

ORDINANCE NO. 4373

AN ORDINANCE OF THE CITY OF MESQUITE, TEXAS, REPEALING ORDINANCE NO. 3786 IN ITS ENTIRETY AND SUPPORTING THE CLEAN FLEET VEHICLE POLICY ADOPTED BY THE REGIONAL TRANSPORTATION COUNCIL THEREBY SETTING ACHIEVABLE GOALS AND PROVIDING WORKABLE SOLUTIONS TO IMPROVE AIR QUALITY IN THE DALLAS-FORT WORTH METROPOLITAN AREA; PROVIDING A REPEALER CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING AN EFFECTIVE DATE THEREOF.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) has been designated as the Metropolitan Planning Organization (MPO) for the Dallas-Fort Worth (DFW) Metropolitan Area by the Governor of Texas and in accordance with federal law; and

WHEREAS, the Regional Transportation Council (RTC), comprised primarily of local elected officials, is the regional transportation policy body associated with NCTCOG and has been and continues to be the regional forum for cooperative decisions on transportation; and

WHEREAS, NCTCOG has been designated as a Clean Cities Coalition for the DFW region by the U. S. Department of Energy in accordance with federal law and the NCTCOG Executive Board authorized NCTCOG to serve as the host organization for the DFW Clean Cities (DFWCC) Coalition and its efforts; and

WHEREAS, the U. S. Environmental Protection Agency (EPA) has designated the DFW area as a nonattainment area for the pollutant ozone, and air quality impacts the public health of the entire region; and

WHEREAS, emissions inventories from the Texas Commission on Environmental Quality (TCEQ) indicate that in 2012, approximately 76 percent of the nitrogen oxides (NO_x) emissions and 25 percent of the volatile organic compounds (VOC) emissions in the DFW ozone nonattainment area are attributable to mobile sources; and

WHEREAS, the RTC is responsible for transportation conformity; and the Clean Air Act Amendments of 1990 require that transportation plans and improvement programs in air quality nonattainment areas conform to the adopted State Implementation Plan (SIP); and

WHEREAS, the RTC has adopted a resolution supporting the adoption and implementation of a Clean Fleet Policy by organizations with fleet operations in the DFW area; and reserves all future vehicle funding for entities that adopt and comply with a policy consistent with the provisions outlined below; and

WHEREAS, the City of Mesquite will set goals and provide workable, cost-effective solutions to improve air quality and reduce petroleum consumption in the DFW area, and implement those measures as practicable.

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

SECTION 1. That the City Council of the City of Mesquite does hereby support the Clean Fleet Vehicle Policy adopted by the Regional Transportation Council by setting the following achievable goals and providing workable solutions to improve the air in the Dallas-Fort Worth Metroplex and will reduce emissions from fleet activities by performing the following actions as practicable:

- 1.1 Implement an idle-reduction policy/standard operating procedure (SOP) that applies to all of the entity's vehicles and equipment, except where exempted as determined by City of Mesquite; communicate idle-reduction expectations to staff, vendors and visitors; and utilize idle-reduction technology.
- 1.2 Maximize use of vehicles and equipment with the lowest emissions wherever possible.
- 1.3 Ensure all conversions are EPA and/or California Air Resources Board (CARB) certified; ensure that aftermarket technologies are EPA and/or CARB verified, or are listed as an emerging technology by the EPA or a state environmental agency; and both conversions and aftermarket technologies are compatible with Texas Low Emission Diesel Program (TxLED) requirements.
- 1.4 Establish a plan to modify non-essential fleet activities on high ozone days to reduce air quality impacts.
- 1.5 Implement vehicle and equipment disposal strategies which minimize negative impacts on air quality.
- 1.6 Implement vehicle and equipment emissions inspection practices which meet or surpass the standards required by statute, including prompt resolution of any illuminated malfunction indicator lamp (MIL).

SECTION 2. That the City of Mesquite will reduce overall fuel consumption, particularly the use of conventional petroleum fuels, by performing the following actions as practicable:

- 2.1 Pursue low-emission vehicles and equipment for acquisition, with an emphasis on alternative fuel, advanced technology, and/or SmartwaySM certified vehicles and equipment.
- 2.2 Improve overall fleet fuel efficiency.
- 2.3 Establish practices to reduce vehicle miles traveled, passenger miles traveled, engine hours, and/or ton miles traveled, as appropriate.

SECTION 3. That the City of Mesquite will partner with the NCTCOG and DFWCC by performing the following actions as practicable:

- 3.1 Maintain membership and active participation in DFWCC and submit timely Clean Fleet Policy reporting.
- 3.2 Evaluate and consider participation in programs to test/commercialize/demonstrate new technologies to improve efficiency, reduce emissions and/or increase fuel efficiency.
- 3.3 Pursue activities which support peer fleets' efforts to implement fuel- or emissions-reducing activities by sharing and maximizing resources.
- 3.4 Encourage fleet activities which minimize water, solid waste or other environmental impacts of fleet activities, as appropriate.

SECTION 4. That the City of Mesquite will ensure drivers/operators and fleet personnel are familiar with air quality and petroleum reduction goals by performing the following actions as practicable:

- 4.1 Provide in-house training and/or attending training administered by NCTCOG for fleet personnel and other staff involved in fleet decisions to review policy elements and provide recommendations for achieving objectives.
- 4.2 Consider other mechanisms to increase understanding and awareness among fleet personnel and others.

SECTION 5. That the City of Mesquite acknowledges that adoption of the Clean Fleet Policy, adoption of an idle reduction policy/SOP as outlined in Section 1.1, submittal of both policies, and submittal of Clean Fleet Policy reporting is required to be eligible for future clean fleet funding from the RTC, and may be considered when determining other funding actions. The extent of Clean Fleet Policy implementation, as documented through reporting, will also be a factor in receiving DFWCC fleet recognition.

SECTION 6. That Ordinance No. 3786 is hereby repealed in its entirety as of the date of this ordinance. If any other ordinances, or portions thereof, of the City of Mesquite contain provisions in conflict with this ordinance, the portions in conflict are hereby repealed and the portions not in conflict herewith shall remain in full force and effect.

SECTION 7. That should any word, sentence, clause, paragraph or provision of this ordinance be held to be invalid or unconstitutional, the remaining provisions of this ordinance shall remain in full force and effect.

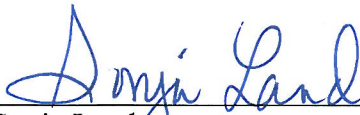
SECTION 8. That this policy shall be in effect immediately upon its adoption and replaces the prior Clean Fleet Vehicle Policy adopted by the City Council with the passage of Ordinance No. 3786 on January 17, 2006.

DULY PASSED AND APPROVED by the City Council of the City of Mesquite, Texas,
on the 17th day of August, 2015.



Stan Pickett
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney