

**MINUTES**  
**CITY COUNCIL COMMITTEE ON THE ENVIRONMENT**  
October 5, 2015

After determining that a quorum of the Committee on the Environment of the Denton City Council was present, the Committee on the Environment thereafter convened into an Open Meeting on Monday, October 5, 2015 at 1:33 p.m. in the City Council Work Session Room 215 E. McKinney, Denton, Texas.

**Present:** Council Member Dalton Gregory, Council Member Joey Hawkins and Council Member Keely Briggs

**Also Present:** Howard Martin, Kenneth Banks, Katherine Barnett, Shirlene Sitton and Annie Bunger

**1. REGULAR MEETING:**

**A. COE15-008**

Hold a discussion and elect a Chair for the Committee on the Environment.

**Motion by Hawkins for Gregory to remain the Chair. Second by Briggs.**

**B. COE15-010**

Consider approval of the Committee on the Environment meeting minutes of August 3, 2015.

**Approved with one correction.**

**C. COE-15-006**

Receive a report hold a discussion regarding City of Denton Building Codes, home ventilation requirements and 2016 Building codes.

Katherine Barnett introduced Jim Hemsell from A Closer Look Inspections. He has been conducting energy audits under our program for the past eight months. He spoke about home ventilation options and building code changes for 2016.

Hemsell said that the State has mandated that all City's move to the 2015 Energy Code on September 1, 2016. In that code there is a requirement for mechanical ventilation on houses. It is designed to have no more than three air changes per hour in zone three. Hawkins asked the definition of an air change. Hemsell explained it would be the air that is moved from a building and replaced by outside air per hour. By reducing the air changes you reduce the amount of run time on the HVAC equipment, which saves energy. Currently there are three models that are used in the area; exhaust ventilation, central fan integrated supply ventilation system and balanced ventilation system.

Gregory added that this translates into new house construction such that it dictates the kind of HVAC system that is put in and the size of the exhaust fans. Hemsell answered the energy code requires a 'manual J' and a 'manual S' these are sizing requirements for the size and tonnage of

the capacity of the HVAC systems. A 14 seer unit is supposed to be the minimum you can buy in the southern climate.

The mechanical ventilation requirements went into effect because of the potential of making houses too air tight. The code is slowly moving to a balance, where if you pump out 50 CFM you pump in 50 CFM.

Gregory asked the significance of zones. Hemsell answered it deals with temperature and humidity. There are eight zones throughout the United States. Construction is also taken into account in the different zones of the United States. The zone that Denton is in is has the tightest criteria as far as air changes and solar heat co-efficient, U and R values. That started about five years ago. Climate, humidity and growth has a lot to do with it as well.

There was discussion regarding how new houses are inspected for energy responsiveness.

Barnett added that this will roll into the building code instead of the International Energy Conservation Code 2015. This does not apply to commercial.

#### **D. COE15-009**

Provide a report and hold a discussion regarding dumpster enclosure issues, and amending Section 35.13 of the Denton Development Code regarding Solid Waste and Recycling Facilities Design Standards.

Shirlene Sitton, Zero Waste Manager, talked about this item. There are two major issues. One has to do with the development code and standards for new development, which do not apply to existing structures.

Gregory stated this has to do with the goal for Denton to have 40 percent recycling. When we look at multifamily and commercial we are not close. Sitton agreed. Unless there are changes and have policy direction recycling percentages will stay the same.

Hawkins stated there are recycling and trash dumpsters, are people just not recycling. Sitton stated it is extremely complicated. There are ambiguous statements about what exactly is wanted as a whole, including existed and multifamily complexes.

Sitton stated it is important to have parking spaces so the question is would recycling be a higher priority. The clear standards for parking spaces take precedence. Landscaping requirements, would that be more important than recycling.

Sitton talked about an email that was received regarding recycling at a particular multifamily place. The multifamily would like recycling however there is only an enclosure for trash. With the Development Code that went into effect you have to have enclosures. Martin asked for new multifamily construction is there a mandatory requirement through the code process that requires recycling. Sitton answered no. Martin stated if we are ever going to reach the 40 percent total waste diversion then multifamily and commercial will have to be addressed. As a function of new development there is no mandatory requirement at this point. The most difficult will be the

dumpsters in the right of way or on the street. The easier portion of the problem would be how we treat multifamily and commercial moving forward.

Gregory added that some of the policies need to be changed so the departments can get goals accomplished. We also need to change policies to require all new construction to have an enclosure that includes recycling as well as garbage.

Martin added that the first step is to address new construction and then work toward the more difficult issues. Sitton stated that this summer staff has been working to remove dumpsters from the right of way or the curb. This is voluntary not everyone did this. There are not clear rules regarding existing containers. Many businesses did work with staff. There are no consequences for not complying.

Sitton added that Ron Menguita is the planning personnel that helps with the enclosure problem. He was completed a lot of work on this over the years. Staff is ready to change the Development Code but there have been problems. Infill problems came and clouded the overall update. There is a balance with efficiently and flexibility. The information that is in the back up is what went to P&Z earlier. Gregory asked if P&Z passed it. Sitton agreed it was passed with stipulations. It did not go to Council. Menguita stated there was no official public hearing through Planning and Zoning Commission to move forward. There were questions to address and they didn't believe it was ready to move forward. Staff believes it is ready now. Hawkins asked if it needs to go back through P&Z. Menguita believes it does. Gregory asked if this is modified or the same as what was reviewed before by P&Z. Menguita stated the three things that was brought up before was public view, location and gates for enclosures. Gregory asked if any modifications have been based on the three concerns. Sitton added that the public view has been addressed as 'from public view'. Gates make it very difficult to collect, they are recommended if the enclosure is seen. If it is in the back then gates are not required.

Sitton added since Solid Waste is under the purview of the Public Utilities Board and not Planning and Zoning there were questions and concerns. Martin added that if something is brought to a Board or Commission that is not in their normal purview there are many more questions and sometimes consensus is harder to achieve. Menguita stated there were four work sessions during 2012. Recommended to take back to P&Z.

Sitton then talked about multifamily and commercial recycling. San Antonio has a great program. There is a stipulation regarding landscaping and parking spaces that says recycling would take priority. That makes it easier on code enforcement. Fort Worth, Dallas, Austin and San Antonio all have multifamily recycling ordinances. Austin has a zero waste plan, with a universal recycling ordinance. Many cities provide residential collections but do not provide commercial collections.

Gregory believes it will be easier if the issues are separated. Talk about code issues for new construction as the first objective. Martin clarified; new construction multifamily or new construction commercial. Gregory answered both, Briggs and Hawkins agreed.

The Direction is to recommend to Planning and Zoning to review and make a recommendation to the full Council, Code Amendments that require recycling accommodations for multifamily and commercial.

This will go to P&Z, if there are many changes bring back to this Committee, otherwise take to Council for approval.

Briggs clarified that if a person that lives in a multifamily structure and wants to recycle the only option is to visit a recycling center. Sitton agreed.

Gregory asked if staff has looked at a program to add recycling to a multifamily place that would like to have it, but does not have the funds to accomplish it. Sitton answered as an enterprise fund that could get very expensive. The enclosure rules are not the only issue, there are many other problems with 'ownership' of the program.

Gregory stated that the Committee on the Environment would recommend that staff work on a more comprehensive plan for recycling that will be very likely to increase the amount of recycling in the City, specifically to multifamily and commercial.

Martin asked if the current 40 percent goal is satisfactory. There was a consensus to get to the 40 percent goal.

Sitton added that the terminology for zero waste gives you starting goals and goals as the program progresses.

Gregory suggested talking to restaurants and businesses to use packaging that is recyclable.

Briggs stated in the DISD school cafeteria's there is a lot of waste. Gregory stated their child nutrition department is an enterprise fund also. They hire minimal amount of staff to prepare food and clean up to keep the cost down. Briggs added if they could find creative solutions it would make a significant difference.

Gregory stated downtown looks better as far as enclosures and dumpsters are concerned. He would like to ride in a trash truck.

#### **E. COE15-007**

ACM Update –

- 1) FY Update on Energy and Water Audit
- 2) Update on iSWM
- 3) Denton Sustainable Schools
- 4) Matrix

F. Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Committee on the Environment or the public with specific factual information or recitation of policy, or accept a proposal to place the matter on the agenda for an upcoming meeting AND Under Section 551.0415 of the Texas Open Meetings Act, provide reports about items of

community interest regarding which no action will be taken, to include: expressions of thanks, congratulations, or condolence; information regarding holiday schedules; an honorary or salutary recognition of a public official, public employee, or other citizen; a reminder about an upcoming event organized or sponsored by the governing body; information regarding a social, ceremonial, or community event organized or sponsored by an entity other than the governing body that was attended or is scheduled to be attended by a member of the governing body or an official or employee of the municipality; or an announcement involving an imminent threat to the public health and safety of people in the municipality that has arisen after the posting of the agenda.

**Hawkins – would like a presentation on concrete that absorbs water**

**G. The meeting was adjourned by consensus at 3:15 p.m.**