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DALLAS, TEXAS



City of Dallas

Public Notice

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POSTED CITY SECRETARY
DALLAS, TX

**ENVIRONMENTAL COMMISSION
REGULAR MEETING**

August 9, 2023 at 5:30 PM

Dallas City Hall, 6ES Council Briefing Room and Videoconference (Webex)

Videoconference Link: <https://bit.ly/EVCAUG>

Telephone: +1-469-210-7159 United States Toll (Dallas)

+1-408-418-9388 United States Toll

Access code: 2486 817 4165

The City of Dallas will make Reasonable Accommodations/Modifications to programs and/or other related activities to ensure any and all residents have access to services and resources to ensure an equitable and inclusive meeting. Anyone requiring auxiliary aid, service, and/or translation to fully participate in the meeting should notify the Office of Environmental Quality & Sustainability by calling (214) 671-8522 three (3) business days prior to the scheduled meeting. A video stream of the meeting will be available twenty-four (24) hours after adjournment by visiting <https://dallastx.new.swagit.com/views/113>.

Individuals and interested parties wishing to speak must register with the Office of Environmental Quality & Sustainability by [filling out this form](#) or calling (214) 671-8522, at least twenty-four (24) hours prior to the meeting date and time.

La Ciudad de Dallas llevará a cabo "Adaptaciones Razonables" a los programas y/o otras actividades relacionadas para garantizar que todos y cada uno de los residentes tengan acceso a los servicios y recursos para garantizar una reunión equitativa e inclusiva. Cualquier persona que necesite ayuda auxiliar, servicio y/o traducción para participar de forma plena en la reunión, debe notificar a la Oficina de Calidad Ambiental y Sustentabilidad llamando al (214) 671-8522 o TTY (800) 735-2989, cuarenta y ocho (48) horas antes de la reunión programada. Una transmisión de video de la reunión estará disponible dos días hábiles luego del levantamiento de la reunión visitando <https://dallastx.new.swagit.com/views/113>.

Las personas y las partes interesadas que deseen hacer uso de la palabra deben registrarse con la Oficina de Calidad Ambiental y Sustentabilidad [aquí](#) o llamando al (214) 671-8522, veinticuatro (24) horas antes de la fecha y horario de la reunión.

Kathryn Bazan, Chair, District 9

Philip Hiatt Haigh, District 1
Mark Wootton, District 2
Candace Thompson, District 4
Tracy Wallace, District 5
Esther Villarreal, Vice Chair, District 6
Temeckia Derrough, District 7
Renee Roberson, District 8

Andrew Siegel, District 10
Colleen Murray, District 11
Barry Lachman, District 12
Charlie Dankert, District 13
Paula Day, District 14
Julie Hiromoto, District 15

AGENDA

- I. **Call to Order**
- II. **Announcements**
- III. **Public Speakers**
- IV. **Approval of Minutes**
 - a. June 14, 2023
- V. **Briefing Item**
 - a. **Dallas Community Air Management Program (D-CAMP)**
[Kevin Overton, Senior Environmental Coordinator, Office of Environmental Quality & Sustainability]
Attachment: Presentation
- VI. **Voting Item**
 - a. **Environmental Health Committee Vaping Policy Recommendations**
Attachment: Memo
- VII. **Discussion Items**
 - a. **Texas Star Ready Mix, LLC Batch Plant Permit**
 - b. **Monthly Subcommittee Updates**
 - i. Environmental Health
 - ii. Environmental Justice
 - iii. Implementation
 - iv. Outreach & Engagement
 - v. Strategic Partnerships & Innovation
 - c. **Monthly District Updates from Commissioners**
 - d. **Upcoming Meetings**
 - i. Environment & Sustainability (now Parks, Trails, & Environment) Council Committee
Tuesday, September 5, 2023, 9:00AM – 11:00AM (adjusted for Labor Day holiday)
 - ii. Environmental Commission
Wednesday, September 13, 2023, 5:30PM – 7:30PM

VIII. **Adjournment**

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."

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]



Environmental Commission Regular Meeting Minutes

June 14, 2023

AGENDA

LOCATION: City Hall 6ES & Webex

CHAIR KATHRYN BAZAN PRESIDING

PRESENT: [14]

Philip Hiatt Haigh, District 1	Kathryn Bazan, District 9
*Mark Wootton, District 2	Andrew Siegel, District 10
Candace Thompson, District 4	*Colleen Murray, District 11
*Tracy Wallace, District 5	Barry Lachman, District 12
Esther Villarreal, District 6	*Charlie Dankert, District 13
Temeckia Derrough, District 7	*Paula Day, District 14
Renee Roberson, District 8	Julie Hiromoto, District 15

ABSENT: [0]

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

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

The meeting was called to order at 5:37PM with a quorum of the Environmental Commission present.

ANNOUNCEMENTS

Chair Bazan provided opening announcements.

PUBLIC SPEAKERS

There were no public speakers registered for this meeting.

APPROVAL OF MINUTES

Commissioner Lachman moved to adopt the May 10, 2023 Environmental Commission meeting minutes as presented. The motion was seconded by Commissioner Thompson and unanimously adopted.

ENVIRONMENTAL COMMISSION MEETING MINUTES

June 14, 2023

BRIEFING ITEMS

I) Solar Switch Dallas – Solar United Neighbors Partnership

[Pharr Andrews, Senior Climate Coordinator, Office of Environmental Quality & Sustainability; Hanna Mitchell, Solar United Neighbors; America Garcia, Solar United Neighbors; Fred Wu, iChoosr]

Attachment: Presentation (see agenda)

a) The speaker briefed the Commission on the Solar Switch program, including the purpose and benefit of the program, how small businesses and homeowners can participate, success metrics, and next steps.

b) Questions/Comments

i) Commissioner Derrough

(1) Is the total paid up front or is there a payment plan?

(a) There's a 30% tax credit that can be spread through multiple years. You can pay in full or there are financing options (Solar United Neighbors doesn't dictate the financing. It is up to the customer).

(2) What is a tax liability?

(a) What is offered is a 30% tax rebate off the cost for installing solar. If you owe money, then you can receive that rebate off of what you owe. You can spread it over multiple years.

ii) Dr. Jack

(1) Regarding the education component taking place up to registration, who is providing support for questions (Solar United Neighbors or City staff)? Is there counseling on importance and cost picture of tax liability and utility? There's a difference in impact on time of repayment for investment depending on what utility you're with.

(a) Regarding technical questions/customer support, Solar United Neighbors and iChoosr have customer support lines (not something City is responsible for).

(b) In terms of choosing an electricity provider, Solar United Neighbors works with Texas Power Guide. As a part of the program, we recommend getting a custom report from them. Solar United Neighbors covers these costs.

(2) Can a city seek additional grants to cover cost burden for residents?

(a) The program provides significant savings. Payback is within 5-7 years. Regarding City incentives, we don't have that lined out, but can consider. We would look at it if we can get federal grant funds. The upfront barrier is what we need to figure out. There are considerable savings in the long run, it's just a matter of overcoming the additional cost.

iii) Commissioner Wallace

(1) We shouldn't sacrifice worker safety and quality of installation for price. Solar United Neighbors does a great job of consumer education and advocacy. Suggest requiring of a photo to document wire management.

(2) Suggest requirement for safety harnesses.

ENVIRONMENTAL COMMISSION MEETING MINUTES

June 14, 2023

- (3) Would like to know there are ethics standards around tree removal/trimming.
- (4) Regarding tax forms, this is a 30% tax credit off of federal income tax liability. Does Solar United Neighbors provide support for homeowners regarding what form to follow? If someone doesn't have a tax liability, are there rebates?
 - (a) On a yearly or biannual basis, Solar United Neighbors sends out communications to everyone regarding the correct tax form to fill out. In terms of direct pay, as part of the Inflation Reduction Act, there should be provisions for non-profits to receive the tax credit as direct pay. There may not be a provision for individuals to get this as direct pay, however the provisions haven't been written out by the IRS. We're following this.
- (5) Since roofs don't have to be inspected, how can customers be assured after installation?
 - (a) Can get someone else within Solar United Neighbors to speak about wire management.
 - (b) Permitting is city-based.
 - (c) In terms of the concern about shading, we don't want to see installations going up that don't benefit the homeowner. Initial roof review is part of the process.
- iv) Dr. Lachman
 - (1) Have we checked to make sure there aren't conflicts with recent State legislation?
 - (a) The City Attorney's Office is reviewing legislation. There could be an impact if we required all new homes to have solar, but this doesn't do that.
 - (2) It is important to consider not only the solar, but also trees.
 - (a) Trees have cooling benefits. We're looking at community solar as well, which would provide access to solar in a rental/multi-family homes.

BRIEFING MEMORANDUMS

I) 2023 Equity Indicators Report Update and Environmental Justice Indicators

[M. Elizabeth (Liz) Cedillo-Pereira, Assistant City Manager]

Attachment: Memo (see agenda)

- a) The speaker briefed the Commission on the environmental justice indicators added to the Racial Equity Plan. All 60 indicators should be finalized by July 1st, 2023, with additional phases of implementation occurring after that date.

II) 88th Legislature – Legislation Relating to Environment & Sustainability

[Lillian Mauldin, Senior Government Affairs Coordinator, Office of Government Affairs]

Attachment: Memo (see agenda)

- a) The speaker briefed the commission on a summary of the City's legislative priorities related to environment and sustainability, as well as status of relevant filed bills.
- b) Questions/Comments
 - i) Chair Bazan

ENVIRONMENTAL COMMISSION MEETING MINUTES

June 14, 2023

- (1) Regarding HB 2127, we're currently trying to understand the impact of that on local control.
 - (a) The City Attorney's Office is looking at how this will specifically impact the City.

III) Update on Hensley Field Redevelopment and Remediation

(as presented to the ENVS Committee on June 6, 2023)

[Carl Simpson, Assistant City Manager]

Attachment: Memo (see agenda)

- a) The speaker briefed the Commission on the status of remediation and the redevelopment plan for the Hensley Field site.
- b) Question/Comments
 - i) Commissioner Derrough
 - (1) Will there be residential housing at this site?
 - (a) Yes - after remediation. There is a [redevelopment plan](#).
 - ii) David Marquis
 - (1) Do we have dollar figure needed for full remediation?
 - (a) This may be a part of the ongoing conversations between the City and Navy. Those negotiations are confidential.
 - (b) There are [project reports](#) and [phasing cost backup](#) and [feasibility calculations](#).

DISCUSSION ITEMS

I) Environmental Health Committee Recommendations on Batch Plant Buffer Zones

Attachment: Memo (see agenda)

- a) Chair Thompson and Vice Chair Roberson provided a summary of the Environmental Health Committee's recommendations.
- b) Questions/Comments
 - i) Dr. Lachman
 - (1) Parkland Center for Clinical Innovation has done great work related to asthma vulnerability and environmental issues. Goal is to look at location of batch plants related to asthma vulnerability.
 - ii) Commissioner Dankert
 - (1) What authority does the City have to increase the buffer zone?
 - (a) This will be related to Phase II of batch plant regulations from the Planning + Urban Design Department. This is also covered in SB 2127, so we're waiting to see what we are able to do.
 - (2) The memo discusses increasing buffer zones for residential areas, but can we expand that to all sensitive receptors (i.e. schools, churches, etc.)?
 - (a) Yes, we are happy to incorporate any edits.

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II) Floral Farms Community Concern

- a) Commissioner Roberson and Chair Bazan provided a summary of resident concerns related to code violations in the Floral Farms neighborhood.
- b) Questions/Comments
 - i) David Marquis
 - (1) Is the City Arborist involved in discussions around land clearing and removal of trees?
 - (a) Yes, he has been involved.
 - (2) Can we, through satellite imagery, look at the condition of the property and tree coverage prior to the removal? Would like to get an assessment of trees removed in that area for batch plants.
 - ii) Commissioner Lachman
 - (1) Concerns over code / complaint record retention.
 - (a) We're looking at any open complaints six months to a year old.
 - iii) David Marquis
 - (1) Article 54 in the Development Code is applicable.
 - iv) Chair Bazan
 - (1) There are violations confirmed that aren't being enforced.
 - v) Commissioner Wallace
 - (1) Why isn't this getting enforced?
 - (a) Violations have been identified, but we need a roadmap to getting it taken care of.
 - (2) Our code doesn't have any teeth if the company continues operating?
 - (a) The process is that a violation is issued, and the operator has a defined amount of time to come into compliance. If they don't, they may be subject to additional violations (even criminal citations). This will go through the City Attorney's Office.

III) Appointment of Members to Subcommittees

- a) Chair Bazan announced new members appointed to the Environmental Justice, Implementation, Outreach & Engagement, and Strategic Partnerships & Innovation subcommittees.

IV) Monthly Subcommittee Updates

- a) The Environmental Health, Environmental Justice, Implementation, Outreach & Engagement, and Strategic Partnerships & Innovation Committees provided monthly updates.

V) Monthly District Updates from Commissioners

Attachment: [Outreach & Engagement Form](#)

ENVIRONMENTAL COMMISSION MEETING MINUTES

June 14, 2023

- a) The Commission provided updates on events and meetings they've attended in their districts.

VI) Upcoming Meetings

- a) Environment & Sustainability Council Committee: Monday, August 7, 2023, 9AM – 11AM
- b) Environmental Commission: Wednesday, August 9, 2023, 5:30PM – 7:30PM

ADJOURNMENT

After all business of the Environmental Commission had been considered, Vice Chair Villarreal moved to adjourn the meeting. The motion was seconded by Commissioner Thompson and unanimously accepted. The Environmental Commission meeting was adjourned at 7:36PM.

 _____

Drafted by:
Erin Diehl, Board Coordinator
Office of Environmental Quality & Sustainability

08/04/2023

Date

Approved by:
Kathryn Bazan, Chair
Environmental Commission

Date

Attachments:
[Meeting Recording](#)

Memorandum



CITY OF DALLAS

DATE May 10, 2023

TO Honorable Chair Bazan and Members of the Environmental Commission

SUBJECT **Environmental Health Committee Vaping Policy Recommendations**

As requested, this memorandum outlines the recommendation of the Environmental Health Committee regarding a policy on restricting vaping in public spaces in the City of Dallas. After evaluation of numerous medical studies and peer-reviewed articles, the Committee agrees that there is a correlation between vaping aerosol exposure and negative health effects for vulnerable populations. It is worth mentioning that many municipalities, including most major cities in Texas, have established ordinances that prohibit vaping in areas where smoking is prohibited, with some exceptions for bars and restaurants.

Health issues associated with vaping aerosol exposure include asthma exacerbations, lung injury, and poor fetal growth. The City of Dallas currently restricts, prohibits vaping on City of Dallas property to enhance the health of employees and visiting residents.

E-cigarette aerosol exposure leads to increased blood pressure and heart rate, like traditional cigarettes. It also causes increased airway inflammation and reactivity, similar to changes seen in asthma. (1) Studies have shown that indoor vaping leads to secondhand and thirdhand exposures that can lead to deposits or absorption of chemicals on baby's clothing. (2) Volatile organic compounds and ultrafine particles including flavorings, nicotine, and gas compounds have been found in e-cigarette aerosols. (3) These aerosols have been proven to impair indoor air quality. Non-cigarette users who are exposed to e-cigarette aerosols absorb emissions from e-cigarettes.

Studies have found that while e-cigarette aerosols can contain harmful chemicals, such as formaldehyde and acetaldehyde, the study also found that non-nicotine e-cigarette aerosols can contain similar levels of harmful chemicals as nicotine-containing e-cigarette aerosols.

Additionally, there have been numerous incidents of mislabeling where nicotine-containing products are falsely labelled as nicotine-free, which poses a risk to public health. A study published in the journal, Tobacco Induced Diseases in 2014 found that 5 out of 23 e-liquids labelled as nicotine-free contained nicotine. This mislabeling can lead to unintentional exposure to nicotine, particularly among non-smokers and children, which can have adverse health effects.

Therefore, the committee recommends that the Environmental Commission support restricting vaping in public spaces in the City of Dallas which would apply to all vaping products, nicotine and non-nicotine.

DATE May 10, 2023
SUBJECT **Environmental Health Committee Vaping Policy Recommendations**

Candace Thompson

Candace Thompson
Chair, Environmental Health Committee
City of Dallas Environmental Commission, District 4

c: Honorable Members of the Environmental Health Committee
Carlos Evans, Director, Office of Environmental Quality & Sustainability
Susan Alvarez, Assistant Director, Office of Environmental Quality & Sustainability
Erin Diehl, Board Coordinator, Office of Environmental Quality & Sustainability

References

Tasi M, Byun MK, Shin J, Alexander EC. Effects of e-cigarettes and vaping devices on cardiac and pulmonary physiology. *J Physiol* 2020. 598(22) 5039-5062

Son Y, Giovenco DP, Delnevo C, et al. Indoor air quality and passive e-cigarette aerosol exposures in vape-shops. *Nicotine Tob Res.* 2020. 22(10) 1772-1779.

Schripp T, Markewitz D, Uhde E, Salthammer T. Does e-cigarette consumption cause passive vaping? *Indoor Air.* 2012. 23(1) 25-21.

Amalia B, Fu M, Tigova O, et al. Exposure to secondhand aerosol from electronic cigarettes at homes: a real-life study in four European countries. *Environment.* 2023 854 (1)
<https://doi.org/10.1016/j.scitotenv.2022.158668>

[Patrice M, Laura P, Maria-Jesus S. An updated overview of e-cigarette impact on human health. *Respiratory Research* 3.32. 151 \(2021\)](#)

Schober W, Szendrei K, Matzen W, Osiander-Fuchs H, Heitmann D, Schettgen T, et al. Use of electronic cigarettes (e-cigarettes) impairs indoor air quality and increases FeNO levels of e-cigarette consumers. *Int J Hyg Environ Health.* 2014;217(6):628–37.

Cameron JM, Howell DN, White JR, Andrenyak DM, Layton ME, Roll JM. Variable and potentially fatal amounts of nicotine in e-cigarette nicotine solutions. *Tob Control.* 2014;23(1):77–8.

Hahn J, Monakhova YB, Hengen J, Kohl-Himmelseher M, Schussler J, Hahn H, et al. Electronic cigarettes: overview of chemical composition and exposure estimation. *Tob Induc Dis.* 2014;12(1):23.

DATE May 10, 2023

SUBJECT **Environmental Health Committee Vaping Policy Recommendations**

Kosmider, L., Sobczak, A., Fik, M., Knysak, J., Zaciera, M., Kurek, J., (2014). Carbonyl compounds in electronic cigarette vapors: Effects of nicotine solvent and battery output voltage. *Nicotine & Tobacco Research*, 16(10), 1319-1326
<https://pubmed.ncbi.nlm.nih.gov/24832759/>

Consumer Advocates for Smoke-free Alternatives Association. (n.d.). Texas State Locator. Retrieved May 2, 2023, from <https://casaa.org/get-involved/state-locator/texas/>