

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 3
DEPARTMENT: Public Works Department
Office of Economic Development
CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837
MAPSCO: 43T X

SUBJECT

Authorize a professional services contract with Kimley-Horn and Associates, Inc. for design of paving, drainage and wastewater improvements for the Colorado Boulevard Extension, Phase II Project to extend the roadway from previously constructed in Phase I to tie into Westmoreland Road at West Colorado Boulevard - Not to exceed \$196,256 - Financing: 2012 Bond Funds

BACKGROUND

The Colorado Boulevard Extension project is located southwest of Interstate Highway 30 and Westmoreland Road in an area known as the "Canyon". Phase I of the project was recently completed and entailed constructing a four-lane roadway extending from the eastbound IH-30 frontage road to approximately 1,900 feet south. Phase II of the project will extend the four-lane roadway, previously constructed in Phase I, southeast to tie into Westmoreland Road at West Colorado Boulevard. Phase II of this project will complete the Colorado Boulevard extension from Westmoreland Road to the eastbound IH-30 frontage road, thus improving access and opening up the area and serving as a catalyst for economic development throughout the "Canyon".

This action will authorize a professional services contract with Kimley-Horn and Associates, Inc. for the design of paving, drainage and wastewater improvements for the Colorado Boulevard Extension, Phase II Project.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	May 2016
Complete Design	October 2016
Begin Construction	February 2017
Complete Construction	December 2017

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a Chapter 380 economic development grant agreement with SLF III - THE CANYON TIF, LP to support the proposed Canyon Development on March 27, 2013, by Resolution No. 13-0551.

Authorized a construction contract with North Texas Contracting, Inc. for the Colorado Boulevard Extension, Phase I project on June 25, 2014, by Resolution No. 14-1018.

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2012 Bond Funds - \$196,256

Design (this action)	\$ 196,256.00
Construction	
Paving & Drainage - PBW	\$1,528,487.40 (est.)
Water & Wastewater - DWU	<u>\$ 225,605.00</u> (est.)
Total	\$1,950,348.40 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Kimley-Horn and Associates, Inc.

Hispanic Female	8	Hispanic Male	11
African-American Female	4	African-American Male	2
Other Female	1	Other Male	8
White Female	46	White Male	78

OWNER

Kimley-Horn and Associates, Inc.

David Meyers, P.E., Vice President

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Kimley-Horn and Associates, Inc. for design of paving, drainage and wastewater improvements for the Colorado Boulevard Extension, Phase II Project to extend the roadway from previously constructed in Phase I to tie into Westmoreland Road at West Colorado Boulevard - Not to exceed \$196,256 - Financing: 2012 Bond Funds

Kimley-Horn and Associates, Inc. is a local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$196,256.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$196,256.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Urban Engineers Group, Inc.	HFDB10630Y0716	\$38,405.00	19.57%
Othon, Inc.	HMMB62536Y0716	\$17,773.28	9.06%
J Q Infrastructure	IMDB80158Y0716	\$14,000.00	7.13%
Total Minority - Local		\$70,178.28	35.76%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$56,178.28	28.62%	\$56,178.28	28.62%
Asian American	\$14,000.00	7.13%	\$14,000.00	7.13%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$70,178.28	35.76%	\$70,178.28	35.76%

March 23, 2016

WHEREAS, Kimley-Horn and Associates, Inc. was selected to provide the design of paving, drainage and wastewater improvements for the Colorado Boulevard Extension, Phase II Project to extend the roadway from previously constructed in Phase I to tie into Westmoreland Road at West Colorado Boulevard.

Now, Therefore,

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

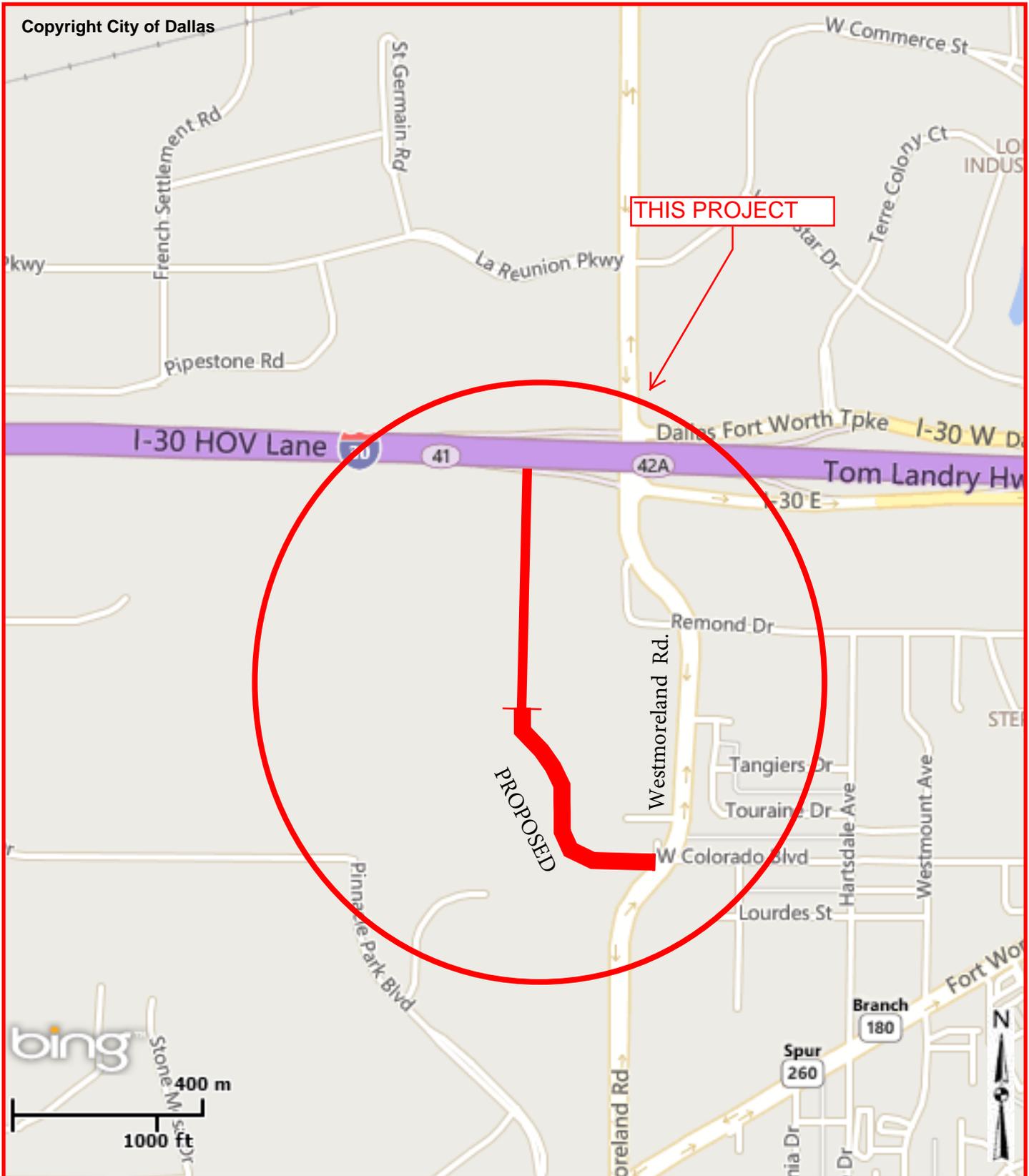
Section 1. That the City Manager is hereby authorized to execute a professional services contract with Kimley-Horn and Associates, Inc. for the design of paving, drainage and wastewater improvements for the Colorado Boulevard Extension, Phase II Project to extend the roadway from previously constructed in Phase I to tie into Westmoreland Road at West Colorado Boulevard, in an amount not to exceed \$196,256, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Economic & S. Area of City Transit-oriented Development	
Fund 2U52, Department ECO, Unit W048, Act. ECNR	
Obj. 4111, Program #EC12W048, CT PBW12W048F1	
Vendor #135447, in an amount not to exceed	\$196,256.00

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

COLORADO BOULEVARD EXTENSION PHASE II



MAPSCO 43T, X

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 23, 2016

COUNCIL DISTRICT(S): 5, 12

DEPARTMENT: Public Works Department
Equipment & Building Services
Office Of Environmental Quality

CMO: Jill A. Jordan, P.E., 670-5299

MAPSCO: 58N; 5M

SUBJECT

Authorize Supplemental Agreement No. 1 to the professional services contract with EJES, Inc., to provide design services, construction management services, and environmental services for the removal and replacement of two underground fuel storage tanks and one underground oil tank at the North Central Patrol Division, located at 6969 McCallum Boulevard, and for the removal and replacement of two underground fuel storage tanks at the Southeast Patrol Division, located at 725 North Jim Miller Road - Not to exceed \$225,183, from \$14,402 to \$239,585 - Financing: Current Funds (subject to appropriations)

BACKGROUND

The underground fuel storage tanks located on city property are overseen by the Office of Environmental Quality. The Office of Environmental Quality has put together a prioritized list of several underground fuel storage tanks that have reached the end of their life cycle that need to be replaced. The existing three underground storage tanks at the North Central Patrol Division, located at 6969 McCallum Blvd, and the two underground tanks at the Southeast Patrol Division located at 725 N. Jim Miller Rd. are on that list of priorities to be replaced. These improvements are part of a program to remove and replace several outdated underground storage tanks at several facilities throughout the City.

A design contract with EJES, Inc. was authorized by Administrative Action No. 15-6424 on July 16, 2015, in the amount of \$14,402.00, to prepare design plans and specifications along with providing geotechnical services for an above-ground storage tank foundation at Fire Station No. 58.

This action will authorize Supplemental Agreement No. 1 to the existing contract with EJES, Inc. for the replacement of the old underground fuel and oil tanks at the North Central Patrol Division and the Southeast Patrol Division.

ESTIMATED SCHEDULE OF PROJECT

Begin Design April 2016
Complete Design June 2016
Begin Construction September 2016
Complete Construction January 2017

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

Current Funds - \$225,183 (subject to appropriations)

<u>Council District</u>	<u>Amount</u>
5	\$119,500
12	<u>\$105,683</u>
Total	\$225,183

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

EJES, Inc.

Hispanic Female	1	Hispanic Male	2
African-American Female	20	African-American Male	24
Other Female	3	Other Male	6
White Female	5	White Male	23

OWNER

EJES, Inc.

Edwin Jones, President

MAPS

Attached.

March 23, 2016

WHEREAS, the City of Dallas has underground fuel storage tanks at the North Central Police Service Center and the Southeast Police Service Center for the purpose of refueling police vehicles; and,

WHEREAS, the existing underground storage tanks have reached the end of their useful service life and need to be replaced as part of a program to remove and replace outdated tanks at City of Dallas facilities; and,

WHEREAS, on July 16, 2015, Administrative Action No. 15-6424 authorized a professional services contract with EJES, Inc. in an amount of \$14,402.00, to provide design services and geotechnical services for a set of plans and specifications for construction of an above-ground storage tank foundation that would be used to support an above-ground storage tank at Fire Station No. 58; and,

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 1 to the professional services contract with EJES, Inc. to provide design services, construction management services, and environmental services for the removal and replacement of two underground fuel storage tanks and one underground oil tank at the North Central Patrol Division, located at 6969 McCallum Boulevard, and for the removal and replacement of two underground fuel storage tanks at the Southeast Patrol Division, located at 725 N. Jim Miller Road, in an amount not to exceed \$225,183.00, from \$14,402.00 to \$239,585.00.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 1 to the professional services contract with EJES, Inc. to provide design services, construction management services, and environmental services for the removal and replacement of two underground fuel storage tanks and one underground oil tank at the North Central Patrol Division, located at 6969 McCallum Boulevard, and for the removal and replacement of two underground fuel storage tanks at the Southeast Patrol Division, located at 725 N. Jim Miller Road, in an amount not to exceed \$225,183.00, from \$14,402.00 to \$239,585.00 after it has been approved as to form by the City Attorney.

March 23, 2016

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Current Funds

Fund 0196, Dept. EBS, Unit 1764, Act. MMCF

Obj. 4111, Program #PB1764016, CT PBW1764016E1

Vendor #505524, in an amount not to exceed \$225,183.00 (subject to appropriations)

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 1 to the professional services contract with EJES, Inc., to provide design services, construction management services, and environmental services for the removal and replacement of two underground fuel storage tanks and one underground oil tank at the North Central Patrol Division, located at 6969 McCallum Boulevard, and for the removal and replacement of two underground fuel storage tanks at the Southeast Patrol Division, located at 725 North Jim Miller Road - Not to exceed \$225,183, from \$14,402 to \$239,585 - Financing: Current Funds (subject to appropriations)

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

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$225,183.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$225,183.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
EJES, Inc.	BMDB6478240716	\$166,505.00	73.94%
Sigma Environmental Solution, Inc.	BMMB6417N0217	\$18,860.00	8.38%
T. Smith Inspection & Testing	BMDB72436Y0616	\$11,500.00	5.11%
LCA Environmental	WFDB32286Y0416	\$19,250.00	8.55%
Hayden Consultants, Inc.	WFDB67364Y0716	\$5,400.00	2.40%
MS Dallas Reprographics	WFWB64722Y0417	\$3,668.00	1.63%
Total Minority - Local		\$225,183.00	100.00%

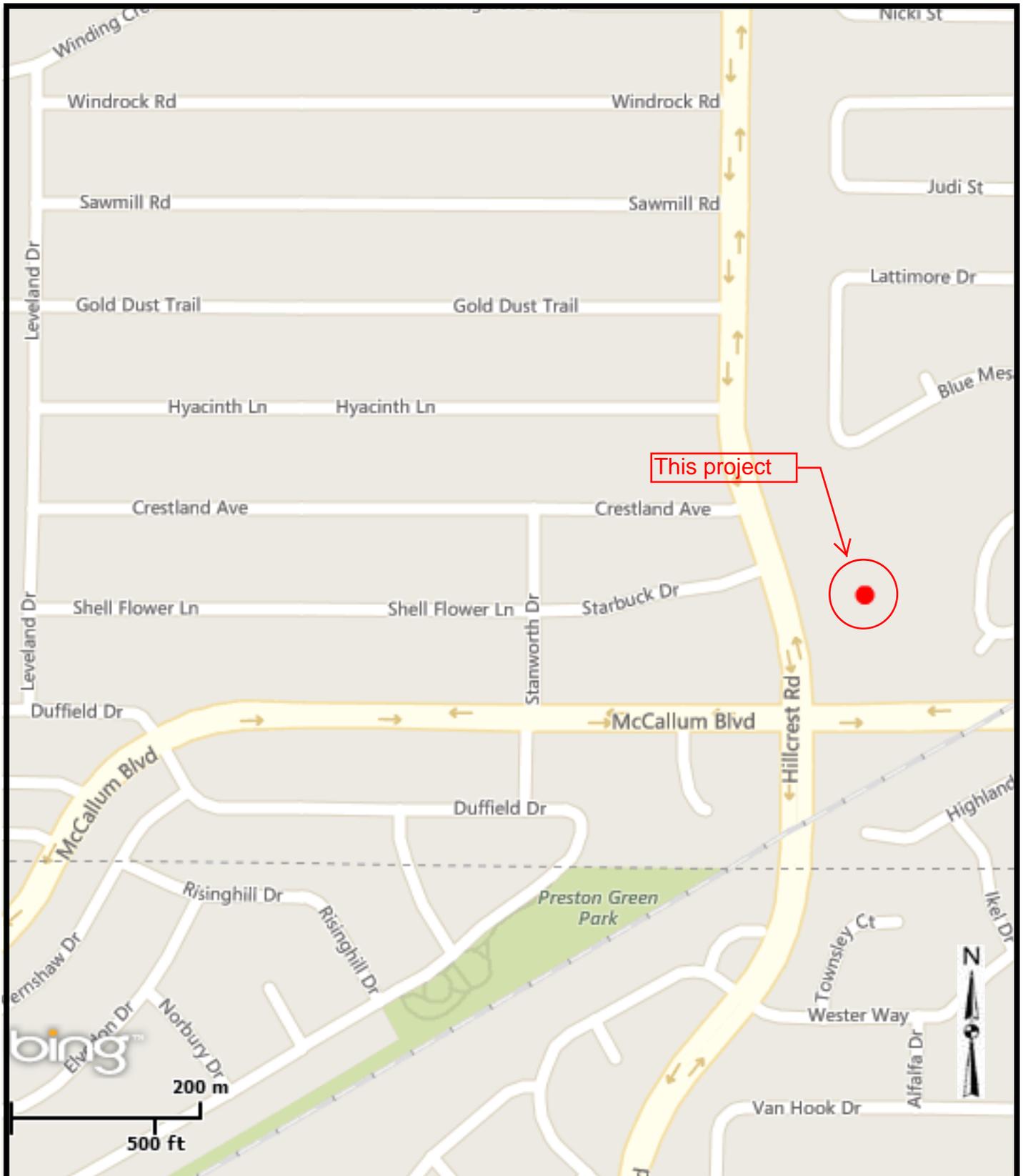
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

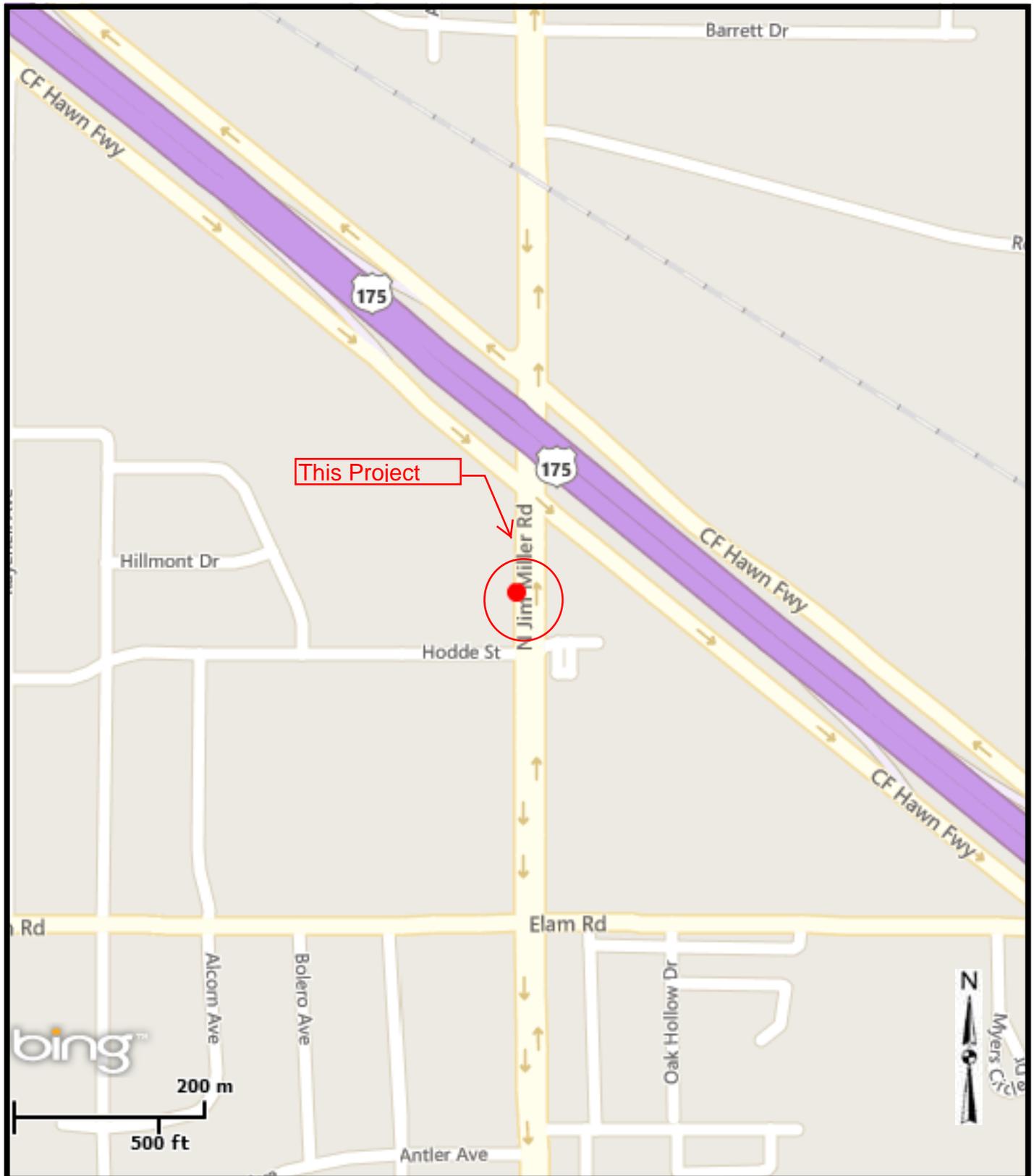
	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$196,865.00	87.42%	\$207,185.00	86.48%
Hispanic American	\$0.00	0.00%	\$4,082.00	1.70%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$28,318.00	12.58%	\$28,318.00	11.82%
Total	<u>\$225,183.00</u>	<u>100.00%</u>	<u>\$239,585.00</u>	<u>100.00%</u>

North Central Police Service Center and Southeast Police Service Center Underground Storage Tank Removal and Replacement



North Central Police Service Center
6969 McCallum Blvd.
Mapsco 5M

North Central Police Service Center and Southeast Police Service Center Underground Storage Tank Removal and Replacement



**Southeast Police Service Center
725 N. Jim Miller Rd.
Mapsco 58N**

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 56C

SUBJECT

A resolution authorizing the sale of approximately 5,062 square feet of City-owned land located near the intersection of US 175 and Harding Street to the Texas Department of Transportation - Revenue: \$6,074

BACKGROUND

This item will authorize the sale of approximately 5,062 square feet of City-owned land located near the intersection of US 175 and Harding Street to the Texas Department of Transportation, an entity with the power of eminent domain. The City may sell or exchange its property to a governmental entity that has the power of eminent domain without complying with the notice and bid requirements pursuant to Chapter 272 of the Local Government Code. The purchase price of \$6,074 is based on an independent appraisal. This property will be used for TxDOT’s planned ROW CSJ: 0197-02-113 (SM Wright) project.

This property will be conveyed with a reservation of all oil, gas and other minerals in and under the property.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

Revenue: \$6,074

MAP

Attached

March 23, 2016

WHEREAS, the City of Dallas is the owner of a tract of land containing approximately 5,062 square feet of land, Block 1/2524, Dallas County, Texas, (the "Property") and located near the intersection of US 175 and Harding Street, which is no longer needed for municipal use; and

WHEREAS, the Texas Department of Transportation, a State of Texas Agency, has the power of eminent domain and proposes to purchase said property at fair market value; and

WHEREAS, the City of Dallas may sell or exchange its property to a governmental entity that has the power of eminent domain, for fair market value as determined by an appraisal, without complying with the notice and bidding requirements for the sale of public lands provided for in Chapter 272, Section 272.001 of the Texas Local Government Code; and

WHEREAS, certain provisions of Section 2-24 of the Dallas City Code do not apply to the sale of land by the City of Dallas to other governmental entities as contemplated and authorized herein; **Now, Therefore,**

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

SECTION 1. That upon receipt of **SIX THOUSAND SEVENTY-FOUR AND NO/100 (\$6,074.00) DOLLARS** from the State of Texas, the City Manager or designee is authorized to execute a Deed Without Warranty, to be attested by the City Secretary upon approval as to form by the City Attorney for approximately 5,062 square feet of land Block 1/2524, Dallas County, Texas (the "Property") and located near the intersection of US 175 and Harding Street. The Deed Without Warranty being subject to the conditions contained in Section 2.

SECTION 2. That the Deed Without Warranty shall provide that the conveyance to the State of Texas ("**GRANTEE**") is subject to the following:

- (a) a restriction prohibiting the placement of industrialized housing on the property; and
- (b) reservation by the City of Dallas of all oil, gas and other minerals in and under the Property with a waiver of surface access rights relating to said minerals; and
- (c) any visible and apparent easements and any encroachments whether of record or not; and

March 23, 2016**SECTION 2.** (Continued)

- (d) any and all covenants, conditions, reservations, restrictions, exceptions, easements, rights-of-way, mineral interests, mineral leases or other instruments of record and applicable to the Property or any part thereof; and
- (e) to the maximum extent allowed by law, (i) **GRANTEE** is taking the Property "AS IS, WHERE IS, WITH ALL FAULTS"; (ii) GRANTOR disclaims responsibility as to the accuracy or completeness of any information relating to the Property; (iii) **GRANTEE** assumes all responsibility to examine all applicable building codes and zoning ordinances to determine if the Property can be used for the purposes desired and to check for outstanding or pending code enforcement actions including but not limited to repair or demolition orders; and (iv) GRANTOR expressly disclaims and **GRANTEE** expressly waives, any warranty or representation, express or implied, including without limitation any warranty of condition, habitability, merchantability or fitness for a particular purpose of the Property; and
- (f) GRANTOR makes no representations of any nature regarding the Property and specifically disclaims any warranty, guaranty or representation, oral or written, express or implied, past, present, or future, concerning: (i) the nature and condition of the Property, including without limitation, the water, soil and geology, and the suitability thereof and the Property for any and all activities and uses which **GRANTEE** may elect to conduct thereon, and the existence of any environmental substances, hazards or conditions or presence of any endangered or protected species thereon or compliance with all applicable laws, rules or regulations; (ii) the nature and extent of any right-of-way, lease, possession, lien, encumbrance, license, reservation, condition or otherwise; (iii) the compliance of the Property or its operation with any law, ordinance or regulation of any federal, state, or local governmental authority; and (iv) whether or not the Property can be developed or utilized for any purpose. For purposes hereof, "environmental substances" means the following: (a) any "hazardous substance" under the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C.A. Section 9601 et. seq., as amended, (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and Control Act, Tex. Water Code, Section 26.261, et. seq., as amended, (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubrication oils, (d) any "hazardous chemicals" or "toxic

March 23, 2016

SECTION 2. (Continued)

chemicals” under the Occupational Safety and Health Act, 29 U.S.C.A. Section 651 et. seq., as amended, (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C.A. Section 6901 et. seq., as amended, (f) asbestos, (g) polychlorinated biphenyls, (h) underground storage tanks, whether empty, filled, or partially filled with any substance, (i) any substance, the presence of which is prohibited by federal, state or local laws and regulations, and (j) any other substance which by federal, state or local laws and regulations requires special handling or notification of governmental authorities in its collection, storage, treatment or disposal. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder; and

- (g) taxes and assessments if any, by any taxing authority and applicable to Grantee’s ownership period, payment of which being assumed by Grantee; and
- (h) such other terms and requirements of the sale and/or disclaimers as the City deems necessary, convenient or appropriate.

SECTION 3. That the sale proceeds shall be deposited into the General Capital Reserve Fund 0625, Department BMS, Unit 7263, Revenue Source 8118.

SECTION 4. That if a title policy is desired by **GRANTEE**, same shall be at the expense of said **GRANTEE**.

SECTION 5. That the procedures required by Section 2-24 of the Dallas City Code that are not required by state law concerning the sale of unneeded real property are waived with respect to this tract of land.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

Garden Dr

Area to be Conveyed

Heding St

US 175

Hohen Ave



KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 23, 2016

COUNCIL DISTRICT(S): 3, 4, 5, 9, 10, 11, 12

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 4F 5L 15Q 16N 27A B E F 37J N 38P Q S U 58P 63G 64F 65L

SUBJECT

Authorize professional services contracts with four consulting firms for the engineering design of eighteen erosion control improvement projects (list attached) - Not to exceed \$659,570 - Financing: General Obligation Commercial Paper Funds (\$113,794), 2012 Bond Funds (\$447,273) and Water Utilities Capital Improvement Funds (\$98,503)

BACKGROUND

This action will authorize professional services contracts with four consulting firms for the engineering design of eighteen erosion control improvement projects. These projects were funded in the 2012 Bond Program.

Erosion control improvement projects will include the installation of gabion walls, retaining walls, gabion mattresses, and slope and channel improvements to protect structures and minimize creek bank erosion along various creeks throughout the city.

Following are the locations, design cost, and the selected consulting firm for each project. The consulting firms were selected following a qualifications-based selection process in accordance with the City of Dallas AD 4-5 procurement guidelines.

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 1</u>		Urban Engineers	
6523 and 6527 Clubhouse Circle	11	Group, Inc.	\$15,186.12
17628 Squaw Valley	12		\$15,950.87
13316 Spring Grove	11		\$14,714.63
Country Brook Pond	12		\$15,157.38

BACKGROUND (Continued)

<u>Location</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 4</u>			
8849 Fair Oaks Crossing	10	IEA, Inc.	\$55,853.24
9730 Whitehurst	10		\$78,244.71
Rocky Branch at Middle Downs Sites 1, 2, 3, 4	10		\$110,863.23
<u>Group 7</u>			
2507 Beechmont Dr.	9	APM & Associates, Inc.	\$14,957.33
6909 Lyre Lane & 6916 Chantilly Court	9		\$18,237.20
2116 Healey and 9869 Kingsman	9		\$27,030.08
9204, 9210, 9216 Springwater	9		\$56,628.26
9726 Twin Creek	9		\$24,062.48
1511 Kiltartan	9		\$38,106.50
3220 Sperry St.	9		\$20,379.15
<u>Group 9</u>			
2671, 2675, 2679, 2683 Deep Hill Circle	3	Salcedo Group, Inc.	\$81,240.13
922 Five Mile Parkway	4		\$35,567.53
4927 Kildare	3		\$16,723.62
7322 Rosemont Rd.	5		\$20,667.15

ESTIMATED SCHEDULE OF PROJECT

Erosion Control Improvement Projects

Group 1

	<u>Begin Design</u>	<u>Complete Design</u>
6523 and 6527 Clubhouse Circle	April 2016	October 2016
17628 Squaw Valley	April 2016	October 2016
13316 Spring Grove	April 2016	October 2016
Country Brook Pond	April 2016	October 2016

Group 4

	<u>Begin Design</u>	<u>Complete Design</u>
8849 Fair Oaks Crossing	April 2016	October 2016
9730 Whitehurst	April 2016	October 2016
Rocky Branch at Middle Downs Sites 1, 2, 3, 4	April 2016	October 2016

ESTIMATED SCHEDULE OF PROJECT (Continued)

Erosion Control Improvement Projects

**Begin
Design**

**Complete
Design**

Group 7

2507 Beechmont Dr.	April 2016	October 2016
6909 Lyre Lane and 6916 Chantilly Court	April 2016	October 2016
2116 Healey and 9869 Kingsman	April 2016	October 2016
9204, 9210, and 9216 Springwater	April 2016	October 2016
9726 Twin Creek	April 2016	October 2016
1511 Kiltartan	April 2016	October 2016
3220 Sperry St.	April 2016	October 2016

Group 9

2671, 2675, 2679, 2683 Deep Hill Circle	April 2016	October 2016
922 Five Mile Parkway	April 2016	October 2016
4927 Kildare	April 2016	October 2016
7322 Rosemont Rd.	April 2016	October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Fund) - \$113,793.59

2012 Bond Funds - \$447,272.90

Water Utilities Capital Improvement Funds - \$98,503.12

Council District

Amount

3	\$ 97,963.75
4	\$ 35,567.53
5	\$ 20,667.15
9	\$199,401.00
10	\$244,961.18
11	\$ 29,900.75
12	<u>\$ 31,108.25</u>
Total Cost	\$659,569.61

FISCAL INFORMATION (Continued)

Erosion Control Improvement Projects

Group 1

Design (TWM)	\$ 61, 009.00
Construction	<u>\$316,503.00</u>
Total Project Cost	\$377,512.00 (est.)

Group 4

Design (TWM)	\$ 210,792.46
Design (DWU)	\$ 34,168.72
Construction	<u>\$1,183,809.00</u>
Total Project Cost	\$1,428,770.18 (est.)

Group 7

Design (TWM)	\$ 154,681.00
Design (DWU)	\$ 44,720.00
Construction	<u>\$ 788,308.32</u>
Total Project Cost	\$987,709.32 (est.)

Group 9

Design (TWM)	\$134,584.03
Design (DWU)	\$ 19,614.40
Construction	<u>\$841,150.16</u>
Total Project Cost	\$995,348.59 (est.)

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Urban Engineers Group, Inc.

Hispanic Female	2	Hispanic Male	1
African-American Female	0	African-American Male	1
Other Female	0	Other Male	4
White Female	0	White Male	1

IEA, Inc.

Hispanic Female	2	Hispanic Male	4
African-American Female	2	African-American Male	0
Other Female	1	Other Male	6
White Female	3	White Male	31

ETHNIC COMPOSITION (Continued)

APM & Associates, Inc.

Hispanic Female	1	Hispanic Male	1
African-American Female	5	African-American Male	6
Other Female	0	Other Male	5
White Female	0	White Male	8

Salcedo Group, Inc.

Hispanic Female	2	Hispanic Male	3
African-American Female	0	African-American Male	3
Other Female	0	Other Male	2
White Female	0	White Male	3

OWNERS

Urban Engineers Group

Faisal Syed, P.E., Principal

IEA, Inc.

Shakeel Ahmed, P.E., Chief Executive Officer

APM & Associates, Inc.

Ronald L. O'Connel, P.E., Vice President

Salcedo Group

Luis M. Salcedo, P.E., CFM, RPLS, Chief Executive Officer

MAPS

Attached

March 23, 2016

WHEREAS, four engineering firms were selected to provide the engineering design of eighteen erosion control improvement projects.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute professional services contracts with four engineering firms for the engineering services for erosion control improvement projects in an amount not to exceed \$659,569.61, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts from:

a. Urban Engineers Group, Inc. for the engineering design of Group 1 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S715, Activity ERCT
Object 4111, Program No. TW12S715, CT TWM12S715F1
Vendor No. 511462, in an amount not to exceed \$15,186.12

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S751, Activity ERCT
Object 4111, Program No. TW12S715, CT TWM12S715F1
Vendor No. 511462, in an amount not to exceed \$14,714.63

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S754, Activity ERCT
Object 4111, Program No. TW12S754, CT TWM12S715F1
Vendor No. 511462, in an amount not to exceed \$2,449.88

Flood Protection and Storm Drainage Facilities
Fund 4U23, Dept. TWM, Unit S754, Activity ERCT
Object 4111, Program No. TW12S717, CT TWM12S715F1
Vendor No. 511462, in an amount not to exceed \$13,500.99

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S717, Activity ERCT
Object 4111, Program No. TW12S717, CT TWM12S715F1
Vendor No. 511462, in an amount not to exceed \$15,157.38

March 23, 2016

b. IEA, Inc. for the engineering design of Group 4 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 4U23, Dept. TWM, Unit S763, Activity ERCT
Object 4111, Program No. TW12S763, CT TWM12S744F1
Vendor No. VS0000030431, in an amount not to exceed \$66,855.14

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S744, Activity ERCT
Object 4111, Program No. TW12S744, CT TWM12S744F1
Vendor No. VS0000030431, in an amount not to exceed \$99,473.66

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S721, Activity ERCT
Object 4111, Program No. TW12S721, CT TWM12S744F1
Vendor No. VS0000030431, in an amount not to exceed \$44,463.66

Wastewater Capital Improvement Fund
Fund 2116, Commodity 92500, Dept. DWU, Unit PS42
Object 4111, Program No. 716050, CT TWM716050CP
Vendor No. VS0000030431, in an amount not to exceed \$34,168.72

c. APM & Associates, Inc. for the engineering design of Group 7 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 4U23, Dept. TWM, Unit S760, Activity ERCT
Object 4111, Program No. TW12S760, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$17,673.91

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S753, Activity ERCT
Object 4111, Program No. TW12S753, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$50,239.69

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S750, Activity ERCT
Object 4111, Program No. TW12S750, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$13,990.58

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S739, Activity ERCT
Object 4111, Program No. TW12S739, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$11,848.62

March 23, 2016

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S735, Activity ERCT
Object 4111, Program No. TW12S735, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$31,717.93

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S731, Activity ERCT
Object 4111, Program No. TW12S731, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$20,641.51

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S704, Activity ERCT
Object 4111, Program No. TW12S704, CT TWM12S760F1
Vendor No. 265694, in an amount not to exceed \$8,568.76

Wastewater Capital Improvement Fund
Fund 2116, Commodity 92500, Dept. DWU, Unit PS42
Object 4111, Program No. 716056, CT TWM716056CP
Vendor No. 265694, in an amount not to exceed \$44,720.00

d. Salcedo Group, Inc for the engineering design of Group 9 erosion control improvements:

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S718, Activity ERCT
Object 4111, Program No. TW12S718, CT TWM12S745F1
Vendor No. 509399, in an amount not to exceed \$76,336.53

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S722, Activity ERCT
Object 4111, Program No. TW12S722, CT TWM12S745F1
Vendor No. 509399, in an amount not to exceed \$30,663.93

Flood Protection and Storm Drainage Facilities
Fund 3U23, Dept. TWM, Unit S734, Activity ERCT
Object 4111, Program No. TW12S734, CT TWM12S745F1
Vendor No. 509399, in an amount not to exceed \$11,820.02

Flood Protection and Storm Drainage Facilities
Fund 4U23, Dept. TWM, Unit S745, Activity ERCT
Object 4111, Program No. TW12S745, CT TWM12S745F1
Vendor No. 509399, in an amount not to exceed \$15,763.55

March 23, 2016

Wastewater Capital Improvement Fund	
Fund 2116, Commodity 92500, Dept. DWU, Unit PS42	
Object 4111, Program No. 716164, CT TWM716164CP	
Vendor No. 509399, in an amount not to exceed	<u>\$19,614.40</u>
Total amount not to exceed	\$659,569.61

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with four consulting firms for the engineering design of eighteen erosion control improvement projects (list attached) - Not to exceed \$659,570 - Financing: General Obligation Commercial Paper Funds (\$113,794), 2012 Bond Funds (\$447,273) and Water Utilities Capital Improvement Funds (\$98,503)

APM & Associates, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$199,401.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$199,401.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
APM & Associates, Inc.	BMMB61731Y0516	\$129,535.00	64.96%
Alliance Geotechnical Group, Inc.	BMDB94986Y0117	\$28,000.00	14.04%
Gorronдона & Associates, Inc.	HMMB62084Y0616	\$41,866.00	21.00%
Total Minority - Local		\$199,401.00	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$157,535.00	79.00%	\$157,535.00	79.00%
Hispanic American	\$41,866.00	21.00%	\$41,866.00	21.00%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$199,401.00	100.00%	\$199,401.00	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with four consulting firms for the engineering design of eighteen erosion control improvement projects (list attached) - Not to exceed \$659,570 - Financing: General Obligation Commercial Paper Funds (\$113,794), 2012 Bond Funds (\$447,273) and Water Utilities Capital Improvement Funds (\$98,503)

Salcedo Group, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$154,198.43	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$154,198.43	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group	BMDB94986Y0117	\$24,480.00	15.88%
Salcedo Group, Inc.	HMDB94641Y1116	\$114,618.43	74.33%
Kysu Group, LLC	PMDB22800Y0616	\$15,100.00	9.79%
Total Minority - Local		\$154,198.43	100.00%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$24,480.00	15.88%	\$24,480.00	15.88%
Hispanic American	\$114,618.43	74.33%	\$114,618.43	74.33%
Asian American	\$15,100.00	9.79%	\$15,100.00	9.79%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$154,198.43	100.00%	\$154,198.43	100.00%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with four consulting firms for the engineering design of eighteen erosion control improvement projects (list attached) - Not to exceed \$659,570 - Financing: General Obligation Commercial Paper Funds (\$113,794), 2012 Bond Funds (\$447,273) and Water Utilities Capital Improvement Funds (\$98,503)

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

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$244,961.18	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$244,961.18	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
IEA, Inc.	IMDB64786Y0416	\$139,209.18	56.83%
Lim & Associates, Inc.	PMDB01647Y0416	\$63,560.00	25.95%
Total Minority - Local		\$202,769.18	82.78%

Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$202,769.18	82.78%	\$202,769.18	82.78%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$202,769.18	82.78%	\$202,769.18	82.78%

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize professional services contracts with four consulting firms for the engineering design of eighteen erosion control improvement projects (list attached) - Not to exceed \$659,570 - Financing: General Obligation Commercial Paper Funds (\$113,794), 2012 Bond Funds (\$447,273) and Water Utilities Capital Improvement Funds (\$98,503)

Urban Engineers Group is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Architecture & Engineering

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$61,009.00	100.00%
Total non-local contracts	\$0.00	0.00%
TOTAL CONTRACT	\$61,009.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group	BMDB63934Y0116	\$21,170.00	34.70%
Urban Engineers Group	HFDB10630Y0716	\$25,349.00	41.55%
Pacheco Koch & Associates, Inc.	HMMB25567Y0917	\$14,490.00	23.75%
Total Minority - Local		\$61,009.00	100.00%

Non-Local Contractors / Sub-Contractors

None

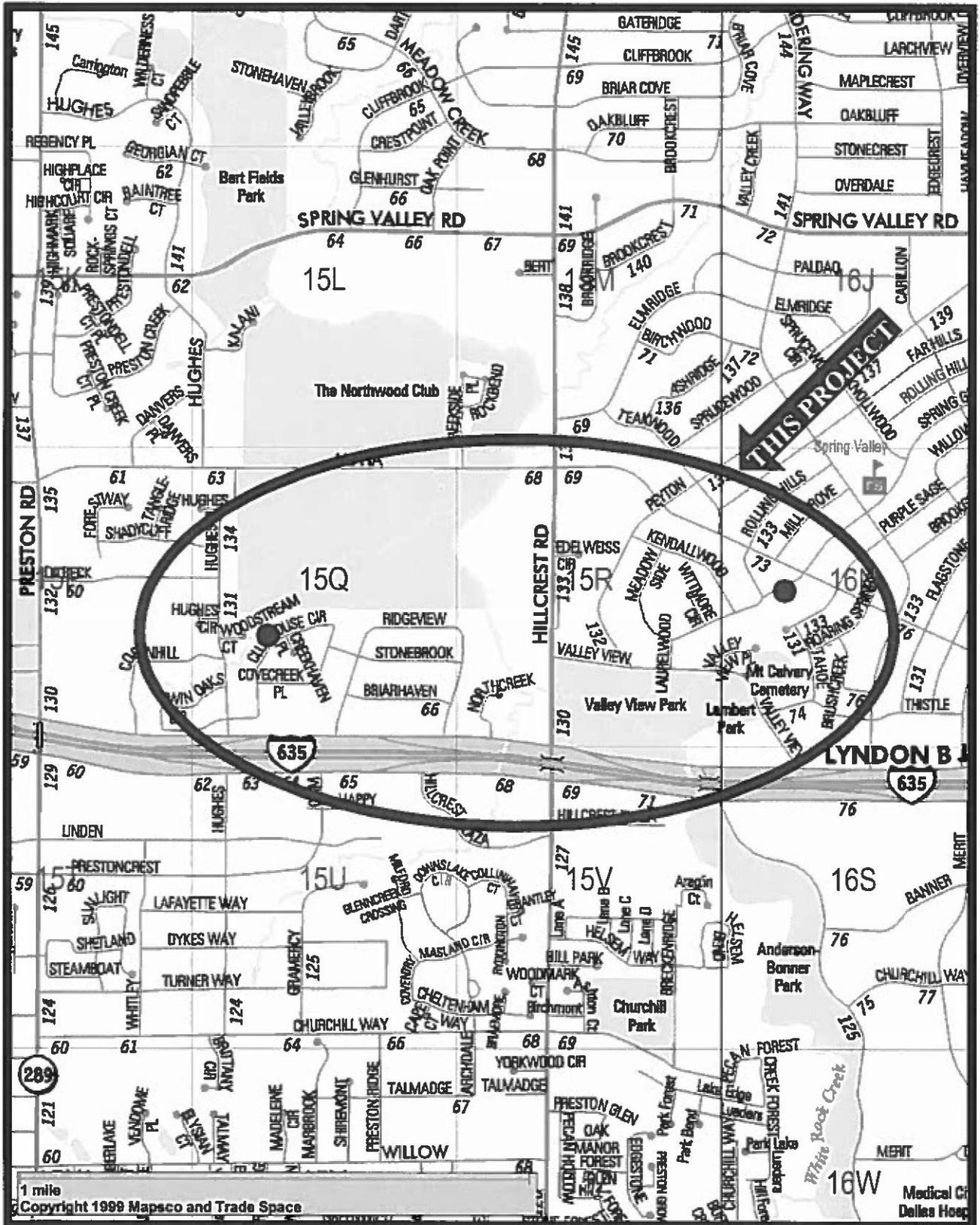
TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$21,170.00	34.70%	\$21,170.00	34.70%
Hispanic American	\$39,839.00	65.30%	\$39,839.00	65.30%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$61,009.00	100.00%	\$61,009.00	100.00%

Erosion Control Improvements

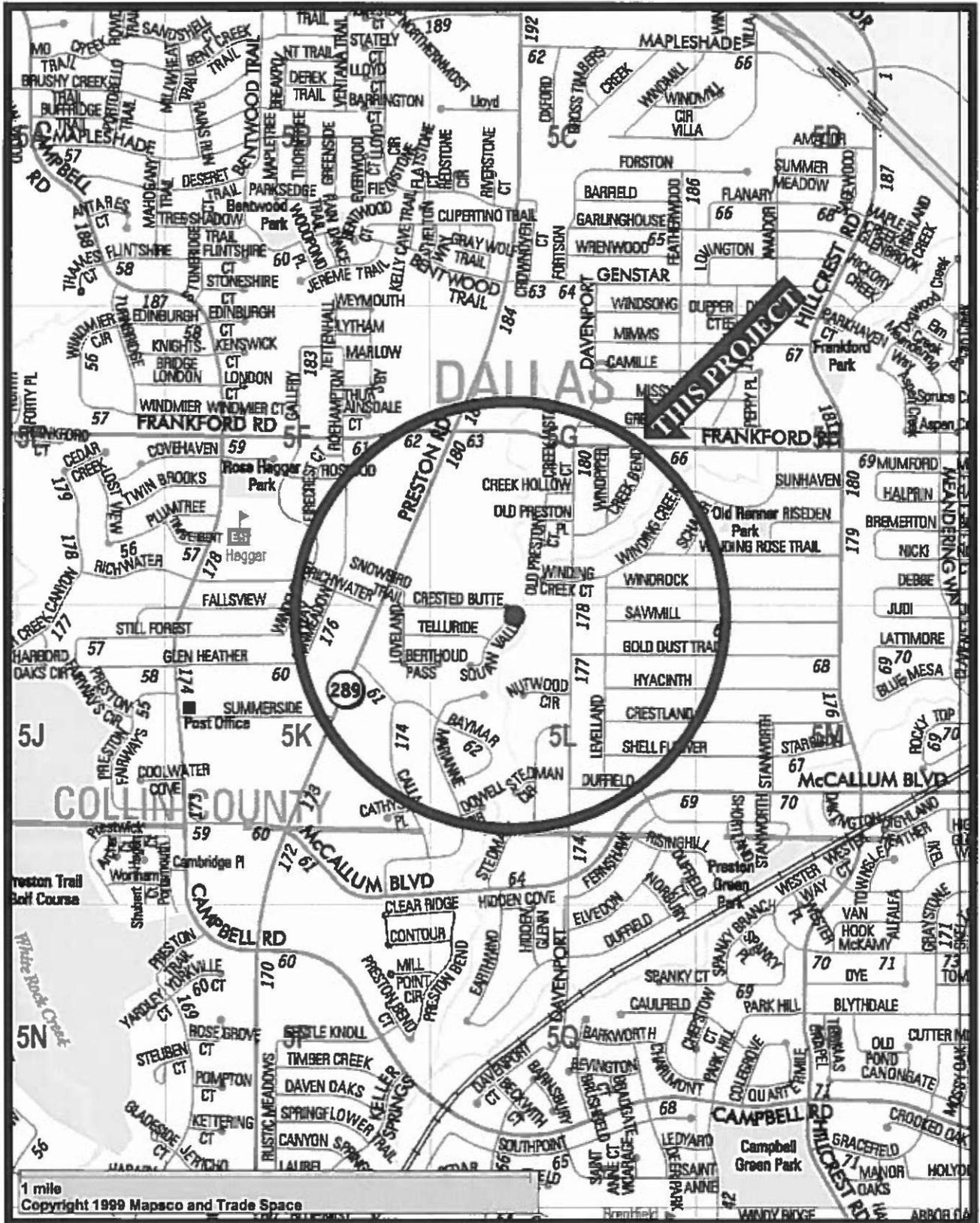
<u>Erosion Control Improvement</u>	<u>Council District</u>	<u>Firm</u>	<u>Amount</u>
<u>Group 1</u>			
6523 and 6527 Clubhouse Circle	11	Urban Engineers Group, Inc.	\$15,186.12
17628 Squaw Valley	12		\$15,950.87
13316 Spring Grove Avenue	11		\$14,714.63
Country Brook Pond	12		\$15,157.38
<u>Group 4</u>			
8849 Fair Oaks Crossing	10	IEA, Inc.	\$55,853.24
9730 Whitehurst Drive	10		\$78,244.71
Rocky Branch Drive at Middle Downs Drive Sites 1, 2, 3, 4	10		\$110,863.23
<u>Group 7</u>			
2507 Beechmont Drive	9	APM & Associates, Inc.	\$14,957.33
6909 Lyre Lane and 6916 Chantilly Court	9		\$18,237.20
2116 Healey Drive and 9869 Kingsman Drive	9		\$27,030.08
9204, 9210, and 9216 Springwater Drive	9		\$56,628.26
9726 Twin Creek Drive	9		\$24,062.48
1511 Kiltartan Drive	9		\$38,106.50
3220 Sperry Street	9		\$20,379.15
<u>Group 9</u>			
2671, 2675, 2679, and 2683 Deep Hill Circle	3	Salcedo Group, Inc.	\$81,240.13
922 Five Mile Parkway	4		\$35,567.53
4927 Kildare Avenue	3		\$16,723.62
7322 Rosemont Road	5		\$20,667.15

