



**CITY OF GRAND PRAIRIE
PUBLIC SAFETY, HEALTH, AND ENVIRONMENT
COMMITTEE
CITY HALL - COUNCIL CHAMBERS, 300 W. MAIN STREET
MONDAY, JANUARY 10, 2022 AT 3:00 PM**

AGENDA

The meeting will be held at City Hall Council Chambers, 300 W. Main St, Grand Prairie, Texas, and the Chairman or presiding member will be physically present. Members may be participating remotely via video conference.

CALL TO ORDER

AGENDA ITEMS

Citizens may speak for five minutes on any item on the agenda by completing and submitting a speaker card.

1. December 6th Public Safety, Health and Environmental Meeting Minutes
2. Ordinance Amending Chapter 13, “Health and Sanitation” of the Code of Ordinances of the City of Grand Prairie, Texas, by replacing the provisions of Article IV “Air Pollution Control” in their entirety with new regulations
3. FY 22 Airport Pavement Safety Brief
4. Code Compliance Administrative Adjudication Process
5. Bi-Lingual Library Classes - Citizenship
6. Outdoor Warning Siren Presentation

EXECUTIVE SESSION

The Public Safety, Health, and Environment Committee may conduct a closed session pursuant to Chapter 551, Subchapter D of the Government Code, V.T.C.A., to discuss any of the following:

- (1) Section 551.071 “Consultation with Attorney”
- (2) Section 551.072 “Deliberation Regarding Real Property”
- (3) Section 551.074 “Personnel Matters”
- (4) Section 551.087 “Deliberations Regarding Economic Development Negotiations.”

CITIZEN COMMENTS

Citizens may speak during Citizen Comments for up to five minutes on any item not on the agenda by completing and submitting a speaker card.

ADJOURNMENT

The Grand Prairie City Hall is accessible to people with disabilities. If you need assistance in participating in this meeting due to a disability as defined under the ADA, please call 972-237-8035 or email GPCitySecretary@gptx.org at least three (3) business days prior to the scheduled meeting to request an accommodation.

Certification

In accordance with Chapter 551, Subchapter C of the Government Code, V.T.C.A, the Public Safety, Health, and Environment Committee agenda was prepared and posted January 7, 2022.



Gloria Colvin, Deputy City Secretary



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/10/2022

REQUESTER: Lana Yancey

PRESENTER: Jorja Clemson, Chairwoman

TITLE: December 6th Public Safety, Health and Environmental Meeting Minutes

RECOMMENDED ACTION: Informational

ANALYSIS:



CITY OF GRAND PRAIRIE
PUBLIC SAFETY, HEALTH, AND ENVIRONMENT
COMMITTEE
COUNCIL BRIEFING ROOM, 300 W. MAIN STREET
MONDAY, DECEMBER 06, 2021 AT 3:00 PM

MINUTES

CALL TO ORDER

PRESENT

Chairwoman Jorja Clemson
Council Member Dennis King
Council Member Junior Ezeonu

AGENDA ITEMS

1. **November 1, 2021 Public Safety, Health and Environment Meeting Minutes**

Minutes approved as presented.

Motion made by Council Member Ezeonu, Seconded by Council Member King.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

2. **Update on Delfasco Forge Superfund Site (ZOOM)**

Cindy Mendez introduced Remedial Project Manager Hope Schroeder of the Delfasco Forge Superfund Site via Zoom. There were also several others present from Texas Commission on Environmental Quality. Ms. Schroeder explained their plan to keep the underground water safe. Background on this former Delfasco Forge facility operated as a munitions manufacturing and forge operation since the 1950's, and ceased operations in 1998. Delfasco then filed for bankruptcy in 2008. Trichloroethylene (TCE) is the chemical that went through the soil to the groundwater, and the flow of that water is what causes the plume. The TCE vapor then enters a building by coming up through available pathways in the soil. In 2008 homes above the plume with the highest levels of vapors in their home were offered intrusion mitigation systems. There are 80 homes affected by this and 31 accepted the offer to have the system installed in their home, which is paid for by bankruptcy funds. There is a public meeting in February of 2022 to notify residents on what is being done to keep citizens and drinking water safe. Councilman Ezeonu asked, what are the medical risks of breathing in the TCE vapors. There could possibly be neurological effects and higher risk of cancer. New construction builds in that area have restrictions from the EPA, but specifically over the plume there are a lot of restrictions and it also depends on if the land is commercial or residential. There isn't a date on when this will be cleaned up. They are working on addressing the source right now and making sure it won't spread the site any more.

