

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Code Compliance
CMO: Joey Zapata, 670-3009
MAPSCO: N/A

SUBJECT

An ordinance amending Sections 47A.1-4, 47A-1.6, 47A-2.1.2, 47A-2.2.1, 47A-2.3.2, 47A-2.3.3, 47A-2.3.5, 47A-2.4.8, 47A-2.5.1, and 47A-2.5.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code to **(1)** clarify certain exclusions; **(2)** clarify insurance requirements; **(3)** prohibit an operating authority from owning a certain interest or maintaining control over entities that inspect or certify vehicles as required to obtain a vehicle permit under this chapter; **(4)** add requirements for vehicle permits; **(5)** remove certain vehicle quality standards; **(6)** synchronize the vehicle permit validity period with the state's registration period; **(7)** amend the flat rates from Love Field and Dallas-Fort Worth International Airports; **(8)** clarify what flat rates from airports include; and **(9)** provide that the director of aviation may request information to verify airport fees from operating authorities - Financing: No cost consideration to the City

BACKGROUND

On April 30, 2015, the current Chapter 47A went into effect redefining transportation for hire services as any ride for compensation, including motorized and non-motorized vehicles. It encouraged market competition by allowing new business models to operate, streamlined the permitting process and reduced fees. Different modes of transportation for hire companies can now compete directly against each other and consumers have a choice of what type of service to use.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 28, 2013, the City Council remanded consideration of transportation-for-hire service regulations to the Transportation and Trinity River Project Committee.

On January 13, 2014, the Transportation and Trinity River Project Committee was briefed on transportation-for-hire service regulations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS) (Continued)

On January 21, 2014, the Transportation and Trinity River Project Committee held a special meeting to hear vendor presentations, receive public comments, and discuss the transportation-for-hire service regulations.

On January 24, 2014, the Transportation and Trinity River Project Committee was briefed on proposed amendments to the transportation-for-hire service regulations.

On March 4, 2014, April 25, 2014, and May 6, 2014, the Transportation-for-Hire Workgroup met to discuss amendments to the transportation-for-hire service regulations.

On May 27, 2014, the Transportation and Trinity River Project Committee was briefed on the proposed amendments to the transportation-for-hire service regulations submitted by the Transportation-for-Hire Workgroup, and moved to forward the amendments to the full council for consideration and comment, and then to establish a public forum and comment period.

On August 6, 2014, the City Council was briefed on the proposed amendments to the transportation-for-hire service regulations submitted by the Transportation-for-Hire Workgroup.

The transportation-for-hire ordinance was posted on the City's website on August 8, 2014, and written public comments were accepted by the City Secretary's Office from 12:00 a.m. on Saturday August 9, 2014 through 5:00 p.m. on Friday August 29, 2014. A revised transportation-for-hire ordinance was posted on the City's website on August 25, 2014.

A public forum on the transportation-for-hire ordinance was held on Tuesday, September 2, 2014.

On September 8, 2014, the Transportation and Trinity River Project Committee was briefed on the revised transportation-for-hire ordinance.

On November 17, 2014, the Transportation and Trinity River Project Committee was briefed on the transportation-for-hire ordinance.

On December 10, 2014, the City Council approved the transportation-for-hire ordinance.

On April 30, 2015, Chapter 47A, "Transportation for Hire," of the Dallas City Code went into effect.

FISCAL INFORMATION

No cost consideration to the City

KEY FOCUS AREA: Clean, Healthy Environment
AGENDA DATE: August 24, 2016
COUNCIL DISTRICT(S): 14
DEPARTMENT: Office Of Environmental Quality
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 45 M

SUBJECT

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Belclaire Realty, Ltd. and BAES, Inc., located near the intersection of Gaston Avenue and Oak Street and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Belclaire Realty, Ltd., by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

BACKGROUND

Based on information provided by the Applicant, the Designated Property is underlain by a ground water bearing zone that is encountered at approximately 5.75 to 11 feet below ground surface (bgs) and extends to approximately 7.25 to 13.5 feet bgs where the Austin Chalk formation is encountered. The estimated thickness of the Austin Chalk Formation in the area is approximately 50 feet thick and is underlain by the Eagle Ford Shale Formation, which has an estimated thickness of 600 feet in the area. The direction of groundwater flow beneath the Designated Property is to the southeast. The groundwater has been affected by chlorinated solvents: tetrachloroethene (PCE), trichloroethene (TCE), cis-1,2-dichloroethene (cis-1,2-DCE), and petroleum related compounds: benzene and naphthalene at concentrations above groundwater ingestion standards. The suspected onsite source of the chlorinated solvents is multiple former dry cleaning facilities that operated in the northeastern portion of the Designated Property at 3011 and 3015 Gaston Avenue from 1941 until 2013. The suspected onsite source for petroleum related compounds is former service stations that operated in the southern portion of the property at 3001 Gaston Avenue from 1936 until 1941. The suspected offsite source for petroleum related compounds is a former service station that operated on the south/southwest neighboring 2929 Gaston Avenue property.

BACKGROUND (Continued)

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in December 2015 and is designated as VCP Facility ID No. 2784.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on August 16, 2016 to receive comments and concerns. Notices of the meeting were sent to 1,221 property owners within 2,500 feet of the property and 80 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Gaston Avenue and Oak Street including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the designated property is occupied by catering businesses and unoccupied office and warehouse spaces. The anticipated future use of the designated property is commercial; however, long term use may be residential.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Quality of Life and Environment Committee on August 22, 2016.

FISCAL INFORMATION

No cost consideration to the City

OWNERS

Belclaire Realty, Ltd.

Belclaire Investment Corporation, General Partner
Thad F Baker, President

BAES, Inc.

Joe Barry Annino, President

MAP

Attached