Erosion Control Group 1



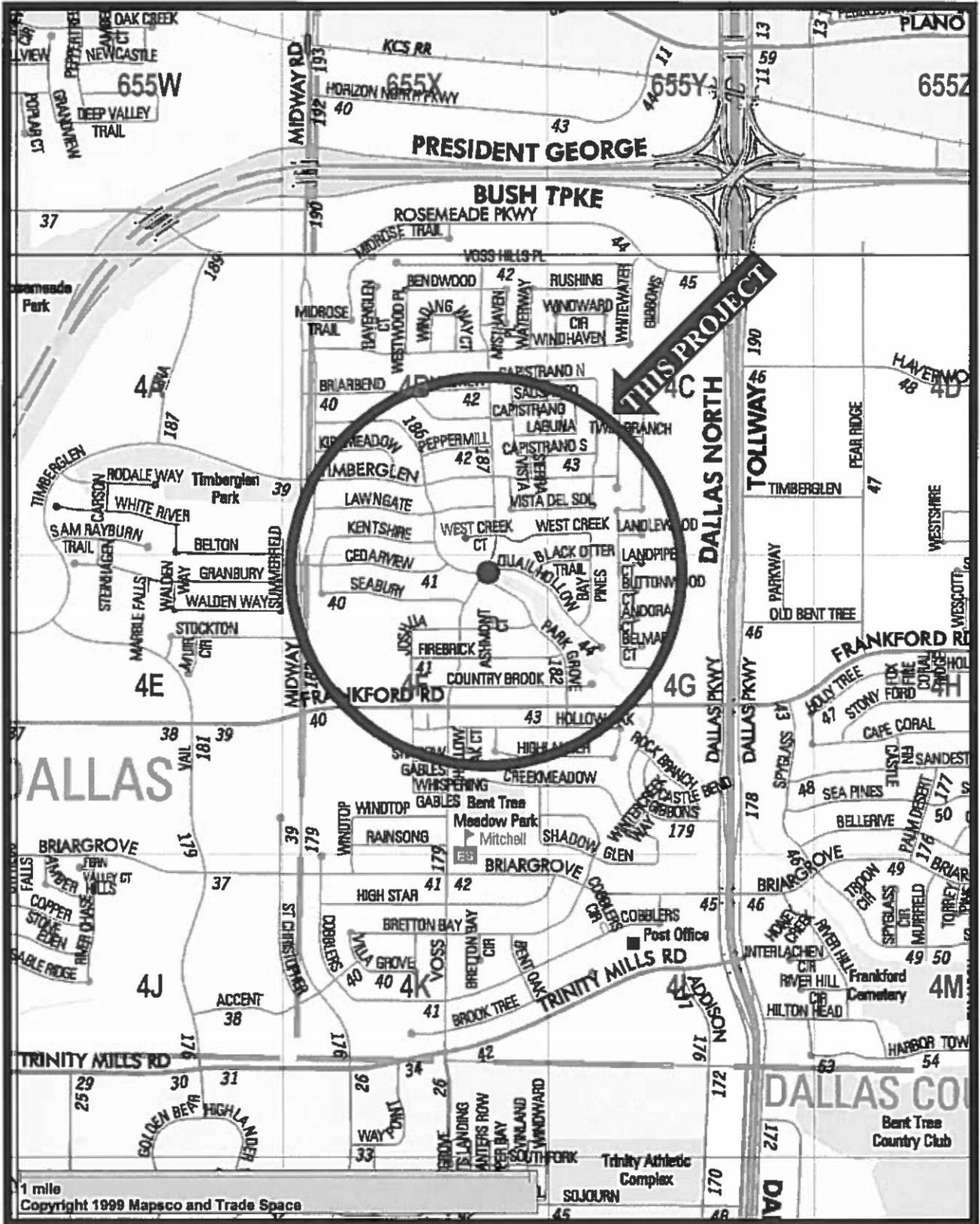
Mapsco 15-Q & 16-N

Erosion Control Group 1



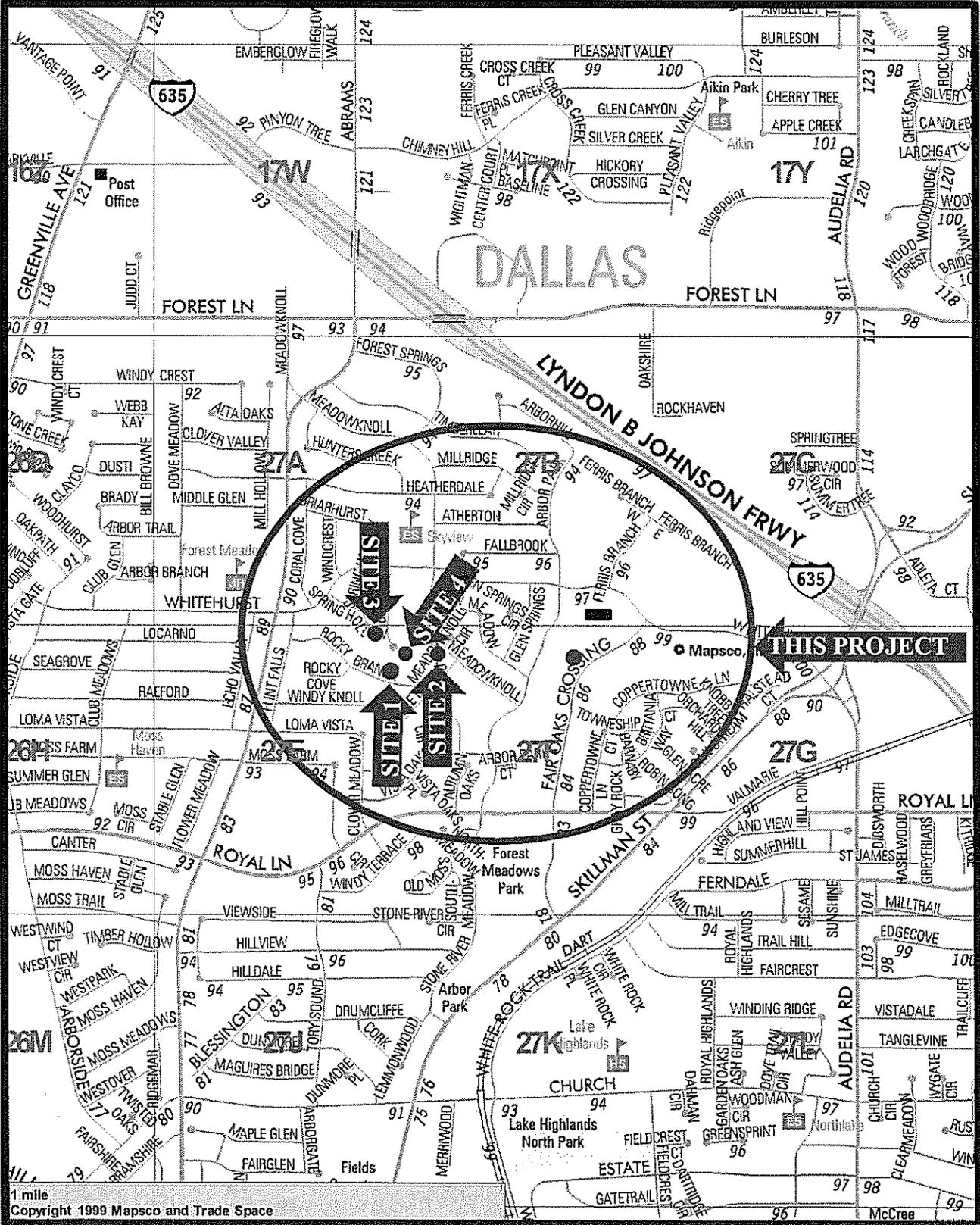
Mapsc0 5-L

Erosion Control Group 1



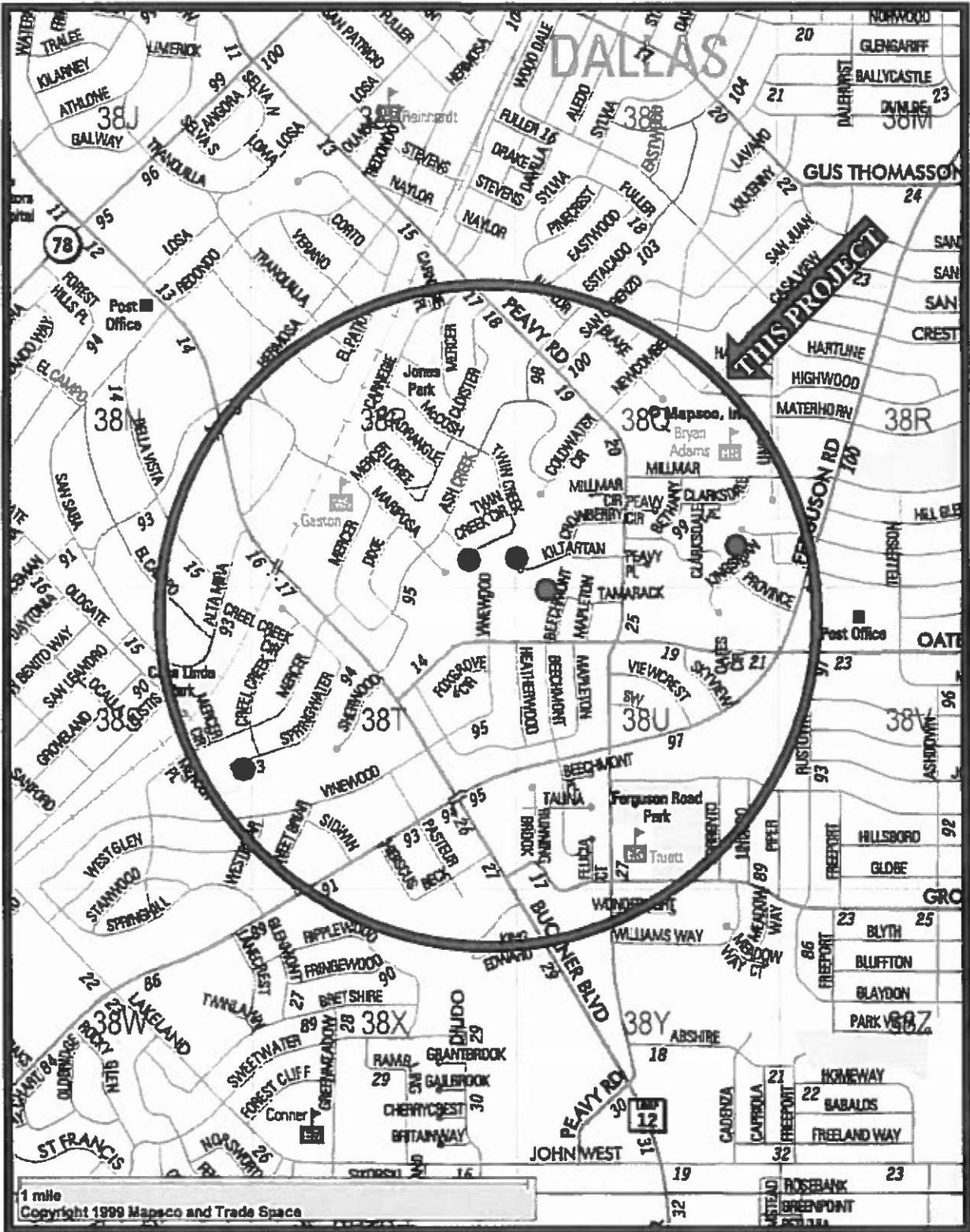
Mapsco 4-F

Erosion Control Group 4



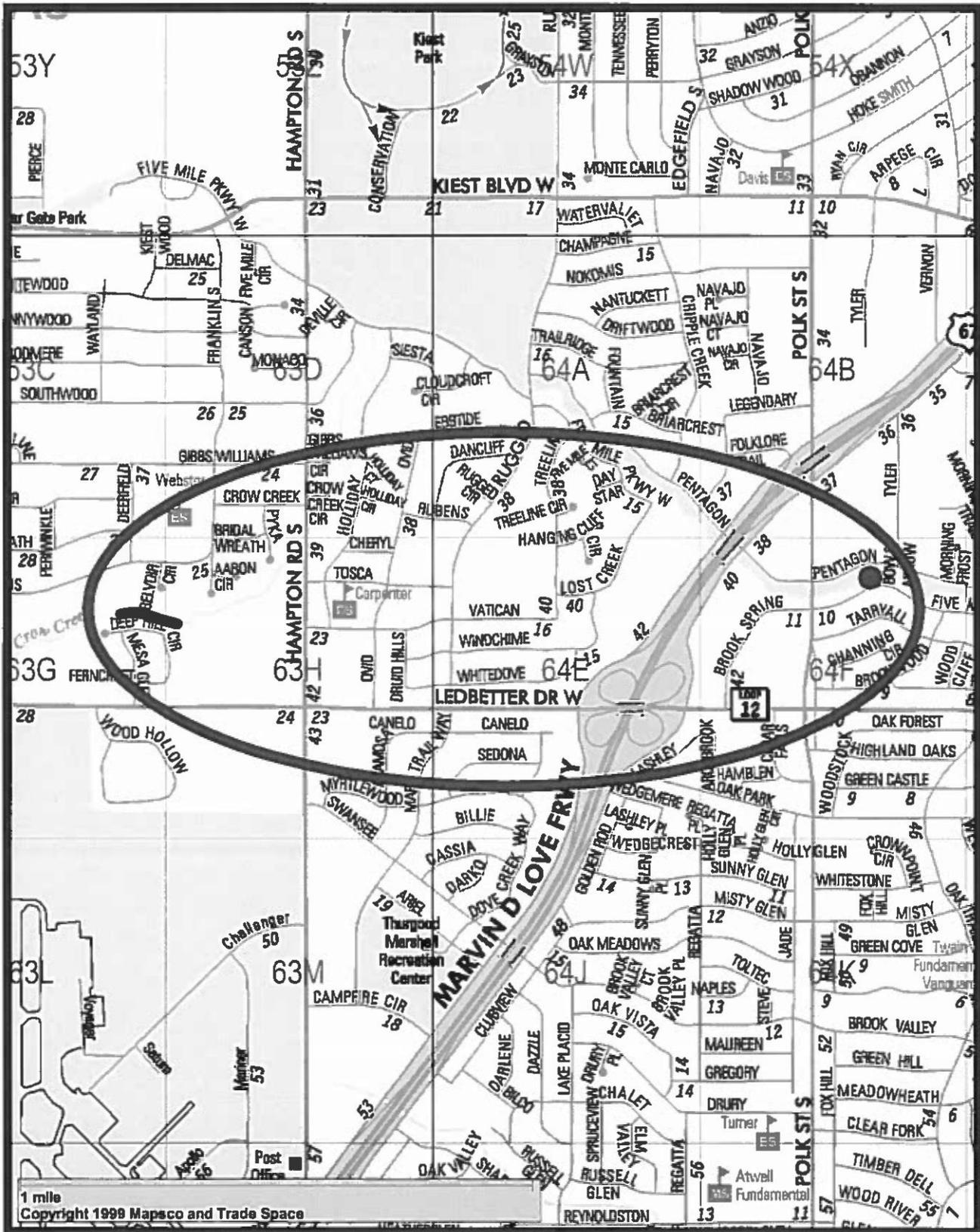
Mapsco 27-A, B, E & F

Erosion Control Group 7



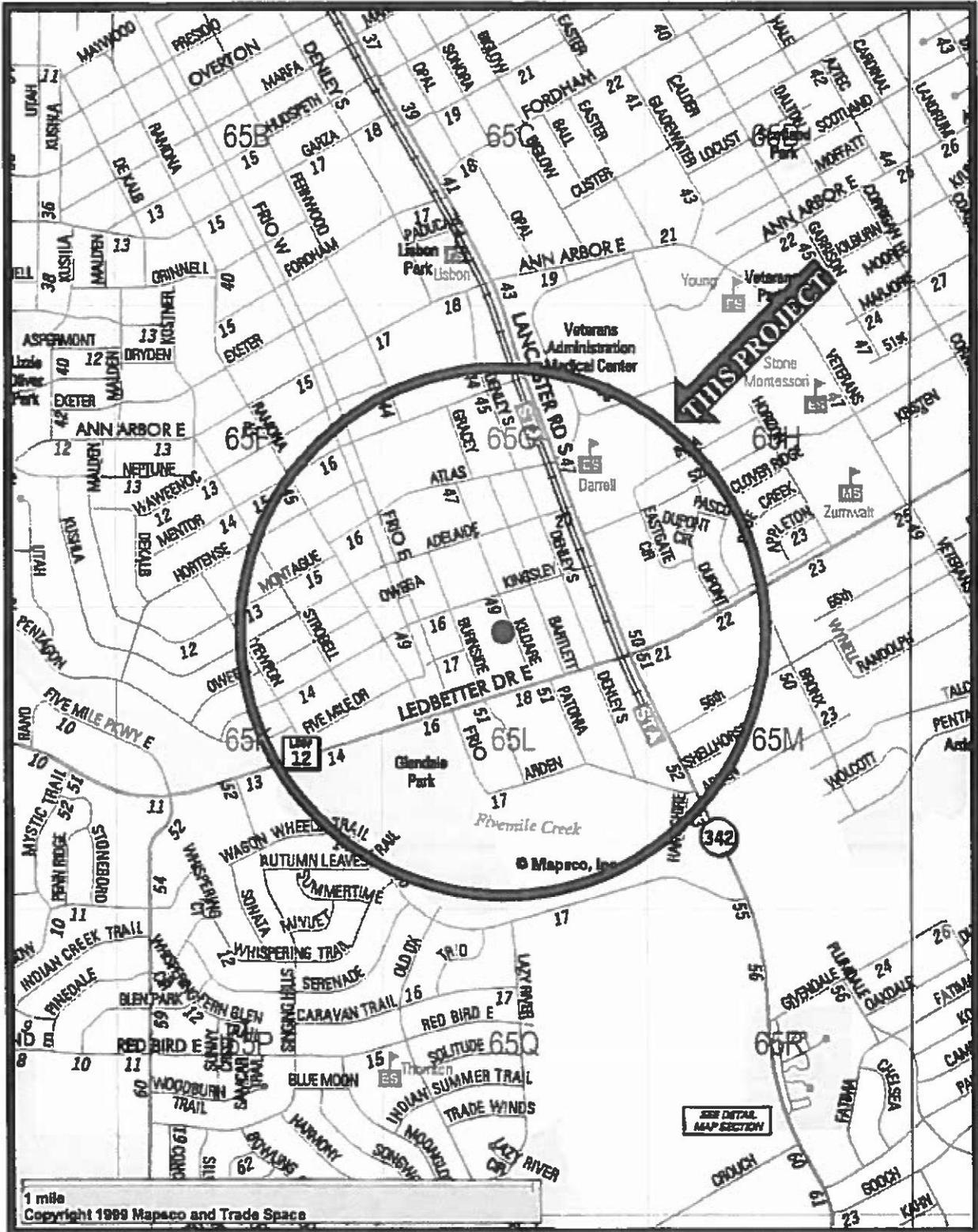
Mapsco 38-P, Q, S, U

Erosion Control Group 9



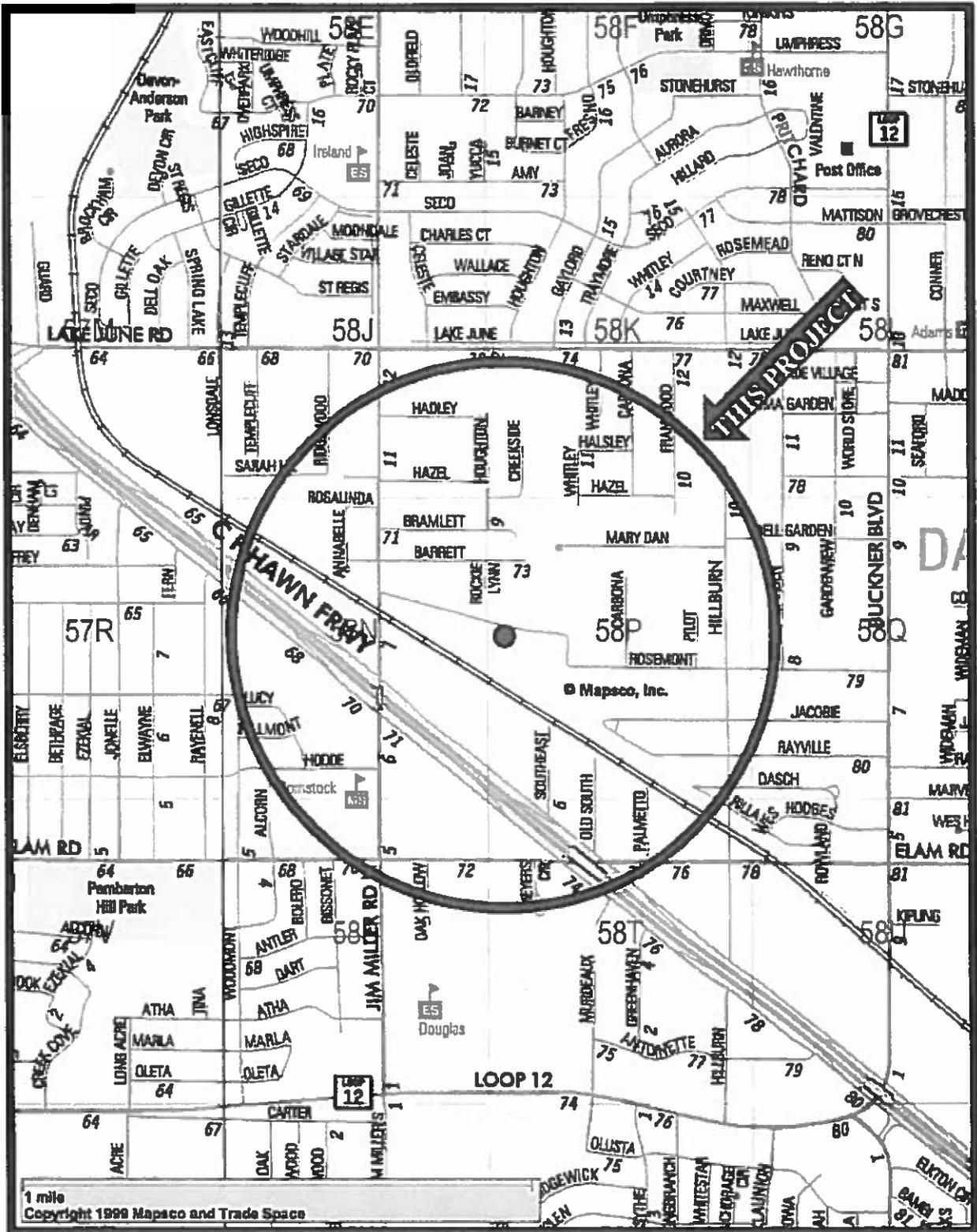
Mapscos 63-G & 64-F

Erosion Control Group 9



Mapasco 65-L

Erosion Control Group 9



Mapsco 58-P

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 23, 2016

COUNCIL DISTRICT(S): 2, 6

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 46A 42H

SUBJECT

Authorize a contract with Ark Contracting Services, LLC, lowest responsive bidder of two, for the construction of storm drainage improvements in the alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue to Annex Avenue and Weisenberger Drive from undeveloped road to the dead-end - Not to exceed \$1,534,465 - Financing: Stormwater Drainage Management Capital Construction Funds

BACKGROUND

The existing storm drainage mains in the alley located in the alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue to Annex Avenue and Weisenberger Drive from undeveloped road to the dead-end are in poor condition and have partially collapsed. The drainage improvements will replace the deteriorating storm drainage mains in the alley and street.

The storm drainage improvements include the installation of storm sewer mains, storm drainage inlets, water lowering, associated alley and street pavement replacement. The scope of work required in this contract exceeds the in-house capabilities to perform this work in a timely manner. Performing this work is critical to the safety of the citizens in the area.

This action authorizes a construction contract with Ark Contracting Services, LLC, the lowest responsive bidder of two, for the construction of drainage improvements in the alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue to Annex Avenue and Weisenberger Drive from undeveloped road to the dead-end.

ESTIMATED SCHEDULE OF PROJECT

Began Design	January 2014
Completed Design	December 2015
Begin Construction	April 2016
Complete Construction	November 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services with Lim & Associates, Inc. on October 23, 2013, by Resolution No. 13-1894.

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - \$1,534,465.00

Design	\$ 204,366.00
Construction (this action)	<u>\$1,534,465.00</u>
Total Project Cost	\$1,738,831.00

<u>Council District</u>	<u>Amount</u>
2	\$ 850,175.00
6	<u>\$ 684,290.00</u>
Total	\$1,534,465.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Ark Contracting Services, LLC

Hispanic Female	0	Hispanic Male	126
African-American Female	0	African-American Male	0
Other Female	0	Other Male	0
White Female	5	White Male	14

BID INFORMATION

The following bids were received and opened on December 18, 2015:

*Denotes successful bidder(s)

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Ark Contracting Services, LLC 420 S. Dick Price Rd Kennedale, Texas 76060	\$1,534,465.00
Camino Construction, LP	\$1,864,249.00
Engineer's estimate:	\$1,065,694.00

OWNER(S)

Ark Contracting Services, LLC

Steven C. Bowman, President

MAPS

Attached

March 23, 2016

WHEREAS, on October 23, 2013, Resolution No. 13-1894 authorized a professional services contract with Lim & Associates, Inc. for the engineering design of storm drainage improvement and channel repair projects in the amount of \$204,366.00; and,

WHEREAS, bids were received on December 18, 2015, for the construction of storm drainage improvements in the alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue to Annex Avenue and Weisenberger Drive from undeveloped road to the dead-end as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Ark Contracting Services, LLC 420 S. Dick Price Rd Kennedale, Texas 76060	\$1,534,465.00
Camino Construction, LP	\$1,864,249.00

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with Ark Contracting Services, LLC for the construction of stormwater drainage improvements in the alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue to Annex Avenue and Weisenberger Drive from undeveloped road to the dead-end, in an amount not to exceed \$1,534,465.00, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Stormwater Drainage Management Capital Construction Fund
Fund 0063, Dept. SDM, Unit 4793, Activity SD01
Object 4599, Program No. SDMFC002, CT SDM4793VHF1
Vendor No. VS000017816, in an amount not to exceed \$1,534,465.00

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Ark Contracting Services, LLC, lowest responsive bidder of two, for the construction of storm drainage improvements in the alley between Gaston Avenue and Swiss Avenue from Grigsby Avenue to Annex Avenue and Weisenberger Drive from undeveloped road to the dead-end - Not to exceed \$1,534,465 - Financing: Stormwater Drainage Management Capital Construction Funds

Ark Contracting Services, LLC is a non-local, non-minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$437,000.00	28.48%
Total non-local contracts	\$1,097,465.00	71.52%
TOTAL CONTRACT	\$1,534,465.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
J & A Trucking	HMMB64410N0317	\$55,000.00	12.59%
J E Guzman Construction, Inc.	HMMB64868N0417	\$41,000.00	9.38%
LKT & Associates	WFDB26473Y1016	\$220,000.00	50.34%
Total Minority - Local		\$316,000.00	72.31%

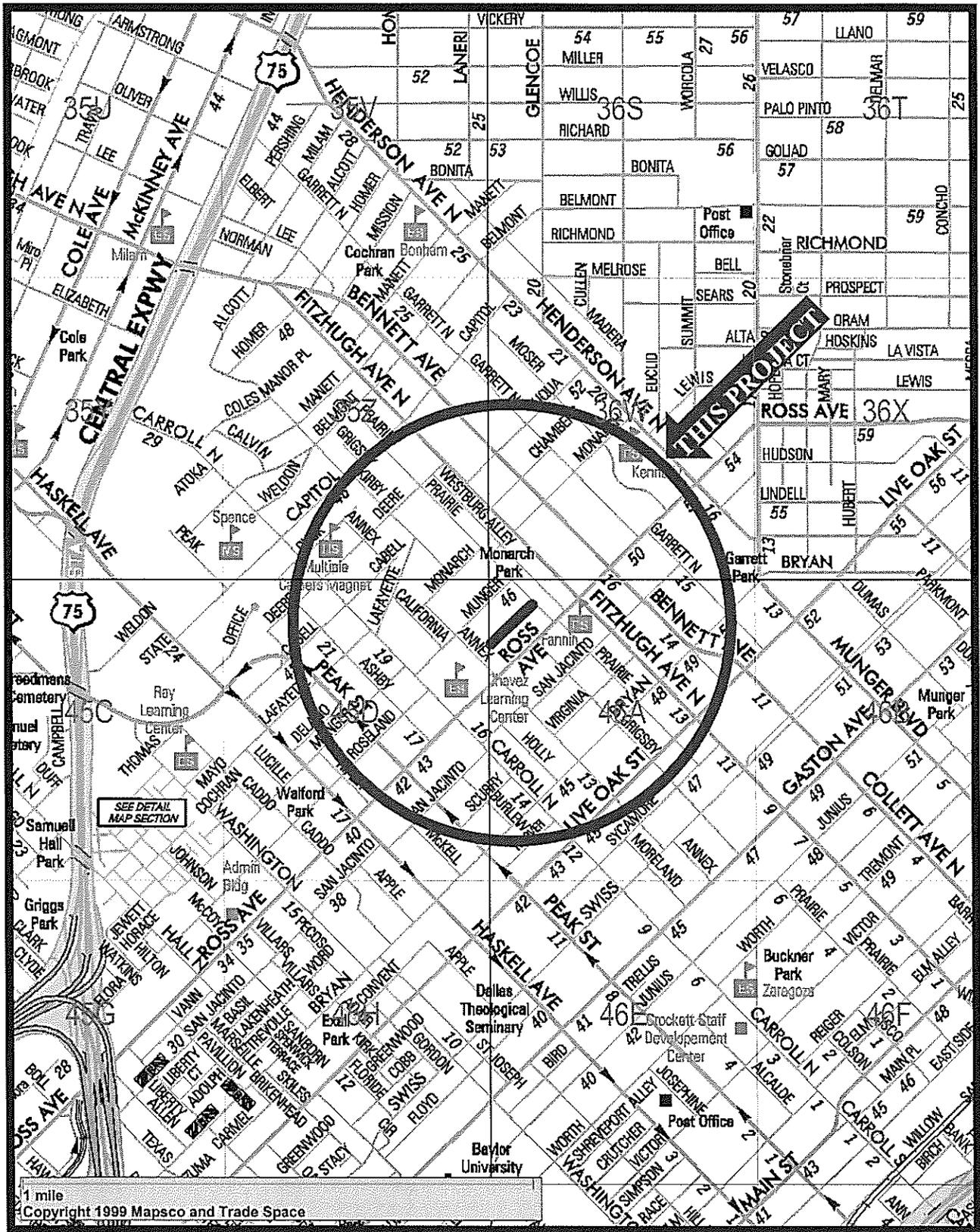
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Viking Fence Co., Ltd	HMMB31501N0617	\$10,000.00	0.91%
Cowtown Redi-Mix	WFWB06682Y0916	\$88,000.00	8.02%
ANA Consulting, LLC	WFDB57431Y0516	\$6,000.00	0.55%
Magnum Manhole & Underground	WFDB647230416	\$3,000.00	0.27%
Total Minority - Non-local		\$107,000.00	9.75%

TOTAL M/WBE CONTRACT PARTICIPATION

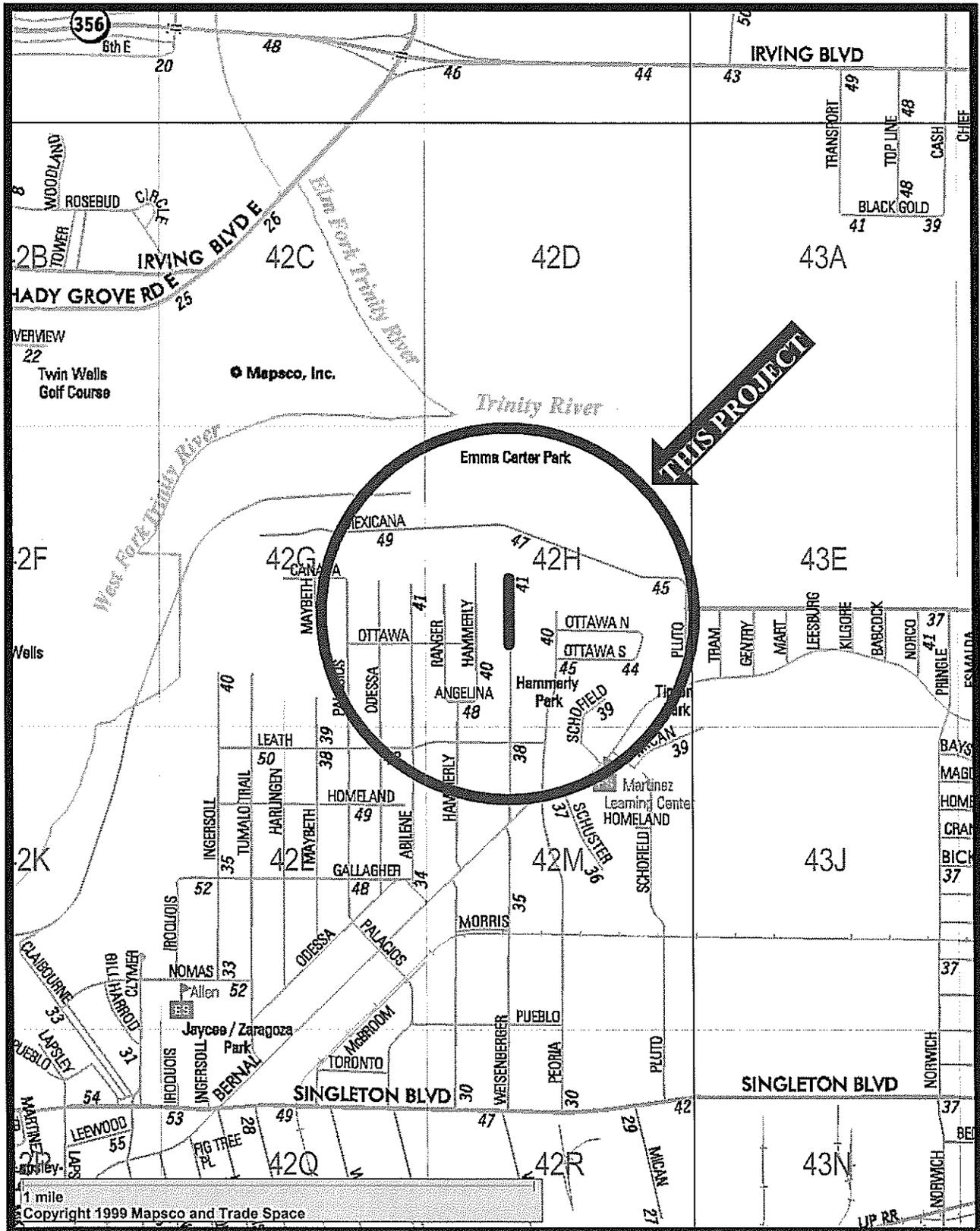
	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$96,000.00	21.97%	\$106,000.00	6.91%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$220,000.00	50.34%	\$317,000.00	20.66%
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Total	\$316,000.00	72.31%	\$423,000.00	27.57%

Storm Drainage Improvements Project



Mapsco 46-A

Storm Drainage Improvements Project



Mapasco 42-H

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 6
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 34W

SUBJECT

Authorize a contract with Omega Contracting, Inc., lowest responsive bidder of two, for the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House - Not to exceed \$921,980 - Financing: Stormwater Drainage Management Capital Construction Funds

BACKGROUND

The existing channel banks along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road and the channel bank located at Inwood Road and Lupo Drive at the Hampton Gate House are in poor condition and have significant erosion. The drainage improvements will repair the channel banks.

The storm drainage improvements include the installation of a concrete channel lining, extension of existing culvert, and other miscellaneous items necessary to complete the project. The scope of work required in this contract exceeds the in-house capabilities to perform this work in a timely manner. Performing this work is critical to providing positive drainage in the area and protecting the adjacent roadway and properties from localized flooding.

This action authorizes a construction contract with Omega Contracting, Inc., the lowest responsive bidder of two, for the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House.

ESTIMATED SCHEDULE OF PROJECT

Began Design January 2014
Completed Design December 2015
Begin Construction April 2016
Complete Construction August 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract for engineering services with Lim & Associates, Inc. on October 23, 2013, by Resolution No. 13-1894.

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - \$921,979.83

Design	\$ 204,366.00
Construction (this action)	<u>\$ 921,979.83</u>
Total Project Cost	\$1,126,345.83

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Omega Contracting, Inc.

Hispanic Female	4	Hispanic Male	78
African-American Female	0	African-American Male	7
Other Female	0	Other Male	0
White Female	0	White Male	11

BID INFORMATION

The following bids were received and opened on December 18, 2015:

*Denotes successful bidder(s)

BIDDERS

BID AMOUNT

*Omega Contracting, Inc. 2518 Chalk Hill Road Dallas, Texas 75212	\$ 921,979.83
Ark Contracting Services, LLC	\$1,864,249.00
Engineer's estimate:	\$713,215.00

OWNER(S)

Omega Contracting, Inc.

Mark Reinhardt, Vice President

MAP

Attached

March 23, 2016

WHEREAS, on October 23, 2013, Resolution No. 13-1894 authorized a professional services contract with Lim & Associates, Inc. for the engineering design of storm drainage improvements and channel repair projects in the amount of \$204,366.00; and,

WHEREAS, bids were received on December 18, 2015, for the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
*Omega Contracting, Inc 2518 Chalk Hill Road Dallas, TX 7212	\$ 921,979.83
Ark Contracting Services, LLC	\$1,864,249.00

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute a contract with Omega Contracting, Inc. for the construction of stormwater drainage improvements in Knights Branch Channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House in an amount not to exceed \$921,979.83, this being the lowest responsive bid received as indicated by the tabulation of bids, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Stormwater Drainage Management Capital Construction Fund Fund 0063, Dept. SDM, Unit 4793, Activity SD01 Object 4599, Program No. SDMFC002, CT SDM4793VHF2 Vendor No. 345379, in an amount not to exceed	\$921,979.83
--	--------------

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Omega Contracting, Inc., lowest responsive bidder of two, for the construction of storm drainage improvements along Knights Branch channel between the DART and the Fort Worth Transportation Authority rail line and IH 35 Frontage Road and extension of the existing culvert located at Inwood Road and Lupo Drive at the Hampton Gate House - Not to exceed \$921,980 - Financing: Stormwater Drainage Management Capital Construction Funds

Omega Contracting, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$381,450.43	41.37%
Total non-local contracts	\$540,529.50	58.63%
TOTAL CONTRACT	\$921,979.93	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Omega Contracting, Inc.	HMMB63334Y1016	\$381,450.43	100.00%
Total Minority - Local		\$381,450.43	100.00%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Environmental Safety Services, Inc.	HMMB63416N0716	\$462,382.50	85.54%
Total Minority - Non-local		\$462,382.50	85.54%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$381,450.43	100.00%	\$843,832.93	91.52%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$381,450.43	100.00%	\$843,832.93	91.52%

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 23, 2016

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Trinity Watershed Management
Office of Economic Development
Water Utilities

CMO: Mark McDaniel, 670-3256
Ryan S. Evans, 671-9837

MAPSCO: 57 T U

SUBJECT

Authorize a contract with Rebcon, Inc., lowest responsive bidder of four, for the construction of paving, drainage, water and wastewater improvements for Elam Road and a shared-use path west of Pemberton Hill Road - Not to exceed \$2,870,719 - Financing: Capital Construction Funds (\$2,056,944), Public/Private Partnership Funds (\$275,750), Water Utilities Capital Construction Funds (\$78,280) and Water Utilities Capital Improvements Funds (\$459,745)

BACKGROUND

On May 15, 2013, Council authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG), responsible for development, management and operation of a championship golf course. As part of the agreement, the City agreed to pursue certain infrastructure improvements.

On April 9, 2014, Council authorized a professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide engineering designs for infrastructure improvements that include Elam Road paving and drainage, water and wastewater improvements, traffic improvements along Great Trinity Forest Boulevard, Audubon Center Irrigation System improvements, and vegetative support layer improvements for Elam and South Loop 12 Landfills.

Elam Road improvements call for the construction of two 12-foot lanes, a 10 to 12 foot shared-use path, lighting, drainage upgrades, water and wastewater mains. Upon construction completion, Elam Road will provide improved access to Golf Course facilities including the planned First Tee and SMU/Academy. Design of Elam Road improvements was completed in December 2015 and construction bids were received on January 22, 2016.

BACKGROUND (Continued)

This action is necessary to authorize a construction contract with Rebcon, Inc., lowest responsible bidder of four.

ESTIMATED SCHEDULE OF PROJECT

Began Design	April 2014
Completed Design	December 2015
Begin Construction	April 2016
Complete Construction	October 2016

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) responsible for development, management and operation of a championship golf course on May 15, 2013, by Resolution No. 13-0776.

Authorized a professional services contract with Pacheco Koch Consulting Engineering, Inc. for engineering design services for improvements associated with the Elam Road and Simpkins Remediation on April 9, 2014, by Resolution No. 14-0627.

Authorized Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering services associated with Elam Road and Simpkins Remediation, on October 28, 2015, by Resolution No. 15-1979.

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

Capital Construction Funds - \$2,056,943.40
 Public/Private Partnership Funds - \$275,750.00
 Water Utilities Capital Construction Funds - \$78,280.00
 Water Utilities Capital Improvements Funds - \$459,745.00

Design	\$ 279,020.00
Construction (this action)	<u>\$2,870,718.40</u>
Total Project Cost	\$3,149,738.40

<u>Council District</u>	<u>Amount</u>
7	\$1,435,359.20
8	<u>\$1,435,359.20</u>
Total	\$2,870,718.40

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Rebcon, Inc.

Hispanic Female	1	Hispanic Male	60
African-American Female	0	African-American Male	1
Other Female	1	Other Male	9
White Female	11	White Male	9

BID INFORMATION

The following bids were received and opened on December 18, 2015:

*Denotes successful bidder(s)

BIDDERS

BID AMOUNT

* Rebcon, Inc. 1868 W. Northwest Highway Dallas, TX 75220	\$2,870,718.40
Pavecon Public Works, LP	\$3,071,012.61
HQS Construction, LLC	\$2,894,057.00
**Tiseo Paving Company	**Non-responsive

**Tiseo Paving Company was deemed non responsive due to not meeting specifications.

OWNER

Rebcon, Inc.

Danny Krieg, Vice President

MAP

Attached

March 23, 2016

WHEREAS, on May 15, 2013, Resolution No. 13-0776 authorized a lease agreement with the nonprofit corporation, Company of Trinity Forest Golfers, Inc. (CTFG) for development, management and operation of a championship golf course; and

WHEREAS, on April 9, 2014, Resolution No. 14-0627 authorized a contract with Pacheco Koch Consulting Engineering, Inc. for the engineering design for improvements associated with Elam Road and Simpkins Remediation in an amount not to exceed \$842,290.00; and

WHEREAS, on October 28, 2015, Resolution No. 15-1979 authorized Supplemental Agreement No. 1 to the professional services contract with Pacheco Koch Consulting Engineers, Inc. to provide additional engineering design services for improvements associated with the Elam Road and Simpkins Remediation in an amount not to exceed \$288,900.00, from \$842,290.00 to \$1,131,190.00; and

WHEREAS, bids were received on January 22, 2016, for the construction of paving, drainage, water and wastewater improvements for Elam Road and a shared-use path west of Pemberton Hill Road, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
Rebcon, Inc.	\$2,870,718.40
Pavecon Public Works, LP	\$3,071,012.61
HQS Construction, LLC	\$2,894,057.00
**Tiseo Paving Company	**Non-responsive

**Tiseo Paving Company was deemed non responsive due to not meeting specifications.

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to enter into a contract with Rebcon, Inc. for the construction of paving, drainage, water and wastewater improvements for Elam Road and shared-use path west of Pemberton Hill Road in an amount not to exceed \$2,870,718.40, this being the lowest responsible bid received, after it has been approved as to form by the City Attorney.

March 23, 2016

Section 2. That the Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Capital Construction Fund Fund 0671, Dept. BMS, Unit P837, Act. STDE Obj. 4599, Program # 6PBSWM007, CT ECOP151E272 Vendor #243551, in an amount not to exceed	\$2,056,943.40
Public/Private Partnership Fund Fund 0352, Dept. ECO, Unit P151, Act. PPPF Obj. 4599, Program #PBSWM007, CT ECOP151E272 Vendor #243551, in an amount not to exceed	\$275,750.00
Water Construction Fund Fund 0102, Department DWU, Unit CW42 Obj. 3221, Program #716039X, CT PBW716039EN Vendor #243551, in an amount not to exceed	\$12,550.00
Water Capital Improvement Fund Fund 2115, Department DWU, Unit PW42 Obj. 4550, Program #716039, CT PBW716039CP Vendor #243551, in an amount not to exceed	\$459,745.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj. 4560, Program #716040, CT PBW716040CP Vendor #243551, in an amount not to exceed	\$64,580.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj. 3222, Program #716040X, CT PBW716040EN Vendor #243551, in an amount not to exceed	<u>\$1,150.00</u>
Total amount not to exceed	\$2,870,718.40

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

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with Rebcon, Inc., lowest responsive bidder of four, for the construction of paving, drainage, water and wastewater improvements for Elam Road and a shared-use path west of Pemberton Hill Road - Not to exceed \$2,870,719 - Financing: Capital Construction Funds (\$2,056,944), Public/Private Partnership Funds (\$275,750), Water Utilities Capital Construction Funds (\$78,280) and Water Utilities Capital Improvements Funds (\$459,745)

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

PROJECT CATEGORY: Construction

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,769,247.71	96.47%
Total non-local contracts	\$101,470.69	3.53%
TOTAL CONTRACT	\$2,870,718.40	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
T & R Excavation	HMDB23857Y1216	\$323,539.25	11.68%
Sheamar Electrical	HMDB8507Y0716	\$95,683.75	3.46%
American Striping	WFDB90006Y0416	\$10,340.00	0.37%
Total Minority - Local		\$429,563.00	15.51%

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Latham Fence	BFWBC53150916	\$39,262.50	38.69%
GJ Seeding	WFWB85202N0417	\$30,079.75	29.64%
Total Minority - Non-local		\$69,342.25	68.34%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$39,262.50	1.37%
Hispanic American	\$419,223.00	15.14%	\$419,223.00	14.60%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$10,340.00	0.37%	\$40,419.75	1.41%
Total	<u>\$429,563.00</u>	<u>15.51%</u>	<u>\$498,905.25</u>	<u>17.38%</u>

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 47X

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Floyd E. Garner, of an improved tract of land containing approximately 35,920 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$34,000 (\$31,000 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 35,920 square feet of land improved with two single-family residences, two detached garages and fencing from Floyd E. Garner. This property is located on Barber Avenue near its intersection with Mural Lane and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$34,000 (\$31,000 plus closing costs and title expenses not to exceed \$3,000)

OWNER

Floyd E. Garner

MAP

Attached

March 23, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 35,920 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Floyd E. Garner, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$31,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,000.00

"AUTHORIZED AMOUNT": \$34,000.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

March 23, 2016

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J9 and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J10. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the Court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

March 23, 2016

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,000.00 for CLOSING COSTS and TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

STATE HIGHWAY 352
SCYENE RD.

DIXON AVE.

DIXON
CIRCLE

BARBER AVE.

MURAL LANE

Parcel 151



Property Acquisition Area Required
(approximate location)



EXHIBIT A
CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 151)
DESCRIPTION OF A 0.8246 ACRE (35,920 SQ. FT.)
TRACT TO BE ACQUIRED
ALL OF LOT 13, BLOCK 7,
SOUTH DALLAS GARDENS ADDITION
CITY OF DALLAS BLOCK 7/6122
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM FLOYD E. GARNER

Being situated in the Thomas Lagow Survey, Abstract Number 759, Dallas County, Texas, and being all of Lot 13, Block 7 (Block 7/6122, Official City of Dallas Block Numbers) of the South Dallas Gardens addition, an addition to the City of Dallas dated May 27, 1913, and Recorded in Volume 1, Page 448 of the Map Records of Dallas County, Texas, and being all of the property conveyed to Floyd E. Garner by Warranty Deed with Vendor's Lien dated March 17, 1994, and recorded in Volume 94056, Page 00463 of the Deed Records of Dallas County, Texas, and containing approximately 0.8246 of an acre (35,920 square feet) of land, according to the plat thereof.

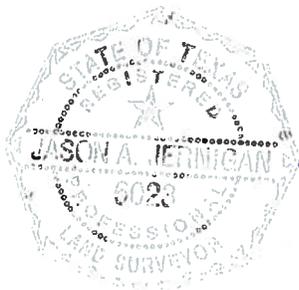
This description is approved as to form.



Scott Holt, RPLS
Survey Program Manager

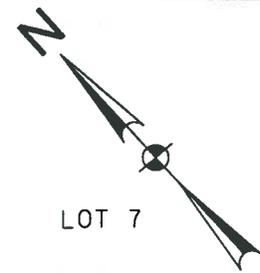
8/7/2015

Date



04 AUG 2015

CITY BLOCK 6/6122



SCALE: 1"=100'

LOT 4

LOT 5

LOT 6

LOT 7

N=6965338.0036
E=2511797.2280

N=6965268.3279
E=2511868.9396

(N45 1/4°W 100')

S45°49'30"E
100.00'

BARBER AVENUE
(30' R.O.W.)

1/2" FIR

S45°49'30"E
300.00'

100.00'

50.00' 50.00'

100.00'

484.47'

1/2" FIR
(C.M.)

CITY OF DALLAS
INST. NO.
20070338164

PARCEL 151
TRACT TO
BE ACQUIRED
0.8246 ACRE
(35,920 SQ. FT.)

(N42 3/4°E 361.5')
N42°22'50"E
361.14'

LOT 13
FLOYD E.
GARNER
VOL 94056,
PG. 463

CITY OF DALLAS
INST. NO.
201400196363

THOMAS LAGOW SURVEY,
ABSTRACT NUMBER 759

DAVID AND
ROBERT
PODHRASKY
INVESTMENT
COMPANY
INST. NO.
201100045304

CITY OF DALLAS
INST. NO.
201400256747

LOT 11

LOT 10

SOUTH DALLAS
GARDENS ADDITION
VOL. 1, PG. 448

LOT 14

LOT 12
CITY OF DALLAS
INSTR. NO.
201200167391

CITY BLOCK 7/6122

N=6965071.2716
E=2511553.8341

SUBDIVISION
LINE

SUBDIVISION
LINE

99.95'

731.82'

99.95'
N47°51'00"W
(N47 1/4°W 100')

N=6965004.2057
E=2511627.9273

SUNNY ACRES
ADDITION
VOL. 32, PG. 175

LOT 15A

LOT 19

LOT 20

LOT 24

LOT 25

LOT 26

LOT 27

LOT 28

LOT 29

LOT 15

LOT 16

LOT 17

LOT 18

C.E. JOHNSON'S
UNRECORDED SUBDIVISION

SUBDIVISION
LINE

BOURQUIN ST.
(40' R.O.W.)

1/2" FIR
(C.M.)

S47°54'00"E
100.00'

Basis of Bearing: State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All coordinates are state plane on grid. All distances are surface distances. Surface Adjustment Scale Factor: 1.0001365060.

Date of Last Field Inspection: 11-07-2013

GREENBAY ST.
(50' R.O.W.)

LEGEND

(C.M.)	CONTROLLING MONUMENT
FIR	FOUND IRON ROD
VOL. PG.	VOLUME AND PAGE
INST.	INSTRUMENT
(XXX.X')	RECORD CALLS PER VOL. 1, PG. 448

CITY OF DALLAS DRAWING NO. 423R-54 (PARCEL 151)
DESCRIPTION OF A 0.8246 ACRE (35,920 SQ. FT.)
TRACT TO BE ACQUIRED
ALL OF LOT 13, BLOCK 7,
SOUTH DALLAS GARDENS ADDITION
CITY OF DALLAS BLOCK 7/6122
THOMAS LAGOW SURVEY, ABSTRACT NO. 759
CITY OF DALLAS, DALLAS COUNTY, TEXAS
FROM FLOYD E. GARNER



HALFF ASSOCIATES, INC. - TBPLS FIRM NO. 10029600
1201 NORTH BOWSER ROAD - RICHARDSON, TEXAS - 75081-2275
SCALE: 1"=100' (214)346-6200 AVO. 25299 8/4/2015

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 47T

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Gaythell Smith, of an improved tract of land containing approximately 9,326 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$24,676 (\$22,000 plus closing costs and title expenses not to exceed \$2,676) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 9,326 square feet of land improved with a single-family residence, paving and fencing from Gaythell Smith. This property is located on Barber Avenue near its intersection with Mural Lane and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$24,676 (\$22,000 plus closing costs and title expenses not to exceed \$2,676)

OWNER

Gaythell Smith

MAP

Attached

March 23, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 9,326 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Gaythell Smith, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$22,000.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,676.00

"AUTHORIZED AMOUNT": \$24,676.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

March 23, 2016

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J1 and CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J2. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the Court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

March 23, 2016

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,676.00 for CLOSING COSTS and TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

STATE HIGHWAY 352
SCYENE RD.

DIXON AVE.

DIXON
CIRCLE

BARBER AVE.

Parcel 141

MURAL LANE



Property Acquisition Area Required
(approximate location)



PROPERTY ACQUISITION

City of Dallas Drawing No. 423R-54 (Parcel 141)
 9,326 Sq. Ft. or 0.2141 Acres
 Being a Part of Lot 17 City of Dallas Block 7/6122
 Of South Dallas Gardens Addition
 Thomas Lagow Survey, Abstract No.759
 City of Dallas, Dallas County, Texas
 From Gaythell Smith

Being a 9,326 square feet or 0.2141 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, and being part of Lot 17, of Block 7 (Official City of Dallas Block Number 7/6122) of the South Dallas Gardens Addition, an Addition to the City of Dallas, Dallas County, Texas, Recoded by Plat in Volume 1, Page 448, of the Map Records of Dallas County, Texas, being ALL of that tract of land conveyed to Gaythell Smith, recorded in Instrument No. 201000148256 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a found ½" Iron Rod with Broken Cap (Controlling Monument), point being in the south line of Barber Avenue (30'Right-of-Way) dedicated by said South Dallas Gardens Addition, and being the northwest corner of said G. Smith tract, being the northeast corner of a tract of land conveyed to Jeffery D. Smith, by Deed recorded in Instrument No. 201000184285 of the Official Public Records of Dallas County, Texas, being in the most northerly corner of said Lot 17, Block 7/6122, being in the northwesterly subdivision line of said South Dallas Gardens Addition, and being the most northerly corner of said Block 7/6122;

THENCE South 45°49'30" East, departing said subdivision line, with the south line of said Barber Avenue and the northeast line of said Block 7/6122, a distance of 50.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the northeast corner of said G. Smith tract, being the northwest corner of a tract of land conveyed to Otis Scruggs, by Deed recorded in Volume 80149, Page 1634 of the Deed Records of Dallas County, Texas, being in the northeast line of said Block 7/6122, and the south line of said Barber Avenue;

THENCE South 42°22'50" West, departing the northeast line of said Block 7/6122, over and across said Lot 17, Block 7/6122, with the southeast line of said G. Smith tract, a distance of 185.74 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most southerly corner of said G. Smith tract, being in the northeast line of a tract of land conveyed to Lawrence E. Baker and Sharon Titus, by Deed recorded in Volume 99187, Page 3535 of the Deed Records of Dallas County, Texas, and being the most northerly southwest corner of a tract of land conveyed to Colonial Baptist Church, recorded in Volume 5947, Page 85 of the Deed Records of Dallas County, Texas;

THENCE North 47°51'00" West, departing said Colonial Baptist Church and along the common line of said G. Smith tract and said Baker tract, over and across said Lot 17, Block 7/6122, a distance of 49.98 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the northwest line of said Lot 17, Block 7/6122, and the northwest subdivision line of said South Dallas Gardens Addition, being in the northwest line of said Block 7/6122, being the common corner for the following tracts, being the most westerly corner of said G. Smith tract, being the most northerly corner of said Baker tract, being the southeast corner of said Jeffery Smith tract, and being the most easterly corner of a tract of land conveyed to Hymon Pearson, ET UX, by Deed recorded in Volume 5387, Page 412 of the Deed Records of Dallas County, Texas;

THENCE North 42°22'50" East, along the common northwest line of said Lot 17, Block 7/6122, the northwest line of said Block 7/6122, and the northwest subdivision line of said South Dallas



FIELD NOTES APPROVED:

DER 4/15/14

PROPERTY ACQUISITION

City of Dallas Drawing No. 423R-54 (Parcel 141)
9,326 Sq. Ft. or 0.2141 Acres
Being a Part of Lot 17 City of Dallas Block 7/6122
Of South Dallas Gardens Addition
Thomas Lagow Survey, Abstract No.759
City of Dallas, Dallas County, Texas
From Gaythell Smith

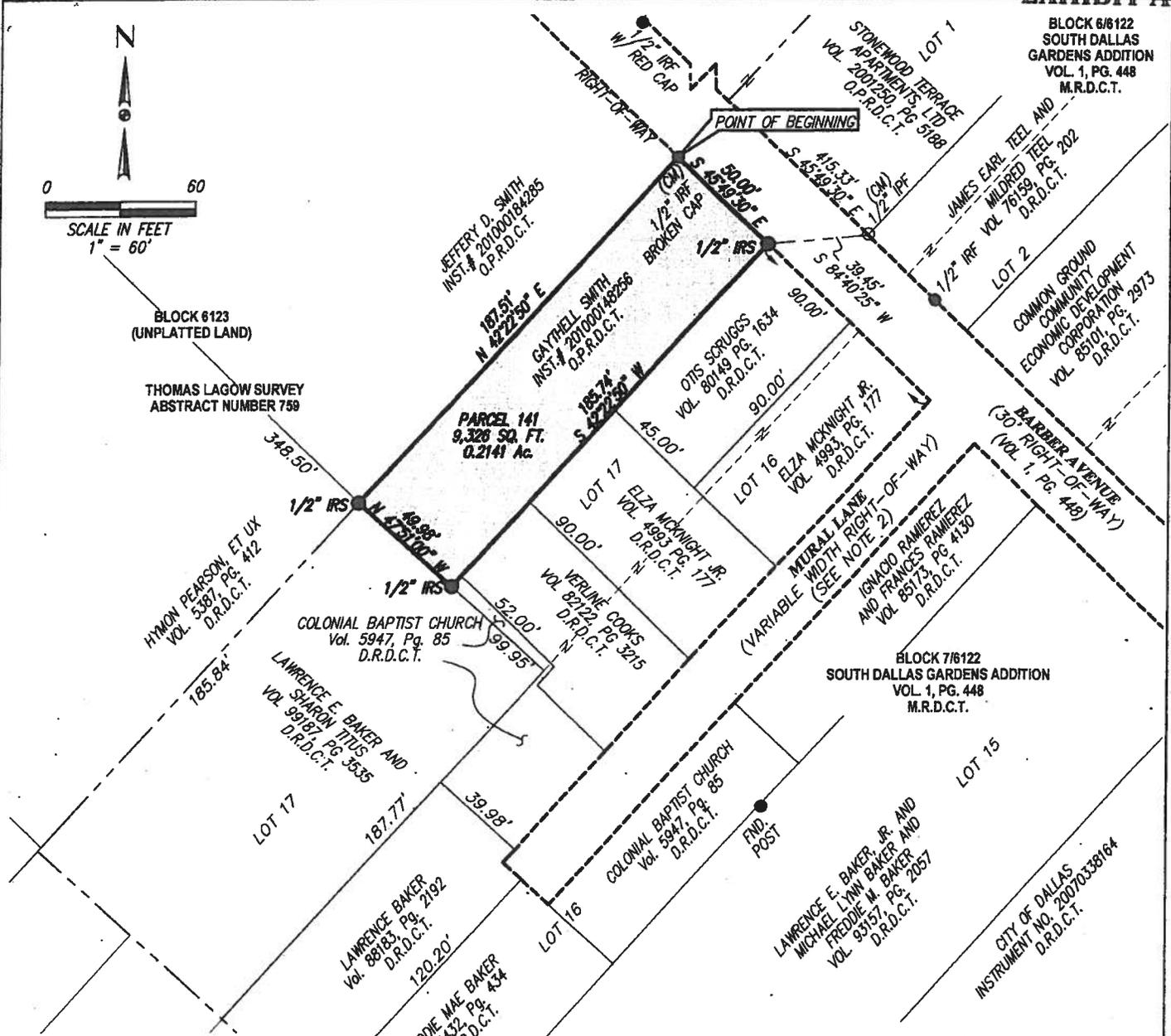
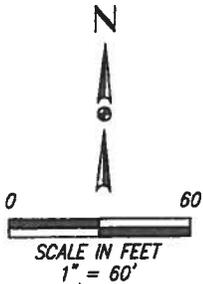
Gardens Addition, the northwest line of said G. Smith tract and the southeast line of said Jeffery Smith tract, a distance of 187.51 feet, to the **POINT OF BEGINNING** and containing 0.2141 acres (9,326 square feet) of land, more or less.

BASIS OF BEARING State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



FIELD NOTES APPROVED:

DER 4/15/14



LEGEND

- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY TEXAS
- M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
- CM. CONTROLLING MONUMENT
- IPF IRON PIPE FOUND (SIZE AS NOTED)
- IRF IRON ROD FOUND (SIZE AS NOTED)
- Subdivision Line
- Lot Line
- _____ Property Line
- Right-of-Way Line
- 1/2" IRS 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "SGI RPLS 3664" (UNLESS OTHERWISE NOTED)

GENERAL NOTES
 1. BASIS OF BEARING
 STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR : 1.0001365060.

2. MURAL LANE IS A " VARIABLE WIDTH ROADWAY BY USE AND OCCUPATION", REFERENCED AS A 25 FEET WIDE STREET EASEMENT IN THE FOLLOWING DEEDS: VOLUME 3975, PAGE 99; VOLUME 4993, PAGE 175; VOLUME 4993, PAGE 175.



PROPERTY ACQUISITION
 CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 141)
 9,326 Sq. Ft. or 0.2141 Acres
 BEING A PART OF LOT 17, CITY OF DALLAS BLOCK 7/6122 OF THE SOUTH DALLAS GARDENS ADDITION Thomas Lagow Survey, Abstract No. 759 City of Dallas, Dallas County, Texas From GAYTHELL SMITH

SGI Civil Engineers - Surveyors
 TBPLS FIRM No. 10070800
 TBPE FIRM No. 5482
 PHONE: (214) 941-8610

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 47T

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from John Earl Patterson and Linda K. Patterson, of an unimproved tract of land containing approximately 4,048 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$6,050 (\$4,050 plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of an unimproved tract of land containing approximately 4,048 square feet from John Earl Patterson and Linda K. Patterson. This property is located on Barber Avenue near its intersection with Mural Lane and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$6,050 (\$4,050 plus closing costs and title expenses not to exceed \$2,000)

OWNERS

John Earl Patterson
Linda K. Patterson

MAP

Attached

March 23, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 4,048 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": John Earl Patterson and Linda K. Patterson, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$4,050.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,000.00

"AUTHORIZED AMOUNT": \$6,050.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

March 23, 2016

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J7, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J8. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

March 23, 2016

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$2,000.00 for CLOSING COSTS AND TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

STATE HIGHWAY 352
SCYENE RD.

DIXON AVE.

DIXON
CIRCLE

BARBER AVE.

Parcel 142

MURAL LANE



Property Acquisition Area Required
(approximate location)



PROPERTY ACQUISITION

EXHIBIT A

City of Dallas Drawing No. 423R-54 (Parcel 142)
4,048 Sq. Ft. or 0.0929 Acres
Being a Part Lot 17 of City of Dallas Block 7/6122
South Dallas Gardens Addition
Thomas Lagow Survey, Abstract No.759
City of Dallas, Dallas County, Texas
From Otis Scruggs

Being a 4,048 square feet or 0.0929 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, and being in City of Dallas Block 7, (Official City of Dallas Block Numbers 7/6122), and being part of Lot 17, of said Block 7 of the South Dallas Gardens Addition, an Addition to the City of Dallas, Recoded by Plat in Volume 1, Page 448, of the Map Records of Dallas County, Texas, being all of that tract of land conveyed to Otis Scruggs, by Warranty Deed recorded in Volume 80149, Page 1634 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

COMMENCING at the most easterly corner of a tract of land conveyed to Elza McKnight Jr. and wife, Mamie Lee McKnight by Warranty Deed recorded in Volume 4993, Page 177 of the Deed Records of Dallas County, Texas, and being in the intersection of the southwest line of Barber Avenue (30' Right-of-Way) dedicated by said South Dallas Gardens Addition, and the northwest line of Mural Lane (Variable Right-of-Way) as "Variable width roadway by use and occupation", referenced as a 25 feet wide street easement in the following deeds: Volume 3975, Page 99; Volume 4993, Page 175; Volume 4993, Page 177 of the Deed of the Deed Records of Dallas County, from which a ½" iron rod found with broken cap (controlling monument) bears North 45°49'30" West, a distance of 140.00 feet, for the most northerly corner of a tract of land conveyed to Gaythell Smith by Instrument No. 201000148256 of the Official Public Records of Dallas County, Texas, also being the most easterly corner of a tract of land conveyed to Jeffery D. Smith by Instrument No. 201000184285 of the Official Public Records of Dallas County, Texas, being in the northwest Subdivision line of said South Dallas Gardens Addition, being the most northerly corner of Lot 17, of said Block 7/6122, being in the southwest line of said Barber Avenue;

THENCE North 45°49'30" West, departing said intersection and with the southwest line of said Barber Avenue, and the common northeast line of said McKnight tract, along the northeast line of Lot 16, of said Block 7/6122, a passing distance of 40.00 feet, being the common corner of Lots 16 and 17, Block 7/6122, along the northeast line of said Lot 17, Block 7/6122, having a total distance of 45.00 feet, to the **POINT OF BEGINNING**, being a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the southwest line of said Barber Avenue, being the most northerly corner of said McKnight tract, and being the most easterly corner of said Scruggs tract;

THENCE South 42°22'50" East, departing the southwest line of said Barber Avenue, and along the common southeast line of said Scruggs tract, and the northwest line of said McKnight tract, over and across said Lot 17, Block 7/6122, a distance of 90.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most southerly corner of said Scruggs tract, and being an interior corner of said McKnight tract;

THENCE North 45°49'30" West, over and across said Lot 17, Block 7/6122, continuing along said common line, a distance of 45.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the southwest line of said Smith tract, being the most westerly north corner of said McKnight tract, and being the most westerly corner of said Scruggs tract;

PROPERTY ACQUISITION

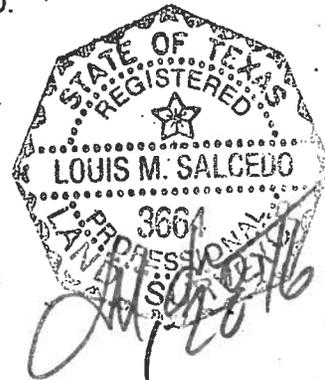
City of Dallas Drawing No. 423R-54 (Parcel 142)
4,048 Sq. Ft. or 0.0929 Acres
Being a Part Lot 17 of City of Dallas Block 7/6122
South Dallas Gardens Addition
Thomas Lagow Survey, Abstract No.759
City of Dallas, Dallas County, Texas
From Otis Scruggs