Since the Delfasco Forge is located below residences there were people that went door to door to see if anyone had wells on their property because it could be dangerous. There were four wells located and two agreed to plug their wells the other two were told not to drink the water.

EPA did a study in 2008 and found levels of TCE in the homes they told Delfasco that they had to do something immediately to remedy this. The city notified residents, provided door hangers and had multiple public meetings to educate the public and made sure certain people could get a vapor mitigation system. The only additional cost to residents using a mitigation system is about \$10 a month on their electric bill.

Citizen Question Alessandra Martinez

Are renters notified when they are going to move into a home within the radius of the superfund? Cindy Mendez explained that is a private contract that the city cannot require. That might not happen and we have no way of enforcing that.

For residents that have the vapor system and it messes up, how do they get in contact with someone with the city as soon as possible to get the system fixed? Cindy Mendez advised they can contact me.

Informational item only.

3. **GPDF Reorganization and Schedule Change**

Chief Robert Fite briefed the committee on this item. He explained that the Fire Department will be going from a 24 hours on and 48 hours off schedule to a 48 hours on and 96 hours off in January. The department voted on this and a majority voted yes to try it for one year. There won't be any other changes in overtime, paycheck, FSLA, nor budget everything will stay the same. We will monitor day 2 with Fire Fighters to double check the amount of errors made. Next topic is Fire Department reorganization. We will be going from two bureaus to three bureaus, from three Assistant Chiefs to two and six Lieutenant spots will be changed to Captain spots. Fire Investigations will now be more proactive and change focus more to fire prevention. There will also be a paramedic on the mental health team with Courtney Runnels with the Police Department.

Informational only.

4. **25th Quarterly Judicial Report**

Judge Bryan Arnold briefed the committee on this item. Last time this committee received an update was in September. We now have August, September and October available and numbers are pretty consistent with no significant changes. Informational only.

5. **Grand Prairie Santa Cop Presentation**

Detective Zach Miles briefed the committee on the Grand Prairie Santa Cop Program. Santa Cop became a 501c3 in 1985, but was serving families several years prior to that. There are not any paid employees who run Santa Cop, it is solely run by volunteers. All the toys we are able to give to children are new and unwrapped and are donated to us by Toys for Tots and other toy drives done by city businesses and citizens. In 2021, we were able to serve almost 600 Grand Prairie families, which includes almost 2,000 children.

6. **Briefing on Child Crimes**

Assistant Chief Ronnie Morris briefed the committee on this item. Council Member Cole Humphreys requested this presentation due to something that was reported in his district. Grand Prairie has about 400-500 crimes that list children as victims per year. There was a 50% reduction in child crimes during the "Stay at Home Order" in 2020. Once school started Children First Counseling Center noticed a 25% increase in child crimes due to most reports being made at schools. The online enticement and solicitation of children is up 97.5% from 2019 to 2020 but from 2004 to 2019 it is up 15,000%. These cases are typically filed federally because they usually get more time in prison for these crimes. The Christine Blubaugh Act that was written and sponsored by the Police Department and went into affect December 2nd educates students about teen dating violence, child abuse, sex trafficking and domestic violence. Our sole Internet Crimes Against Children (ICAC) Detective Brandon Poor has traveled around the world and trained their investigators on ICAC. With the Police Departments new Evidence Based Policing Strategy we are able to identify four distinct geographical areas where children are at risk for assaults. We have partnered with third parties within the school district to try and get enhanced counseling services, after school programs to intervene in these situations. There is a meeting January 5th with all the principals in the district to try and reduce the victimization of children between the ages of 5 and 14. There isn't anything specific we can look for to hint that there is abuse in the home, other than bruises that may be seen on the child. Informational only.

7. **An Ordinance amending Chapter 5, "Animal Services," by revising Section 5-57, "Breeding of cats and dogs," to the Code of Ordinances of the City of Grand Prairie, Texas; Providing a Penalty Clause, A Savings Clause, and a Severability Clause; and providing an effective date upon passage and publication**

Animal Services Manager Lily Yap briefed the committee on this item. She explained the verbiage in this specific ordinance that was passed in 2020 is restricting what Animal Services can do about the breeding of cats and dogs. The new wording will decrease the delay in revoking permits, will give a stronger definition of Approved National Kennel Club. These changes were brought to our Animal Advisory Committee and they were good with it.

Motion made by Council Member Ezeonu, Seconded by Council Member King.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

8. **Resolution authorizing the City Manager to apply for funding to the Tarrant County 9-1-1 District Public Safety Answering Point (PSAP) Assistance Program, in the amount of \$78,882 to purchase 9-1-1 related equipment, software, training and other allowable expenses**

Emergency Communications Manager Aubry Insko briefed the committee on this item. Tarrant County 911 District provides all technology, support and training for our first responders to serve our community. Every year Tarrant County splits their extra money in their budget between 46 different agencies and Grand Prairie is one of those agencies. This is a grant opportunity for us to enhance the communications center in anyway we see fit.

Motion made by Council Member King, Seconded by Council Member Ezeonu.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

9. **Ratify approval of Change Order #3 with Flock Safety Group, Inc. in the amount of \$10,360 for one prior term, \$9,360 for the current term, and \$9,360 annually for three additional one-year terms, totaling \$47,800; and approve an ordinance amending the FY 2022 Red Light Safety Fund for Change Order #4 in the amount of \$59,500 for an initial two-year term, and three additional one-year terms in the amount of \$28,500 each, totaling \$145,000**

Police Operations Support Bureau Assistant Director Ryan Simpson briefed the committee on this item. Change Order number three allows us to put the flock camera software on an additional 20 cameras throughout the city, which would put us over \$50,000 and will go before Council. Change Order number four is to add an additional 10 cameras to address commercial truck routes in district 1. These cameras will get information on the trucking company and we will send educational items before we begin enforcement action.

Motion made by Council Member Ezeonu, Seconded by Council Member King.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

10. **Resolution Authorizing the Adoption of the Texas Term Sheet for Approval of Proposed Opioid Settlement**

City Attorney Megan Mahan briefed the committee on this item, explaining that this is a nation wide settlement including multiple opioid manufacturers to the tune of \$26 billion. Texas' share could be \$1.5 billion. The state has been meeting with each jurisdiction to let them know about it and ask them to opt in to this settlement. If we were to opt in the money would be used on education, prevention and treatment of opioid abuse within the city. We would get \$100,000 in March or April of 2022 and then another \$442,000 over the next 18 years starting in July of 2022 and we would have additional access to \$81 million if we had any initiative ideas to combat the opioid crisis. The only downside is if we opt in we would waive any right to litigation to sue Johnson and Johnson individually.

Motion made by Council Member King, Seconded by Council Member Ezeonu.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

11. **Price Agreement for Litter Removal Texas Department of Transportation Rights-of-Way litter collection service from Good Earth Cooperation (up to \$297,000.00 annually). This agreement will be for one year with the option to renew for four additional one-year periods totaling \$1,485,000 if all extensions are exercised, authorize the City Manager to execute the renewal options with aggregate price fluctuations of up to \$25,000.00 or 25% of the maximum price so long as the City Council appropriates sufficient funding to satisfy the city's obligation during the renewal terms**

Director of Solid Waste and Recycling Dr. Patricia Redfearn briefed the committee on this item. We have had a contract with one vendor since November of 2019, which provides one litter collection, per month, per acre for 400 acres that we have along the right of way of I-20, I-30 and Hwy 360. This is our first go with this and we have had at least 20 collections in that time frame but it isn't enough to keep up with the litter. We went back out for bid to find a company who would do more litter collections per year, and we found a company that would provide 3 pickups per month, per acre but the price increases \$20 per acre. TxDOT gives a

reimbursement for 1 collection per month, per acre and the pricing we received back is \$14.73 per acre in Dallas, \$13.56 per acre in Fort Worth. After reimbursements we are looking at spending \$219,000 per year. This will be on the Council and F & G agenda on December 14th.

