

ORDINANCE NO. 31847

An ordinance amending Chapter 2, "Administration," of the Dallas City Code by amending Sections 2-120 thru 2-124; creating an environmental commission; providing functions of the environmental commission; providing a sunset date; providing a saving clause; providing a severability clause; and providing an effective date.

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

SECTION 1. That Article XII, "Reserved," of Chapter 2, "Administration," of the Dallas City Code is amended to read as follows:

**"ARTICLE XII.
ENVIRONMENTAL COMMISSION [~~RESERVED~~]."**

**SEC[S]. 2-120. ENVIRONMENTAL COMMISSION - CREATED;
FUNCTION; TERMS; MEETINGS.**

(a) There is hereby created an environmental commission of the city, which shall be composed of 15 voting members of the general public and eight non-voting technical expert members. Each city council member shall appoint one voting member to the commission. The mayor shall appoint the commission chair; and the full council shall appoint the vice-chair. The non-voting technical experts shall be appointed by the full council from each sector of the comprehensive environmental and climate action plan ("CECAP"). Two of the general public members must have public health experience. All other general public members must have a minimum of two years environmental experience or a minimum of two years of neighborhood environmental advocacy.

(1) Public health experience may be demonstrated through documented experience which meets the Center for Disease Control's definition of public health that includes promoting healthy lifestyles, researching disease and injury prevention, and detecting, preventing, and responding to infectious diseases. This qualification may include employment with a health-related entity such as a hospital, clinic, a public health organization, or a non-profit focused on improving local public health.

(2) Environmental experience may be demonstrated through documented education, professional registrations or certifications, or expertise in one or more areas of the CECAP. This qualification may include, but is not limited to, citizen-science certifications, or a bachelor of science or arts in related engineering, environmental sciences, environmental management systems, natural sciences, architecture, landscape architecture, agriculture, and other documented backgrounds related to local, state, and federal laws, or environmental regulations.

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(3) Neighborhood environmental advocacy may be demonstrated through documented residency in neighborhoods negatively impacted by environmental issues, with related experience with local neighborhood issues including, but not limited to, transportation, water and waste management, zoning and land use issues, or experience relevant to one or more sections of the CECAP.

(b) A quorum exists when there are physically present a simple majority of the number of members officially appointed to the environmental commission, regardless of the total number of members actually provided for the environmental commission, except that a quorum may not be fewer than six members. Issues are decided by a simple majority of the members present. Each member who is present and entitled to vote must vote in accordance with Chapter 8 of the Dallas City Code.

(c) The environmental commission shall advise on the CECAP implementation and environmental issues which arise in the city.

(d) All members shall be appointed for an initial term to expire on June 14, 2023. Subsequent appointments shall be made in September of each odd-numbered year for a two-year term beginning October 1. All members shall serve until their successors are appointed and qualified. A vacancy for the unexpired term of any members shall be filled in the same manner as the original appointment was made. The members shall serve without compensation.

(e) The commission, unless there is no business for the commission to consider, must meet at least once per month and may hold additional meetings at the call of the chair. The commission shall receive public comment at every meeting of the commission, standing committees, and ad hoc committees.

(f) The commission shall adopt, subject to approval of city council, rules, not inconsistent with state law or city ordinances, governing its proceedings and establishing committees of the commission.

(g) This article expires on June 14, 2023, unless reenacted with an amendment prior to that date. The city council shall review this section and hold a public hearing on the matter prior to that date.

SEC. 2-121.

TECHNICAL RESOURCE PANEL.

(a) There is hereby created a technical resource panel to be composed of eight members appointed by the city council to serve as non-voting technical members of the commission.

(1) The technical resource panel is not a board or commission subject to Chapter 8 of this code or Chapter XXIV, Section 13 of the city charter.

(2) The city manager may nominate members of the first technical resource panel, as recommended by the Office of Environmental Quality and Sustainability, through consultation with the Environment and Sustainability Task Force, for approval by the full council.

(3) Following the initial appointments, future technical resource panel members may be nominated by the city manager, as recommended by the Office of Environmental Quality and Sustainability, through consultation with the Environmental Commission, for approval by the full council.

(b) Each member of the technical resource panel must have at least four years of experience in one of the eight sectors of the CECAP, causing each sector to be represented on the panel. Additionally, appointments to the panel must, to the extent possible, be representative of the ethnic diversity of the city.

(c) Members of the technical resource panel are not required to be residents of the city or qualified voters in the city.

(d) Members of the technical resource panel serve two-year terms and are subject to the same conflict of interest and confidentiality restrictions that are applicable to members of the commission. Members of the technical resource panel are subject to forfeiture of membership on the same basis as members of the commission.

(e) Members of the technical resource panel shall attend and fully participate in all meetings and deliberations of the commission, including closed sessions, but shall not be entitled to vote as members of the commission.

(f) The technical resource panel shall use its expertise and experience in environmental matters to assist the commission to the fullest extent possible in the review of all issues coming before the commission.

(g) The technical resource panel does not have any oversight responsibility or oversight authority with respect to the commission.

(h) Nothing in this section prohibits the commission from seeking additional outside technical expertise and advice, as necessary.

SEC. 2-122.

ENVIRONMENTAL HEALTH COMMITTEE.

(a) There is hereby created a committee of the environmental commission to be known as the environmental health committee, hereinafter called the "committee", composed of five members. The committee shall be appointed within 60 days following the effective date of the establishment of the commission. The committee shall be composed of the two general public members of the commission having public health experience and three additional members from general public not currently serving on the commission, appointed by the chairman of the commission. Initial appointments to the committee shall expire on June 14, 2023. Subsequent

appointments shall be made in September of each odd-numbered year for a two-year term beginning October 1 and members shall serve without compensation. The chairman of the commission shall designate a chairman and vice-chairman of the committee from the members of the commission having public health experience. The commission chairman may appoint up to three alternate members to the committee who serve in the absence of one or more regular members when requested to do so by the chairman or by the city manager. The alternate members serve for the same period and are subject to removal the same as regular members. The commission chairman shall fill vacancies occurring in the alternate membership the same as in the regular membership.

(b) The committee shall meet at least once per quarter with additional meetings upon call by the committee chairman or a simple majority of the committee members. A simple majority of the members present shall constitute a quorum and issues shall be decided by a simple majority vote of the members present. The Office of Environmental Quality and Sustainability shall furnish support to the committee.

(c) The function of the committee shall be to advise the commission on environmental health issues as they arise across the city, including, but not limited to, potential health aspects of environmental policy recommendations from the commission to the city council and to address specific community public health concerns with an identified environmental origin.”

SECS. 2-123 THRU 2-124. RESERVED.”

SECTION 2. That Chapter 2 of the Dallas City Code shall remain in full force and effect, save, and except as amended by this ordinance.

SECTION 3. That any act done or right vested or accrued, or any proceeding, suit, or prosecution had or commenced in any action before the amendment or repeal of any ordinance, or part thereof, shall not be affected or impaired by amendment or repeal of any ordinance, or part thereof, and shall be treated as still remaining in full force and effect for all intents and purposes as if the amended or repealed ordinance, or part thereof, had remained in force.

SECTION 4. That the terms and provisions of this ordinance are severable and are governed by Section 1-4 of Chapter 1 of the Dallas City Code, as amended.

SECTION 5. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

CHRISTOPHER J. CASO, City Attorney

By Casey Buyer
Assistant City Attorney

Passed APR 28 2021



PROOF OF PUBLICATION – LEGAL ADVERTISING

The legal advertisement required for the noted ordinance was published in the Dallas Morning News, the official newspaper of the city, as required by law, and the Dallas City Charter, Chapter XVIII, Section 7.

DATE ADOPTED BY CITY COUNCIL APR 28 2021

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DATE PUBLISHED MAY 01 2021

ATTESTED BY: