

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 3
DEPARTMENT: Mobility and Street Services
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 61 A-R X Y; 61 B-J N; 71 A-B

SUBJECT

Authorize Project Specific Agreements with Dallas County for Three Projects

- * Authorize a Project Specific Agreement with Dallas County for the design and construction of paving and drainage improvements on Merrifield Road from east of Mountain Creek Parkway to Grady Niblo Road - Financing: No cost consideration to the City
- * Authorize **(1)** an amendment to Resolution No. 05-0130 previously authorized by City Council on January 12, 2005 to release encumbered funds and to designate the City as the lead agency for the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway project; **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$700,000; and **(3)** an increase in appropriations in an amount not to exceed \$700,000 in the Capital Project Reimbursement Fund - Not to exceed \$700,000 - Financing: Capital Projects Reimbursement Funds
- * Authorize **(1)** a Project Specific Agreement with Dallas County for the design and construction of paving and drainage improvements on Camp Wisdom Road from Carrier Parkway to Farm-to-Market (FM) 1382; **(2)** reprogramming of available funds from Merrifield Road from east of Mountain Creek Parkway to the Grady Niblo Road project (\$250,000) and the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway project (\$1,050,000) for Camp Wisdom Road from Carrier Parkway to FM 1382 project; and **(3)** payment to Dallas County for the City's share of design and construction costs - Not to exceed \$1,300,000 - Financing: 2006 Bond Funds (\$600,000) and Capital Projects Reimbursement Funds (\$700,000)

BACKGROUND

Merrifield Road from east of Mountain Creek Parkway to Ledbetter Drive Extension/Grady Niblo Road, Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway, and Camp Wisdom Road from Carrier Parkway to Farm-to-Market 1382 (FM 1382) are three partnership projects between the City of Dallas and Dallas County that were selected by Dallas County's Major Capital Improvements Program (MCIP) Second and Fifth Call for Projects. This action will authorize a Project Specific Agreement with Dallas County for the Merrifield Road project, and the Camp Wisdom Road project as well as reprogram available funds to the Camp Wisdom Road project. This action will also authorize an amendment to Resolution No. 05-0130 previously authorized by City Council on January 12, 2005, to release encumbered funds and to designate the City as the lead agency for the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway project.

Dallas County originally planned to be the lead agency administering the design and construction for the Merrifield Road and Ledbetter Drive Extension/Grady Niblo Road projects. However, due to uncertainty regarding future development and community opposition from the impacted property owners, project limits for both projects were modified during the preliminary design process. The estimated project costs for the modified Merrifield Road project and the Ledbetter Drive Extension/Grady Niblo Road projects are \$500,000 and \$2,100,000, respectively. Project costs for these two projects are to be shared 50/50 between the City and Dallas County.

Camp Wisdom Road from Carrier Parkway to FM 1382 was submitted by the City of Grand Prairie and selected by Dallas County's MCIP Fifth Call for Projects. One third of the project limits is located within the city of Dallas. Dallas County is the lead agency for the Camp Wisdom Road Project, and as such, has requested the City participate in funding project costs within the city limits. The Camp Wisdom Road project begins from approximately 1,700 feet west of Carrier Parkway in the City of Grand Prairie to FM 1382 in Dallas. The improvements will include the reconstruction of the existing two-lane asphalt roadway to a four-lane reinforced concrete roadway with drainage improvements and a new bridge at Mountain Creek Parkway. The four-lane roadway will be divided within the city limits of Grand Prairie and undivided within the City limits of Dallas. On the north side of Camp Wisdom Road within the city of Dallas, there will be an 8-foot wide cycle track and a 5-foot wide sidewalk, which will provide an east-west pedestrian/bike/trail connector south of the I-20 corridor. The estimated project cost for the Camp Wisdom Road project is \$15.8 million of which \$7.2 million will be funded by Regional Toll Revenue (RTR), \$4.3 million by Dallas County, \$3.0 million by the City of Grand Prairie, and \$1.3 million by the City of Dallas. The City's share of funding for the Camp Wisdom Road project is coming from the reprogramming of the available Merrifield Road project (\$250,000) and the Ledbetter Drive Extension/Grady Niblo Road project (\$1,050,000), available because their projects scope were modified/reduced.

ESTIMATED SCHEDULE OF PROJECT

Merrifield Road from East of Mountain Creek Parkway to Ledbetter Drive Extension/Grady Niblo Road

Began Design	July 2015
Completed Design	February 2016
Began Construction	May 2017
Complete Construction	August 2018

Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway

Began Design	December 2013
Completed Design	April 2014
Began Construction	September 2014
Completed Construction	May 2015

Camp Wisdom Road from Carrier Parkway to FM 1382

Began Preliminary Design	September 2012
Completed Preliminary Design	December 2014
Begin Final Design	July 2017
Complete Final Design	June 2018
Begin Utility Relocation	March 2018
Complete Utilities Relocation	September 2018
Begin Construction	January 2019
Complete Construction	July 2020

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 10, 2001, City Council authorized a Master Agreement with Dallas County governing future transportation major capital improvement projects between the City of Dallas and Dallas County by Resolution No. 01-0104.

On April 11, 2001, City Council authorized the submission of the list candidate projects to Dallas County in Dallas County's Major Capital Improvement Fund Thoroughfare Programs Call for Projects and acceptance and implementation of the projects selected by Resolution No. 01-1219.

On January 12, 2005, City Council authorized a Project Specific Agreement with Dallas County for participation in design, right-of-way acquisition, and construction of paving, drainage, and water main improvements on Ledbetter from Merrifield Road to Mountain Creek Parkway by Resolution 05-0130.

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

On April 13, 2011, City Council authorized a ten-year master agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927.

On June 25, 2014, City Council authorized a contract with Tiseo Paving Company for the construction of street paving and storm drainage improvements for the Grady Niblo Road Extension by Resolution No. 14-1017.

On November 19, 2015, the City Plan Commission Transportation Committee approved staff recommendations for an amendment to the City of Dallas Thoroughfare Plan to change the dimensional classification of Camp Wisdom Road from Farm-to-Market (FM) 1382 to Grand Prairie City Limits from a standard six-lane divided roadway to a special four-lane undivided roadway with bicycle facilities within 100 feet of right-of-way.

On December 3, 2015, the City Plan Commission followed the City Plan Commission Transportation Committee approved an amendment to the City of Dallas Thoroughfare Plan amendment for Camp Wisdom Road from FM 1382 to Grand Prairie City Limits.

On January 27, 2016, Ordinance 30007, amended the City of Dallas Thoroughfare Plan to change the dimensional classification of Camp Wisdom Road within the City of Dallas as approved by the City Plan Commission Transportation Committee by Resolution No. 16-0208.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Capital Projects Reimbursement Funds – \$700,000
2006 Bond Funds - \$600,000

Merrifield Road from east of Mountain Creek Parkway to Grady Niblo Road

Design (by Dallas County)	\$ 250,000
Construction (by City)	<u>\$ 250,000</u>
Total Estimated Project Cost	\$ 500,000

*City of Dallas' share \$250,000 and Dallas County's share \$250,000

Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway

Design (by Dallas County)	\$ 350,000
Construction (by City)	<u>\$ 1,750,000</u>
Total Estimated Project Cost	\$ 2,100,000

FISCAL INFORMATION (continued)

*City of Dallas' share \$1,050,000 and Dallas County's share \$1,050,000

Camp Wisdom Road from Carrier Parkway to FM 1382

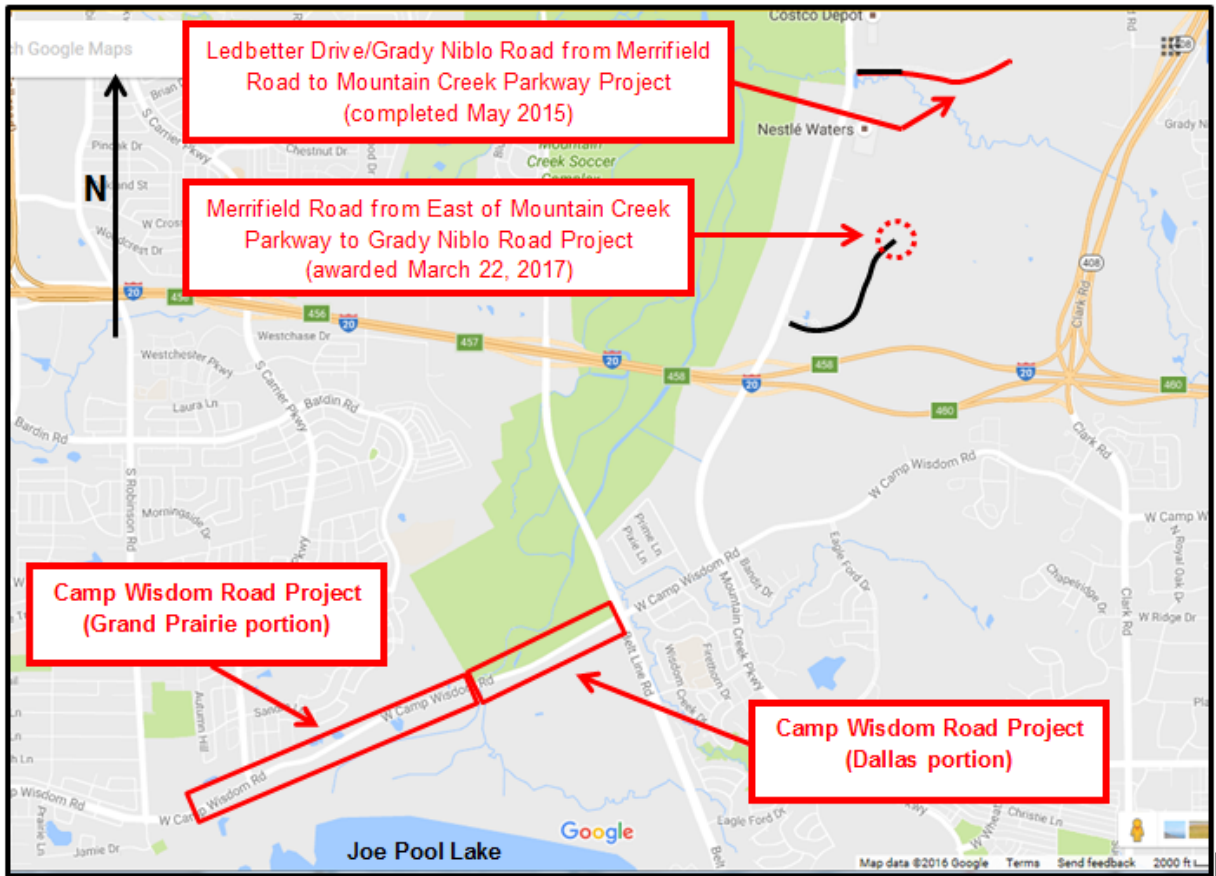
Design	\$ 2,100,000
Construction	\$ 13,200,000
Right-of-Way Acquisition	\$ 25,000
Material Testing	\$ 100,000
Contingency	<u>\$ 375,000</u>
Total Estimated Project Cost	\$ 15,800,000

TxDOT's (RTR) share	\$ 7,200,000
Dallas County's share	\$ 4,300,000
City of Grand Prairie's share	\$ 3,000,000
City of Dallas' share	<u>\$ 1,300,000</u>
Total Funding Source	\$ 15,800,000

MAP

Attached

Camp Wisdom Road from Carrier Parkway to Farm-to-Market 1382 Project
Ledbetter Drive/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway Project
Merrifield Road from East of Mountain Creek Parkway to Grady Niblo Road Project
(Council District: 3)



MAPSCO: 61A-R; 61B-J,N
(Merrifield Extension & Grady Niblo Projects)

MAPSCO: 61A-X,Y; 71A-B
(Camp Wisdom Road Project)

May 24, 2017

WHEREAS, on January 10, 2001, City Council authorized a master agreement with Dallas County governing future transportation major capital improvements projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, Camp Wisdom Road from Carrier Parkway to Farm-to-Market 1382 (FM 1382) was submitted by the City of Grand Prairie and selected by Dallas County in the Dallas County's Major Capital Improvement Program (MCIP) Fifth Call for Projects in 2008; and

WHEREAS, on April 13, 2011, City Council authorized a ten-year master agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927; and

WHEREAS, on January 27, 2016, City Council amended the City of Dallas Thoroughfare Plan to change the dimensional classification of Camp Wisdom Road within the city of Dallas from a standard six-lane divided roadway to a special four-lane undivided roadway with bicycle and pedestrian facilities by Resolution 16-0208; and

WHEREAS, Dallas County is the lead agency to administer the design and construction of the Camp Wisdom Road from Carrier Parkway to Farm-to-Market (FM) 1382 Project; and

WHEREAS, the section of Camp Wisdom Road from the Dallas city limits to FM 1382 is located in the city of Dallas; and

WHEREAS, Dallas County has requested the City participate in funding project costs located in the city of Dallas; and

WHEREAS, funding for the City's share of the Camp Wisdom Road Project costs will come from the available funds of the Merrifield Project (\$250,000) and Ledbetter Drive Extension/Grady Niblo Road Project (\$1,050,000); and

WHEREAS, it is now necessary to authorize **(1)** a Project Specific Agreement with Dallas County for the design and construction of paving and drainage improvements on Camp Wisdom Road from Carrier Parkway to Farm-to-Market 1382; **(2)** reprogramming of available funds from the Merrifield Road from east of Mountain Creek Parkway to Grady Niblo Road Project (\$250,000) and the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway Project (\$1,050,000) for the Camp Wisdom Road from Carrier Parkway to FM 1382 Project; and **(3)** payment to Dallas County for the City's share of design and construction costs.

May 24, 2017

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to reprogram available funds from the Merrifield Road from east of Mountain Creek Parkway to Grady Niblo Road Project (\$250,000) and the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway Project (\$1,050,000) for the Camp Wisdom Road from Carrier Parkway to FM 1382 Project.

SECTION 2. That the City Manager is hereby authorized to **(1)** sign a Project Specific Agreement with Dallas County, approved as to form by the City Attorney, for participation in the design and construction of paving and drainage improvements on Camp Wisdom Road from Carrier Parkway to FM 1382; and **(2)** make payment to Dallas County for the City’s share of design and construction costs, in an amount not to exceed \$1,300,000.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,300,000 to Dallas County in accordance with the terms and conditions of the agreement as follows:

Capital Projects Reimbursement Fund Fund 0556, Department STS, Unit W147 Activity INGV, Object 4510, Program ST06W147 Encumbrance CT STS06W147A1, Vendor VS0000067010	\$ 700,000
Street and Transportation Improvements Fund Fund 2T22, Department STS, Unit W147 Activity INGV, Object 4510, Program ST06W147 Encumbrance CT STS06W147A1 Vendor VS0000067010	\$ 60,000
Street and Transportation Improvements Fund Fund 3T22, Department STS, Unit W147 Activity INGV, Object 4510, Program ST06W147 Encumbrance CT STS06W147A1, Vendor VS0000067010	<u>\$ 540,000</u>
Total amount not to exceed	\$ 1,300,000

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused bond funds reimbursed by Dallas County pertaining to this project in Fund 3T22, Department STS, Unit W147, Object 4510.

May 24, 2017

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

May 24, 2017

WHEREAS, on January 10, 2001, City Council authorized a master agreement with Dallas County governing future transportation major capital improvements projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on April 11, 2001, City Council authorized the submission of the list of candidate projects to Dallas County in Dallas County's Major Capital Improvement Program Second (2001) Call for Projects by Resolution No. 01-1219; and

WHEREAS, the Merrifield Road from east of Mountain Creek Parkway to Grady Niblo Road Project was submitted by the City of Dallas and selected by the Dallas County's Major Capital Improvement Program (MCIP) Second Call for Projects in 2002; and

WHEREAS, on April 13, 2011, City Council authorized a ten-year master agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927; and

WHEREAS, Dallas County was the lead agency to administer the design and construction of the Merrifield Road from east of Mountain Creek Parkway to the Grady Niblo Road Project; and

WHEREAS, due to community opposition from the local property owners impacted, the project limits were modified during the design; and

WHEREAS, the City of Dallas took over the project to construct only a section of roadway to support the current land development which includes a turnaround at the east end of Merrifield Road; and

WHEREAS, the estimated project cost for the Merrifield Road project is \$500,000 which is to be funded 50/50 by the City of Dallas and Dallas County; and

WHEREAS, it is now necessary to authorize a Project Specific Agreement with Dallas County for paving and drainage improvements for the Merrifield Road from east of Mountain Creek to the Grady Niblo Project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Project Specific Agreement with Dallas County, approved as to form by the City Attorney, for paving and drainage improvements for the Merrifield Road from East of Mountain Creek to the Grady Niblo Project.

May 24, 2017

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

May 24, 2017

WHEREAS, on January 10, 2001, City Council authorized a master agreement with Dallas County governing future transportation major capital improvements projects between the City of Dallas and Dallas County by Resolution No. 01-0104; and

WHEREAS, on April 11, 2001, City Council authorized the submission of the list candidate projects to Dallas County in Dallas County's Major Capital Improvement Fund Thoroughfare Programs Call for Projects by Resolution No. 01-1219; and

WHEREAS, Ledbetter Drive/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway was submitted by the City of Dallas and selected by Dallas County's Major Capital Improvement Program (MCIP) Second Call for Projects in 2002; and

WHEREAS, On January 12, 2005, City Council authorized a Project Specific Agreement with Dallas County for design, right-of-way acquisition, and construction of paving, drainage, and water main improvements on Ledbetter Extension from Merrifield Road to Mountain Creek Parkway, in an amount not to exceed \$440,000, by Resolution No. 05-0130; and

WHEREAS, on April 13, 2011, City Council authorized a ten-year master agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927; and

WHEREAS, Dallas County was the lead agency to administer the design and construction of the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway Project; and

WHEREAS, due to community opposition from local impacted property owners, the limits of the project were modified to Grady Niblo Road from Mountain Creek Parkway to approximately 3,000 feet east of Mountain Creek Parkway; and

WHEREAS, in order to expedite the project in support of active private development, the final design was privately administered and funded, and the City administered the construction of the Grady Niblo Road Project; and

WHEREAS, on June 25, 2014, City Council authorized a contract with Tiseo Paving Company for the construction of street paving and storm drainage improvements for the Grady Niblo Road Extension, in an amount not to exceed \$2,368,718.55, by Resolution No. 14-1017; and

WHEREAS, the estimated project cost, excluding Dallas Water Utilities improvements, for the Grady Niblo Project is \$2,100,000 which is to be funded 50/50 by the City of Dallas and Dallas County; and

May 24, 2017

WHEREAS, Dallas County previously expended \$300,000 on preliminary design which will be credited towards their share of construction costs; and

WHEREAS, it is now necessary to amend Resolution No. 05-0130 to release encumbered funds to Dallas County and to designate the City of Dallas as the lead agency for the final design and construction for the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway Project.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to amend Resolution No. 05-0130, approved as to form by the City Attorney, to release encumbered funds in an amount not to exceed \$440,000 for the Ledbetter Drive Extension/Grady Niblo Road from Merrifield Road to Mountain Creek Parkway Project as follows:

Street and Transportation Improvements Fund Fund 3R22, Department PBW, Unit R314, Activity PBW1, Object 4111, Program PB03R314 Encumbrance PD PBW03R314D1-01, Vendor 014003	(\$150,000)
Street and Transportation Improvements Fund Fund 4R22, Department PBW, Unit R314 Activity PBW1, Object 4111, Program PB03R314 Encumbrance PD PBW03R314D1-02, Vendor 014003	(\$150,000)
Water Capital Improvement Fund Fund 0115, Department DWU, Unit PW42 Activity 7CIP, Object 4111, Program 705035 Encumbrance PD PBW705035CP, Vendor 014003	<u>(\$140,000)</u>
Total amount not to exceed	(\$440,000)

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds from Dallas County, in an amount not to exceed \$700,000 in the Capital Project Reimbursement Fund, Fund 0556, Department STS, Unit W147, Revenue Code 6511.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in the Capital Project Reimbursement Fund, Fund 0556, Department STS, Unit W147, Object 4510, in an amount not to exceed \$700,000.

May 24, 2017

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 2, 7, 8, 9, 10, 13, 14
DEPARTMENT: Mobility and Street Services
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 26K 27H 28E 35S U W Y 36T 38M R V 39E J 46C F 49N 69A

SUBJECT

Authorize **(1)** a Project Specific Agreement with Dallas County for funding participation for street maintenance and repairs performed by city forces and city contractors at 13 locations within the city of Dallas (list attached); **(2)** the receipt and deposit of funds from Dallas County in an amount not to exceed \$2,102,818 for the County's share of the construction cost; and **(3)** an increase in appropriations in an amount not to exceed \$2,102,818 - Not to exceed \$2,102,818 - Financing: Capital Projects Reimbursement Funds

BACKGROUND

On January 5, 2016, the City of Dallas executed a Master Interlocal Agreement (MIA) to jointly coordinate, facilitate and/or fund future maintenance activities on certain roadways within the City of Dallas.

