

Memorandum

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CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

DATE June 20, 2014

TO Honorable Members of the Quality of Life & Environment Committee:
Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT Quality of Life & Environment Committee Meeting Agenda

Monday, June 23, 2014, 9:00 a.m.

Dallas City Hall - 6ES, 1500 Marilla St., Dallas, TX 75201

The agenda for the meeting is as follows:

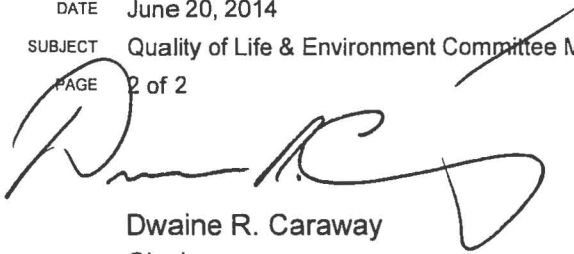
1. Call to Order
Dwaine R. Caraway
Chair
2. Approval of June 9, 2014 Minutes
Dwaine R. Caraway
Chair
3. "Operation: Beautification" Spring 2014 Report
LaToya Jackson
Assistant Director, Strategic Customer Services
4. Rest Break Ordinance for Construction Workers
Emily Timm
Deputy Director, Workers Defense Project
5. DFW Air Quality and State Implementation Plan Update
Stephanie Gharakhanian
Director of Research and Policy,
Workers Defense Project
6. 2014 Team Lawn Whisperer Regional Campaign
Frank Camp
Managing Director, Office of Environmental
Quality
7. Bachman Water Treatment Plant Water Quality
Improvements Project June 25, 2014 Consent Agenda
for Water Utilities – Item Nos. 63 and 67
Jo Puckett
Director, Dallas Water Utilities
8. Texas Commission on Environmental Quality
Grant Acceptance: Agenda Items #39, #40, #41, and #42
on the June 25, 2014 Council Agenda
Jo Puckett
Director, Dallas Water Utilities
9. Adjourn
Rick Galceran
Director, Public Works
9. Adjourn
Dwaine R. Caraway
Chair

Please let me know if you have any questions.

DATE June 20, 2014

SUBJECT Quality of Life & Environment Committee Meeting Agenda

PAGE 2 of 2



Dwaine R. Caraway
Chair

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Daniel F. Solis, Administrative Judge
Rosa A. Rios, City Secretary
Craig D. Kinton, City Auditor
Ryan S. Evans, Interim First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager
Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Asst. to the City Manager – Mayor and Council

NOTICE: A quorum of the Dallas City Council may attend this Council committee meeting.

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

1. Contemplated or pending litigation or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.

Quality of Life & Environment Committee Meeting Record

DRAFT

Meeting Date: June 9, 2014

Convended: 9:14 a.m.

Adjourned: 11:01 a.m.

Members Present:

Dwaine R. Caraway, Chair
Sandy Greyson, Vice Chair
Lee M. Kleinman
Adam Medrano
Carolyn R. Davis
Rick Callahan

Members Absent:

Briefing Presenters

Joey Zapata
Assistant City Manager

Latoya Jackson
Assistant Director, Strategic
Customer Services

Staff Present:

Joey Zapata, Jimmy Martin, Liz Hernandez, Dennis Ware, Priscylla Bento, Eric Izuora,

Special Guests:

AGENDA:

1. Approval of June 9, 2014 Minutes

Presenter(s):

A motion was made to approve the minutes of June 9, 2014.

Action Taken/Committee Recommendation(s):

Motion made by: Carolyn R. Davis

Motion seconded by: Rick Callahan

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

2. Update on Stormwater Pollution Prevention Efforts and Draft Ordinance Consideration

Presenter(s):

Joey Zapata

The purpose of this briefing was to provide the committee an overview of draft ordinance options developed from recommendations made by the committee on May 12, 2014.

Staff will continue public information and enforcement measures, and review contracts with landscape companies to find ways to eliminate improperly handled landscaping waste.

A straw vote on a voluntary, no fee business registration for lawn maintenance services failed. The committee then requested for staff to return with an estimate of additional staff required to implement and enforce a business registration program for businesses that provide lawn maintenance services.

The Vice Chair additionally requested options to prohibit tree trimming businesses from using the city’s monthly brush/bulky trash collection service.

The Committee requested to be briefed on the Resource Recovery Planning and Implementation plan.

Action Taken/Committee Recommendation(s): A motion was made to change Section 51A-6.102(a)(5)(G), which restricts lawn maintenance to the hours of 7:00 a.m. to 10:00 p.m. daily, to indicate that the starting time on weekends and legal holidays is 8:00 a.m.

Motion made by: Sandy Greyson

Motion seconded by: Rick Callahan

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

3. “Operation: Beautification” Spring 2014 Report

Presenter(s): Latoya Jackson

This briefing was moved to the June 23, 2014 committee meeting.

Action Taken/Committee Recommendation(s):

Motion made by:

Motion seconded by:

Item passed unanimously:

Item passed on a divided vote:

Item failed unanimously:

Item failed on a divided vote:

Councilmember Dwaine R. Caraway
Chair

Memorandum



CITY OF DALLAS

DATE June 20, 2014

Honorable Members of the Quality of Life & Environment Committee:
TO Dwaine R. Caraway (Chair), Sandy Greyson (Vice Chair), Adam Medrano,
Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT "Operation: Beautification" Spring 2014 Report

On Monday, June 23, 2014 the Quality of Life & Environment Committee will be briefed on the spring 2014 Operation: Beautification. Briefing materials are attached for you review.

Please contact me if you have any questions or need additional information.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

cc: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
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Elsa Cantu, Assistant to the City Manager – Mayor & Council



“OPERATION: BEAUTIFICATION” SPRING 2014 REPORT



Presented to the Quality of Life &
Environment Committee

June 23, 2014

Background

- Quality of Life Committee charged staff with coordinating a citywide community led cleanup event in February 2012
- The City provides out-of-schedule trash pick up and start-up goody bag
- First citywide cleanup event held May 2012
 - Dubbed “Operation: Beautification”
 - 24 groups participated
 - Over 9.7 tons of trash and brush collected

Before



After



Biannual Events

Fall 2012 - November 10, 2012

- 22 groups participated
- 16.8 tons of trash collected

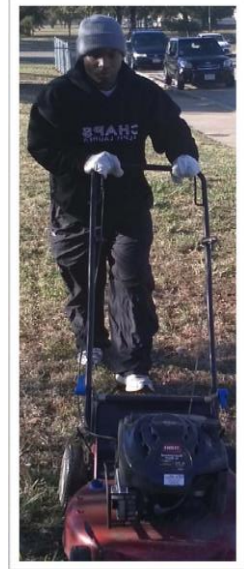
Spring 2013 - May 18, 2013

- 2.45 tons of trash picked up
- 30 groups took part

Fall 2013 – November 9, 2013

- 14 groups participated
- 32.46 tons of trash gathered

Kleberg Rylie Neighborhood

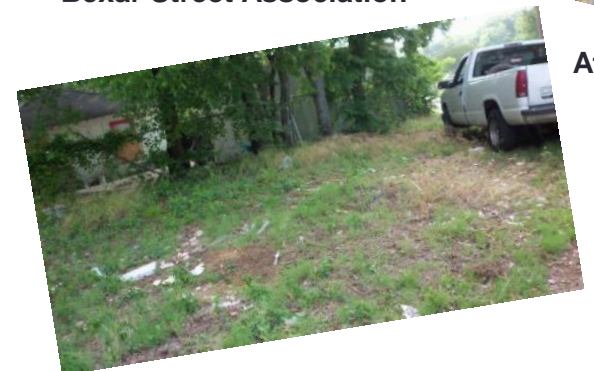


Before



Bexar Street Association

After



Spring – May 17, 2014

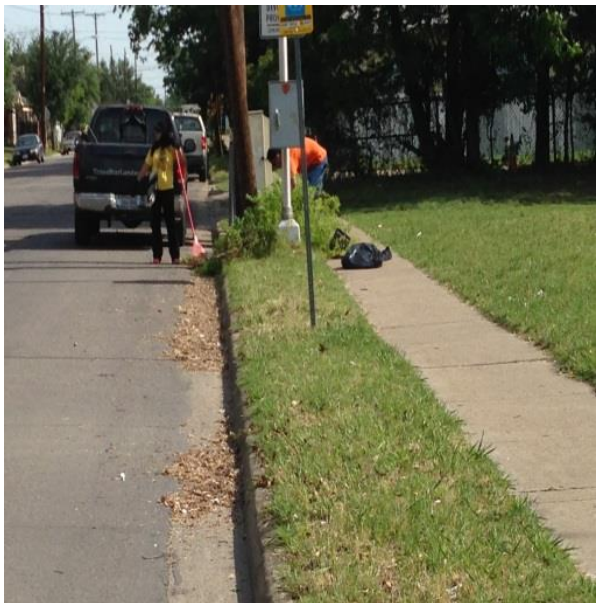
- Advertised on Clear Channel electronic billboards, City's website, flyers distributed by City staff, and social media (Facebook, Twitter, etc.)
- Information shared with registered homeowners associations and neighborhood associations
 - 22 groups participated
- City provided basic supplies and an out-of-schedule trash collection
 - 20.4 tons of trash/brush collected



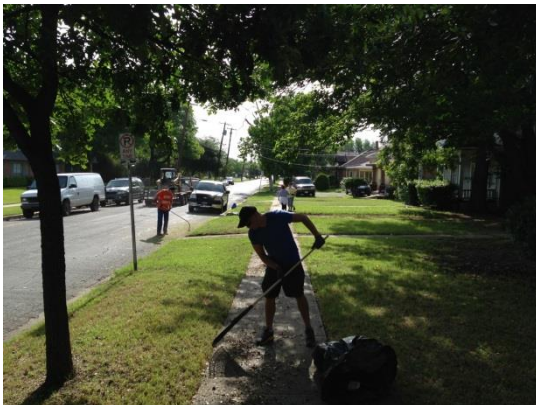
Participants - Spring 2014

- American Care Foundation
- Bishop Arts Neighborhood Association
- Casa Grande Crime Watch
- Clean South Dallas/Fair Park Inc.
- East Lake June Crime Watch
- Eastwood Hills Neighborhood Association
- Elmwood Neighborhood Association ENA
- Florence Middle School/Gladiator Green Team
- Go Green Dallas
- Golden S.E.E.D.S
- Inner City Solutions
- Kings Highway Conservation Group
- Lakewood Trails Neighborhood Association
- Marsalis Park Homeowners Association
- Neighborhood Improvement Association NIA
- Power of 2
- Royal Haven Neighborhood Association
- Twin Oaks Neighborhood Association
- Victory Gardens/Bickers Park Crime Watch
- Walnut Hill Neighborhood Association
- Wendelkin/Driscoll Neighborhood Association
- Wynnewood Heights Neighborhood Association

Wynnewood Heights Neighborhood Association (District 4)



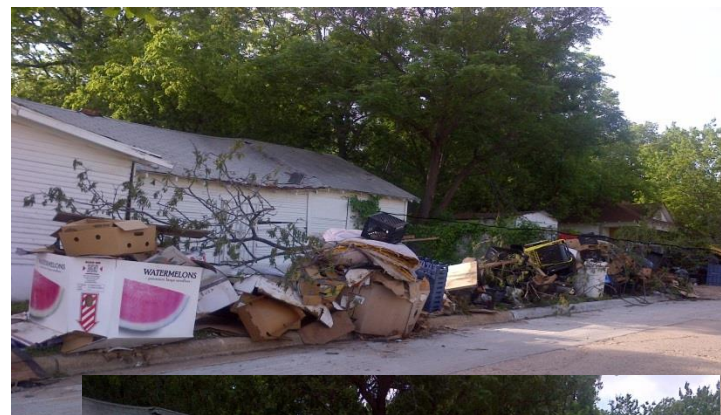
Bishop Arts Neighborhood Association (District 1)



**Walnut Hill Neighborhood Association
(District 13)**



**American Care
Foundation/Operation
10th St. (District 4)**



Florence Middle School/ Gladiator Green Team (District 5)



Next Steps

- Plan for Fall event – Saturday, November 8th
- Goal: 20 participating groups for Fall
- Hold debriefing
- Strengthen DISD connection for future cleanups

Memorandum



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DATE June 20, 2014

TO Honorable Members of the Quality of Life & Environment Committee: Dwaine R. Caraway (Chair)
Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT Rest Break Ordinance for Construction Workers

On Monday, June 23, 2014, the Quality of Life & Environment Committee will receive a briefing on Rest Break Ordinances for Construction Workers from the Workers Defense Project.

Please contact me if you have any questions or need additional information.

A handwritten signature in blue ink that reads "Joey Zapata".

Joey Zapata
Assistant City Manager

Attachment

c: Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
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Rest Break Ordinance for Construction Workers



*Presented to the Quality of Life
& Environment Committee, June 23, 2014*



Workers Defense Project
Proyecto Defensa Laboral

Dallas Needs a Rest Break Ordinance

Table 1: Working Conditions Reported by Dallas Construction Workers¹

Receive no rest breaks	33%
Employer doesn't provide drinking water	66%
Witnessed a coworker faint due to heat exhaustion	12%

OSHA recommends that workers laboring in the heat, especially during the summer, be granted frequent rest breaks and that each worker be provided with clean drinking water throughout the workday.²

¹ Based on the findings of *Build a Better Texas: Construction Working Conditions in the Lone Star State*, University of Texas Division of Diversity and Community Engagement, January 2013.

² "OSHA's Campaign to Prevent Heat Stress in Outdoor Workers," US Department of Labor, OSHA, accessed June 19, 2014, <http://www.osha.gov/SLTC/heatillness/index.html>.

Dallas Needs a Rest Break Ordinance

“I’ve seen people throw up, people fall, fainting because they wouldn’t get a rest break. But they are afraid to speak out because they’re afraid of being fired.”

– Modesto Suret

“Your body feels like it’s suffocating. I felt dizzy, my eyes got blurry. I felt nauseous. I knew that I could either faint or go get a drink of water, but the foreman would immediately get on my case for leaving the job, even for a minute.”

– Billy Tirado

Austin Rest Break Ordinance

PASSED JUNE 2010

Basic Requirements:

- 10 minutes of rest break for every four hours worked on a site.
- Signage in English and Spanish on all worksites explaining the ordinance requirements.
- Employers (subcontractors) receive fines of \$100 to \$500 for every day a violation occurs

Enforcement:

- Austin Code Compliance enforces the ordinance on private sites.
- On public sites, each city department is responsible for enforcing the ordinance on its own contracts.

Austin's Enforcement Protocol

Code Compliance visits job site for 1) random inspections or 2) a 311 complaint

Code Inspector checks that rest break poster displayed in English and Spanish

Code Inspector looks for evidence of rest breaks provided

Interviews 1) workers and 2) superintendent

If breaks not given or poster not displayed, issue warning and give 5 days to comply

If issue not resolved after 5 days, citations given until compliance is achieved

Elements of a Strong Rest Break Ordinance

- Mechanism for confidential reporting (3-1-1);
- Designation of specific enforcement agency;
- Standard enforcement protocol, including interviews with workers and random inspections;
- An express evidentiary requirement included in the language of ordinance;
- Clear and concise definition of employees protected by ordinance;
- Mechanism for city officials to assess immediate and meaningful penalties upon identifying violations.

ATTENTION CONSTRUCTION WORKERS



YOU HAVE THE RIGHT TO A REST BREAK IN AUSTIN

THE LAW:

You have the right to rest 10 minutes for every 4 hours worked. This does not include lunch breaks.

Your construction sites must also have signs in Spanish and English that state this right in a conspicuous place.

NO BREAKS? FILE A COMPLAINT:

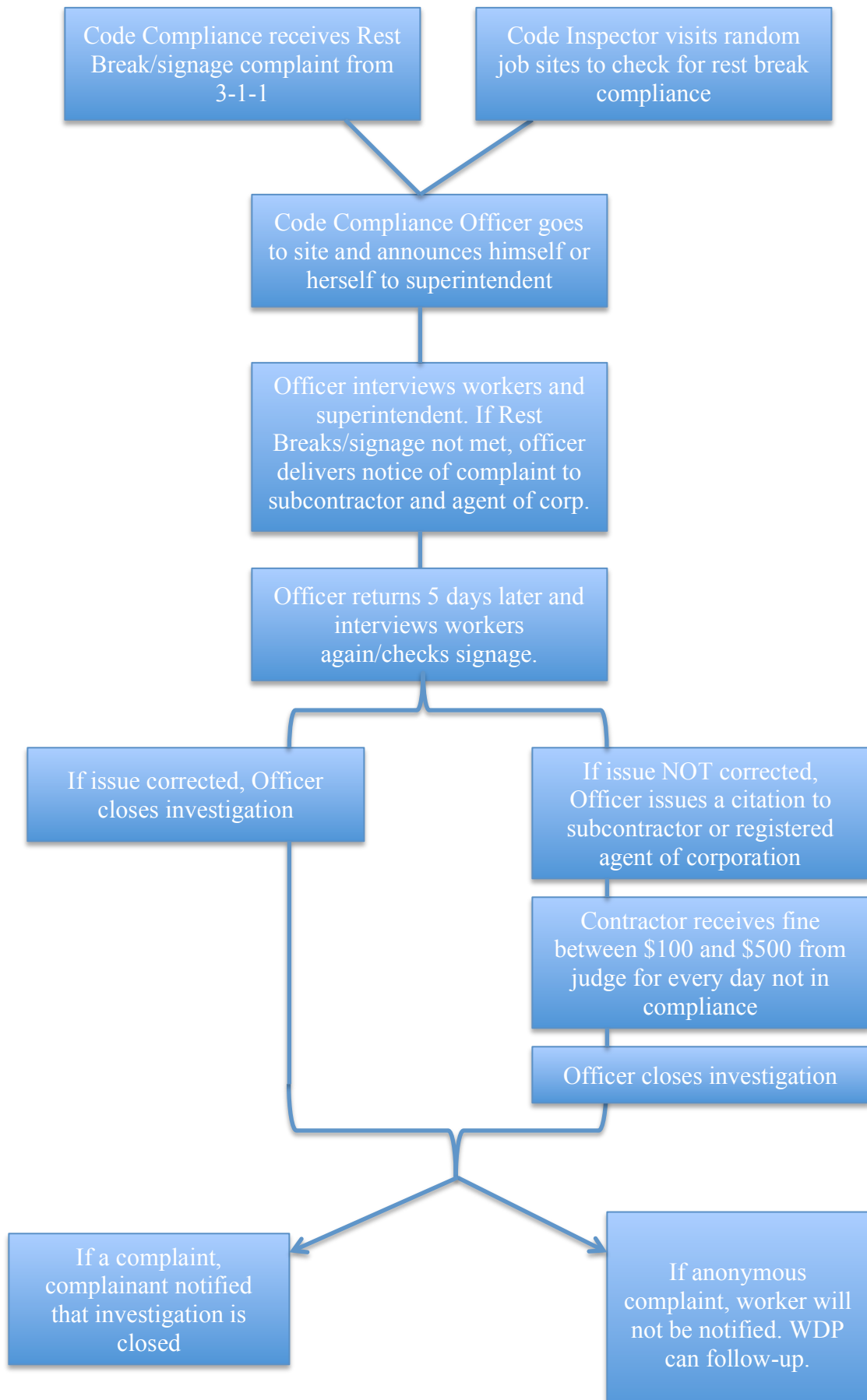
- File a complaint at the Municipal Court found at 700 E. 7th. St.; or go to their website for more information: <http://www.austintexas.gov/department/filing-citizencomplaint>
- Call 3-1-1 and give the following information: (1) Name of the business, (2) the address of the construction site

EMPLOYERS:

Anyone who continues to violate the requirements of this ordinance after being notified of the offense in writing by the City is subject to a civil penalty of not less than \$100 or more than \$500 for each day the violation occurs.



Austin Code Compliance Rest Break Investigation Protocol



ORDINANCE NO. 20100729-047

AN ORDINANCE AMENDING TITLE 4 OF THE CITY CODE TO ADD A NEW CHAPTER 4-5 RELATING TO WORKING CONDITIONS AT CONSTRUCTION SITES; CREATING AN OFFENSE AND IMPOSING A MAXIMUM PENALTY OF \$500 FOR EACH OFFENSE; AND DECLARING AN EMERGENCY.

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

PART 1. Title 4 (*Business Regulation and Permit Requirements*) of the City Code is amended to add a new Chapter 4-5 to read:

CHAPTER 4-5. WORKING CONDITIONS AT CONSTRUCTION SITES.

§ 4-5-1 DEFINITIONS.

- (1) **CONSTRUCTION SITE** means a site or structure for which a building permit or site plan has been issued under Title 25 (*Land Development Code*) for an existing or proposed use.
- (2) **CONSTRUCTION ACTIVITY** means all work associated with construction, including but not limited to work involving the alteration, demolition, building, excavation, maintenance, and renovation of structures or sites.
- (3) **DEPARTMENT** means the department designated by the city manager.
- (4) **EMPLOYEE** means any person employed by the employer.
- (5) **EMPLOYER** means an individual, partnership, association, corporation, business trust, or any person or group of persons who directly or indirectly, through an agent, or any other person or employee, exercises control over the wages, hours or working conditions of any person.
- (6) **ESTABLISHMENT** means a single physical location to which employees report each day.
- (7) **HOURS WORKED** means the time during which an employee is subject to the control of an employer and includes all the time the employee is required or permitted to work, whether or not required to do so.
- (8) **REST BREAK** means a break from work within working hours, during which an employee may not work. The term excludes any regular meal period provided by the employer.

§ 4-5-2 REST BREAK REQUIRED.