Motion made by Council Member Ezeonu, Seconded by Council Member King.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

12. Purchase and installation of mobile backup generators and docking stations from Holt CAT through a national cooperative agreement with Sourcewell (formerly NJPA) in the amount of \$1,655,910.38 with a 10% contingency of \$165,591.04

Facility Services Manager Ray Riedinger briefed the committee on this item. We are looking at purchasing and installing mobile backup generators and docking stations from Hold CAT at a price around \$1.6 million with a 10% contingency of \$165,591.04. Unfortunately, these generators are at least 6 months behind so in the mean time we are looking to get some rental generators for January and February. The docking stations are put by the meters or power source and run cables to generators from docking stations and they will run for about 4-6 hours and there is a switch that will move from utility power to generator power. Location where this will be is Dalworth Recreation Center, Betty Warmack Library, Veterans Center and Charley Taylor Recreation Center.

Motion made by Council Member King, Seconded by Council Member Ezeonu.
Voting Yea: Chairwoman Clemson, Council Member King, Council Member Ezeonu

EXECUTIVE SESSION

No Executive Session.

CITIZEN COMMENTS

There were citizen comments for Item 2 and they are noted in the minutes.

ADJOURNMENT

4:33 pm

Jorja Clemson, Chairwoman



**CITY OF GRAND PRAIRIE
ORDINANCE**

MEETING DATE: 1/18/2022

REQUESTER: Cindy Mendez

PRESENTER: Cindy Mendez, Public Health & Environmental Quality Director

TITLE: Ordinance Amending Chapter 13, “Health and Sanitation” of the Code of Ordinances of the City of Grand Prairie, Texas, by replacing the provisions of Article IV “Air Pollution Control” in their entirety with new regulations

RECOMMENDED ACTION: Approve

ANALYSIS:

This ordinance allows city staff to regulate air pollutants by monitoring, controlling or abating air pollution and emission of air contaminants to protect the health, safety, and welfare of the residents of the city. This ordinance has not been updated in over fifteen years and no longer provides the correct references or contaminant levels under the Texas Clean Air Act. Additionally, the city seeks to be more proactive in assessing air quality complaints and enforcing the provisions of this article. The entire ordinance is to be replaced.

FINANCIAL CONSIDERATION:

None

BODY

AN ORDINANCE OF THE CITY OF GRAND PRAIRIE, TEXAS, AMENDING CHAPTER 13, “HEALTH AND SANITATION” OF THE CODE OF ORDINANCES OF THE CITY OF GRAND PRAIRIE, TEXAS, BY REPLACING THE PROVISIONS OF ARTICLE IV, “AIR POLLUTION CONTROL” IN THEIR ENTIRETY WITH NEW REGULATIONS; PROVIDING A PENALTY CLAUSE, A SAVINGS CLAUSE AND A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION

WHEREAS, the Dallas-Fort Worth area is a federally designated non-attainment area for the pollutant ozone and air quality impacts the public and economic health of the region; and

WHEREAS, Chapter 382 of the Texas Health & Safety Code provides authority for municipalities to enact and enforce local laws and ordinances for the control and abatement of air pollution; and

WHEREAS, the City Council desires to safeguard the city’s air resources from pollution by controlling or abating air pollution and emissions of air contaminants and protect the esthetic enjoyment of air resources; and

WHEREAS, the City Council is empowered to establish regulations for the protection of public health

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS:

SECTION 1. That Article IV, “Air Pollution Control,” of Chapter 13, “Health and Sanitation,” of the Code of Ordinances of the City of Grand Prairie, is hereby amended to read as follows:

“ARTICLE IV. AIR POLLUTION CONTROL

Sec. 13-70. Purpose.

The purpose of this section is to safeguard the city’s air from pollution, by monitoring, controlling or abating air pollution and emission of air contaminants, in order to protect the health, safety and welfare of the residents of the city.

Sec. 13-71. Definitions.

As used in this article, the following terms shall have the respective meanings ascribed to them:

Act: The Texas Clean Air Act, Chapter 382 of the Texas Health & Safety Code, as may be amended from time to time.

