



City of Dallas

ENVIRONMENTAL HEALTH COMMISSION
Dallas City Hall – 1500 Marilla, L1FN Conference Room “C”
Regular Meeting
March 7, 2005
9:00 a.m. – 10:30 a.m.

MINUTES

Members Present

James Mitchell, Chair
Diane Benjamin
Carol Barnett Davis
Jon (Tad) Heimbürger
Keith Kwoh
Tom Peck
Casie Pierce
Barbara Pittman
Christopher Schultz
Mary Warner

Members Absent

Public Present

None

Staff Present

Karen D. Rayzer, Director, Environmental & Health Services Dept.
David Miller, Manager, Air Quality Control, Environmental & Health Services Dept.
Lilia V. Gonzalez, Coordinator, Environmental & Health Services Dept.

Minutes

Mr. James Mitchell, Chair, called the regular meeting of the Environmental Health Commission to order at 9:00 a.m. The minutes from the February 7, 2005 meeting were approved with the changes made.

Ms. Diane Benjamin requested that the minutes reflect on the commissioners full names when it refers to comments made at the meeting.

Introduction of New EHC Member – Carol Barnett Davis

Mr. James Mitchell, Chair, EHC

Mr. Mitchell suggested that rather than introducing the new member he suggested that each commission member introduce themselves to each other.

Mr. James Mitchell – Mr. Mitchell has been a member of the commission for about six years. He has been chairman for the last year and vice chairman for a couple of years before that. He was one of the few commission members left that were involved in the Smoking Ordinance. He lives in North Dallas and was an engineer for Arcove but is now retired. He has a PhD in Chemical Engineering.

Mrs. Mary F. Warner – Mrs. Warner represents District 4. She has been a member for about 2 ½ years. She joined in the midst of the Smoking Ordinance discussions.

Mrs. Tad Heimbürger – Mr. Heimbürger is in District 1 (Oak Cliff) formerly moved to District 3. He grew up in Dallas in the Oak Lawn area. He is an Environmental Engineer and has been working in Environmental Compliance work for government agencies for the last 12 years. He currently is doing this kind of work for DART and used to do it for TexDot. He also has a transportation background. He is involved with parks and trails. He also tends to be on the data and numbers side. Last year, he observed several agencies as a public member and managed to be on this commission.

Mrs. Diane Benjamin – Mrs. Benjamin represents District 13. She is a mother of 7 sons and grandmother of 8. She was raised on a 50-acre farm in New York State. Trees and environment has always been very important to her family. Her father was a pharmacist. Her family used natural medicine even though her father was a pharmacist. Her father made the family aware of the environment and how important it is. She is a realtor. Being a realtor has put her in touch with an understanding and appreciation of the environment as she sees builders without any regard for natural habitat and wildlife. She does not consider herself as a tree hugger. She is conservative in her points of view and is conservative in conserving the environment. Mr. Rasansky appointed her because she is very vocal about things through her Homeowners Association in Preston Hollow, which is an area where homes are being torn down. The association was the first ones to build a new construction home in her neighborhood. She loved her lot because of the trees and built her home to conform to the way the trees were located on the property. Mrs. Benjamin started the Homeowners Association in wake of the driveway shootings and from her kitchen table of just a few now is over a 900-member association. Her concern now is the old alleys that are habitats for mosquitos.

Ms. Casie Pierce – Ms. Pierce lives in South Dallas and was appointed by Councilmember Leo V. Chaney, Jr. She is involved in numerous organizations as well. White Rock Heritage District is an organization that she co-founded and now is the vice-president. The mission of the organization is to preserve, enhance, and restore the

White Rock Creek Corridor south of the spillway to Trinity River. Her concern is the Great Trinity Forest and how to promote that and how to make an economic development that will be compatible for the Great Trinity Forest.

Mr. Chris Schultz – Mr. Schultz lives in East Dallas near White Rock Lake. He is an Environmental Scientist by education and worked in the public sector in the Environmental Department in the City of Fort Worth and now is in the private side of doing environmental consulting.

Mr. Keith Kwoh – Mr. Kwoh represents District 11. He is a first generation immigrant for more than 30 years that is now retired. He apologizes for not having a background in the environmental side. He is more economical sensed. He has a MBA and Engineering Degree and Civil Engineering.

Mrs. Carol Davis – Mrs. Davis is a new member that was appointed by Councilmember Veletta Forsythe Lill. She lives in District 14 in Lakewood. She is between Councilmember Gary Griffith's area and Councilwoman Veletta Forsythe Lill's area. She has been living in Dallas for the past 5 years. She is originally from the east coast in the Washington D.C. area. She is married with two little girls. Her professional background is healthcare consulting. She has an engineering degree and a MBA but was always interested in health. She spends her time in hospitals and trying to help them to be more effective and more efficient reorganizing. She is involved in Friends of the Katty Trail which she is finishing her second term. She is enjoying the city's progress along in that progress and is looking forward to seeing something similar happening in East Dallas around White Rock. Mrs. Davis she is on the board of Doctor's Hospital in East Dallas.

Mr. Tom Peck – Mr. Peck started his own consulting business in public relations having to do with healthcare. He was appointed by Councilmember Ed Oakley. He does not live in the district that he is representing. He is involved in the American Cancer Board in Dallas. Mr. Peck is also involved in the public affairs committee for the Health Industry Council in Dallas/Ft. Worth.

Mrs. Barbara Pittman – Mrs. Pittman represents District 9 and was appointed by Councilmember Gary Griffith. She lives in Lakewood. Her background is a registered nurse and is retired. She is very interested in recycling but was taken away about a year ago. Her main interest now is the West Nile Virus. She tends to look at things in the perspective from the health aspect. When everyone else is talking about greenways she always thinks on how that affects people.

Mr. Mitchell stated that all the commission members are very impressive. Over the last six years, in terms of balance, this is the best balance the commission has had in the time he's been on the commission.

Regional Air Quality Briefing
Chris Klaus, NCTCOG

Mr. Mitchell introduced Mr. Chris Klaus as a member of Council of Governments and works with the Environmental Protection Agency and other groups to ensure that plans are implemented for the air quality issues.

Mr. Klaus introduced himself to the commission. He is a Senior Program Manager for the Transportation Department for North Central Texas Council of Governments. Six areas are managed in his department. He manages the air quality planning and operations.

Mr. Klaus stated that since 1990, Dallas County, Denton County, Collin County and Tarrant County were designated non-attainment under the 1 hour standard. The 1-hour standard is going away. EPA feels that prolonged exposure to ozone is much more serious than a 1 hour peak. They have come up with an 8-hour standard, which the above-mentioned counties fall under the 8-hour standard.

Mrs. Davis asked Mr. Klaus to describe the 8-hour standard. He responded that the peak looks at the 1-hour standard. They're about 18 monitors located in the region that are testing the air on a regular basis. The monitors, under the 1-hour standard, report the highest 1-hour peak. That standard would set-up 125 parts per billion. An 8-hour is much more complicated in that it takes the $\frac{1}{4}$ highest hour in an 8-hour period. The fact is that it looks at an 8-hour period. The monitors have been redone to look at an 8-hour averaging. TCEQ will look at the data and compute to definition of EPA findings with the notion that prolonged exposure is much more serious than just a 1 hour peak. That standard is at 85 parts per billion instead of 125 parts per billion.

Since the Clean Air Act of 1990, patrol strategies have been implemented that are effective to maintaining the 1-hour peak down. That strategy is not the same needed to keep the average low in an 8-hour period.

Mr. Mitchell asked if there was a strong potential that more counties will move in the non-attainment region than the 8-hour standard. Mr. Klaus responded that at this time its not likely. Every 4 – 5 years EPA requires under the Clear Air Act to review the ozone standards.

Mr. Heimburger commented that he sees this as something to be dealing with for the next decade. He mentioned that just for the change from 1hour to 8 hour it took just about a decade for the change to come about.

Mr. Mitchell mentioned that he was concerned that the plume would extend beyond the boundary drawn so that other counties, without changing the rules, simply would be under the expanding metroplex and consequently running into the nonattainment.

Mr. Klaus mentioned that Mr. Michael Morris has been involved in the National Academy of Sciences. Their concept is that boundaries should be taken away.

He showed a graph that explains the maximum number of exceedances occurred at any one monitor over a 3-year period. The attainments goal is no one monitor can have more than 3 exceedances over a 3-year period.

The primary things being focused on from a transportation standpoint is high-emitting vehicles, diesel engines, excessive idling and vehicle cold starts. Transportation is about 50-55 percent of the emission in North Central Texas. Area sources, paint shops, factories, electric generating utility locations, etc contribute the rest.

Mr. Klaus stated that the 1-hour plan has been submitted, but unfortunately EPA will not approve it on June 15, 2005. All of the control strategies have been implemented in that plan. An 8-hour plan is due 2007 which the State is getting pressure from environmentalist to get that in sooner. His office is responsible for air quality conformity to ensure that transportation process continued to be built in the region. That plan is due on June 15, 2005. The 8-hour SIP's are due to EPA on June 15, 2007.

Biogenics release a certain amount of emission that does have an effect on the model. In terms of some basic facts, trees emit enough volatile organic compounds to affect the ozone formation. The amounts of biogenics that are in the model on VOCs are about 30%. Some species emit more than other. From a city perspective, there might be some types of plants or trees that people may want to reframe from planting. Emissions depend on temperature, sunlight and weather just like automobiles.

Mr. David Miller, Manager of the Air Quality Control Program, informed the commission members that they are currently updating the ozone plan and will presented to Health, Environment and Human Services at the end of March. The ozone plan is not expected to change drastically from what was presented last year.

One of the things that was strongly emphasized is reducing employee mileage while driving to and from the office. Last year, 19 of 35 departments participated and reduced miles driver to and from the workplace by 4 ½ million miles during the ozone season. That amount of miles equated to 46 tons of VOC's, COs and NOX. Employees participated in the car pool program and DART. Most employees changed their working schedule. Instead of working 5 days a week they changed their schedules to where they would work 40 hours in a 4-day week. The goal was set at 5 percent last year. They accomplished a 7 ½ percent reduction.

Plans to reimplement this year are starting on May 1st. He hopes to get more departments and more employees involved. A transportation study is in the process. He believes it is too complicated to try and calculate for every individual the exact distance driven to work every day and what kind of vehicles used. A transportation study will allow them to calculate an average vehicle and an average distance to and from the workplace.

There will be a 3 tier levels for participation in the ozone plan this year. Level 1 will be required of every department. In level is going to be the workplace miles reduction plan.

Other things being worked on are the idling ordinance. The idling ordinance will only affect vehicles that are larger than 14,000 pounds. The idling will be limited to 10 consecutive minutes. Major people being affected will be large transportation diesel vehicles. Currently there are no exemptions that will allow them to stop at a truck stop and idle their engine for 8 hours while the driver is resting.

Lancaster tried that method last year and had a lawsuit. Therefore, they were not able to implement. The judge decided that it was unconstitutional to implement the ordinance.

The City of Dallas is planning on incorporating the State rule, which allows them to implement by a memorandum agreement with the State. The State has not decided the rule will not be enforced. As an individual municipality, putting together an agreement may help enforce the ordinance. The City Manager's Office would like to pursue this. His office is working with the City Attorney's Office to see what can be done. It may not be effective immediately.

He also mentioned that the his office is on the process of doing a city emission inventory which encompass all of the city's fleet, mowers, edgers, stationary generators, etc. They are in the beginning stages. He stated that of the 4500 city vehicles 25% of city's fleet is CEG fueled. The City uses 1 million gallon of diesel a year. The diesel is

now Texas Low Emission Diesel or Biodiesel, which have low emission than regular diesel.

The department that purchases all city vehicles will continue to purchase the greenest vehicle possible. The City is purchasing more hybrid vehicles. He believes the trend will be to use hybrid.

Commission Reports

Mr. Peck stated that as a public relations person great information and reports is given to the commission. The problem is that the public is not aware of it and knows that information exists. He's been trying to figure out how the commission would begin putting together a master list of everything that the City has available in terms of environmental information that the public could access. He hopes to be involved in a committee that will involve the Communication and Information Systems which is involved of the website.

Mrs. Benjamin suggested that resource materials as well as speakers should be gathered to make people aware of information.

Staff Reports

Mrs. Karen Rayzer introduced herself to the commission. She stated that for the interim time she would be attending the Environmental Health Commission meetings until there is a new assistant director. She stated that Mr. James Mongaras is no longer with the Environmental and Health Services Department.

She stated that one issue brought up from the commission is communications. The Environmental and Health Services Department is redoing the website. There was a limited focus when the website were first developed. She stated that they were restricted on how much information they could add. As technology has advance, they are allowed to include linkages to other sites. By looking at the website now, dealing with the West Nile Virus, connections to the State and other websites are included. The same thing could also be done to other environmental issues as well with time.

Mrs. Rayzer suggested that the commission members email her any ideas or thoughts they may have. Mrs. Benjamin voiced her concern on so many changes in staff. She asked why the commission members not informed by email that Mr. Mongaras was not an assistant director anymore. Mrs. Rayzer stated that it happened very late on Friday afternoon.

Mr. Peck stated that he is confused about which department is responsible for certain things. Mrs. Rayzer agreed that things change a lot and happen so quickly.

Mr. Mitchell informed Mrs. Rayzer that he asked that Mr. Jayroe brief the commission on the West Nile Virus. He also asked that Mrs. Rayzer prepare a briefing for them on the linkages to City staff.

Mrs. Rayzer asked if the Office of Environmental Quality briefed the commission because they are involved in environmental compliance. Mr. James Mitchell asked that Mr. Heimburger contact Mrs. Laura Fiffick, Director of Office of Environmental Quality, and speak with her about the direction they were given to see what kind of input the commission would be able to provide. Mr. Mitchell asked that Mr. Heimburger update the commission at the next meeting.

Mrs. Benjamin asked if the website mentioned the City of Dallas website or specifically Environmental and Health Services Department website. Mrs. Rayzer responded that on the City of Dallas website is an Environmental and Health Services Department site as well. Mrs. Benjamin asked if the information provided by Mr. Peck available on the website. Mrs. Rayzer responded that it does. In the department is the Youth Services Office. Within that website is the Youth Commission which includes additional linkages to other program for different things for parents. She stated that the department has 15 different divisions. Depending on which services wanted additional linkages could be included.

Mrs. Benjamin asked why the commission was not filled to its 15-member capacity. Mrs. Rayzer response was that it is up to each councilperson to appoint someone to the board. They are given reminders if the seat is vacant. If information on possible candidates is given to the board that would make a good contribution to the board, the name with a recommendation would be forwarded to that particular councilmember with the vacancy.

On the Food Ordinance, Mr. Mitchell asked Mrs. Rayzer an update on the food inspection system. Mrs. Rayzer responded that it was still in the City Attorney's Office. The ordinance was to be completed this spring and now is anticipated to be completed by August or September.

Public Comment

None

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Adjournment

Being no further business, the meeting was adjourned at 10:35 a.m.

Signature: James E. Mitchell, Chair of the Environmental Health Commission