

Facts and Issues relating to Mr. Denman's Apportionment Letter of November 15, 2019

Appellant requests that the City of Dallas makes Mr. Denman available for Testimony at the February 6, 2020 City Plan Commission apportionment appeal hearing so that a fair and just determination of the facts and issues is reached.

- 1) At the October 17th CPC hearing, the CPC did not vote to decide whether or not the existing water main that serves 6022 and 6028 Lewis Street is insufficient to serve the proposed development.
- 2) Please provide evidentiary support for the cost of \$284,000.00 for the placement of 690 linear feet of water main. This is \$411.59/Linear Feet.
- 3) At the October 17th CPC hearing, the CPC modified the director's apportionment determination to find that the new 8" water line is in part to serve future development.
- 4) In an October 31, 2019 Letter, Mr. Denman stated that Savannah may appeal the City Plan Commission's Decision to the City Council.
- 5) On November 13, 2019, in reliance on Mr. Denman's instructions and following City and State Law, appellant Savannah filed an appeal to the City Council and paid the associated fees. The City receipted the appeal filing and cashed the fee check.
- 6) In a November 20, 2019 letter on the city manager's Letterhead, Mr. Denman reversed his own written opinion of October 31st and stated "The City Council cannot hear an

appeal of the apportionment determination until the City Plan Commission has rendered a decision.

- 7) The current Private Development Contract that the City of Dallas requires an Owner (i.e. Developer) to form with a Contractor pursuant to an exaction complies with neither Sections 212.072 (a) nor (b)(1) of the Texas Local Government Code. What is the City's code justification for making payment to a developer under the current non-competitively bid Private Development Contract that is required of a developer in the construction of public infrastructure as part of an exaction?

Appellant seeks a decision from CPC on the following issues:

- 1) Is the existing water main that serves 6022 and 6028 Lewis Street insufficient to serve the proposed development?
- 2) Did the CPC render or make a decision at the October 17th CPC hearing?
- 3) If the appellant elects to do so, may the appellant appeal any February 6, 2020 CPC apportionment appeal hearing decisions to the governing body of the city, being the City Council?
- 4) Is it legal for the city to use the mandatory Private Development Contract it required Appellant to form as part of the 6022 & 6028 Lewis Street exaction for payment of an associated apportionment?



October 31, 2019

Mr. Kevin Murphree
Savannah Developers
15660 N. Dallas Parkway, Suite 110
Dallas, TX 75248

RE: Decision of Appeal of Apportionment Determination
6028 Lewis Street

Dear Mr. Murphree:

The City Plan Commission heard your appeal regarding the subject site on Thursday, October 17, 2019. After hearing the appeal, the City Plan Commission remanded the matter back to the Director with the finding of fact that the proposed water line is in part to serve future development.

The Director will respond to the remand decision within 30 days of the hearing. Once you receive the Director's response to the remand, you may appeal the Director's apportionment determination to the City Plan Commission by filing written notice with the Director within 30 days after the date of the determination. If an appeal is filed, the City Plan Commission shall hear the appeal within 60 days after the date of its filing.

You also may appeal the City Plan Commission's decision of October 17th to the City Council by filing a written notice with the director within 30 days after the date of the City Plan Commission's decision.

Included with this letter is a draft copy of the minutes from the October 17th hearing regarding this subject.

Please contact Lloyd Denman at 214 948-4354 if there are any questions regarding the deadline dates. You are encouraged to contact Assistant City Attorney Kanesia Williams at 214 670-3429 if you have any questions regarding the appeal processes or other related matters.

Respectfully,

A handwritten signature in cursive script that reads 'Lloyd Denman'.

Lloyd Denman, P.E.
Assistant Director of Engineering
Sustainable Development and Construction

LD/6028 Lewis

Attachment



CITY OF DALLAS

November 20, 2019

Steve King, Managing Partner
Savannah Developers
15660 North Dallas Parkway
Suite 110
Dallas, Texas 75248

Dear Mr. King,

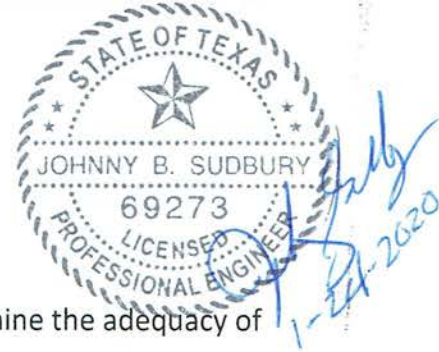
This letter is to acknowledge receipt of your letter to Kris Sweckard dated November 13, 2019, appealing the city plan commission's October 17, 2019 remand of the director's apportionment determination for the development at 6028 Lewis Street. Because the city plan commission remanded the apportionment issue back to the director for further consideration, it has not rendered a decision on the apportionment issue. The city council cannot hear an appeal of the apportionment determination until the city plan commission has rendered a decision. You may, however, appeal the director's apportionment of exactions determination following the remand to the city plan commission.

Please contact Lloyd Denman at 214-948-4354 if you have any questions concerning the director's decision on remand or Kanesia Williams at 214-670-3429 if you have any questions regarding the appeal process.

Respectfully,

Lloyd Denman, P.E.
Assistant Director of Engineering
Sustainable Development and Construction

Engineering Report 6022 & 6028 Lewis Street, Dallas, Texas
Prepared by: Johnny Sudbury, P.E., on January 24, 2020



This report will analyse the existing 6" water main in Lewis Street to determine the adequacy of the water supply to support the **domestic demand**, the **domestic fire sprinkler demand** and the **Fire Flow Capacity to the specific site**, 6022 and 6028 Lewis Street.

For each address, the domestic demand is 30 Gallons Per Minute (gpm) based on calculations made using the DWU Manual. The fire sprinkler demand on the other hand is 34.5 gpm based on a modeled fire suppression engineering analysis. Most importantly, the Fire Flow Capacity to the site, based data obtained from field tests on three separate dates, was calculated to be 5808 gpm, 6707 gpm, and 6770 gpm respectively, for an average Fire Flow Capacity of 6428 gpm. (Tabulated in Exhibit 1)

All fire flow data collection tests were performed by City of Dallas employees according to the DWU Manual. As is standard, all flow tests were performed on an active water main, operating under normal conditions, which means that domestic demand from all properties on Lewis Street was impacting the water main at the same time the fire flow tests were performed. **The capacity of a water main is therefore the total domestic demand of 1063 gpm plus the average calculated Fire Flow Capacity of 6,428 gpm or approximately 7,491 gpm.**

Because the DWU Manual Section 2.4.2.4 (Exhibit 2) states that the minimum fire flow for a residential area is 1500 GPM, and because the average calculated Fire Flow Capacity at the site is 6,428 gpm, **it is the conclusion of this report that the 6" water main in Lewis Street is more than sufficient to supply the water demands of the proposed developments at 6022 and 6028 Lewis Street without the need for replacement.**

ANALYSIS OF THE IMPACT OF 6022 AND 6028 LEWIS PROPOSED DEVELOPMENTS

1) Is there enough capacity in the water main in Lewis Street to serve the domestic demand of all homes in the 5900 and 6000 block of Lewis Street during a non-fire event?

The total domestic demand on the water main in Lewis street along the 5900 and 6000 blocks, including the proposed developments at 6022 and 6028 Lewis street, is calculated to be 1,063 gpm during a non-fire event using the Table1 and Figure 2 of the DWU Manual and tabulated in “Existing Uses and Water Demand Calculations” provided in Exhibit 3. **Because the total capacity of the water main in Lewis Street is approximately 7,491 gpm and is greater than 1,063 gpm, there is sufficient water in the main to serve the domestic demand of all homes along the 5900 and 6000 during fire event, including the proposed development.**

2) Is there enough capacity in the water main in Lewis Street to serve the domestic demand of all homes in the 5900 and 6000 block of Lewis Street **in addition to the domestic fire sprinkler demand and the fire department demand during a fire event** at either 6022 or 6028 Lewis Street?

During a fire event, assuming at 6022 Lewis Street, the domestic sprinkler system at 6022 Lewis will activate drawing 34.5 gpm as defined below (for safety, it is assumed the domestic fire sprinkler demand is as high as 50 gpm in the calculations contained herein). Once the domestic sprinkler system activates, in addition to the domestic demand of 1,063 gpm of all homes in Lewis Street, an additional 50 gpm will be drawn from the water main in Lewis Street. This fire sprinkler demand will be drawn from the Fire Flow Capacity of the water main which has an

average calculated value of 6,428 gpm. $6,428 \text{ gpm} - 50 \text{ gpm} = 6,378 \text{ gpm}$ remaining Fire Flow Capacity for the fire department demand.

Because the DWU Manual Section 2.4.2.4 states that the minimum Fire Flow Capacity for residential areas is 1500 GPM, the remaining average calculated Fire Flow Capacity of 6,428 gpm during a fire event at 6022 Lewis Street, being one of the proposed buildings, is more than adequate for firemen to fight a fire while using multiple fire hydrants.

DOMESTIC DEMAND CALCULATION

The instructions and charts of the DWU Manual were used to make the Domestic Demand Calculations in this report.

Referring to the Domestic Demand chart of Exhibit 3, the calculated domestic water demand for all existing structures along the 5900 and 6000 blocks of Lewis Street is 1,003 gpm. The domestic demand of the proposed new 5 townhomes on 6022 Lewis Street is 30 gpm and the domestic demand of the proposed new 5 townhomes on 6028 Lewis Street is 30 gpm. The two buildings combined have a domestic demand of 60 gpm, which added to pre-development demand of 1,003 gpm results in a post development domestic demand of 1,063 for all dwellings along the 5900 and 6000 blocks of Lewis Street

Note that the proposed developments at 6022 and 6028 Lewis Street will replace one duplex that had a domestic demand of 24 gpm and a single family home that had a domestic demand of 20 gpm. Therefore, the net new domestic demand created by the proposed townhomes at 6022 and 6028 Lewis Street is 60 gpm less (24 gpm + 20 gpm) or 16 gpm.

DOMESTIC FIRE SPRINKLER DEMAND DETERMINATION

Domestic fire sprinkler demand is the water demand impact during a fire event from a private fire sprinkler system located within a dwelling. A fire suppression engineer calculates this demand. A copy of the supply analysis of a private fire sprinkler system for a similar three story townhouse development is attached to this report as Exhibit 4. The supply analysis models the water demand of the fire sprinkler system to be 34.5 gpm (for safety, it is assumed the domestic fire sprinkler demand is as high as 50 gpm in the calculations contained herein).

FIRE FLOW CAPACITY

To calculate “Fire Flow Capacity to a specific site”, it is important to understand the relationship between domestic demand and Fire Flow Capacity.

Domestic demand and domestic fire sprinkler demand are the combined domestic water demands created within a dwelling. This demand is fed by a domestic water meter that is connected via a water service to a city water main. For the proposed 6022 and 6028 Lewis Street townhomes, each property has a domestic demand of 30 gpm and fire sprinkler demand of 34.5 gpm for a total demand of approximately 64.5 gpm. It can be assumed that the fire sprinkler demand can be as high as 50 gpm, resulting in a combined demand as high as 80 gpm. A 80 gpm demand would typically be satisfied utilizing a 2” domestic water meter, which can supply up to 160 gpm.

Fire Flow Capacity on the other hand is the capacity of a system of the city water mains which provide water to one or more fire hydrants on the system during a fire event. **Fire Flow Capacity is a calculated number using industry established test data and formulas.** There is no

practical testing device to directly measure the Fire Flow Capacity in a city water main. To calculate Fire Flow Capacity, it is necessary to first conduct a fire flow test in the field to obtain data. In the City of Dallas, this can only be done by the city's technicians who perform tests on two or more fire hydrants at the same time and produce a data sheet. The data collected and provided by the City of Dallas is described in detail below with reference to four separate flow tests.

To fully understand the capacity of a water main, it is important to conceptualize that the city's field technicians perform a fire flow test on a water main at the same time homeowners are in their homes using water. This is because it is impractical and unsafe to turn off all of the water meters to the homes in a block while a flow test is performed. Conceptually, the domestic demand of each home is drawing water from the water main while at the same time data is obtained by the city's field technicians who are drawing water from two or more fire hydrants.

Pressure drop and water flow data recorded by field technicians is provided by the City of Dallas on its own form. The way this data is measured takes into consideration of the ongoing domestic water usage. The Fire Flow Capacity calculated using the data provided by the City of Dallas is therefore calculated using data collected with consideration for both the domestic demand impact and the Fire Flow impact on the water main system.

CONCLUSION: The capacity of a water main is therefore the total domestic demand plus the calculated Fire Flow Capacity.

The only practical way to measure the capacity of a pressured water system is to utilize testing methods and principles established by the fire protection industry. The fire flow capacity cannot be measured directly by a flow test. The fire flow capacity can only be calculated from data collected by performing a flow test and applying the data to applicable formulas. The procedure for a flow test and the applicable formulas can be found in Section 3.3.5 of the DWU Manual attached as Exhibit 5, as well as the American Water Works Association manual M17 and the National Fire Protection Association Publication 291. The AWWA and the NFPA are nationally recognized sources for fire flow determinations. The AWWA is also cited within the DWU Manual. The exact same formulas are listed in all three documents.

The methodology used for the purpose of a fire flow capacity calculation is to perform a flow test to induce a measurable pressure drop in the water system by releasing a quantity of water from the pressurized system. The relationship between the pressure drop in the system caused by the removal of a quantity of water flow is paramount to making a determination about the overall capacity of the system. If the quantity of water released is measured, the associated pressure drop from the water released can be used to determine the overall performance of the system. Flow tests are performed using two or more fire hydrants because fire hydrants are a direct, convenient connection to the water system and are the primary source of water for fire protection.

For the flow test, it is imperative to collect 4 pieces of data that would then be applied to established formulas to calculate the Fire Flow Capacity. The data requirements are listed in Section 3.3.5 of the DWU Manual. Without all 4 of these items, the fire flow capacity cannot be determined. The 4 pieces of necessary data are as follows:

Static Pressure (P_s). The pressure of the water main at normal operating conditions prior to the start of the flow test. Measured at the static, non-flowing hydrant.

Residual Pressure (P_r). The pressure reading of the water main while the water is flowing from the flowing fire hydrant(s).

Pitot Pressure (P_p). The pressure measured with a Pitot gauge inserted into the flow stream from the flowing fire hydrant(s).

The outlet size (D). The size of the fire hydrant nozzle opening(s) being used for the test.

Utilizing data collected by the city's field technicians, the first calculation is to determine the residual flow from the flowing fire hydrant(s).

The Residual Flow (Q_r) calculation from Section 3.3.5 DWU Manual is:

$$Q_r = 29.83 * c_d * D^2 * \sqrt{P_p}$$

where c_d = friction loss coefficient (typically 0.9 for smooth 2.5" opening)

The next step is to calculate the Fire Flow Capacity. The Fire Flow Capacity is defined as the flow available from the water system at 20 psi. 20 psi is the industry standard minimum pressure that any fire hydrant can operate off of. Theoretically, since the residual flows are calculated in relation to a pressure drop, and if enough hydrant nozzles are opened to cause the water line pressure to drop down to 20 psi, the residual flows of all of the open fire hydrants can be calculated, and the fire flow available at a given location can be calculated. Since this procedure is not practical from a field data collection perspective, an industry accepted formula has been

derived to calculate the Fire Flow Capacity to a specific site along a water main system at 20 psi.

This formula is provided in Section 3.3.5 of the DWU Manual, in the AWWA Manual and the NFPA publication.

The formula for the fire flow at 20 psi (Q_f) is:

$$Q_f = Q_r * ((P_s - 20) / (P_s - P_r))^{0.54}$$

Calculations of the Fire Flow Capacity using the four fire flow data collection field tests performed by the City of Dallas

Flow Test #1 performed on 9/11/2019 at 8:45 am

On September 11, 2019 at 8:45 am, the City of Dallas performed a water flow pressure test at the request of the property owner, Savannah Developers, for the development at 6022/6028 Lewis Street.

Referring to data sheet as Exhibit 6, the data collected by the DWU field technicians for the test on 9-11-2019 is as follows:

1. static pressure - **75 psi** (measured at 6025 Lewis)
2. residual pressure - **65 psi**. (measured at 6025 Lewis)
3. The pitot pressure - **45 psi** and **50 psi** respectively for the two - 2.5" nozzles (measured at 5943 Lewis)
4. The fire hydrant nozzles were both measured as **2.5"** in diameter.

Residual Flow Calculation

$$Q_r = 29.83 \times 0.90 \times 2.5^2 \times \sqrt{45} = 1126 \text{ psi (first nozzle at 45 psi pitot pressure)}$$

$$Q_r = 29.83 \times 0.90 \times 2.5^2 \times \sqrt{50} = 1186 \text{ psi (second nozzle at 50 psi pitot pressure)}$$

The total residual flow $Q_r = 1125 + 1186 = \underline{\mathbf{2312 \text{ psi}}}$.

The residual flow is the calculated quantity of water flow from the system when the pressure in the system dropped from the 75 psi to 65 psi.

IMPORTANT: FIRE FLOW CAN BE CALCULATED ONLY AFTER RESIDUAL FLOW IS CALCULATED

Fire flow Capacity calculation – $Q_f = 2312 \times ((75 - 20) / (75 - 65))^{0.54} = 5805 \text{ gpm}$

The Fire Flow Capacity calculation #1 for the development at 6022/6028 Lewis Street is 5805 gpm.

Flow Test #2 performed on 1/10/2020 at 10:45 am

On January 10, 2020 at 10:45 am, the City of Dallas performed a water flow pressure test at the request of the property owner, Savannah Developers, for the development at 6022/6028 Lewis Street.

Referring to data sheet as Exhibit 7, the data collected by the DWU field technicians for the test on 1/10/20 is as follows:

1. Static Pressure – **84 psi** (measured at 6025 Lewis Street)
2. Residual Pressure – **80 psi** (measured at 6025 Lewis Street)
3. Pitot Pressure – **20 psi & 20 psi** for the two - 2.5" nozzles (at 5943 Lewis Street)

4. The fire hydrant nozzles were both measured as **2.5"** in diameter.

$$\text{Residual flow (1}^{\text{st}} \text{ nozzle)} - Q_r = 29.83 * 0.9 * 2.5^2 * \sqrt{20} = 750 \text{ gpm}$$

$$\text{Residual flow (2}^{\text{nd}} \text{ nozzle)} - Q_r = 29.83 * 0.9 * 2.5^2 * \sqrt{20} = 750 \text{ gpm}$$

$$\text{Total Residual flow} - 750 + 750 = \mathbf{1500 \text{ gpm}}$$

$$\mathbf{\underline{\text{Fire flow Capacity calculation} - Q_f = 1500 * ((84-20)/(84-80))^{0.54} = 6707 \text{ gpm}}}$$

The Fire Flow Capacity calculation #2 for the development at 6022/6028 Lewis Street is 6,707gpm.

Flow Test #3 performed on 1/23/2020 at 2:00 pm

On January 23, 2020 at 2:00 pm, the City of Dallas performed a water flow pressure test at the request of the property owner, Savannah Developers, for the development at 6022/6028 Lewis Street.

Referring to data sheet Exhibit 8, the data collected by the DWU field technicians for the test on 1/23/20 is as follows:

1. Static Pressure – **85 psi** (measured at 6025 Lewis Street)
2. Residual Pressure – **80 psi** (measured at 6025 Lewis Street)
3. Pitot Pressure – **26 psi** (measured at 5901 Lewis Street) and **25 psi** (measured at 5943 Lewis Street)
4. The fire hydrant nozzles were both measured as **2.5"** in diameter.

$$\text{Residual flow (1}^{\text{st}} \text{ nozzle)} - Q_r = 29.83 * 0.9 * 2.5^2 * \sqrt{26} = 856 \text{ gpm}$$

Residual flow (2nd nozzle) – $Q_r = 29.83 * 0.9 * 2.5^2 * \sqrt{25} = 839 \text{ gpm}$

Total Residual flow – $856 + 839 = 1695 \text{ gpm}$

Fire flow Capacity calculation – $Q_f = 1695 * ((85-20)/(85-80))^{0.54} = 6770 \text{ gpm}$

The Fire Flow Capacity calculation #3 for the development at 6022/6028 Lewis Street is 6,707gpm.

Flow Test #4 performed on 1/10/2020 at 10:00 am (MID-BLOCK TEST)

On January 10, 2020 at 10:00 am, the City of Dallas performed a water flow pressure test at the request of the property owner, Savannah Developers, for the development at 6022/6028 Lewis Street.

Referring to data sheet as Exhibit 9, the data collected by the DWU field technicians for the test on 1/10/20 is as follows:

1. Static Pressure – **76 psi** (measured at 5943 Lewis Street)
2. Residual Pressure – **60 psi** (measured at 5943 Lewis Street)
3. Pitot Pressure – **44 psi** and **48 psi** respectively for the two - 2.5" nozzles (measured at 6025 Lewis Street)
4. The fire hydrant nozzles were both measured as **2.5"** in diameter.

Residual flow (1st nozzle) – $Q_r = 29.83 * 0.9 * 2.5^2 * \sqrt{44} = 1113 \text{ gpm}$

Residual flow (2nd nozzle) – $Q_r = 29.83 * 0.9 * 2.5^2 * \sqrt{48} = 1163 \text{ gpm}$

Total Residual flow – $1113 + 1163 = 2276 \text{ gpm}$

Fire flow capacity calculation – $Q_f = 2276 * ((76-20)/(76-60))^{0.54} = 4476 \text{ gpm}$

The Fire Flow Capacity calculation #4 for the mid-block of Lewis Street at 5943 Lewis Street is 4,476 gpm.

EXHIBIT 1

The formula for calculating the residual flow:

Equation #1 $Q_r = 29.83 \times C_d \times D^2 \times \sqrt{P_p}$

- Q_r = Residual flow at the pitot pressure, gpm
- C_d = Friction loss coefficient (typically 0.9 for a smooth 2.5" opening)
- D = Diameter of the opening, inches
- P_p = Pitot Pressure, psi

The formula for calculating the fire flow:

Equation #2 $Q_r = Q_f \times \frac{(P_s - 20)^{0.54}}{(P_s - P_r)^{0.54}}$

- Q_f = Fire Flow, gpm at 20 psi
- Q_r = Residual Flow at the pitot pressure, gpm
- P_s = Static Pressure, psi
- P_r = Residual Pressure, psi

Test Date:	Time	Static/ Pressure Reading Location	Static Pressure Reading (psi)	Residual Pressure Reading (psi)	Flow Reading Location (1)	Pitot Pressure Reading (1) (psi)	Opening Size (1) (in)	Residual Flow (1) Calculated equation #1 (gpm)	Flow Reading Location (2)	Pitot Pressure Reading (2) (psi)	Opening Size (2) (in)	Residual Flow (2) Calculated equation #1 (gpm)	Total Residual Flow (gpm)	Fire Flow, gpm at 20 psi calculated by equation #2 (gpm)
9/11/2019	8:45 AM	6025 Lewis	75	65	5954 Lewis	45	2.5	1126	5954 Lewis	50	2.5	1186	2312	5805
1/10/2020	10:45 AM	6025 Lewis	84	80	5943 Lewis	20	2.5	750	5943 Lewis	20	2.5	750	1501	6707
1/23/2020	2:00 PM	6025 Lewis	85	80	5901 Lewis	26	2.5	856	5943 Lewis	25	2.5	839	1695	6770
1/10/2020	10:00 AM	5943 Lewis	76	60	6025 Lewis	44	2.5	1113	6025 Lewis	48	2.5	1163	2276	4476

2.4 WATER MAIN SIZING

2.4.1 Water Pipeline Network

DWU water pipeline network system can be summarized as follows:

Table 2.4.1: DWU Water Main Classification

Type	Typical Size Range (in)	Direct Service Connection
Distribution Main	16" and Smaller	Permitted
Transmission Main	Larger than 16"	Not Permitted

2.4.2 Water Demand

DWU water system must be able to supply water at rates which fluctuate over a wide range during different times of year and hours of the day. Per capita usage can vary greatly depending on the area's zoning and the efforts made by the owners for water conservation. Typically, a customer with a yard will use more water than a customer without a yard. The rates most important to the design and operation of a water system are as follows:

2.4.2.1 Average Daily Flow (ADF):

Average daily demand can be defined as the total annual volume of water delivered to the water distribution system divided by the number of days in the year. This rate is not a critical demand rate for distribution system planning, but it should be considered in raw water supply planning to determine annual withdrawals and required sustainable yields from water supply sources.

The DWU per capita water use varies from year to year, primarily because of varying weather conditions and the amount and distribution of rainfall. Based on DWU Water Master Plan dated 2007, total per capita treated water use in Dallas since 1980 to 2005 has ranged from 211 gallons per capita per day (gpcd) to 259 gpcd, with an average use of 235 gpcd.

2.4.2.2 Peak Hourly Flow (PHF):

Peak hourly flow is the highest hourly rate of water use during the peak day demand period. Even though it occurs for a short time period, this rate often imposes the most severe hydraulic condition on the distribution system. Peak hourly demands are typically supplied by a combination of high service pumpage from treatment and storage facilities and by gravity flow from elevated storage facilities. Pursuant to 30 TAC §290.38(53), in the absence of verified historical data, peak hourly demand means 1.25 times the peak daily demand.

Based on DWU Water Master Plan dated 2007, the ratio of peak hourly flow to peak daily flow (PHF/PDF) for the City of Dallas (1980 to 2005) has ranged from 1.20 to 1.42, with an average ratio of 1.32. The aggregate PHF/PDF ratio for the customer cities has ranged from 0.96 to 1.09, with an average ratio of 1.03.

2.4.2.3 Peak Daily Flow (PDF):

Peak daily demand can be defined as the maximum quantity of water used on any day of the year. Raw water transmission and water treatment facilities are typically sized to meet the peak daily demand. Distribution systems shall also be designed to satisfy the peak daily demand, without depleting water from ground or elevated storage facilities. Pursuant to 30 TAC §290.38(38), in the absence of verified historical data or in cases where a public water system has imposed mandatory water use restrictions within the past 36 months, peak daily demand means 2.4 times the average daily demand of the system.

Based on DWU Water Master Plan dated 2007, the ratio of peak daily flow to average daily flow (PDF/ADF) of City of Dallas (1980- 2005) has ranged from 1.40 to 1.84, with an average ratio of 1.62. The aggregate PDF/ADF ratio for the customer cities has ranged from 1.40 to 2.05, with an average ratio of 1.74.

2.4.2.4 Fire Flow (FF):

Fire flow can be defined as the amount of water that should be available for providing fire protection at selected locations throughout a community. 2006 International Fire Code (IFC) or Latest Edition as adopted by City of Dallas shall be applicable for estimating minimum required fire flow at any facility.

The minimum fire flows required for residential and commercial areas are 1,500 gpm and 1,750 gpm, respectively. Fire flows of up to 3,500 gpm are the maximum required by the Insurance Services Office (ISO) of a utility, and these flows can be supported by existing storage facilities. This rate can be reduced if items such as internal sprinkler systems are added to the facility.

2.4.3 Sizing Criteria

The water mains must be sized in accordance with any approved master plan established for that area. If a master plan is not available, the sizing of the water main must be based on engineering analysis of initial and future demand of the area to be served. Water transmission and distribution mains must be sized to meet peak daily water demand plus any additional criteria as needed. When site-specific data is unavailable, designer shall use the most conservative data while meeting or exceeding the following minimum criteria for sizing distribution mains:

- Fire Flow: A minimum of 1500 gpm at each fire hydrant in the vicinity. Buildings in specific areas may require higher flows as per Insurance Service Office (ISO) as enforced by Dallas Fire-Rescue Department.

EXHIBIT 3 PAGE 1

Existing Uses and Water Demand Calculations															
5900-6000 Bock Lewis Street															
Lot	Address	Street	Year Built	Building Type	Units	Kitchen Sink	Dishwasher	Washing Machine	Hose Bibs	Toilets	Bathtub	Shower Only	Lavatories	Fixture Units	COD Table (AWWA)
						2.2	2.0	6.0	5.0	4.0	8.0	2.5	1.5	Fixture Units	
1	5953/5955	Lewis St	1948	Duplex	2	2	2	2	4	2	2		2	67.4	21
2	5957/5959	Lewis St	NEW	Duplex	2	2	2	2	4	6	4		6	105.4	24
3	5961/5963	Lewis St	1940	Duplex	2	2	2	2	4	3	3		3	80.9	23
4	5965/5967	Lewis St	1940	Duplex	2	2	2	2	4	3	2		3	72.9	21
5	5969	Lewis St	1986	MF	8	8	8	8	2	8	8		8	199.6	30
6	6001/6003	Lewis St	1935	Duplex	2	2	2	2	4	2	2		2	67.4	21
7	6007	Lewis St		Vacant										0	
8	6009	Lewis St	1935	MF	4	4	4	4	2	4	4		4	104.8	24
9	6013/6015	Lewis St	1998	Duplex	2	2	2	2	4	4	2		4	78.4	23
10	6017/6019	Lewis St	1998	Duplex	2	2	2	2	4	4	2		4	78.4	23
11	6021/6023	Lewis St	1940	Duplex	2	2	2	2	4	2	2		2	67.4	21
12	6025/6027	Lewis St	1940	Duplex	2	2	2	2	4	3	3		3	80.9	23
1	5954	Lewis St		Vacant										0	
2	5956/5958	Lewis St	2011	Duplex	2	2	2	2	4	6	4		6	105.4	24
3	5962	Lewis St	1924	SFR	1	1	1	1	2	2	2		2	47.2	20
14	5966/5968	Lewis St	1930	Duplex	2	2	2	2	4	2	2		2	67.4	21
21	5970	Lewis St	1926	SFR	1	1	1	1	2	2	2		2	47.2	20
15	6002/6004	Lewis St	1931	Duplex	2	2	2	2	4	2	2		2	67.4	21
22	6006	Lewis St	1931	SFR	1	1	1	1	2	1	1		1	33.7	20
18	6010/6012	Lewis St	1930	Duplex	2	2	2	2	4	2	2		2	67.4	21
24	6014/6016	Lewis St	1930	Duplex	2	2	2	2	4	2	2		2	67.4	21
25	6018/6020	Lewis St	1930	Duplex	2	2	2	2	4	2	2		2	67.4	21
1	6022	Lewis St		Vacant	5	5	5	5	0	15	5	5	20	193.5	30
1	6028	Lewis St		Vacant	5	5	5	5	0	15	5	5	20	193.5	30
1	5903	Lewis St	1935	SFR	1	1	1	1	2	1	1		1	33.7	20
2	5905	Lewis St	1986	MF	8	8	8	8	8	8	8		8	229.6	30
3	5909/5911	Lewis St	1953	Duplex	2	2	2	2	4	2	2		2	67.4	21
4	5913/5915	Lewis St	2014	Duplex	2	2	2	2	4	8	6		8	132.4	25
5	5917/5919	Lewis St	1998	Duplex	2	2	2	2	4	6	4		6	105.4	24
6	5923/5625	Lewis St	1998	Duplex	2	2	2	2	4	6	4		6	105.4	24
13	5927/5929	Lewis St	1939	Duplex	2	2	2	2	4	2	2		2	67.4	21
14	5931/5933	Lewis St	1933	Duplex	2	2	2	2	4	3	3		3	80.9	23
15	5935/5937	Lewis St	2005	Duplex	2	2	2	2	4	6	4		6	105.4	24
16	5941/5943	Lewis St	1935	Duplex	2	2	2	2	4	2	2		2	67.4	21
4	5945	Lewis St	1940	SFR	1	1	1	1	2	3	3		3	60.7	21
3	5949/5951	Lewis St	1936	Duplex	2	2	2	2	4	2	2		2	67.4	21
1	5900	Lewis St	1935	MF	8	8	8	8	2	8	8		8	199.6	30
2A	5906/5908	Lewis St	1997	Duplex	2	2	2	2	4	6	4		6	105.4	24
3A	5914	Lewis St	2000	MF	4	4	4	4	4	12	8		12	190.8	30
5	5918	Lewis St	1935	SFR	1	1	1	1	2	2	2		2	47.2	20
6	5922	Lewis St	1937	Duplex	2	2	2	2	4	2	2		2	67.4	21
Tr 1/1.1	5924/5926	Lewis St	2006	Duplex	2	2	2	2	4	6	4		6	105.4	24
Tr 2/2.1	5928/5930	Lewis St	2006	Duplex	2	2	2	2	4	6	4		6	105.4	24
Tr 3/3.1	5932/5934	Lewis St	2006	Duplex	2	2	2	2	4	6	4		6	105.4	24
Tr 4/4.1	5936/5938	Lewis St	2007	Duplex	2	2	2	2	4	6	4		6	105.4	24
Tr 5	5942	Lewis St	1935	SFR	1	1	1	1	2	2	2		2	47.2	20
Tr 6	5946	Lewis St	1934	SFR	1	1	1	1	2	2	2		2	47.2	20
1	5948/5950	Lewis St	2003	Duplex	2	2	2	2	4	6	4		6	105.4	24
					112	Total Dwelling Units								Total	1063

Previous Redevelopment Properties

Active Redevelopment Properties

EXHIBIT 3 PAGE 2

TABLE 1: WATER DEMAND CALCULATION

6022/6028 Lewis Domestic Demand (Continuous)					
Fixture Type (Standardized at 60 psi)	Fixture value (gpm)		Number of Fixtures		Total Fixture Value (gpm)
Bathtub	8	x	5	=	
Bedpan Washers	10	x		=	
Bidet	2	x		=	
Dental Unit	2	x		=	
Drinking Fountain (public)	2	x		=	
Faucet (kitchen sink)	2.2	x	5	=	11
Faucet (lavatory)	1.5	x	20	=	30
Shower Head (shower only)	2.5	x	5	=	12.5
Faucet (utility sink)	4	x		=	
Urinal (flush valve)	35	x		=	
Urinal (wall or stall)	16	x		=	
Urinal Trough (2 ft. unit)	2	x		=	
Toilet Flush Valve	35	x		=	
Toilet Tank Type	4	x	15	=	60
Dishwasher	2	x	5	=	10
Clothes Washer	6	x	5	=	30
Hose (50 ft length wash down) 1/2" connection	5	x		=	
Hose (50 ft length wash down) 5/8" connection	9	x		=	
Hose (50 ft length wash down) 3/4" connection	12	x		=	
other		x		=	
Total Fixture Value				=	193.5
Water Flow Demand Per Fixture Value (Figures 1 & 2), gpm				=	30
Pressure Adjustment Factor (Table 3)				=	
Water Flow Demand x Pressure Factor, gpm				=	
Total Domestic Demand, gpm				=	

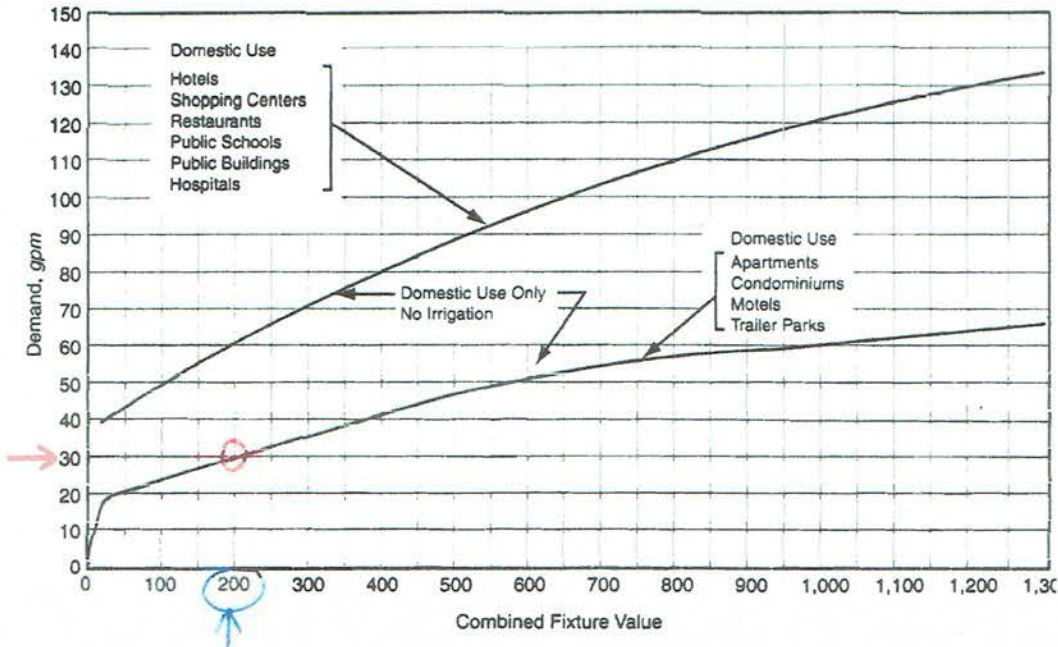


Figure 1: Water Flow Demand per Fixture Value – Low Range
 Source: AWWA M22: Sizing Water Service Lines and Meters, Second Edition

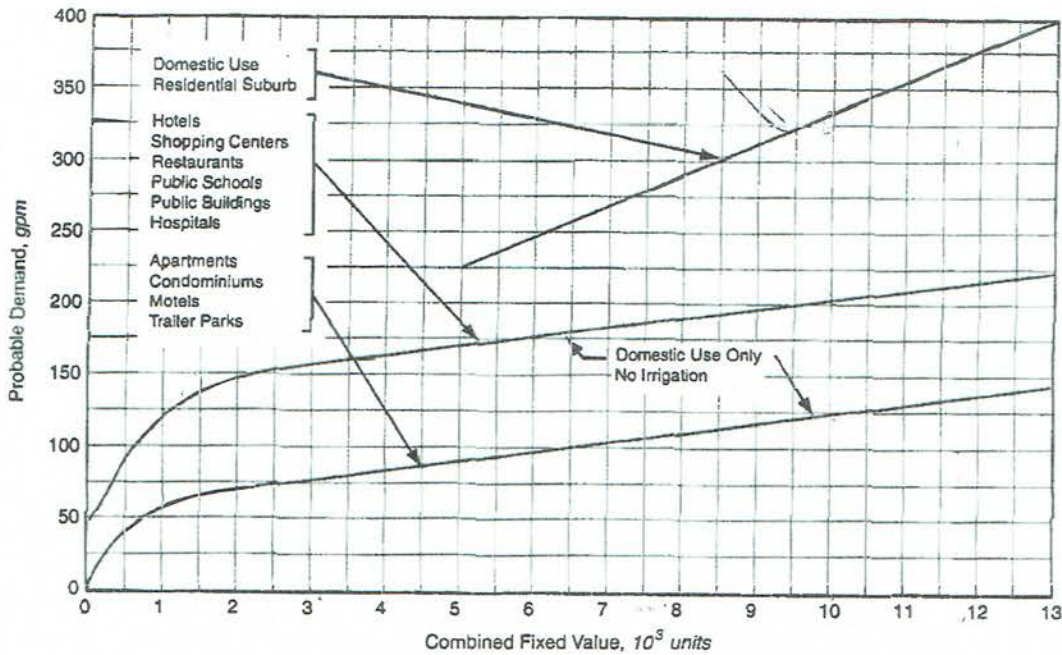


Figure 2: Water Flow Demand per Fixture Value – High Range
 Source: AWWA M22: Sizing Water Service Lines and Meters, Second Edition

EXHIBIT 4



Supply Analysis

Source Node	Static Pressure	Residual Pressure	Quantity Flowing	Pressure Available	Total System Flow	Total Pressure Required
Zero	79.00psi	76.00psi	2,180.0GPM	78.99psi	79.5GPM	63.43psi

Sprinkler Flow:	34.5GPM	Additional Flows:	45.0 GPM
Hose Flow at Zero:	None	Total System Flow:	79.5GPM

Maximum velocity in pipe 62-63 is 18.4 ft/sec

Nodes Analysis

Node	Elev ft	Device	KFactor	Minimum Flow GPM	Node Pressure psi	Actual Discharge GPM	Notes
404	39.00	Sprinkler	3.00	8.00	7.11	8.00	CALC #4 ATTIC 4 HEAD 12X12
403	39.00	Sprinkler	3.00	8.00	7.49	8.21	CALC #4 ATTIC 4 HEAD 12X12
402	39.00	Sprinkler	3.00	8.00	7.71	8.33	CALC #4 ATTIC 4 HEAD 12X12
401	39.00	Sprinkler	3.00	8.00	10.96	9.93	CALC #4 ATTIC 4 HEAD 12X12
2	0.00	Hose Flow			55.41	45.0	

3.3.4 Color Code

- Typical Color to be used for all fire hydrants are as follows

Table 3.3.4: Fire Hydrant Color Code

Main Size (in)	Fire Hydrant Color
4	Red
6	Silver
8	Blue
10+	Yellow

Note: All new water main serving a fire hydrant must be 8" or larger

3.3.5 Fire Flow Test

Upon request by the designer, fire flow test may be performed by the Distribution Division in order to evaluate the fire flow capacity to a specific site.

- The following items shall be addressed when performing a fire flow test:
 - A pressure hydrant and flow hydrants need to be chosen as shown in **Figure 3.3.5**.
 - The pressure hydrant should be closer to a feed main than the flow hydrant.
 - The number of flow hydrants should be determined.
- The following data need to be recorded during a fire flow test:
 - Static Pressure: This refers to the pressure reading before water flows. It is taken from the pressure hydrant just prior to time of the fire flow test.
 - Residual Pressure: This refers to the pressure reading while water is flowing. It is taken from the pressure hydrant while the flow hydrants are flowing full. This pressure is taken to determine the fire flow for sufficient fire coverage.
 - Pitot Pressure: This reading is taken by a pitot gauge from the flow hydrants. The pitot gauge should be inserted into the center of the flowing outlet at approximately half of the diameter away from the nozzle.

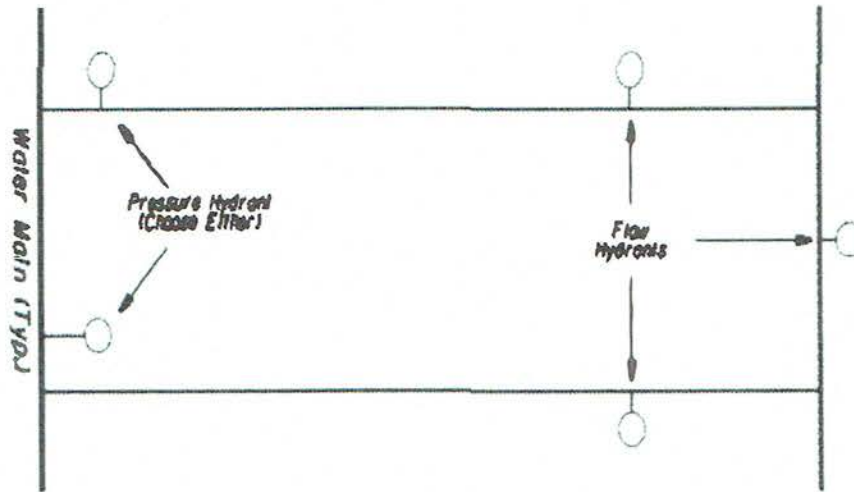


Figure 3.3.5: A Typical Configuration of Fire Hydrants for Fire Flow Test

- Using the readings recorded during the fire flow test the following equations can be used to determine the fire flow:

$$Q_r = 29.83 c_d D^2 \sqrt{P_p}$$

$$Q_f = Q_r \left(\frac{P_s - 20}{P_s - P_r} \right)^{0.54}$$

Where:

Q_r = Residual flow at the pitot pressure, gpm

c_d = Friction loss coefficient (typically 0.9 for a smooth 2 1/2" opening)

D = Diameter of the opening, in

P_p = Pitot pressure, psi

Q_f = Fire flow, gpm at 20 psi

P_s = Static pressure, psi

P_r = Residual pressure, psi

3.3.6 Reference Schematic

- DWU Standard Drawing No. 224.

Development Services Department

FAX TRANSMITTAL MEMO

320 East Jefferson Room 200, Dallas, Texas 75203

DATE: 9/12/2019 TIME: 8:26 AM

PAGES SENT (INCLUDING COVER SHEET):

TO: NAME: Johnny Sudbury, P.E.

COMPANY: JBS Solutions, LLC

FAX NO:

VOICE: 214-914-6492

Email is jsudbury.jbs@gmail.com

From The Desk of Henry M. Renteria

Telephone Number NO.: 214-948-4536 - FAX NO.: 214-948-4211

email henry.renteria@dallascityhall.com FAX NO.: 214-948-4599

COMMENTS: 6000 Lewis Street for Johnny Sudbury, Project # 4363, Attached is the Water Flow/Pressure test you requested for:

Lewis St	6000	3005
Street Name	Street No.	FIRE FLOW TEST
Date: 9/11/2019	Time: 8:45:00 AM	
STATIC PRESSURE <u>75</u> lbs	RESIDUAL PRESSURE <u>65</u> lbs	
<u>6025 Lewis St</u> Location of Static Hydrant	<u>5943 Lewis St</u> Location of Flowing Hydrant	
Notes on Static Hydrant	Notes on Flowing Hydrant	
Plot pressure is <u>45/50</u> lbs. flowing from <u>2</u> • <u>2.5"</u> nozzle(s)	Gallons per Minute <u>2256</u>	
Main Size <u>6", 8"</u>	Water Map <u>33-26</u>	MAPSCO <u>36X</u>
Foreman <u>Jimmy Hollie</u>	Remarks	
SEARCH	Show All Tests	

Development Services Department

FAX TRANSMITTAL MEMO

320 East Jefferson Room 200, Dallas, Texas 75203

DATE: 1/13/2020 TIME: 4:30 PM
 PAGES SENT (INCLUDING COVER SHEET):

TO: NAME: Johnny Sudbury, P.E.
 COMPANY: JBS Solutions, LLC
 FAX NO: VOICE: 214-914-6492
 Email is jbs.solutions@tx.rr.com

From The Desk of Henry M. Renteria

Telephone Number NO.: 214-948-4536 - FAX NO.: 214-948-4211
 email henry.renteria@dallascityhall.com FAX NO.: 214-948-4599

COMMENTS: 6028 Lewis Street for Johnny Sudbury, Project # 4528,
 Attached is the Water Flow/Pressure test you requested for:

Lewis St		6028	3138
Street Name		Street No.	FIRE FLOW TEST
Date: 1/10/2020	Time: 10:45:00 AM		
STATIC PRESSURE <u>84</u> lbs. Location of Static Hydrant: <u>6026 Lewis St</u> Notes on Static Hydrant:	RESIDUAL PRESSURE <u>80</u> lbs. Location of Flowing Hydrant: <u>5943 Lewis St</u> Notes on Flowing Hydrant:		
Pilot pressure is <u>20/20</u> lbs. flowing from <u>2 - 2.5"</u> nozzle(s)		Gallons per Minute <u>1504</u>	
Main Size: <u>6", 8"</u>	Water Map: <u>32-28</u>	MAPSCO: <u>36X</u>	
Foreman: <u>Willie Rowlett</u>	Remarks:		
SEARCH	Show All Tests		

Development Services Department

FAX TRANSMITTAL MEMO

320 East Jefferson Room 200, Dallas, Texas 75203

DATE: 1/23/2020 TIME: 3:34 PM

PAGES SENT (INCLUDING COVER SHEET):

TO: NAME: Johnny Sudbury, P.E.
 COMPANY: JBS Solutions, LLC
 FAX NO: VOICE: 214-914-6492
 Email is jbs.solutions@tx.rr.com

From The Desk of Henry M. Renteria

Telephone Number NO.: 214-948-4536 - FAX NO.: 214-948-4211
 email henry.renteria@dallascityhall.com FAX NO.: 214-948-4599

COMMENTS: 6028 Lewis Street for Johnny Sudbury, Project # 4528,
 Attached is the Water Flow/Pressure test you requested for:

3147

Lewis St 6028 **FIRE FLOW TEST**
 Street Name Street No.

Date: 1/23/2020 Time: 2 00 00 PM

STATIC PRESSURE 85 lbs. RESIDUAL PRESSURE 80 lbs.
 6025 Lewis St 5901/5943 Lewis St
 Location of Static Hydrant Location of Flowing Hydrant

Notes on Static Hydrant Notes on Flowing Hydrant

Pilot pressure is 26/25 lbs. Flowing from 2 - 2.5" nozzle(s). Gallons per Minute 1682

Main Size 6", 8" Water Map 32-28 MAPSCO 36X

Foreman Donnie Goodnight Remarks

SEARCH Show All Tests

Development Services Department

FAX TRANSMITTAL MEMO

320 East Jefferson Room 200, Dallas, Texas 75203

DATE: 1/13/2020 TIME: 4:36 PM
 PAGES SENT (INCLUDING COVER SHEET):

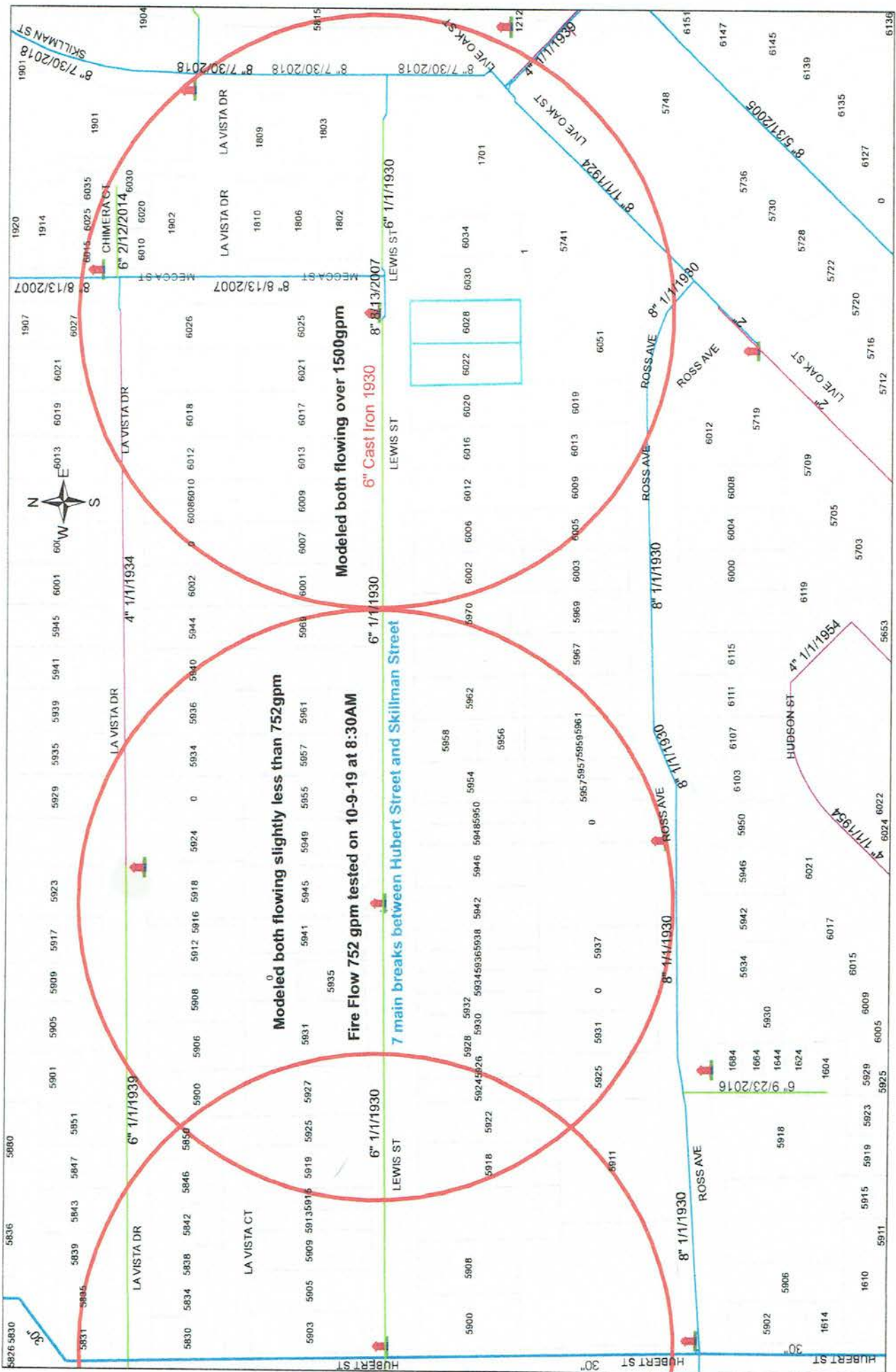
TO: NAME: Johnny Sudbury, P.E.
 COMPANY: JBS Solutions, LLC
 FAX NO: VOICE: 214-914-6492
 Email is jbs.solutions@tx.rr.com

From The Desk of Henry M. Renteria

Telephone Number NO.: 214-948-4536 - FAX NO.: 214-948-4211
 email henry.renteria@dallascityhall.com FAX NO.: 214-948-4599

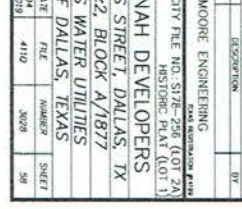
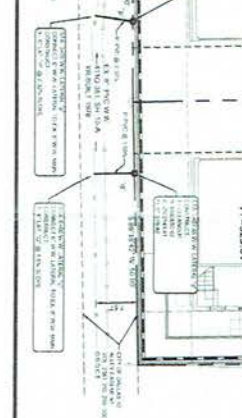
COMMENTS: 5954 Lewis Street for Johnny Sudbury, Project # 4529,
 Attached is the Water Flow/Pressure test you requested for:

Lewis St		5954	3137
Street Name		Street No.	FIRE FLOW TEST
Date: 1/10/2020	Time: 10 00 00 AM		
STATIC PRESSURE <u>76</u> lbs.	RESIDUAL PRESSURE <u>60</u> lbs.		
<u>5943 Lewis St</u> Location of Static Hydrant	<u>6025 Lewis St</u> Location of Flowing Hydrant		
Notes on Static Hydrant	Notes on Flowing Hydrant		
Pilot pressure is <u>44/48</u> lbs. flowing from <u>2 - 2.5"</u> nozzle(s).		Gallons per Minute <u>2231</u>	
Main Size <u>6", 8"</u>	Water Map <u>32-28</u>	MAPSCO <u>36X</u>	
Foreman <u>Willie Rowlett</u>	Remarks		
SEARCH	Show All Tests		



- GENERAL NOTES - COMMERCIAL DEVELOPMENT**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT).
 2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
 4. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES.
 5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 6. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 7. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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 18. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 19. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 20. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.

- NOTES ON ALL INFRASTRUCTURE PLANS**
1. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT).
 2. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 3. THE CONTRACTOR SHALL PROTECT ALL EXISTING UTILITIES AND STRUCTURES.
 4. THE CONTRACTOR SHALL MAINTAIN ADEQUATE DRAINAGE AND EROSION CONTROL MEASURES.
 5. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
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 18. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 19. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 20. THE CONTRACTOR SHALL MAINTAIN ADEQUATE ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.



STOP!
CALL BEFORE YOU DIG

800-4-A-DIG
800-426-4463

PROPOSED WWF/W FLOW

UNIT NO.	AREA (S.F.)	CONNECTION	FLOW TO
UNIT 01	529.85	INDIVIDUAL	STREET SEWER
UNIT 02	530.00	INDIVIDUAL	STREET SEWER
UNIT 03	529.85	INDIVIDUAL	STREET SEWER
UNIT 04	529.75	INDIVIDUAL	STREET SEWER
UNIT 05	529.81	INDIVIDUAL	STREET SEWER
UNIT 06	529.85	INDIVIDUAL	STREET SEWER
UNIT 07	530.00	INDIVIDUAL	STREET SEWER
UNIT 08	529.85	INDIVIDUAL	STREET SEWER
UNIT 09	529.75	INDIVIDUAL	STREET SEWER
UNIT 10	529.61	INDIVIDUAL	STREET SEWER

NOTICE

THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT).

UTILITY LOCATION NOTE

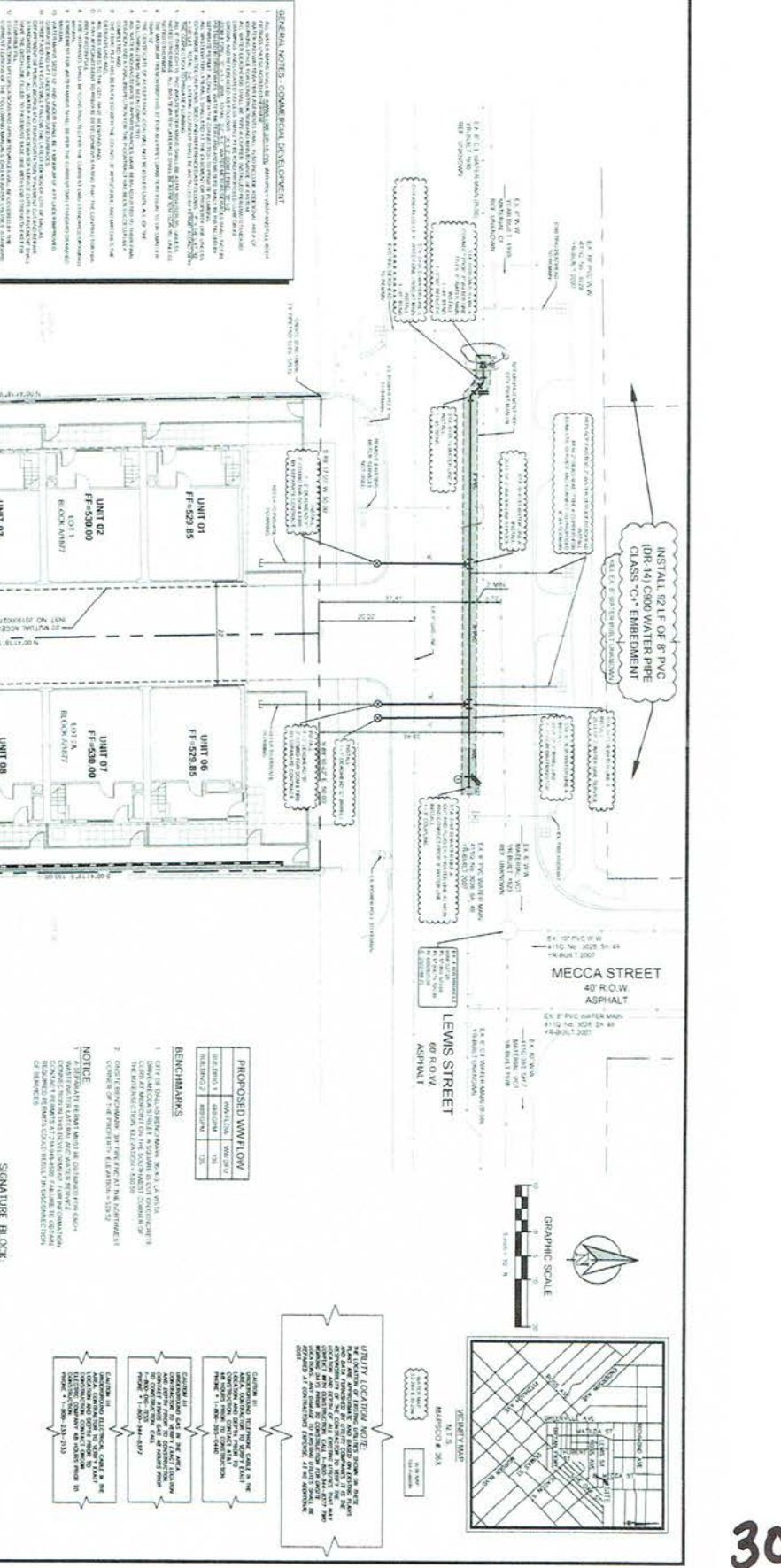
THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF DALLAS AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT).

CONTRACTOR: CLAYMOORE ENGINEERING

DESIGNER: MATT MOORE

DATE: 04/02/2019

SAVANNAH DEVELOPERS
6028 LEWIS STREET, DALLAS, TX
LOT 1&2, BLOCK A/1877
DALLAS WATER UTILITIES
CITY OF DALLAS, TEXAS



Development Services Department

FAX TRANSMITTAL MEMO

320 East Jefferson Room 200, Dallas, Texas 75203

DATE: 10/8/2019 TIME: 11:09 A.M

PAGES SENT (INCLUDING COVER SHEET):

TO: NAME: Matt Leach
COMPANY: Rescom Fire Systems
FAX NO: 214-350-1759 VOICE: 214-350-1175

Email is rescomfire@sbcglobal.net

From The Desk of Henry M. Renteria

Telephone Number NO.: 214-948-4536-FAX NO.: 214-948-4211

email henry.renteria@dallascityhall.com FAX NO.: 214-948-4599

COMMENTS: 6022 Lewis Street for Matt Leach, Project # 4408.
Attached is the Water Flow/Pressure test you requested for:

Lewis St	6022	3035	FIRE FLOW TEST
Street Name	Street No.		
Date: 10/7/2019	Time: 11:30:00 AM		
STATIC PRESSURE <u>79</u> lbs.	RESIDUAL PRESSURE <u>76</u> lbs.		
<u>6025 Lewis St</u> Location of Static Hydrant	<u>1990 Mecca St</u> Location of Flowing Hydrant		
Notes on Static Hydrant	Notes on Flowing Hydrant		
Pilot pressure is <u>42/44</u> lbs. flowing from <u>2 - 2.5"</u> nozzle(s).	Gallons per Minute <u>2180</u>		
Main Size <u>8"</u>	Water Map <u>32-29</u>	MAPSCO <u>36X</u>	
Foreman <u>Jimmy Hollie</u>	Remarks		
SEARCH	Show All Tests		

2.3 EVALUATION OF WATER MAINS FOR REPLACEMENT

Existing water mains shall be considered for replacement if they meet one or more of the following criteria as approved by DWU Distribution Division:

Table 2.3: Water Main Replacement Criteria

Criteria	DWU Measures
Structural Integrity	<p>Pipe Age: 40 years or older mains, but age shall not be the lone factor</p> <p>Water Break Index (WBI): Water mains with WBI>1. WBI as recorded by Distribution Division, can be defined as:</p> <p>WBI= (Total Breaks Over Pipe Age) / (Pipe Length/1000)*(Pipe Age) Where, Pipe Length in ft. and Pipe Age in yr.</p>
System Capacity	<p>Substandard Mains: Typically, smaller mains (< 8") which are inadequate to meet domestic and fire demand for existing and/or potential future development</p> <p>System Wide Growth: Water mains serving areas expected to gain in water usage</p>
Regulatory/Undesirable Material	<p>Undesirable Material or Appurtenances: Presence of the following material(s)</p> <ul style="list-style-type: none"> • Asbestos Cement (AC) pipe • Unlined grey iron pipe • Lead sealed joints • Lead or galvanized water services • 4-way cross fittings
Project Coordination	<p>Water Main Condition Check: Existing deteriorated water mains in the vicinity of a proposed wastewater main</p> <p>Minimize Pavement Cut: Existing water mains may be replaced if future maintenance of the main requires cutting of new pavement within next 10 years.</p> <p>Water Master Plan: Compliance to any specific recommendations as per current DWU water master plans</p>



Diego DeLeon
Construction Inspector II

Pipeline Management
2121 Main Street, Suite 500
Dallas, Texas 75201

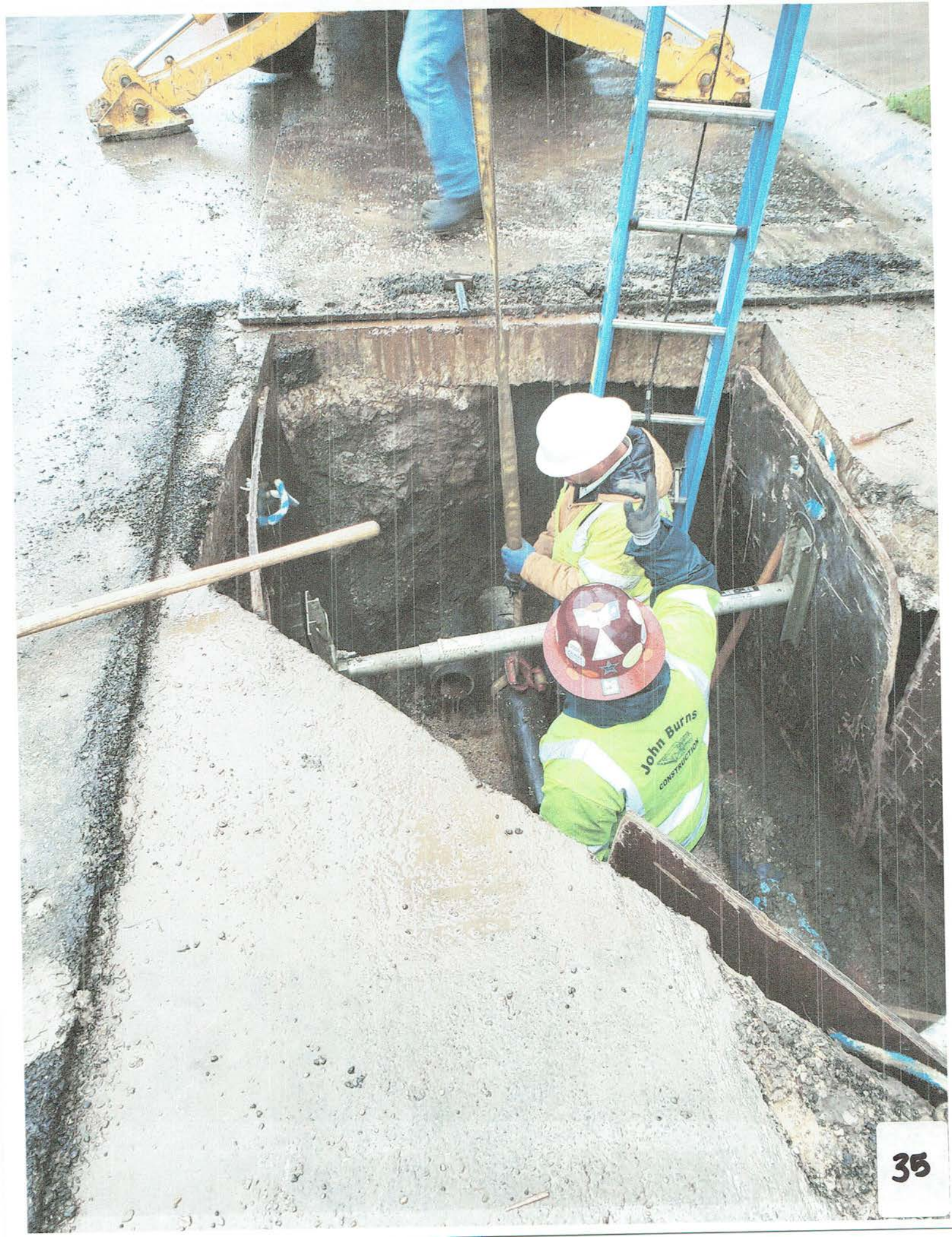
Telephone: (214) 621-9450
Fax: (214) 670-8018
diego.deleon@dallascityhall.com



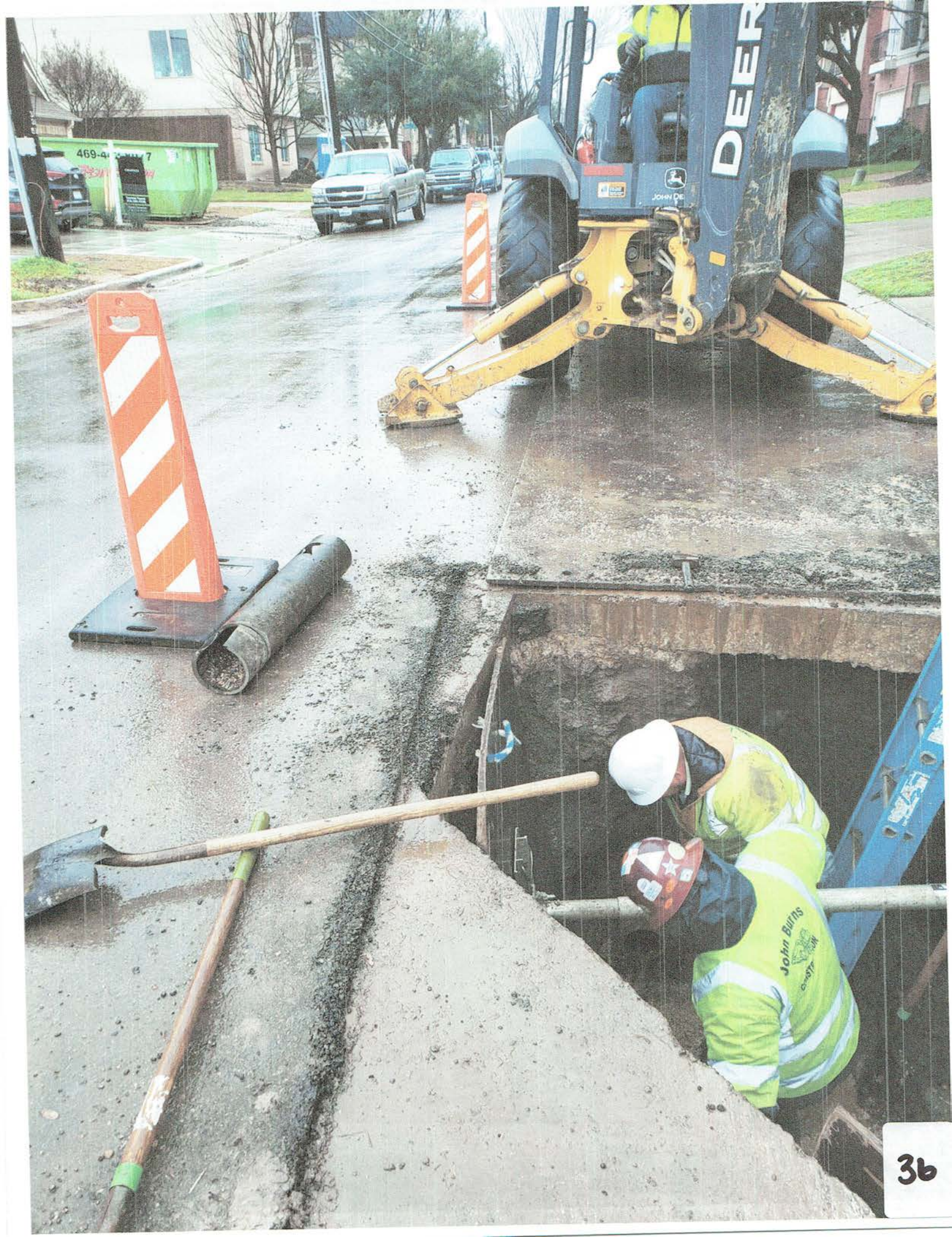
Hubert St 1800

Lewis

CITY OF DALLAS
2020-2021
Street Various L
For Inf



John Burns
CONSTRUCTION



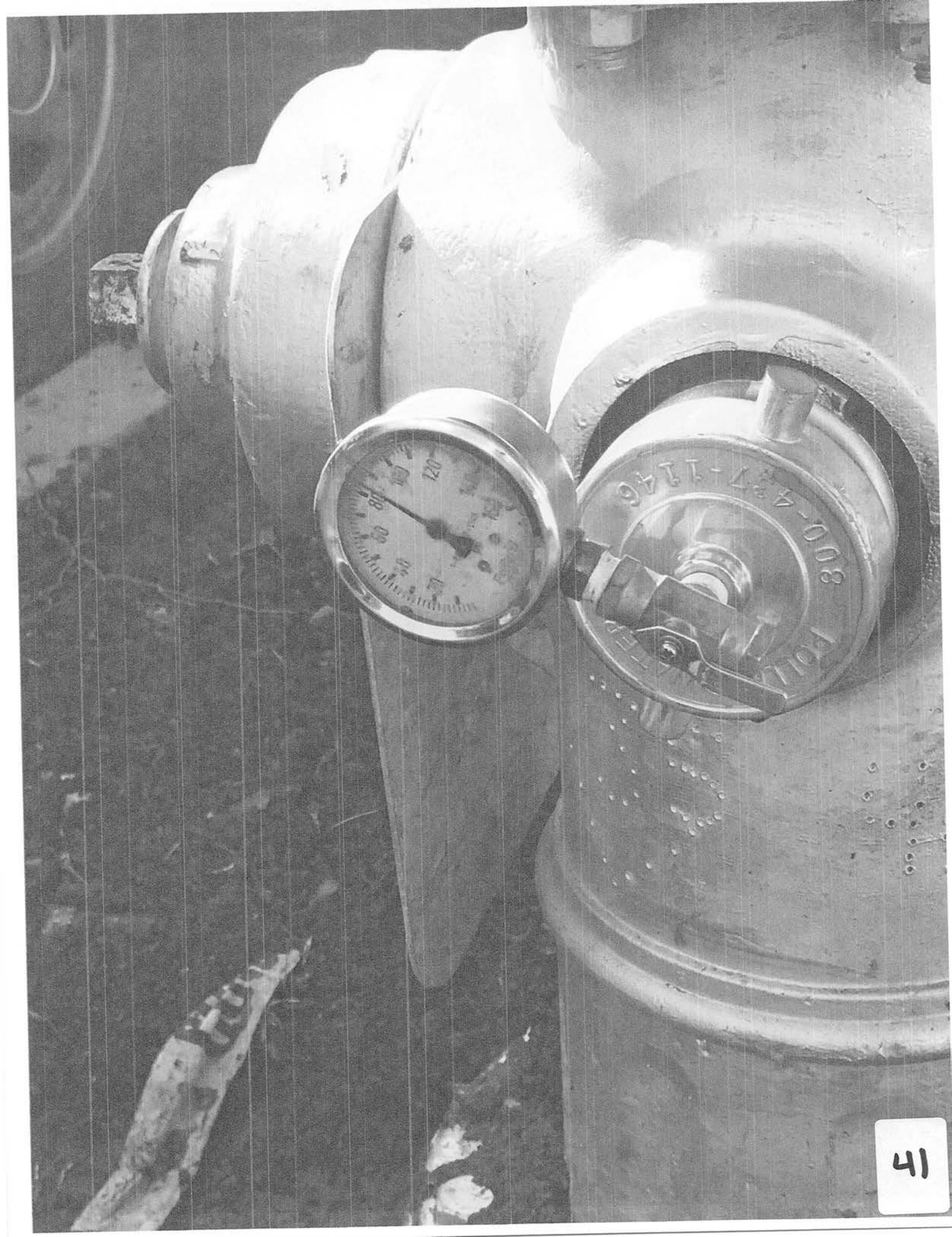




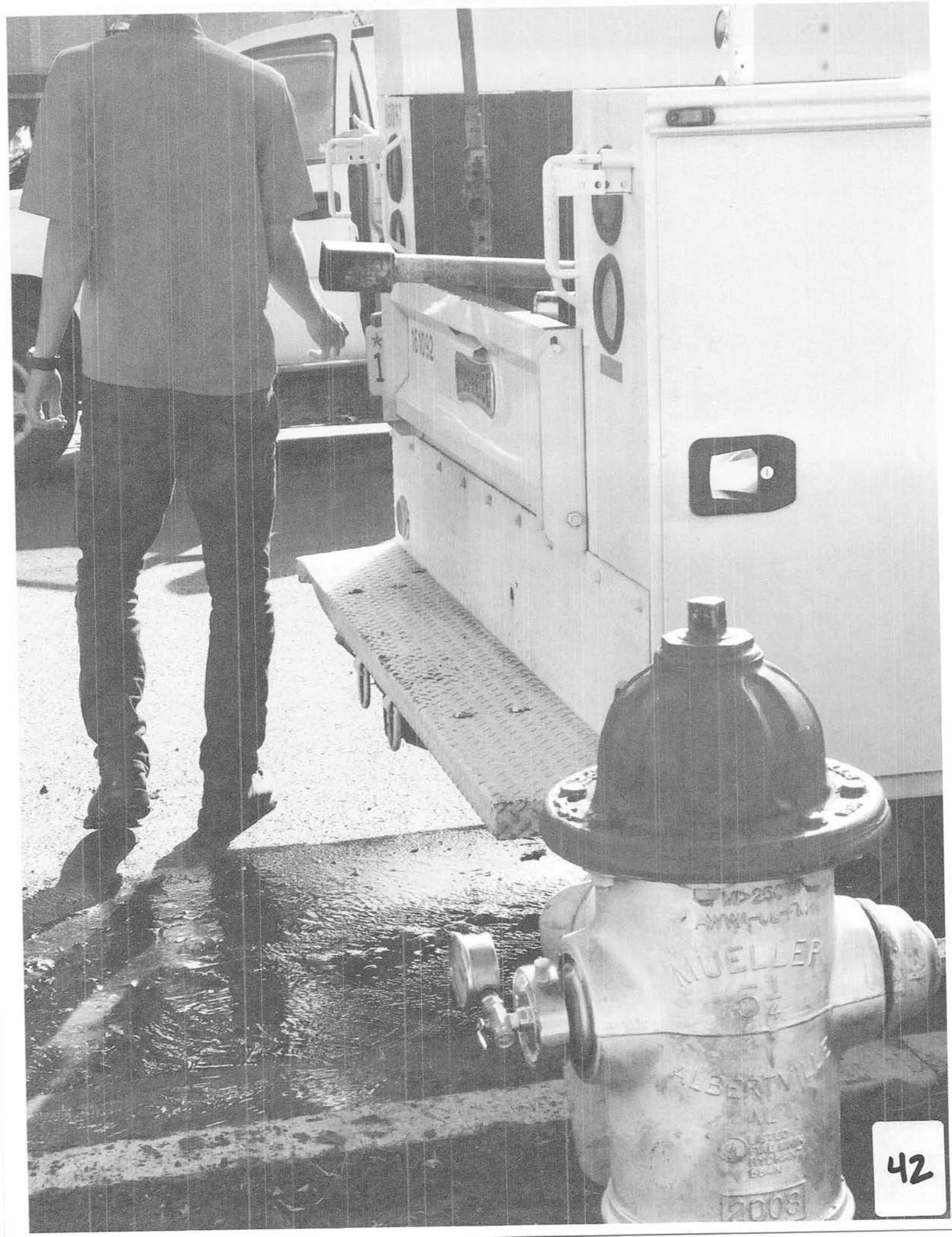


Service Size	Gallons Per Minute	
	Minimum Required	Maximum Available
2"	80	160
1 1/2"	50	100
1"	25	50
3/4"	15	27

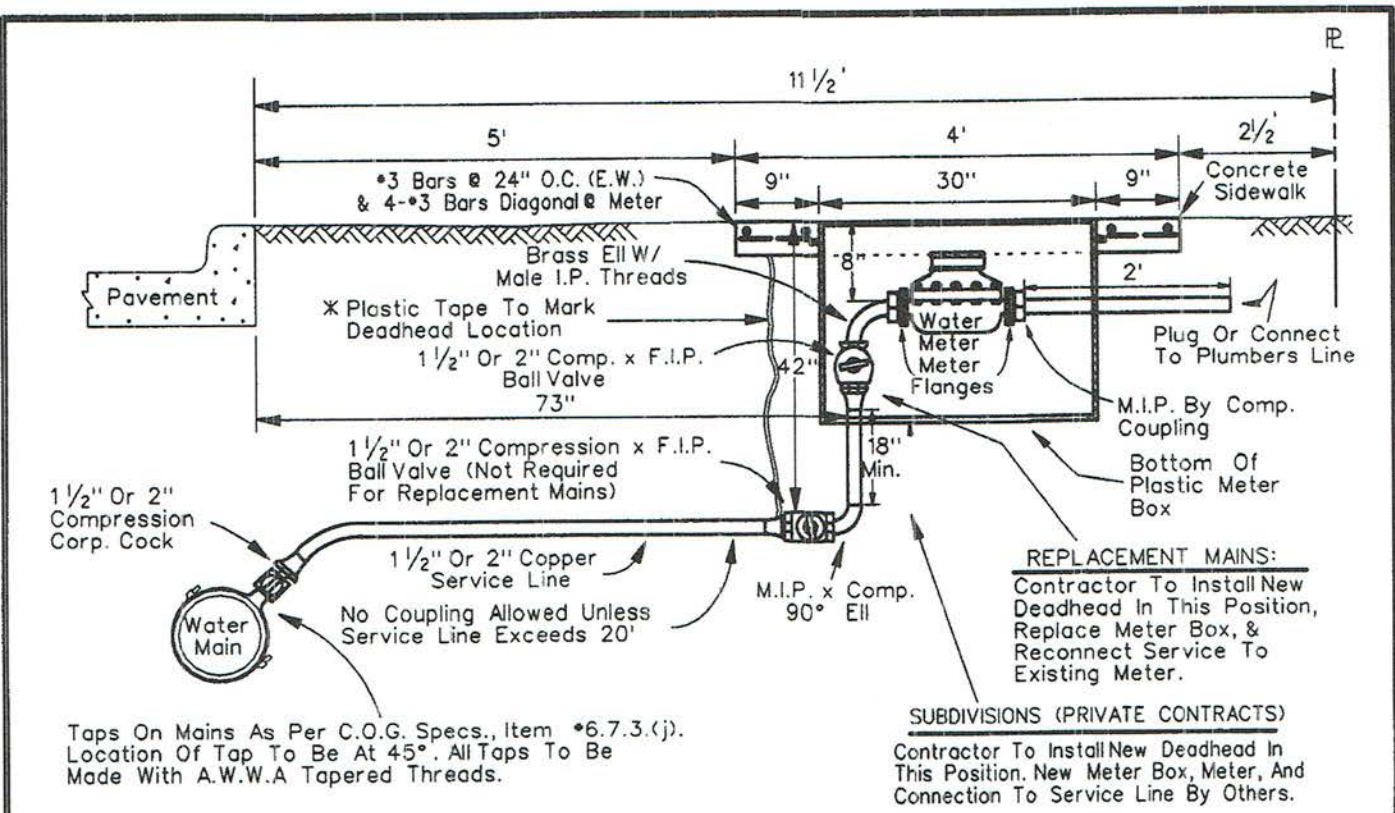
Pitot	1-2 1/2"			2-2 1/2"			4"		
	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	Minimum	Maximum	
1	378	752	863						
2	412	824	1059						
3	445	896	1139						
4	478	951	1218						
5	526	1089	1292						
6	532	1084	1362						
7	568	1116	1428						
8	583	1169	1492						
9	606	1250	1611						
10	629	1302	1668						
11	673	1346	1722						
12	693	1387	1775						
13	714	1427	1827						
14	731	1466	1877						
15	752	1504	1926						
16	773	1541	1973						
17	788	1578	2020						
18	807	1613	2068						
19	824	1648	2109						
20	841	1682	2163						
21	858	1715	2195						
22	874	1748	2237						
23	890	1780	2278						
24	906	1811	2319						
25	921	1842	2358						
26	936	1873	2397						
27	951	1903	2436						
28	966	1932	2473						
29	981	1961	2511						
30	995	1980	2547						
31	1009	2018	2583						
32	1023	2046	2619						
33	1037	2074	2654						
34	1050	2101	2689						
35	1064	2127	2723						
36	1077	2154	2757						
37	1090	2180	2790						
38	1103	2206	2823						
39	1116	2231	2856						
40	1128	2256	2888						
41	1141	2281	2920						
42	1153	2306	2952						
43	1165	2330	2983						
44	1177	2355	3014						
45	1189	2379	3045						
46	1201	2402	3075						
47	1212	2424	3105						
48	1224	2447	3135						
49	1236	2469	3165						
50	1247	2491	3195						
51	1258	2512	3225						
52	1270	2540	3255						
53	1281	2562	3285						
54	1292	2584	3315						
55	1303	2606	3345						
56	1314	2627	3375						
57	1324	2649	3405						
58	1335	2670	3435						
59	1346	2691	3465						
60	1356	2712	3495						
61	1366	2733	3525						
62	1377	2753	3554						
63	1387	2774	3584						
64	1397	2794	3614						
65	1407	2814	3644						
66	1417	2834	3674						
67	1427	2854	3704						
68	1437	2874	3734						
69	1447	2894	3764						
70	1457	2913	3794						
71	1466	2932	3824						
72	1476	2952	3854						
73	1485	2971	3883						
74	1495	2990	3913						
75	1504	3009	3943						
76	1514	3027	3973						
77	1523	3046	4003						
78	1532	3065	4033						
79	1541	3083	4063						
80	1551	3101	4093						
81	1560	3119	4123						
82	1569	3137	4153						
83	1578	3155	4183						
84	1587	3173	4213						
85	1596	3191	4243						
86	1604	3209	4273						
87	1613	3226	4303						
88	1622	3244	4333						
89	1631	3261	4363						
90	1639	3279	4393						
91	1648	3296	4423						



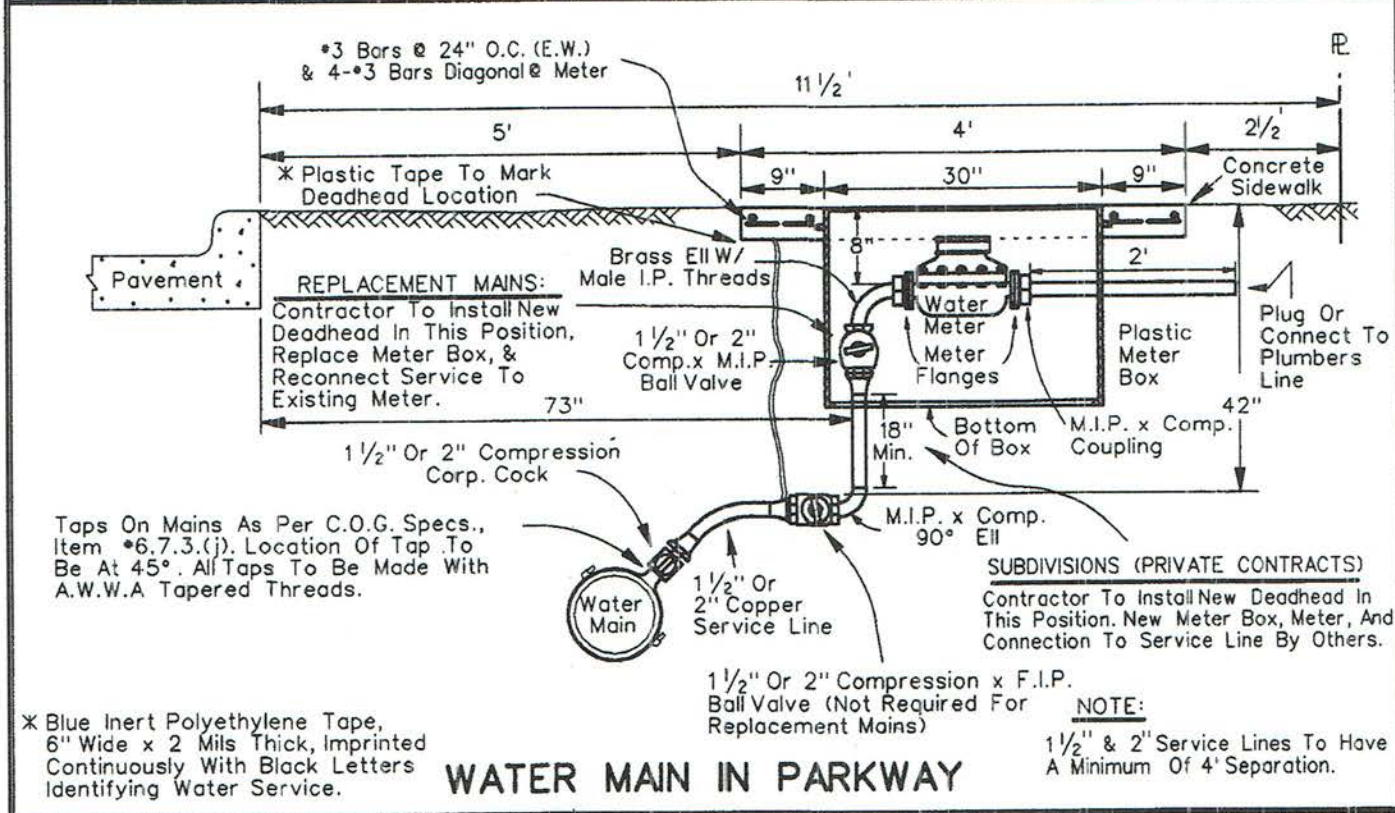
41



42



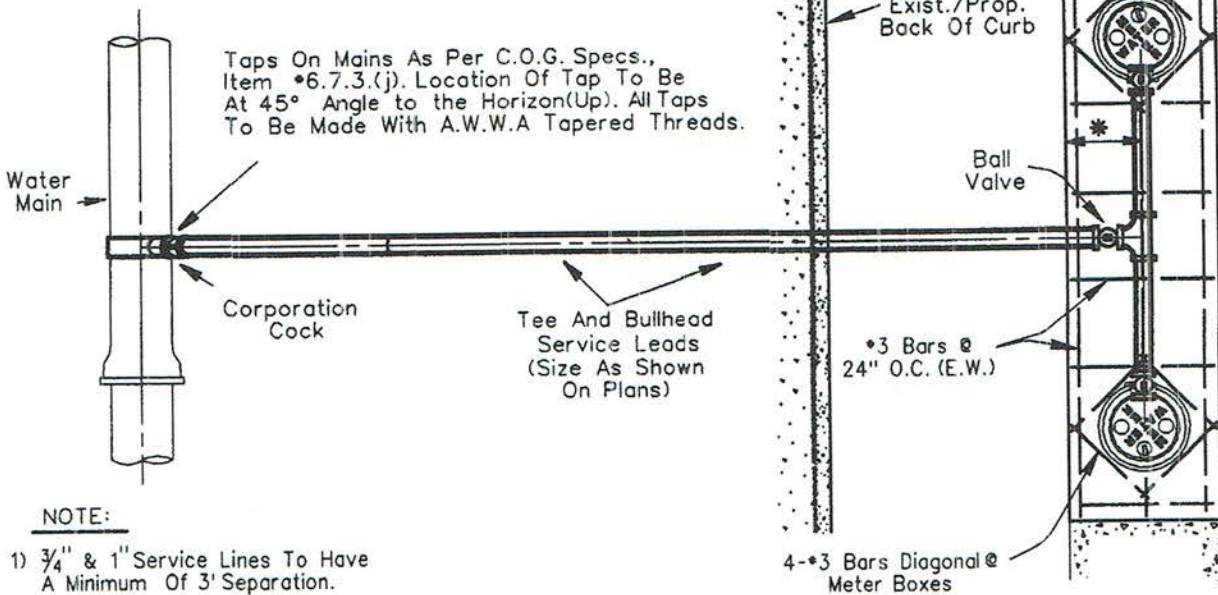
WATER MAIN IN STREET



WATER MAIN IN PARKWAY

1 1/2" OR 2" WATER SERVICE INSTALLATIONS (SIDEWALK 5' FROM CURB)	DWU	(PAGE No.) 206
	DATE JUNE 2002	

* CENTER BULLHEAD TEE WITH SERVICE LEADS IN EXIST./PROP. SIDEWALK



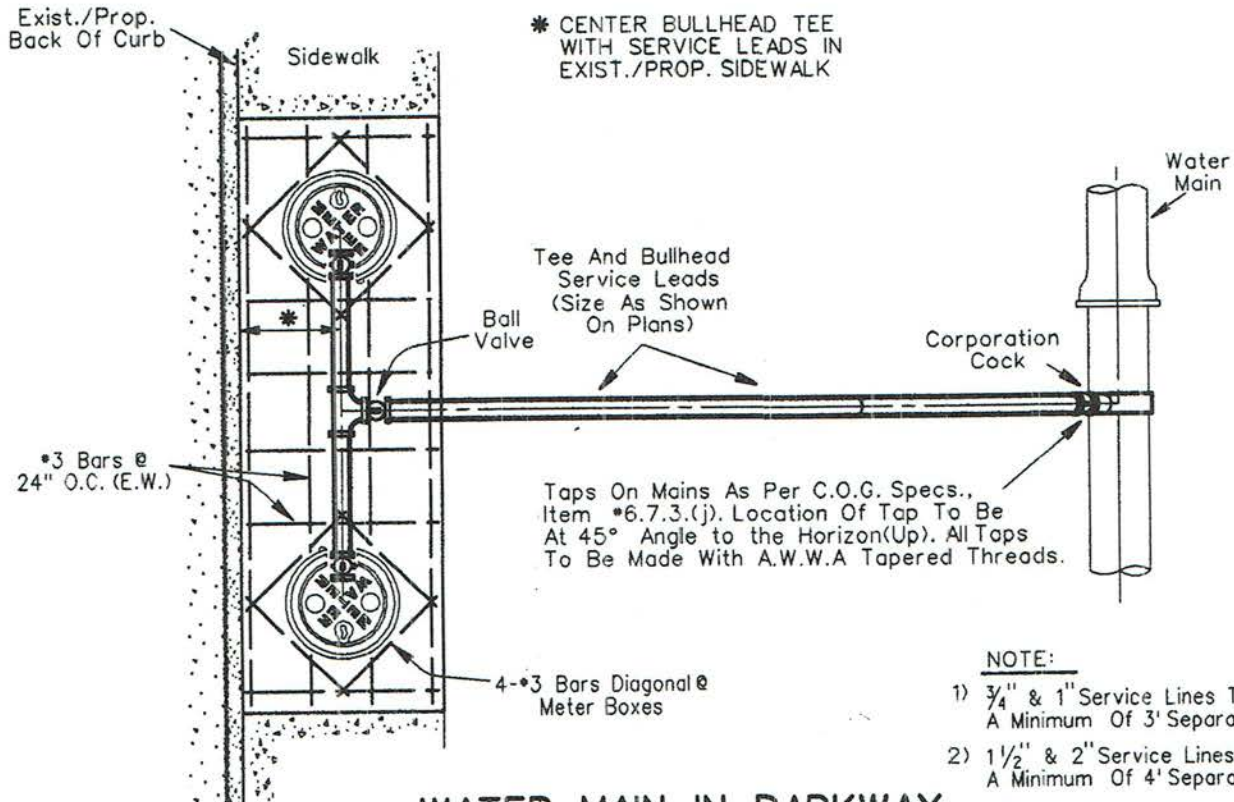
Taps On Mains As Per C.O.G. Specs., Item *6.7.3.(j). Location Of Tap To Be At 45° Angle to the Horizon(Up). All Taps To Be Made With A.W.W.A Tapered Threads.

NOTE:

- 1) 3/4" & 1" Service Lines To Have A Minimum Of 3' Separation.
- 2) 1 1/2" & 2" Service Lines To Have A Minimum Of 4' Separation.

WATER MAIN IN STREET

* CENTER BULLHEAD TEE WITH SERVICE LEADS IN EXIST./PROP. SIDEWALK



Taps On Mains As Per C.O.G. Specs., Item *6.7.3.(j). Location Of Tap To Be At 45° Angle to the Horizon(Up). All Taps To Be Made With A.W.W.A Tapered Threads.

NOTE:

- 1) 3/4" & 1" Service Lines To Have A Minimum Of 3' Separation.
- 2) 1 1/2" & 2" Service Lines To Have A Minimum Of 4' Separation.

C.O.G. Specs., Item 6.7.3.(o)

WATER MAIN IN PARKWAY

BULL HEAD SERVICES

DWU	(PAGE NO.) 206A
DATE JUNE 2002	

44

**AGENDA
CITY COUNCIL MEETING
WEDNESDAY, MAY 9, 2018
ORDER OF BUSINESS**

Agenda items for which individuals have registered to speak will be considered no earlier than the time indicated below:

9:00 a.m. **INVOCATION AND PLEDGE OF ALLEGIANCE**

OPEN MICROPHONE

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 30

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 31 - 32

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 33 - 42

NOTE: A revised order of business may be posted prior to the date of the council meeting if necessary.

Renewal of Water and Wastewater Mains
Agenda Item #29

District 2

Alley between Munger Avenue and Cabell Drive from Peak Street to Ashby Street

District 3

Adelaide Drive from Burnside Avenue to Kildare Avenue
Easement south of West Ledbetter Drive from Boulder Drive to east of South
Westmoreland Road

District 4

Alley between East Illinois Avenue and Dugald Place from East Kiest Boulevard to east
of Sutter Street
Alley between Sunnyvale Street and East Illinois Avenue from west of Sutter Street to
south of East Kiest Boulevard
South Ewing Avenue from East Louisiana Avenue south to alley north of East
Woodin Boulevard

District 7

Stephenson Street from Lawrence Street to Bexar Street

District 9

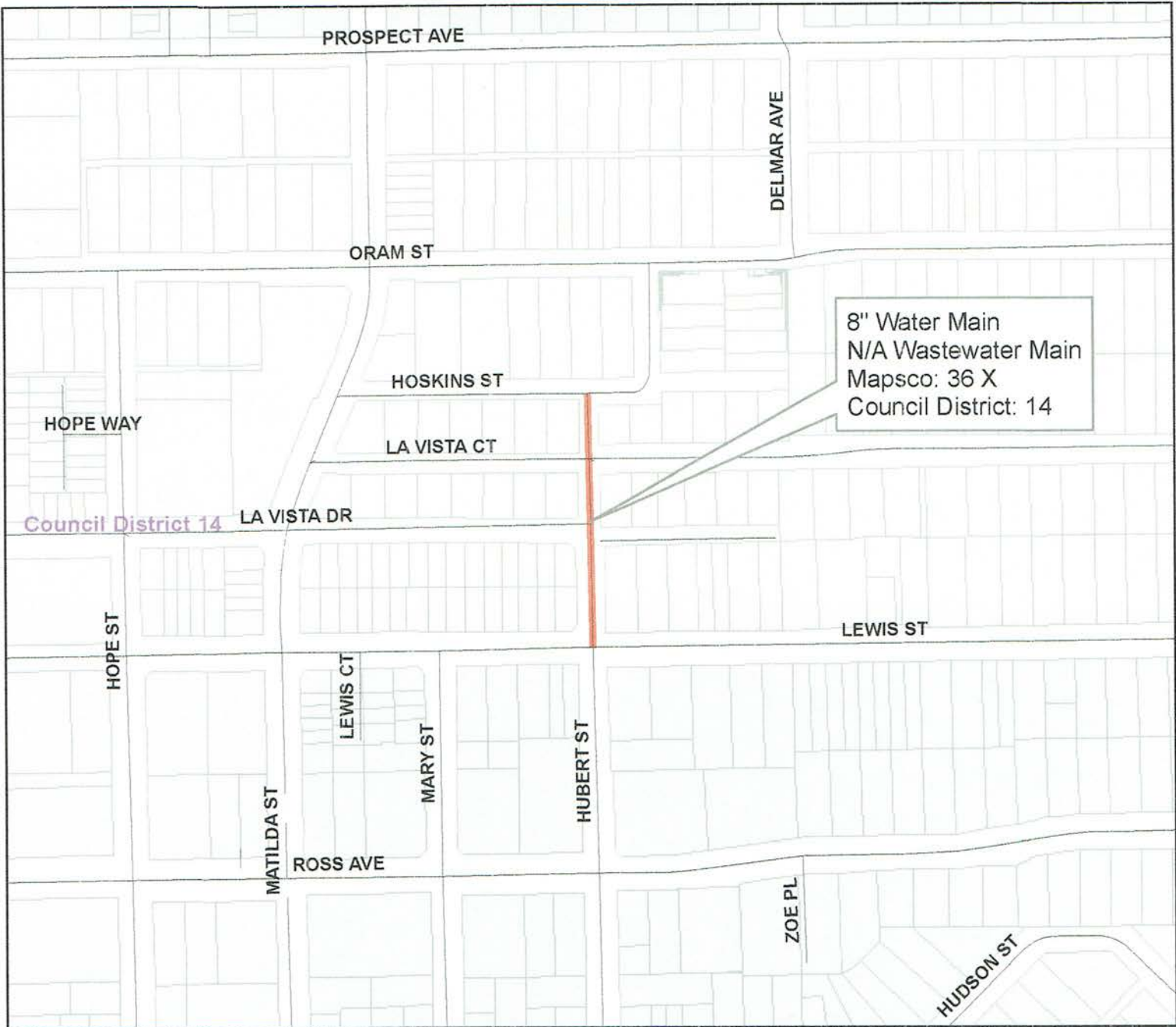
Highland Road from San Rafael Drive southeast
Waskom Street from Visalia Drive to Shiloh Road

District 13

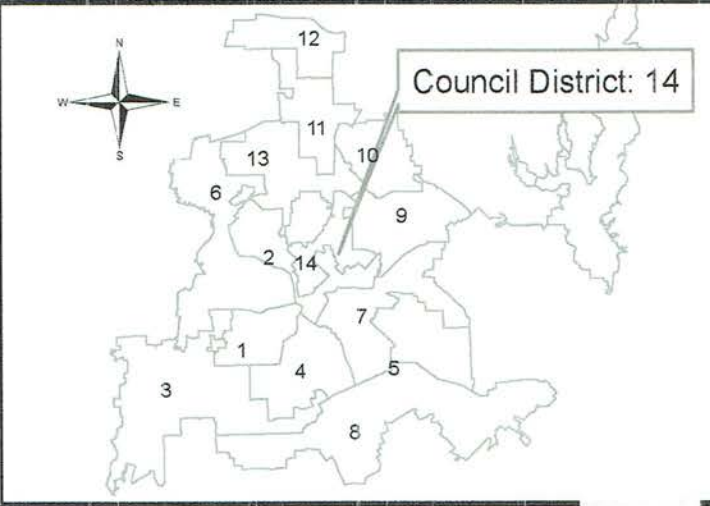
Chadbourne Road from Caruth Boulevard to Stanford Avenue

District 14

Hubert Street from Lewis Street to Hoskins Street



Hubert Street
from Lewis Street to Hoskins Street



Dallas Water Utilities
Contract No. 18-023/024
Water and Wastewater Main Installations
at 11 Locations

47

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: December 14, 2016
COUNCIL DISTRICT(S): 1, 2, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14
DEPARTMENT: Water Utilities
CMO: Ryan S. Evans, 671-9837
MAPSCO: Various

SUBJECT

Authorize engineering services contracts with four consulting firms to provide design services for the replacement and rehabilitation of water and wastewater mains at 109 locations (lists attached) - Huitt-Zollars, Inc., in the amount of \$1,218,823, APM & Associates, Inc., in the amount of \$1,454,527, Gresham Smith and Partners, in the amount of \$2,180,475, and Burgess & Niple, Inc., in the amount of \$2,754,802 - Total not to exceed \$7,608,627 - Financing: Water Utilities Capital Improvement Funds

BACKGROUND

This action consists of providing engineering services for the design and surveying of an estimated 210,156 total linear feet of water and wastewater mains, approximately 74,330 feet of 8-inch through 18-inch water mains and 135,826 feet of 8-inch through 96-inch wastewater mains. A total of four consulting firms will be utilized.

The mains targeted for design were built between 1905 and 1988. The water mains contribute to water quality issues, in addition to excessive maintenance and service interruptions. The wastewater mains contribute to excessive amounts of inflow and infiltration into the wastewater collection system, resulting in wastewater overflows and high maintenance costs. The future replacement of the proposed segments will improve the capacity of the water and wastewater systems and will reduce maintenance costs.

The estimated construction cost for the targeted mains is approximately \$106,470,058.

ESTIMATED SCHEDULE OF PROJECT

Begin Services	January 2017
Complete Services	January 2019

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation & Trinity River Project Committee on December 12, 2016.

FISCAL INFORMATION

\$7,608,626.75 - Water Utilities Capital Improvement Funds

<u>Council District</u>	<u>Amount</u>
1	\$ 47,277.02
2	\$ 935,622.57
5	\$ 488,864.28
6	\$1,363,770.27
7	\$ 845,540.60
8	\$ 236,934.49
9	\$ 929,359.79
10	\$ 707,135.44
11	\$1,165,424.22
12	\$ 101,426.40
13	\$ 316,783.04
14	\$ 470,488.63
Total	\$7,608,626.75

Huitt-Zollars, Inc. - Contract 16-351/352E

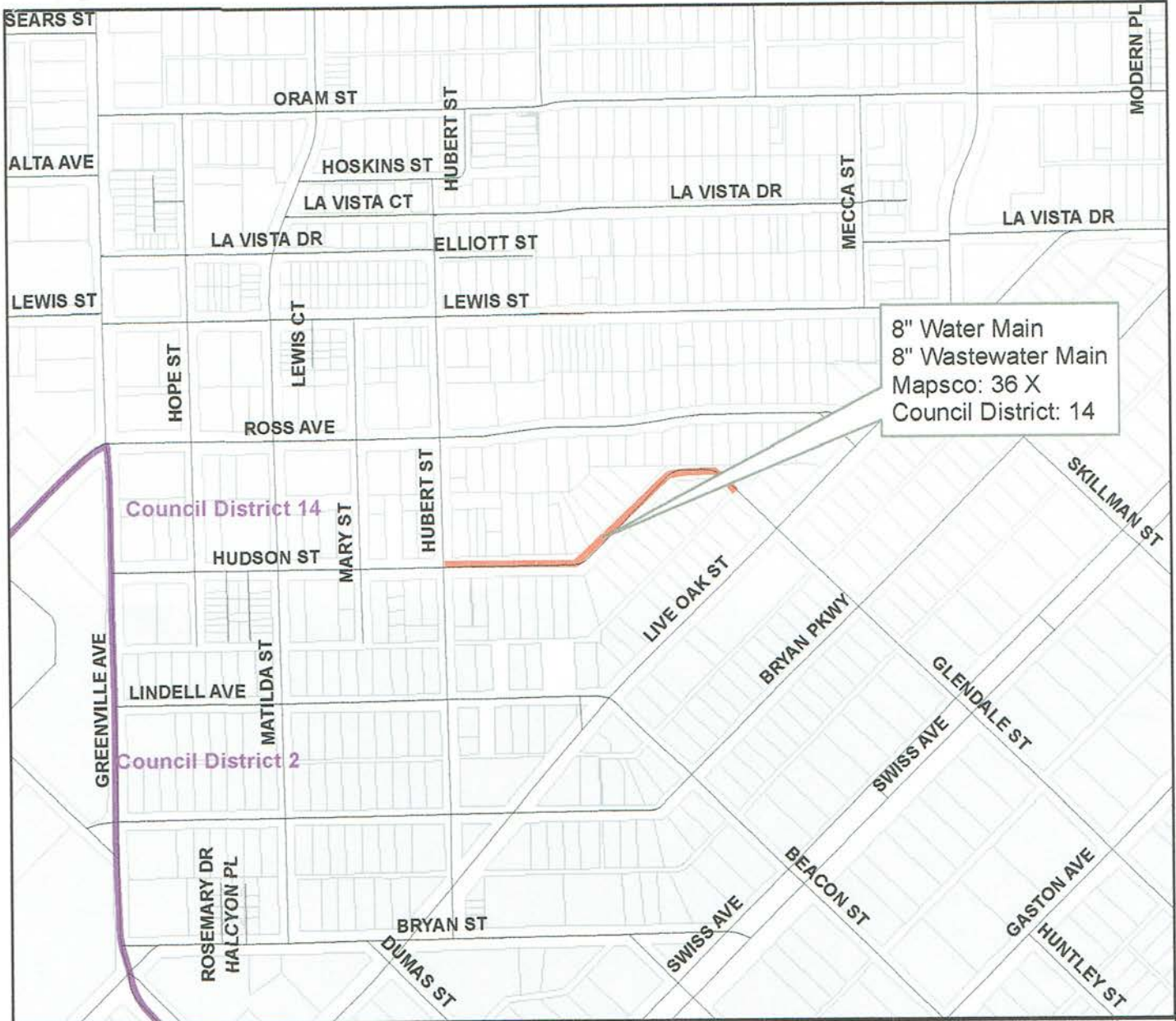
Design	\$ 1,218,823.00
Construction	<u>\$10,286,400.00 (est.)</u>
Total	\$11,505,223.00 (est.)

APM & Associates, Inc. - Contract 16-353/354E

Design	\$ 1,454,527.00
Construction	<u>\$14,500,000.00 (est.)</u>
Total	\$15,954,527.00 (est.)

Gresham Smith and Partners - Contract 16-357/358E

Design	\$ 2,180,474.50
Construction	<u>\$37,399,450.00 (est.)</u>
Total	\$39,579,924.50 (est.)



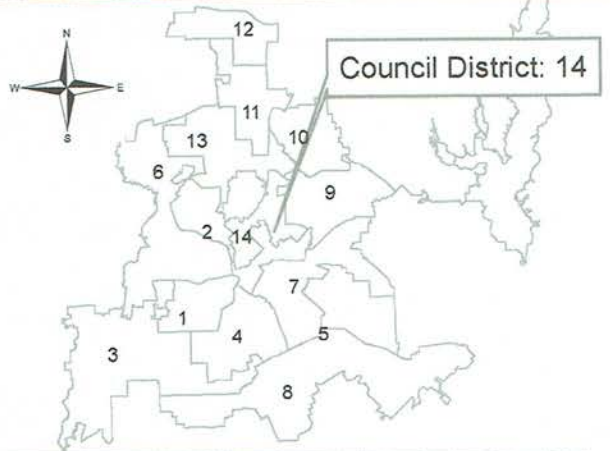
8" Water Main
 8" Wastewater Main
 Mapsco: 36 X
 Council District: 14

Council District 14

Council District 2

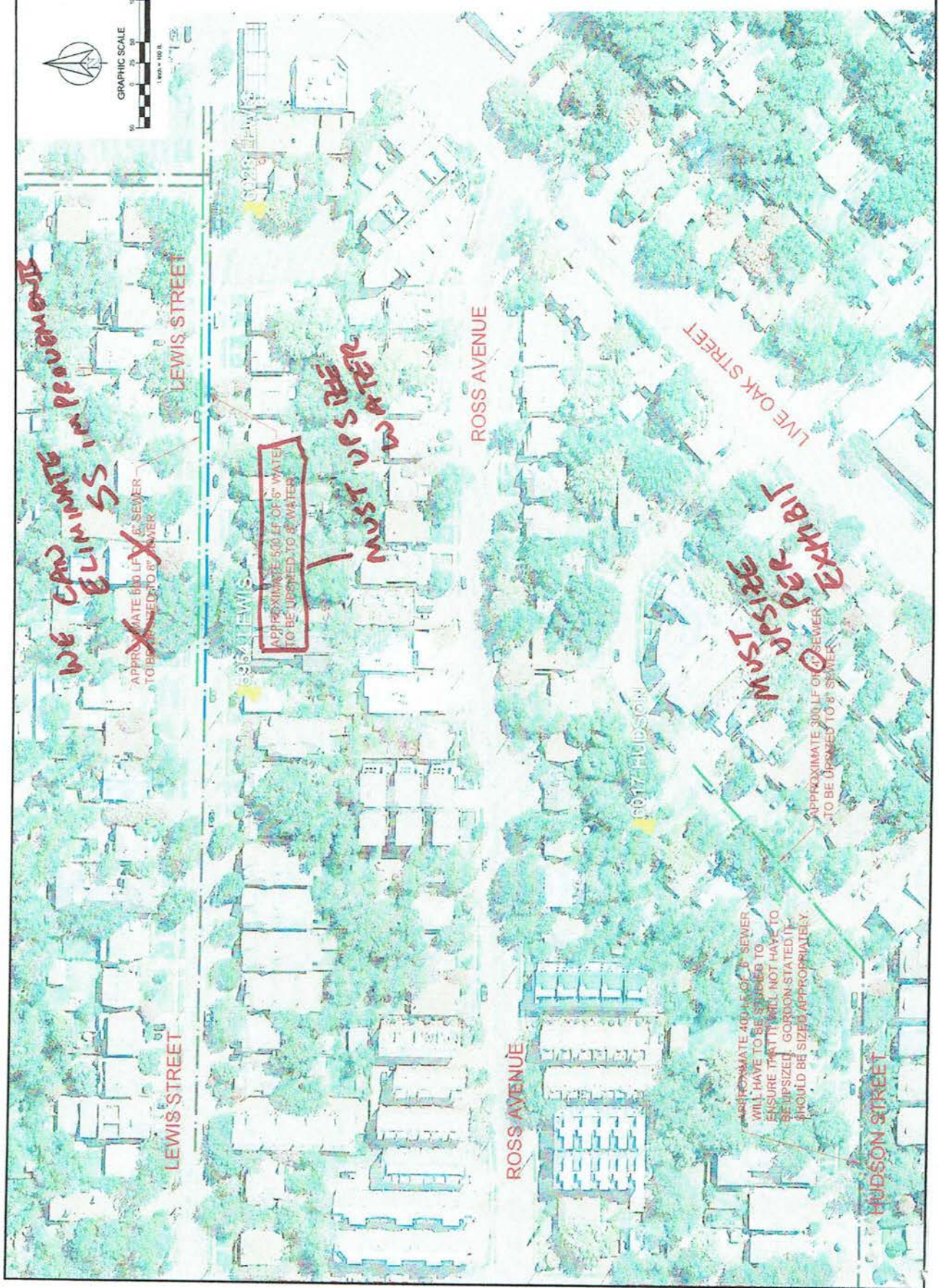
Hudson Street
 from Hubert Street east

*December 14, 2016
 City Council Agenda Item # 44*



**Dallas Water Utilities
 Contract No. 16-353/354E
 Water and Wastewater Main Renewals
 at 37 Locations**

50



WE CAN ELIMINATE SS IMPROVEMENTS

~~APPROXIMATE 600 LF OF 6" SEWER TO BE REPLACED TO 8" SEWER~~

APPROXIMATE 500 LF OF 6" WATER TO BE UPGRDED TO 8" WATER

MUST USE 8" WATER

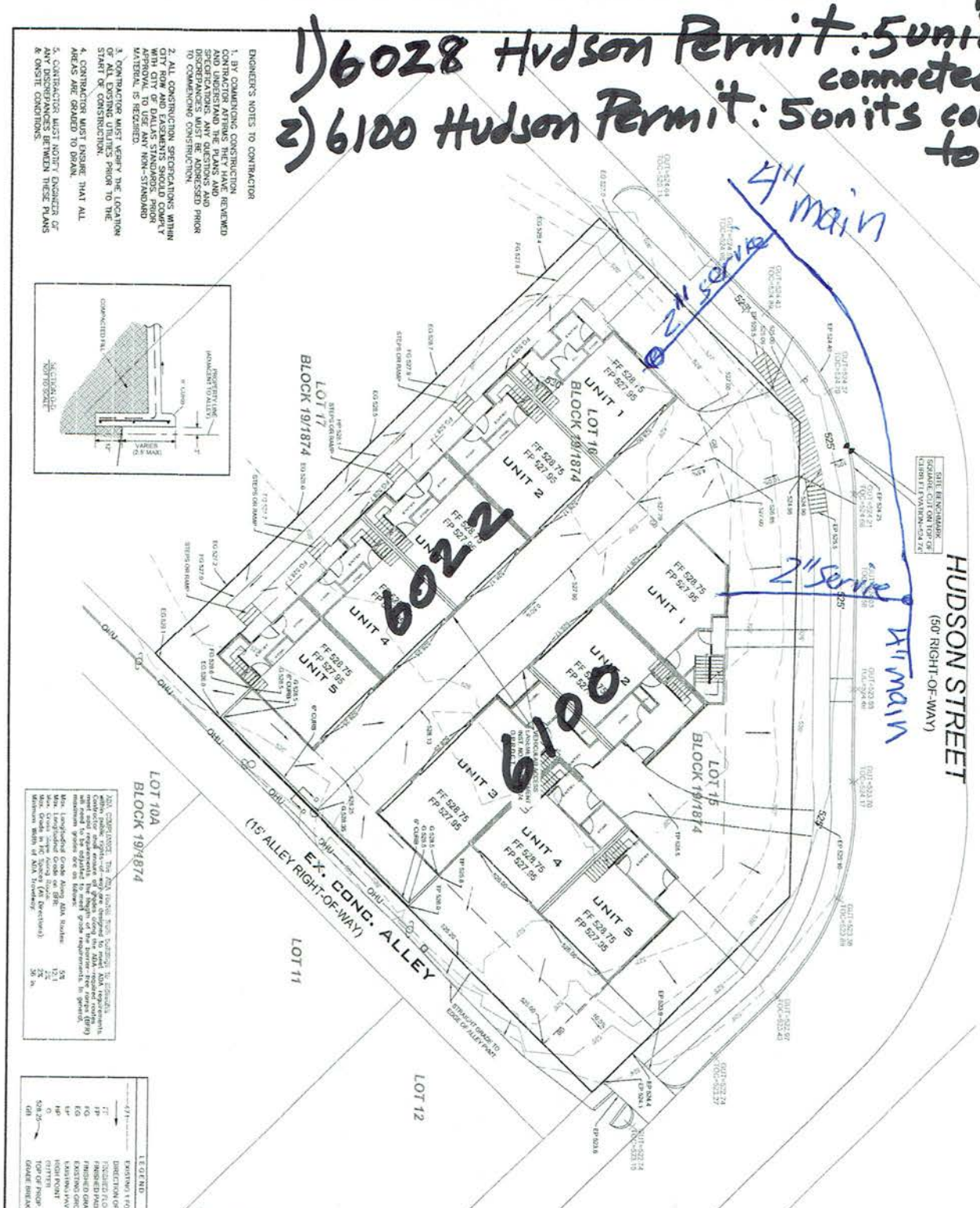
MUST USE 8" WATER PER EXHIBIT

APPROXIMATE 300 LF OF 6" SEWER TO BE UPGRDED TO 8" SEWER

APPROXIMATE 400 LF OF 8" SEWER WILL HAVE TO BE SIZED TO ENSURE THAT IT WILL NOT HAVE TO BE UP SIZED. GORRONS-STATED IT SHOULD BE SIZED APPROPRIATELY.

1) 6028 Hudson Permit: 5 units connected to 4" main
 2) 6100 Hudson Permit: 5 units connected to 4" main

- ENGINEER'S NOTES TO CONTRACTOR
1. BY COMMENCING CONSTRUCTION, CONTRACTORS SHALL BE DEEMED TO HAVE REVIEWED AND UNDERSTOOD ALL SPECIFICATIONS AND REQUIREMENTS. ANY QUESTIONS AND DISCREPANCIES MUST BE ADDRESSED PRIOR TO COMMENCING CONSTRUCTION.
 2. ALL CONSTRUCTION SPECIFICATIONS WITHIN THIS PERMIT SHALL COMPLY WITH CITY OF DALLAS STANDARD MATERIALS SPECIFICATIONS. APPROVAL IS REQUIRED.
 3. CONTRACTOR MUST VERIFY THE LOCATION OF ALL EXISTING UTILITIES PRIOR TO THE START OF CONSTRUCTION.
 4. CONTRACTOR MUST INSURE THAT ALL AREAS ARE GRADED TO DRAIN.
 5. CONTRACTOR MUST NOTIFY ENGINEER OF ANY DISCREPANCIES BETWEEN THESE PLANS & ON-SITE CONDITIONS.



LOT 10A
 BLOCK 19/1874

15' ALLEY EX. COND. ALLEY

LOT 11

LOT 12

LEGEND

—	EXISTING LIGHT CONDUIT
—	DIRECTION OF FLOW
—	FINISHED FLOOR
—	FINISHED GRADE
—	EXISTING (UNREMOVED)
—	HIGH POINT
—	EXISTING ROAD
—	GRADE BREAK



ENGINEER'S NOTES

1. All permits shall be performed in accordance with the Department of Engineering (DOE) and the City of Dallas Engineering Department (CED) standards.
2. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
3. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
4. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
5. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
6. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
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16. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
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19. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
20. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
21. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.
22. All work shall be done in accordance with the City of Dallas Engineering Department (CED) standards.



NO.	DATE	REVISION

BENCHMARKS

1) A square set of concrete with a steel pipe set on the southeast corner of the intersection between Spry Primary & Hudson Street.

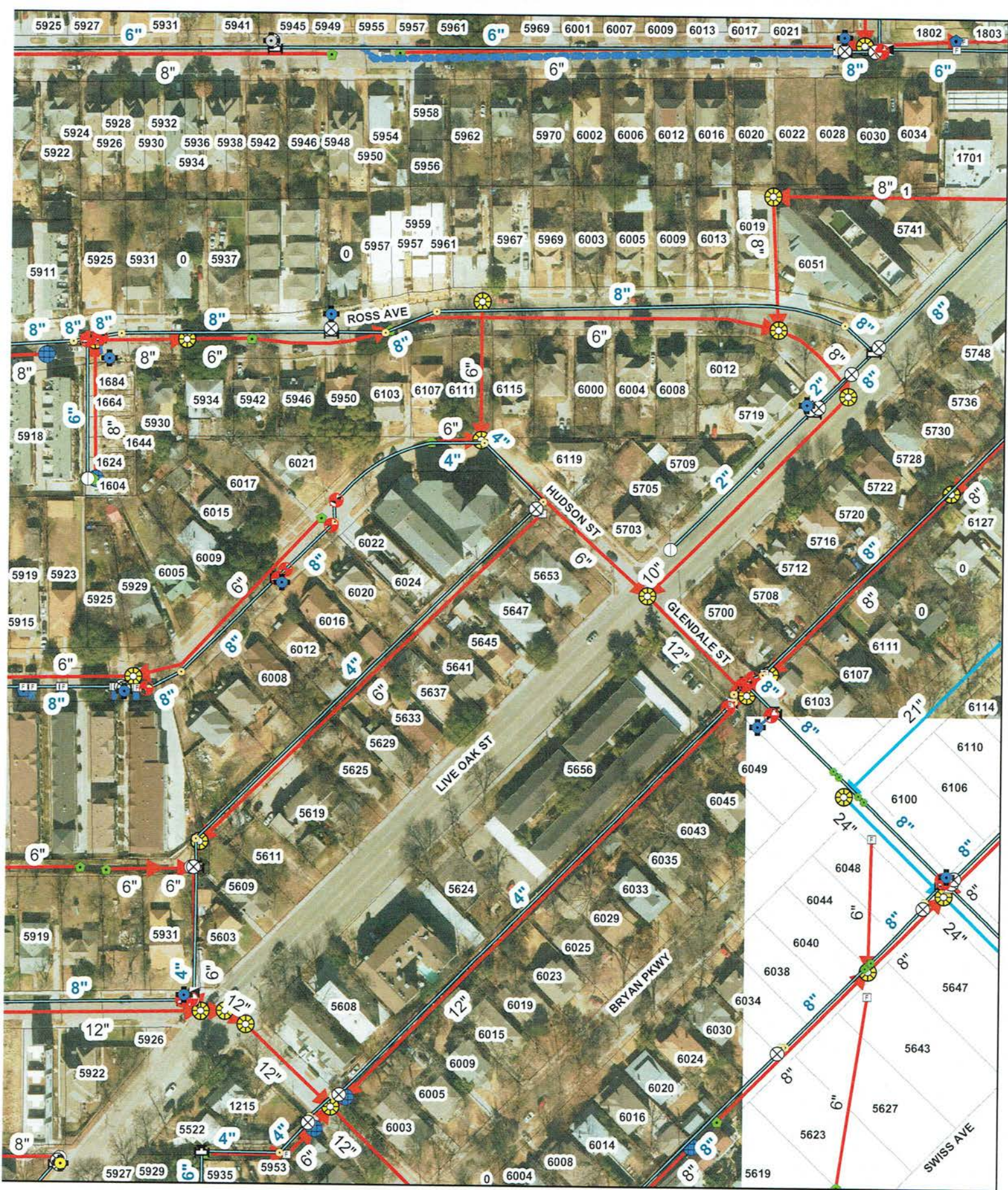
2) A stainless steel, Department benchmark set on corner of Spry Street & Hudson Street.

GRADING PLAN

6100 & 6028 HUDSON STREET
 LOTS 15, 8, 16 - BLOCK 19/1874
 CITY OF DALLAS, DALLAS COUNTY, TEXAS

MALCOLM ENGINEERING
 2517 MEALS STREET
 DALLAS, TEXAS 75229
 TEL: 214-343-1000
 FAX: 214-343-1000
 WWW: MALCOLMENGINEERING.COM

DATE: 09/18/15 PROJECT # 15173



1 inch = 149 feet
Date: 1/23/2020



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property bou

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Details

Accepted Waiver Agreement	
Access Control	
Activity	(A) New Construction
Address Lookup	6100 HUDSON ST
AddressType1	
AddressType2	
Airport	
Alcohol	N
Applicant Name Lookup...	HOPEN, YVE 4215 SAN CARLOS DALLAS, TX 75205 (732) 687-3378 YHOPEN@GMAIL.COM
Base Zoning	MF-2(A)
Bathrooms	15
Bedrooms	11
BI Flag	N
BI Flag Comments	
BI Flag Override	N
Block	1874
Board of Adjustment	N
CandoME	N
CandoMR	N
Conditions	ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL Parking is for entire project.
Construction Type	VB
Consultant	
Contractor Name...	YNS SERVICES 4215 SAN CARLOS DALLAS, TX 75205 (732) 687-3378
Contractor Registration Number	
Create ProjectDox Project	N
Dance Floor	N
Deed Restriction	
Description of Proposed Project	NEW CONSTRUCTION OF MULTI-FAMILY
Development Impact Review	
DevImpactCharge	N
District	24
District Office	OCMC
Doing Business As	YNS SERVICES LLC
Double Permit Fee	N
Dry	N
Dwelling Units	5
Email Notify	
Escarpment	N
Flood Plain	Y
Fraction	
GIS Flagged Area	
GIS NSOName	
Health Application Fee Total	
Health Fee to Use	
Health Permit Charged	
Health Permit Number	
Health Review	N
Historic	
Homestead Exemption	N
Job Value	\$700000.00

Job 086635509-003 (1508051006)

Land Use	(1131) MULTI-FAMILY DWELLING
Lot	15
Lot Area	15,120
Lot Area	15120 SQUARE FEET
MD Overlay	
Moratorium Override	N
New Construction Cost	\$700000.00
New Square Feet	10500
No Trades Allowed	N
Notify Applicant	N
Notify Owner	N
Number of Unity Agreements	
Occupancy	R2
Occupancy Load	
OverBlock	19
Override CA Requirement	N
Override Early Release Requirement	N
Override PDD/SUP Surcharge	N
Owner Address Lookup	350 N ERVAY ST APT 1408 , DALLAS TEXAS 752013919 UNITED STATES OF AMERICA
Owner Address Override	4215 SAN CARLOS ST DALLAS TX 75205
Owner As Applicant	N
Owner As Contractor	N
Owner Code	PRIVATE
Owner EMail	
Owner Fax Number	
Owner Name Lookup	NATHANSON DAVID
Owner Name Override	YNS SERVICES LLC
Owner Phone Number	
Parking Agreement	N
PDD	
Permit Type	Building (BU)
PIN/SSN	
Plan Review	N
Plan Review Fee	
Postage	N
Proposed Parking	
PWeb Is A Web Application	N
Reason CA Not Required	
Reason For Early Release Override	
Remodel Construction Cost	
Remodel Square Feet	
Required Parking	
Selling Potentially Hazardous Foods	N
Sprinkler	All
Stories	3
Suite 1	
Suite 2	
SUP	
TaxParcelLegal5	1874 019 01500 1001874 019
Temporary Address	
Total Square Feet	10500
Work Code	1116-NEW COMMERCIAL CONSTRUCTION
Work Description	

Details

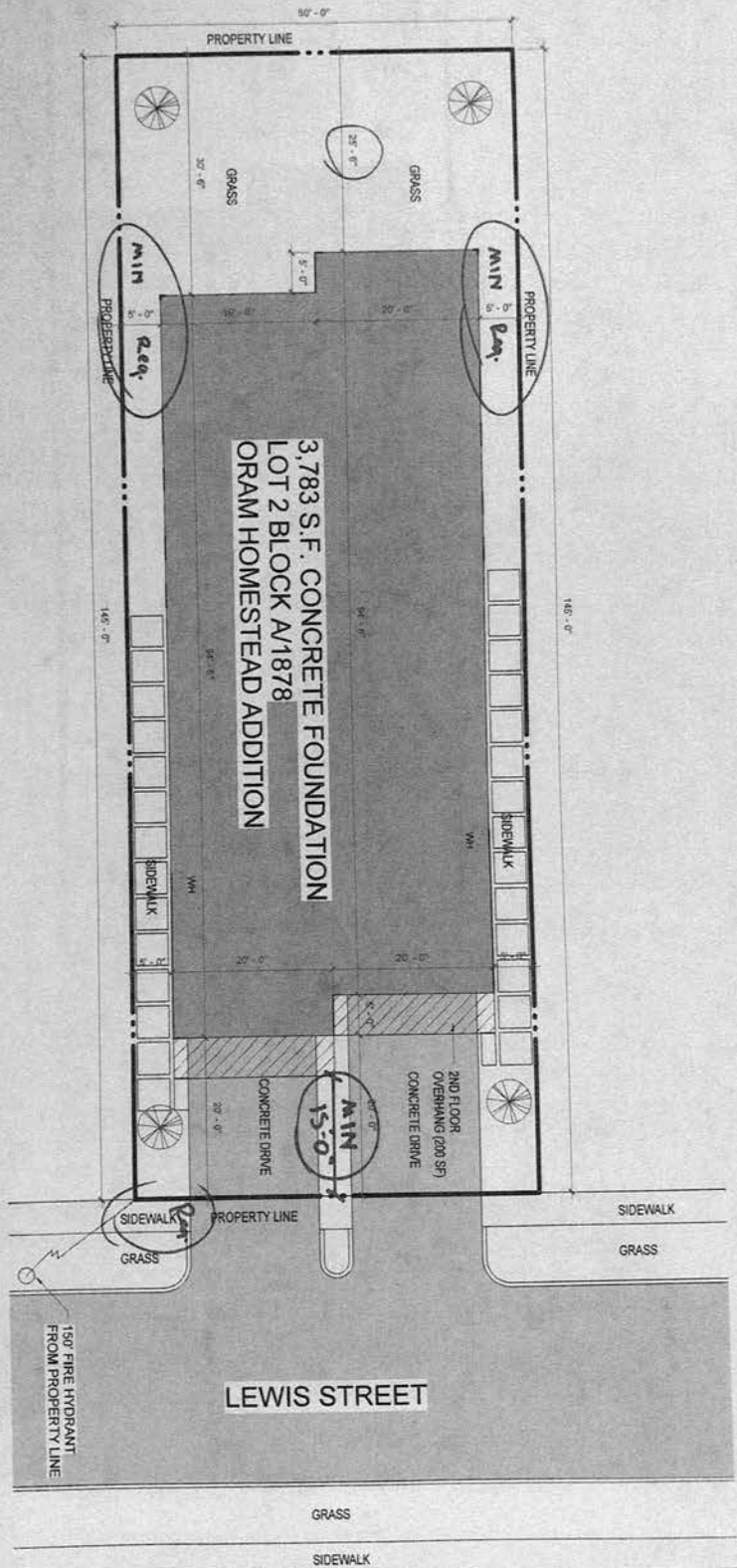
Accepted Waiver Agreement	
Access Control	
Activity	(A) New Construction
Address Lookup	6028 HUDSON ST
AddressType1	
AddressType2	
Airport	
Alcohol	N
Applicant Name Lookup...	HOPEN, YVE 4215 SAN CARLOS DALLAS, TX 75205 (732) 687-3378 YHOPEN@GMAIL.COM
Base Zoning	MF-2(A)
Bathrooms	15
Bedrooms	10
BI Flag	N
BI Flag Comments	
BI Flag Override	N
Block	1874
Board of Adjustment	N
CandoME	N
CandoMR	N
Conditions	ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL Parking is for entire project.
Construction Type	VB
Consultant	
Contractor Name...	YNS SERVICES 4215 SAN CARLOS DALLAS, TX 75205 (732) 687-3378
Contractor Registration Number	
Create ProjectDox Project	N
Dance Floor	N
Deed Restriction	
Description of Proposed Project	NEW MF CONSTRUCTION
Development Impact Review	
DevImpactCharge	N
District	24
District Office	OCMC
Doing Business As	YNS SERVICES LLC
Double Permit Fee	N
Dry	N
Dwelling Units	5
Email Notify	
Escarpment	N
Flood Plain	N
Fraction	
GIS Flagged Area	
GIS NSOName	
Health Application Fee Total	
Health Fee to Use	
Health Permit Charged	
Health Permit Number	
Health Review	N
Historic	
Homestead Exemption	N
Job Value	\$625000.00

Job 086629064-003 (1508041134)

Land Use	(1131) MULTI-FAMILY DWELLING
Lot	16
Lot Area	7,140
Lot Area	7140 SQUARE FEET
MD Overlay	
Moratorium Override	N
New Construction Cost	\$625000.00
New Square Feet	9000
No Trades Allowed	N
Notify Applicant	N
Notify Owner	N
Number of Unity Agreements	0
Occupancy	R3
Occupancy Load	
OverBlock	19
Override CA Requirement	N
Override Early Release Requirement	N
Override PDD/SUP Surcharge	N
Owner Address Lookup	6028 HUDSON ST , DALLAS TEXAS 752068032 UNITED STATES OF AMERICA
Owner Address Override	4215 SAN CARLOS ST DALLAS TX 75205
Owner As Applicant	N
Owner As Contractor	N
Owner Code	PRIVATE
Owner EMail	
Owner Fax Number	
Owner Name Lookup	DUNNAWAY LAUREN E
Owner Name Override	YNS SERVICES LLC
Owner Phone Number	
Parking Agreement	N
PDD	
Permit Type	Building (BU)
PIN/SSN	
Plan Review	N
Plan Review Fee	
Postage	N
Proposed Parking	
PWeb Is A Web Application	N
Reason CA Not Required	
Reason For Early Release Override	
Remodel Construction Cost	
Remodel Square Feet	
Required Parking	
Selling Potentially Hazardous Foods	N
Sprinkler	All
Stories	3
Suite 1	
Suite 2	
SUP	
TaxParcelLegal5	1874 019 01600 1001874 019
Temporary Address	
Total Square Feet	9000
Work Code	1116-NEW COMMERCIAL CONSTRUCTION
Work Description	

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5957 - 5959 Lewis St.
 New Duplex 6922 S.F.



MF-2(A)
 F. 15
 S. S.
 Lot cov. 60%
 P. 2
 R. 10'
 H. 36'-0"

THESE PLANS HAVE BEEN REVIEWED BY THE BUILDING INSPECTION DIVISION AND ARE APPROVED FOR THE START OF CONSTRUCTION. ANY DEVIATION FROM THESE PLANS SHALL BE APPROVED BY THE BUILDING INSPECTION DIVISION.
 20 DATE: 1/10/10
 BY: [Signature]
 THE APPROVAL DOES NOT CONSTITUTE THE ENDORSEMENT OF ANY CITY OR JURISDICTION OR STATE LAW.

SUBJECT TO FIELD INSPECTION AND APPROVAL

Details

Accepted Waiver Agreement	Yes	
Access Control		
Activity	(A) New Construction	New Duplex
Address Lookup	5957 LEWIS ST	5957/5959 Lewis St.
AddressType1		6922 S.F.
AddressType2		
Airport		
Alcohol	N	
Applicant Name Lookup...	BARRINGTON, TY 411 WIMBERLY ST FORT WORTH, TX 76107 (817) 229-0979	
Base Zoning	MF-2(A)	
Bathrooms	4	
Bedrooms	6	
BI Flag	N	
BI Flag Comments		
BI Flag Override	N	
Block	1878	
Board of Adjustment	N	
CandoME	N	
CandoMR	N	
Conditions	ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL Parking is for entire project.	
Construction Type	VB	
Consultant		
Contractor Name...	CONRAD HOMES - Jordan Gray 218 S Boyce Ln FORT WORTH, TX 76108 (817) 229-0979 JORDAN_GRAY@CONRADHOMES.COM	
Contractor Registration Number		
Create ProjectDox Project	N	
Dance Floor	N	
Deed Restriction		
Description of Proposed Project	NEW DUPLEX	
Development Impact Review		
DevImpactCharge	N	
District	24	
District Office	OCMC	
Doing Business As	CONRAD HOMES - JORDAN GRAY	
Double Permit Fee	N	
Dry	N	
Dwelling Units	2	
Email Notify	JORDAN_GRAY@CONRADHOMES.COM	
Escarpment	N	
Flood Plain	N	
Fraction		
GIS Flagged Area		
GIS NSOName		
Health Application Fee Total		
Health Fee to Use		
Health Permit Charged		
Health Permit Number		
Health Review	N	
Historic		
Homestead Exemption	N	
Job Value	\$598000.00	

59

Job 136498465-002 (1903141072)

Land Use	(1121) TWO FAMILY DWELLING
Lot	2
Lot Area	7,250
Lot Area	7250 SQUARE FEET
MD Overlay	
Moratorium Override	N
New Construction Cost	\$598000.00
New Square Feet	6922
No Trades Allowed	N
Notify Applicant	N
Notify Owner	N
Number of Unity Agreements	
Occupancy	R3
Occupancy Load	
OverBlock	A
Override CA Requirement	N
Override Early Release Requirement	N
Override PDD/SUP Surcharge	N
Owner Address Lookup	2123 SILVERADO DR , DALLAS TEXAS 752532754 UNITED STATES OF AMERICA
Owner Address Override	
Owner As Applicant	N
Owner As Contractor	N
Owner Code	PRIVATE
Owner EMail	
Owner Fax Number	
Owner Name Lookup	ABRAMS BRAD & LAURA
Owner Name Override	LEWIS MODERN, LLC
Owner Phone Number	(817) 703-5224
Parking Agreement	N
PDD	
Permit Type	Building (BU)
PIN/SSN	
Plan Review	N
Plan Review Fee	
Postage	N
Proposed Parking	4
PWeb Is A Web Application	N
Reason CA Not Required	
Reason For Early Release Override	
Remodel Construction Cost	
Remodel Square Feet	
Required Parking	2
Selling Potentially Hazardous Foods	N
Sprinkler	None
Stories	2
Suite 1	
Suite 2	
SUP	
TaxParcelLegal5	1878 00A 00200 1001878 00A
Temporary Address	
Total Square Feet	6922
Work Code	
Work Description	NEW DUPLEX

60

6005-6007
Lewis St



A permit to be issued for water/wastewater utilities. You are responsible to verify that utilities are available for this property. If utilities are not available for this site, the City of Dallas is not responsible.

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REVISIONS:
 8-16-18 CITY COMMENTS
 9-16-19

WINDOW SCHEDULE

TYPE	WALL	DESCRIPTION
204	204	ENTRY
204	204	OFFICE
204	204	(WALLED TOGETHER, REF. EXT. ELEV.)
204	204	LIVING / MASTER BEDROOM
204	204	LIVING / GARAGE
204	204	LIVING / MASTER BEDROOM
204	204	LIVING
204	204	BEDROOM 1
204	204	BEDROOM 2 / BEDROOM 3 / MASTER BEDROOM
204	204	(WALLED TOGETHER, REF. EXT. ELEV.)
204	204	BATH / MASTER CLOSET
204	204	MASTER BATH
204	204	BEDROOM 3

EXTERIOR SCHEDULE

WALL	DESCRIPTION
204	FRONT DOOR - PER SELECTION
204	KITCHEN - 3 PART SLIDING DOOR UNIT (2) OPER. (1) FIXED
204	GARAGE - 3.C.

Water Shall not be redirected to drain onto adjoining private property.

NOTICE CHECK FOR PRIVATE DEED RESTRICTIONS FILED AT COUNTY OFFICE.

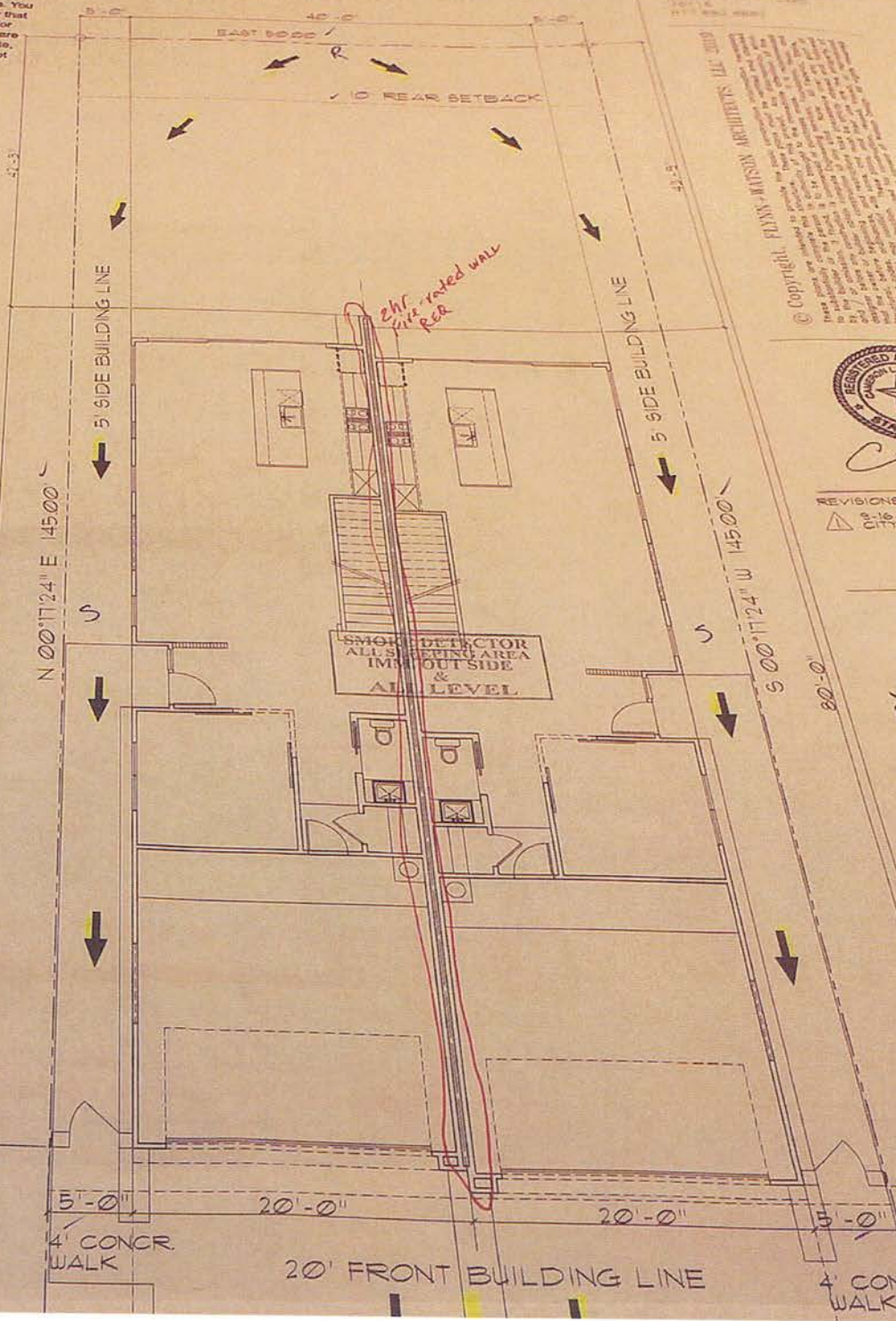
BEEN REVIEWED BY SECTION DIVISION AND THE START OF CONSTRUCTION FROM THESE APPROVED BY OFFICIAL.

NOT PERMIT ANY CITY STATE LAW.

UTILITY EASEMENT MUST REMAIN OPEN AND UNOBSTRUCTED NO ENCROACHMENTS PERMITTED

SUBJECT TO FIELD INSPECTOR'S APPROVAL

MF-2(A) Duplex
 F 15'
 S 5'
 R 10'
 H 36'
 Lot Cov. 60%
 P 2/per dwelling
 LAN



LEWIS STREET DUPLEX
 LEWIS STREET

61

Details

Accepted Waiver Agreement	Yes	
Access Control		
Activity	(A) New Construction	New Duplex 6005/6007 Lewis
Address Lookup	6007 LEWIS ST	6328 S.F
AddressType1		
AddressType2		
Airport		
Alcohol	N	
Applicant Name Lookup...	SNYDER, JASON 1207 NORTHGLEN CT MANSFIELD, TX 76063 (214) 674-4893	
Base Zoning	MF-2(A)	
Bathrooms	4	
Bedrooms	6	
BI Flag	N	
BI Flag Comments		
BI Flag Override	N	
Block	1878	
Board of Adjustment	N	
CandoME	N	
CandoMR	N	
Conditions	ALL WORK SUBJECT TO FIELD INSPECTOR APPROVAL	Parking is for entire project.
Construction Type	VB	
Consultant		
Contractor Name...	DOUGLAS JONES CONSTRUCTION LLC 1207 NORTHGLEN CT MANSFIELD, TX 76063 (214) 674-4893	
Contractor Registration Number		
Create ProjectDox Project	N	
Dance Floor	N	
Deed Restriction		
Description of Proposed Project	NEW DUPLEX	
Development Impact Review		
DevImpactCharge	N	
District	24	
District Office	OCCMC	
Doing Business As		
Double Permit Fee	N	
Dry	N	
Dwelling Units	2	
Email Notify		
Escarpment	N	
Flood Plain	N	
Fraction		
GIS Flagged Area		
GIS NSOName		
Health Application Fee Total		
Health Fee to Use		
Health Permit Charged		
Health Permit Number		
Health Review	N	
Historic		
Homestead Exemption	N	
Job Value	\$0.00	
Land Use	(1121) TWO FAMILY DWELLING	

62

Job 148621641-002 (1909251159)

Lot	7
Lot Area	7,250
Lot Area	7250 SQUARE FEET
MD Overlay	
Moratorium Override	N
New Construction Cost	\$0.00
New Square Feet	6328
No Trades Allowed	N
Notify Applicant	N
Notify Owner	N
Number of Unity Agreements	
Occupancy	R3
Occupancy Load	
OverBlock	A
Override CA Requirement	N
Override Early Release Requirement	N
Override PDD/SUP Surcharge	N
Owner Address Lookup	5623 ALTA AVE , DALLAS TEXAS 752067424 UNITED STATES OF AMERICA
Owner Address Override	P O BOX 12693 DENVER, CO 80212
Owner As Applicant	N
Owner As Contractor	N
Owner Code	PRIVATE
Owner EMail	
Owner Fax Number	
Owner Name Lookup	SHIELDS WILLIAM O
Owner Name Override	DARRYN MCLAUGHLAN
Owner Phone Number	
Parking Agreement	N
PDD	
Permit Type	Building (BU)
PIN/SSN	
Plan Review	N
Plan Review Fee	
Postage	N
Proposed Parking	4
PWeb Is A Web Application	N
Reason CA Not Required	
Reason For Early Release Override	
Remodel Construction Cost	
Remodel Square Feet	
Required Parking	4
Selling Potentially Hazardous Foods	N
Sprinkler	None
Stories	2
Suite 1	
Suite 2	
SUP	
TaxParcelLegal5	1878A000 007 1001878A000
Temporary Address	
Total Square Feet	6328
Work Code	
Work Description	DUPLEX

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Residential Account #00000182593000000

[Location](#)
[Owner](#)
[Legal Desc](#)
[Value](#)
[Main Improvement](#)
[Additional Improvements](#)
[Land](#)
[Exemptions](#)
[Estimated Taxes](#)
[History](#)

Property Location (Current 2020)

Address: 6028 LEWIS ST
Neighborhood: 1DSG09
Mapsco: 36-X (DALLAS)

[DCAD Property Map](#)

[2019 Appraisal Notice](#)

Electronic Documents (ENS)

[File Homestead Exemption Online](#)



[Print Homestead Exemption Form](#)

Owner (Current 2020)

CPG SAVANAH DEVELOPEMENT OWNER LLC
 PO BOX 670452
 DALLAS, TEXAS 753670452

Multi-Owner (Current 2020)

Owner Name	Ownership %
CPG SAVANAH DEVELOPEMENT OWNER LLC	100%

Legal Desc (Current 2020)

- 1: HUGHES H G
 - 2: BLK A/1877 W 50 FT LT 2
 - 3: LEWIS ST
 - 4: INT201800224612 DD08132018 CO-DC
 - 5: 1877 000 00200 1001877 000
- Deed Transfer Date:** 8/21/2018

Value

2019 Certified Values	
Improvement:	\$0
Land:	+ \$273,000
Market Value:	= \$273,000
Revaluation Year:	2019
Previous Revaluation Year:	2018

Main Improvement (Current 2020)

No Main Improvement.

Residential Account #00000182590000000

[Location](#)
[Owner](#)
[Legal Desc](#)
[Value](#)
[Main Improvement](#)
[Additional Improvements](#)
[Land](#)
[Exemptions](#)
[Estimated Taxes](#)
[History](#)

Property Location (Current 2020)

Address: 6022 LEWIS ST
Neighborhood: 1DSG09
Mapsc0: 36-X (DALLAS)

[DCAD Property Map](#)

[2019 Appraisal Notice](#)

Electronic Documents (ENS)

[File Homestead Exemption Online](#)



[Print Homestead Exemption Form](#)

Owner (Current 2020)

CPG SAVANAH DEVELOPEMENT OWNER LLC
 PO BOX 670452
 DALLAS, TEXAS 753670452

Multi-Owner (Current 2020)

Owner Name	Ownership %
CPG SAVANAH DEVELOPEMENT OWNER LLC	100%

Legal Desc (Current 2020)

- 1: HUGHES H G
 - 2: BLK A/1877 LOT 1
 - 3:
 - 4: INT201800224606 DD08132018 CO-DC
 - 5: 1877 000 00100 1001877 000
- Deed Transfer Date:** 8/21/2018

Value

2019 Certified Values	
Improvement:	\$0
Land:	+ \$267,540
Market Value:	= \$267,540
Revaluation Year:	2019
Previous Revaluation Year:	2018

Main Improvement (Current 2020)

No Main Improvement.

The Dallas City Code

SEC. 49-1. DEFINITIONS.

In this chapter:

(1) ACT means the Federal Water Pollution Control Act, also known as the Clean Water Act, as amended, 33 U.S.C. 1251, et seq.

(2) AMENABLE TO TREATMENT means that a substance:

(A) does not discharge or interfere with the operations of the wastewater system;

(B) is acceptable for stream discharge and normal sludge disposal methods used by the city; and

(C) does not pose a health or safety threat to city employees or contractors performing work in the wastewater system.

(3) APPLICANT means a person who makes application to receive a service from the department.

(4) APPROVAL AUTHORITY means the Director of the Texas Commission on Environmental Quality (TCEQ).

(5) AUTHORIZED REPRESENTATIVE OF THE INDUSTRIAL USER means:

(A) if the industrial user is a corporation,

(i) the president, secretary, treasurer, or a vice-president of the corporation in charge of a principal business function, or any other person who performs similar policy or decision-making functions for the corporation; or

(ii) the manager of one or more manufacturing, production, or operating facilities, provided the manager is authorized to make management decisions governing the operation of the regulated facility (Examples of management decisions or activities include, but are not limited to, having the explicit or implicit duty to make major capital investment recommendations, and initiate and direct these comprehensive measures to assure long-term compliance with environmental laws and regulations; having the authority to establish a system to gather complete and accurate information for individual wastewater discharge permit requirements; and having the authority to sign documents and bind the corporation in accordance with corporate procedures.);

(B) if the industrial user is a partnership or sole proprietorship, a general partner or proprietor, respectively;

(C) if the industrial user is the federal, state, or local government, the director or highest official appointed or designated to oversee the operation and performance of the activities of the governmental facility governed by these regulations, or the director's or official's designee; or

(D) Any discharge of a pollutant that has caused imminent endangerment to human health, welfare, or the environment or has resulted in the publicly- owned treatment works' exercise of its emergency authority under Title 40, Code of Federal Regulations, Part 403.8(f)(1)(vi)(b), as amended, to halt or prevent such a discharge.

(E) Failure to meet, within 90 days after the schedule date, a compliance schedule milestone contained in a local control mechanism or enforcement order for starting construction, completing construction, or attaining final compliance.

(F) Failure to provide, within 45 days after the due date, required reports such as baseline monitoring reports, 90-day compliance reports, periodic self-monitoring reports, and compliance reports with compliance schedules.

(G) Failure to accurately report noncompliance.

(H) Any other violation or group of violations, including a violation of best management practices, that the director determines will adversely affect the operation or implementation of the local pretreatment program.

(92) SLUG LOAD OR SLUG DISCHARGE means any discharge at a flow rate or concentration, which could cause a violation of the prohibited discharge standards in Section 49-43 of this chapter. A slug discharge is any discharge of a non-routine, episodic nature, including but not limited to an accidental spill or a non-customary batch discharge, that has a reasonable potential to cause interference or pass-through, or in any other way violates the wastewater system's regulations, local limits, or permit conditions.

(93) STANDARD INDUSTRIAL CLASSIFICATION (SIC) CODE means a classification scheme based on the type of manufacturing or commercial activity at a facility. Some facilities, depending on the manufacturing and activities occurring on site, may have more than one code number.

(94) STANDARD METHODS means the laboratory procedures or techniques for the testing, sampling, or analysis of pollutants:

(A) established and approved by the EPA; or

(B) approved by the director with the concurrence of the EPA, where the EPA has not established procedures or techniques for testing, sampling, or analyzing a pollutant in question or determines that approved procedures or techniques are inappropriate for the pollutant in question.

(95) STANDARD SIZE WASTEWATER MAIN means a wastewater main not less than eight inches in diameter.

(96) STANDARD SIZE WATER MAIN means a water main that is:

(A) not less than eight inches in diameter, but also of a size adequate to meet the hydraulic capacity of the water system; and

(B) used for standard fire protection purposes as recognized by the Insurance Services Office, which is not less than six inches in diameter adequately supported by mains not less than eight inches in diameter, but also of a size adequate to meet the hydraulic capacity of the water system.

Accordingly, typical minimum curve radius of various water sizes are summarized in Table 2.8.2:

Table 2.8.2: Minimum Water Main Curve Radius

		Recommended by Manufacturers (Typical)				Allowable by DWU***			
Type of Pipe	Size (in)	Max. Deflection		Min. Curve Radius		Max. Deflection		Min. Curve Radius	
		Angle (deg.)	Offset (in)	20' Joint (ft)	10' Joint (ft)	Angle (deg.)	Offset (in)	20' Joint (ft)	10' Joint (ft)
*PVC DR 14	6	2	8	573	286	1.6	6.4	716	358
	8	2	8	573	286	1.6	6.4	716	358
	12	1.5	6	764	382	1.2	4.8	956	478
**DI Push-On	6	5	21	230		4	15.75	306	
	8	5	21	230	N/A	4	15.75	306	N/A
	12	5	21	230		4	15.75	306	

* PVC pipe data is obtained from National Pipe & Plastics, Inc.

** DI data obtained from American Ductile Iron Pipe, Inc.

*** Allowable maximum deflection by DWU is based on 80% of the typical recommended maximum deflection by the pipe manufacturer(s). Accordingly, allowable minimum curve radius by DWU is calculated and must be verified with the specific pipe manufacturer(s). Steeper curve(s) with uniform longitudinal bending of PVC pipe may be allowed if joints are blocked or restrained contingent upon manufacturer's recommendation. However, both joint deflection and axial bending on same length of pipe are not allowed.

Table: 2.6.3: Recommended Water Pipe Materials & Embedments*

Pipe & Material Specification	Allowable Size (in)	Joint Specification	Embedment Class Per Depth of Cover** (ft)
PVC AWWA C900 (DR-14)	6 – 12	Bell & Spigot Joints: ASTM D3139 Gasket: ASTM F477	< 8' : C+
PVC AWWA C905 (DR-14)	16	Fusible Fusible C 900 ^(R) Fusible C 900 ^(R) Certa-Lok Certa-Lok C900/RJ ^(TM) Certa-Lok C905/RJ ^(TM)	8'-16' : B+
Ductile Iron (DI) ANSI/AWWAC151/A21.51 Min. Class 52 (Special Thickness Class)	6 – 54	Bell & Spigot/ Push On ANSI/AWWA C111/A21.11 Mechanical ANSI/AWWA C111/A21.11 Flanged ANSI/AWWA C115/A21.15	≤16-in Dia: >16-in Dia: < 8' (Rock): C < 8' (Earth): D+ <8" : B 8'-16' : C 8'- 16' : B > 16' : B >16' : B
RCCP- Bar Wrapped ANSI/AWWA C303 Class 150	16 – 42	Bell & Spigot ANSI/AWWA C303	16-in Dia: >18-in Dia: < 16' : C <16' : B > 16' : B >16' : B
PCCP- Lined Cylinder ANSI/AWWA C301 Class 150	20 – 60	Bell & Spigot ANSI/AWWA C301	< 16' : C > 16' : B
PCCP- Embedded Cylinder ANSI/AWWA C301 Class 150	54 – 144	Bell & Spigot ANSI/AWWA C301	< 16' : C >16' : B
Steel** ANSI/AWWA C200	24 – 156	Welded Joints or Bell & Spigot ANSI/AWWA C200	< 8' : C > 8' : C

* Reference to Standard Drawing 113- 119 for details and dimensions of the class of embedment

** Steel and other pipe materials can only be considered on case- by- case basis as approved by Distribution Division

The Dallas City Code

SEC. 49-18.11. EVALUATED COST TABLES FOR OVERSIZE, SIDE, OR OFF-SITE FACILITIES.

The director will use the following evaluated cost tables to calculate city payments and to calculate fees due under Section 49-62. City payments will be calculated by the director by using either the unit prices in the construction contract submitted by the developer, or the unit prices in the evaluated cost tables, whichever is less.

WATER MAINS AND APPURTENANCES		
ITEM	UNITS	
4-inch pipe	linear foot	\$55.00
6-inch pipe	linear foot	60.00
8-inch pipe	linear foot	65.00
12-inch pipe	linear foot	75.00
16-inch pipe	linear foot	120.00
20-inch pipe	linear foot	130.00
24-inch pipe	linear foot	140.00
30-inch pipe	linear foot	150.00
36-inch pipe	linear foot	165.00
39-inch pipe	linear foot	170.00
42-inch pipe	linear foot	175.00
45-inch pipe	linear foot	190.00
48-inch pipe	linear foot	200.00
4-inch valve	each	700.00
6-inch valve	each	900.00
8-inch valve	each	1,200.00
12-inch valve	each	2,200.00
16-inch valve	each	4,100.00
20-inch valve	each	7,350.00
24-inch valve	each	9,700.00
30-inch valve	each	16,000.00
36-inch valve	each	21,000.00
42-inch valve	each	43,000.00
48-inch valve	each	64,000.00

[REDACTED]

MEMORANDUM

To: [REDACTED]
From: [REDACTED]
Date: November 13, 2019
Subject: MLK Multifamily Infrastructure Due Diligence

[REDACTED] met with Gordon Robinson with Dallas Water Utilities (DWU) on November 13, 2019 to discuss proposed water and wastewater infrastructure requirements to serve the 1-acre site at 3101 South Blvd. Below is a summary of the meeting:

- The water line in South Blvd will need to be upgraded from a 4" main to an 8" main for the length of the property (approximately 340 LF).
- The 6" wastewater (WW) main along Meadow St (running west) will need to be upgraded to an 8" main from the site to the 8" main at the alley running through the MF development (approximately 430 LF).
- WW flow monitoring may be required on the WW main through the MF alley (File No. 411Q-2001, Sh. 279). There is a segment that is only a 6" main. Gordon suggested monitoring at the manhole at Jeffries and the alley or at the MH at the 6" main in the middle of the MF. The requirement for WW monitoring will be up to the DWU reviewer assigned to the project.
- Average pricing DWU is receiving for utility upgrades in streets is \$250/LF.
- The project is eligible for up to a 30% refund for the offsite improvements (*Note, the 30% only covers a portion of the utility cost, not the full \$250/LF. There will be items in a contractor's bid that is not included in the reimbursement).

[REDACTED] was unable to meet with Hamid Fard to with Paving & Drainage (311T) to discuss the storm drainage for the site. Based on COG contours, it appears the site surface drains south, down South Blvd to curb inlets at South Blvd and Jeffries St. It then connects into a larger system in Jeffries St. In order for the site to drain properly without floodplain, on-site storm inlets may be required. These inlets would need to connect to an underground storm system. In order to have underground storm at the site, off-site storm will need to be extended from the curb inlets at Jeffries, up South Blvd, to the site. Based on previous projects and experience in Dallas, on-site detention may be required since the site is currently pervious grass. At this time, I believe there are 3 scenarios for the site drainage:

[REDACTED]

- Option 1 (best case) – surface drain the entire site and have no storm improvements. Since the site is only 1 acre, there is a possibility detention will not be required due to the size.
- Option 2 – Capture the site's stormwater in underground pipe and run an 18" RCP pipe down South Blvd to the system in Jeffries St. This would be 950 LF of 18" RCP. There is the possibility we can show detention is not required with the off-site storm sewer improvements.
- Option 3 – It is determined the storm system in Jeffries St. does not have the capacity for our site in fully-developed conditions and on-site detention (likely underground) will be required. In order to drain the detention system, the 950 LF of 18" RCP in South Blvd will also be required (Option 2). Based on the site's acreage, I would assume approximately 8,000 CF of underground detention, and I would budget \$150,000 for the detention only.

Senior Project Manager

[REDACTED]

December 6, 2019

[REDACTED]

Re: 3017 & 3101 South Blvd

[REDACTED]

We greatly appreciate your willingness to contract with us for the purchase of the lots located at 3017 and 3101 South Blvd. Please let this memo serve as our notice of termination of the contract. Based on diligence compiled from our own efforts and third parties, we have determined that the development potential of this site is very limited and cannot sustain the density we need for a positive financial outcome. An outline of our findings is included below with supporting evidence attached.

Value beyond single family residential could be unlocked in the future, and we would be willing to pursue it speculatively but would only be able to do so under a different contract structure. If you would like to discuss this further, please let us know. Otherwise, we wish you our best in your future endeavors.

Kind Regards,

[REDACTED]

Accounting of Repayment City Contribution

Jaime Arpero

19-473/474-P
411Q-3028 sh 58

6028 Lewis

Offsite 8" Water main in Lewis St from W Plat Line to 8" at Mecca (replace 6")

Item No	Item Desc.	Estimated Quantity	Units	Eval Cost per 27355	EC Total	Unit Bid	Total Bid
180C	8" Water	92	LF	\$ 43.00	\$ 3,956.00	\$ 110.00	\$ 10,120.00
510C	8" Valve	1	EA	\$ 1,200.00	\$ 1,200.00	\$ -	\$ -
508A	Reconnect Ex Service	2	EA	\$ 1,170.00	\$ 2,340.00	\$1,500.00	\$ 3,000.00
765A	Asph. Pav.	30	SY	\$ 100.00	\$ 3,000.00	\$ 108.00	\$ 3,240.00
Pay on Completion Offsite Water Mains:					\$ 10,496.00		\$ 16,360.00

30% of Contract: \$ 47,034.00 x 0.3= ~~\$ 14,110.20~~

Maximum amount allowed by City Code

RE: 6028 Lewis

Item No.	Quantity	Unit	Description	Unit Price	Extension
1	2	ea	CTE Main	3,000.00	6,000.00
2	92	lf	8" PVC Watermain	110.00	10,120.00
3	3	ea	Bends and Fittings	750.00	2,250.00
4	2	ea	2" Deadhead	3,500.00	7,000.00
5	1	ea	1" Deadhead	2,900.00	2,900.00
6	2	ea	Transfer Exist Services	1,500.00	3,000.00
7	1	ls	Test & Bac-T	1,700.00	1,700.00
8	40	sy	R & R Paving	108.00	4,320.00
9	2	ea	Wastewater Laterals	3,000.00	6,000.00
10	1	ls	Traffic Control	2,000.00	2,000.00
11	1	ls	Bonds	1,744.00	1,744.00

TOTAL QUOTE: \$ 47,034.00

Jaime Arpero

19-479/480-P

5954 Lewis

411Q-3028 sh 59-61

Offsite 8" Water main in Lewis St from E Plat Line to 500' West. (replace 6")

Item No	Item Desc.	Estimated Quantity	Units	Eval Cost per 27355	EC Total	Unit Bid	Total Bid
180C	8" Water	503	LF	\$ 43.00	\$ 21,629.00	\$ 97.00	\$ 48,791.00
510C	8" Valve	1	EA	\$ 1,200.00	\$ 1,200.00	\$1,900.00	\$ 1,900.00
508A	Reconnect Ex Service	33	EA	\$ 1,170.00	\$ 38,610.00	\$1,250.00	\$ 41,250.00
765A	Asph. Pav.	340	SY	\$ 100.00	<u>\$ 34,000.00</u>	\$ 108.00	<u>\$ 36,720.00</u>
Pay on Completion Offsite Water Mains:					\$ 95,439.00		\$ 128,661.00

30% of Contract: \$ 154,869.00 x 0.3= **\$ 46,460.70**

Maximum amount allowed by City Code

RE: 5954 Lewis Townhomes

Item No.	Quantity	Unit	Description	Unit Price	Extension
1	2	ea	CTE Water	2,296.00	4,592.00
2	503	lf	8" PVC Waterline	97.00	48,791.00
3	2	ea	Bends and Fittings	918.00	1,836.00
4	1	ea	8" Gate Valve	1,900.00	1,900.00
5	1	ea	2" Deadhead	3,480.00	3,480.00
6	1	ea	1" Deadhead	2,900.00	2,900.00
7	33	ea	Transfer Exist Services	1,250.00	41,250.00
8	1	ls	Test & Bac-T	1,200.00	1,200.00
9	340	sy	R & R Paving	108.00	36,720.00
10	1	ea	Wastewater Lateral	3,500.00	3,500.00
11	1	ls	Traffic Control	3,200.00	3,200.00
12	1	ls	Bonds	5,500.00	5,500.00

TOTAL QUOTE:

\$ 154,869.00

PROCEDURAL ISSUES TO ADDRESS

1) APPELLANT REQUESTS THE CPC TO RULE WHETHER THE FEBRUARY 6TH APPORTIONMENT APPEAL HEARING MAY BE APPEALED TO THE GOVERNING BODY OF THE CITY, BEING THE CITY COUNCIL.

A. WHAT IS CONSIDERED A DECISION BY THE CPC?

i. ON 10/17, THE CPC VOTED 10-0 TO REMAND FOR A REAPPORTIONMENT. IS A REMAND FOR A REAPPORTIONMENT A DECISION?

B. WHY IS THIS APPEAL OF THE OCT 17TH CPC APPORTIONMENT HEARING NOT BEING HEARD BY THE CITY COUNCIL?

i) SECTION 212.094 (b) A DEVELOPER WHO DISPUTES THE DETERMINATION MADE UNDER SECTION (a) MAY APPEAL TO THE GOVERNING BODY OF THE MUNICIPALITY.

ii) MR. LLOYD DENMAN, A CIVIL ENGINEER AND NOT AN ATTORNEY, WROTE A HIGHLY CONTROVERSIAL LEGAL OPINION WITH ZERO LEGAL AUTHORITY ON THE CITY MANAGER'S LETTER HEAD BLOCKING AN APPEAL OF THE CPC'S OCTOBER 17TH RULING FROM BEING HEARD BY THE CITY COUNCIL. THIS IS A DUE

PROCESS VIOLATION AND GROUNDS FOR A DEFAULT JUDGMENT.

- a. IN AN OCT. 31, 2019 LETTER (attached), MR. DENMAN STATED THAT SAVANNAH **"MAY APPEAL THE CITY PLAN COMMISSION'S DECISION"** TO THE CITY COUNCIL.
- b. NOV. 13, 2019, **IN RELIANCE ON MR. DENMAN'S INSTRUCTIONS**, AND FOLLOWING CITY AND STATE LAW, SAVANNAH FILED AN APPEAL TO THE CITY COUNCIL AND PAID THE ASSOOCIATED FEES. THE CITY RECEIVED THE APPEAL FILING AND CASHED THE FEE CHECK.
- c. IN A NOV. 20, 2019 LETTER (attached) **ON THE CITY MANAGER'S LETTER HEAD, MR. DENMAN REVERSED HIS OWN WRITING AND STATED 'THE CITY COUNCIL CANNOT HEAR AN APPEAL OF THE APPORTIONMENT DETERMINATION UNTIL THE CITY PLAN COMMISSION HAS RENDERED A DECISION.'**
- d. IN A NOV. 27, 2019 LETTER, SAVANNAH REPLIED TO MR. DENMAN, PROVIDING **EIGHT (8) REASONS WHY SAVANNAH DISPUTES MR. DENMAN'S NOV. 20TH RULING.**
MR. DENMAN HAS NOT PROVIDED ANY CORRESPONDENCE SINCE SAVANNAH'S NOV. 27TH LETTER.
- e. IN A DEC. 4, 2019 LETTER (attached), CITY ATTORNEY MS. K. WILLIAMS STATES THAT SAVANNAH **"MAY"** APPEAL TO THE CPC. HOWEVER, SHE DID NOT ADDRESS THE SOLE ISSUE, WHICH IS **"MAY SAVANNAH APPEAL THE 10/17 CPC DECISION TO THE CITY COUNCIL."** TO DATE **MS. WILLIAMS HAS NOT RESPONDED TO A WRITTEN REQUEST FROM SAVANNAH AS TO WHETHER AN APPEAL MAY BE MADE TO THE CITY COUNCIL.**

2. APPELLANT REQUESTS THE CPC TO RULE WHETHER THE CITY OF DALLAS HAS AUTHORITY UNDER TEXAS LOCAL GOVERNMENT CODE SECTIONS 212.071 & 212.072 TO MAKE PAYMENT FOR ITS PORTION OF ANY APPORTIONMENT PURSUANT TO THE PRIVATE DEVELOPMENT CONTRACT IT REQUIRED APPELLANT TO ENTER INTO AS A CONDITION OF EXACTION APPROVAL?

PLEASE SEE ATTACHED DOCUMENT WHICH ADDRESSES THE FOLLOWING:

The current Private Development Contract that the City of Dallas requires an Owner (i.e. Developer) to form with a Contractor pursuant to an exaction complies with neither Sections 212.072 (a) nor (b)(1) of the Texas Local Government Code. What is the City's code justification for making payment to a developer under the current non-competitively bid mandatory Private Development Contract required of a developer in the construction of public infrastructure as part of an exaction? This issue should be reconciled before any further city participation payments are made under active Private Development Contracts.

Open Record Request for Private Development Contracts from 2016-2019 produced 169 Private Development Contracts with a total contract value of \$30,338,649.42 and total payments of \$5,993,504.77 from the city to developers.



SAVANNAH

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November 27, 2019

Sent by Certified Mail and Email

To Mr. Denman and Office of The City Manager,

In reply to your letter dated November 20, 2019 which states:

“Because the city plan commission remanded the apportionment issue back to the director for further consideration, it has not rendered a decision on the apportionment issue. The city council cannot hear an appeal of the apportionment determination until the city plan commission has rendered a decision.” (underlining added).

Savannah respectfully disagrees with the stated opinions for the following reasons:

1. City Code Section 51A-1.109 (e)(2) gives the city plan commission (CPC) the authority to affirm, modify or remand the director’s apportionment determination. There is no distinction made in the code regarding these three options given to the CPC in making its determination. These three different types of determinations must therefore all be treated equally and must all be equally appealable. Nothing in the code supports the interpretation that because the CPC remanded that “it (CPC) has not rendered a decision on the apportionment issue.” Note that equally so, the code also doesn’t make a distinction about a CPC determination to modify the director’s apportionment determination, which coincidentally is one of the two decisions the CPC approved on October 17th.

2. Remanding is a decision made by the CPC, just as modifying or affirming are decisions that are made by the CPC. Nothing in City Code Section 51A-1.109 (e)(3) states a developer may not appeal a decision by the CPC to remand. Section 51A-1.109 (e)(3) makes no distinctions regarding the appealability of CPC decisions to affirm, modify or remand.

To interpret the code as you have could result in a perpetual remand by the CPC, never allowing a hearing by the city council and circumventing the intent and letter of Texas Local Governments Code Section 212.904(b), which in part states:

“A developer who disputes the determination made under Subsection (a) may appeal to the governing body of the municipality.”

SAVANNAHDEVELOPERS.com

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15660 N. Dallas Parkway, Suite 110, Dallas, Texas 75248 | O: 972.248.2147 F: 214.276.1499



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The City of Dallas has inserted an intermediate appeal step into the state law by requiring the initial appeal to the CPC before an appeal can be made to the governing body, which in Dallas is the city council. To interpret the code as you have would be an attempt by the director to use the city added CPC appeal step as a tool to perpetually stall an appeal at the CPC level, placing an undue burden on an appellant in having its case heard by the city's governing body. This would contravene the state law and would be a due process violation.

3. The (CPC) approved two motions on October 17th. "Motion I" was to modify (in part) the apportionment determination. **Savannah is appealing CPC's decision to modify.** Your November 20th letter overlooks the fact that Savannah could appeal the CPC's decision to modify. This reason alone should remove the hurdle placed by the interpretations in your letter from having Savannah's appeal heard by the city council.

4. Savannah is in part appealing because it believes that the CPC erred in deciding to remand. The director unlawfully made its apportionment by applying a 30% maximum city participation cap and accounting its numbers to remain under a 30% reimbursement rule that is wholly unrelated to exactions. This is unlawful under Section 212.904(a) of the Texas Local Governments Code. Because the director's initial apportionment determination was made with the application of this 30% participation cap, which both Attorney Burgess and Engineer Lam acknowledged and discussed, the exaction is unlawful. Therefore, the only decision that the CPC could make in following the law is to decide that the exaction is unlawful and modify the apportionment to 100% due by the city.

Since the CPC decided to remand, it did not follow the law, opening the door under state law to an appeal of the CPC decision to the governing body. It would be unfair and very irregular to force Savannah to appeal a decision by the CPC that does not follow the law, back to the CPC.

5. In formulating its original apportionment, the director, instead of making an individualized determination per code Section 51A-1.109(a)(2), has simply applied an accounting practice to calculate the portion of the construction costs the city would be willing to pay. The CPC did not apply this section of the code, instead allowing for a remand and a recalculation. The CPC's decision to remand is therefore against the code and appealable.

It is time for the city council to hear the appeal, a legal right under state law that should not be circumvented through an arbitrary reading of the city code.



6. City Code Section 51A-1.109 (e)(3) states in part that:

“A developer may appeal the city plan commission’s decision to the city council by filing a written notice with the director within 30 days after the date of the city plan commission’s decision.”

Note that in your own letter dated October 31, 2019, you stated:

“You also may appeal the City Plan Commission’s decision of October 17th to the City Council by filing a written notice with the director within 30 days after the date of the City Plan Commission’s decision.” (underlining added).

Savannah has all along believed this to be the correct understanding of the intent and letter of the city code. Accordingly, Savannah filed a motion to appeal the CPC decision within 30 days of October 17, 2019 and paid the filing fees, the check for which has cleared into the city’s account. Savannah made its appeal to the city council in good faith and has been continuously cooperative with the director in working within the administrative apportionment determination appeal process.

7. The issue of whether a decision by the CPC to remand is not a decision, requires an interpretation of law that should be made by an impartial governing body which is to hear the appeal. This issue, which directly affects whether the city council can hear an appeal, should not be decided by either the city attorney’s office or the director’s office because the city attorney represents the director in an appeal to the city council and the director is the appellee in any appeal to the city council. Both the city attorney and the director are akin to defendants and have an interest in avoiding an appeal to the city council.

8. The issue of whether the city council can hear an appeal of an apportionment determination after the CPC has decided to remand an appeal of an apportionment determination, requires an interpretation of law that should be made by an impartial governing body which is to hear the appeal. This issue, which directly affects whether the city council can hear an appeal, should not be decided by either the city attorney’s office or the director’s office because the city attorney represents the director in an appeal to the city council and the director is the appellee in any appeal to the city council. Both the city attorney and the director are akin to defendants and have an interest in avoiding an appeal to the city council.

For the reasons states above among others, Savannah neither agrees with your interpretation of what constitutes a decision by the CPC nor your interpretation that the city council cannot hear an appeal of a CPC decision to remand an appeal of an apportionment determination.



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Savannah respectfully asks that its appeal to the city council stays on track and is heard within 60 days after the date of its filing.

Please note that the issues you have raised in your letter affect a time sensitive administrative appeal process. Savannah requests that you reply to this letter in a timely manner to avoid compromising the administrative process for the appeal of apportionment decisions.

Regards,

Steve King, Partner
CPC Savannah Development, LLC



CITY OF DALLAS

December 4, 2019

Steve King, Managing Partner
Savannah Developers
15660 North Dallas Parkway
Suite 110
Dallas, Texas 75248

Re: 6028 Lewis Street

Dear Mr. King,

This is in response to your letter dated November 27, 2019. On October 17, 2019, the city plan commission ("CPC") heard the appeal of an apportionment determination for 6028 Lewis Street. At the conclusion of the hearing, the CPC remanded the matter back to the director for additional review with the finding of fact that the proposed water line is in part to serve future development. The director, after additional review and consideration, rendered a response to the appeal of the apportionment decision in a letter dated November 15, 2019.

You may appeal the director's November 15th apportionment determination to the city plan commission by filing written notice with the director with 30 days after the date of the determination. If an appeal is filed, the city plan commission shall hear the appeal within 60 days after the date of filing.

If you have any additional questions, please feel free to contact me at (214) 670-3429 or kanesia.williams@dallascityhall.com.

Thank you,

A handwritten signature in blue ink, appearing to read 'Kanesia Williams'.

Kanesia Williams
Assistant City Attorney

Re: Non-Compliance of the mandatory City of Dallas Private Development Contract with Sections 212.071 and 212.072 of the Texas Local Government Code.

The current Private Development Contract that the City of Dallas requires an Owner (i.e. Developer) to form with a Contractor pursuant to an exaction complies with neither Sections 212.072 (a) nor (b)(1) of the Texas Local Government Code. What is the City's code justification for making payment to a developer under the current non-competitively bid mandatory Private Development Contract required of a developer in the construction of public infrastructure as part of an exaction? This issue should be reconciled before any further city participation payments are made under active Private Development Contracts.

Open Record Request for Private Development Contracts from 2016-2019 produced 169 Private Development Contracts with a **total contract value of \$30,338,649.42 and total payments of \$5,993,504.77 from the city to developers.**

During the October 17th CPC apportionment appeal hearing for the properties at 6022 & 6028 Lewis Street, one issue of discussion was the city's cost participation in public improvement projects under SUBCHAPTER C. DEVELOPER PARTICIPATION IN CONTRACT FOR PUBLIC IMPROVEMENT of the Texas Local Government Code Sections 212.071 DEVELOPER PARTICIPATION CONTRACT and 212.072 DUTIES OF PARTIES UNDER CONTRACT. The City of Dallas code Sec. 49-62. RULES REGARDING THE CONSTRUCTION AND COST OF NEW MAINS IN A DEVELOPMENT also applies.

Regarding the issue of the city participation being capped by state law at 30% maximum, at the October 17th CPC hearing the City of Dallas stated that:

“Subchapter C of chapter 212 of the local government code that is developer participation in a contract for public improvements. And specifically, 212.072 says, subsection (a) under the contract the developer shall construct the improvements and the municipalities shall participate in the costs. (b)(1). The contract must establish the limits of the participation of the municipality at a level not to exceed 30% of the total contract price, if the municipality has a population of less than 1.8 million.”

Which specific contract is the City of Dallas using for participation under Section 212.072? The current City of Dallas Private Development Contract does not meet the requirements of Section 212.072. Moreover, there presently does not exist any other contract under the city participation program in non-competitively bid construction projects with both the City of Dallas and the developer as parties.

The analysis which follows shows that the **Private Development Contract the city requires developers to form contains specific language which directly conflicts with the requirements of Section 212.072.** This is a problem of compliance with state law regarding the city's participation in a Private Development Contract that is not competitively bid.

The analysis is as follows:

Section 212.071: Texas Local Government Code Sections 212.071 DEVELOPER PARTICIPATION CONTRACT states that a municipality may make a contract with a developer to construct improvements. However, **if the contract does not meet the requirements of Subchapter C, which includes Section 212.072, then Chapter 252 applies to the contract.** Chapter 252 sets out the procedures for the purchasing and contracting authority of municipalities. Therefore, the contract elements of Section 212.072 must be satisfied if the City wants to form a Private Development Contract without complying with the competitive sealed bidding procedure of Chapter 252.

Since the City of Dallas in making payments to developers as part of an exaction but is not complying with the competitive sealed bidding process, the city's Private Development Contract must meet the contract requirements of Section 212.072.

Section 212.072 DUTIES OF PARTIES UNDER CONTRACT provides the contract elements a municipality must satisfy in order to "make a contract with a developer" that complies with Section 212.071 and is not part of a competitive sealed bidding process.

212.072 (a) states that under the contract, the developer shall construct the improvements and **the municipality shall participate in their cost.**

212.072 (b)(1) states that the contract **must establish the limit of participation by the municipality** at a level not to exceed 30 percent of the total contract price, if the municipality has a population of less than 1.8 million.

Analysis of 212.072 (a): A plain reading of 212.072(a) shows that it has two elements:

- 1) The municipality **is a party to the contract**, and
- 2) The municipality **shall participate in the cost of the improvements.**

Neither of these elements are satisfied by the Private Development Contract the city requires a developer to sign,

- 1) The **City of Dallas does not sign the Contract.** In fact, paragraph VI of the Private Development Contract. specifically states: **"The City of Dallas is not a party to this Agreement, and nothing contained herein shall make it a party."**
- 2) Paragraph VI. of the Private Development Contract specifically states that the city is not liable for payments. "Contractor understands and agrees that **nothing in this Agreement shall be construed to render the City of Dallas liable for any payments** owed by the Owner to the Contractor, or by the

Contractor to any subcontractor, supplier, laborer or material men in the course of the Work done under this Agreement.”

The City of Dallas is specifically neither a party to the Private Development Contract nor liable for payments thereunder. Therefore, the city’s Private Development Contract does not satisfy the requirements of the Texas Local Government Code Section 212.072(a).

Analysis of 212.072 (b)(1): states that the contract must establish the limit of participation by the municipality at a level not to exceed 30 percent of the total contract price, if the municipality has a population of less than 1.8 million.

1) In contrast to this requirement, the **Private Development Contract does not establish the limit of participation by the City of Dallas** at a level not to exceed 30 percent of the total contract price. In fact, **Paragraph VI of The Private Development Contract specifically states that the city is not liable for payments**. Also, nowhere in the Private Development Contract is there mention that the city’s participation may not exceed 30%.

The City of Dallas is specifically not liable for payments under the Private Development Contract. Therefore, the Private Development Contract does not satisfy the requirements of Texas Local Governments Code Section 212.072(b)(1).

Conclusion:

The Private Development Contract the city requires an Owner (i.e. Developer) to form with a Contractor pursuant to an exaction complies with neither Sections 212.072 (a) nor (b)(1) of the Texas Local Governments Code. This is very troubling because the City of Dallas is routinely participating up to 30% in private development contracts without being liable by code for payments and without being a party to a Private Development Contract as required by state law.

What is the City’s code justification for making payment to a developer under the Private Development Contract?

City of Dallas Code Section 49-62 RULES REGARDING THE CONSTRUCTION AND COST OF NEW MAINS IN A DEVELOPMENT covers the city’s participation in the construction of off-site extensions required to be constructed by a developer and specifically states that construction “shall be pursuant to a private development contract” in accordance with Chapter 212, Subchapter C of the Texas Local Government Code. However, as concluded herein, the city’s Private Development Contract does not meet the contract requirements of Section 212.072.

Based only on the limited records provided pursuant to a recent Open Records Request, from 2016 to 2019, the city required developers to enter into \$30,338,649.42 worth of Private Development Contracts and paid out \$5,993,504.77 to developers. **This is a large sum of money to pay without complying with the code requirements for participation in non-competitively bid private development contracts.**

Note that on the October 17th, the CPC voted to remand for a new apportionment because the 30% or less apportionment the city initially made under Section 212.072 was not accepted by the CPC. This creates a problem for future payments of the city's portion of the costs for an exaction. How will the city pay for those, especially for the ones above 30%?

It would seem that all payments to developers under city's present participation practice should be stopped until the City of Dallas revises the Private Development Contract to comply with Section 212.071 and 212.072 of the Texas Local Governments Code. Note that if the City does choose to become a party to the Private Development Contract, it opens itself to an incredible amount of liability which it is specifically trying to avoid under paragraph VI. of the present Private Development Contract.

SUBCHAPTER C. DEVELOPER PARTICIPATION IN CONTRACT FOR PUBLIC IMPROVEMENTS

Sec. 212.071. DEVELOPER PARTICIPATION CONTRACT. Without complying with the competitive sealed bidding procedure of Chapter 252, a municipality with 5,000 or more inhabitants may make a contract with a developer of a subdivision or land in the municipality to construct public improvements, not including a building, related to the development. If the contract does not meet the requirements of this subchapter, Chapter 252 applies to the contract if the contract would otherwise be governed by that chapter.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 47(b), eff. Aug. 28, 1989.
Amended by Acts 1999, 76th Leg., ch. 1547, Sec. 1, eff. Sept. 1, 1999.

Sec. 212.072. DUTIES OF PARTIES UNDER CONTRACT. (a) Under the contract, the developer shall construct the improvements and the municipality shall participate in their cost.

(b) The contract:

- (1) must establish the limit of participation by the municipality at a level not to exceed 30 percent of the total contract price, if the municipality has a population of less than 1.8 million; or
- (2) may allow participation by a municipality at a level not to exceed 70 percent of the total contract price, if the municipality has a population of 1.8 million or more.

(b-1) In addition, if the municipality has a population of 1.8 million or more, the municipality may participate at a level not to exceed 100 percent of the total contract price for all required drainage improvements related to the development and construction of affordable housing. Under this subsection, affordable housing is defined as housing which is equal to or less than the median sales price, as determined by the Real Estate Center at Texas A&M University, of a home in the Metropolitan Statistical Area (MSA) in which the municipality is located.

(c) In addition, the contract may also allow participation by the municipality at a level not to exceed 100 percent of the total cost for any oversizing of improvements required by the municipality, including but not limited to increased capacity of improvements to anticipate other future development in the area.

(d) The municipality is liable only for the agreed payment of its share of the contract, which shall be determined in advance either as a

lump sum or as a factor or percentage of the total actual cost as determined by municipal ordinance.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 47(b), eff. Aug. 28, 1989.

Amended by Acts 1999, 76th Leg., ch. 1526, Sec. 1, eff. Aug. 30, 1999.

Amended by:

Acts 2005, 79th Leg., Ch. 1075 (H.B. 1606), Sec. 1, eff. June 18, 2005.

Sec. 212.073. PERFORMANCE BOND. The developer must execute a performance bond for the construction of the improvements to ensure completion of the project. The bond must be executed by a corporate surety in accordance with Chapter 2253, Government Code.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 47(b), eff. Aug. 28, 1989.

Amended by Acts 1995, 74th Leg., ch. 76, Sec. 5.95(17), eff. Sept. 1, 1995.

Sec. 212.074. ADDITIONAL SAFEGUARDS; INSPECTION OF RECORDS. (a) In the ordinance adopted by the municipality under Section 212.072(b), the municipality may include additional safeguards against undue loading of cost, collusion, or fraud.

(b) All of the developer's books and other records related to the project shall be available for inspection by the municipality.

Added by Acts 1989, 71st Leg., ch. 1, Sec. 47(b), eff. Aug. 28, 1989.

SUBCHAPTER D. REGULATION OF PROPERTY DEVELOPMENT PROHIBITED IN CERTAIN CIRCUMSTANCES

Sec. 212.101. APPLICATION OF SUBCHAPTER TO CERTAIN HOME-RULE MUNICIPALITY. This subchapter applies only to a home-rule municipality that:

(1) has a charter provision allowing for limited-purpose annexation; and

(2) has annexed territory for a limited purpose.

Added by Acts 1997, 75th Leg., ch. 165, Sec. 23.02(a), eff. Sept. 1, 1997.

Sec. 212.102. DEFINITIONS. In this subchapter:

The Dallas City Code

SEC. 49-62. RULES REGARDING THE CONSTRUCTION AND COST OF NEW MAINS IN A DEVELOPMENT.

(a) Oversize mains. The city will participate in the cost of any oversize main the developer is required to construct, by purchasing the excess capacity in the main at the oversize cost of the main. The director's determination of the size of main necessary to adequately serve the subdivision, and the necessary degree of oversizing, is final. Oversize cost will be based upon the evaluated cost tables of Section 49-18.11 and will be paid after acceptance of the oversize main by the city.

(b) On-site extensions. The developer must construct all new on-site extensions necessary to adequately serve the development, subject to applicable city payments for participation in oversize cost under Subsection (a). Construction of an on-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended.

(c) Off-site extensions. The following rules govern the installation of and city participation in off-site extensions required to be constructed by a developer in order to adequately serve the development:

(1) The developer shall construct any new off-site extension necessary to adequately serve the development, if the city or another developer has not already commenced design or construction of the extension in connection with another development or project, subject to applicable city payments for participation in oversize cost under Subsection (a).

(2) Construction of an off-site extension shall be pursuant to a private development contract approved by the director and in accordance with Chapter 212, Subchapter C, Texas Local Government Code, as amended. The off-site extension construction may be included as a part of any private development contract for construction of on-site extensions or other infrastructure within the development, provided the rules of this article are complied with. The city will participate in the cost of the off-site extension by purchasing the extension, after completion and acceptance by the city, for the total evaluated cost of the extension. City payment will be made in the manner provided in this subsection.

(3) The city will make payment for purchase of the off-site extension based upon new connections to the extension, at the applicable rate stated in Section 49-18.15(a). The developer or other person entitled to payment under Subsection (c)(5) must request payment in writing, and provide addresses and lot and block numbers for new connections, on a semi-annual basis or on such other basis as prescribed by the director in order to better facilitate proper payment. However, if the development requiring the off-site extension and the surrounding property through which the extension is constructed are, at completion of construction, fully developed in a manner consistent with its zoning so that all or substantially all of the new connections to the extension capable of being made are actually made and no additional new connections are expected or required, the full amount of city payment owed to the developer will be made upon acceptance of the extension instead of the rated payment method described above.

(4) City payments under Subsection (c)(3) may be made to:

(A) the original developer constructing the extension;

(B) the original developer's legal successor by merger or other proceedings, if the developer is a corporation, partnership or other business entity;

(C) the original developer's heirs or designated beneficiaries legally established by a validly probated will or duly created estate administration;

(D) an assignee of the original developer, pursuant to a written, notarized agreement transferring the right to a payment which is executed by the original developer, legal successor, heir, beneficiary or their authorized agent and which is filed with the director after execution; or

(E) if after appropriate investigation the director determines that no one else exists who could claim a right to city payments under Subsections (c)(4)(A) through (c)(4)(D), any other person the director determines would have a right to receive city payments; provided, however, that if no person makes a claim for city payments owed under this subsection within 20 years after acceptance of the off-site extension by the city, the funds will be considered abandoned and will be placed in the department's general operating fund. The director is authorized to promulgate procedures, not in conflict with this chapter or other laws, for handling claims under this Subsection (c)(4).

(5) City payments for off-site extensions will be processed in accordance with Subsections (h) and (i) of this section, subject to any other applicable credits or charges prescribed in this chapter.

(d) Existing mains. The developer may utilize any existing main that may be available to adequately serve a proposed development in the design and construction of extensions subject to the payment of the acreage fee described in Subsection (e) of this section, if the director determines that:

(1) the existing main is not substandard as to size or condition; and

(2) the main is capable of adequately serving the development and not impractical to use for engineering or financial reasons; otherwise, the mains shall not be used or shall be replaced as required in Subsection (f).

(e) Acreage fee. A developer utilizing an existing main under this section shall be charged an acreage fee if the existing main utilized was previously constructed by a developer entitled to city participation under this section. The amount of the fee shall be as prescribed in Section 49-18.10(d), and shall be paid upon completion of final design of the proposed system serving the development. All acreage fees collected shall be deposited to the credit of the appropriate city fund, and shall be used only for the purpose of reimbursing developers as required under this section.

(f) Replacement mains. The following rules govern the construction of a replacement main:

(1) The developer shall replace every existing substandard main serving the development with a main of adequate size and condition for permanent service, as determined by the director, subject to applicable city participation under this section.

(2) The method of city participation in the cost of replacement of an off-site main within the city shall be governed by the rules for off-site extensions in Subsection (c).

(g) Trunk or transmission mains. If platted property abuts or fronts on an existing water transmission or trunk wastewater main and connection to the main is not permitted by the director, the developer will not be charged for the existing trunk or transmission main, but may still be required to construct another main to adequately serve the development. City participation in the cost of the alternate main shall be governed by the applicable rules of Subsections (a) through (c) of this section.

(h) Duplicate mains. Subject to the rules of Subsections (d) and (e) of this section, if more than one existing water or wastewater main fronts, abuts or lies within a development, the director shall determine which existing main or mains the developer shall be allowed to connect to, if any.

(i) City payments and other charges offset. The director shall offset any charges payable by developers under this chapter, except charges for retail use of the water or wastewater system, against city payments owed to a developer. If charges exceed city payments, payment must be made to the city prior to commencement of service. If city payments exceed charges the city will make payment upon acceptance of the system by the city, subject to the method of payment for off-site extensions described in Subsection (c)(3); provided, however, that no city payment under this article shall exceed 30 percent of the total private development contract price. Where the city's participation exceeds \$10,000, the director may waive the 30 percent limitation if the director chooses, in the director's sole discretion, to advertise the construction for competitive bids in accordance with state law. Charges paid to the city, if any, go into the department's operating fund or into the trust fund, where applicable.

(j) Disbursement of funds. Without additional city council approval, the director of finance is authorized to encumber and allocate funds from the appropriate water and wastewater system improvement fund and to issue checks or warrants from the proper encumbrance out of that fund for the purpose of making payments under this section, upon certification from the director that the developer has met all the applicable requirements of this article and that the amount of the payment accurately reflects the amount due the developer under this section.

(k) No limitation on city. Nothing in this section shall be construed to restrict the city's authority to construct capital improvements for the benefit of development or the citizens of the city. (Ord. Nos. 19201; 19526; 19622; 20215; 20653; 29645)

State Exaction Code

Sec. 212.904. APPORTIONMENT OF MUNICIPAL INFRASTRUCTURE COSTS. (a) If a municipality requires, including under an agreement under Chapter 242, as a condition of approval for a property development project that the developer bear a portion of the costs of municipal infrastructure improvements by the making of dedications, the payment of fees, or the payment of construction costs, the developer's portion of the costs may not exceed the amount required for infrastructure improvements that are roughly proportionate to the proposed development as approved by a professional engineer who holds a license issued under Chapter 1001, Occupations Code, and is retained by the municipality. The municipality's determination shall be completed within thirty days following the submission of the developer's application for determination under this subsection.

(b) A developer who disputes the determination made under Subsection (a) may appeal to the governing body of the municipality. At the appeal, the developer may present evidence and testimony under procedures adopted by the governing body. After hearing any testimony and reviewing the evidence, the governing body shall make the applicable determination within 30 days following the final submission of any testimony or evidence by the developer.

(c) A developer may appeal the determination of the governing body to a county or district court of the county in which the development project is located within 30 days of the final determination by the governing body.

(d) A municipality may not require a developer to waive the right of appeal authorized by this section as a condition of approval for a development project.

(e) A developer who prevails in an appeal under this section is entitled to applicable costs and to reasonable attorney's fees, including expert witness fees.

(f) This section does not diminish the authority or modify the procedures specified by Chapter 395.

Added by Acts 2005, 79th Leg., Ch. 982 (H.B. 1835), Sec. 1, eff. June 18, 2005.

Amended by:

Acts 2019, 86th Leg., R.S., Ch. 635 (S.B. 1510), Sec. 1, eff. June 10, 2019.

2016 Contracts	City Participation	Private Dev. Contract Amount	
16-085/086-P	\$48,128.40	\$160,428.00	0.3
16-097/098-P	\$16,200.60	\$54,002.00	0.3
16-153/154-P	\$13,090.50	\$43,635.00	0.3
16-119/120-P	\$82,000.00	\$533,877.00	0.1535934307
16-209/210-P	\$36,553.50	\$121,845.00	0.3
16-131/132-P	\$24,200.00	\$145,950.00	0.165810209
16-183/184-P	\$25,360.00	\$620,694.00	0.04085749178
16-159/160-P	\$14,200.00	\$65,300.00	0.2174578867
16-077/078-P	\$63,350.00	\$238,722.50	0.2653708804
16-321/322-P	\$24,200.00	\$155,418.89	0.1557082283
16-219/220-P	\$17,300.10	\$57,667.00	0.3
16-169/170-P	\$25,235.00	\$125,963.00	0.2003366068
16-468-P	\$2,774.10	\$9,247.00	0.3
16-423/424-P	\$63,672.30	\$212,241.00	0.3
16-429/430-P	\$22,957.50	\$76,525.00	0.3
16-405/406-P	\$79,774.20	\$265,914.00	0.3
16-297/298-P	\$12,735.00	\$42,450.00	0.3
16-481/482-P	\$100,800.00	\$383,348.00	0.2629464612
16-455/456-P	\$75,310.00	\$328,990.00	0.2289127329
16-171/172-P	\$13,000.00	\$53,600.00	0.2425373134
16-276-P	\$15,315.53	\$51,051.78	0.2999999216
16-487/488-P	\$32,799.60	\$109,332.00	0.3
16-263/264-P	\$7,371.30	\$24,571.00	0.3
16-509/510-P	\$25,927.20	\$86,424.00	0.3
16-531/532-P	<u>\$7,088.10</u>	<u>\$23,627.00</u>	0.3
2016 TOTAL	\$849,342.93	\$3,990,823.17	

2017 Contracts	City Participation	Private Dev. Contract Amount	
17-203/204-P	\$11,262.60	\$37,546.00	0.2999680392
17-393/394-P	\$106,675.00	\$683,870.00	0.155987249
17-0313/032-P	\$23,278.50	\$77,595.00	0.3
17-055/056-P	\$27,904.50	\$93,015.00	0.3
17-029/030-P	\$4,716.90	\$15,723.00	0.3
17-170-P	\$14,221.80	\$47,406.00	0.3
17-053/054-P	\$69,020.00	\$409,438.00	0.1685725311
17-249/250-P	\$9,300.00	\$61,580.60	0.151021588
17-047/048-P	\$36,590.00	\$155,487.25	0.2353247614
17-063/064-P	\$70,500.00	\$368,859.00	0.191129944
17-258-P	\$12,215.10	\$40,717.00	0.3
17-241/242-P	\$8,621.38	\$137,575.00	0.06266676358
17-247/248-P	\$33,345.00	\$114,065.00	0.2923333187
17-177/178-P	\$16,405.20	\$54,684.00	0.3
17-111/112-P	\$24,100.00	\$100,133.00	0.2406798957
17-333/334-P	\$45,531.60	\$151,772.00	0.3
17-349/350-P	\$7,365.60	\$24,552.00	0.3
17-175/176-P	\$57,329.70	\$191,099.00	0.3
17-311/312-P	\$47,566.80	\$158,556.00	0.3
17-387/388-P	\$8,080.29	\$55,138.00	0.1465466647
17-099/100-P	\$6,135.08	\$743,783.00	0.008248481076
17-223-224-P	\$24,065.00	\$102,459.00	0.2348744376
17-285/286-P	\$11,337.60	\$37,729.00	0.3005009409
17-079-P	\$43,850.00	\$190,300.00	0.2304256437
17-357/358-P	\$83,692.65	\$278,975.50	0.3
17-139/140-P	\$47,340.00	\$396,320.00	0.1194489302
17-279/280-P	\$40,918.50	\$136,395.00	0.3
17-341/342-P	\$74,476.00	\$362,298.00	0.2055655841
17-407/408-P	\$88,250.00	\$403,377.50	0.2187776958
17-495/496-P	\$10,178.40	\$33,928.00	0.3
17-289-P	\$19,638.00	\$65,460.00	0.3
17-191/192-P	\$20,810.00	\$194,589.00	0.1069433524
17-419/420-P	\$119,250.00	\$639,351.00	0.1865172652
17-431/432-P	\$45,744.60	\$152,482.00	0.3
17-195/196-P	\$37,698.60	\$125,662.00	0.3
17-245/246-P	\$35,260.00	\$134,000.00	0.2631343284
17-453/454-P	\$37,710.00	\$173,391.00	0.2174853366
17-109/110	\$24,800.00	\$117,486.00	0.2110889808
17-571/572-P	\$15,382.50	\$51,275.00	0.3
17-579/580-P	\$23,020.50	\$76,735.00	0.3
17-445/446-P	\$13,316.00	\$83,587.00	0.1593070693
17-097/098-P	<u>\$160,777.34</u>	<u>\$606,342.00</u>	0.2651594974
2017 TOTAL	\$1,617,680.74	\$8,084,735.85	

2018 Contracts	City Participation	Private Dev. Contract Amount	
18-121/122	\$50,600.00	\$220,375.00	0.2296086217
18-039/040-P	\$38,910.00	\$235,805.00	0.1650092237
18-057/058-P	\$17,703.00	\$59,010.00	0.3
18-063/064-P	\$24,582.41	\$81,941.38	0.2999999512
18-125/126-P	\$33,294.90	\$110,983.00	0.3
18-069/070-P	\$14,110.50	\$47,035.00	0.3
18-087/088-P	\$23,700.00	\$86,921.00	0.2726613822
18-075/076-P	\$25,654.00	\$98,220.67	0.2611873855
18-161/162-P	\$24,455.10	\$81,517.00	0.3
18-225/226-P	\$30,578.00	\$171,262.50	0.1785446318
18-147/148-P	\$22,702.50	\$75,675.00	0.3
18-243/244-P	\$26,450.00	\$205,538.00	0.1286866662
18-129/130-P	\$73,694.40	\$245,648.00	0.3
18-241/242-P	\$14,756.31	\$49,632.00	0.2973144342
18-103/104-P	\$9,165.90	\$30,553.00	0.3
18-223/224-P	\$1,771.94	\$616,652.40	0.002873482695
18-142-P	\$14,352.60	\$47,842.00	0.3
18-143/144-P	\$81,571.00	\$444,952.00	0.1833253924
18-293/294-P	\$30,189.00	\$100,630.00	0.3
18-107/108-P	\$51,820.00	\$194,489.00	0.2664418039
18-289/290-P	\$80,189.00	\$485,581.00	0.1651403164
18-197/198-P	\$34,431.60	\$114,772.00	0.3
18-135/136-P	\$38,709.20	\$120,033.99	0.3224853227
18-237/238-P	\$39,064.20	\$130,214.00	0.3
18-267/268-P	\$45,464.62	\$241,026.18	0.1886293846
18-329/330-P	\$4,520.00	\$99,907.50	0.04524184871
18-265/266-P	\$28,264.50	\$156,201.00	0.1809495458
18-413/414-P	\$18,654.00	\$62,180.00	0.3
18-201/202-P	\$15,620.00	\$153,018.00	0.1020794939
18-318-P	\$5,506.50	\$18,355.00	0.3
18-495/496-P	\$37,126.23	\$125,311.00	0.2962727135
18-149/150-P	\$19,951.50	\$66,505.00	0.3
18-307/308-P	\$39,120.00	\$377,603.42	0.1036007566
18-291/292-P	\$16,162.50	\$53,875.00	0.3
18-553/554-P	\$16,180.00	\$82,000.00	0.1973170732
18-253/254-P	\$56,295.20	\$515,334.60	0.1092400937
18-439/440-P	\$50,391.90	\$167,973.00	0.3
18-507/508-P	\$65,690.00	\$567,695.00	0.1157135434
18-409/410-P	\$65,245.23	\$218,850.00	0.2981276217
18-569/570-P	\$22,674.00	\$87,460.00	0.2592499428
18-503/504-P	\$34,076.86	\$154,834.00	0.2200864151

18-577/578-P	\$17,716.50	\$114,495.00	0.1547360147
18-607/608-P	\$18,557.19	\$121,237.00	0.1530654008
18-313/314-P	\$35,758.80	\$119,196.00	0.3
18-493/494-P	\$44,335.20	\$147,784.00	0.3
18-407/408-P	\$19,663.80	\$30,296.00	0.649055981
18-319/320-P	\$13,896.60	\$20,312.00	0.6841571485
18-579/580-P	\$50,600.00	\$145,811.00	0.3470245729
18-335/336-P	\$21,200.00	\$140,954.54	0.1504031016
18-595/596-P	\$60,057.60	\$200,192.00	0.3
18-611/612-P	\$45,000.00	\$165,000.00	0.2727272727
18-369/370-P	\$53,683.68	\$505,497.00	0.1061997994
18-505/506-P	\$46,420.00	\$251,700.00	0.1844259039
18-429/430-P	\$13,924.00	\$89,780.00	0.1550902205
18-389/390-P	<u>\$84,507.70</u>	<u>\$1,430,389.42</u>	0.05908020489
2018 TOTAL	\$1,868,719.67	\$10,686,055.60	

2019 Contracts	City Participation	Private Dev. Contract Amount	
19-251/252-P	\$39,700.00	\$309,664.00	0.1282034722
19-273/274-P	\$20,835.00	\$122,847.99	0.1695998445
19-295/296-P	\$24,260.00	\$94,580.00	0.2565024318
19-353/354-P	\$15,330.00	\$66,249.75	0.2313970996
19-279/280-P	\$24,427.50	\$81,425.00	0.3
19-259/260-P	\$112,388.72	\$514,213.34	0.2185643803
19-297/298-P	\$82,009.50	\$273,365.00	0.3
19-323/234	\$50,023.12	\$166,743.72	0.300000024
19-351/352-P	\$11,385.00	\$37,950.00	0.3
19-379/380-P	\$42,675.00	\$155,249.94	0.2748793333
19-195/196-P	\$19,328.56	\$64,428.54	0.299999969
19-339/340-P	\$22,365.00	\$74,550.00	0.3
19-405/406-P	\$18,500.00	\$152,004.00	0.1217073235
19-385/386-P	\$16,149.45	\$54,695.00	0.2952637353
19-283/284-P	\$33,911.70	\$113,039.00	0.3
19-371/372-P	\$28,608.90	\$63,041.10	0.4538134645
19-445/446-P	\$13,187.40	\$43,958.00	0.3
19-427/428-P	\$53,336.40	\$295,078.20	0.180753441
19-397/398-P	\$24,462.90	\$81,543.00	0.3
19-457/458-P	\$11,031.00	\$36,770.00	0.3
19-393/394-P	\$33,033.00	\$324,156.00	0.1019046385
19-499/500-P	\$67,350.00	\$238,847.00	0.2819796774
19-501/502-P	\$15,684.00	\$109,510.00	0.1432197973
19-411/412-P	\$63,600.00	\$212,000.00	0.3
19-505/506-P	\$22,925.10	\$76,417.00	0.3
19-479/480-P	\$46,460.70	\$154,869.00	0.3
19-509/510-P	\$23,026.37	\$76,754.55	0.3000000651
19-473-474-P	\$10,496.00	\$47,034.00	0.2231577157
19-461/462-P	\$24,023.80	\$80,496.00	0.2984471278
19-527/528-P	\$135,018.41	\$450,061.36	0.3000000044
19-503/504-P	\$24,330.20	\$81,100.66	0.3000000247
19-533/534-P	\$15,064.50	\$50,215.00	0.3
19-543/544-P	\$63,200.00	\$543,473.00	0.1162891257
19-305/306-P	\$100,795.50	\$335,985.00	0.3
19-441/442-P	\$21,065.00	\$123,322.00	0.1708129936
19-613/614-P	\$47,080.00	\$448,145.00	0.1050552834
19-596-P	\$16,747.50	\$58,760.00	0.2850153165
19-301/302-P	\$28,780.50	\$95,935.00	0.3
19-541/542-P	\$44,550.00	\$148,500.00	0.3
19-577/578-P	\$96,650.00	\$498,854.00	0.1937440614
19-525/526-P	\$11,817.60	\$39,392.00	0.3

19-645/646-P	\$1,480.00	\$260,362.00	0.005684393268
19-609/610-P	\$10,802.00	\$54,162.00	0.1994387209
19-688-P	\$7,899.00	\$26,330.00	0.3
19-673/674-P	\$13,920.00	\$80,801.65	0.1722737098
19-683/684-P	\$30,320.40	\$101,068.00	0.3
19-657/658-P	<u>\$17,726.70</u>	<u>\$59,089.00</u>	0.3
2019 TOTAL	\$1,657,761.43	\$7,577,034.80	

Johnny and Peyman,

Not surprised really but give me your thoughts on this.....

From: Matt Moore <matt@claymooreeng.com>
Sent: Wednesday, May 29, 2019 5:51 PM
To: Timm Baumann <timmm@savannahdevelopers.com>; Steve King <steve@savannahdevelopers.com>; Dave Williams <dave@savannahdevelopers.com>; Chase Munster <chase@cpgdevelopment.com>; Preston Munster <preston@cpgdevelopment.com>
Cc: Clay Cristy <clay@claymooreeng.com>
Subject: Residential Townhomes

Gentlemen –

Your recent hire of Johnny Sudbury to go to the City of Dallas to try and RE-NEGOTIATE all of the utility work that I had previously negotiated with David Lam has backfired. David called us today to let us know of these discussions and his frustration and disappointment. He felt like he was very fair in my original negotiations and actually gave in on more than he wanted (due to my relationship with him), however now to have a former City employee come try to renegotiate at this late stage has them with a bad taste for Savannah and all of us. He was pissed to say the least.....

He has things on hold and this will slow down all our progress and correspondence as they feel threatened and will do everything by the book.....

Matt

Matt Moore, PE (TX, OK)

Claymoore Engineering, Inc.