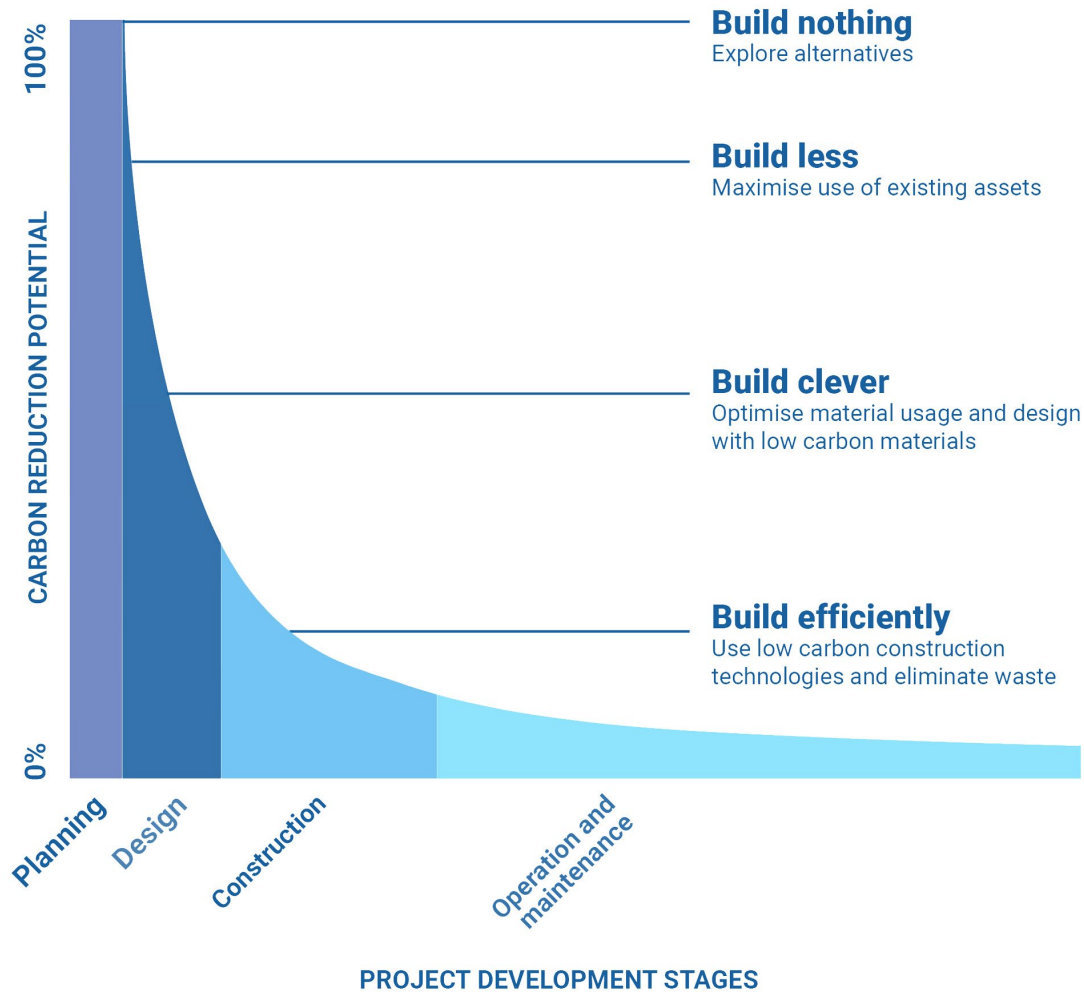
- **Fossil fuel** (e.g. coal, natural gas) **incineration in materials manufacturing**, and the whole life-cycle extraction emissions for those fuels
- **Fossil fuels for supply electricity** or other energy for materials manufacturing, and the whole life-cycle extraction emissions for those fuels
- **Carbon emissions from chemical reactions** in manufacturing of for example cement, aluminum and iron
- **Carbon emissions from fossil fuel combustion in transport** and site machinery, and the whole life-cycle extraction emissions for those fuels
- **Carbon emissions released at the end of life handling of materials**, including incineration of plastic based products or wood transforming to methane at landfill
- **Carbon emissions released from degradation of forestry and release of soil carbon** (often reported separately as land use and land use change emissions)
- **Carbon emissions released via leakages of refrigerants**







## Carbon reduction potential



- **REUSE**

Renovating existing building  
Using recycled materials  
Designing for deconstruction

- **REDUCE**

Material optimization  
Specification of low to zero carbon materials

- **SEQUESTER**

Design of carbon sequestering sites  
Use of carbon sequestering materials

- **RESOURCES**

<https://materialpalette.org/>

# What does net-zero carbon mean? Is it different from carbon neutral?



**NET ZERO** refers to a state in which the greenhouse gases going into the atmosphere are balanced by removal out of the atmosphere. The term net zero is important because—for CO<sub>2</sub> at least—this is the state at which global warming stops.

**CARBON NEUTRAL** means that any CO<sub>2</sub> released into the atmosphere from an activity or project is balanced by an equivalent amount being removed.

**CLIMATE POSITIVE** (also known as net negative) means that an activity's GHG removals exceed its emissions.



# Carbon



**Carbon neutral** not increasing carbon emissions and of achieving carbon reduction through offsets

**Net zero** means making changes to reduce carbon emissions to the lowest amount – and offsetting as a last resort. The offsetting is used to counteract the essential emissions that remain after all available reduction initiatives have been implemented.

**Climate positive** (also known as net negative) means that an activity's GHG removals exceed its emissions.\*

\*The boundaries of the study need to be responsibly defined. There is not industry standard at the moment.

Current State

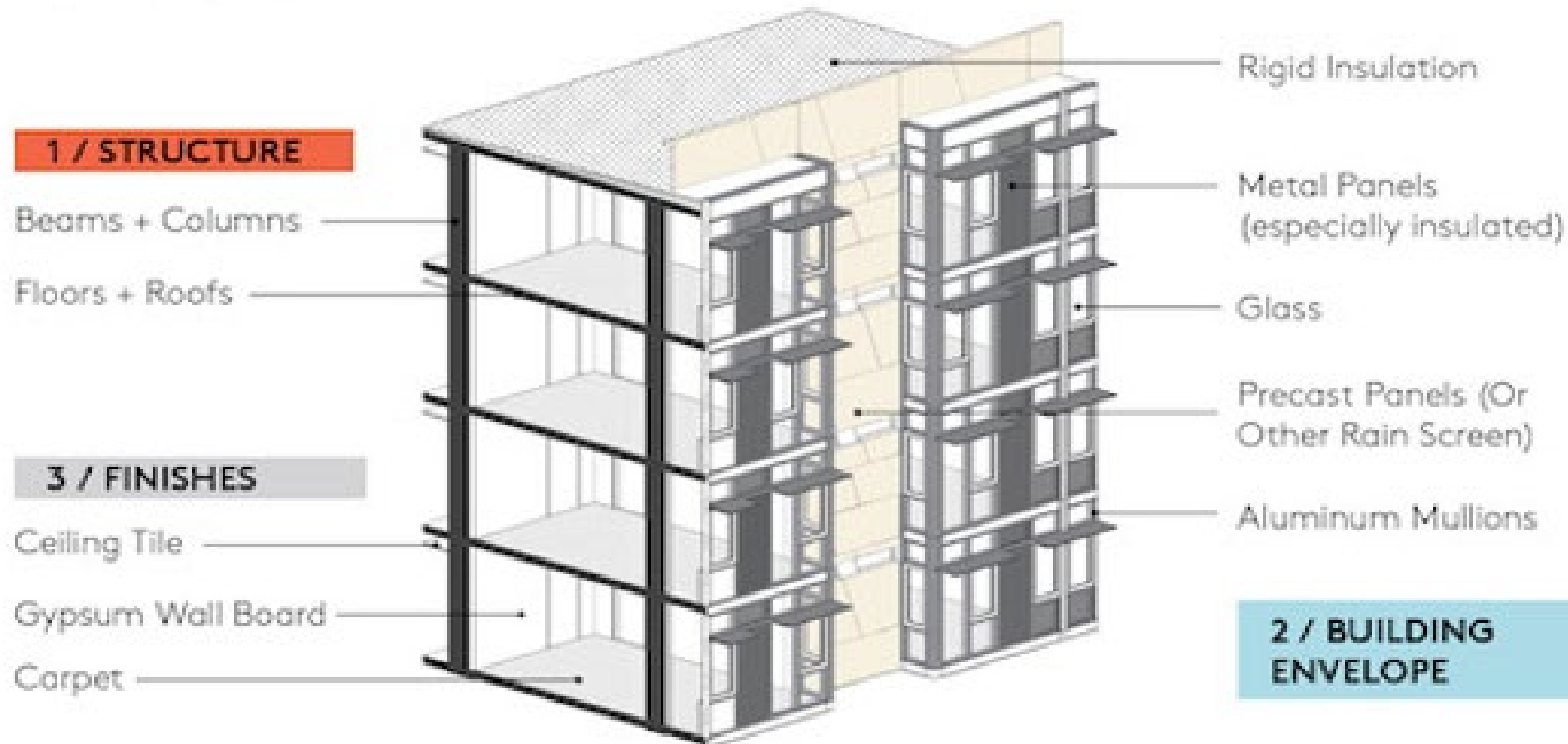
2030

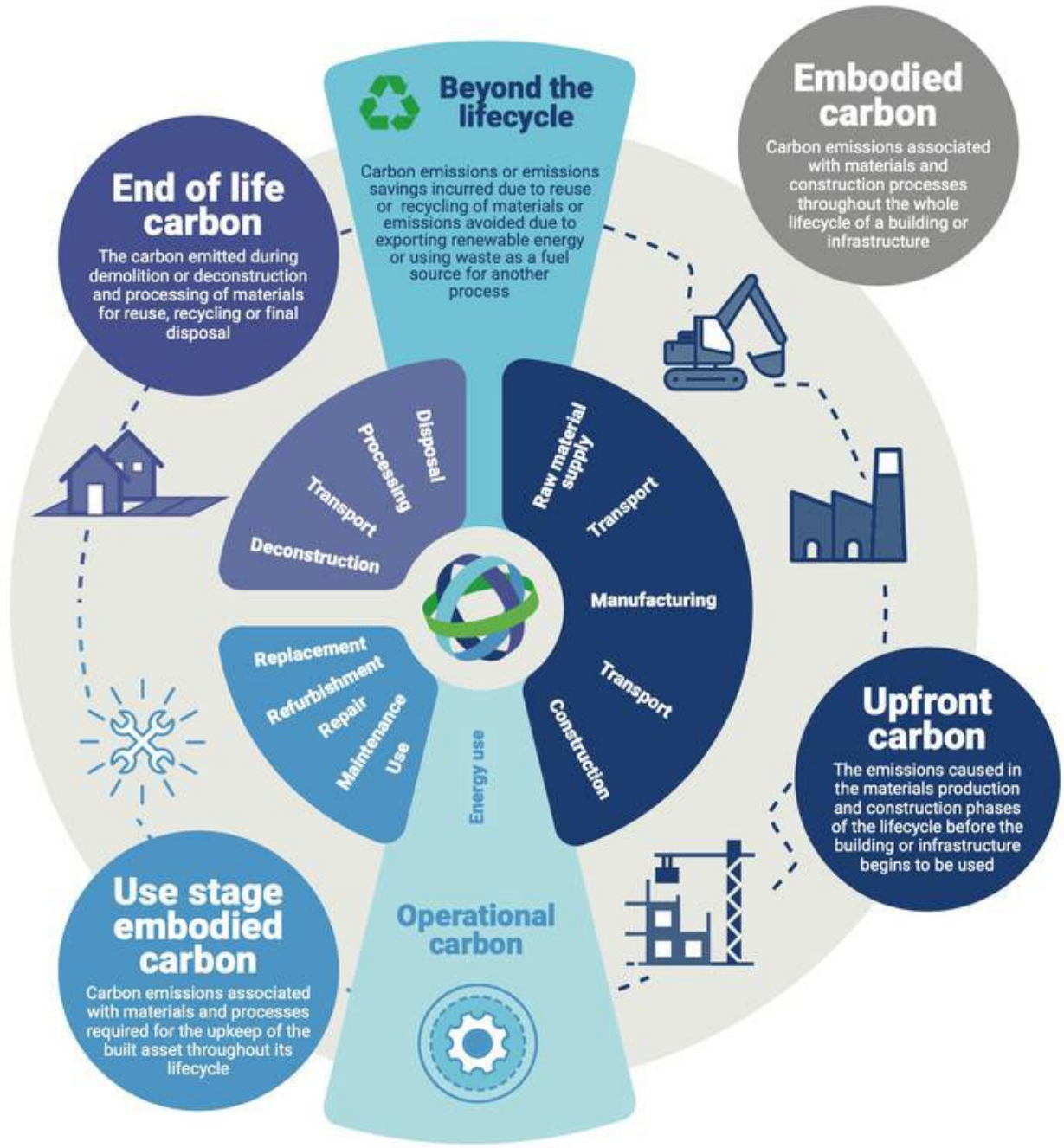
2050

# MATERIAL SELECTION DURING DESIGN



## TYPICAL HOT SPOTS





## Embodied carbon

Carbon emissions associated with materials and construction processes throughout the whole lifecycle of a building or infrastructure

## Upfront carbon

The emissions caused in the materials production and construction phases of the lifecycle before the building or infrastructure begins to be used

## Beyond the lifecycle



Carbon emissions or emissions savings incurred due to reuse or recycling of materials or emissions avoided due to exporting renewable energy or using waste as a fuel source for another process

## End of life carbon

The carbon emitted during demolition or deconstruction and processing of materials for reuse, recycling or final disposal

## Use stage embodied carbon

Carbon emissions associated with materials and processes required for the upkeep of the built asset throughout its lifecycle

## Operational carbon



Energy use

Manufacturing

Construction  
Transport

Raw material supply  
Transport

Deconstruction  
Transport  
Processing  
Disposal

Replacement  
Refurbishment  
Repair  
Maintenance  
Use

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# CITY POLICY FRAMEWORK FOR DRAMATICALLY REDUCING EMBODIED CARBON

- 1. ZONING AND LAND USE** policies are a key instrument for embodied carbon reduction. This report details eight effective policies that can reduce carbon across the entire construction sector, the most impactful of which was determined to be *Embodied Carbon Targets for Zoning Process*. This policy requires all construction with this zoning designation to meet embodied carbon requirements, and constraints zoning in a way to ensure that it will be achieved.
- 2. BUILDING REGULATIONS/ORDINANCES** exert influence over all private and public construction, making these policies effective carbon reduction instruments. This report details nine regulation/ordinance policies, the most impactful of which was determined to be *Life-Cycle Carbon Limits for New Buildings* which defines the maximum carbon impact a new project can have.
- 3. PUBLIC PROCUREMENT** policies allow for leveraging the use of taxpayer money towards embodied carbon reduction. This report details six procurement policies, the most impactful of which was determined to be *Carbon Limits for Building Materials Procurement*. It allows for setting fixed maximum carbon limits for key construction materials, including concrete, steel, bricks, glass, gypsum board and insulation, and requiring all projects completed with city funding to use products meeting those carbon limits. This can also be extended to infrastructure projects.



# CITY POLICY FRAMEWORK FOR DRAMATICALLY REDUCING EMBODIED CARBON



- 4. WASTE AND CIRCULARITY** policies leverage a city's power to regulate permits and therefore attach requirements on waste handling to different types of projects. This report details nine such policies, the most impactful of which was determined to be Design for Disassembly and Adaptability Criteria. This policy ensures that building elements and materials can be recovered via deconstruction and reused, not just recycled.
- 5. FINANCIAL** policies govern taxation, fees and incentives. This report details eight financial policies. One of the most impactful policies in this area was determined to be Increased Property Tax for Unoccupied Properties. This policy will only work in cities where speculative investment or other conditions keep many properties unoccupied, but this example highlights the potential for policies not thought of as embodied carbon policies, but which still have a direct and strong link to reducing embodied carbon by limiting unnecessary construction.





# City Policy Framework for Dramatically Reducing Embodied Carbon

- 6. MUNICIPAL** buildings policies specifically target municipal buildings, which typically account for a small percentage of total citywide building stock. This report details seven such policies. One of the most impactful policies in this area was determined to be *Use Carbon as a Criterion for Design Competitions*. This policy enables choosing competition winners using embodied carbon performance as one of the award criteria, thus making it a competitive element.
- 7. INFRASTRUCTURE** development typically covers a significant portion of all city construction, and infrastructure projects use vast amounts of basic materials. In addition to covering built assets, this category also covers green areas such as parks. This report details five infrastructure development policies. The most impactful infrastructure policy was determined to be *Early Design Carbon Targets for Infrastructure*. As most infrastructure projects are different from each other, they require project specific carbon targets to be set.



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## **C40's Clean Construction Forum**

**C40** is a network of mayors of cities around the world whose mission is to halve the emissions of its member cities within a decade while improving equity and building resilience.

**Clean Construction Forum** helps cities working to achieve zero embodied emissions by focusing on construction materials and machinery.



# EXAMPLE: BOSTON



## ZERO NET CARBON STANDARD FOR NEW CONSTRUCTION

- Establish a Building Emissions Performance Standard for New Construction
- Prioritize Practices:
  - Establish Low Carbon Building Emission Targets – 40% carbon emissions reduction target compared to ASHRAE 90.1 baseline for all building typologies (few exceptions: healthcare 30%, Passive House)
  - On-site Renewable Energy – set minimum generation standards (and determine acceptable procurement) – require designs to maximize south facing opportunities, layout roof to maximize space free of obstructions, define minimum area for solar (exceptions: Historic Building, shade, etc)
  - Embodied Carbon – identify actions and introduce practice standards
- Construction cost premium to meet new standard predicted to be less than 1%

## CARBON EMISSIONS PERFORMANCE STANDARD TO DECARBONIZE EXISTING LARGE BUILDINGS

- 20,000+ square feet or 15+ units
- Compliance Measures: retrofit for efficiency, fuel switch, install or purchase renewable energy

<https://www.bostonplans.org/planning/planning-initiatives/zero-net-carbon-building-zoning-initiative>





# EXAMPLE: NEW YORK CITY



## ZERO NET CARBON STANDARD FOR NEW CONSTRUCTION

## CARBON EMISSIONS PERFORMANCE STANDARD TO DECARBONIZE EXISTING LARGE BUILDINGS

FIGURE 4

### Implementation Timeline





## BUY CLEAN POLICY

Buy Clean is a procurement policy approach that aims to fill a current gap in climate policy by incorporating low-carbon construction purchasing requirements that address the greenhouse gas emissions from construction materials into government purchasing.

Buy Clean policies use a combination of **disclosure**, **incentives**, and **standards** to leverage the significant purchasing power of public agencies to encourage a shift toward lower-carbon options in the broader construction materials market. Buy Clean is an approach that can be applied at the federal, state, or local level and can also be used by private building owners.

<https://carbonleadershipforum.org/download/13545/>

# EXAMPLE: Portland



## City of Portland Sustainable Procurement Policy

<https://www.portlandoregon.gov/brrs/article/695574>

### Sustainable Procurement Guiding Principles

- Everything is Connected
- Conserve – Reuse First
- Think in 3D: environmental, social, economic
- Take a Life Cycle Perspective
- Provide Fair Opportunities
- Ensure Health and Safety
- Uphold Accountability
- Support Innovation
- Full Integration – Planning, Purchasing, contract Management Practices
- Lead the Way – Seek continuous improvement





## RECOMMENDATIONS FOR CITY OF DALLAS

Ask Project Teams who are designing a new building or the renovation of an existing building to evaluate Embodied Carbon using one of two methods.

- **Whole Building Life Cycle Assessment**

This requires the Design and Construction Team to complete a Life Cycle Assessment (LCA) for the whole building, report the findings and then show a reduction of 10% compared to a base building of similar scope, size and orientation. LCA software and tools can be used to evaluate the project design.

- **Itemized Assessment**

In lieu of LCA, the Design and Construction Team would need to provide an itemized review of the primary materials used and their embodied carbon, then show optimization of the construction materials used on the project to achieve a reduction in embodied carbon. A form might be developed to standardize this review and document the reduction using EPDs.

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# RESOURCES



- **City Policy Framework for Dramatically Reducing Embodied Carbon** - 52 detailed policies to reduce embodied carbon.  
[https://www.embodiedcarbonpolicies.com/files/ugd/837f9c\\_dcdabb38b9a24573aec04f875ba00e39.pdf](https://www.embodiedcarbonpolicies.com/files/ugd/837f9c_dcdabb38b9a24573aec04f875ba00e39.pdf)
- **CARE Tool (Carbon Avoided Retrofit Estimator)** - is used for calculating the embodied, operating, and avoided carbon impacts and benefits of reusing existing buildings, compared to replacing them  
<https://architecture2030.org/caretool/>
- **The Zero Tool** - an Architecture 2030 project, was developed for building sector professionals to establish energy reduction baselines and targets, compare a building's energy performance with similar buildings and to codes, and understand how a building achieved its current energy performance  
<https://zerotool.org/>
- **The Zero Code** - provides code-adaptable language defining the energy efficiency and renewable energy requirements (on-site generation and/or off-site procurement) for zero carbon new buildings  
<http://www.zero-code.org/ZERO%20CODE/>







**City of Dallas**

# **Building Code Updates & Net-Zero Carbon Policy Recommendations**

**Environment & Sustainability  
Committee**

**January 12, 2023**

David Session, Assistant Building Official  
Development Services Department

Susan Alvarez, Assistant Director  
Office of Environmental Quality &  
Sustainability



**City of Dallas**

# **Sanitation Collections Update**

**Environment and Sustainability  
Committee  
January 12, 2023**

Jay Council, Director  
Clifton Gillespie, Assistant Director  
Department of Sanitation Services  
City of Dallas

# Background/History



- Sanitation operates the City's municipal solid waste collection and disposal utility
  - Directly serves approximately 250,000 single-family residential homes, and some small businesses and small multi-family properties
  - Regulatory oversight of private haulers which provide service to commercial entities, institutions, and multi-family properties
- Weekly recycle and garbage collections
  - 156 routes daily (~100,000 collection points daily)
  - 210 heavy equipment assets for this service (Spare ratio: ~30%)
- Monthly brush and bulky item collections
  - ~60,000 collection points weekly
  - 157 heavy equipment assets for this service (Spare ratio: 38%)
- Operation of McCommas Bluff Landfill and 3 transfer stations





# Re-Route & Service Day Change



- Recycle and garbage collection re-route and service day change implemented on December 5, 2022
  - Last major re-route ~10 years ago
  - Change from 4-day to 5-day service week
  - Reduced daily collection points by ~20,000
  - Reduced scheduled workday from 10-12 hours to 8-9 hours
  - Stabilizes equipment usage, less operational hours per day, earlier turn-in when maintenance required
- Public awareness campaign began in mid-October
  - Customers notified via multiple mediums in English and Spanish, in print and electronically



# Re-Route & Service Day Change



- Re-route development began in November 2021
- RouteSmart Technologies engaged to configure new routes with criteria provided by Sanitation
- Dallas presents a unique routing challenge given the sporadic split between curbside-alleyway service in many areas
  - Street conditions and point-of-service locations dictate appropriate equipment for routes
  - Many collection routes are not configured to be most efficient for time and resources, rather they are configured to work for the reality of Dallas's unique alley-curb dichotomy, resulting in many noncontiguous routes
- Route planning substantially completed in July 2022, then underwent review and final adjustments by Sanitation district managers and supervisors until go-live in December



# Re-Route & Service Day Change



- Increase in missed collections since December
  - Some areas were overlooked back-to-back weeks
    - Driver unfamiliarity with new routes, tucked away streets, alley/curb setout locations
    - Account issues resulting in some locations not on route maps
  - Extreme cold weather and Christmas and New Year's holidays impacted temporary staffing turnout December 22-24
    - Available staffing resources prioritized for on-time garbage collection
    - Some recycle routes were not completed the week of December 26-30
  - Higher than normal equipment availability issues



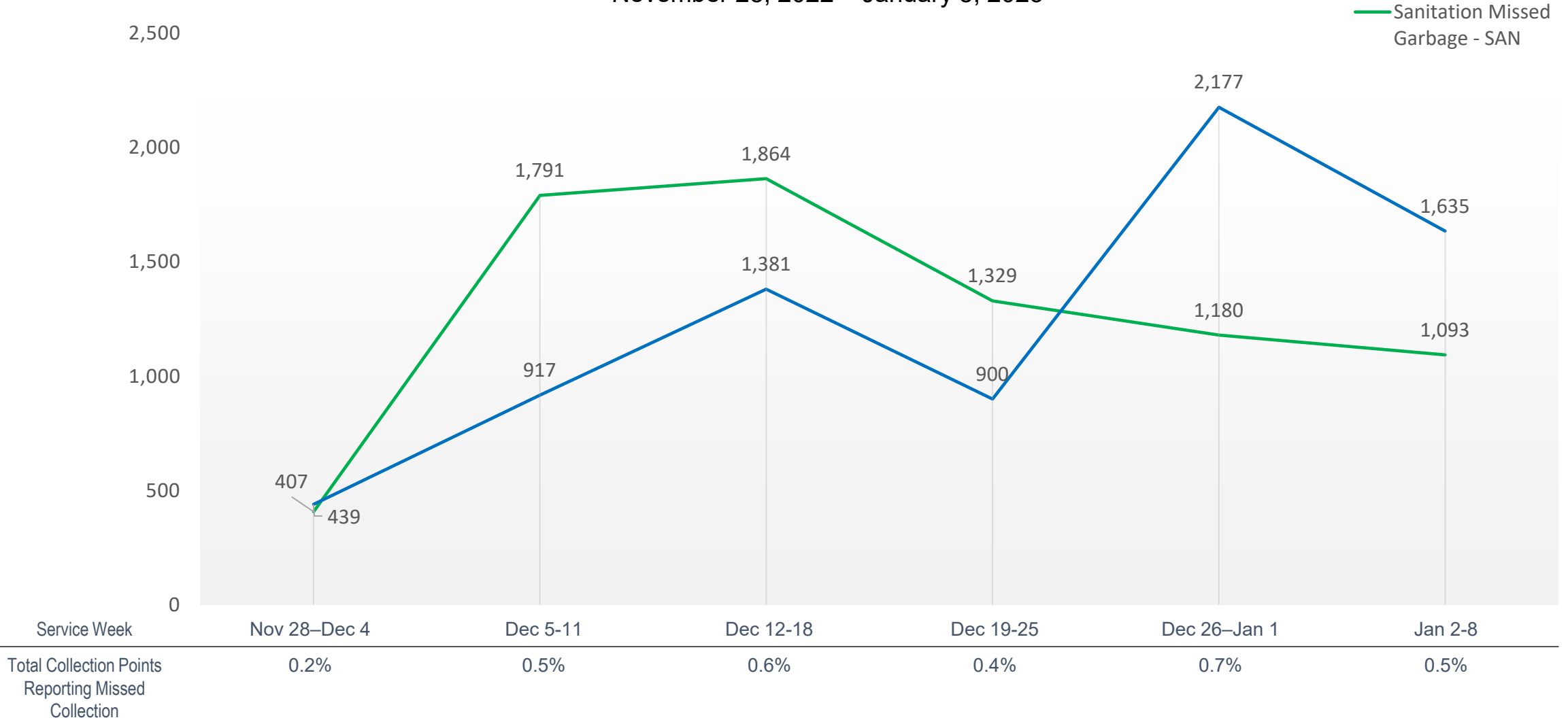


# Re-Route & Service Day Change



## Missed Garbage & Recycle Service Requests

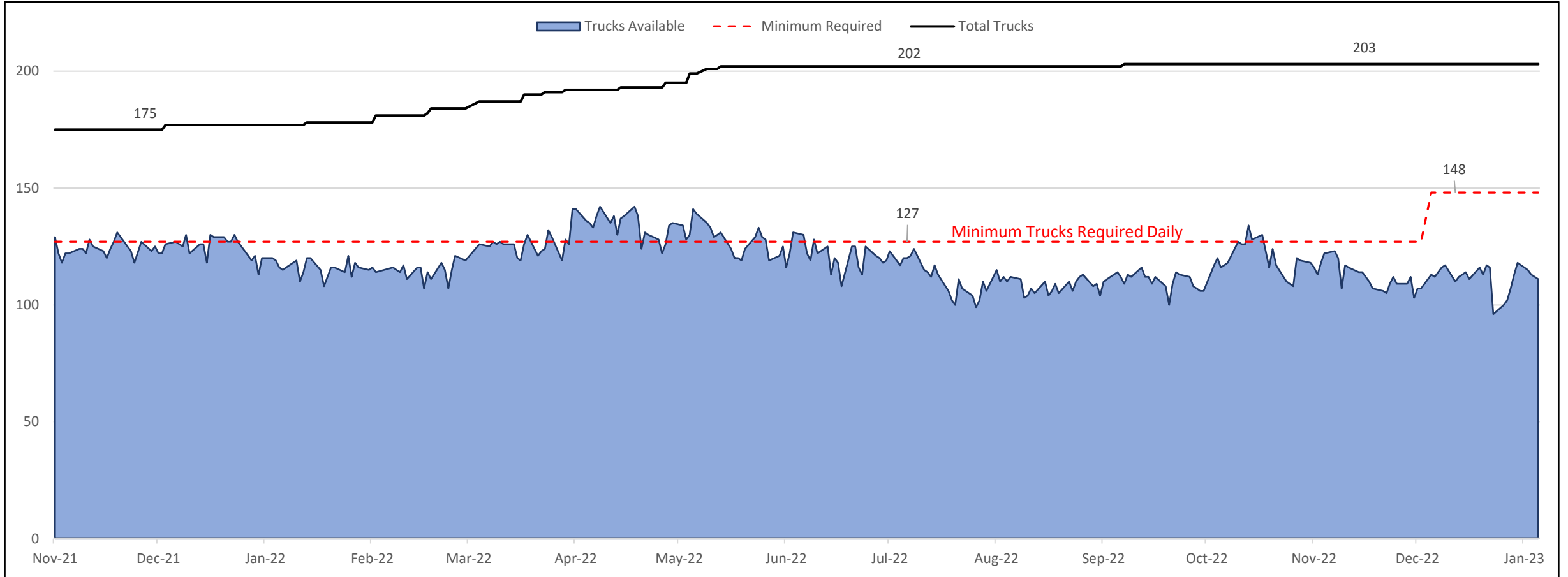
November 28, 2022 – January 8, 2023



# Sanitation Fleet Availability



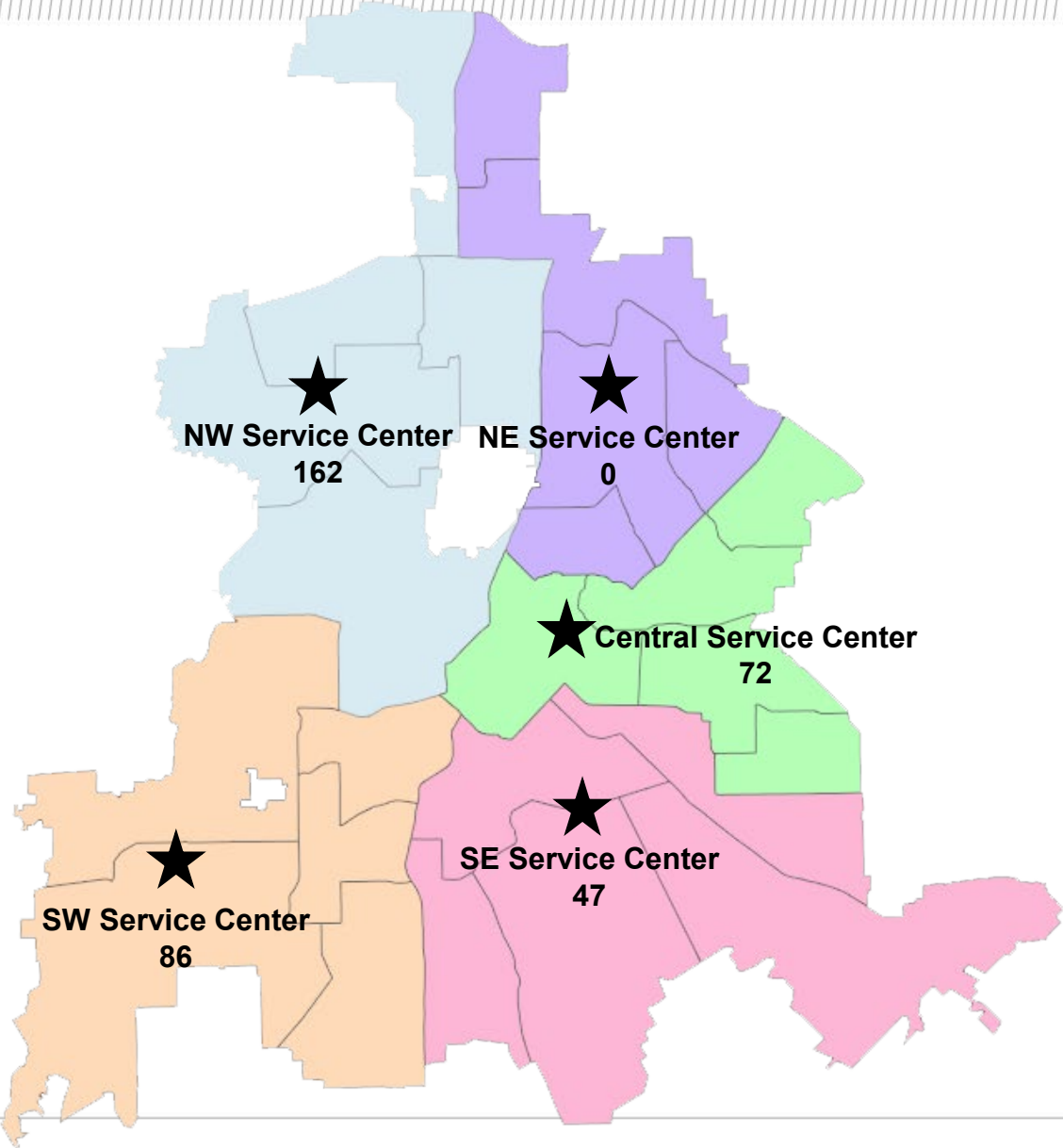
**Sanitation Recycle & Garbage Fleet Availability\***  
November 2021 – January 2023 (MTD)



\*Standard rear-load and automated trucks



# Sanitation Fleet Assets



# Going Forward



- Collections have recovered from lingering delays following cold weather event and high holiday volumes
- Improvements continue to be made with crew familiarity of new routes
- Next day route planning completed each day, adjusting route assignments based on projected available equipment
- Trucks may be leased, when available in the region
- Continue notifications to customers affected by delayed routes
  - Customers may sign-up for service advisories, either email, text, push notification or phone call, at [Dallas.gov/Sanitation](https://dallas.gov/Sanitation) or from the Dallas Sanitation app on iPhone or Android





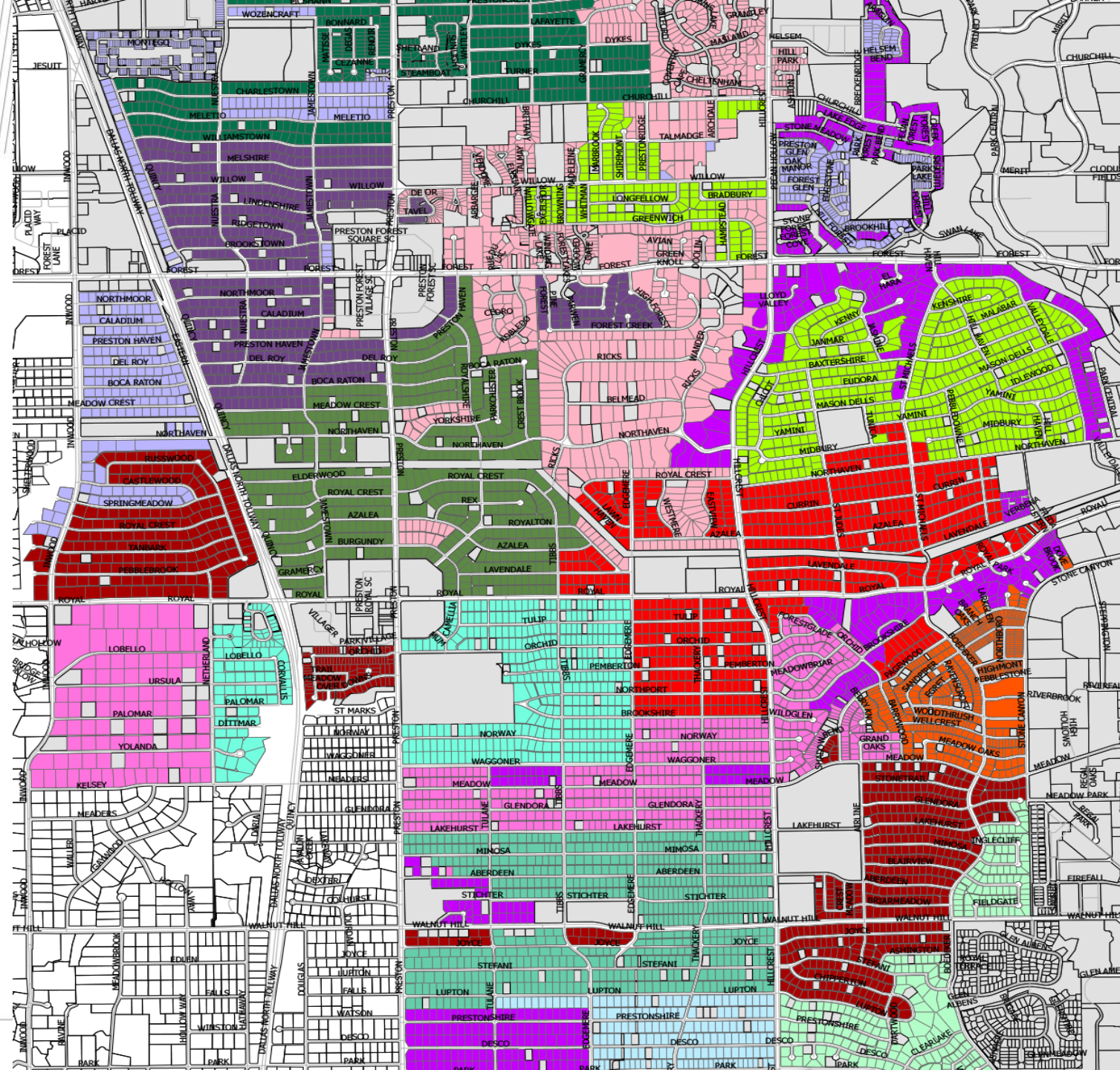
# Appendix





# Appendix A: Route Map Example

- Colors represent recycle routes on a service day in one district
- Many routes are noncontiguous in order to accommodate curbside/alleyway points-of-service





# Appendix B: Alley Service Criteria



Regarding alley collection service, Dallas City Code Section 18-4(b) provides, in part, "except as may be otherwise authorized by the director of sanitation, it shall be unlawful for any person to place any container within any alley within the city."