- (A) Except as provided in Subsection (B), an employee performing construction activity at a construction site is entitled to a rest break of not less than ten (10) minutes for every four (4) hours worked. No employee may be required to work more than 3.5 hours without a rest break.
- (B) An employee is not entitled to rest breaks under Subsection (A) of this section on any day that the employee works less than 3.5 hours or spends more than half of his or her work time engaged in non-strenuous labor in a climate-controlled environment.
- (C) An employer shall provide rest breaks in accordance with the requirements of this section. A rest break shall be scheduled as near as possible to the midpoint of the work period.

§ 4-5-3 SIGNAGE REQUIRED.

- (A) A sign describing the requirements of Section 4-5-2 (*Rest Break Required*) in English and Spanish shall be posted by the employer in each establishment subject to Section 4-5-2 in a conspicuous place or places where notices to employees are customarily posted.
- (B) The department shall prescribe by rule the size, content, and location of signs required under Subsection (A) of this section.

§ 4-5-4 CRIMINAL PENALTY.

- (A) A person commits a Class C misdemeanor if the person:
 - (1) fails to provide a rest break as required under Section 4-5-2 (*Rest Break Required*); or
 - (2) fails to post signage required under Section 4-5-3 (*Signage Requirements*).
- (B) Proof of a culpable mental state is not required to prove an offense under this chapter.
- (C) Each day that a violation occurs or continues is a separate offense.

§ 4-5-5 CIVIL REMEDIES.

- (A) The city council has determined that this chapter is necessary to protect health, life, and property and to preserve the good government, order, and security of the City and its inhabitants.

- (B) A person who continues to violate this chapter after being notified of the offense in writing by an authorized City representative is subject to a civil penalty of not less than \$100 or more than \$500 for each day the violation occurs.
- (C) The City may file suit to enforce this chapter or collect a civil penalty.
- (D) The City may seek to enjoin violations of this chapter.

§ 4-5-6 CUMULATIVE REMEDIES.

The remedies authorized under this article are cumulative. If the City files a civil or criminal action, it is not precluded from pursuing any other action or remedy.

PART 2. The council finds that the need to ensure employee rest breaks at construction sites constitutes an emergency. Because of this emergency, this ordinance takes effect immediately on its passage for the immediate preservation of the public peace, health, and safety.

PASSED AND APPROVED

_____ July 29 _____, 2010 §
 §
 §
 _____ *Lee Leffingwell*
 Lee Leffingwell
 Mayor

APPROVED: _____ *Karen M. Kennard* ATTEST: _____ *Shirley A. Gentry*
 Karen M. Kennard Shirley A. Gentry
 Acting City Attorney City Clerk

RESOLUTION NO. 20100624-087

WHEREAS, the City Council of the City of Austin passed a resolution in October 2009 related to construction worker safety that began a series of efforts to improve construction site safety; and

WHEREAS, rest breaks and provision of drinking water for construction workers are necessary for the health and safety of workers; and

WHEREAS, federal regulations under the Occupational Safety and Health Act include a requirement that drinking water be provided to workers on construction sites; and

WHEREAS, the Occupational Safety and Health Administration currently enforces laws related to construction site safety, including the provision of drinking water; **NOW, THEREFORE,**

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

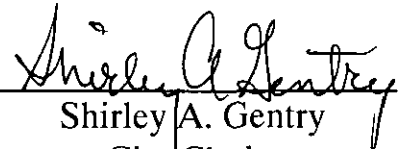
The City Manager is directed to work with the City's Legal Department to develop an ordinance requiring (1) rest breaks at regular intervals for construction workers at construction sites within the City, and (2) provision of drinking water for construction workers at construction sites within the City, provided the City has the legal authority to require it.

BE IT FURTHER RESOLVED:

The City Manager is hereby directed to place the ordinance on the City Council agenda for July 29, 2010, with the provision that it should be immediately effective upon passage.

ADOPTED: June 24,, 2010

ATTEST:


Shirley A. Gentry
City Clerk

ATENCIÓN TRABAJADORES DE CONSTRUCCIÓN



TIENEN EL DERECHO A UN DESCANSO

LA LEY:

Tiene el derecho de un descanso de 10 minutos cada cuatro horas además de la hora del almuerzo. Sus sitios de construcción deben tener letreros en inglés y español con información de sus derechos bajo esta ley.

¿NO TE DAN DESCANSOS? TOMA ACCIÓN

- Presente una queja a la Corte Municipal en 700 E. 7th. St.; o visite su sitio web: <http://www.austintexas.gov/page/presentando-su-denuncia>
- Llame al 3-1-1 y proporcione la información siguiente: (1) El nombre del empleador, (2) la dirección del sitio de construcción.

EMPLEADORES:

Cualquier persona que siga violando los requisitos de esta ordenanza después de ser notificado del delito por la ciudad es sujeto a una multa civil de entre \$100 y no más de \$500 por cada día que la violación ocurra.

ATTENTION CONSTRUCTION WORKERS



YOU HAVE THE RIGHT TO A REST BREAK IN AUSTIN

THE LAW:

You have the right to rest 10 minutes for every 4 hours worked. This does not include lunch breaks.

Your construction sites must also have signs in Spanish and English that state this right in a conspicuous place.

NO BREAKS? FILE A COMPLAINT:

- File a complaint at the Municipal Court found at 700 E. 7th. St.; or go to their website for more information: <http://www.austintexas.gov/department/filing-citizencomplaint>
- Call 3-1-1 and give the following information: (1) Name of the business, (2) the address of the construction site

EMPLOYERS:

Anyone who continues to violate the requirements of this ordinance after being notified of the offense in writing by the City is subject to a civil penalty of not less than \$100 or more than \$500 for each day the violation occurs.



Ensuring Rest Breaks for Dallas Construction Workers

During the summer, the City of Dallas regularly experiences **average temperatures exceeding 100° F**. Workers laboring outside in such conditions are at great risk of injury and illness due to heat exhaustion or heat stroke. Between 2008 and 2012, at least 18 Texas workers died as the result of a heat-related illness, **over 50% of which were construction workers**.¹

OSHA recommends that workers laboring in the heat, especially during the summer, be granted short, frequent rest breaks and that each worker be provided with clean drinking water throughout the workday.² However, neither federal law nor Texas law requires employers to provide rest breaks.

Many Dallas construction workers currently go without rest breaks or water on the job:

33% of Dallas construction workers report receiving no rest breaks during their workday besides lunch;

66% of Dallas construction workers report that their employers fail to provide drinking water at their worksite; and

12% of Dallas construction workers report that they have witnessed a co-worker faint on the job due to heat exhaustion.³

In 2010, the City of Austin passed an ordinance requiring rest breaks for construction workers laboring within city limits.

A rest break ordinance in Dallas would benefit the city, its construction workers, and local construction employers. Well-rested workers commit fewer accidents, resulting in fewer injuries and costly work-stoppages.

For more information, contact:

Juan Cardoza-Oquendo

juan@workersdefense.org

972-479-5080, x8038

¹OSHA's Campaign to Prevent Heat Stress in Outdoor Workers: Map of Heat Fatalities," US Department of Labor, OSHA, accessed June 19, 2014, https://www.osha.gov/SLTC/heatillness/map_text.html

²OSHA's Campaign to Prevent Heat Stress in Outdoor Workers," US Department of Labor, OSHA, accessed June 19, 2014, <http://www.osha.gov/SLTC/heatillness/index.html>.

³Based on the findings of *Build a Better Texas: Construction Working Conditions in the Lone Star State*, University of Texas Division of Diversity and Community Engagement, January 2013.

Memorandum



CITY OF DALLAS

DATE June 20, 2014

TO Honorable Members of the Quality of Life & Environment Committee:
Dwayne R. Caraway (Chair), Sandy Greyson (Vice Chair), Rick Callahan, Carolyn R. Davis, Lee M. Kleinman, Adam Medrano

SUBJECT **DFW Air Quality and State Implementation Plan Update**

On Monday, June 23, 2014, the Quality of Life & Environment Council Committee will be briefed on a DFW Air Quality and State Implementation Plan Update.

The following materials are attached for your review:

1. DFW Air Quality and State Implementation Plan Update Briefing

If you have any questions or require additional information, please do not hesitate to contact me.

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

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

c: The Honorable Mayor and Members of the City Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Rosa A. Rios, City Secretary
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DFW Air Quality and State Implementation Plan Update

Quality of Life and Environment Committee
June 23, 2014

Presented by the Office of Environmental Quality

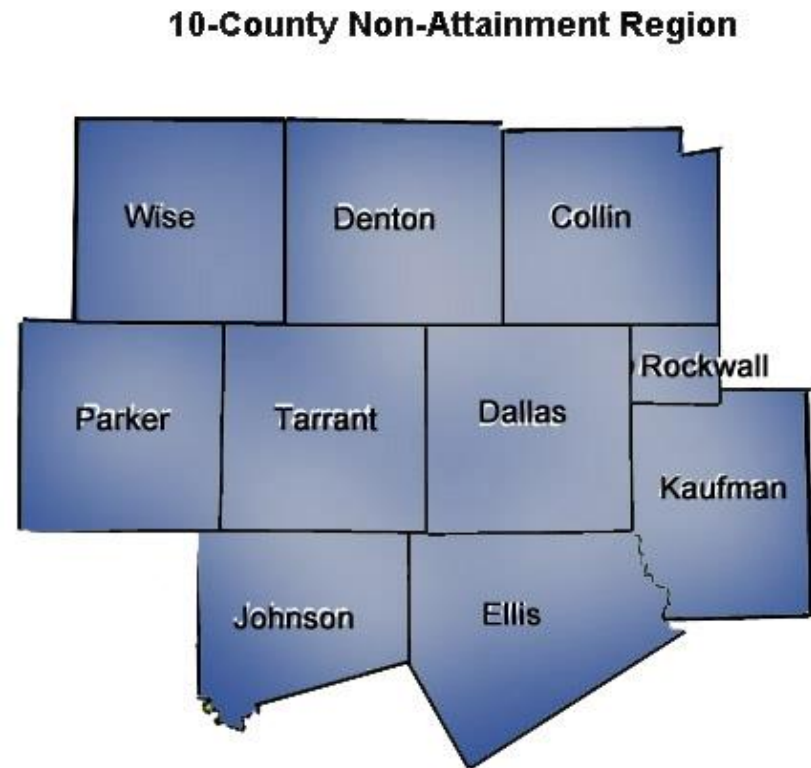


Air Quality Standards

- **Federal Clean Air Act:** Passed in 1970; Amended in 1990
- Requires the Environmental Protection Agency (EPA) to establish health-based standards called National Ambient Air Quality Standards (NAAQS)
- Six Criteria Pollutants
 - ❑ Ground Level Ozone/Smog (O₃)
 - ❑ Particulate Matter (PM)
 - ❑ Lead (Pb)
 - ❑ Nitrogen Dioxide (NO₂)
 - ❑ Sulfur Dioxide (SO₂)
 - ❑ Carbon Monoxide (CO)

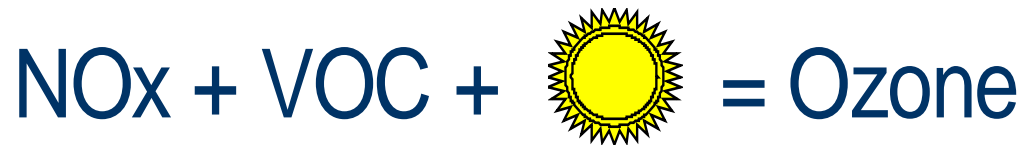
DFW Ozone Non-Attainment Area

- DFW region is currently a serious non-attainment area for the 1997 85 ppb ozone standard.
- Wise County was added in 2012, making a 10-county, moderate non-attainment region for the 2008 75ppb ozone standard.



Ground-Level Ozone Formation

Ozone forms when nitrogen oxides (NO_x) and volatile organic compounds (VOC) mix in the presence of strong ultraviolet (UV) rays from sunlight and heat.



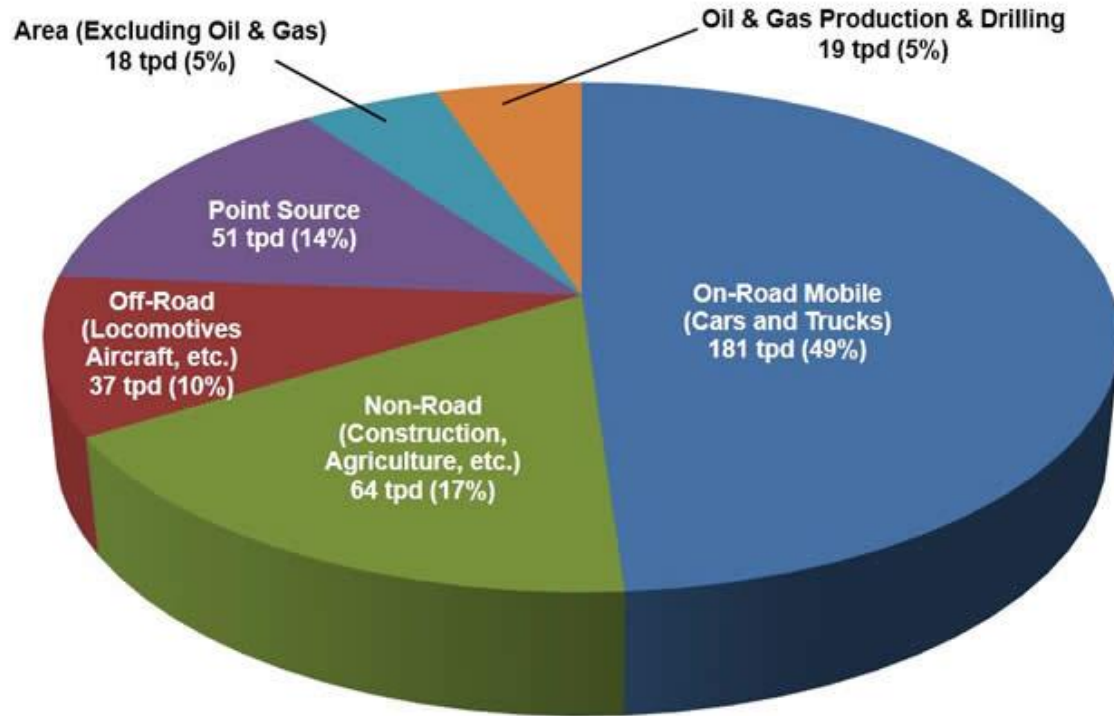
Primary Sources of NO_x

- High-temperature combustion of fossil fuels
 - Cars, trucks, and marine vessels
 - Construction equipment
 - Power generation
 - Industrial processes
 - Natural gas furnaces



