



City of Denton
MINUTES
COMMITTEE ON THE ENVIRONMENT

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

Monday, May 21, 2018

9:00am

City Council Work Session Room

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, May 21, 2018 at 9:00 a.m. in the Council Work Session Room at City Hall, 215 E. McKinney Street, Denton, Texas

Council Members: Chair Council Member Keely Briggs, Council Member Dalton Gregory, Council Member John Ryan

Also Attending: Mario Canizares, ACM; Kenneth Banks, General Manager Water Utilities; Katherine Barnett, Sustainability and Customer Initiatives Manager; Richard Cannone, Interim Planning Director; Haywood Morgan, Urban Forester; Jonathan Gregory, Conservation Program Coordinator; Sarah Luxton, Sustainability Coordinator; Kim Mankin, Administrative Manager

REGULAR MEETING

A. **COE18-010** Consider approval of the Committee on the Environment of the Denton City Council Meeting minutes of February 5, 2018 and March 19, 2018.

Both are approved.

B. **COE18-012** Receive a report, hold a discussion and give staff direction regarding proposed 2017 GHG Inventory.

Jonathan Gregory gave the presentation.

Background includes:

- Directive of US Mayors climate protection agreement
- Scaled at Municipal Operation level and Community Activity level
- Annual collection of emissions - related data
- Base Year 2006

Objective

Air quality and Greenhouse Gas Management is a key focus area of Denton's Sustainability Plan. By tracking and working to reduce GHG emission, the city can save energy and money, strengthen the local economy, improve air quality, and preserve the quality of life in our community.

Key Points: Municipal

There were several graphs shown that had information for the emissions by year, GHG Distribution by source, percent change over year, and percent change over base year.

Briggs asked by 2015 was lower than 2016 and 2017. J Gregory answered responded it has to do with going from every five years to every year reporting.

Gregory explained that the reason waste emissions are high is because this includes all waste that that is brought to Denton as well as the City waste.

Summary of Data

- Total GHG emissions are down by 23 percent since 2006.
- Per capita emissions are down by 49 percent since 2006.
- Electricity consumption for municipal operations decreased by nearly three percent compared to 2016.
- Due to changes in fuel sources of electricity and the associated emission factors, the total MTCO_{2e} for electricity increased by three percent compared to 2016.
- Natural gas consumption for heating and cooling continues to decrease since 2011.
- An increase in diesel and biodiesel fuel consumption compounded by an increase in the emission factors for these fuels lead the rise in transportation emissions.
- Fuel efficiency among light duty, unleaded fuel vehicles continues to improve.
- After observing an increase in waste emissions last year, there was a seven percent decrease in 2017.

Key Points: Community

There were several graphs shown that had information for the emissions by year, GHG Distribution by source, percent change over year, and percent change over base year.

There are many efficiencies that have made the total percentage 'reduced'.

Summary of Data

- Total GHG emissions are down by 13 percent since 2006.
- Per capita emissions are down by 41 percent since 2006.
- Electricity consumption on a per capita level continue to decrease, but total consumption increased compared to 2016. 75 percent of the electricity increases can be attributed to the industrial sector.
- Total electricity emissions increased by four percent which can mostly be associated with emission factor changes.
- Natural gas emissions decreased community wide by 2.5 percent compared to 2016. This was led by the residential sector, which decreased consumption rates by over eight percent.
- Updated regional modelling for vehicle miles traveled suggests an increase by nearly nine percent.

Direction:

- Continue to improve communication methods between departments for more efficient data sharing.
- Collaborate with DME to prepare for the incorporation of the Denton Energy Center emissions.
- Partner with Fleet to offer more education to staff about idling and fuel-conscious driving tactics.
- Continue to work with Facilities Management to test and implement energy/water efficiency measures.

Council Member Gregory asked if you are able with the software to make projections for next year on the community emission by year. J Gregory answered it can, he has not had time to learn that but that is on the goals.

J Gregory announced on June 22 there will be clean action day, at Twilight Tunes.

C. **COE18-011** Receive a report, hold a discussion and give staff direction regarding use of Styrofoam and plastic disposable breakroom products in Municipal facilities.

Katherine Barnett gave this update regarding what is being purchased for breakroom supplies trying to eliminate Styrofoam. City Departments purchased breakroom supplies from various sources, the top two are through the City warehouse and via our office supply contractor. For the last year the total amount

spent through both sources was \$22,293 over a 12 month period. Items from both sources include Styrofoam, plastic and biodegradable products.

Almost 100 different products were purchased from Staples for a total of \$9,588.

- Eleven different items were purchased from the warehouse for a total of \$12,705.
- City departments purchased more than 30 different types and sizes of cups which totaled more than 100,000 cups.
- City departments purchased more than 75,000 pieces of disposable cutlery

Council Member Ryan asked how we determine if items are made through purchasing or ordered direct by staples or another vendor. Barnett answered we can limit staples but there are employees that go to outside vendors such as Sam's and use their p-card.

There is a cost increase to use biodegradable.

Options include:

- Continue to use Styrofoam and plastic products
- Limit contract purchases to biodegradable or compostable products
- Prohibit use of city funds for purchase of Styrofoam and non-biodegradable breakroom supplies

Briggs asked about Styrofoam recycling. Barnett answered she has heard of is unsure. Briggs answered she would prefer to not have Styrofoam in the landfill. She would like to consider a policy that no city funds are to be spent on non-biodegradable or non-reusable breakroom supplies, the other committee members agree.

Staff will come back with an agreement and explore options through staples.

D. COE18-015 Receive a report, hold a discussion and give staff direction regarding Denton Development Code Subchapter 13, Tree Preservation and Landscape Standards.

Richard Cannone made the PowerPoint presentation.

Status of the update includes

- A Holistic approach that includes tree preservation and landscape standards draft.
- HB7, 2017 Texas Legislate Special Session
- Policy discussion that will include a comprehensive urban forestry program, tree mitigation and preserved canopy.

Tree preservation code

- February 15, 2017 – Last presentation to the Planning and Zoning Commission.
- Multiple bills, pending in the 85th Texas Legislature and Special Session that could affect the Tree Code staff postponed returning to P&Z.
- Further refinement of the draft and alignment with landscape standards.

There was a policy discussion on whether the city should develop a comprehensive Tree Management Plan. Staff recommends there should be a plan developed with the following components: Enhanced canopy, shared stewardship, public education, street tree distribution, livability and watershed health. There should be a tree fund in the 2017-2018 Parks Department budget \$60,000 for the urban forestry plan.

Policy discussion - Tree Mitigation

-Where applicable, should the new code defer to Texas Local Government Code Section 212.905 as the governing language?

Staff recommendation:

Yes, reference Section 212.905 and incorporate language into the regulations.

Texas Local Government Code – Residential

- Single-family and duplex are prohibited from requiring that homeowners pay mitigation fees for removing trees that are under 10” in diameter (Over 10” they can apply for a 100% offset).
- If mitigation fee is imposed, there can be a credit to offset fee provided for.

Texas Local Government Code – Credit & Replanting

- Credit is obtained if: planted on property and at least two inches in diameter at the point on the trunk 4.5 feet above ground.
- Who can offset fees (get credit for replanting) and how much: 50 percent for residential developers and 40 percent for commercial developers.

Texas Local Government Code – Replanting Credit Trees

- The city and the person may consult with an academic organization, state agency, or nonprofit organization to identify an area for which tree planting will best address the science-based benefits of trees and other reforestation needs of the municipality.

Policy Discussion – Tree Mitigation

- Should all or a percentage of tree mitigation plantings be permitted off-site or as street trees?
- Should the mitigation fee funds be used for the plantings outlined as part of a Tree Management Plan?
- Should a property owner have the ability to plant mitigation trees off-site in conjunction with a Tree Management Plan?

Staff recommendation:

Yes; if incorporated as part of a Tree Management Plan it will address the “science-based benefits of trees and other reforestation needs of the city.”

Should the planting of trees in an off-site tree bank (i.e. area set aside as a permanent receiver site for tree plantings) be explored?

Staff recommendation:

Yes, however consideration should be given to how this would be structured and area determined:

City-Owned Property - Specified Area, Parks, etc.

Academic Organization – DISD, UNT, TWU

State Agency – TXDOT, DMV

Nonprofit Organizations – KDB, Church Property, Serve Denton

Current requirements and proposed requirements do not adequately address this item.

Policy Discussion – Preserved Canopy

If preserved canopy is credited towards meeting tree canopy requirements as part of the landscape requirements, should it only apply to buffer tree requirements; meaning a developing property would still be required to provide street trees and trees within the parking lot?

Staff recommendation

Yes, regardless of the amount of credit given to meet the code requirements of new plantings and tree canopy.

Credit should not apply to parking lot canopy and street trees; provides for “young trees” and increase canopy over the long term.

The current standards were shown on tree classifications.

Policy Discussion – Preserved Canopy

Proposed Standards

Credit for Preserved Tree Canopy (including the minimum).

For Heritage Trees and remnant Cross Timbers Forest, three square feet of credits will be given for every square foot of Tree Canopy preserved (1:3).

For Protected Trees, one square foot of credit will be given for every square foot of Tree Canopy preserved (1:1).

Limit to buffer area or not allow for a “landscape credit”.

Policy Discussion – Preserved Canopy

Should property owners subject to the tree preservation regulations memorialize their tree preservation plan through the use of a development agreement, conservation easements, land use or deed restrictions, or tree preserves/transfer of title to a public agency/entity or other method?

Staff recommendation

Yes, the preservation area should be memorialized. Currently, there is nothing in the code that would prohibit subdividing an area with preserved trees and then mitigating.

If agreed, vetting of options: Development Agreement, Easement, Preserve, and Conservation Area.

Policy Discussion – Preserved Canopy

Current Code Provisions

Tree Trust language exists but could be further expanded (1 acre Cross Timber Forest). To date, this has never been utilized.

Incentive Remnants of the Cross Timber Forest:

If approved by City Council and placed within a conservation easement or otherwise conserved.

Incentives may include but are not limited to:

- Fee waivers or credits,
- Reduced open space/park land dedication requirements,
- Reduction of monetary assessments relative to agricultural rollback taxes,
- Tax abatements,
- Tax Increment Financing,
- Chapter 380 grant of money,
- Transfer of Development Rights, and/or
- Purchase of Development Rights—purchase by Government or Trust

Next steps

Based on policy direction provided

1. Staff will finalize the comprehensive rewrite of DDC subchapter 13, Tree Presentation and Landscape Standards including the tree fund; and
2. Provide the committee with a redline versions within 30 days

Gregory - Goals would include preservation. Also would like to make a stronger sustainable urban forest.

- E. **COE18-017** ACM Update:
1. Update 380 Access
 2. Update Clear Creek

3. Matrix

CONCLUDING ITEMS

Under Section 551.042 of the Texas Open Meetings Act, respond to inquiries from the Public Utilities Board 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

Gregory – Resolution to NCTCOG to reactivate committee

Briggs – Update on park recycling

Presentation on Smart water sprinklers and information to offer rebates (Rachio)

Adjournment: 2:40pm

Approved August 6, 2018