On February 24, 2016, the City of Dallas executed the first Project Specific Agreement to the MIA for reimbursement of maintenance activities for 15 roadway projects.

In pursuit of the MIA's objective, this action will authorize a second Project Specific Agreement (PSA) with Dallas County for the maintenance of roadways within the City of Dallas. This second supplement includes 13 roadway maintenance projects throughout the city, as indicated on the attached list.

The construction work will be performed by city forces and a general contractor. The City will administer all listed projects at a cost estimate of \$4,365,636. Dallas County will subsequently reimburse the City for 50 percent of the total cost for the projects in an amount not to exceed \$2,102,818.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 9, 2015, the Transportation and Trinity River Project Committee was briefed on the Master Interlocal Agreement with Dallas County. The Committee voted to forward this item for full City Council consideration.

On November 10, 2015, City Council authorized a Master Interlocal Agreement with Dallas County pertaining to the coordination of responsibilities for transportation-related maintenance on roadways within the City of Dallas by Resolution No. 15-2080.

On February 24, 2016, City Council authorized the first Project Specific Agreement with Dallas County for maintenance of 15 roadway projects within the City of Dallas by Resolution No. 16-0387.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Capital Projects Reimbursement Funds - \$2,102,818

Funding for this PSA has been allocated in the FY 2016-17 budget process. The existing MIA authorizes the County to reimburse the City of Dallas up to 50 percent of its PSA cost.

Cost Estimate all Projects: **\$4,365,636***

*50/50 Split upon 100% completion
(less \$80,000 for Dallas County In-house Project Delivery costs):

Dallas County	\$2,102,818
IHPD(County)	\$ 80,000
City of Dallas	<u>\$2,182,818</u>
	\$4,365,636

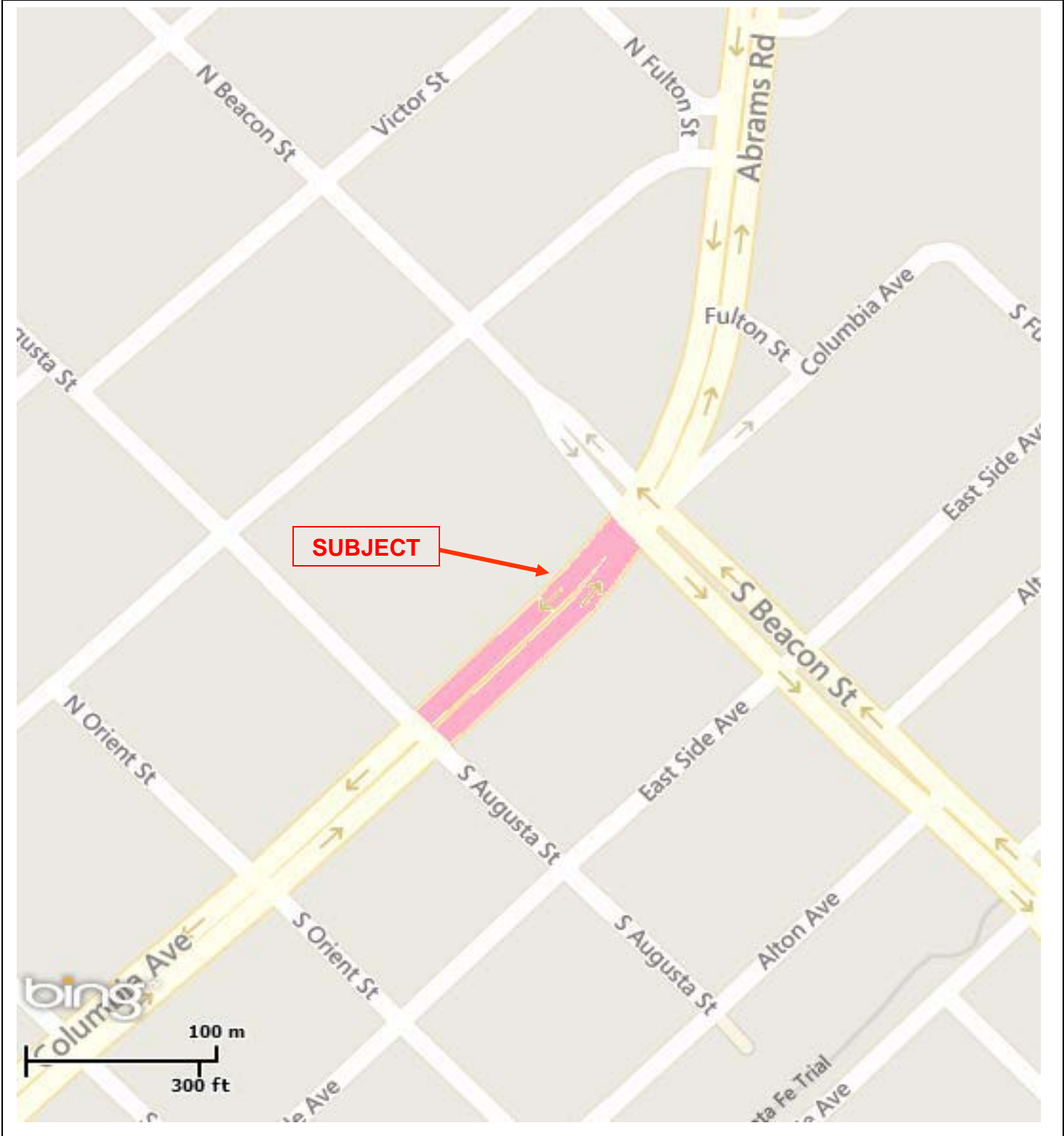
ESTIMATED SCHEDULE OF PROJECT

Begin construction	June 2017
Complete construction	September 2017

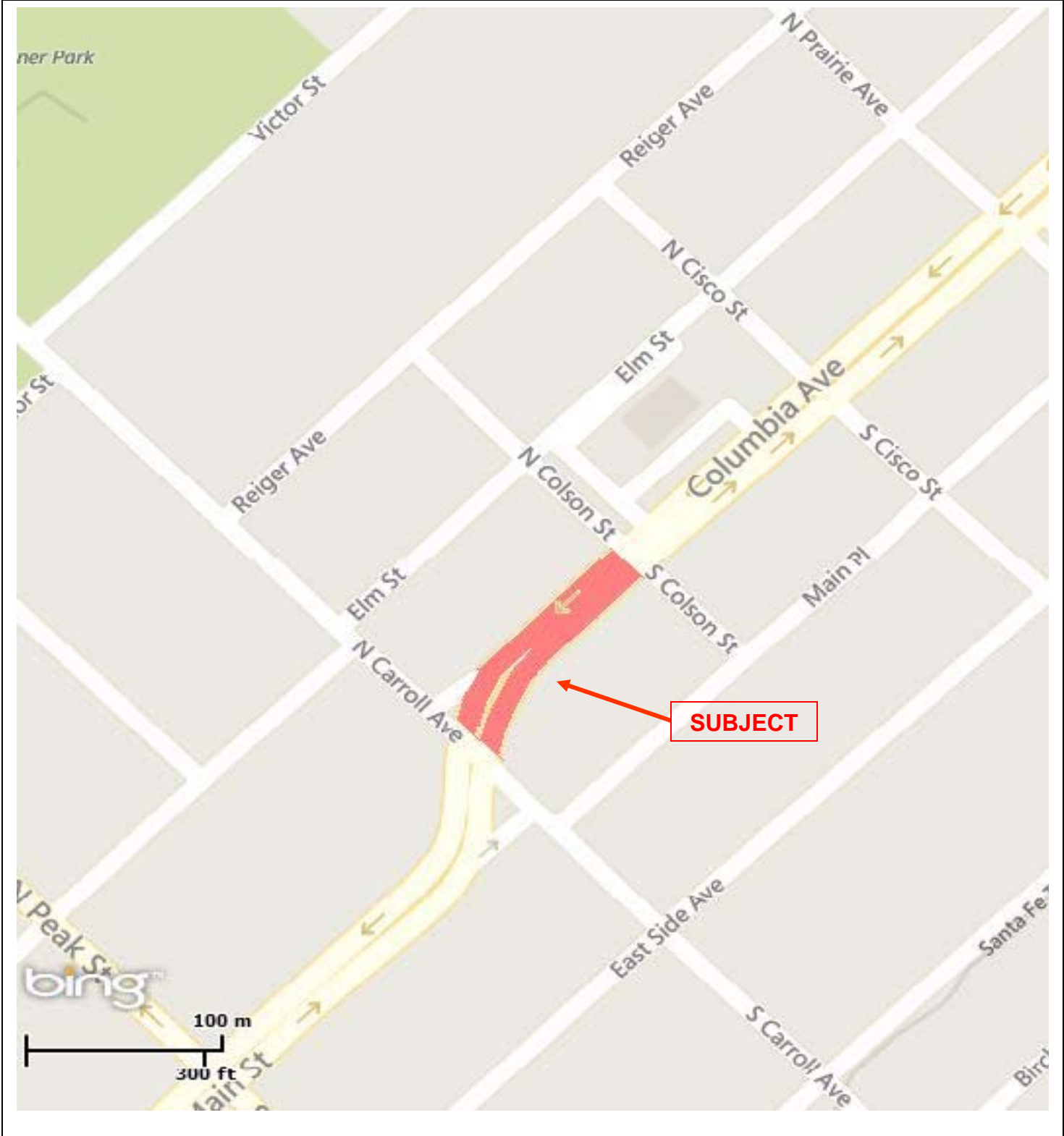
MAPS

Attached

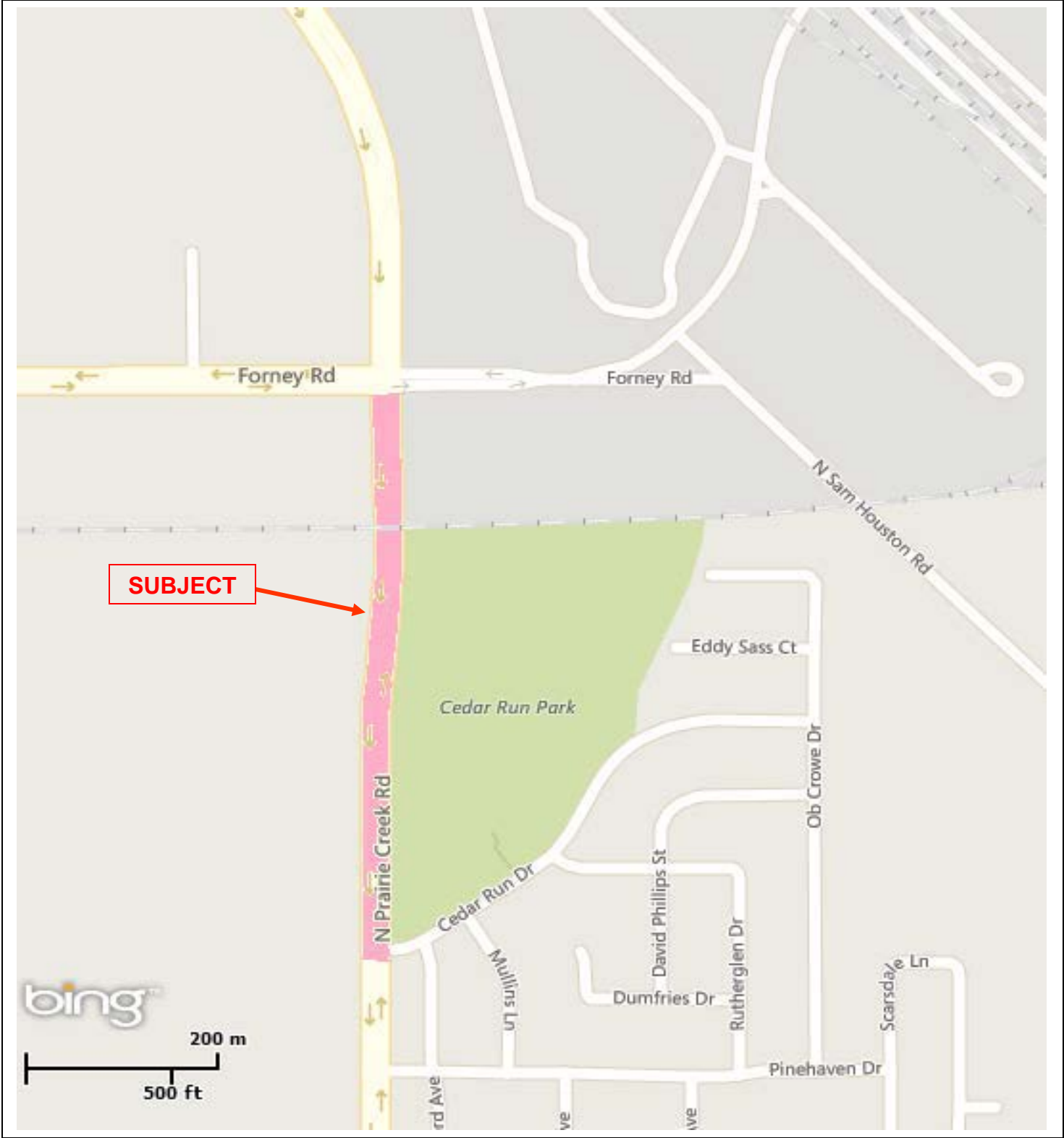
COLUMBIA AVENUE FROM AUGUSTA STREET TO BEACON STREET



COLUMBIA AVENUE FROM CARROLL AVENUE TO COLSON STREET



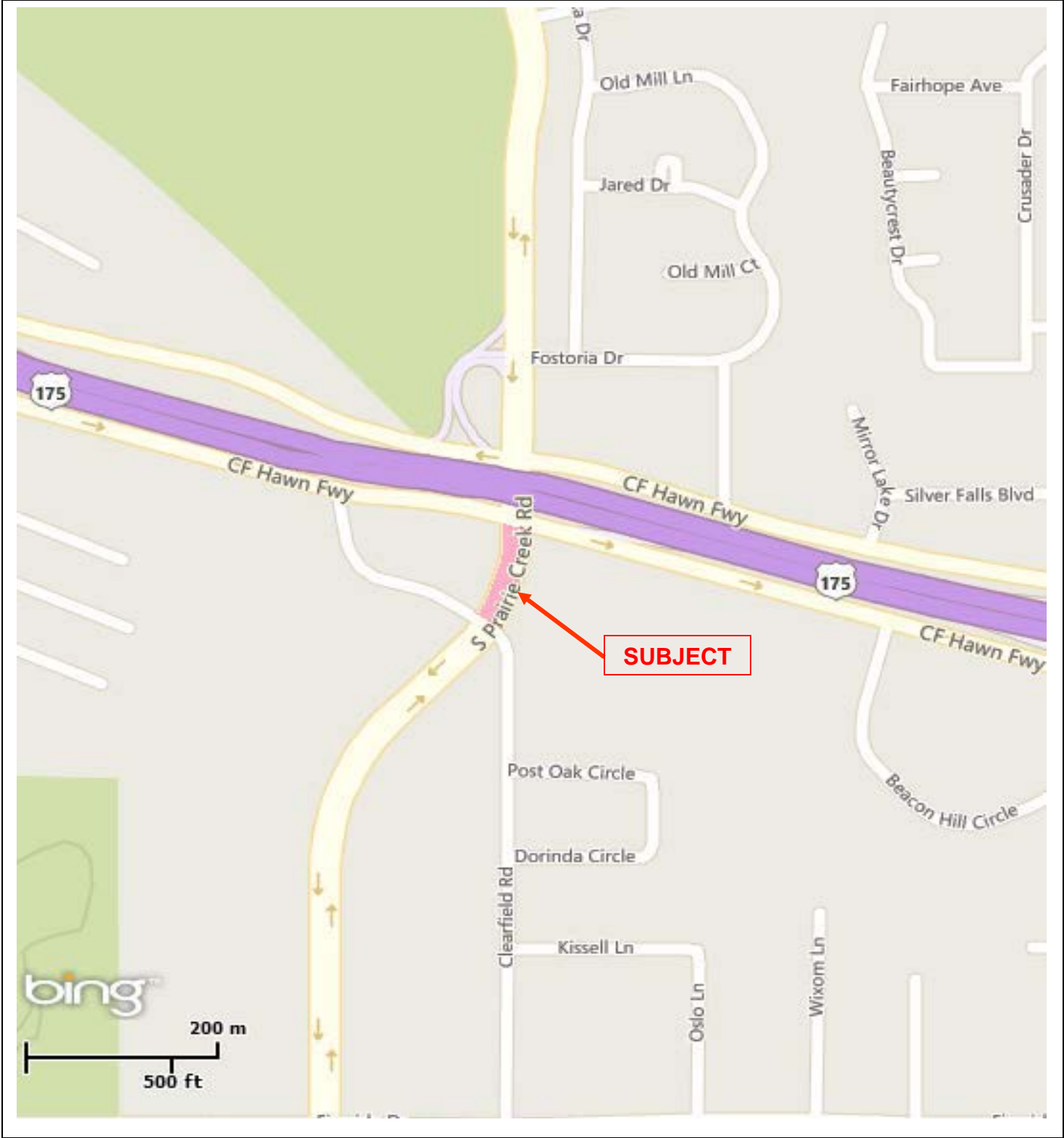
PRAIRIE CREEK ROAD FROM CEDAR RUN DRIVE TO FORNEY ROAD



N

MAPSCO 49-N

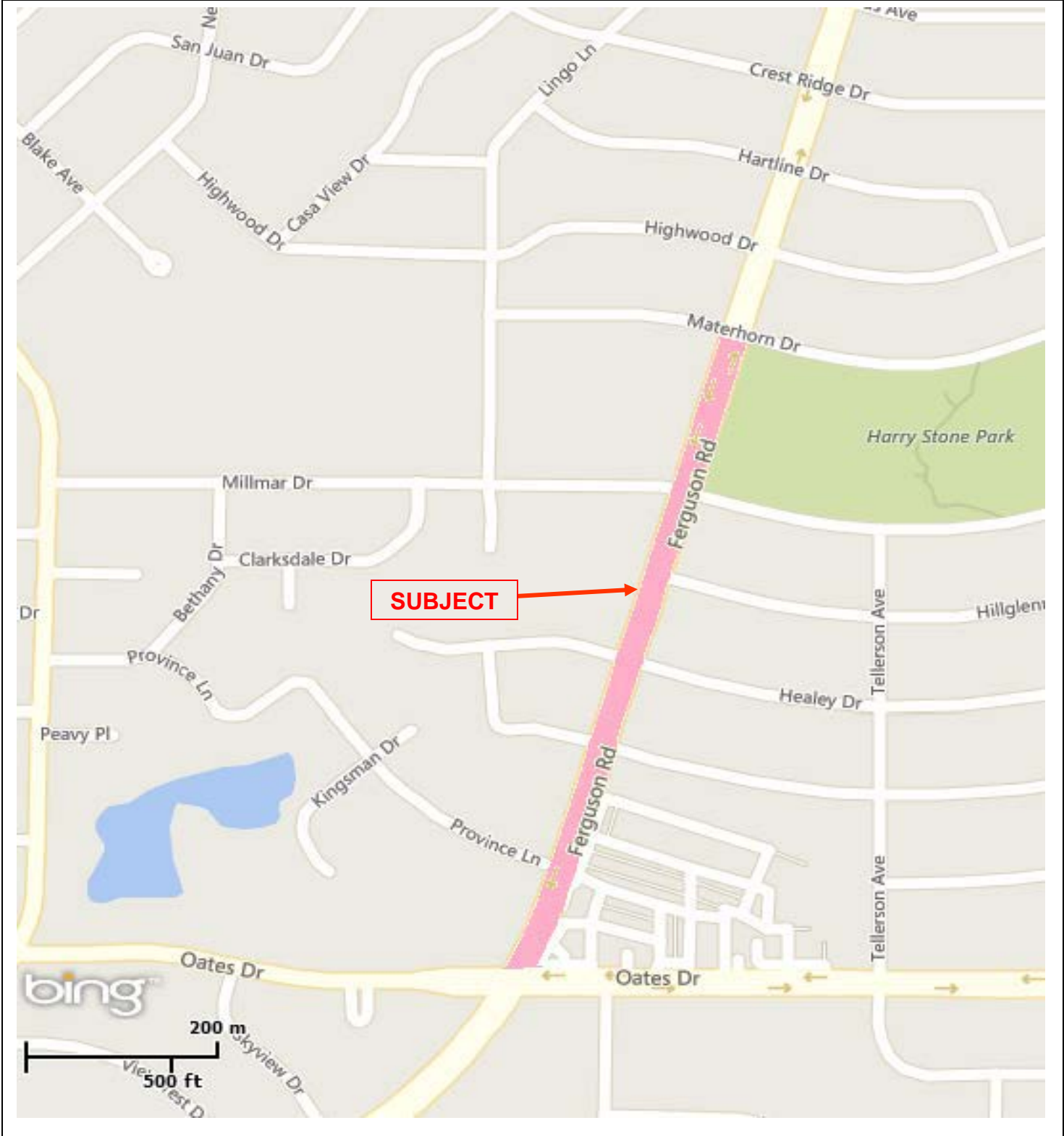
PRAIRIE CREEK ROAD FROM CF HAWN SERVICE ROAD TO CLEARFIELD ROAD



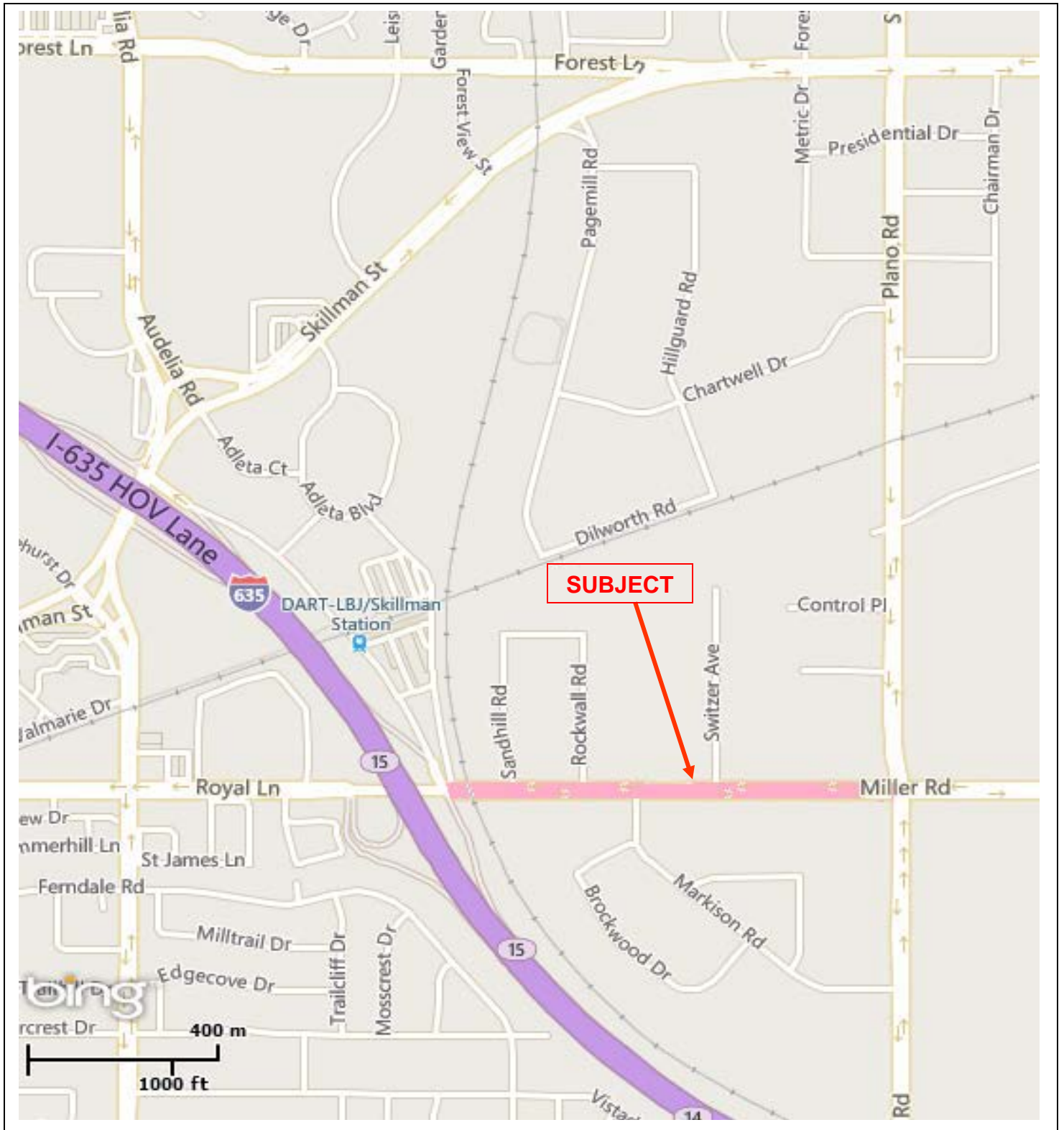
N

MAPSCO 69-A

FERGUSON ROAD FROM OATES DRIVE TO MATERHORN DRIVE



MILLER ROAD FROM LBJ SERVICE ROAD TO PLANO ROAD



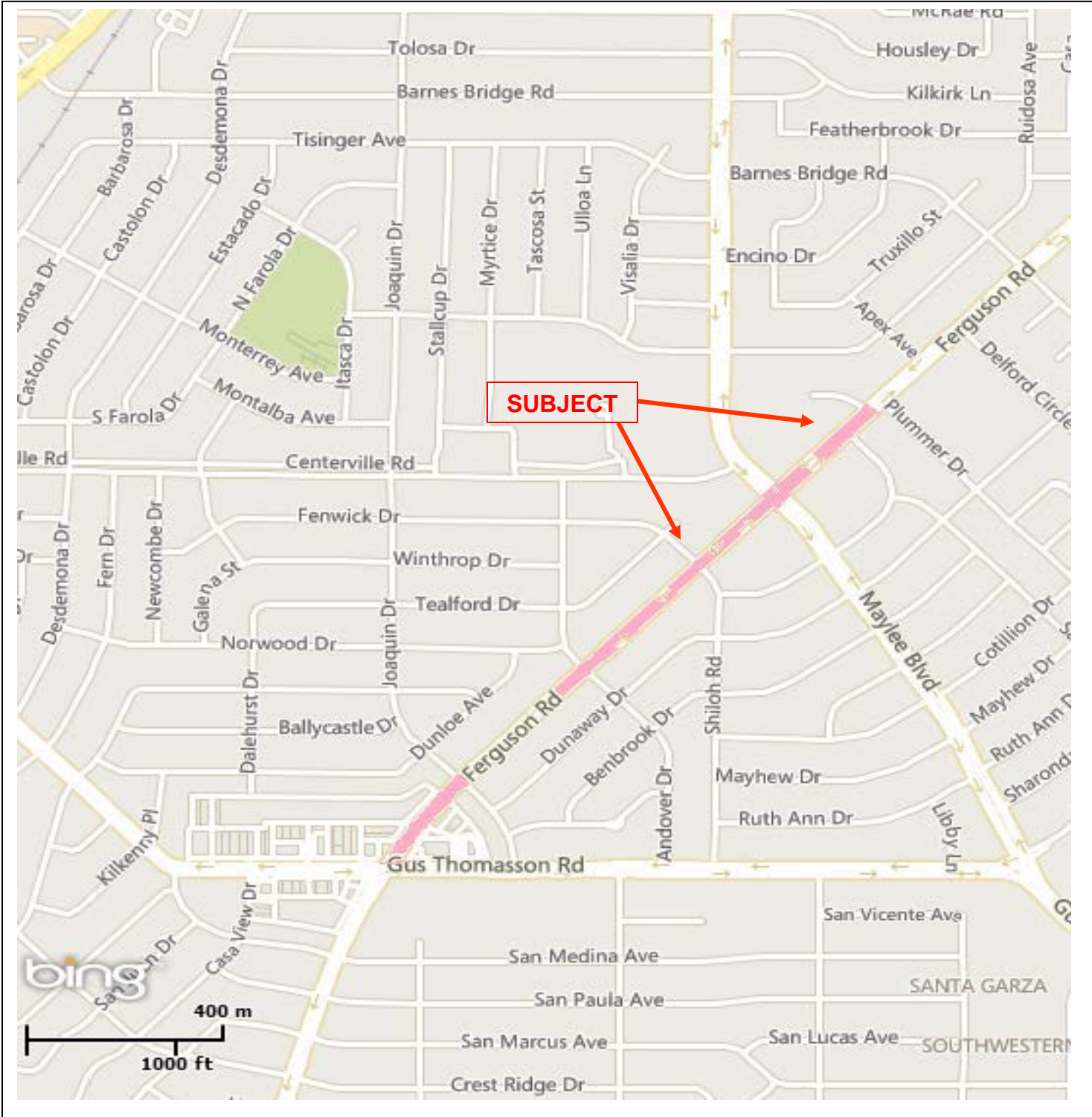
MAPSCO 27-H, 28-E

GREENVILLE AVENUE FROM MILLER AVENUE TO VICKERY



FERGUSON ROAD FROM GUS THOMASSON ROAD TO MAYLEE BOULEVARD

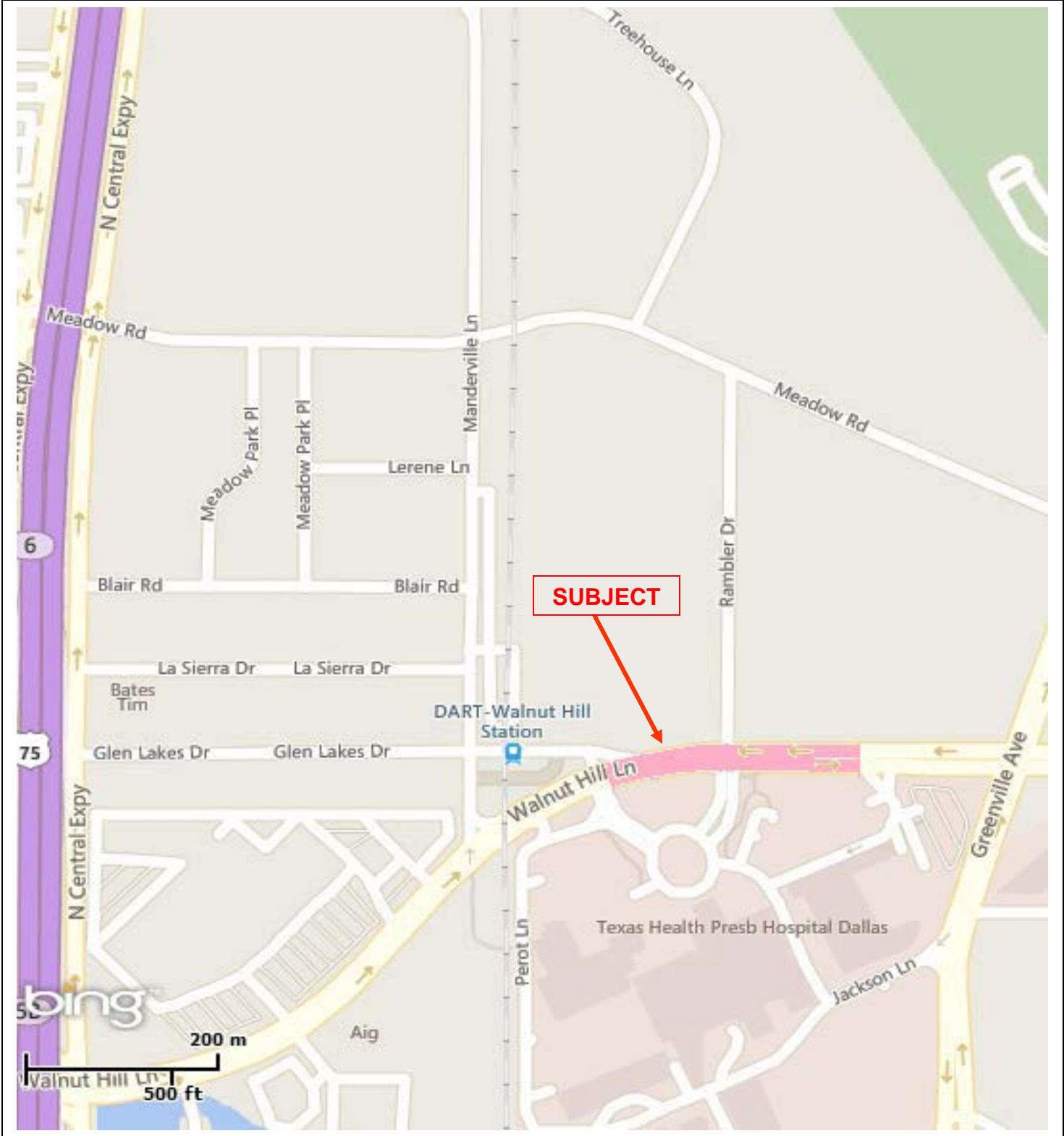
FERGUSON ROAD FROM MAYLEE BOULEVARD TO ACOCA STREET



MAPSCO 38-M, 39-E, J

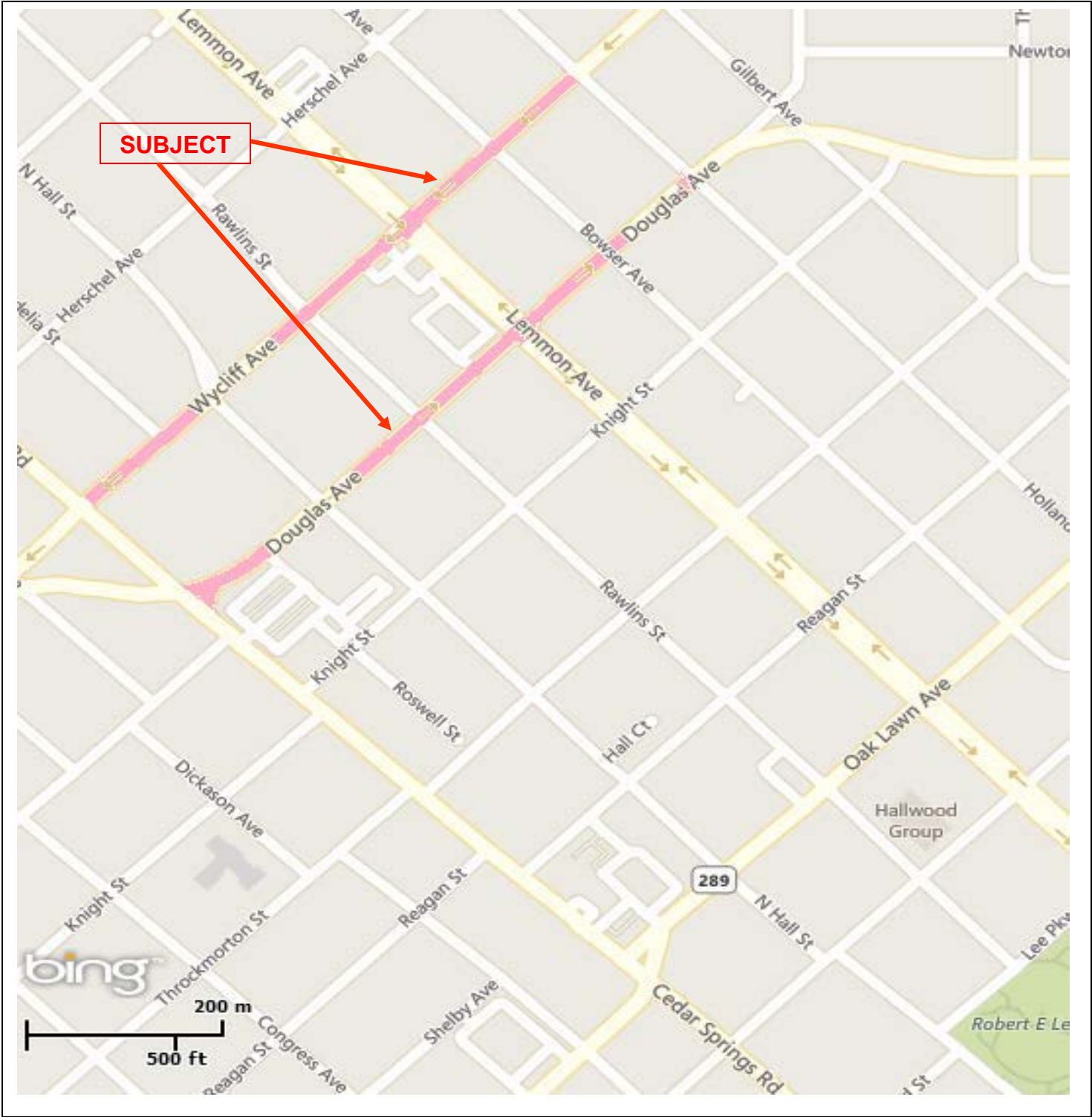
A north arrow is located on the left side of the bottom section, pointing upwards. The text "MAPSCO 38-M, 39-E, J" is enclosed in a black-bordered box in the center of this section.

WALNUT HILL LANE FROM GLEN LAKES DRIVE TO RAMBLER DRIVE



WYCLIFF AVENUE FROM CEDAR SPRINGS ROAD TO HOLLAND AVENUE

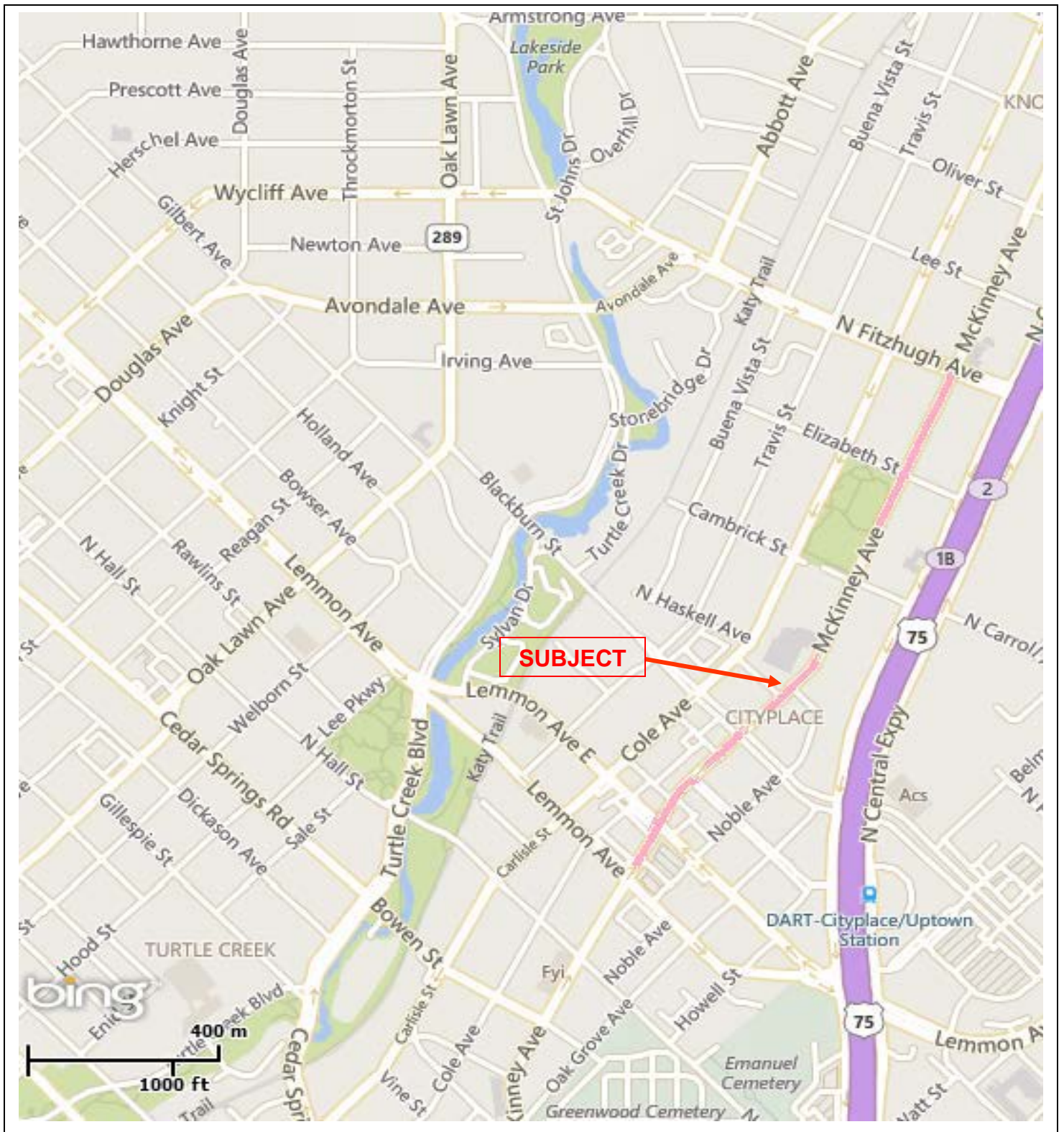
DOUGLAS AVENUE FROM CEDAR SPRINGS ROAD TO HOLLAND AVENUE



N

MAPSCO 35-S, W

MCKINNEY AVENUE FROM LEMMON AVENUE TO FITZHUGH AVENUE



MAPSCO 35-U, Y

Street List

<u>Street Segment</u>	<u>Treatment Type</u>	<u>Lane Miles</u>	<u>Cost</u>	<u>Mapsco</u>	<u>Council District</u>
Columbia Ave from Augusta to Beacon St	Partial Reconstruction	0.65	\$73,780.80	46C	2
Columbia Ave from Carroll to Colson St	Partial Reconstruction	0.58	\$66,017.40	46F	2
Prairie Creek Rd from Cedar Run Dr to Forney Rd	Partial Reconstruction	2.56	\$291,270.00	49N	7
Prairie Creek Rd from CF Hawn Serv Rd to Clearfield Rd	Partial Reconstruction	0.51	\$57,604.20	69A	8
Ferguson Rd from Oates Dr to Materhorn Dr	Partial Reconstruction	3.09	\$352,328.40	38R, V	9
Miller Rd from LBJ Serv Rd N to Plano Rd	Partial Reconstruction	3.92	\$ 447,108.00	27H, 28-E	10
Greenville Ave from Miller Ave to Vickery Blvd	Partial Reconstruction	0.45	\$50,935.20	36T	14
Ferguson Rd from Maylee Blvd to Acoca St	Resurfacing	1.07	\$256,896.00	39E	9
Ferguson Rd from Gus Thomasson Rd to Maylee Blvd	Resurfacing	4.72	\$1,132,488.00	38M, 39E,J	9
Walnut Hill Ln from Glen Lakes Dr to Rambler Dr	Resurfacing	1.11	\$266,208.00	26K	13
Wycliff Ave from Cedar Springs Rd to Holland Ave	Resurfacing	1.32	\$317,688.00	35S, W	14
Douglas Ave from Cedar Springs Rd to Holland Ave	Resurfacing	1.38	\$332,184.00	35S, W	14
McKinney Ave from Lemmon Ave to Fitzhugh Ave	Resurfacing	3.00	\$721,128.00	35U, Y	14

May 24, 2017

WHEREAS, Dallas County has developed a Master Interlocal Agreement (MIA) pertaining to transportation-related maintenance on roadways within the city of Dallas; and

WHEREAS, the Dallas City Council has authorized the execution of the Master Interlocal Agreement; and

WHEREAS, the Dallas City Council has authorized the execution of the first Project Specific Agreement for roadway maintenance activities; and

WHEREAS, the City of Dallas desires to enter into a second Project Specific Agreement with the County to jointly coordinate, facilitate, and/or fund various maintenance activities on certain roadways within the City of Dallas.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign the second Project Specific Agreement with Dallas County, approved as to form by the City Attorney, for funding participation for street maintenance and repairs performed by city forces and city contractors at 13 locations within the city of Dallas as identified on the attached list, in an amount not to exceed \$2,102,818.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds for street maintenance and repairs of the 13 specific locations from Dallas County, in an amount not to exceed \$2,102,818 in the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W179, Revenue Code 6499.

SECTION 3. That the City Manager is hereby authorized to increase appropriations in the Capital Projects Reimbursement Fund, Fund 0556, Department STS, Unit W179, Object 4510, in an amount not to exceed \$2,102,818 to reimburse City expenses incurred for street maintenance and repairs of 13 specific locations outlined in the agreement.

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

Street List

<u>Street Segment</u>	<u>Treatment Type</u>	<u>Lane Miles</u>	<u>Cost</u>	<u>Mapsco</u>	<u>Council District</u>
Columbia Ave from Augusta to Beacon St	Partial Reconstruction	0.65	\$73,780.80	46C	2
Columbia Ave from Carroll to Colson St	Partial Reconstruction	0.58	\$66,017.40	46F	2
Prairie Creek Rd from Cedar Run Dr to Forney Rd	Partial Reconstruction	2.56	\$291,270.00	49N	7
Prairie Creek Rd from CF Hawn Serv Rd to Clearfield Rd	Partial Reconstruction	0.51	\$57,604.20	69A	8
Ferguson Rd from Oates Dr to Materhorn Dr	Partial Reconstruction	3.09	\$352,328.40	38R, V	9
Miller Rd from LBJ Serv Rd N to Plano Rd	Partial Reconstruction	3.92	\$ 447,108.00	27H, 28-E	10
Greenville Ave from Miller Ave to Vickery Blvd	Partial Reconstruction	0.45	\$50,935.20	36T	14
Ferguson Rd from Maylee Blvd to Acoxa St	Resurfacing	1.07	\$256,896.00	39E	9
Ferguson Rd from Gus Thomasson Rd to Maylee Blvd	Resurfacing	4.72	\$1,132,488.00	38M, 39E,J	9
Walnut Hill Ln from Glen Lakes Dr to Rambler Dr	Resurfacing	1.11	\$266,208.00	26K	13
Wycliff Ave from Cedar Springs Rd to Holland Ave	Resurfacing	1.32	\$317,688.00	35S, W	14
Douglas Ave from Cedar Springs Rd to Holland Ave	Resurfacing	1.38	\$332,184.00	35S, W	14
McKinney Ave from Lemmon Ave to Fitzhugh Ave	Resurfacing	3.00	\$721,128.00	35U, Y	14

KEY FOCUS AREA: Public Safety
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): All
DEPARTMENT: Mobility and Street Services
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: N/A

SUBJECT

Authorize a two-year construction services contract with Viking Construction, Inc., lowest responsible bidder of two, to provide micro-surfacing and slurry seal application services - Not to exceed \$10,291,605 - Financing: Current Funds (subject to annual appropriations)

BACKGROUND

This construction services contract will provide micro-surfacing and slurry seal application services used by Street Services to complete its planned work in 2017. Micro-surfacing and slurry seal are preventative maintenance street treatments, which are primarily designed to extend the service life of streets by sealing surface cracks. Failure to seal surface cracks allows water to penetrate street surfaces causing street deterioration.

Micro-surfacing consists of a 1/4-inch thick mixture of asphalt and crushed stone typically applied to higher traffic volume, nonresidential streets. Vehicular traffic is usually resumed after 30 minutes from the time of application. The Mobility and Street Services Department staff plans on micro-surfacing 100 lane miles each year during this two-year service construction services contract in accordance with its specifications.

Slurry seal consists of a 1/4 inch thick mixture of asphalt, sand, and finely crushed stone applied to the street surface in a single layer. It is typically applied to residential streets. Vehicular traffic is usually resumed within an hour to two hours after application. The Department of Street Services plans on slurry sealing 235 lane miles each year during this two-year construction services contract in accordance with its specifications.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 11, 2012, City Council authorized a one-year service contract to provide micro-surfacing and slurry seal for Street Services by Resolution No. 12-1018.

On April 10, 2013, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal for Street Services by Resolution No. 13-0605.

On April 23, 2014, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal for Street Services by Resolution No. 14-0655.

On April 22, 2015, City Council authorized a one-year construction services contract for micro-surfacing and slurry seal by Resolution No.15-0744.

On April 13, 2016, City Council authorized a one-year service contract for micro-surfacing and slurry seal application services for Street Services by Resolution No.16-0551.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Current Funds - \$10,291,604.80 (subject to annual appropriations)

M/WBE INFORMATION

Attached.

ETHNIC COMPOSITION

Viking Construction, Inc.

White Male	6	White Female	1
Black Male	3	Black Female	0
Hispanic Male	30	Hispanic Female	0
Other Male	0	Other Female	0

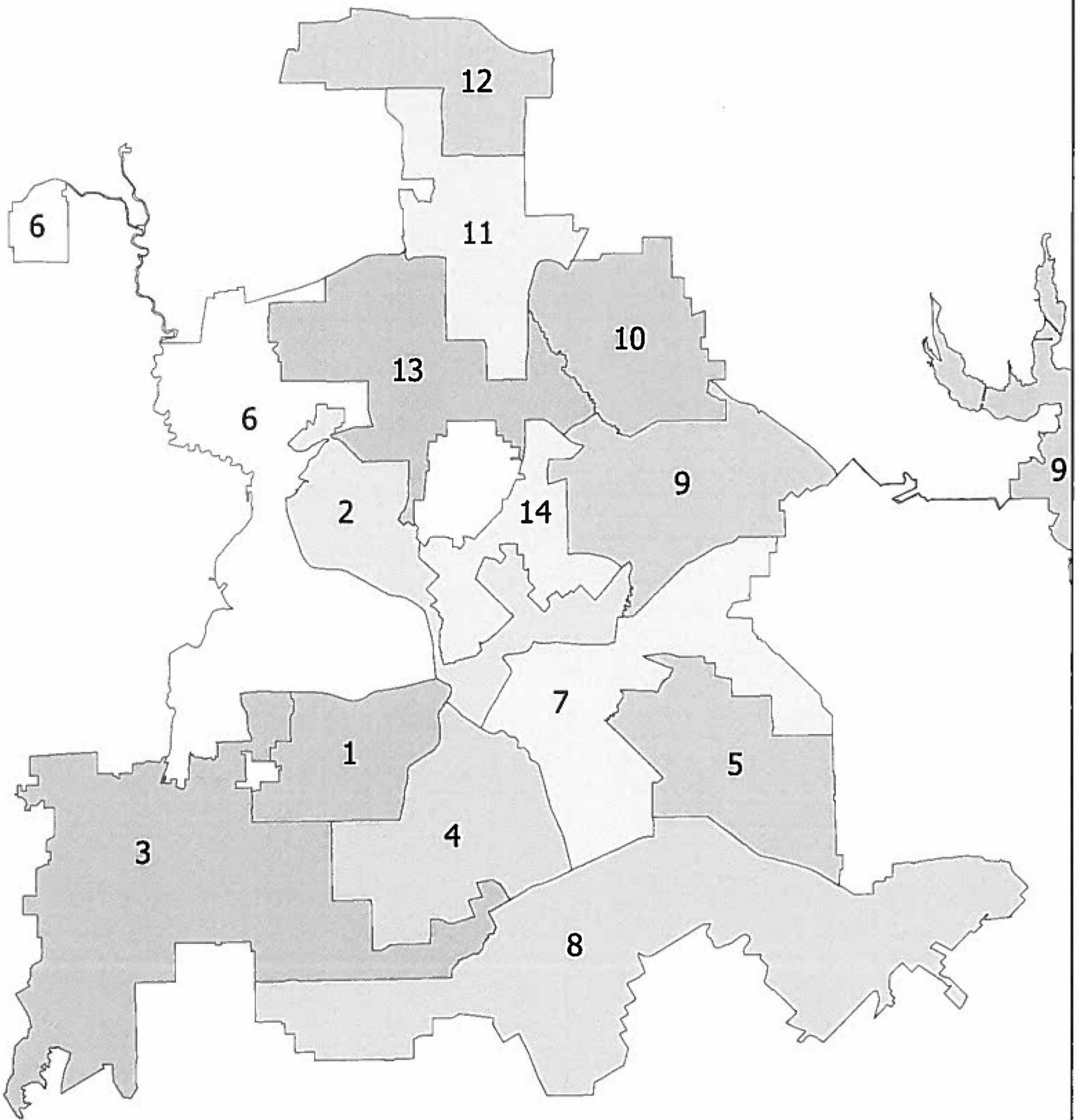
BID INFORMATION

*Denotes successful bidder

<u>Bidders</u>	<u>Address</u>	<u>Amount of Bid</u>
*Viking Construction, Inc.	2592 Shell Road Georgetown, TX 78628	\$10,291,604.80
Intermountain Slurry Seal, Inc.	701 East Main Street Dallas, TX 75201	\$11,011,190.00

MAP

Attached



**Slurry Seal and Microsurfacing on City of
Dallas Infrastructures at Various Locations
Contract SSMS-2017-18**

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a two-year construction services contract with Viking Construction, Inc., lowest responsible bidder of two, to provide micro-surfacing and slurry seal application services - Not to exceed \$10,291,605 - Financing: Current Funds (subject to annual appropriations)

Viking Construction, Inc. is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$0.00	0.00%
Total non-local contracts	\$10,291,604.80	100.00%
TOTAL CONTRACT	\$10,291,604.80	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
TRP Construction	HMDB54976Y0617	\$1,049,284.80	10.20%
Total Minority - Non-local		\$1,049,284.80	10.20%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$1,049,284.80	10.20%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$0.00	0.00%	\$1,049,284.80	10.20%

May 24, 2017

WHEREAS, on April 11, 2012, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal in an amount not to exceed \$3,284,700, by Resolution No. 12-1018; and

WHEREAS, on April 10, 2013, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal in an amount not to exceed \$3,427,247.50, by Resolution No. 13-0605; and

WHEREAS, on April 23, 2014, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal in an amount not to exceed \$4,118,575, by Resolution No. 14-0655; and

WHEREAS, on April 22, 2015, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal in an amount not to exceed \$4,113,120, by Resolution No.15-0744; and

WHEREAS, on April 13, 2016, City Council authorized a one-year construction services contract to provide micro-surfacing and slurry seal in an amount not to exceed \$4,126,762.50, by Resolution No.16-0551; and

WHEREAS, on March 24, 2017, two bids were received for a two-year construction services contract for micro-surfacing and slurry seal construction services, as follows:

<u>Bidders</u>	<u>Address</u>	<u>Bid Amount</u>
*Denotes successful low bidder		
*Viking Construction, Inc.	2592 Shell Road Georgetown, TX 78628	\$10,291,604.80
Intermountain Slurry Seal, Inc.	701 East Main Street Dallas, TX 75201	\$11,011,190.00

Now, Therefore,

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

May 24, 2017

SECTION 1. That the City Manager is hereby authorized to sign a two-year construction services contract with Viking Construction, Inc. (340268), approved as to form by the City Attorney, for slurry seal and micro-surfacing at various locations across the City, in an amount not to exceed \$10,291,604.80, this being the lowest bid received as indicated by the bid tabulation.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$10,291,604.80 (subject to annual appropriations) from Service Contract No. MASC-STS-STSG2017VIKINGCONSTINC.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 24, 2017

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction
Equipment & Building Services

CMO: Majed Al-Ghafry, 670-3302

MAPSCO: 55H

SUBJECT

Authorize moving expense and replacement housing payments for Caroline Arriaga in the Cadillac Heights neighborhood as a result of an official written offer of just compensation to purchase real property at 1027 Pontiac Avenue for City service and maintenance facilities - Not to exceed \$77,100 - Financing: General Obligation Commercial Paper Funds

BACKGROUND

Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and replacement housing payments for homeowners displaced by the City of Dallas in conjunction with its real property acquisition activities. On June 15, 2016, City Council authorized the acquisition of real property known as 1027 Pontiac Avenue for City service and maintenance facilities by Resolution No. 16-1008. Caroline Arriaga will be displaced as a direct result of this property acquisition. She qualifies for a moving expense payment of up to \$1,600 and a last resort calculated replacement housing payment of up to \$75,500 pursuant to the Dallas City Code and will use the replacement housing payment to acquire a replacement property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On June 15, 2016, City Council authorized the acquisition by Resolution No. 16-1008.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$77,100

OWNER

Caroline Arriaga

MAP

Attached

CADILLAC HEIGHTS PHASE II PROJECT RELOCATION ASSISTANCE



Lot 26, Block 3/6641– 1027 Pontiac Avenue

May 24, 2017

WHEREAS, on November 7, 2006, Dallas voters approved the use of General Obligation Bonds to acquire property for City service and maintenance facilities; and

WHEREAS, Caroline Arriaga will be displaced as a direct result of this property acquisition and will vacate the property; and

WHEREAS, Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas provides moving expense and replacement housing payments for homeowners displaced by City of Dallas property acquisition activities; and

WHEREAS, on June 15, 2016, City Council authorized the acquisition of 1027 Pontiac Avenue located in the Cadillac Heights neighborhood, to be used in conjunction with the construction of City service and maintenance facilities by Resolution No. 16-1008.

Now, Therefore,

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

SECTION 1. That Caroline Arriaga will be displaced in conjunction with the construction of City service and maintenance facilities and is entitled to moving expense and replacement housing payments pursuant to Chapter 39A of the Revised Code of Civil and Criminal Ordinances of the City of Dallas.

SECTION 2. That Caroline Arriaga is eligible to receive a moving expense payment in an amount up to \$1,600 and a replacement housing payment in an amount up to \$75,500.

SECTION 3. That the Chief Financial Officer is hereby authorized to draw warrants in favor of Caroline Arriaga, in an amount not to exceed \$77,100 for moving expense and replacement housing payments.

These warrants are to be paid as follows:

Land Acquisition in Cadillac Heights Fund Fund 4T11, Department EBS, Unit T825 Object 4240, Activity LAAQ, Program PB06T825 Encumbrance SUST825EP45, Vendor 342843	\$75,500
Land Acquisition in Cadillac Heights Fund Fund 4T11, Department EBS, Unit T825 Object 4240, Activity LAAQ, Program PB06T825 Encumbrance SUST825EP44, Vendor VC16165	<u>\$ 1,600</u>
Total amount not to exceed	\$77,100

May 24, 2017

SECTION 4. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 2
DEPARTMENT: Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 45A

SUBJECT

An ordinance granting a private license to South Tollway 3920, L.P. for the use of approximately 226 square feet of land to install, maintain and utilize a monument sign on a portion of Maple Avenue right-of-way located near its intersection with Oak Lawn Avenue - Revenue: \$100 one-time fee, plus the \$20 ordinance publication fee

BACKGROUND

This item grants a private license to South Tollway 3920, L.P. for the use of approximately 226 square feet of land to install, maintain and utilize a monument sign on a portion of Maple Avenue right-of-way, near its intersection with Oak Lawn Avenue. The use of this area will not impede pedestrian or vehicular traffic.

The licensee will indemnify the City and carry general liability insurance naming the City as an additional insured.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Revenue - \$100 one-time fee, plus the \$20 ordinance publication fee

OWNER

South Tollway 3920, L.P.

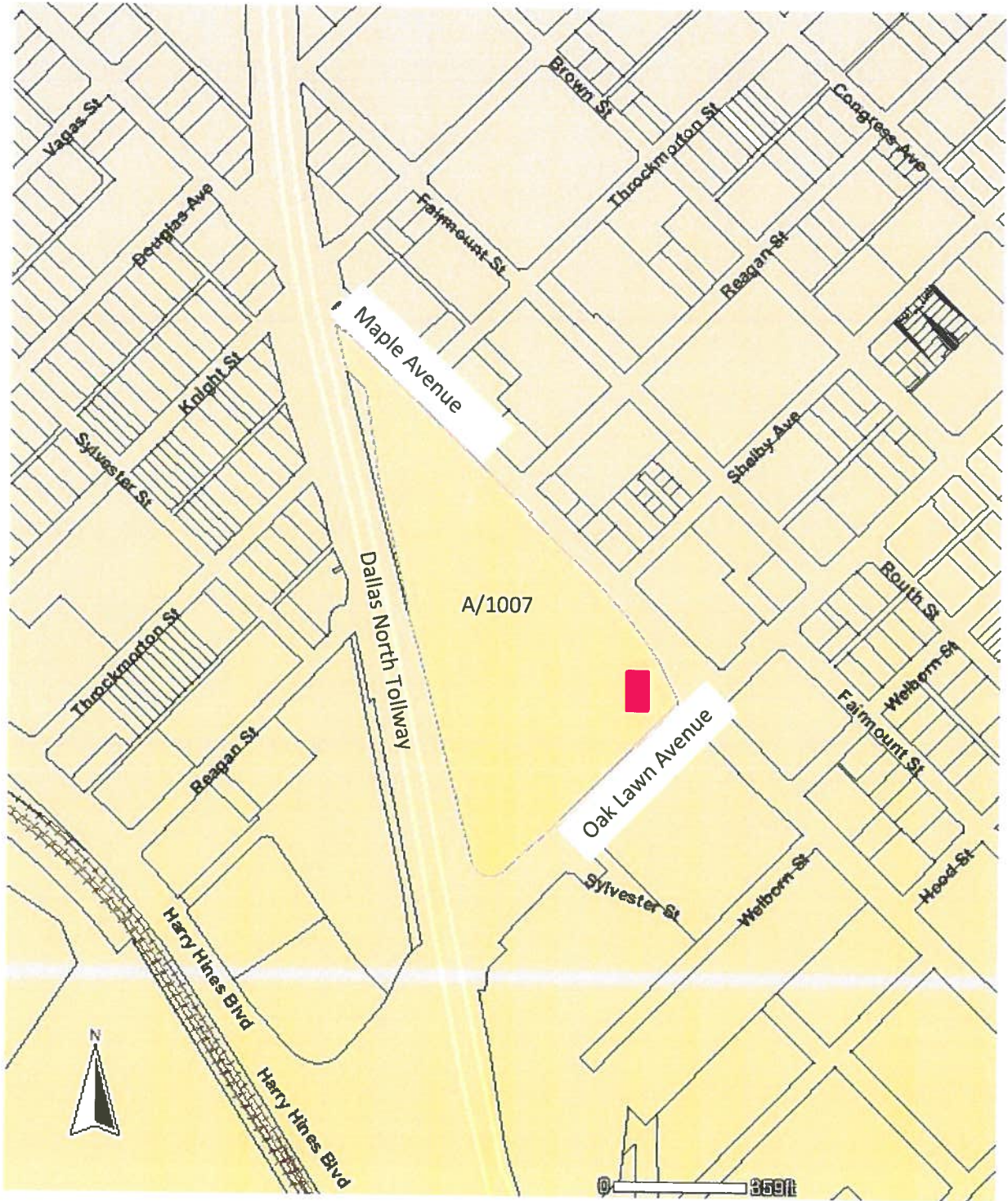
South Tollway Properties GP, L.L.C.

Crow-Family Inc.

Harlan R. Crow, Chief Executive Officer

MAP

Attached



 **LICENSE AREA**

ORDINANCE NO. _____

An ordinance granting a private license to South Tollway 3920, L.P., to occupy, maintain and utilize a portion of Maple Avenue right-of-way located near the intersection of Maple and Oak Lawn Avenues adjacent to City Blocks 1/1344 and A/1007 within the limits hereinafter more fully described, for the purpose of installing and maintaining one monument sign; providing for the terms and conditions of this license; providing for the one-time fee to be paid to the City of Dallas; providing for payment of the publication fee; and providing an effective date of this license and ordinance.

ooo0ooo

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

SECTION 1. That a private license, hereinafter referred to as “license”, subject to the restrictions and conditions of this ordinance, is hereby granted to South Tollway 3920, L.P., a Texas limited partnership, its successors and assigns, hereinafter referred to as “**GRANTEE**”, to occupy, maintain and utilize for the purpose set out hereinbelow the tract of land described in Exhibit A, hereinafter referred to as “licensed area” which is attached hereto and made a part hereof.

SECTION 2. That this license is granted for a term of forty years, unless sooner terminated according to other terms and provisions herein contained.

SECTION 3. That **GRANTEE** shall pay to the City of Dallas a one-time license fee in the sum of **ONE HUNDRED AND NO/100 (\$100.00) DOLLARS** for the license herein granted, said sum to be paid prior to the final passage of this ordinance and shall cover the consideration for the license term, in accordance with the special fees established by Section 43-115.1 of the Dallas City Code. Such consideration shall be in addition to and exclusive of any other taxes or special assessments required by law to be paid by **GRANTEE**. All sums payable to the City of Dallas hereunder shall be paid to the Chief Financial Officer of the City of Dallas and deposited in Fund 0001, Department DEV, Unit 1181, Revenue Code 8200. In the event **GRANTEE’s** check for the license fee is dishonored, **GRANTEE** shall pay to the City a processing fee of \$25.00 for each dishonored check.

SECTION 3. (continued)

Additionally, all monies owed to the City under this license shall be subject to the assessment of interest at a rate of 10 percent a year from the day after any monies become due until it is paid in full, in accordance with Section 2-1.1 of the Dallas City Code.

SECTION 4. That the licensed area shall be used by **GRANTEE** for the following purpose under the direction of the Director of Department of Sustainable Development and Construction of the City of Dallas: install, maintain and utilize one monument sign.

SECTION 5. That this license is subject to the provisions set forth in Exhibit B, attached hereto and made a part hereof.

SECTION 6. That this license is nonexclusive and is made expressly subject and subordinate to the right of the City to use the licensed area for any public purpose. The Governing Body of the City of Dallas reserves the right by resolution duly passed by said Governing Body, to terminate and cancel this license upon giving **GRANTEE** sixty (60) days notice of its intent to cancel. Upon termination, all rights granted hereunder shall thereupon be considered fully terminated and cancelled and the City of Dallas shall not be held liable by reason thereof. Said resolution shall be final and shall not be subject to review by the Courts. **GRANTEE** shall have the right of cancellation upon giving the City of Dallas sixty (60) days written notice of its intention to cancel, and in either event upon the termination or cancellation by the City or **GRANTEE**, as the case may be, this license shall become null and void and **GRANTEE** or anyone claiming any rights under this instrument shall remove, to the extent required by the Director of Department of Sustainable Development and Construction, any improvements and encroachments from the licensed area at **GRANTEE's** expense. Failure to do so shall subject **GRANTEE** to the provisions contained in Exhibit B, Subsection (a). All work shall be done at the sole cost of **GRANTEE** and to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 7. That the license is subject to the following conditions, terms and reservations:

- a) **GRANTEE** shall ensure sidewalks surrounding monument are completed to

meet Americans with Disabilities Act (ADA) requirements.

SECTION 7. (continued)

- b) **GRANTEE** acknowledges that Time Warner Cable has underground facilities within Maple Avenue right-of-way and reserves the right to have access to any applicable utility easements. **GRANTEE** shall call 1-800-344-8377 to have facilities marked and located within affected easements before any excavations begin.

SECTION 8. That upon the effectiveness of this ordinance, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a NOTICE OF LICENSE and to file same in the deed records of Dallas County, Texas. Additionally, the Director of Department of Sustainable Development and Construction, or designee, is hereby authorized to execute a cancellation of Notice of License upon termination by the City or **GRANTEE** and to file such cancellation of Notice of License in the deed records of Dallas County, Texas.

SECTION 9. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 10. That this license may not be assigned without prior written approval from the Director of Department of Sustainable Development and Construction, or designee. Such assignment shall recite that it is subject to the terms, restriction and conditions contained in this ordinance. The assignee shall deliver evidence of ownership of property abutting the licensed area and a copy of the assignment, along with the assignee's written acceptance of the provisions of this ordinance, to the Director of Department of Sustainable Development and Construction within 10 days of such assignment; said assignment and written acceptance shall be forwarded to the City Secretary of the City of Dallas. Should **GRANTEE** fail to obtain prior written approval for assignment of this license or fail to provide the City of Dallas with the required written acceptance and a copy of the assignment, the Director of Department of Sustainable Development and Construction, or designee, may terminate this license.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the Deed Records of Dallas County, Texas, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee.

SECTION 11. (continued)

Upon receipt of the fee for the one-time license fee pursuant to Section 3 of this ordinance, an acceptable certificate of insurance and the fee for the publishing this ordinance which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. 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:
LARRY E. CASTO, City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: _____
Assistant City Attorney

BY: _____
Assistant Director

Passed _____.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 6
DEPARTMENT: Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 44T

SUBJECT

An ordinance abandoning a portion of Seale Street to Seale-Willomet Land, LP, the abutting owner, containing approximately 35,722 square feet of land, located near the intersection of Seale Street and Willomet Avenue, and authorizing the quitclaim - Revenue: \$294,707, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Seale Street to Seale-Willomet Land, LP, the abutting owner. The area will be included with the property of the abutting owner for the development of single family homes. The abandonment fee is based on an independent appraisal.

Notices were sent to 28 property owners located within 300 feet of the proposed abandonment area. There were no responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Revenue - \$294,707, plus the \$20 ordinance publication fee

OWNER

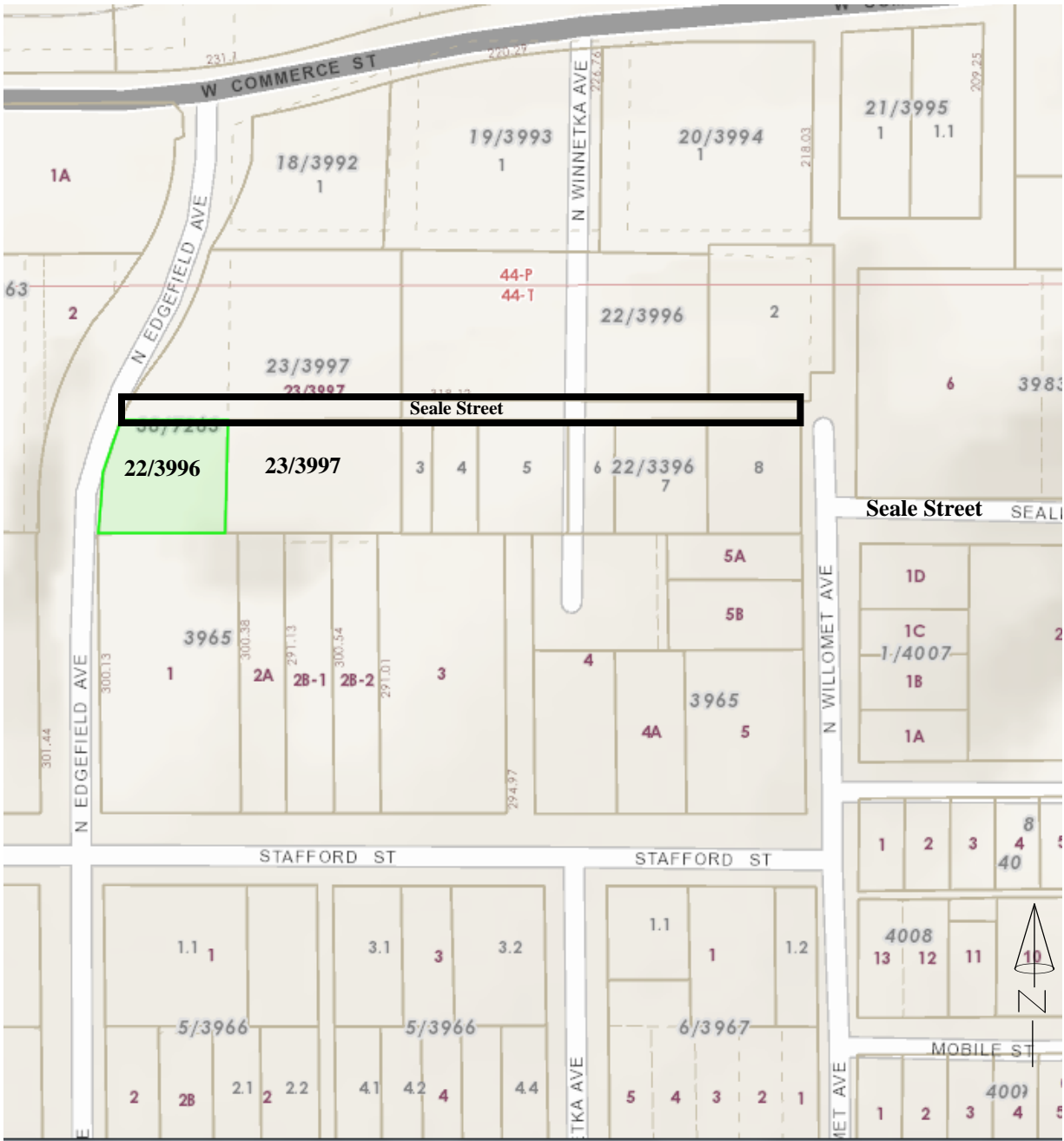
Seale-Willomet Land, LP

Seale-Willomet Land GP, LLC

Anthony Siela, Manager

MAP

Attached



Abandonment area =

Seale Street

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Seale Street located adjacent to City Blocks 22/3996, 23/3997 and 38/7263 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to Seale-Willomet Land, LP; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of Seale-Willomet Land, LP, a Texas limited partnership, hereinafter referred to as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tract of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said portion of Seale Street is not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

WHEREAS, the City Council of the City of Dallas is of the opinion that the best interest and welfare of the public will be served by abandoning and quitclaiming the same to **GRANTEE** for the consideration and subject to the terms and conditions hereinafter more fully set forth.

Now, Therefore,

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

SECTION 1. That the tract of land described in Exhibit A, which is attached hereto and made a part hereof for all purposes, be and the same is abandoned, vacated and closed insofar as the right, title and interest of the public are concerned; subject, however, to the conditions hereinafter more fully set out.

SECTION 2. That for and in monetary consideration of the sum of **TWO HUNDRED NINETY-FOUR THOUSAND SEVEN HUNDRED SEVEN AND NO/100 DOLLARS (\$294,707)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, and 10, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tract of land hereinabove described in Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

SECTION 3. That upon payment of the monetary consideration set forth in Section 2, **GRANTEE** accepts the terms, provisions, and conditions of this ordinance.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction-Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 5. That the abandonment and quitclaim provided for herein are made subject to all present zoning and deed restrictions, if the latter exist, and are subject to all existing easement rights of others, if any, whether apparent or non-apparent, aerial, surface, underground or otherwise, and are further subject to the conditions contained in Exhibit B, which is attached hereto and made a part hereof for all purposes.

SECTION 6. That the terms and conditions contained in this ordinance shall be binding upon **GRANTEE**, its successors and assigns.

SECTION 7. That the abandonment and quitclaim provided for herein shall extend only to the public right, title, easement and interest, and shall be construed to extend only to that interest the Governing Body of the City of Dallas may legally and lawfully abandon and vacate.

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, its successors and assigns, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the area described in Exhibit A by **GRANTEE**, its successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the area set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the area described in Exhibit A, which **GRANTEE**, its successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the area set out in Exhibit A. **GRANTEE**, its successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any "hazardous chemicals" or "toxic chemicals" under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any "hazardous waste" under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended;

SECTION 8. (continued)

and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tract of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment, close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, its successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 11. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the

SECTION 11. (continued)

City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 12. 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:
LARRY E. CASTO, City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: _____
Assistant City Attorney

BY: _____
Assistant Director

Passed _____.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 14
DEPARTMENT: Sustainable Development and Construction
CMO: Majed Al-Ghafry, 670-3302
MAPSCO: 35R

SUBJECT

An ordinance amending Ordinance No. 30289, previously approved on December 14, 2016, which abandoned a portion of an alley, located near the intersection of Hester and Cole Avenues to Travis Cole Apartments 2012, LP, to extend the final replat from 180 days to 18 months - Revenue: \$5,400, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the amendment of Ordinance No. 30289, which abandoned a portion of an alley, previously approved on December 14, 2016, that will allow for the extension of the final replat from 180 days to 18 months to Travis Cole Apartments 2012, LP, the abutting owner.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On December 14, 2016, City Council authorized an ordinance abandoning a portion of an alley by Ordinance No. 30289.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Revenue - \$5,400, plus the \$20 ordinance publication fee

OWNER

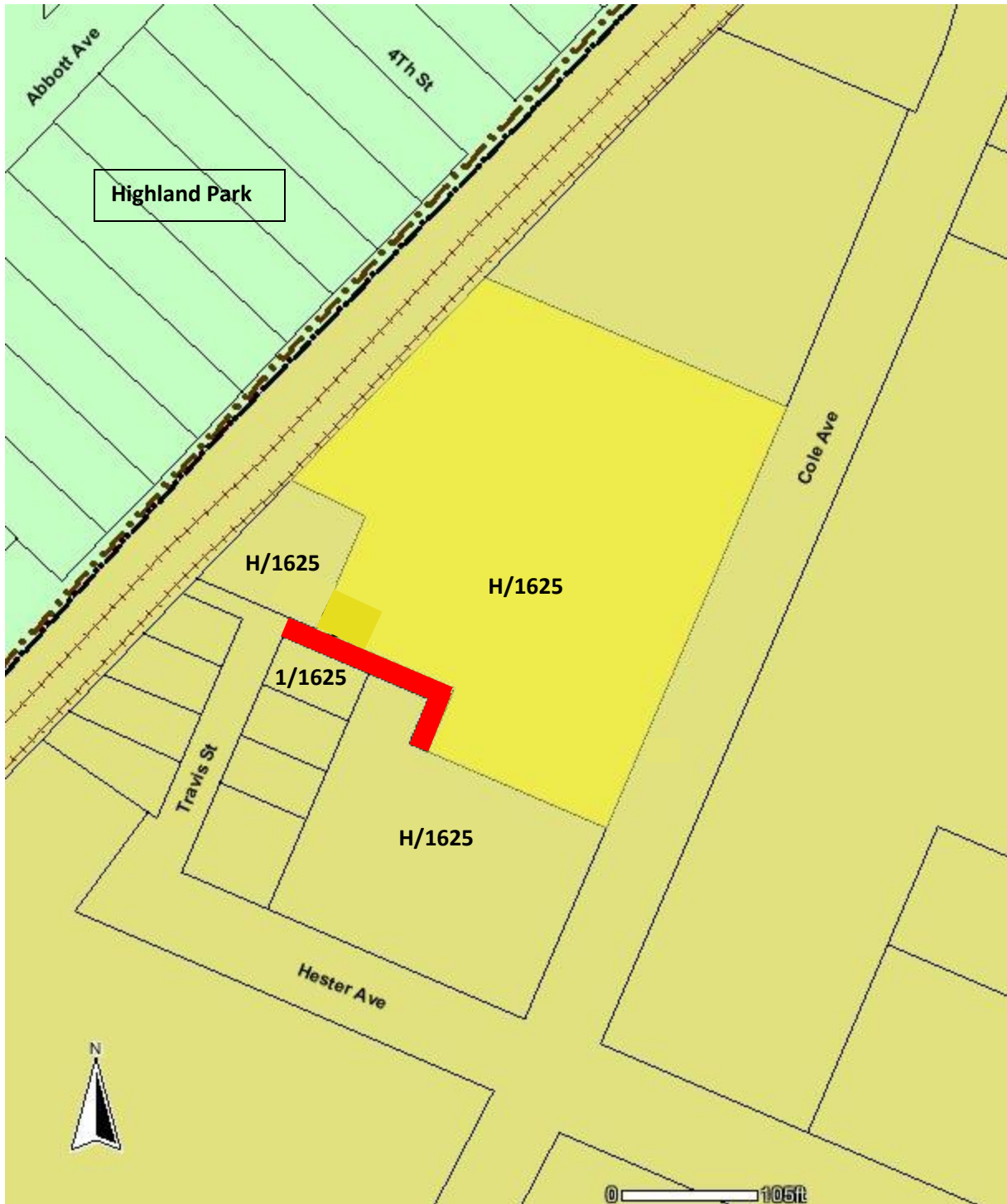
Travis Cole Apartments 2012, LP

TKG Saltillo Apartments Realty, Inc.

R. Otto Maly, President

MAP

Attached



Abandonment Area:

ORDINANCE NO. _____

An ordinance amending Ordinance No. 30289, by altering Section 9 to extend the 180 day deadline to record the final replat; providing for consideration to be paid to the City of Dallas; providing for payment of the publication fee; providing a savings clause; and providing an effective date.

oooOooo

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

SECTION 1. That Ordinance No. 30289 adopted by the City Council of the City of Dallas on December 14, 2016, be and the same is hereby amended by altering Section 9 to read as follows:

“SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall record a final replat of the adjoining properties within ~~180 days~~ eighteen months (18) of the effective date of this ordinance showing the dedication of not less than 2,617 square feet for a water and wastewater easement in City Block H/1625. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area and the dedicated property are located, after its approval by the City Plan Commission of the City of Dallas. This abandonment shall not be effective unless and until this dedication is completed and failure to record a final replat in accordance with the term of this section shall render this ordinance null and void and of no further effect. Further, the final replat shall be recorded in the official real property records of the county in which the abandoned area is located before a certified copy of this ordinance shall be delivered to **GRANTEE**.

SECTION 2. That, as consideration for amending Ordinance No. 30289, Travis Cole Apartments 2012, LP agrees to pay monetary consideration in the sum of **FIVE THOUSAND FOUR HUNDRED AND NO/100 (\$5,400.00) DOLLARS** to the City of Dallas, and, by its tender thereof, accepts the terms and conditions of this ordinance.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit the sum paid by **GRANTEE** pursuant to Section 2 above in the General Fund, Fund 0001, Department DEV, Balance Sheet 0519 and Department of Sustainable Development and Construction–Real Estate Division shall be reimbursed for the cost of obtaining the legal description, appraisal and other administrative costs incurred. The reimbursement proceeds shall be deposited in General Fund, Fund 0001, Department DEV, Unit 1183, Object 5011 and any remaining proceeds shall be transferred to the General Capital Reserve Fund, Fund 0625, Department BMS, Unit 8888, Revenue Code 8416.

SECTION 4. That the terms and conditions of Ordinance No. 30289 shall remain in full force and effect except as amended hereby.

SECTION 5. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, the Director of Department of Sustainable Development and Construction, or designee, shall deliver to **GRANTEE** the certified copy of this ordinance. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one (1) year after its passage.

SECTION 6. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provision of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

DAVID COSSUM, Director
Department of Sustainable Development and
Construction

BY: _____
Assistant City Attorney

BY: _____
Assistant Director

Passed _____.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 3, 8, Outside City Limits
DEPARTMENT: Water Utilities
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: Various

SUBJECT

Authorize an Interlocal Agreement with the City of Balch Springs to allow the City of Dallas to construct, own, and operate a 120-inch diameter water transmission main within the corporate limits of Balch Springs - Financing: No cost consideration to the City

BACKGROUND

The City of Dallas is currently undertaking the design and property acquisition for approximately 32 miles of 96-inch and 120-inch transmission pipeline starting from the East Side Water Treatment Plant located in Sunnyvale to the Summit Ground Storage Tanks located in Cedar Hill. The pipeline will be located in Dallas and several neighboring cities, including Cedar Hill, Duncanville, DeSoto, Lancaster, Hutchins, Balch Springs, Mesquite, and Sunnyvale.

The water transmission main is required to facilitate conveyance of treated water to the south and southwestern portions of Dallas and its customer cities. Installation of the water transmission main is needed to meet near and long-term demands associated with population growth as determined through master planning efforts. The overall pipeline is sized to meet year 2050 water demands and will provide flexibility, redundancy, reliability, increased capacity, and improved operation to the City of Dallas' existing system.

This action will authorize the City of Dallas to enter into an Interlocal Agreement for the construction, operation, and maintenance of a 120-inch water transmission main within the corporate limits of Balch Springs. The Interlocal Agreement was approved by the Balch Springs City Council on April 24, 2017. The agreement includes provisions for review of construction plans, separation requirements for crossing and parallel utilities, design and construction administration by the City of Dallas, as well as notification and coordination for the construction, operation, and maintenance of the pipeline.

BACKGROUND (continued)

Interlocal Agreements with the City of Lancaster, the City of DeSoto, and the City of Cedar Hill were authorized by City Council on October 22, 2014. Agreements with the City of Duncanville and the City of Hutchins were authorized by City Council on September 9, 2015. Agreements with the remaining cities within the pipeline route are being negotiated and will be presented to City Council for approval at a future date.

ESTIMATED SCHEDULE OF PROJECT

Begin Construction October 2021
Complete Construction December 2026

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On October 22, 2014, City Council authorized Interlocal Agreements to construct, own, and operate a 96-inch water transmission main within the corporate limits of Lancaster, DeSoto, and Cedar Hill by Resolution No. 14-1821.

On September 9, 2015, City Council authorized Interlocal Agreements to construct, own, and operate a 96-inch and 120-inch water transmission main within the corporate limits of Duncanville and Hutchins by Resolution No. 15-1664.

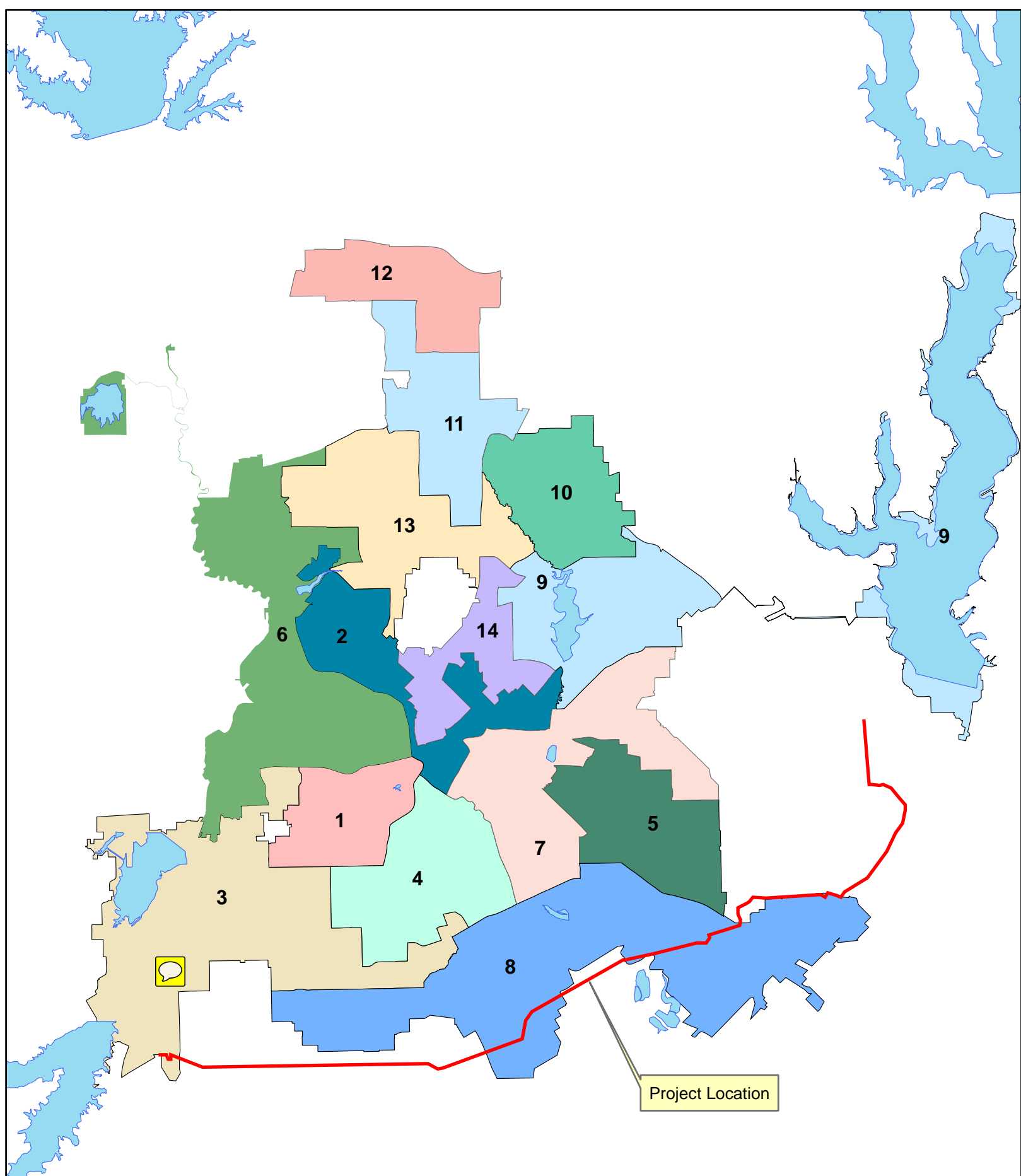
Information about this item will be provided to the Transportation & Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



**Dallas Water Utilities
Interlocal Agreement with City of Balch Springs
Southwest Water Transmission Pipeline**

May 24, 2017

WHEREAS, Dallas Water Utilities plans to design and construct a 96-inch and 120-inch diameter water transmission main from the East Side Water Treatment Plant in Sunnyvale to the Summit Ground Storage Tanks in Cedar Hill; and

WHEREAS, the 96-inch and 120-inch water transmission main is necessary for the City of Dallas to transfer treated potable water from the East Side Water Treatment Plant in Sunnyvale to the Summit Ground Storage Tanks in Cedar Hill to Dallas' southern service area, in order to provide redundancy within the City of Dallas water distribution system and increase service capacity to meet the growth of current and future customer cities; and

WHEREAS, the City of Dallas desires to enter into an Interlocal Agreement with the City of Balch Springs to allow the City of Dallas to construct, own, and operate a 120-inch water transmission main within the corporate limits of Balch Springs; and

WHEREAS, there is no cost consideration to the City of Dallas associated with this agreement.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign an Interlocal Agreement with the City of Balch Springs, approved as to form by the City Attorney, to allow the City of Dallas to construct, own, and operate a 120-inch diameter water transmission main within the corporate limits of Balch Springs.

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): 6, Outside City Limits
DEPARTMENT: Water Utilities
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: Various

SUBJECT

Authorize a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation, for existing water and wastewater mains along Interstate Highway 35E (Stemmons Freeway) from north of Royal Lane to State Highway 190 (President George Bush Turnpike) - Financing: No cost consideration to the City

BACKGROUND

The Texas Department of Transportation (TxDOT) is currently constructing paving and drainage improvements along Interstate Highway 35E (Stemmons Freeway) from north of Royal Lane to State Highway 190 (President George Bush Turnpike). Within the project limits, Dallas Water Utilities (DWU) has water and wastewater infrastructure located in TxDOT right-of-way. This item will authorize a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation, for existing water and wastewater mains along Interstate Highway 35E (Stemmons Freeway) from north of Royal Lane to State Highway 190 (President George Bush Turnpike) permitting DWU’s existing facilities to remain within TxDOT right-of-way. This agreement will also allow DWU ingress and egress rights for the purpose of operating and maintaining these facilities.

ESTIMATED SCHEDULE OF PROJECT

Began construction May 2013
Complete construction August 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

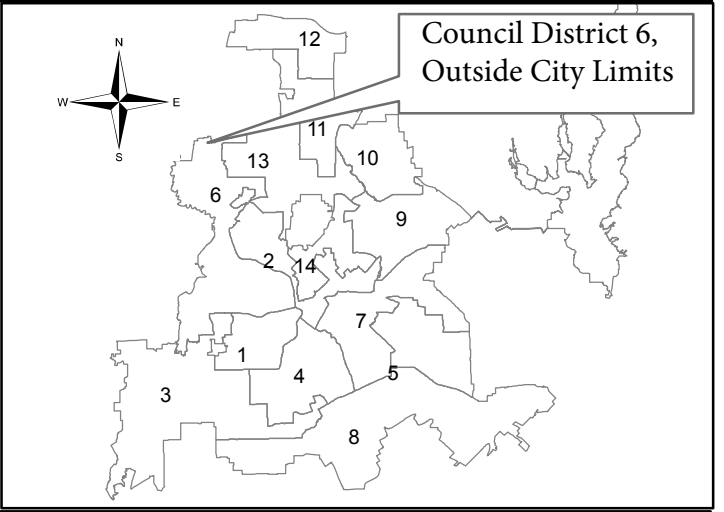
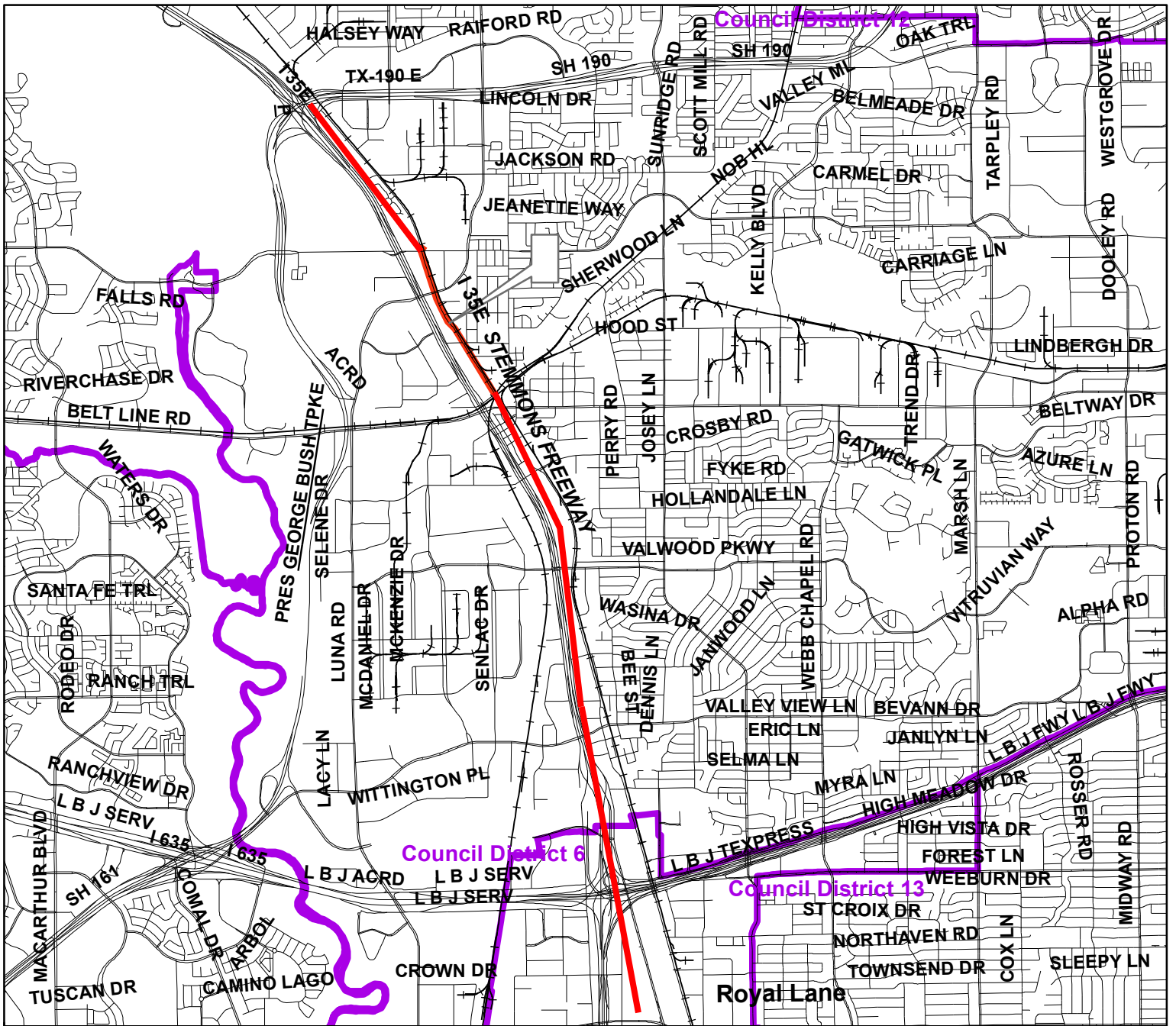
Information about this item will be provided to the Transportation & Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

No cost consideration to the City.

MAP

Attached



Dallas Water Utilities
Utility Joint Use Acknowledgement Agreement
Existing Water and Wastewater Mains along
Interstate Highway 35E (Stemmons Freeway)

May 24, 2017

WHEREAS, the Texas Department of Transportation has plans for paving and drainage improvements along Interstate Highway 35E (Stemmons Freeway) from north of Royal Lane to State Highway 190 (President George Bush Turnpike) and upon plan review, no water and wastewater pipelines were identified in physical conflict with the proposed improvements; and

WHEREAS, a Utility Joint Use Acknowledgement Agreement, between the State of Texas, acting through the Texas Department of Transportation, and Dallas Water Utilities will provide for joint usage of the project area within the limits of the highway right-of-way for both highway and utility purposes; and

WHEREAS, Dallas Water Utilities and the Texas Department of Transportation believe this agreement is in the best interest of both parties.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a Utility Joint Use Acknowledgement Agreement with the State of Texas, acting through the Texas Department of Transportation, approved as to form by the City Attorney, for existing water and wastewater mains along Interstate Highway 35E (Stemmons Freeway) from north of Royal Lane to State Highway 190 (President George Bush Turnpike).

SECTION 2. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): Outside City Limits
DEPARTMENT: Water Utilities
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 50A N S T

SUBJECT

Ratify an emergency purchase of one liquid oxygen evaporator for the East Side Water Treatment Plant with Cryoquip, LLC - Not to exceed \$70,000 - Financing: Water Utilities Capital Construction Funds

BACKGROUND

This item is for an emergency purchase of a liquid oxygen evaporator for the East Side Water Treatment Plant.

Dallas Water Utilities uses liquid oxygen to produce ozone. Ozone is used to disinfect raw water as part of the treatment process. Ozone is a highly unstable gas that cannot be stored or transported from another site, therefore it must be made on-site using oxygen as a raw material.

The useful service life of the internal components of liquid oxygen evaporators is 10-12 years, a term that has been reached. Evaporator No. 3 has failed due to internal corrosion and cannot be repaired.

The East Side Water Treatment Plant has three liquid oxygen evaporators that have been in continuous operation since their initial installation in 2004. During summer production, all three evaporators are needed to meet demands. The third evaporator typically provides redundancy or backup. Currently, the East Side Water Treatment Plant does not have necessary redundancy, as required by the Texas Commission on Environmental Quality. It is imperative that the damaged evaporator is replaced and put into service, as this will allow the East Side Water Treatment Plant to meet its water quality and quantity obligations.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation & Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

Water Utilities Capital Construction Funds - \$70,000

ETHNIC COMPOSITION

Cryoquip, LLC

Hispanic Female	2	Hispanic Male	70
Black Female	0	Black Male	0
White Female	0	White Male	4
Other Female	8	Other Male	8

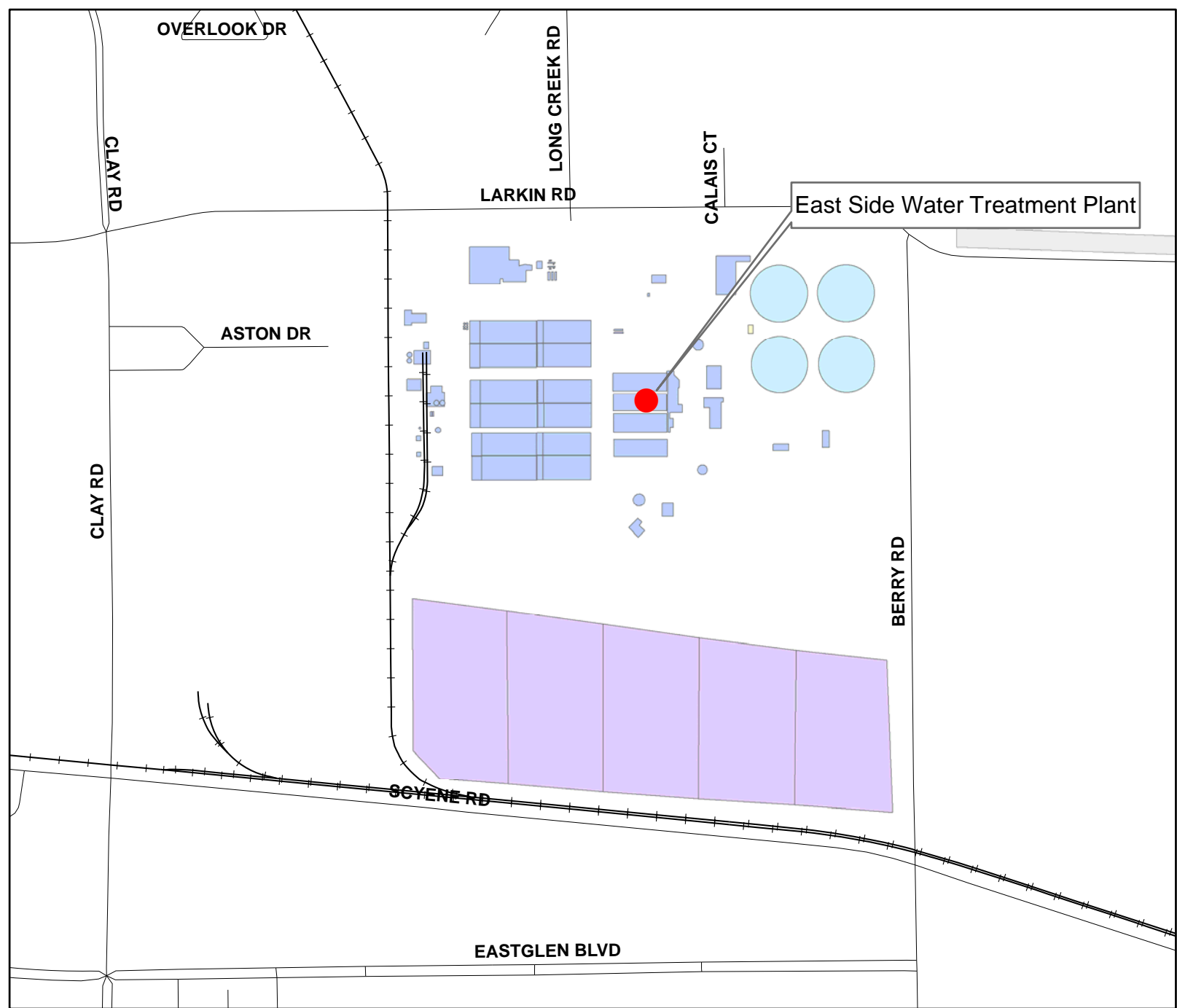
OWNER

Cryoquip, LLC

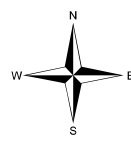
Ross Brown

MAP

Attached



Mapsc0: 50A N S T



Council District: Outside City Limits

**Dallas Water Utilities
East Side Water Treatment Plant
Purchase of Liquid Oxygen Evaporator**

May 24, 2017

WHEREAS, the Dallas Water Utilities owns and operates three large water treatment plants; and

WHEREAS, ozone production capacity is critical to meet the water demands of our customers; and

WHEREAS, an analysis identified significant defects in the ozone-water barrier of the East Side Water Treatment Plant's ozone system; and

WHEREAS, it is necessary to replace one liquid oxygen evaporator located at the East Side Water Treatment Plant, which is in Sunnyvale, Texas; and

WHEREAS, CRYOQUIP, LLC has submitted an acceptable proposal to manufacture a new evaporator that will match the original specifications and dimensions; and

WHEREAS, the Dallas Water Utilities has reviewed the cost and recommends approval.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to make an emergency purchase from CRYOQUIP, LLC, for one Liquid Oxygen Evaporator for the East Side Water Treatment Plant, in an amount not to exceed \$70,000.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$70,000 to CRYOQUIP, LLC, from the Water Capital Construction Fund, Fund 0102, Department DWU, Unit CW50, Object 4720, Encumbrance PO00000132077, Vendor VS94256.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 24, 2017

COUNCIL DISTRICT(S): 14

DEPARTMENT: Mobility and Street Services
Water Utilities

CMO: Majed Al-Ghafry, 670-3302
Jill A. Jordan, P.E., 670-5299

MAPSCO: 45F

SUBJECT

A benefit assessment hearing to receive comments on alley paving, water and wastewater main improvements, for Alley Group 12-1126; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of seven - Not to exceed \$672,664 - Financing: 2012 Bond Funds (\$221,696), General Obligation Commercial Paper Funds (\$168,639), and Water Utilities Capital Construction Funds (\$282,329)

BACKGROUND

The alley between Hibernia Street and State Street from Boll Street to Worthington Street was requested by property owner petition and accepted on August 2, 2010. The alley between Hibernia Street and McKinney Avenue from Routh Street to Boll Street was requested by property owner petition and accepted on August 11, 2010. The alley between State Street and Thomas Avenue from Routh Street to Boll Street was requested by property owner petition and accepted on September 14, 2010. All of these alley projects were subsequently funded in the 2012 Bond Program. On January 22, 2014, City Council authorized a professional services contract for the design of this project by Resolution No. 14-0190. This action will allow the public hearing to be held and will authorize the levying of assessments and contract for construction. The alley improvements will consist of upgrading the unimproved gravel and dirt alleys with 10-foot wide concrete pavement. Water and wastewater main improvements are also being constructed as part of the project.

BACKGROUND (continued)

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

This is the third and final step in the process.

Vescorp Construction, LLC dba Chavez Concrete Cutting has no completed contractual activities with the City of Dallas for the past three years.

ESTIMATED SCHEDULE OF PROJECT

Began Design	March 2014
Completed Design	February 2017
Begin Construction	August 2017
Complete Construction	February 2018

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 22, 2014, City Council authorized a professional services contract for engineering services by Resolution No. 14-0190.

On April 12, 2017, City Council authorized alley paving improvements and a benefit assessment hearing by Resolution No. 17-0590.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

2012 Bond Funds - \$221,696.42
 2012 Bond Program (General Obligation Commercial Paper Funds) - \$168,639.07
 Water Utilities Capital Construction Funds - \$282,328.50

Design	\$ 36,653.50
Construction (this action)	
Paving - MSS	\$390,335.49
Water & Wastewater - WTR	<u>\$282,328.50</u>
Total Project Cost	\$709,317.49

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Vescorp Construction, LLC dba Chavez Concrete Cutting

Hispanic Female	5	Hispanic Male	46
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	0	White Male	0

BID INFORMATION

The following seven bids with quotes were received and opened on April 7, 2017.

*Denotes successful bidder

<u>Bidders</u>	<u>Bid Amount</u>
* Vescorp Construction, LLC dba Chavez Concrete Cutting P. O. Box 800400 Balch Springs, TX 75180	\$ 672,663.99
MACVAL Associates, LLC	\$ 731,582.00
Jeske Construction Co	\$ 799,192.00
Camino Construction, LP	\$ 937,397.00
Ark Contracting Services, LP	\$1,009,403.00
Texas Standard Construction	\$1,059,438.20
BR Infrastructure Road, LP	\$1,479,585.00
Original estimate: MSS	\$236,215.00
WTR	<u>\$167,758.00</u>
Total Project	\$403,973.00

OWNER

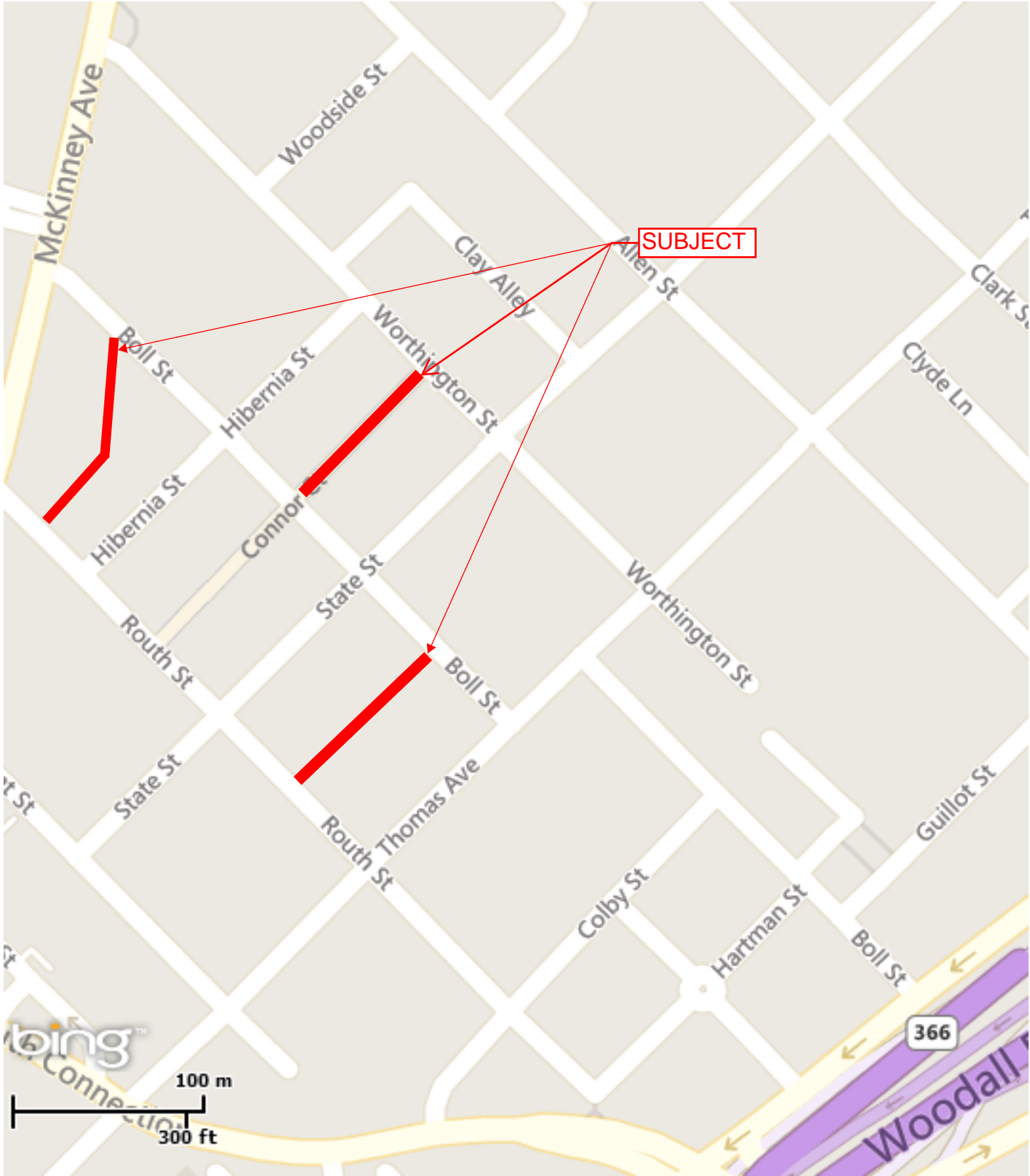
Vescorp Construction, LLC dba Chavez Concrete Cutting

Hugo Chavez, President

MAP

Attached

ALLEY GROUP 12-1126



MAPSCO 45F



BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: A benefit assessment hearing to receive comments on alley paving, water and wastewater main improvements, for Alley Group 12-1126; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, lowest responsible bidder of seven - Not to exceed \$672,664 - Financing: 2012 Bond Funds (\$221,696), General Obligation Commercial Paper Funds (\$168,639), and Water Utilities Capital Construction Funds (\$282,329)

Vescorp Construction, LLC dba Chavez Concrete Cutting is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$672,663.99	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$672,663.99	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Vescorp Construction, LLC dba Chavez Concrete Cutting	HMDBZZ16Y0217	\$423,930.99	63.02%
Flow Line Utilities, Inc.	HMMB31596N0419	\$248,733.00	36.98%
Total Minority - Local		\$672,663.99	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$672,663.99	100.00%	\$672,663.99	100.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
	-----	-----	-----	-----
Total	\$672,663.99	100.00%	\$672,663.99	100.00%

Alley Group 12-1126

<u>Project</u>	<u>Limits</u>	<u>Council District</u>
Alley between Hibernia Street and State Street	from Boll Street to Worthington Street	14
Alley between Hibernia Street and McKinney Avenue	from Routh Street to Boll Street	14
Alley between State Street and Thomas Avenue	from Routh Street to Boll Street	14

May 24, 2017

WHEREAS, on April 12, 2017, City Council authorized alley paving improvements and the public hearing by Resolution No. 17-0590; and

WHEREAS, seven bids were received on April 7, 2017, for alley paving, water and wastewater main improvements, for Alley Group 12-1126:

<u>Bidders</u>	<u>Bid Amount</u>
Vescorp Construction, LLC dba Chavez Concrete Cutting	\$ 672,663.99
MACVAL Associates, LLC	\$ 731,582.00
Jeske Construction Co	\$ 799,192.00
Camino Construction, LP	\$ 937,397.00
Ark Contracting Services, LP	\$1,009,403.00
Texas Standard Construction	\$1,059,438.20
BR Infrastructure Road, LP	\$1,479,585.00

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a construction contract with Vescorp Construction, LLC dba Chavez Concrete Cutting, approved as to form by the City Attorney, for the construction of alley paving, water and wastewater main improvements, for Alley Group 12-1126, in an amount not to exceed \$672,663.99, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$672,663.99 to Vescorp Construction, LLC dba Chavez Concrete Cutting in accordance with the terms and conditions of the contract as follows:

Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S202, Activity APET Object 4510, Program PB12S202, Encumbrance CT STS12S201H1 Vendor VS89922	\$ 73,545.97
---	--------------

Street and Transportation Improvements Fund Fund 4U22, Department STS, Unit S202, Activity APET Object 4510, Program PB12S202, Encumbrance CT STS12S201H1 Vendor VS89922	\$ 23,209.90
---	--------------

May 24, 2017**SECTION 2.** (continued)

Street and Transportation Improvements Fund Fund 4U22, Department STS, Unit S201, Activity APET Object 4510, Program PB12S201, Encumbrance CT STS12S201H1 Vendor VS89922	\$ 79,590.27
Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S201, Activity APET Object 4510, Program PB12S201, Encumbrance CT STS12S201H1 Vendor VS89922	\$ 74,363.54
Street and Transportation Improvements Fund Fund 3U22, Department STS, Unit S207, Activity APET Object 4510, Program PB12S207, Encumbrance CT STS12S201H1 Vendor VS89922	\$ 73,786.91
Street and Transportation Improvements Fund Fund 4U22, Department STS, Unit S207, Activity APET Object 4510, Program PB12S207, Encumbrance CT STS12S201H1 Vendor VS89922	\$ 65,838.90
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Object 4550 Program 717255, Encumbrance CT- DWU717255CP Vendor VS89922	\$104,115.70
Water Construction Fund Fund 0102, Department DWU, Unit CW42, Object 3221 Program 717255X, Encumbrance CT- DWU717255EN Vendor VS89922	\$ 9,875.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42, Object 3222 Program 717256X, Encumbrance CT-DWU717256EN Vendor VS89922	\$ 7,275.00
Wastewater Capital Improvement Fund Fund 0103, Department DWU, Unit CS42, Object 4560 Program 717256, Encumbrance CT-DWU717256CP Vendor VS89922	<u>\$161,062.80</u>
Total amount not to exceed	\$672,663.99

May 24, 2017

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ORDINANCE NO. _____

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING ALLEYS IN THE CITY OF DALLAS, TEXAS, TO WIT:

Alley Group 12-1126

1. The alley between Hibernia Street and State Street from Boll Street to Worthington Street
2. The alley between Hibernia Street and McKinney Avenue from Routh Street to Boll Street
3. The alley between State Street and Thomas Avenue from Routh Street to Boll Street

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID ALLEYS, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore a resolution was duly adopted by the City Council ordering the improvements of

Alley Group 12-1126

1. The alley between Hibernia Street and State Street from Boll Street to Worthington Street
2. The alley between Hibernia Street and McKinney Avenue from Routh Street to Boll Street
3. The alley between State Street and Thomas Avenue from Routh Street to Boll Street

WHEREAS, pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Mobility and Street Services (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and

WHEREAS, in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said alleys the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and

WHEREAS, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and

WHEREAS, the said resolution in connection with the improvement of said alleys was duly adopted in compliance with the law on the 12th day of April, 2017; and

WHEREAS, in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said alleys of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 24th day of May, 2017; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and

WHEREAS, said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 24th day of May, 2017 at 1:00 O'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and

WHEREAS, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

Now, Therefore,

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

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 24th day of May, 2017, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the alleys herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the

SECTION 1. (continued)

benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

SECTION 2. That there shall be and is hereby levied and assessed against the parcels of property herein below mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

Alley Group 12-1126

1. The alley between Hibernia Street and State Street from Boll Street to Worthington Street
2. The alley between Hibernia Street and McKinney Avenue from Routh Street to Boll Street
3. The alley between State Street and Thomas Avenue from Routh Street to Boll Street

Total Property Owners' Cost - Assessments	\$17,176.70	
Adjustments Per Enhancement Evaluation	\$12,584.88	
Grand Total Net Due by Owners		\$4,591.82
Grand Total City of Dallas' Cost - Paving	\$385,743.67	
Grand Total Water Utilities Department Cost Water and Wastewater Main Improvements	\$282,328.50	
Grand Total City of Dallas' Cost		\$668,072.17
Grand Total Cost of Improvements		\$672,663.99

SECTION 3. That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block

SECTION 6. (continued)

Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 8. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of alley improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

SECTION 9. That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

SECTION 10. That the City Manager, or his designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

SECTION 11. 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Prepared by _____
Project Coordinator

Approved by _____
Director, Mobility and Street Services Department

May 24, 2017

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following alleys between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

Alley Group 12-1126

1. The alley between Hibernia Street and State Street from Boll Street to Worthington Street
2. The alley between Hibernia Street and McKinney Avenue from Routh Street to Boll Street
3. The alley between State Street and Thomas Avenue from Routh Street to Boll Street

WHEREAS, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and

WHEREAS, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and

WHEREAS, the said hearing was duly held at said time and place; and

WHEREAS, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real Support Group LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and

WHEREAS, the City Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

Now, Therefore,

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

SECTION 1. That the said hearing held on the 24th day of May A.D. 2017 be and the same is hereby ordered closed.

May 24, 2017

SECTION 2. That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the alleys hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 24, 2017

COUNCIL DISTRICT(S): 1

DEPARTMENT: Mobility and Street Services
Water Utilities

CMO: Majed Al-Ghafry, 670-3302
Jill A. Jordan, P.E., 670-5299

MAPSCO: 54C G

SUBJECT

A benefit assessment hearing to receive comments on street paving and water main improvements for North Adams Avenue from Tenth Street to Davis Street; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Texas Standard Construction, Ltd., lowest responsible bidder of eight - Not to exceed \$1,068,127 - Financing: General Obligation Commercial Paper Funds (\$802,987) and Water Utilities Capital Construction Funds (\$265,140)

BACKGROUND

North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street was included in the 2012 Bond Program under the category of Target Neighborhood. On September 25, 2013, City Council authorized a professional services contract for the design of this project by Resolution No. 13-1731. This action will allow the public hearing to be held and will authorize the levying of assessments and a contract for construction. The improvements will consist of a 40-foot wide concrete pavement with curbs, sidewalks, on-street parking, drive approaches, and water main improvements.

The paving assessment process requires the following three steps:

1. Authorize paving improvements.
2. Authorize a benefit assessment hearing.
3. Benefit assessment hearing, ordinance levying assessments and authorize contract for construction.

This is the third and final step in the process.

BACKGROUND (continued)

On April 21, 2017, eight bids with quotes were received and opened for street paving and water main improvements for North Adams Avenue from Tenth Street to Davis Street. This item authorizes award of the construction contract to Texas Standard Construction, Ltd.

The following chart illustrates Texas Standard Construction, Ltd. contractual activities with the City of Dallas for the past three years:

	<u>MSS</u>	<u>DWU</u>	<u>PKR</u>
Projects Completed	1	0	0
Change Orders	0	0	3
Projects Requiring Liquidated Damages	0	0	0
Projects Completed by Bonding Company	0	0	0

ESTIMATED SCHEDULE OF PROJECT

Began Design	October 2013
Completed Design	March 2017
Begin Construction	June 2017
Complete Construction	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On September 25, 2013, City Council authorized a professional services contract for the design of this project by Resolution No. 13-1731.

On April 12, 2017, City Council authorized alley paving improvements and a benefit assessment hearing by Resolution No. 17-0591.

Information about this item will be provided to the Transportation and Trinity River Project Committee on May 22, 2017.

FISCAL INFORMATION

2006 Bond Program (General Obligation Commercial Paper Funds) - \$802,986.70
Water Utilities Capital Construction Funds - \$265,140.25

Design	\$ 103,636.00
Construction (this action)	
Paving & Drainage - MSS	\$ 802,986.70
Water - WTR	<u>\$ 265,140.25</u>
Total Project Cost	\$1,171,762.95

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Texas Standard Construction, Ltd.

Hispanic Female	3	Hispanic Male	87
African-American Female	0	African-American Male	3
Other Female	0	Other Male	0
White Female	4	White Male	8

BID INFORMATION

The following eight bids with quotes were received and opened on April 21, 2017.

*Denotes successful bidder

<u>Bidders</u>	<u>Bid Amount</u>
* Texas Standard Construction, Ltd. 5511 W. Ledbetter Drive Dallas, TX 75236	\$1,068,126.95
Joe Funk Construction	\$1,530,125.93
MACVAL Associates LLC	\$1,554,278.80
Jeske Construction Co.	\$1,595,347.00
Camino Construction, L.P.	\$1,701,666.20
Tiseo Paving Co.	\$1,812,753.00
Vescorp Construction, LLC	\$1,902,859.09
HQS Construction, LLC	\$1,973,145.00
Original estimate: MSS	\$702,525.00
WTR	<u>\$154,253.00</u>
Total Project	\$856,778.00

OWNER

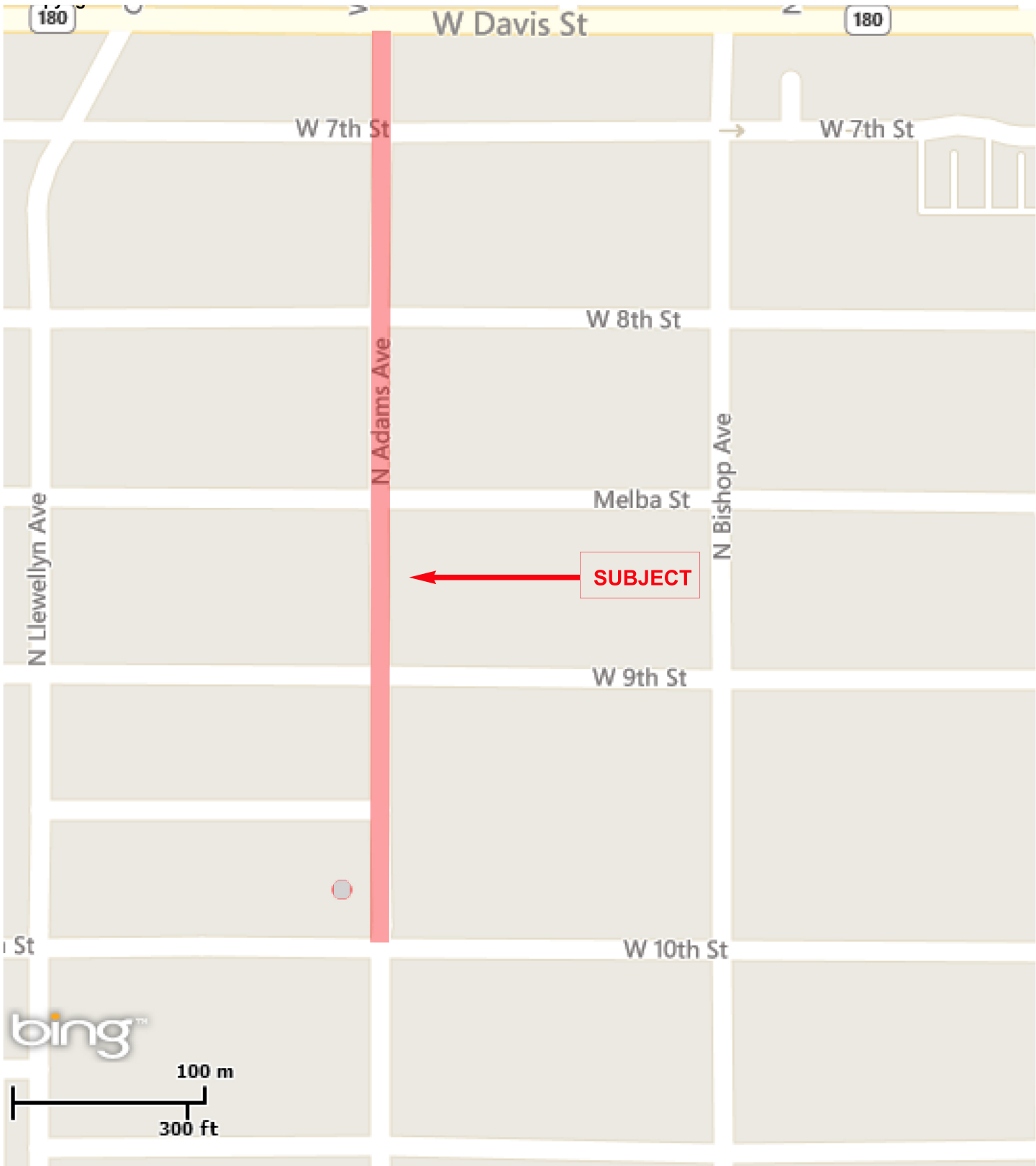
Texas Standard Construction, Ltd.

Ronald H. Dalton, President

MAP

Attached

NORTH ADAMS AVENUE FROM TENTH STREET TO DAVIS STREET



MAPSCO 54C, G



BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: A benefit assessment hearing to receive comments on street paving and water main improvements for North Adams Avenue from Tenth Street to Davis Street; and at the close of the hearing, authorize an ordinance levying benefit assessments, and a construction contract with Texas Standard Construction, Ltd., lowest responsible bidder of eight - Not to exceed \$1,068,127 - Financing: General Obligation Commercial Paper Funds (\$802,987) and Water Utilities Capital Construction Funds (\$265,140)

Texas Standard Construction, Ltd., is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$1,068,126.95	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$1,068,126.95	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Kenyatta Sand and Gravel	BMDB62563Y0517	\$477,866.00	44.74%
Total Minority - Local		\$477,866.00	44.74%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$477,866.00	44.74%	\$477,866.00	44.74%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$477,866.00	44.74%	\$477,866.00	44.74%

May 24, 2017

WHEREAS, on April 12, 2017, City Council authorized street paving and water improvements for North Adams Avenue from Tenth Street to Davis Street; to provide for partial payment of construction cost by assessment of abutting property owners; an estimate of the cost of the improvements to be prepared as required by law; and a benefit assessment hearing to be held on May 24, 2017, to receive comments by Resolution No. 17-0591; and

WHEREAS, eight bids were received on April 21, 2017, for street paving and water main improvements for North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street:

<u>Bidders</u>	<u>Bid Amount</u>
Texas Standard Construction, Ltd.	\$1,068,126.95
Joe Funk Construction	\$1,530,125.93
MACVAL Associates LLC	\$1,554,278.80
Jeske Construction Co.	\$1,595,347.00
Camino Construction, L.P.	\$1,701,666.20
Tiseo Paving Co.	\$1,812,753.00
Vescorp Construction, LLC	\$1,902,859.09
HQS Construction, LLC	\$1,973,145.00

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to sign a contract with Texas Standard Construction, Ltd., approved as to form by the City Attorney, for the construction of street paving, and water main improvements, for North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street, in an amount not to exceed \$1,068,126.95, this being the lowest responsive bid received as indicated by the tabulation of bids.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$1,068,126.95 to Texas Standard Construction, Ltd. in accordance with the terms and conditions of the contract as follows:

Street and Transportation Improvements Fund	
Fund 4T22, Department STS, Unit S600, Activity TGTN	
Object 4510, Program PB12S600, Encumbrance CT STS12S600H1	
Vendor 508379	\$802,986.70

May 24, 2017

SECTION 2. (continued)

Water Utilities Capital Construction Fund
Fund 0102, Department DWU, Unit CW42, Object 4550
Program 717327, Encumbrance CT- DWU717327CP
Vendor 508379 \$ 265,091.25

Water Utilities Capital Construction Fund
Fund 0102, Department DWU, Unit CW42, Object 3221
Program 717327X, Encumbrance CT- DWU717327EN
Vendor 508379 \$ 49.00

Total amount not to exceed \$1,068,126.95

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

May 24, 2017

WHEREAS, heretofore, a resolution was duly adopted by the City Council of the City of Dallas for the improvement of the following street between the limits set forth, out of materials specified, ordering that bids be taken for the construction, and ordering that an estimate of the cost of such improvements be prepared, to wit:

North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street

WHEREAS, by resolution such estimate and specifications were duly adopted therefore, and the Purchasing Agent was authorized to advertise for bids for such construction; and

WHEREAS, by resolution the City Council determined the necessity for assessing a portion of the cost of such improvements against the property abutting such improvements, and the owners thereof, and duly and legally set a time and place for a public hearing thereon, and provided for notice to be given to such owners, as provided by law; and

WHEREAS, the said hearing was duly held at said time and place; and

WHEREAS, the City Council, after fully considering said proposed assessments, and fully considering the benefits that each property owner and his property receive from making said improvements, is of the opinion that the said proposed assessments determined to be levied are fair and equitable, and in accordance with the enhancement report submitted by Con-Real Support Group LP, an independent appraiser, representing the benefits that the said property receives in enhanced values from the making of the said improvements, and that the said assessments should be made; and

WHEREAS, the City Council having no further protest, remonstrance, or objection before it, is of the opinion that the said hearing should be closed.

Now, Therefore,

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

SECTION 1. That the said hearing held on the 24th day of May A.D. 2017 be and the same is hereby ordered closed.

May 24, 2017

SECTION 2. That the City Attorney is hereby directed to prepare an ordinance assessing against the several owners of the abutting property, and against their property abutting upon the street hereinabove mentioned, the proportionate part of said cost herein adjudged against the said respective owners and their property, such assessments to be in accordance with the attached enhancement report. That the said ordinance shall fix a lien upon said property, and shall declare said respective owners thereof to be respectively liable for the amounts so adjudged against them. Said ordinance shall in all respects comply with the applicable law in such cases made and provided.

SECTION 3. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

ORDINANCE NO. _____

AN ORDINANCE LEVYING ASSESSMENTS AGAINST VARIOUS PERSONS AND THEIR PROPERTY FOR THE PAYMENT OF A PART OF THE COST OF IMPROVING AND PAVING PORTIONS OF THE FOLLOWING STREET IN THE CITY OF DALLAS, TEXAS, TO WIT:

North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street

PROVIDING FOR THE TIME WHEN SUCH ASSESSMENTS BECOME DUE AND PAYABLE, THE RATE OF INTEREST, AND FIXING A CHARGE AND LIEN AGAINST SAID PROPERTY AND MAKING SAID CHARGE A PERSONAL LIABILITY OF THE PROPERTY OWNERS OWNING PROPERTY ABUTTING ON SAID STREET, AND PROVIDING FOR THE COLLECTION THEREOF; AND DECLARING AN EMERGENCY.

WHEREAS, heretofore a resolution was duly adopted by the City Council ordering the improvements of

North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street

WHEREAS, pursuant to said resolution, specifications and an estimate of the cost of such improvements were prepared for said work by the Director of Mobility and Street Services (City Engineer), filed with said Council, examined, approved, and adopted by it, all as required by applicable law; and

WHEREAS, in compliance with the law the City Engineer prepared his statements or lists showing the names of property owners upon said street the description of their property, the total cost of the said improvements, the cost there of per front foot and cost to each property owner, said statements possessing all the other requisites required by law; and

WHEREAS, thereafter the said statements were filed with the City Council and by them examined and approved and a resolution was passed by said Council determining the necessity of making an assessment for part of the cost of said pavement against property owners and their property, and fixing a time and providing for a hearing to such property owners, all in accordance with the terms of applicable law, at which hearing to such property owners were to be heard as to the benefits of the said improvements to their property, as to any error or invalidity in said proceedings, or to any matter or thing connected with the said improvements; and

WHEREAS, the said resolution in connection with the improvement of said street was duly adopted in compliance with the law on the 12th day of April, 2017; and

WHEREAS, in accordance with the terms of the law, the City of Dallas gave notice to the property owners on said street of said hearing, by publishing a copy of said notice in the Dallas Morning News, a daily paper of general circulation in the City of Dallas, for three successive days prior to the days set for the hearing, to wit, the 24th day of May, 2017; and the City also gave notice of said hearing by mailing letters containing the same to said property owners at least fourteen (14) days before the said hearing; provided, however, that any failure of the property owners to receive said notices shall not invalidate these proceedings; and

WHEREAS, said hearing was held at the time and place mentioned in the said resolution and notice, to wit, on the 24th day of May, 2017 at 1:00 O'clock P.M. at the Council Chamber in the City Hall of the City of Dallas, Texas, which hearing was then closed; and

WHEREAS, at said hearing, all desiring to contest the said assessments, correct the same, or in any manner be heard concerning the benefits thereof, or in any related matter, were heard, and errors and all matters of error or mistake or inequalities or other matters requiring rectification which were called to the attention of the Council were rectified and corrected.

Now, Therefore,

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

SECTION 1. That the action of the City Council closing the hearing and overruling the protests at the public hearing on the 24th day of May, 2017, in these proceedings is hereby ratified and confirmed by this ordinance. That the City Council, from the evidence, finds that the assessments herein levied should be made and levied against the respective parcels of property abutting upon the street herein below mentioned and against the owners thereof; that such assessments and charges are right and proper, and are substantially in proportion to the benefits to the respective parcels of property by means of the improvement in the unit or district for which such assessments are levied, and establish substantial justice, equality, and uniformity between the respective owners of the respective properties between all parties concerned, considering the benefits received and burdens imposed. The Council further finds that in each case the abutting property assessed is specially benefited in enhanced value to the said properties by means of the said improvements in the unit or district upon which the particular property abuts, and for which assessment is levied and charge made, in a sum in excess of the said assessment and charge made against the same by this ordinance. The Council further finds that the apportionment of the cost of the improvements is in accordance with the law in force in this City and that the proceedings of the City heretofore had with reference to said improvements are in all respects valid and regular.

SECTION 2. That there shall be and is hereby levied and assessed against the parcels of property herein below mentioned, and against the real and true owners thereof (whether such owners be correctly named herein or not), the sums of money below mentioned and itemized shown opposite the description of the respective parcels of property, and the several amounts assessed against the same and the owners thereof, as far as such owners are known, being as follows:

North Adams Avenue from Tenth Street to Ninth Street to Melba Street to Eighth Street to Seventh Street to Davis Street

Total Property Owners' Cost - Assessments	\$97,966.54	
Adjustments Per Enhancement Evaluation	\$47,957.01	
Total Net Due by Owners		\$50,009.53
Total City of Dallas' Cost - Paving	\$675,728.77	
Total City of Dallas' Cost -Drainage	\$77,248.40	
Total Water Utilities Department Cost Water Main Improvements	\$265,140.25	
Total City of Dallas' Cost		\$1,018,117.42
Total Cost of Improvements		\$1,068,126.95

SECTION 3. That where more than one person, firm or corporation owns an interest in any property above described, each said person, firm or corporation shall be personally liable for its, his or her pro rata of the total assessment against such property in proportion as its, his or her respective interest bears to the total ownership of such property, and its, his or her respective interest in such property may be released from the assessment lien upon payment of such proportionate sum.

SECTION 4. That the several sums above mentioned and assessed against the said parcels of property and the owners thereof, and interest thereon at the rate of eight per centum (8.00%) per annum, together with reasonable attorney's fees and costs of collection, if incurred, are hereby declared to be and are made a lien upon the respective parcels of property against which the same are assessed, and a personal liability and charge against the real and true owners of such property, whether such owners be named herein or not, and the said liens shall be and constitute the first enforceable lien and claim against the property on which such assessments are levied, and shall be a first paramount lien thereon, superior to all other liens and claims except State, County, School District and City ad valorem taxes.

That the cost shall be assessed against said owners and their property respectively, in accordance with what is known as the "Front-Foot Plan", in proportion as the frontage of the property of each owner is to the whole frontage improved and shall be payable in monthly installments not to exceed one hundred twenty (120) in number, the first of which shall be payable within thirty (30) days from the date of the completion of said improvements and their acceptance by the City of Dallas, and one installment each month thereafter until paid, together with interest thereon at the current rate established and adopted by the City Council applicable to Public Improvement Assessment Accounts being paid by installments and not to exceed the statutory rate, with the provision that any of said installments may be paid at any time before maturity by the payment of the principal and the accrued interest thereon. Any property owner against whom and whose property assessment has been levied may pay the whole assessment chargeable to him without interest within thirty (30) days after the acceptance and completion of said improvements.

SECTION 5. That if default be made in the payment of any of the said sums hereby assessed against said property owners and their property, collection thereof shall be enforced either by suit in any court having jurisdiction or by lien foreclosure.

SECTION 6. That for the purpose of evidencing the several sums payable by said property owners and the time and terms of payment, and to aid in the enforcement thereof, assignable certificates may be issued by the City of Dallas upon the completion and acceptance of the said work of improvement, which shall be executed by the Mayor, signing the same or by his facsimile signature impressed thereon, attested by the City Secretary, under the impress of the corporate seal, and shall be payable to the City of Dallas, or its assigns, which certificate shall declare the said amounts and the time and terms of payment thereof, and the said rate of interest payable thereof, and shall contain the name of the owner and the description of his property by Lot or Block

SECTION 6. (continued)

Number of front feet thereof, or such description as may otherwise identify the same by reference to any other fact, and if said property shall be owned by an estate, then the description thereof as so owned shall be sufficient.

And that the said certificates shall further provide that if default shall be made in the payment of any installment of principal or interest thereon, when due then at the option of the said City of Dallas being the owner and holder thereof, the whole of the said assessment shall at once become due and payable and shall be collectible with reasonable attorney's fees and costs if incurred.

And that the said certificates shall further set forth and evidence the said personal liability of the owner and the lien upon his premises and shall provide that if default shall be made in the payment thereof, the same may be enforced as above provided.

And the said certificates shall further recite that the proceedings with reference to making said improvements have been regularly in compliance with the terms of the applicable law, and that all prerequisites to the fixing of the lien and claims of personal liability evidenced by such certificates have been performed, which recitals shall be prima facie evidence of the facts so recited and no further proof thereof shall be required.

That the said certificates shall also provide that the amounts payable thereunder shall be paid to the City Controller of the City of Dallas, who shall credit said payments upon the said certificates, and shall immediately deposit the amounts so collected with the City Treasurer of the City of Dallas, to be kept and held by him in a special fund, which is hereby designated as Capital Assessments Fund and which payments shall be by the Treasurer paid to the said City of Dallas or other holder of the said certificates, on presentation thereof to him, duly credited by the City Controller the said credit by said City Controller being the Treasurer's Warranty for making such payment and the said City of Dallas or other holder of said certificate, shall receipt in writing to said Treasurer when paid in full, together with all costs of collection.

And that the said certificates shall further provide that the City of Dallas shall exercise all legal power, when requested so to do by the holder of said certificate, to aid in the collection thereof; but the City of Dallas shall in nowise be liable to the holder of said certificates in any manner for payment of the amount evidenced by the said certificates or for any costs or expense in the premises, or for any failure of the said City Council or any of its officers in connection therewith.

Full power to make and levy reassessments, and to correct mistakes, errors, invalidates or irregularities, either in the assessments or in the certificates issued in evidence thereof, is in accordance with the law in force in this City, vested in the City.

SECTION 7. That all assessments levied are a personal liability and charged against the real and true owners of the premises described, notwithstanding such owners may not be named, or may be incorrectly named.

SECTION 8. That the assessments herein levied are made and levied under and by virtue of the terms, powers and provisions of an Act passed at the First Called Session of the Fortieth Legislature of the State of Texas, known as Chapter 106 of the Acts of said Session, with amendments thereto, now shown as Texas Transportation Code Annotated Section 311 and 313 (Vernon's 1996), which said law has been adopted as an alternative method for the construction of street improvements in the City of Dallas, Texas, by Chapter XX of the Charter of the City of Dallas.

SECTION 9. That the assessments so levied are for the improvements in the particular unit or district upon which the property described abuts, and the assessments for the improvements in one unit or district are in nowise related to or connected with the improvements in any other unit or district, and in making assessments and in holding said hearing, the amounts assessed for improvements in one unit or district have been in nowise affected by any fact in anywise connected with the improvements or the assessments therefore in any other unit or district.

SECTION 10. That the City Manager, or his designee, is hereby authorized to execute releases of any paving assessment liens herein levied and assessed against the parcels of property and owners thereof, if same are fully paid, such releases to be approved as to form by the City Attorney and attested by the City Secretary.

SECTION 11. 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 ordained.

APPROVED AS TO FORM:
LARRY E. CASTO, City Attorney

BY: _____
Assistant City Attorney

Prepared by _____
Project Coordinator

Approved by _____
Director, Mobility and Street Services Department

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 24, 2017
COUNCIL DISTRICT(S): All
DEPARTMENT: Trinity Watershed Management
CMO: Jody Puckett, 670-3390
MAPSCO: All

SUBJECT

A public hearing to receive comments regarding, and approval of, an amendment to Chapter 51A, "Dallas Development Code", Section 51A-5.102, of the Dallas City Code to adopt the Collin County flood insurance study and accompanying flood insurance rate maps, as revised, which become effective on June 7, 2017, as a requirement of the Federal Emergency Management Agency - Financing: No cost consideration to the City

BACKGROUND

As a participant in the National Flood Insurance Program since 1978, updates to the Flood Insurance Rate Maps are an on-going process by Federal Emergency Management Agency (FEMA). A Flood Insurance Rate Map is an official map of a community on which FEMA has delineated areas of special flood hazards and the insurance risk premium zones applicable to the community.

When the Flood Insurance Study for a community is revised, new maps are issued by FEMA. FEMA requires each community to formally adopt the new study and maps prior to the effective date of the maps. Recently, FEMA has changed to county-specific mapping, making it necessary for communities whose boundaries cross county lines to adopt multiple maps.

Collin County, which includes incorporated areas of the City of Dallas, is scheduled to receive updated Flood Insurance Rate Maps (FIRMs) under the new FEMA digital mapping process. There are only two FEMA flood map panels in Collin County that include the City of Dallas proper, and these include a portion of White Rock Creek (Panel 365) and McKamy Branch, Stream 5B13, and Stream 5B14 (Panel 370.)

BACKGROUND (continued)

White Rock Creek flood elevations and floodplain mapping remain unchanged. Streams 5B13 and 5B14 maintain the previous flood elevations but the floodplain area is slightly reduced on the new maps because of more accurate topography used for mapping, thus there is a net decrease in the extent of mapped floodplain. McKamy Branch shows reductions in flood elevation on the order of one to three feet and a corresponding decrease in the extent of mapped floodplain as a result of a flood management project Dallas recently completed. The net result for City of Dallas properties is a reduction in the floodplain.

These new maps become effective June 7, 2017. This action will adopt the new maps as required by FEMA.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 8, 1976, City Council authorized the adoption of a 10-point engineering criteria plan for development in the flood plain by Resolution No. 76-2940.

On July 28, 1982, City Council authorized an amendment to the Dallas City Code to comply with federal issuance eligibility requirements and to simplify the process for making improvements to existing structures in the flood plain by Resolution No. 82-2652 and Ordinance No. 17482.

O April 6, 1983, City Council authorized corrections and additions of the flood plain prefix to all City zoning maps for all previously unidentified areas in the Southwest, Northwest, Northeast and Southeast quadrants of the City by Resolution No. 83-1184 and Ordinance No. 17782.

On May 12, 1993, City Council authorized an amendment to the Dallas City Code to include Corridor Development Certificate process as a means to avoid adverse impacts from development within the Trinity River Corridor and reduce flood risks and damage in the corridor by Resolution No. 93-1737.

On April 21, 1999, City Council was briefed regarding the Flood Plain Regulations.

On May 10, 1999, the Health, Youth and Human Services Committee was briefed.

On May 24, 1999, the Health, Youth and Human Services Committee was briefed.

On June 16, 1999, City Council was briefed regarding this matter.

On October 27, 1999, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria, new definitions and additional technical requirements by Resolution No. 99-3486 and Ordinance No. 24085.

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

On August 4, 2004, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria, new definitions and additional technical requirements by Resolution No. 04-2472 and Ordinance No. 25716.

September 10, 2008, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria and new definitions by Resolution No. 08-2489 and Ordinance No. 27318.

On May 27, 2009, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria and new definitions on by Resolution No. 09-1365 and Ordinance No. 27551.

On May 24, 2010, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria, new definitions, and additional technical requirements by Resolution No. 10-1346 and Ordinance No. 27893.

On April 13, 2011, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria and new definitions on by Resolution No. 11-0991 and Ordinance No. 28164.

On May 23, 2012, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria and new definitions on by Resolution No. 12-1422 and Ordinance No. 28671.

On May 28 2014, City Council authorized an amendment to the Dallas City Code to include changes and additions to meet federal criteria and new definitions on by Resolution No. 14-0872 and Ordinance No. 29359.

FISCAL INFORMATION

No cost consideration to the City.