Primary Sources of NO_x in North Texas Region

STATE OF AIR QUALITY IN NORTH TEXAS
Estimated 2012 Nitrogen Oxide (NO_x) Emissions Inventory
Source Category Estimates = 370 tons per day (tpd)



Source: Texas Commission on Environmental Quality

Primary Sources of VOC

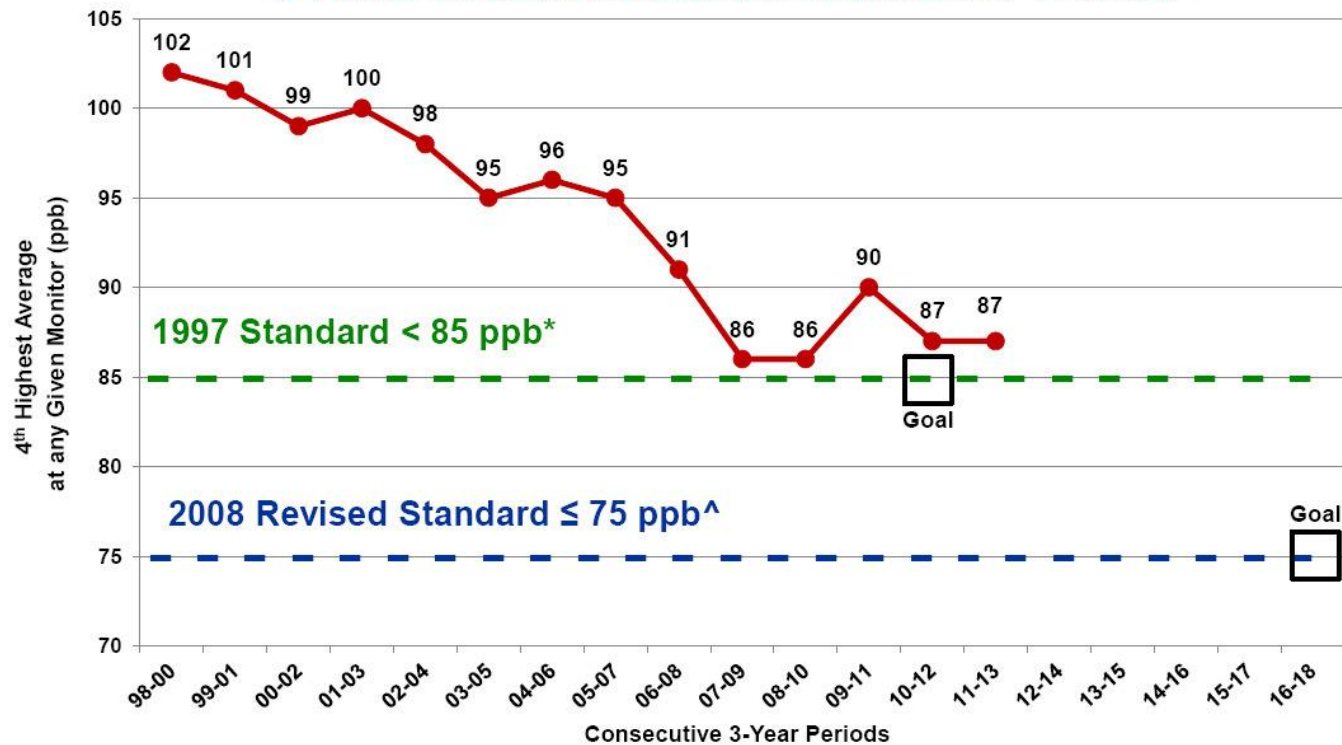
- Chemicals that easily vaporize and incomplete combustion of fuels
 - Gasoline stations
 - Motor vehicles, airplanes, trains, boats
 - Petroleum storage tanks
 - Oil refineries



DFW Historical Ozone Trends

2013 OZONE SEASON RECAP

8-Hour Ozone Standard Historical Trends



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

^Attainment Goal - According to the US EPA National Ambient Air Quality Standards, attainment is reached when, at each monitor, the three-year average of the annual fourth-highest daily maximum 8-hour average ozone concentration is equal to or less than 75 parts per billion (ppb).

Note: The 2013 data has not been verified by the TCEQ. This is the most current data, but it is not official until certified by TCEQ technical staff.

Source: NCTCOG TR Dept

State Implementation Plan (SIP)

- Applies to areas not meeting federal National Ambient Air Quality Standards (ozone for DFW)
- Prepared by TCEQ, approved by EPA
- SIP is designed to reduce pollution to meet health-based standards
- Sets control strategies for reducing emissions
- Establishes a technical and regulatory process for achieving and demonstrating attainment

Most Effective SIP Control Strategies

- Federal on-road and non-road NO_x and VOC reduction measures
 - Reformulated gasoline, Texas Low Emission Diesel
 - Federal Low Emissions Vehicles program
- Adopt new State regulations requiring emission limits and control of NO_x from combustion sources (industrial, commercial, institutional)
- Encourage Local Initiatives
 - Voluntary Mobile Emissions Reduction Program
 - Clean vehicle programs, locally-enforced idling restrictions, aviation efficiencies
 - Transportation Control Measures
 - Bicycle/pedestrian projects, HOV/managed lanes projects, mass transit projects

SIP Timeline

- With the adoption of the 2008 75 ppb Ozone standard, a new SIP must be submitted by TCEQ and approved by EPA
 - TCEQ anticipated public comment period: December 2014 – January 2015
 - TCEQ anticipated adoption: May/June 2015
- 2008 75 ppb Ozone standard attainment deadline: December 18, 2018

Current City Air Quality Control Strategies

- Reduce Vehicle Emissions
 - Anti-idling Policy
 - City Clean Fleet Vehicle Policy
 - Alternative Fuel Fleet
- Adopt new regulations and policies
 - Anti-idling Ordinance
 - Taxi Ordinance
 - City Ozone Action Plan
 - Cement Resolution
 - Green Building Resolution and Ordinance
 - Tree Ordinance

Current City Air Quality Control Strategies (cont'd)

- Reduce Electrical Consumption
 - Water Conservation Plan
 - Co-generation
 - Building Retrofits
 - Methane Gas Capture
 - Energy Performance Contracting
- Purchase Renewable Energy

Possible Future City Initiatives

- Stricter adherence to anti-idling policy for City vehicles
- More education on air quality and training to reduce air pollution
- More emphasis on employee trip reduction programs
- Continue energy benchmarking and reduction/retrofit programs for City and commercial buildings to reduce pollution from power plants
- Increase tree planting to reduce Urban Heat Island effects and reduce air pollution

Possible Future City Initiatives (cont'd)

- Enhance City programs to encourage biking and use of mass transit
- Provide incentives for City employees to bike or use mass transit
- Consider office supply delivery management
- Investigate use of new technologies and pilot demonstration projects to reduce air pollution
- Implement comprehensive greenhouse gas and ozone reduction plan

Next Steps

- Continue to monitor TCEQ and NCTCOG announcements and meetings regarding SIP status
- Review draft SIP during the expected public comment period of December 2014 through January 2015
- Brief Council on SIP status in early 2015

Questions

Memorandum



DATE June 20, 2014

TO Honorable Members of the Quality of Life & Environment Committee:
Dwayne R. Caraway (Chair), Sandy Greyson (Vice-Chair), Rick Callahan, Carolyn R. Davis,
Lee M. Kleinman, Adam Medrano

SUBJECT 2014 Team Lawn Whisperer Regional Campaign

The purpose of this memo is to provide a snapshot of the regional water conservation campaign and media placements planned for this summer. In October 2013, the committee was briefed on planned activities for the continuance of the water conservation and Cease the Grease media campaigns. The major components of both campaigns include media buys, regional efforts and community outreach. In November 2013, Council authorized a Memorandum of Understanding (MOU) between the City of Dallas and Tarrant Regional Water District (TRWD) for creative development and production of the regional Water Conservation Public Awareness Campaign.

The 2014 regional campaign theme is "Team Lawn Whisperer". This light-hearted approach was developed to:

- Reinforce the "maximum twice weekly or less" watering message,
- Demonstrate how to maintain a water-wise landscape while saving money, and
- Encourage everyone to join the team and do their part to save water.

The campaign will be promoted through cable and broadcast TV, radio, billboards/DART buses, print ads, the internet and social media. Attached is a replica of one of the campaign billboards to give you a sense of the program's creative direction. A breakdown of the planned media buy roster and associated expenditures is also included for your reference. The regional campaign will run from June through September 2014.

Please let me know if you have any questions or need additional information.



Forest E. Turner
Assistant City Manager

[Attachments]

cc: The Honorable Mayor and Members of the City Council
A.C Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Ryan S. Evans, Interim First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager

Joey Zapata, Assistant City Manager
Charles M. Cato, Interim Assistant City Manager
Theresa O'Donnell, Interim Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Media Buy Summary

Cable TV	Paid Ads	Match/ Added Value	Total Spots/ Insertions	Impressions	Cost
Time Warner Cable stations reaching City of Dallas and Dallas County	1740	1740	3,480	6,913,158	
A&E					
AMC					
Animal Planet					
BET					
CNN					
Comedy					
Discovery					
E!					
ESPN					
Food Network					
FOX News + Sports SW					
HGTV					
History Channel					
MSNBC					
Oprah Winfrey Network					
SyFy					
TNT					
Travel					
TV Land					
USA					
VH1					
Sub-total	1,740	1,740	3,480	6,913,158	\$85,009
Broadcast TV					
WFAA/KTVT/KDAF	154		154	4,703,052	
WFAA (ABC) Good Morning Texas Segment	1		1	42,755	
WFAA (ABC)	102	96	198	10,635,310	
KTVT (CBS) News	96		96	2,212,572	
KTXA (The FAN) 10-second animated promos, w/ logo and copy at bottom of TV screen	362	210	572	15,950,863	
KXAS (NBC) incl. 5-second Know + Go spots	108		108	3,463,156	
NXAS (Cozi)	276		276	1,475,048	
KDFW (Fox)	35	27	62	2,458,413	
KDFI (My27)	22	22	44	374,106	

KUVN/KSTR (Univision/ Unimas) incl. 3 morning show segments	180	180	360	9,619,878	
KAZD (Azteca America)	133	56	189	1,758,300	
Sub-total	1,469	591	2,060	52,693,453	\$240,421

Radio	Paid Ads	Match/ Added Value	Total Spots/ Insertions	Impressions	Cost
10-second and 15-second News and Traffic spots (stations listed below)	462	631	1,093	16,834,788	
KERA 90.1 FM					
KFWR 95.9 FM					
KJJK 100.3 FM					
KLAK 97.5 FM					
KLIF 570 AM					
KLUV 98.7 FM					
KMVK 107.5 FM					
KPLX 99.5 FM					
KRLD 1080 AM					
KRNB 105.7 FM					
KSOC 94.5 FM					
KTCK 1310 AM					
KZMP 104.9 FM 1540 AM					
WBAP 820 AM					
30-second spots (stations listed below)	450	450	900	15,199,408	
KZPS 92.5 FM					
KDGE 102.1 FM					
KEGL 97.1 FM					
KBFB 97.9 FM					
Urban Format 30-second spots (stations listed below)	496	496	992	3,163,742	
KKDA 104 FM					
KRNB 105.7 FM					
KSOC 94.5 FM					
Spanish-language 30- second spots (stations listed below)	171	154	325	2,493,872	
KDXX 99.1 FM					
KFLC 1270 AM					
KLNO 94.1 FM					
KFZO 107.1 FM					
DDAL Digital					
Sub-total	1,579	1,731	3,310	37,691,810	\$171,499

Billboards and Bus Ads	Paid Ads	Match/ Added Value	Total Spots/ Insertions	Impressions	Cost
Traditional Vinyl Billboards	20	Extended run if space not purchased	20	32,741,296	
Rotating Digital Billboards	12	Extended run if space not purchased	12	27,499,492	
Large format posters placed on DART Bus exteriors	50	20 posters	70	20,069,227	
Sub-total	82	20	102	80,310,015	\$128,706
Print					
The Dallas Morning News (Sunday)	2	Online banner ad in home digital newsletter	2	368,112	
African-American News & Issues	2	Color upgrade	2	300,000	
African Herald	2	Free press release	2	23,000	
Dallas Examiner	2		2	18,898	
Dallas Post-Tribune	2		2	11,860	
Al Dia	2	¼ page ad	2	230,000	
El Heraldo News	2	1-week online banner ad	2	74,000	
La Estrella en Casa	2	Full page ad	2	250,000	
Novedades News	2	2 week online banner ad	2	76,000	
Dallas Chinese News	2	Online banner ad	2	30,000	
Korean Journal	2		2	15,000	
But Viet	2		2	62,500	
Sub-total	24		24	1,459,370	\$43,098
Digital + Social Media					
Facebook Banners				3,100,000	
Online Banners		1-to 1 bonus impressions match		4,000,000	
Mobile Banners placed on smartphones and tablets of Dallas audience, targeted by location		1-to 1 bonus impressions match		4,500,000	
Sub-total				11,600,000	\$81,267
Totals				190,667,806	\$750,000

Dallas Water Utilities
Billboard 1 - English

Water twice a week or less and you're on the team

Join the team at SaveNorthTexasWater.com



Billboard 1 - Spanish

Riegue dos veces a la semana o menos y será parte del equipo

Únete al equipo en SaveNorthTexasWater.com



Memorandum



CITY OF DALLAS

DATE June 20, 2014

TO Honorable Members of the Quality of Life & Environment Committee: Dwaine R. Caraway (Chair), Sandy Greyson (Vice Chair), Adam Medrano, Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT **Bachman Water Treatment Plant Water Quality Improvements Project
June 25, 2014 Consent Agenda for Water Utilities – Item Nos. 63 and 67**

The Bachman Water Treatment Plant is the oldest and smallest of the three water treatment plants that Dallas Water Utilities operates to produce drinking water for citizens and customers. The plant is strategically located near the center of the water demand, and therefore benefits Dallas' customers with the lowest water delivery cost. The plant was originally constructed in the 1920s and has gone through several expansions to bring it to the current day capacity of 150 million gallons per day (MGD).

In June 2009, the Water Utilities Department completed a two-part study to investigate the cause of water quality concerns, including rust colored water and inconsistent water quality, in parts of the water system. The study and requisite testing confirmed that the treated water chemically reacts with the older unlined cast iron pipes which are the main cause of redwater complaints. Recommendations include process changes at all three water treatment plants to improve the chemical and biological stability of the water in the distribution system.

In June 2010, City Council approved a contract with Carollo Engineers, to perform engineering of the recommended water quality improvements at the Bachman Water Treatment Plant. This contract and the planned supplemental agreements included design and construction phase services for changes to the treatment process, including enhanced coagulation and biological filtration, for improved water quality and disinfection stability.

Construction of the recommended improvements was designed in a two-phased approach. The first construction phase, awarded in August 2012, added the new ferric chemical facility that provided additional storage and pumping for the upcoming process change. The existing chlorine scrubber capacity was increased to address regulatory changes for storage of chlorine gas, and the existing lime slakers were modified to address process changes and improve system reliability. The first construction phase also included structural renovations and changes to the laboratory building to meet current building codes.

Agenda Item No. 63 is to authorize the award of a construction contract to MWH Constructors for a not to exceed amount of \$47,720,500. This second phase of construction completes the full implementation of the water quality improvements at the Bachman Water Treatment Plant. The improvements include modifications to the existing treatment basins, construction of new chemical facilities, flow measurement devices, and solids handling improvements needed to transition to enhanced organics removal at the plant. The project also includes renovation of the second floor of the existing Administration Building to meet current code, replacement of Clearwell No. 1, which is over 80 years old and does not meet current Texas Commission on Environmental Quality (TCEQ) regulations, and replacement of 32 Programmable Logic Controllers as part of the plant's Supervisory Control and Data Acquisition (SCADA) system.

Agenda Item No. 67 is to authorize Supplemental Agreement No. 3 to the professional services contract with Carollo Engineers for additional engineering services for a not to exceed amount of \$1,039,653, from \$8,700,422 to \$9,740,075. This supplemental agreement includes programming services associated with replacement of the 32 filter Programmable Logic Controllers (PLCs). The existing filter PLCs are obsolete and failure of the controls could impact production capacity at the plant. The reprogramming of the SCADA system also includes reprogramming of other related process controls impacted by the PLC replacements. Additionally, included are construction phase services needed for the project and tracer testing of the modified basins as required by regulations. Tracer testing of the modified basins and new clearwell are required to verify detention times for City's use in achieving disinfection requirements under the provisions of the EPA's Enhanced Surface Water Treatment Rule.

Completion of this construction project in late 2016 allows Bachman Plant to treat water using enhanced coagulation and biological active filtration as recommended in the 2009 Water Quality report. This results in a much more chemically and biologically stable water that will greatly reduce the number of redwater incidents within the distribution system as well as meet the EPA's regulatory requirements for treated water and disinfection by-products.

Please let me know if you have any questions or require additional information.



Forest E. Turner
Assistant City Manager

cc: The Honorable Mayor and Members of the City Council
A.C Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
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Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, Interim Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

Memorandum



CITY OF DALLAS

DATE June 20, 2014

TO The Honorable Members of the Quality of Life and Environment Committee:
Dwaine R. Caraway (Chair), Sandy Greyson (Vice Chair), Adam Medrano,
Rick Callahan, Carolyn R. Davis, Lee M. Kleinman

SUBJECT **Texas Commission on Environmental Quality Grant Acceptance: Agenda Items #39, #40, #41, and #42 on the June 25, 2014 Council Agenda**

Each year, the Texas Commission on Environmental Quality (TCEQ) funds grant programs for the City to enforce the state's air quality standards in the Dallas area. The sampling and monitoring of air quality and the enforcement of Dallas' air ordinances are services that the City conducts as well. Agenda items 41 through 44 are annual contracts with the TCEQ for the continuation of this work. Specific information about each contract is as follows:

Item #39: Authorize Contract No. 582-15-50031 with the Texas Commission on Environmental Quality (TCEQ) to accept state grant funds to conduct the Rockwall Ambient Air Monitoring Program for the period September 1, 2014 through August 31, 2015 - Not to exceed \$28,053.19- Financing: Texas Commission on Environmental Quality Grant Funds

The TCEQ's air monitoring network in the Dallas area extends into Rockwall County. The TCEQ has, for many years, asked the City to assist the TCEQ by monitoring and maintaining air sampling devices in Rockwall County, as the City does for the many air sampling devices in Dallas. The samplers monitor primarily for ozone and nitrous oxide. This contract funds the cost for Dallas staff and resources to conduct the work. No matching fund from the City is required.

Item #40: Authorize Contract No. 582-15-50039 with the Texas Commission on Environmental Quality to accept grant funds for air quality monitoring of the particulate matter 2.5 network for the period September 1, 2014 through August 31, 2015 – Not to exceed \$67,587 - Financing: Texas Commission on Environmental Quality Grant Funds

This contract continues the work to operate and maintain the sampling devices for particulate matter PM2.5 and to verify that air sample data transmits properly to the TCEQ. PM2.5 is "particulate matter finer than 2.5 microns" which has been shown to have serious adverse health effects. This contract funds the cost for Dallas staff and resources to conduct the work. No matching fund from the City is required.

Item #41: Authorize Contract No. 582-15-50121 with the Texas Commission on Environmental Quality to accept state grant funds in the amount of \$525,117 to continue the Air Pollution Compliance program to provide investigation services and complaint response, for a one year period of September 1, 2014 through August 31, 2015 with the option to renew the contract for an additional three (3) years, in the amount of \$525,117 per year and (2) a local annual match in an amount not to exceed \$258,640 - Total not to exceed \$783,757. Financing: Texas Commission on Environmental Quality Grant Funds (\$525,117) and Current Funds (\$258,640) (subject to annual appropriations)

This contract continues the annual service to the TCEQ as the air quality enforcement and education agent in Dallas. City staff inspects businesses and industries for air emission concerns, and verifies that all entities have the appropriate air permit. The staff also responds to air quality complaints from citizens (i.e.

**Texas Commission on Environmental Quality Grant Acceptance: Agenda Items #39,
#40, #41, and #42 on the June 25, 2014 Council Agenda**
June 20, 2014
Page 2

odor, smoke, other). In addition to the TCEQ grant funds of \$525,117, this work generates revenues of approximately \$315,000 annually for City air permit fees. TCEQ audits both the quality of the work performed and the financial management at least annually, with positive outcomes to date. The TCEQ funds this work on a 67%-33% cost-share basis, requiring City funding of \$258,640 annually.

Item #42: Authorize the third amendment to Contract No. 582-13-30015 with Texas Commission on Environmental Quality (TCEQ) to accept additional state grant funds to operate and maintain whole air samplers and conduct BioWatch air monitoring activities in Dallas County for the period September 1, 2014 through August 31, 2015 – Not to exceed \$461,743.30, from \$894,360 to \$1,356,103.30 - Financing: Texas Commission on Environmental Quality Grant Funds

This contract continues the current agreement for annual services to the TCEQ (who, in turn, is under contract to the US Dept. of Homeland Security) for air sampling of biological contaminants. The Department of Homeland Security extends a nationwide air sampling network to pinpoint the release of any biological contaminant potentially related to terrorist activity. This contract requires staff to gather air sample filters from dozens of samplers across Dallas County on a daily basis, and to transport them to a local lab for testing. The sampling work is done every day of the week throughout the year. No matching fund from the City is required.

If you have any questions or need additional information, please contact me.



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

c: Honorable Mayor and Members of the Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
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