Air contaminant: Particulate matter, radioactive material, dust, fumes, gas, mist, smoke, vapor, or odor, including any combination of those items, produced by processes other than natural.

Air pollution: The presence in the atmosphere of one or more air contaminants or combination of air contaminants in such concentration and of such duration that: (A) are or may tend to be injurious to or to adversely affect human health or welfare, animal life, vegetation, or property; or (B) interfere with the normal use or enjoyment of animal life, vegetation, or property.

City: City of Grand Prairie, Texas.

Director: The director or manager of the departments or divisions designated by the City Manager to enforce and administer this Article.

Dry cleaning plant: Any premises where fabrics or textiles are cleaned by use of chlorinated or petroleum solvents.

Emission: The release into the outdoor atmosphere of air contaminants.

Gasoline dispensing site: Any premises where gasoline is dispensed from a fixed storage tank into vehicles.

Idle: The operation of an engine in the operating mode where the engine is not engaged in gear, where the engine operates at a speed at the revolutions per minute specified by the engine or vehicle manufacturer for when the accelerator is fully released, and there is no load on the engine.

Motor vehicle: Any self-propelled device powered by an internal combustion engine and designed to operate with four or more wheels in contact with the ground, in or by which a person or property is or may be transported and is required to be registered under Texas Transportation Code.

Primary propulsion engine: A gasoline or diesel-fueled internal combustion engine attached to a motor vehicle that provides the power to propel the motor vehicle into motion and maintain motion.

Ringelmann Smoke Chart: a tool for determining emission opacity established and expressed with reference to a chart consistent with the U.S. Environmental Protection Agency *Visible Emission Field Manual* (EPA 340/1-92-004; 1993)

Source: Any point of origin of air contaminants, whether privately or publicly owned or operated.

TCEQ: The Texas Commission on Environmental Quality or subsequent body authorized by the State of Texas to regulate air quality.

Waste material: Refuse, garbage, rubbish, other solid or liquid wastes, and useless, unused, unwanted, or discarded materials.

Sec. 13-72. Director–Duties.

The Director shall perform or cause to be performed the following duties:

- (a) Administer and enforce all laws, ordinances, rules and regulations pertaining to air pollution in accordance with this article and consistent with the requirements of State law;
- (b) Request that necessary legal proceedings be instituted to prosecute violators of this article and compel the prevention and abatement of air pollution or of a nuisance arising therefrom;
- (c) Conduct surveys of ambient air quality;
- (d) Evaluate the effect of proposed zoning changes on air pollution and endeavor to coordinate the Director's activities with those of the City's Planning Department in order to achieve optimum management of the air resources of the city;
- (e) Cooperate with other governmental agencies concerned with air pollution;
- (f) Disseminate information on air pollution, inform and encourage voluntary cooperation by persons and affected groups in the preservation and regulation of the purity of the outdoor atmosphere;
- (g) Require the owner, lessee or operator of any source or suspected source to submit air pollution emission data for the purpose of evaluating the air pollution potential of such source or suspected source;
- (h) Make recommendations to the state concerning a rule, determination, variance or order of the commission that affects the city; and
- (i) Perform such other functions as may be necessary to carry out effectively the duties and responsibilities imposed on the director in this article.

Sec. 13-73. Nuisance.

- (a) An emission of an air contaminant in violation of the regulations adopted under this article, in violation of the Act, or in violation of any permit issued thereunder, is hereby declared to be a nuisance.
- (b) An emission of one or more air contaminants, in such concentration and duration that is or may tend to be injurious to or that does or may affect human health or welfare, animal life, vegetation or property, or that interferes with the normal use and enjoyment of animal life, vegetation, or property, is hereby declared to be a nuisance.
- (c) The operation of a motor vehicle which is required by federal motor vehicle laws to have an emissions control system is hereby declared to be a nuisance if the system is not working properly or if the system has been removed or rendered inoperable.
- (d) Emissions from a stationary vent are hereby declared to be a nuisance if it emits air contaminants for longer than six consecutive minutes:
 - (a) As dark or darker in shade than that shade designated as number one on the Ringelmann Smoke Chart; or
 - (b) Of 20% or greater opacity as compared in US Environmental Protection Agency (EPA) Visual Emissions Field Manual EPA Method 9 and 22 [EPA 340/1 -92-004 December 1993] [Ref: 30 TAC §111(a)]
- (e) Emissions from a motor vehicle is hereby declared to be a nuisance if it emits visible exhaust emissions for more than ten consecutive seconds. Compliance shall be determined as specified in 40 CFR 60, Appendix A, Method 22. [Ref: 30 TAC §111(a)]

Sec. 13-74. Jurisdiction.

For purposes of enforcing the standards prescribed in this article, the Director has jurisdiction within the corporate limits of the city, hereinafter referred to as the “base area,” and within five thousand (5,000) feet beyond the corporate limits of the city, to abate any nuisance arising from the violation of this article.

Sec. 13-75. Same—Requiring data; data control.

(a) The Director may, from time to time, require the owner, lessee, or operator of all sources and suspected sources in the city’s base area to submit data on the sources for the purpose of evaluating the air pollution potential within the base area.

(b) Any data and information identified as confidential when submitted, relating to secret processes or methods of manufacture or production, shall not be disclosed without the written consent of the person submitting it.

Sec. 13-76. Ambient air and emission standards.

The following regulations, in their current form and as they may hereafter be amended, are adopted and incorporated into this article as if they were set forth at length:

- (a) Texas Administrative Code 30 TAC Chapter 101, General Rules.
- (b) Texas Administrative Code 30 TAC, Chapter 104, Bond Certification Criteria for Air Pollution Control Facilities.
- (c) Texas Administrative Code 30 TAC Chapter 106, Permits by Rules.
- (d) Texas Administrative Code 30 TAC Chapter 111, Control of Air Pollution from Visible

- Emissions and Control of Particulate Matter.
- (e) Texas Administrative Code 30 TAC Chapter 112, Control of Air Pollution from Sulfur Compounds.
 - (f) Texas Administrative Code 30 TAC Chapter 113, Standards of Performance for Hazardous Air Pollutants and for Designated Facilities and Pollutants.
 - (g) Texas Administrative Code 30 TAC Chapter 114, Control of Air Pollution from Motor Vehicles.
 - (h) Texas Administrative Code 30 TAC Chapter 115, Control of Air Pollution from Volatile Organic Compounds.
 - (i) Texas Administrative Code 30 TAC Chapter 116, Control of Air Pollution by Permits for New Construction or Modification.
 - (j) Texas Administrative Code 30 TAC Chapter 117, Control of Air Pollution from Nitrogen Compounds.
 - (k) Texas Administrative Code 30 TAC Chapter 118, Control of Air Pollution Episodes.
 - (l) Texas Administrative Code 30 TAC, Chapter 119, (Regulation IX) Control of Air Pollution from Carbon Monoxide.
 - (m) Texas Administrative Code Title 30, Chapter 122, Federal Operating Permit Program; and
 - (n) Any other regulations, including any amendments, as may be promulgated by the State.

Sec. 13-77. Right of Entry.

- (a) The City's representative(s) shall have the right to enter the premises of any person to determine whether that person is in compliance with all requirements of this article. Persons shall allow inspecting or monitoring personnel ready access to all parts of the premises for the purposes of inspection, monitoring, records examination and copying, and the performance of any additional duties. Any information concerning a requirement under this article, including, but not limited to water testing data, construction records, state registrations, environmental and closure records, shall be made readily available upon request. When required by law, a search or inspection warrant must be obtained prior to a search being conducted.
- (b) Where security measures are in force which requires proper identification and clearance before entry into the premises, that person shall make necessary arrangements with its security guards so that, upon presentation of suitable identification, the City's representative will be permitted to enter without delay for the purposes of performing specific responsibilities.
- (c) Unreasonable delays in allowing inspecting or monitoring personnel access to any person's premises shall be a violation of this article.

Section 13-78. Penalty - For violations; other remedies.

- (a) Any person, agent, property owner, business owner, operator, manager, sublessor, firm, or corporation who violates any provision of this article or any permit issued under this article shall be subject administrative or civil penalties provided under State law, or other actions permitted by applicable law.
- (b) Any person, firm, or corporation who obstructs, impedes, or interferes with a representative of the City, with a representative of a City department, or with a person who in the performance of activities authorized under Section 13-78, is guilty of a misdemeanor and upon conviction is

punishable by a fine as provided in section 1-8 of the Code of Ordinances of the City of Grand Prairie, for each act of violation and for each day of violation.

(c) In addition to proceeding under authority of subsections (a) and (b) of this section, the City is entitled to pursue all criminal and civil remedies to which it is entitled under authority of statutes or other ordinances against a person, agent, property owner, business owner, operator, manager, sublessor, firm, or corporation that remains in violation of this article.

Sec. 13-79. Search Warrants.

If the Director, or someone acting at his direction, has been refused access to a building, structure, or property, or any part thereof, and is able to demonstrate probable cause to believe that there may be a violation of this ordinance, or that there is a need to inspect and/or sample as part of a routine inspection and sampling program of the City designed to verify compliance with this ordinance or any permit or order issued hereunder, or to protect the overall public health, safety and welfare of the community, then the Director may seek issuance of a search warrant from the appropriate court.

Sec. 13-80. Responsibility for cleanup costs, damages.

All owners/occupants are subject to fees as outlined in Chapter 13, Article VI – Abatement of Hazardous Conditions if the owner/occupant fails to comply with this article.

Sec. 13-81. Remedies Nonexclusive.

The remedies provided for in this ordinance are not exclusive. The Director may take any, all, or any combination of these actions against a person who violates this article or the regulations adopted hereunder, to the extent permitted by State law.

Sec. 13-82. Administrative Liability.

(a) No officer, agent, or employee of the City shall be personally liable for any damage that may accrue to persons or property as a result of any act required or permitted in the discharge of such person's duties under this article.

(b) Any suit brought against any officer, agent, or employee of the City as a result of any act required or permitted in this discharge of such duties under this article shall be defended by the City Attorney until the final determination of the proceedings therein.

Sec. 13-83. Motor Vehicle Idling

(a) Definitions. In this section:

(1) **COMMERCIAL PASSENGER TRANSPORTATION** means a mode of transportation provided by a bus or motor coach designed to accommodate more than 10 passengers (including the operator) for compensation and that is powered by a primary propulsion engine, but specifically excluding the modes of railroad, light rail, or taxicabs.

(2) **IDLE** means the operation of an engine in the operating mode where:

(i) the engine is not engaged in gear;

(ii) the engine operates at a speed at the revolutions per minute specified by the engine or

vehicle manufacturer for when the accelerator is fully released; and

(iii) there is no load on the engine.

(3) MECHANICAL OPERATIONS means the use of electrical tools or equipment in construction, maintenance, or repair of facilities.

(4) PASSENGER TRANSIT OPERATIONS means a regional mode of public transportation that is funded through a portion of sales tax for the region being served.

(5) PRIMARY PROPULSION ENGINE means a gasoline or diesel-fueled internal combustion engine that:

(i) is attached to a motor vehicle; and

(ii) provides the power to propel the motor vehicle into motion and maintain motion.

(b) Idling prohibited. A person commits an offense if he causes, suffers, allows, or permits the primary propulsion engine of a motor vehicle to idle for more than five consecutive minutes when the motor vehicle is not in motion.

(c) Defenses. It is a defense to prosecution under this section that:

(1) the motor vehicle has a gross vehicle weight rating of 14,000 pounds or less;

(2) the motor vehicle is greater than 14,000 pounds and is equipped with a 2008 or subsequent model year heavy-duty diesel engine or liquefied or compressed natural gas engine that has been certified by the United States Environmental Protection Agency or another state environmental agency to emit no more than 30 grams of nitrogen oxides emissions per hour when idling;

(3) the motor vehicle was forced to remain motionless because of traffic conditions over which the operator had no control;

(4) the motor vehicle was being used by the United States military, national guard, or reserve forces or as an emergency or law enforcement motor vehicle;

(5) the primary propulsion engine of the motor vehicle was providing a power source necessary for a mechanical operation of the vehicle, other than propulsion or passenger compartment heating or air conditioning.

