

North Central Texas  
Council of Governments

MEMORANDUM OF UNDERSTANDING  
BETWEEN  
the  
U.S. Environmental Protection Agency,  
City of Dallas,  
and  
North Central Texas Council of Governments

This MEMORANDUM OF UNDERSTANDING (MOU) is entered into by the U.S. Environmental Protection Agency (EPA) (Office of Air Quality Planning and Standards (Research Triangle Park, North Carolina) and Region 6 (Dallas, Texas)); the City of Dallas; and the North Central Texas Council of Governments (NCTCOG).

A. PURPOSE

The purpose of this MOU is to establish a three-year partnership to develop and implement the Dallas Sustainable Skylines Initiative (Initiative) among the EPA, the City of Dallas, and the NCTCOG, hereafter referred to as “the Parties” – to promote sustainability in the City of Dallas through voluntary programs, with an emphasis on air quality.

B. GOAL

The goal of the Initiative is to achieve measurable environmental benefits, particularly the reduction of air emissions, through Initiative-guided projects, while simultaneously contributing to the vitality of the Dallas economy and the quality of life of Dallas citizens. The longer term objective of the Dallas Sustainable Skylines Initiative is to create a successful and reproducible program that serves as a model for other cities.

C. AREAS OF COOPERATION

To develop and implement the Initiative, the Parties intend to actively cooperate in the following areas:

- Developing an Initiative project work plan;
- Identifying funding to support Initiative projects;
- On an as needed basis, recruiting new participants to support the Initiative in both advisory and project implementation roles;
- Participating in periodic conference calls and face-to-face meetings;

- Developing a mechanism for evaluating and measuring Initiative progress, including emission reductions and/or other environmental benefits achieved by the Initiative;
- Devoting staff time to support Initiative project activities; and
- Analyzing, selecting, and implementing a variety of air pollution-reduction and other environmentally beneficial projects in Dallas.

#### D. GOVERNANCE

The Parties will constitute the Core Project Management Group of the Initiative, which will act as the decision-making body of this Initiative. The Parties will seek cooperation with appropriate State agencies, other federal agencies, non-governmental organizations, and commercial entities on Initiative projects, and, as determined by the Parties, other participants may join the Initiative in either advisory or Initiative project implementation roles for particular projects.

#### E. DECISION MAKING

For this Initiative, consensus in decision making is defined as at least a two-thirds majority among the Parties that comprise the Core Project Management Group, whereby the majority includes the City of Dallas.

#### F. MOU COMMENCEMENT, AMENDMENT, AND CESSATION

This MOU will be effective when signed by an appropriate representative of each of the Parties.

This MOU may be amended at any time by the mutual written consent of the Parties.

Unless otherwise agreed to by the Parties, this MOU will expire three years after commencement. Any of the Parties may terminate their participation in this MOU at any time by notifying each of the other Parties in writing sixty (60) days before the termination date.

#### G. LIMITATIONS

All commitments made by the Parties through this MOU are subject to the availability of funds and other resources necessary to implement it. Nothing in this MOU, in and of itself, obligates the Parties to expend appropriations or to enter into any contract, assistance agreement, interagency agreement, or incur other financial obligations. This MOU does not exempt the other Parties from the policies of the Parties' respective organizations requiring competition for financial assistance and contracts. Any endeavor involving the Parties' funding will be handled in accordance with applicable laws, regulations, policies and procedures, and will be subject to separate written agreements.

This MOU does not create any right or benefit, substantive or procedural, enforceable by law or equity against the Parties, their officers or employees, or any other person. This MOU does not direct or apply to any person or organization outside of the Parties.

The Parties agree that the “Sustainable Skylines” name may be used in conjunction with the names of other cities in the future. No one Party to this MOU claims exclusive rights to the “Sustainable Skylines” name.

**H. CONTACTS FOR THE PARTIES**

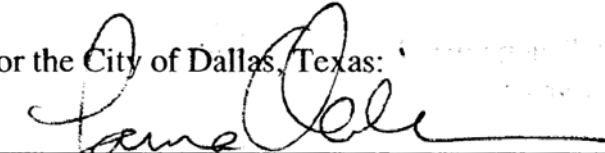
The following individuals are the designated contacts of the Parties for this MOU and are the members of the Core Project Management Group on behalf of their organizations:

<b>ORGANIZATION</b>	<b>CONTACT</b>
Office of Environmental Quality, City of Dallas	Laura Fiffick Director 1500 Marilla, L2FS Dallas, Texas 75201 Telephone: 214-670-5942 Fax: 214-670-0134 E-mail: <a href="mailto:laura.fiffick@dallascityhall.com">laura.fiffick@dallascityhall.com</a>
NCTCOG	Chris Klaus Senior Program Manager 616 Six Flags Drive P.O. Box 5880 Arlington, Texas 76005 Telephone: 817-695-9286 Fax: 817-640-7806 E-mail: <a href="mailto:cklaus@nctcog.org">cklaus@nctcog.org</a>
Office of Air Quality Planning and Standards, U.S. EPA	Chris Stoneman Policy Adviser Mail Code C304-03 Research Triangle Park, North Carolina 27711 Telephone: 919-541-0823 Fax: 919-541-0942 E-mail: <a href="mailto:stoneman.chris@epa.gov">stoneman.chris@epa.gov</a>
Region 6, U.S. EPA	James Yarbrough 1445 Ross Avenue, Suite 1200 (6PD-Q) Dallas, Texas 75202-2733 Telephone: 214-665-7232 Fax: 214-665-6762 E-mail: <a href="mailto:yarbrough.james@epa.gov">yarbrough.james@epa.gov</a>


If this contact information changes, the Parties agree to notify all other parties to this MOU in writing; such written notification shall become an addendum to this MOU.

J. APPROVAL


For the City of Dallas, Texas:

  
\_\_\_\_\_  
Date: 3/21/07  
Laura Miller, Mayor

For the North Central Texas Council of Governments:

  
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Date: 3/21/07  
Mike Eastland, Executive Director

For the U.S. Environmental Protection Agency:

  
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Date: 3-21-07  
Richard Greene, Administrator, Region 6