Sanitation provides residential recycling and garbage collection services from the curbside in front of homes, or from alleyways, by exception, when conditions and route efficiency permits.

In general, Sanitation can safely and efficiently provide service in alleyways that are well maintained and meet current design standards as provided in the Dallas Development Code, Sec. 51A-8.507(b), which provides, in part, that:

- Alleys must have a minimum right-of-way of 15 feet in width.
- Alleys must consist of at least 10 feet of pavement.
- Permanent dead-end alleys are not allowed unless all access is prohibited between the alley and public rights-of-way. Alleys must either intersect with a dedicated public or private undivided street or an existing alley.
- Where an alley intersects a street, a 15-foot visibility triangle (alley sight easement) is required.
- A rollcart must be placed for collection so that there is a minimum clearance of three feet to each side of the rollcart and one and one-half feet to the rear of the rollcart from any fence, gas meter, telephone pole, utility box, tree, shrub, additional collection container, or other potential obstruction. A rollcart must be placed so that its handle faces the dwelling unit (Sec. 18-3(a)(3)(A)).

In addition to the Development Code requirements, in order to meet the requirements for rollcart placement listed above, generally, a minimum 2-foot utility easement abutting the alley right-of-way is required for each side where collections occur. The ground should be at-grade with the pavement to allow crews to wheel rollcarts to the trucks without lifting. The easement requirement may be waived in cases of rear-entry driveway access where all rollcarts on the block may be placed at the edge of the driveway, or where an at-grade fence carve-out exists and meets the clearance requirements. Vegetation must not extend into the right-of-way, and 14 feet of overhead clearance is required.

Sanitation may determine that collections must occur from the curb even when an alleyway meets the conditions stated above. This may be necessary to support routing requirements based on available staff and equipment resources, or when it would be inefficient to provide service in one or several alley segments in an area otherwise serviced from the curb.

In cases where Sanitation currently services alleyways that do not meet the requirements stated above, upon the occurrence of an incident such as downed powerlines or damaged utility poles, damage to a gas meter or utility box, damaged City equipment, having to be towed or backed out under supervision, or repeat minor damage to the right-of-way or private property, Sanitation will suspend alleyway collections at the location and notify customers of a point-of-service change pending further review and remediation of issues impeding Sanitation's safe transit and operations in the alleyway, in accordance with the requirements stated above. A point-of-service change may also be required for customers in the vicinity of the location in order to maintain timely and efficient operations.

Consult Article I of the Dallas Municipal Solid Waste Code for further regulations related to recycling and solid waste collection. The collection rules are summarized and presented in a more user-friendly format on our website at [DallasCityHall.com/Sanitation](http://DallasCityHall.com/Sanitation).



# Appendix C: Historical Fleet Investment



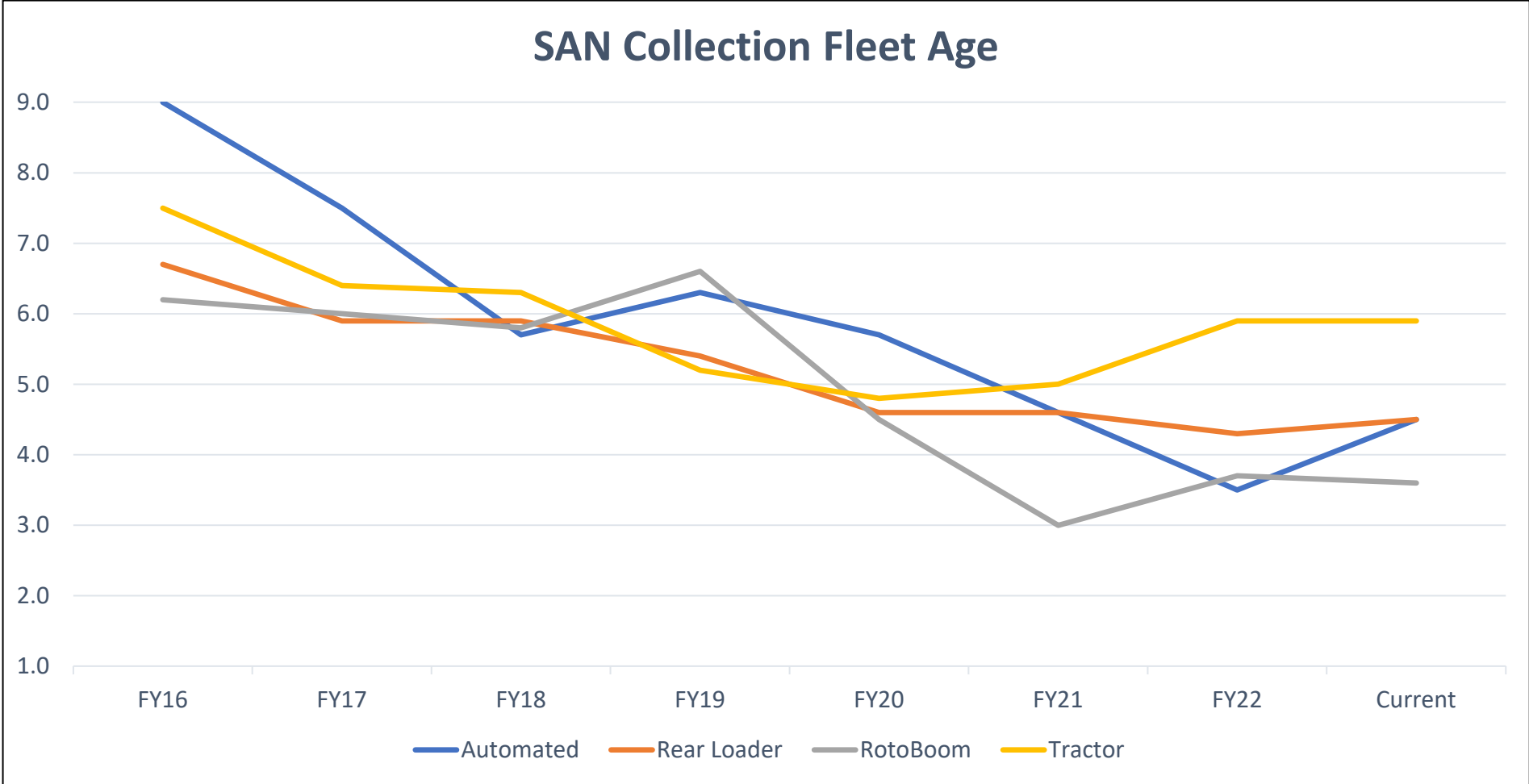
	FY19		FY20		FY21		FY22		FY23	
	Count	Buy	Count	Buy	Count	Buy	Count	Buy	Count	Buy
Automated	81	13	89	13	83	14	85	14	95	19
Rear Loader*	105	13	109	7	104	16	107		109	
Brush**	112	5	104	8	89		89	10	102	
Light Duty	60	15	59	11	55	9	51	12	50	15
Cost	\$8,037,846		\$7,854,212		\$8,112,241		\$8,112,795		\$7,914,020	
Notes:			First year of 60yd Combo				14 Automated trucks due in Fall 2023		Proposed Purchase	

\*Rear Loaders include 11yd "Alley Cat" trucks

\*\*Rotoboom, RotoCombo, and Tractors



# Appendix D: Fleet Age Reduction



# Memorandum



CITY OF DALLAS

DATE January 12, 2023

TO Honorable Chair Blackmon and Members of the Environment & Sustainability Committee

SUBJECT **Environmental Commission Recommendations – 2023 Equity Indicators**

Although the city began measuring racial disparities in 2018, this is the first year that the city will implement equity indicators specific to environmental justice outcomes in Dallas. Without quantifying these disparities and the city's progress in effectively addressing them, we cannot overcome the injustices that persevere in our city today.

## **Environmental Equity Indicators**

In 2019, the City of Dallas published the Dallas Equity Indicators report, a two-year snapshot of disparities in outcomes across five thematic areas: Economic Opportunity, Education, Neighborhoods and Infrastructure, Justice and Government, and Public Health. Each of the five themes were broken down into four topics, and each topic was then subdivided into three indicators, creating a total of 60 equity indicators.

In March 2021, the city council passed the Racial Equity Resolution that called for a Racial Equity Plan, a strategic framework to address disparities in Dallas.

In January 2022, the Environmental Commission was briefed on the city's ongoing engagement efforts for the city-wide Racial Equity Plan by Office of Equity and Inclusion (OEI) Director Wilson. During the briefing, commission members expressed concern that the 2019 Equity Indicator Report did not include an environmental justice theme or any specific equity indicators to measure environmental equity.

In March, the Environmental Commission voted unanimously to recommend that environmental justice equity indicators be adopted and added to the city's Racial Equity Plan. In July, the commission held a strategic planning session and identified environmental equity as one of five unified commission priorities and subsequently voted to form an Environmental Justice subcommittee to further support its goals.

In August, the Racial Equity Plan was adopted by the city council. The plan identifies both action targets and progress measures to support an environmental justice theme, but it did not introduce any new or revised equity indicators to support them. Instead, the plan utilized four existing indicators from the 2019 Equity Indicator Report, which were not specific to an environmental justice theme:

DATE January 12, 2023

SUBJECT **Environmental Commission Recommendations – 2023 Equity Indicators**

- **Indicator 30\*** - Utility Expenses: Ratio between the percentages of household income going to electricity, gas, heating fuel, and water in Hispanic and Asian households.
- **Indicator 39** - Government Service Satisfaction: Ratio between the average local government satisfaction scores reported by Hispanic and Asian residents on the City's biannual Community Survey.
- **Indicator 52** - Chronic Disease: Ratio between the percentages of White adults and adults of color diagnosed with a chronic disease; and
- **Indicator 58** - Childhood Food Insecurity: Ratio between the percentages of Black and White households with children under 18 that received SNAP benefits in the past 12 months.

*\*Note that the city does not own the electric or gas utility and therefore, the disaggregated data necessary to quantify household expenditure on utilities by race is unavailable to the city. Equity Indicator 30 cannot support the progress measure "To provide access to community solar opportunities for qualified households with the greatest need by December 2025". It is recommended that it be removed and replaced with an effective indicator.*

In October, the Environmental Commission was briefed on the environmental justice components of the newly adopted Racial Equity Plan. During the briefing, OEI staff advised that they would be collaborating with the Office of Environmental Quality & Sustainability (OEQS) to identify new equity indicators to support the Racial Equity Plan's environmental justice goals prior to the 2023 Equity Symposium in January.

In November, OEQS Director Evans engaged the Environmental Justice subcommittee to solicit recommendations for the new environmental equity indicators. The subcommittee met again in December to finalize its recommendation and voted unanimously to approve it in January. The recommendation is outlined below.

### **Environmental Justice Subcommittee Recommendations**

#### **Land Use and Zoning**

Vulnerable communities are disproportionately impacted by a higher pollution burden and experience negative health effects and decreased life expectancies. The severity of this negative impact is largely determined by proximity to a source of pollution.

During the city's engagement period, three of the six most commonly identified environmental issues by community members pertained to land use and zoning and are noted on page 38 of the Racial Equity Plan. Yet no indicators to measure environmental equity in land use have been adopted.

DATE January 12, 2023

SUBJECT **Environmental Commission Recommendations – 2023 Equity Indicators**

**Recommendation 1:** Adopt an Equity Indicator that comparatively measures the overall weighted average Environmental Justice Score for a neighborhood based upon the Dallas Environmental Justice Screening tool metric, assessing overall neighborhood measure of proximity to environmental pollution categorized as: 1) a major source of air emissions; 2) a large or small quantity generator of hazardous waste 3) a current, or former landfill site; 4) a surface water body categorized as impaired on the Texas 303d List; 5) a wastewater discharge facility; or 6) a U.S. Environmental Protection Agency Superfund or Brownfields Program site or a Texas Commission on Environmental Quality Voluntary Cleanup Action Site, Municipal Setting Designation site, or other state-defined impaired property.

This indicator supports Action Targets 2.1, 2.3, 2.4, 2.13 and 2.14 and Progress Measure 1.

### **Tree Equity and Urban Heat Island Mitigation**

A 2022 IBM study in Dallas on Urban Forests for Carbon Sequestration and Heat Island Mitigation and a 2017 Urban Heat Island Management Study by the Texas Trees Foundation found that urban areas can be up to 10°F hotter and that neighborhoods in Dallas without dense tree canopies are most likely to experience higher temperatures. The consequences of increased temperatures are inequitably experienced in communities of color, where proximity to heavy industrialization has historically limited tree growth or gentrification has removed large-caliper, mature trees to make way for new development.

There is currently no indicator for tree equity in Dallas. American Forests has developed [Tree Equity Score Analyzers \(TESA\)](#), an interactive mapping tool that uses a [Tree Equity Score](#) and other data to identify where trees should be prioritized to mitigate urban heat island effects. Additionally, Texas Trees Foundation is launching its own Equity Tree Planting Map in January that is specific to Dallas and its council districts, with indicators for health, socioeconomic status and race.

**Recommendation 2:** Adopt an Equity Indicator that comparatively measures the tree canopy coverage in communities in Dallas.

This indicator supports Action Targets 2.1, 2.3, 2.7, 2.9.



DATE January 12, 2023

SUBJECT **Environmental Commission Recommendations – 2023 Equity Indicators**

### **Solar Accessibility**

Rising energy prices and grid reliability concerns have disproportionately negative economic impacts on the city’s historically marginalized communities. Removing financial barriers to solar ownership and making low-cost clean energy equitably accessible lessens the disproportionately high energy burdens for low-income households in communities of color and ensures climate resiliency.

The Racial Equity Plan’s existing Equity Indicator, *Ratio between the percentages of household income going to electricity, gas, heating fuel, and water in Hispanic and Asian households*, is not a measurable indicator because the city does not have access to the utility usage data. A 2021 study of solar adopters by [Berkeley National Laboratory](#) and funded by the U.S. Department of Energy found that at the aggregate national level, solar adopters were: 7% Black, 12% Asian, 25% Hispanic, and 55% White.

**Recommendation 3:** Adopt an Equity Indicator that comparatively measures the kilowatts of solar installed on single-family homes in Dallas.

This indicator supports Action Targets 2.1, 2.7, 2.12 and Progress Measure 2.

### **Food Security**

The U.S. Department of Agriculture defines an urban food desert as a low-income census tract where a significant number or percentage of the population is greater than one-half mile from the nearest supermarket, supercenter, or large grocery store. In Dallas, 36% of residents live in census tracts defined as food deserts. Lack of access to sources of healthy and affordable food make it harder for some people to eat a healthy diet and is tied to other negative health outcomes.

The Racial Equity Plan acknowledges a food access problem in its high-level environmental goals, stating “The lack of access to quality food options in Southern Dallas over time contributes to the risk of developing health problems in communities who are also already medically underserved.” But the current Equity Indicator, *Ratio between the percentages of Black and White households with children under 18 that received SNAP benefits in the past 12 months*, does not comprehensively measure food access equity in Dallas.

**Recommendation 4:** Adopt an Equity Indicator that comparatively measures the distance to fresh, healthy foods to households in Dallas.

This indicator supports Action Targets 2.8, 2.14, and Progress Measure 3.

DATE January 12, 2023

SUBJECT **Environmental Commission Recommendations – 2023 Equity Indicators**

Should you have any questions, please feel free to contact Kathryn Bazan at [kathryn.bazan@dallas.gov](mailto:kathryn.bazan@dallas.gov) and Carlos Evans at [carlos.evans@dallas.gov](mailto:carlos.evans@dallas.gov); 469-617-1925.



Kathryn Bazan

Chair, Environmental Commission

c: 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  
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Dr. Robert Perez, Assistant City Manager  
Carl Simpson, Assistant City Manager  
Jack Ireland, Chief Financial Officer  
Genesis D. Gavino, Chief of Staff to the City Manager  
Directors and Assistant Directors

# Memorandum



CITY OF DALLAS

DATE January 12, 2023

TO Honorable Chair Blackmon and Members of the Environment & Sustainability Committee

SUBJECT **Environmental Commission Recommendations – Net-Zero Building Policy**

The Environmental Commission voted on November 9, 2022 to send the net-zero building policy to the Implementation Subcommittee for consideration. The Implementation Subcommittee reviewed the net-zero building policy goals in the Comprehensive Environmental and Climate Action Plan (CECAP) and unanimously voted on January 3rd, 2023 to make the following recommendations to the Environmental Commission:

## **Net-Zero Building Policy Goals in the CECAP**

The CECAP establishes a target for the City of Dallas to become carbon neutral by 2050 and defines carbon neutrality as achieving net zero greenhouse gas (GHG) emissions, through reducing emissions as much as possible and then balancing remaining emissions with carbon removal or carbon offset programs. There are several CECAP actions to reduce GHG emissions in residential, commercial, and city buildings. The City of Dallas 2015 GHG inventory reports an estimated 64% of emissions originate from the buildings and energy sectors. One of the most impactful CECAP building and energy goals is to have all new buildings and substantial renovations be carbon neutral by 2030. The Implementation Subcommittee recommends the actions in this memo for the City of Dallas to continue making progress towards the establishment of a successful net-zero carbon building policy.

## **International Building Codes**

The City of Dallas still currently uses amended versions of the 2015 international codes for plumbing, mechanical, residential, energy conservation, and fuel gas codes. The international code council updates codes every 3 years and municipalities have to opt-in for these codes to be enforced locally. The City of Dallas is currently in the process of proposing updates to some of its code to the 2021 international codes. It is important for the City of Dallas to evaluate how updating its codes impact the implementation of CECAP. For example, the CECAP action items B11 and B12 commit the City of Dallas to considering the updated international codes as one of several pathways to a net-zero carbon building policy, including any available options that require solar-ready and EV-ready construction. Updating building codes is an important step in moving towards a net-zero carbon building policy. The City of Dallas should adopt code updates that reduce GHG emissions, while also considering other factors like construction costs and timelines, resiliency, utility bills, occupant comfort, and equity.

DATE January 12, 2023

SUBJECT **Environmental Commission Recommendations – Net-Zero Building Policy**

#### Recommendation 1:

The City of Dallas should adopt all 2021 international building codes that help achieve a net-zero carbon policy and city staff should consider additional solar photovoltaics and electric vehicle charging provisions for residential and commercial buildings.

#### **Net-Zero Carbon Pilot**

The City of Dallas has recently constructed two net-zero buildings; the Vickery Park Branch Library and Singing Hills Recreation Center. These examples showcase how the City of Dallas has already constructed buildings beyond the current code and establish proof of concept for a future comprehensive net-zero building policy. The 2024 Bond, as well as other major upcoming capital projects like the Kay Bailey Hutchinson Convention Center and Fair Park projects, present additional high-impact opportunities for the City of Dallas to pilot net-zero carbon building performance specifications. These pilot projects will further showcase net-zero building projects to the community and help inform the development and support of a future net-zero carbon building policy with all stakeholders.

#### Recommendation 2:

The City of Dallas should develop draft specifications towards net-zero carbon-based facility construction for use in the 2024 Bond Program and other upcoming major city construction and renovation projects to leverage as a pilot to inform a future net-zero carbon building policy.

#### **Net-Zero Carbon Building Policy**

There are several different methods for the City of Dallas to consider how to accomplish a net-zero carbon building policy. In addition to updating building codes, there are policies for zoning and land use, public procurement, waste, public finance, equity, etc. that impact the total emissions generated by the design and construction of sustainable buildings. For example, the City of Dallas has had a green building policy since 2003 that supplements the building code. Over time, the City of Dallas has convened a green building task force to review and propose updates to the green building policy. The City of Dallas needs to convene a similar working group to holistically address all the factors required for a successful net-zero carbon building policy that accomplishes the CECAP goals.

#### Recommendation 3:

The City of Dallas should convene a working group with key building industry stakeholders to begin exploring how the City's Green Building Policy could be updated to

DATE January 12, 2023

SUBJECT **Environmental Commission Recommendations – Net-Zero Building Policy**

reflect the best available cost-effective practices toward achieving net-zero carbon for all new buildings and substantial renovations by 2030.

Should you have any questions, please feel free to contact Kathryn Bazan at [kathryn.bazan@dallas.gov](mailto:kathryn.bazan@dallas.gov) and Carlos Evans at [carlos.evans@dallas.gov](mailto:carlos.evans@dallas.gov); 469-617-1925.



Kathryn Bazan  
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# **Environmental Commission**



**City of Dallas**

Consideration for approval by the Environmental  
Commission on January 11, 2023



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# ENVIRONMENTAL COMMISSION MEMBERS

## City Council-Appointed Voting Members

District 1: Philip Hiatt Haigh  
District 2: Mark Wootton  
District 3: Vacant  
District 4: Candace Thompson  
District 5: Tracy Wallace  
District 6: Esther Villarreal (Vice-Chair)  
District 7: Temeckia Derrough  
District 8: Renee Roberson  
District 9: Kathryn Bazan (Chair)  
District 10: Andrew Siegel  
District 11: Colleen Murray, DVM  
District 12: Dr. Barry Lachman  
District 13: Charlie Dankert  
District 14: Paula Day  
District 15 (Mayor): Julie Hiromoto

## City Manager-Appointed Technical Panel Members

Buildings: Alan Hoffmann  
Energy: Michael Martin  
Transportation: Dr. Maria Boccalandro  
Zero-Waste: Raj Daniels  
Ecosystems: Vacant  
Water Resources: David Marquis  
Air Quality: Rita Beving

## Chair-Appointed Environmental Health Subcommittee

*(this list includes additional members of the public only - full roster on page 5)*

Dr. Folashade Afolabi  
Haddijatou Bayo, P.E.  
Dr. Sarah Ashitey

# HISTORY & MISSION

## History

[Resolution 20-688](#) was passed on May 27, 2020, authorizing adoption of the Comprehensive Environmental & Climate Action Plan (CECAP). This resolution charged the City Manager to identify and convene an Environment and Sustainability Advisory Committee comprised of professionals and community members to advise on environment, sustainability and CECAP implementation. Additionally, the resolution established that the City Manager will coordinate with the Environment and Sustainability Committee regarding the scope and potential roles of a permanent board or commission.

The permanent Environmental Commission (EVC) was established through [Ordinance No. 31847](#), which passed on April 28, 2021, and the Environment and Sustainability Advisory Committee was sunset.

Nominations to the EVC began in the fall of 2021, and the commission held its first meeting on December 17, 2021.

## Mission

The Environmental Commission is a group of appointed community advocates who advise the City Council on implementation of the CECAP and other environmental matters as they arise in the community. The commission has 24 active members (two vacancies), including fifteen voting members appointed by each City Council Member. It has eight technical panel members appointed by the City Manager, each with expertise in one of the eight areas of the CECAP. The commission's founding ordinance created an Environmental Health Committee. Its members were appointed by the commission chair and include two appointed commission members and three community members with public health experience.

**Mission Statement:** The commission advises the City Council on the environment, sustainability and implementation of the CECAP. The commission also supports equitable and effective action to resolve environmental issues as they arise.

## **SUBCOMMITTEES**

### **Environmental Health**

Candace Thompson (Chair)  
Renee Roberson (Vice Chair)  
Dr. Lachman (alternate)  
Dr. Folashade Afolabi (General Public)  
Haddijatou Bayo, P.E. (General Public)  
Dr. Sarah Ashitey (General Public)

### **Environmental Justice**

Esther Villarreal (Chair)  
Candace Thompson  
Kathryn Bazan  
Cristian Camacho (Technical Panel)  
David Marquis (Technical Panel)  
Michael Martin (Technical Panel)

### **Implementation**

Charlie Dankert (Chair)  
Tracy Wallace (Vice Chair)  
Renee Roberson  
Andrew Siegel  
Dr. Boccalandro (Technical Panel)

### **Outreach & Engagement**

Kathryn Bazan (Chair)  
Paula Day (Vice Chair)  
Mark Wootton  
Colleen Murray  
Rita Beving (Technical Panel)

### **Strategic Partnerships & Innovation**

Julie Hiromoto (Chair)  
Philip Hiatt Haigh (Vice Chair)  
Colleen Murray  
Dr. Barry Lachman  
Alan Hoffmann (Technical Panel)  
David Marquis (Technical Panel)  
Michael Martin (Technical Panel)

# FY22 OBJECTIVES & ACCOMPLISHMENTS

## Objectives

The commission's objectives were identified during a strategic planning session on July 9, 2022:

1. Advance environmental equity by encouraging the city to codify equity into its laws and processes. Equitable solutions should meet the varying need of each community;
2. Prioritize public and environmental health by advancing the city's Greenhouse Gas emissions reductions efforts to meet the 2030 Interim Target and 2050 Carbon Neutrality Target;
3. Identify and leverage all resources, including data, funding, incentives, and strategic partnerships needed to accomplish the CECAP's goals;
4. Create inclusive, two-way community communication and support community-led accountability related to environmental issues; and
5. Transform the City of Dallas into a hub for environmental innovation.

[View the full strategic planning session report here.](#)

The commission also identified objectives in the FY21 Annual Report that are in line with the [Mayor's FY22 Priorities for the Environment & Sustainability \(ENVS\) Committee](#).

## Accomplishments

- In partnership with the Office of Environmental Quality & Sustainability, the commission hosted or participated in 35 community events, not including outreach done by commissioners on an individual basis. A full list of these events begins on page 7.
- Successfully advocated for internal policy reforms for concrete batch plants including enhanced internal communication, community engagement and cross-departmental collaboration.
- Voted to recommend that staff add environmental equity indicators to the city's Racial Equity Plan, which was without them.
- Voted to charge city staff with creating an Environmental Equity Checklist to support the city's Racial Equity Plan
- Supported passage of an update to the 2013 Local Solid Waste Management Plan.
- Supported passage of the Hensley Field Master Plan.
- Successfully advocated for concrete and asphalt batch plant zoning code revisions to include increased community participation and input opportunities (Phase I).

- Held a Strategic Planning Session to establish unified priorities and created subcommittees that align with and support each priority.
- Voted to recommend that the city immediately begin characterization and remediation of the former Blue Star site to residential standards.
- Formed and voted to approve recommendations related to new gas-powered landscape equipment policies to improve neighborhood-level air quality.
- Supported OEQS in identifying priority neighborhoods for air quality monitoring and facilitated community meetings for each.
- Created new outreach and engagement resources, including social media, a logo, flyers in English and Spanish and a community presentation template.
- Supported passage of the Comprehensive Urban Agriculture Plan (for council approval in 2023).
- Formed a recommendation to propose new environmental equity indicators for the city's Racial Equity Plan for approval in January 2023.



# FY23 PROPOSED OBJECTIVES & ACCOMPLISHMENTS

## Objectives & Accomplishments

Guided by the commission's unified priorities, FY23 objectives include the following:

- Led by the commission's Environmental Justice subcommittee, vote to approve recommendations on environmental equity indicators for the city's Racial Equity Plan.
- Continue to advocate for equitable land-use policies, including ForwardDallas Comprehensive Land-Use Plan updates, to address incompatible industrial uses near or adjacent to residential properties and to reduce inequitable pollution burdens for communities.
- In partnership with the Office of Environmental Quality & Sustainability, continue to liaise with the community on placement of neighborhood-level air quality monitors, support engagement and education on air quality data and promote utilizing air quality data to guide policy decisions.
- Continue to support the passage of Phase II of the concrete batch and asphalt plant zoning code revisions to ensure appropriate distance buffers from industry to sensitive receptors.
- Continue monitoring the progress of the remediation of the former Shingle Mountain site, Lane Plating Works Superfund site and Texas Vermiculite Superfund site and promote open dialog between the community, city, Environmental Protection Agency and Texas Commission on Environmental Quality.
- Continue to support West Dallas residents in their efforts to secure a significant reduction of emissions by, and ultimately the closure of, the GAF Materials facility.
- Support the implementation of a Gas-Powered Landscape Equipment Policy, including engagement of impacted business owners and operators in multiple languages throughout the transition and education on air quality benefits.
- Support the city's fleet electrification transition to meet emissions reduction targets in the Comprehensive Environmental & Climate Action Plan and the equitable distribution of electric vehicle charging infrastructure in Dallas.
- Advocate for the implementation of the Urban Forest Master Plan, including conducting a comprehensive tree inventory of all right-of-way and park trees, developing and implementing a management plan and implementing strategies to mitigate the impact of Emerald Ash Borer on the city's ash tree population.
- Support the implementation of the Comprehensive Urban Agriculture Plan and equitable access to fresh, local foods for historically marginalized communities.
- Continue engaging the community on important environmental topics and amplifying the community's voices on important issues within each district.

## Anticipated Policy Discussions

Additional discussions may include, but are not limited to:

- Building Code Updates & Net-Zero Carbon Policies
- White Rock Lake Dredge
- Development Code Updates
- Weatherization Programs
- Jeffries-Meyers-Merlin Groundwater Contamination
- Urban Forest Master Plan Update
- Brownfields Program
- Bike Plan Update
- Community Solar Update
- Energy Efficiency Updates
- Green Bond Project Options
- Sidewalk Plan
- Bachman Dredge Progress Updates
- Parking Code Amendment Updates
- Litter Task Force
- Sustainable Procurement
- Transit-Oriented Development
- Electric Vehicle Charging Infrastructure Implementation
- Continued CECAP implementation updates
- Continued updates on placement of neighborhood-level air quality monitors
- Continued progress updates on remediation of former Blue Star site, Lane Plating Works Superfund site and the Texas Vermiculite Superfund site.

# FY22 RECOMMENDATIONS

## Formal Recommendations

- Voted to recommend that staff add environmental equity indicators to the city's Racial Equity Plan, which was without them.
- Voted to charge city staff with creating an Environmental Equity Checklist to support the city's Racial Equity Plan.
- Voted to recommend that the city immediately begin characterization and remediation of the former Blue Star site to residential standards.
- Formed and voted to approve recommendations related to new gas-powered landscape equipment policies to improve neighborhood-level air quality.  
[Environmental Health Committee Recommendations to the Full Commission](#)  
[Full Commission Recommendations to the Environment & Sustainability Committee](#)
- Formed a recommendation to propose new environmental equity indicators for the city's Racial Equity Plan for approval in January 2023.  
[Full Commission Recommendations to the Environment & Sustainability Committee](#)

## Additional Recommendations

In addition to the above, the commission provided input on topics such as:

- CECAP FY22 Progress and FY23 Implementation Work Plan
- Local Solid Waste Management Plan Update
- City of Dallas Regulatory and Non-Regulatory Air Quality Programs
- City Facility Updates
- Urban Forest Master Plan Updates
- ForwardDallas Update
- Hensley Field Master Plan
- Environmental Design Standards for Surface Parking
- Department of Aviation Voluntary Noise Abatement Program Updates
- 2019 Greenhouse Gas Inventory
- City of Dallas Fleet Electrification Analysis
- Dredging of Bachman Lake
- Comprehensive Urban Agriculture Plan Draft
- City Incident Response Procedures
- Draft FY23 Budget: Office of Environmental Quality & Sustainability

## **ADDITIONAL FY22 HIGHLIGHTS**

### **Community Outreach Events / Tours / Public Meetings**

In addition to regular monthly commission meetings and committee meetings, the commission hosted or participated in the following community outreach events, tours, and public meetings. This does not include outreach done by commissioners on an individual basis.

- **Environmental Tour with Chair Blackmon**  
City-wide – February 3, 2022
- **Community Air Quality Meeting #1**  
Anita Martinez Recreation Center – March 23, 2022
- **Community Air Quality Meeting #2**  
West Dallas Multipurpose Center – March 31, 2022
- **Community Air Quality Meeting #3**  
Jaycee Zaragoza Recreation Center – April 2, 2022
- **Oak Cliff Earth Day**  
Lake Cliff Park – April 3, 2022
- **Sustainable Dallas**  
White Rock UMC – April 16, 2022
- **North Texas Climate Symposium**  
Virtual – April 19, 2022
- **EarthX**  
Kay Bailey Hutchison Convention Center – April 21 – 24, 2022
- **Mill Creek Batch Plant Community Meeting**  
Larry Johnson Recreation Center – April 26, 2022
- **Environmental Commission District 2 / District 14 Community Meeting**  
Garden Café – April 26, 2022
- **Flora Fest**  
Texas Discovery Gardens – May 15, 2022
- **Racial Equity Plan Community Meeting + OEQS + 311**  
West Dallas Multipurpose Center – July 7, 2022
- **West Dallas Community Meeting – GAF Materials**  
Nash-Davis Recreation Center – July 13, 2022
- **Dolphin Heights Neighborhood Association Meeting**  
4830 Silver Avenue – July 17, 2022
- **Dallas Public Library Community Nature Expo**  
J. Erik Jonsson Central Library – July 23, 2022
- **Clean Air Action Day Roundtable Discussion**  
Virtual – August 4, 2022
- **Dixon Circle Neighborhood Association Meeting**  
Larry Johnson Recreation Center – August 17, 2022
- **West Dallas Racial Equity Plan Ongoing Engagement**  
West Dallas Multipurpose Center – September 8, 2022
- **Floral Farms Authorized Hearing Community Kickoff Meeting**  
Singing Hills Recreation Center – September 12, 2022
- **Environmental Justice Tour**  
City-wide – September 17, 2022

- **North Texas National Drive Electric Week**  
City Hall Plaza – October 2, 2022
- **13<sup>th</sup> Annual DFW Solar Tour**  
City-wide – October 3, 2022
- **Dixon Circle Community Meeting (Mill Creek Batch Plant)**  
Larry Johnson Recreation Center – October 19, 2022
- **White Rock Lake Tree Planting**  
White Rock Lake – October 22, 2022
- **EPA Children’s Health & Lead Poisoning Awareness Outreach**  
Wesley Ranking Community Center – October 24, 2022
- **EPA Children’s Health & Lead Poisoning Awareness Outreach**  
Head Start of Greater Dallas – October 25, 2022
- **TRAM Webinar Series: Dallas Batch Plant Zoning Code Revisions**  
Virtual (Statewide) – October 26, 2022
- **Dallas College 12<sup>th</sup> Annual Sustainability Summit**  
Brookhaven Campus – November 4, 2022
- **Joppa Air Quality Community Meeting**  
Shady Grove PBC – November 7, 2022
- **Comprehensive Urban Agriculture Plan Public Meeting**  
West Dallas Multipurpose Center – November 7, 2022
- **Dallas Sierra Club – Environmental Commission Annual Update**  
Virtual – November 8, 2022
- **West Dallas Community Vision Planning Meeting**  
Artstillery – November 17, 2022
- **Lane Plating Works Superfund Site Community Meeting**  
Highland Hills Library – November 19, 2022
- **GAF Materials Zoning Case Community Meeting**  
Anita Martinez Recreation Center – November 30, 2022
- **Dallas Environmental Commission Reception**  
City Hall – December 14, 2022

## Resources

[Environmental Commission webpage on dallasclimateaction.com](https://dallasclimateaction.com)

[Environmental Commission webpage on dallascityhall.com](https://dallascityhall.com)

[Facebook](#)

[Instagram](#)

# Memorandum



CITY OF DALLAS

DATE January 12, 2023

TO Honorable Chair Blackmon and Members of the Environment & Sustainability Committee

SUBJECT **Gas-Powered Landscape Equipment Policy Follow-Up**

The Office of Environmental Quality & Sustainability (OEQS) briefed the Environmental Commission (EVC) on November 9, 2022, and the Environment & Sustainability Committee (ENVS) on December 5<sup>th</sup>, 2022, respectively, providing recommendations concerning the plan for landscape equipment transition (LET) implementation. OEQS will provide monthly status updates on program implementation. The following provides a summary of steps taken over the previous month toward advancing this City Council goal

### **Technical Support Contract:**

OEQS has contracted with Modern Geosciences for technical support services including but not limited to: assistance in researching other community implementation, including related codes and ordinances; creating a community survey instrument; and developing the detailed internal and external transition plan. Staff are meeting with the technical consultant on a bi-weekly basis to coordinate efforts towards this project.

### **Stakeholder Engagement Efforts:**

Staff are continuing internal and external stakeholder meetings. City staff have reached out to Seattle, Philadelphia, and Washington D.C. to attain copies of their related outreach tools and ordinances.

- Internal: OEQS has begun bi-monthly meetings with City departments that use landscape equipment to attain feedback on meeting City transition goals and identify equipment inventory being maintained by each department. The next meeting is scheduled for January 10, 2023.
- External: OEQS has engaged several members of the public, including homeowners, landscape companies, landscape associations, and the Dallas Independent School District (DISD). At upcoming DISD events, staff will be observing landscape vendors as they demonstrate new electric equipment. The next scheduled meeting of the external stakeholders group is scheduled for January 19, 2023.
- The technical consultant has developed a community survey to be deployed within the next couple of weeks to attain community feedback on the program. This survey will be provided to the public in several different ways, including through the OEQS media campaign, other departments (e.g., Planning & Urban Design's neighborhood association newsletter), the EVC, and other entities.



DATE January 12, 2023  
SUBJECT **Landscape Equipment Transition (LET) Implementation**

### **Physical Equipment Inventory**

Staff have developed and distributed a template for use by departments when identifying equipment inventory. These inventories are due back to OEQS by mid-January to be compiled into a comprehensive inventory of the City's current inventory. Once compiled, each department will then work towards the 2023 incremental goal for transition.

### **Program Media Campaign**

OEQS is developing a LET media campaign as a part of a larger comprehensive multi-issue, multi-platform, and multi-lingual outreach and engagement plan to reach affected business and residents. With a desire to implement this campaign as soon as practicable, staff plans to brief the CMO by mid-January in order to attain necessary program approvals, prior to related media contracting.

### **Regulatory Engagement:**

Given the region's current severe non-attainment status related to ozone, City staff have held related conversations with staff from the Texas Commission on Environmental Quality (TCEQ) and the North Central Texas Council of Governments to discuss including the LET Plan as a part of the TCEQ's Clean Air Act State Implementation Plan (SIP).

Should you have any questions, please reach out to Carlos Evans, Director, Office of Environmental Quality & Sustainability at [carlos.evans@dallas.gov](mailto:carlos.evans@dallas.gov); 469-617-1925.



Carlos Evans  
Director, Office of Environmental Quality & Sustainability

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Directors and Assistant Directors

# Memorandum



CITY OF DALLAS

DATE January 12, 2023

TO Honorable Chair Blackmon and Members of the Environment and Sustainability Committee

SUBJECT **Summary of Proposed State Environmental Legislation**

This purpose of this memorandum is to summarize proposed state environmental legislation that support the City's 2023 State Legislative Program, which was adopted on October 26, 2022. This information is based upon coordination with the Office of Government Affairs, the City Attorney's Office, Texas Municipal League, the Environmental Commission, and other reliable sources. The attached list of proposed legislation focuses on the following goals of the Program:

- **Natural resources must be sustained for the residents of Dallas:** *Supporting legislation that focuses on resource sustainability, conservation, climate change, and environmental equity to build a more resilient city.*
  - Require local approval of standard permits for polluting industries and impose minimum distances from schools, hospitals, and residences.
  - Advance the deployment of and infrastructure for solar power and electric vehicles.
  
- **Sustainable and resilient infrastructure drives economic growth in Dallas:** *Support legislation that protects and enhances the City's infrastructure network while continuing to deliver innovative, safe, and equitable solutions.*
  - Enhance and fund mobility infrastructure, including but not limited to bike and pedestrian improvements.
  - Improve water, stormwater, and wastewater infrastructure through dredging and other sustainable practices.
  - Allow municipalities to lower the *prima facie* speed limit in residential areas from 30 to 25 miles per hour.
  - Elevate broadband service as a critical utility. Strengthen the state's electric grid.

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Please let us know if you have information on other related legislation of concern. Should you have any questions, please reach out to Carlos Evans at [carlos.evans@dallas.gov](mailto:carlos.evans@dallas.gov); 469-617-1925.



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  - Require local approval of standard permits for polluting industries and impose minimum distances from schools, hospitals, and residences.
  - Advance the deployment of and infrastructure for solar power and electric vehicles.

**Environment-related bills include, but are not limited to the following:**

- **[HB 26 \(Ordaz Perez\)](#) / **[SB 173 \(Blanco\)](#) – Medical Waste Facilities:** This legislation would, among other things, provide that an applicant for an application for or notice of intent to file an application for a permit to construct, operate, or maintain a facility to store, process, or dispose of medical waste shall provide notice of the application or notice of intent by hand delivery, facsimile, or United States Post Service mail to the governing body of the city in which the facility is or is to be located, if applicable. (Companion bill is **SB 173** by **Blanco**.)**

**CONCRETE PLANT & RELATED ENVIRONMENTAL PERMITTING BILLS:**

- **[HB 94 \(Jarvis Johnson\)](#) – Concrete Batch Plants:** provide that, in determining whether to approve an application for a standard permit for a concrete batch plant, the executive director of the Texas Commission on Environmental Quality (TCEQ) must base the decision, in part, on a consideration of the potential harm to local property values and the location of the facility relative to homes, schools, churches, parks, and other community assets.
- **[HB 124 \(Jarvis Johnson\)](#) – Concrete Batch Plants:** This legislation would limit the state law under which the TCEQ may issue an air quality permit for a concrete plant located in an area of a city not subject to zoning regulations and require that such a plant comply with certain notice and hearing requirements.
- **[HB 137 \(Sefronia Thompson\)](#) – Concrete Batch Plants:** This legislation would require that the TCEQ provide a governing body in an unincorporated area of a municipality without zoning regulations or county with more than 4.5 million people a copy of the air permit application for such a plant. TCEQ may not permit the plant before the 31<sup>st</sup> day after the aforementioned unincorporated areas receive the permit. Only the affected municipality or county along with permanent residents within 440 yards of the plan may ask for a hearing regarding the plant.
- **[HB 344 \(Jarvis Johnson\)](#) – Concrete Batch Plants:** This legislation would require written notice of a permit application for a proposed permanent batch plant sent to every resident within 440 yards of a proposed facility in any municipality with a population of 1.9 million or more. Requirements are outlined within this bill on what the notice must provide as information.

- [HB 372 \(Jarvis Johnson\)](#) – **Concrete Batch Plants**: This legislation would extend the distance within which a concrete plant or crushing facility must be from a single- or multi-family residence, school, or place of worship from 440 yards to 880 yards.
- [HB 406 \(Collier\)](#) – **Concrete Batch Plants**: This legislation would provide that a representative of a school, place of worship, licensed day-care center, hospital, or medical facility or a person residing within 880 yards of a proposed concrete plant may request a public hearing from the Texas Commission on Environmental Quality regarding the construction of a concrete plant.
- [HB 407 \(Collier\)](#) – **Concrete Batch Plants**: This legislation would provide that a representative of a school, place of worship, licensed day-care center, hospital, or medical facility or a person residing within 880 yards of a proposed concrete plant may request a public hearing from the TCEQ regarding the construction of a concrete plant.
- [SB 149 \(Springer\)](#) – **City Regulation**: This legislation would: (1) prohibit a city from adopting or enforcing an ordinance, rule, or regulation that imposes a restriction, condition, or regulation on commercial activity; (2) allow a city to adopt and enforce an ordinance, rule, or regulation that: (a) is essential to directly regulating a uniquely local concern that the city council determines cannot be of similar concern in another city because of the uniqueness of the local concern; (b) is essential to necessary regulation of local land use; (c) is essential to protecting citizens’ physical safety; (d) is expressly authorized to be adopted by a state statute; or (e) requires nondiscrimination in the provision of employment or service to any person; (3) provide that a city acting under (2)(a), above, must contemporaneously adopt a detailed written statement describing the uniquely local concern and the basis for the determination that the concern cannot be of similar concern in another city; and (4) provide that, for purposes of (2)(d), above, a state statute that does not preempt or affect municipal regulatory authority may not be construed to expressly authorize an ordinance, rule, or regulation. [Batch Plants/Local Control]
- [HB 411 \(Collier\)](#) – **Environmental Permit Application**: This legislation would disallow an applicant on an environmental permit whose application has been referred for a contested case hearing to modify an application prior to the contested case hearing on the application.
- [HB 657 \(Bailes\)](#) – **Notice Publication**: This legislation would allow governmental entities to post notice on a third-party online site to satisfy posting requirements in lieu of publication in a newspaper if the posting met certain requirements.
- [HB 766 \(Allen\)](#) – **Public Meetings on Environmental Permits**: This legislation would require the TCEQ to have a public meeting during the public comment period on certain TCEQ permits if the meeting is a) requested by the legislator; or b) there is substantial public interest. This would not apply to permits under certain water code.

- [SB 179 \(Miles\)](#) – **Permits and Cumulative Air Impacts**: This legislation would require the TCEQ to consider the air impacts of other industrial sources within 3 miles of a permit application in granting a new permit for a facility.
- [HB 758 \(Walle\)](#) – **Concrete Plants**: This legislation would provide that the TCEQ must allow the filing of a request for a contested case hearing on an authorization to use a standard permit for a concrete plant that performs wet batching, dry batching, or central mixing at any time during the public comment period.
- [HB 759 \(Walle\)](#) – **Concrete Plants**: This legislation would provide that a person may file with the TCEQ, a motion to overturn as described by TCEQ rule to challenge an executive director’s final decision on an authorization to use a standard permit for certain concrete plants.
- [HB 926 \(Dutton\)](#) – **Concrete Plant Permitting**: This legislation would provide that a representative of a school, place of worship, licensed day-care center, hospital, medical facility, or a person residing within 440 yards of a proposed wet batching, dry batching, or central mixing concrete plant may request a public hearing prior to the construction or permitting of the concrete plant.
- [SB 131 \(Campbell\)](#) – **Concrete Plant Permitting**: This legislation would provide that a representative of a school, place of worship, licensed day-care center, hospital, medical facility, or a person residing in a permanent residence within 440 yards of a proposed wet batching, dry batching, or central mixing concrete plant may request a public hearing prior to the construction or permitting of the concrete plant.

#### **CLIMATE BILLS:**

- [HB 57 \(Zwiener\)](#) – **Climate Change Reporting**: This legislation would require the Texas Commission on Environmental Quality to prepare a report on the potential impact of climate change in the state every four years, which would include, among other things, information regarding the impact of climate change on the economy, infrastructure, surface water and groundwater, and state and local finances.
- [HB 846 \(Reynolds\)](#) – **Climate**: This legislation would require the state to establish the Climate Change Impact Assessment Council to study the impact of climate change on the health, safety, and welfare of residents, with the first study to be released by January of 2025.

#### **URBAN AGRICULTURE BILL + SOLAR / WIND (LOCAL CONTROL) BILLS:**

- [HB 92 \(Landgraf\)](#) – **Residential Food Production**: This legislation would, among other things, (1) prohibit a municipality and a property owners’ association from adopting or enforcing an ordinance or restrictive covenant that prohibits any of the following



activities on a residence homestead property: (a) the growing of fruits and vegetables; (b) the raising or keeping of: (i) domestic fowl; or (ii) adult rabbits; or (c) installing: (i) a solar or wind-powered energy device; (ii) an underground shelter; (iii) rain barrels or a rainwater harvesting system; or (iv) a standby electric generator; (2) allow a municipality and a property owners' association to impose: (a) reasonable regulations on the growing of fruits and vegetables on a residence homestead; and (b) reasonable regulations on the raising and keeping of rabbits and fowl to control odor, noise, safety, or sanitary conditions including: (i) limitations on the number of animals that is more than the minimum number allowed by this law or a total combined number of eight fowl and rabbits; (ii) a prohibition on raising or keeping of a rooster; (iii) defining the minimum distance between an animal shelter and a residential structure; (iv) requiring fencing or shelter sufficient to contain the animals; (v) defining the minimum requirements for combined housing and outdoor space as provided by this law; (vi) adopting requirements to address sanitary conditions to prevent offensive odors or pests; or (vii) requiring that the animals be kept in the side or rear yard; and (3) provide that an adopted ordinance or restrictive covenant that violates this law is void.

- [HB 328 \(Cortez\)](#) – **Home Solar Installation**: This legislation would clarify the existing regulation of solar installation by a property owners' association. "Solar roof tiles" would be included as a "solar energy device" under this code.
- [HB 330 \(Goodwin\)](#) – **Home Wind Installation**: This legislation would prohibit a property owners' association from preventing the installation of a wind power facility of an appropriate residential scale.
- [HB 695 \(Rogers\)](#) – **Eminent Domain**: This legislation would provide that a city may not take private property through eminent domain for the purpose of developing or operating a wind power.

#### **WILDLAND-URBAN INTERFACE BILLS:**

- [HB 152 \(Goodwin\)](#) – **Wildlife**: This legislation would require commissioners court to adopt a wildland-urban interface code in an unincorporated area of a county of a million or more population. The rule will affect building permits in these areas.
- [HB 1027 \(Slawson\)](#) – **Property Tax Appraisal**: This legislation would repeal the additional property taxes imposed as a result of the sale or change in the use of land appraised as open-space land, timberland, parkland, or public access airport property. (Companion bill is **S.B. 279** by **King**.)

### DISASTER-RELATED BILLS:

- [HB 588 \(Raymond\)](#) – **Disaster Alert System**: This legislation would require the state along with the appropriate agencies to establish a disaster alert system.
- [SB 99 \(Johnson\)](#) – **State of Disaster Declaration**: This legislation would outline requirements of the governor and the legislature regarding renewal of certain declared states of disaster.
- [SB 100 \(Johnson\)](#) – **State Authority of Disaster Declaration**: This legislation would establish the governor’s authority and the chain of command during the recovery following a disaster declaration.

### ENVIRONMENTAL JUSTICE BILL:

- [HB 642 \(Reynolds\)](#) – **Environmental Justice**: This legislation would require the state to establish a Texas Environmental Justice Commission to advise state and local governments on environmental justice issues.

### GAS-POWERED APPLIANCE BILLS:

- [HB 743 \(Dean\)](#) – **Gas Powered Appliance Regulation**: This legislation would require that a city may not adopt or enforce a regulation that prohibits or restricts, directly or indirectly, the use of an appliance, system, or component that is fueled by natural gas or propane in the construction, renovation, maintenance, or alteration of a residential or commercial building.
- [HB 744 \(Dean\)](#) [HB 764 \(Cain\)](#) – **Gasoline Powered Tool Regulation**: This legislation would require that a city may not adopt or enforce a regulation that prohibits or restricts the use or sale of gasoline-powered landscaping equipment.
- [SB 104 \(Johnson\)](#) – **Air Emissions and Small Engines**: This legislation would create a small non-road engine purchase incentive program under the Texas Emissions Reduction Plan (TERP).

### POWER/ ELECTRICAL GRID BILLS:

- [SB 31 \(Zaffirini\)](#) – **Electricity**: This legislation would, among other things, provide that: (1) a transmission and distribution utility, municipally owned utility, or electric cooperative that transmits or distributes power purchased at wholesale in the ERCOT power region may construct, own, and operate facilities as necessary to: (a) access transmission service from outside the ERCOT power region; and (b) purchase power at

wholesale from outside the ERCOT power region; and (2) unless otherwise provided by federal law, the Public Utility Commission (PUC) shall require ERCOT to approve the interconnection of a facility in (1), above, unless the PUC or ERCOT determines that the interconnection poses a significant and imminent risk to public health and safety.

- **[SB 114 \(Menendez\) – Electricity](#)**: This legislation would, among other things: (1) provide that a retail electric customer is entitled to: (a) participate in demand response programs; and (b) receive notice from the retail electric provider that serves the customer: (i) when the independent organization for the ERCOT power region issues an emergency energy alert about low operating reserves to providers of generation in the power region; or (ii) of planned outages and the length of time the outages are expected to last; and (2) require the Public Utility Commission to adopt rules that require each retail electric provider in the ERCOT power region to create a residential demand response program to reduce the average total residential load by at least: (a) one percent of peak summer and winter demand by December 31, 2024; (b) two percent of peak summer and winter demand by December 31, 2025; (c) three percent of peak summer and winter demand by December 31, 2026; and (d) five percent of peak summer and winter demand by December 31, 2027.

#### **TRANSPORTATION & EV-RELATED BILLS:**

- **[HB 366 \(Bell\) – High Speed Rail Bond](#)**: This legislation would provide that before a private entity begins operation of new high-speed rail service the entity must file a bond in an amount sufficient to restore real property used for the service to its original condition if the service ceases operation.
- **[HB 820 \(Ken King\) – Additional Hybrid Vehicle Registration Fee](#)**: This legislation provides that applicants for registration or renewal of registration for a hybrid or electric vehicle shall pay an additional fee of \$200 if the vehicle is an electric vehicle and \$100 if the vehicle is a hybrid vehicle with 90% of the fees to be deposited into the state highway fund and 10% to be deposited into a new electric vehicle battery disposal account administered by the TCEQ.
- **[HB 960 \(Jetton\) – Electric Vehicle Registration Fee](#)**: This legislation would provide that at the time of application for registration or renewal of registration of an electric vehicle, the applicant shall pay an additional \$100 road maintenance fee, which must be deposited to the credit of the state highway fund.

- **Sustainable and resilient infrastructure drives economic growth in Dallas:** *Support legislation that protects and enhances the City's infrastructure network while continuing to deliver innovative, safe, and equitable solutions.*
  - Enhance and fund mobility infrastructure, including but not limited to bike and pedestrian improvements.
  - Improve water, stormwater, and wastewater infrastructure through dredging and other sustainable practices.
  - Allow municipalities to lower the *prima facie* speed limit in residential areas from 30 to 25 miles per hour.
  - Elevate broadband service as a critical utility. Strengthen the state's electric grid.

**Environment-related bills under review include, but are not limited to the following:**

**WATER UTILITY-RELATED BILLS:**

- **[HB 874 \(Bowers\)](#) – **Water Rights:** This legislation would provide that a water right is not cancelled for nonuse if the nonuse resulted from an executed temporary or permanent forbearance agreement that: (1) promotes restoration, preservation, or enhancement of instream flows; (2) was entered into by the holder of the permit, certified filing, or certificate of adjudication; and (3) was filed with the Texas Commission on Environmental Quality not later than the 180th day after the date the agreement was executed.**
- **[HB 349 \(Bucy\)](#) – **Municipal Drainage Service Charges:** This legislation would: (1) authorize a city to exempt property from all or a portion of drainage charges if the property is used as a principle residence of an individual who is a disabled veteran, 65 years of age or older, a veteran of the armed forces of the United States, or a member of the armed services of the United States on active deployment; and (2) authorize a city to impose additional eligibility requirements for an exemption under (1), above.**
- **[HB 583 \(Raymond\)](#) – **Drinking Water Report:** This legislation would require the Texas Commission on Environmental Quality to produce an annual report on public drinking water supply systems in Texas and deliver the report to the legislature not later than September 1 of each year.**
- **[HB 585 \(Raymond\)](#) – **Water Treatment Facilities Reporting:** This legislation would: (1) require the Texas Commission on Environmental Quality (TCEQ) to create a plan to protect water treatment facilities from: (a) electrical outages; (b) catastrophic weather events; (c) terrorist attacks; (d) the projected effects of climate change; and (e) other potential disruptions to providing water service; and (2) require TCEQ to submit the plan to the governor and the legislature by September 1, 2024.**
- **[HB 40 \(Zwiener\)](#) / [HJR 25 \(Zwiener\)](#) **Water and Ad Valorem Tax Exemption – Property Tax Exemptions:** This legislation would provide that a person is entitled to an exemption from taxation of the portion of the appraised value of the person's**

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property that is attributable to the installation in or on the property of a rainwater harvesting or graywater system.

- [SB 40 \(Zaffirini\)](#) – **Water Alert System:** This legislation would provide that the TCEQ establish and implement a boil water alert system.
- [SB 223 \(Campbell\)](#) – **Wastewater Treatment Permits:** This legislation would require the TCEQ to hold at least one public meeting on a permit application for a wastewater treatment facility in the county where the facility is to be located.

# Memorandum



CITY OF DALLAS

DATE January 12, 2023

TO Honorable Chair Blackmon and Members of the Environment and Sustainability Committee

SUBJECT **Comprehensive Urban Agriculture Plan: Responses to ENVS Comments**

## Background

The Office of Environmental Quality and Sustainability (OEQS) has developed a Comprehensive Urban Agriculture Plan (CUAP) to lay the groundwork for a more sustainable and resilient food system in Dallas. This plan supports Goal Number 7 of the Comprehensive Environmental and Climate Action Plan (CECAP) that all Dallas communities have access to healthy, local food. The CUAP prioritizes this goal through actions to provide feasible, impactful increases in urban agriculture production.

Please view the final plan here: <https://www.dallasclimateaction.com/foodaccess>

OEQS most recently briefed the Environmental Commission (EVC) and the Environment and Sustainability Committee (ENVS) on November 9, 2022 and December 5, 2022, respectively, before bringing the plan to the full Council for consideration on February 22, 2023. This memorandum provides clarifying responses to questions received during these briefings.

## Council Comments and Questions concerning the CUAP:

- Suggestion to partner with national philanthropic organizations for funding and resources. Propose partnering with Downtown Dallas to use underground tunnels as a space for urban agriculture, including artificial lighting (Councilmember Schultz).
  - Staff included Funding Opportunities in more detail starting on page 72 of the CUAP. OEQS can certainly consider building these and other partnerships as appropriate to support plan implementation.
  - Staff can explore partnering with Downtown Dallas to consider the use of underground tunnels for urban agriculture, above ground locations for infrastructure such as vegetation plant walls, and other growing opportunities. Understanding condition of the tunnels, food safety concerns of tunnel growing environment, and management structure will be crucial.
- Suggestion to utilize water bill inserts as a public education component; seek additional partners to outsource management of this program (Vice Chair Ridley).
  - OEQS is partnering with Dallas Water Utility to engage the public on the CUAP via the water bill inserts as part of comprehensive outreach and engagement efforts beginning in the Spring 2023.

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- Request for further working knowledge of Recommendation 2: Support Land Access (Councilmember West).
  - CUAP Manager and consultants to host a workshop on Recommendation 2 and provide a demonstration of the Urban Agriculture and Community Health Explorer tool with Councilmember West. Additional effort includes evaluation of vacant City-owned parcels for potential Urban Agriculture uses.
- Request for explanation of economics and funding regarding Recommendations 4 and 5 (Councilmember West). As is the case with overall CUAP implementation, the primary City costs associated with implementing Recommendations 4 and 5 relate to staff engagement. There are, however, opportunities to improve the speed and breadth of these and other CUAP recommendations. Staff will utilize funding as appropriated by City Council to maximize return on investment and leverage other funding sources.
  - *Solution 4.1: Formalize and maintain an Urban Agriculture Advisory Council that represents a range of UA stakeholders in the City of Dallas.*

This effort is intended to encourage programmatic transparency and to ensure ongoing engagement with multiple stakeholders to the urban agriculture program in Dallas. Best practices suggest it may be worthwhile to formalize the recruitment and onboarding process to ensure organizational transparency and longevity.
  - *Solution 4.2: Showcase and organize UA events focused on knowledge sharing, resource support and partnerships for UA stakeholders.*

This solution is about the City leveraging its name and network to develop partnerships with existing UA-related organizations that can shoulder the cost and complexity of organizing educational and community events, rather than the City implementing events themselves. We received strong stakeholder feedback that the City should be promoting existing stakeholder events, rather than developing their own. That said, the plan also includes actions around convening opportunities for the stakeholders in UA to share knowledge and work better together.
  - *Solution 5.1: Reduce barriers to operating farmers' markets.*

This is a policy change strongly advocated for by stakeholders. There is very little cost to the City to implement this policy change that could result in additional local economic development and growth around UA.
  - *Solution 5.2: Seek funding for nutrition assistance programs to increase purchasing power of low-income consumers.*

This solution primarily involves grant seeking and writing, which is an existing function of COD; staff are well suited to utilize additional financial or programmatic resources as they become available. Studies repeatedly show that investing in healthy and affordable nutrition is one of the most cost-effective public health interventions, lowering personal and institutional healthcare costs, increasing life spans, and reducing the demand on our over-burdened healthcare practitioners. We will use available funding as it is appropriated to leverage grants and other partnerships to assist in food access.



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- *Solution 5.3: Initiate or Partner with a “Buy Local” campaign with consumer-facing, business-facing, and internal COD Agency-facing elements.*  
This would require budget for staff time to develop relationships with successful existing campaigns and coordinate a partnership between the City, the local Chamber of Commerce, and others like growers, brokers, and hotel and restaurant associations. This solution overlaps with the separate CECAP goal related to local food procurement and could utilize those COD resources as appropriated. This is not slated for implementation until requisite milestones related to production have been met. The plan focusses on increasing production prior to increasing the available market opportunities.
- *Solution 5.4: Facilitate connections between Dallas area producers and interested wholesale buyers such as restaurants, retailers, and institutions.*  
This solution succeeds implementation of prior solutions and action items that establish the foundation for 5.4. This partnership and networking development has been created to meet the CECAP goal of increasing local commercial food sourcing. This recommendation reflects the role that the City can and should play in facilitating market opportunities between farmers and buyers. There is little direct budget required for this effort – however, the solution will likely involve robust stakeholder engagement with the potential for a focused media advertising campaign. This solution also states that the City will seek or provide funding to subsidize food aggregation and distribution by third party entities, especially for historically disadvantaged producers or those located in UAPAs.
- Request to place more emphasis between urban farming vs. urban gardening; ensure appropriate code amendments for both. Request for consistent messaging through education (Councilmember Bazaldua).
  - The section of the CUAP providing an *Overview of Urban Agriculture in Dallas Today* (page 22) discusses the different pros and cons of various UA production strategies in more detail, including both urban farming and community gardening; both serve a purpose in community development and food access.
  - CUAP Appendix B (page 81) provides details for an updated Urban Agriculture Land Use definition and code recommendations. This was identified by the CUAP team as the most relevant opportunity to distinguish between urban gardening and farming, as it carries legal and programmatic implications.
  - Consistent messaging is a priority and OEQS is currently undertaking a department wide outreach and engagement strategy plan.

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## Next Steps

The plan is currently being translated into Spanish and OEQS will distribute a hard copy of the CUAP to City Council Members within the next month. OEQS is scheduled to brief the City Council on February 1, 2023 before bringing the plan to City Council for adoption on February 22, 2023. Should you have any questions, please reach out to Carlos Evans, Director, Office of Environmental Quality & Sustainability at [carlos.evans@dallas.gov](mailto:carlos.evans@dallas.gov); 469-617-1925.



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