(6) the primary propulsion engine of a motor vehicle was being operated:

(i) for maintenance or diagnostic purposes;

(ii) to defrost a windshield;

(iii) as airport ground support equipment;

(iv) to provide air conditioning or heating necessary for the health and safety of employees in an armored vehicle while the employee remains inside the vehicle to guard the contents or while the vehicle is being loaded or unloaded;

(v) to provide air conditioning or heating necessary for the health and safety of an employee who is using the vehicle to perform an essential job function related to roadway construction or maintenance;

(vi) to provide heat or air conditioning necessary for passenger comfort or safety in vehicles intended for commercial or public passenger transportation, or passenger transit operations, in which case idling up to a maximum of 30 minutes is allowed;

(7) the person charged with the offense was the owner of a motor vehicle that had been rented or leased to the person operating the vehicle at the time of the offense, if the vehicle operator was not employed by the vehicle owner; or

(8) a motor vehicle when idling is necessary to power a heater or air conditioner while a driver is using the vehicle's sleeper berth for a government-mandated rest period and is not within

two miles of a facility offering external heating and air conditioning connections at a time when those connections are available.

(d) Penalties.

(1) An offense under this section is punishable by a fine not to exceed \$500. Each instance of a violation of this section is a separate offense.

(2) Prosecution for an offense under this section does not preclude the use of other enforcement remedies or procedures that may be available to the city.

Sec. 13-84 - 13- 89. Reserved.”

SECTION 2. That a violation of any provision of this Ordinance shall be a misdemeanor punishable in accordance with Section 1-8 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 3. That Chapter 13, “Health and Sanitation”, of the Code of Ordinances of the City of Grand Prairie, Texas, as amended, shall be and remain in full force and effect save and except as amended by this Ordinance.

SECTION 4. That the terms and provisions of this Ordinance are severable and are governed by Section 1-4 of the Code of Ordinances of the City of Grand Prairie, Texas.

SECTION 5. All ordinances or parts of ordinances not consistent or conflicting with the provisions of this Ordinance are hereby repealed. Provided that such repeal shall be only to the extent of such inconsistency and in all other respects this Ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered in this Ordinance.

SECTION 6. That this Ordinance shall be and become effective immediately upon and after its passage and publication.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GRAND PRAIRIE, TEXAS, ON THIS THE 18TH DAY OF JANUARY 2022.



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/10/2022
REQUESTER: Elsa Delgado
PRESENTER: Mark J. Divita, C.M., Airport Director
TITLE: FY 22 Airport Pavement Safety Brief
RECOMMENDED ACTION: Information Only



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/10/2022
REQUESTER: Ryan Simpson
PRESENTER: Ryan Simpson, Assistant Director of Police
TITLE: Code Compliance Administrative Adjudication Process
RECOMMENDED ACTION: Presentation Only

ANALYSIS:

Presentation on new Code Compliance administrative adjudication process.

FINANCIAL CONSIDERATION:

None



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/10/2022

REQUESTER: Amy Sprinkles

PRESENTER: Caitlin Milligan, Library Program Supervisor
Isela Mena, Programmer

TITLE: Bi-Lingual Library Classes - Citizenship

RECOMMENDED ACTION: Presentation

ANALYSIS:

The Grand Prairie Libraries offer a variety of free classes for residents. Many are conducted in Spanish. One such class helps attendees gain US citizenship. The educator, Isela Mena, also works with students one-on-one giving them mock tests to ensure they can pass the citizenship interviews and exams.

FINANCIAL CONSIDERATION:

none



**CITY OF GRAND PRAIRIE
COMMUNICATION**

MEETING DATE: 01/10/2022
REQUESTER: Chase Wheeler
PRESENTER: Chase Wheeler, Emergency Management Coordinator
TITLE: Outdoor Warning Siren Presentation
RECOMMENDED ACTION: Presentation

ANALYSIS:

The Office of Emergency Management will provide an update on the City of Grand Prairie’s Outdoor Warning Siren system. This update will provide a general overview to the committee on where sirens are located, how often they are tested, and when they are active during an emergency.

FINANCIAL CONSIDERATION:

None