EXHIBIT A

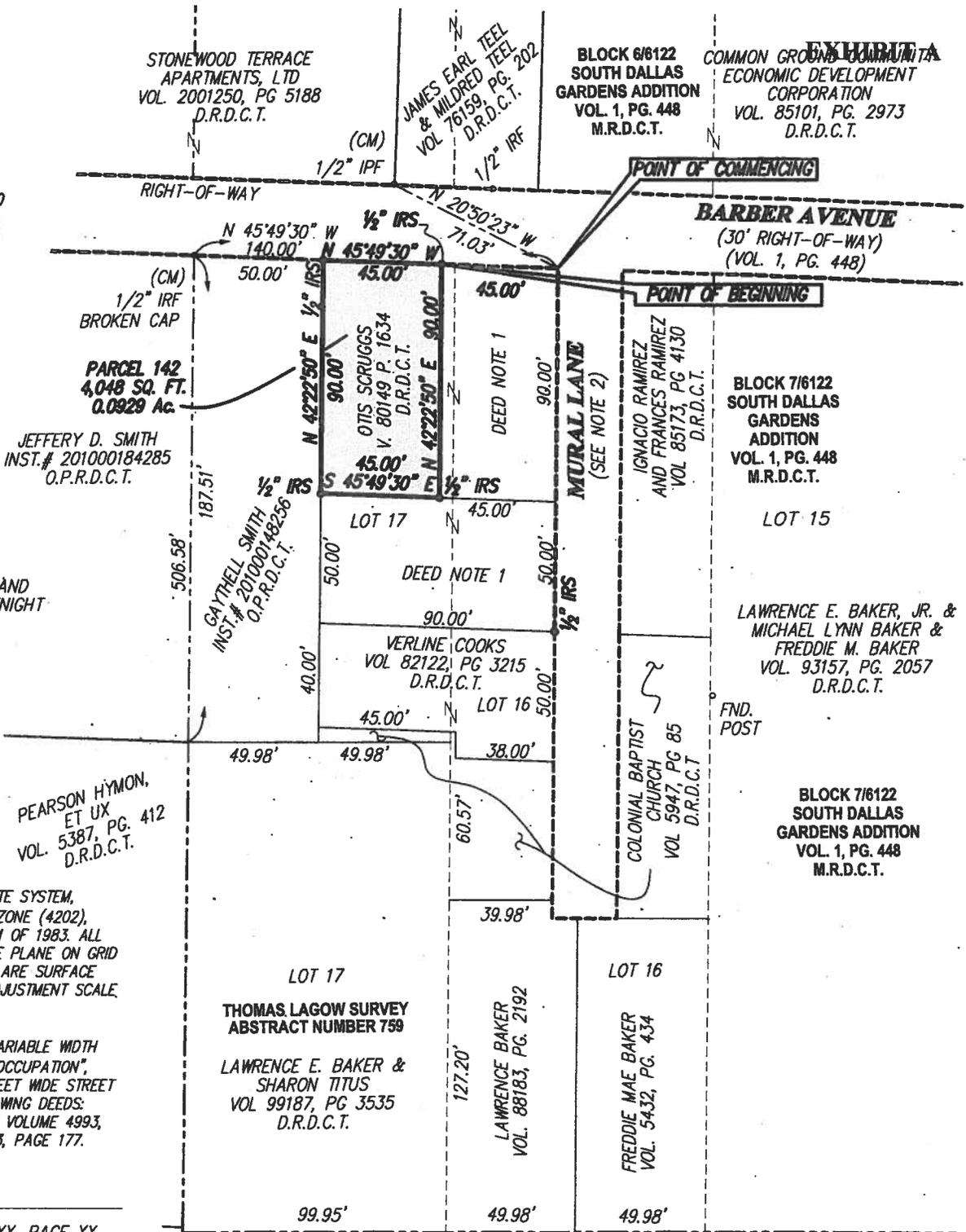
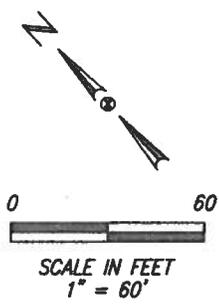
THENCE North 42°22'50" East, over and across said Lot 17, Block 7/6122, departing said McKnight tract and along the common southeast line of said Smith tract and the northwest line of said Scruggs tract, a distance of 90.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most easterly corner of said Smith tract and the most northerly corner said Scruggs tract, being in the southwest line of said Barber Avenue, and being in the northeast line of said Lot 17, Block 7/6122;

THENCE South 45°49'30" East, departing said common corner and along the northeast line of said Lot 17, Block 7/6122, and along the southwest line of said Barber Avenue, a distance of 45.00 feet, to the **POINT OF BEGINNING** and containing 0.0929 acres (4,048 square feet) of land, more or less.

BASIS OF BEARING State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



PER 2-3-16

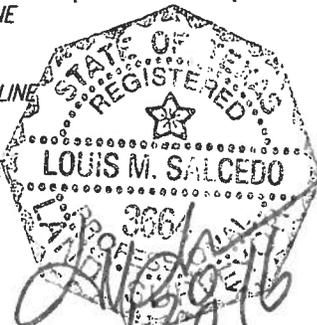


DEED NOTES:
 1. ELZA MCKNIGHT, JR. AND WIFE, MAMIE LEE MCKNIGHT VOL. 4993, PG. 177 D.R.D.C.T.

GENERAL NOTES
 1. BASIS OF BEARING STATE PLANE COORDINATE SYSTEM, TEXAS NORTH CENTRAL ZONE (4202), NORTH AMERICAN DATUM OF 1983. ALL COORDINATES ARE STATE PLANE ON GRID VALUES. ALL DISTANCES ARE SURFACE DISTANCES. SURFACE ADJUSTMENT SCALE FACTOR: 1.0001365060.
 2. MURAL LANE IS A "VARIABLE WIDTH ROADWAY BY USE AND OCCUPATION", REFERENCED AS A 25 FEET WIDE STREET EASEMENT IN THE FOLLOWING DEEDS: VOLUME 3975, PAGE 99; VOLUME 4993, PAGE 175; VOLUME 4993, PAGE 177.

- LEGEND**
- VOL. PG. VOLUME XX, PAGE XX
 - V. P. VOLUME XX, PAGE XX
 - D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY TEXAS
 - M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY TEXAS
 - O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
 - CM CONTROLLING MONUMENT
 - IRON PIPE FOUND (IPF)
 - IRON ROD FOUND (IRF)
 - 1/2" IRS 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "SGI RPLS 3664"

- - - COMMON LOT LINE
- - - LOT LINE
- - - RIGHT-OF-WAY LINE
- - - DEED LINE
- - - SUBDIVISION LINE
- - - PROPERTY ACQUISITION



Sheet 3 of 3

PROPERTY ACQUISITION
 CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 142)
 4,048 Sq. Ft. or 0.0929 Acres
 BEING A PART OF CITY OF DALLAS BLOCK 7/6122
 SOUTH DALLAS GARDENS ADDITION
 Thomas Lagow Survey, Abstract No. 759
 City of Dallas, Dallas County, Texas
 From OTIS SRUGGS
 Civil Engineers - Surveyors
 TBPLS FIRM No. 10070800
 TBPE FIRM No. 5482
 PHONE: (214) 941-8610

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 47T

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker, of an improved tract of land containing approximately 36,626 square feet located on Barber Avenue near its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$25,538 (\$22,538 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 36,626 square feet of land improved with fencing from Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker. This property is located on Barber Avenue near its intersection with Mural Lane and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$25,538 (\$22,538 plus closing costs and title expenses not to exceed \$3,000)

OWNERS

Lawrence E. Baker, Jr.
Michael Lynn Baker
Freddie M. Baker

MAP

Attached

March 23, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 36,626 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Lawrence E. Baker, Jr., Michael Lynn Baker and Freddie M. Baker, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$22,538.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,000.00

"AUTHORIZED AMOUNT": \$25,538.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

March 23, 2016

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J3, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J4. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

March 23, 2016

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,000.00 for CLOSING COSTS AND TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

STATE HIGHWAY 352
SCYENE RD.

DIXON AVE.

DIXON
CIRCLE

BARBER AVE.

MURAL LANE

Parcel 149



Property Acquisition Area Required
(approximate location)



EXHIBIT A

City of Dallas Drawing No. 423R-54 (Parcel 149)
Description of a 0.8408 Acres (36,626 Sq. Ft.)
Tract to be Acquired
All of Lot 15, Block 7,
South Dallas Gardens Addition
City of Dallas Block 7/6122
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From Lawrence E. Baker

Being situated in the Thomas Lagow Survey, Abstract Number 759, City of Dallas, Dallas County, Texas, and being all of Lot 15, Block 7 (Block 7/6122, Official City of Dallas Block Numbers) of the South Dallas Gardens addition, an addition to the City of Dallas dated June 4, 1914, and recorded in Volume 1, Page 447, of the Map Records of Dallas County, Texas, and being Part of the property conveyed to Lawrence E. Baker, Jr. and Michal Lynn Baker and Freddie M. Baker by Warranty Deed dated July 14, 1993, recorded in Volume 93157, Page 2057 of the Deed Records of Dallas County, Texas and containing approximately 0.8408 Acres (36,626 square feet) of land according to the plat thereof.

This description is approved as to form.



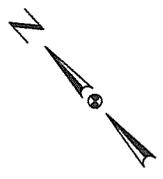
Scott Holt, RPLS
Survey Program Manager
City of Dallas

11/24/2015

Date



FIELD NOTES APPROVED:
ASR 4/24/15

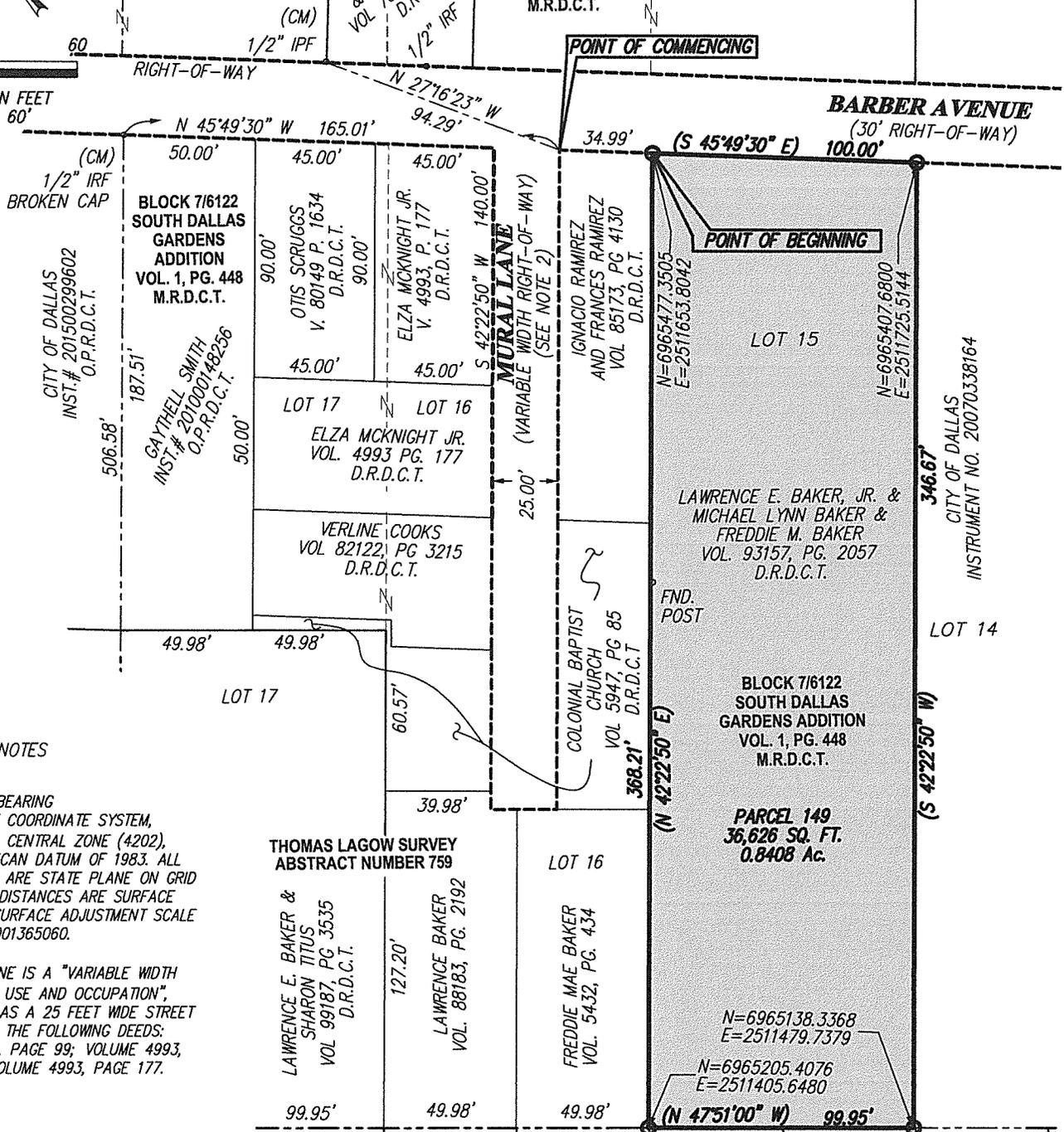
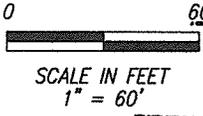


STONWOOD TERRACE APARTMENTS, LTD
VOL. 2001250, PG 5188
D.R.D.C.T.

JAMES EARL TEEL & MILDRED TEEL
VOL. 76159, PG. 202
D.R.D.C.T.

BLOCK 6/6122 SOUTH DALLAS GARDENS ADDITION
VOL. 1, PG. 448
M.R.D.C.T.

CITY OF DALLAS
INST. # 201500299602
O.P.R.D.C.T.



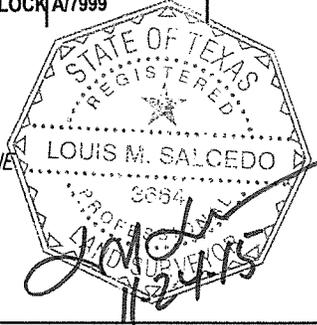
GENERAL NOTES

1. BASIS OF BEARING
STATE PLANE COORDINATE SYSTEM,
TEXAS NORTH CENTRAL ZONE (4202),
NORTH AMERICAN DATUM OF 1983. ALL
COORDINATES ARE STATE PLANE ON GRID
VALUES. ALL DISTANCES ARE SURFACE
DISTANCES. SURFACE ADJUSTMENT SCALE
FACTOR: 1.0001365060.
2. MURAL LANE IS A "VARIABLE WIDTH
ROADWAY BY USE AND OCCUPATION",
REFERENCED AS A 25 FEET WIDE STREET
EASEMENT IN THE FOLLOWING DEEDS:
VOLUME 3975, PAGE 99; VOLUME 4993,
PAGE 175; VOLUME 4993, PAGE 177.

LEGEND

VOL. PG.	VOLUME XX, PAGE XX		
V. P.	VOLUME XX, PAGE XX		
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY TEXAS	---	COMMON LOT LINE
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY TEXAS	----	RIGHT-OF-WAY LINE
O.P.R.D.C.T.	OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS	----	DEED LINE
CM	CONTROLLING MONUMENT	----	SUBDIVISION LINE
○	IRON PIPE FOUND (IPF)	----	PROPERTY ACQUISITION
●	IRON ROD FOUND (IRF)	----	

CE JOHNSON'S UNRECORDED SUBDIVISION
CITY BLOCK A/7999



CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 149)
DESCRIPTION OF A 36,626 Sq. Ft. or 0.8408 Acres
TRACT TO BE ACQUIRED
ALL OF LOT 15, BLOCK 7
SOUTH DALLAS GARDENS ADDITION
BEING A PART OF CITY OF DALLAS BLOCK 7/6122
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From LAWRENCE E. BAKER JR.

SGI Civil Engineers - Surveyors
TBPLS FIRM No. 10070800
TBPE FIRM No. 5482
PHONE: (214) 941-8610

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: March 23, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 47T

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Mamie Lee McKnight, of an improved tract of land containing approximately 8,545 square feet located on Barber Avenue at its intersection with Mural Lane for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project - Not to exceed \$28,898 (\$25,898 plus closing costs and title expenses not to exceed \$3,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 8,545 square feet of land improved with a single family residence, paving, sheds and fencing from Mamie Lee McKnight. This property is located on Barber Avenue at its intersection with Mural Lane and will be used for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project. The consideration is based upon an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Transportation and Trinity River Project Committee on March 21, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$28,898 (\$25,898 plus closing costs and title expenses not to exceed \$3,000)

OWNER

Mamie Lee McKnight

MAP

Attached

March 23, 2016

A RESOLUTION DETERMINING UPON THE NECESSITY OF ACQUIRING REAL PROPERTY AND AUTHORIZING ITS APPROPRIATION AND/OR CONDEMNATION FOR PUBLIC USE.

DEFINITIONS: For the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas

"PROPERTY": Approximately 8,545 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Mill Creek/Peaks Branch/State Thomas Drainage Relief Tunnel

"USE": The construction, installation, use, and maintenance of a realigned section of roadway, utility relocation, land area to support tunnel construction and operation, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Fee Simple

"OWNER": Mamie Lee McKnight, provided, however, that the term "OWNER" as used in this resolution means all persons having an ownership interest, regardless of whether those persons are actually named herein.

"OFFER AMOUNT": \$25,898.00

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$3,000.00

"AUTHORIZED AMOUNT": \$28,898.00

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

SECTION 1. That the USE of the PROPERTY for the PROJECT is a public use.

SECTION 2. That public necessity requires that the CITY acquire the PROPERTY INTEREST in the PROPERTY for the PROJECT.

March 23, 2016

SECTION 3. That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.

SECTION 4. That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-TWM06T525J5, CLOSING COSTS AND TITLE EXPENSES payable out of 2006 Bond Funds: Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-TWM06T525J6. The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 5. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay the CLOSING COSTS AND TITLE EXPENSES. In the event of condemnation, the CITY will pay costs as may be assessed by the Special Commissioners or the court. Further, that expenses determined by the City Attorney to be necessary are authorized for payment. All costs and expenses described in this section shall be paid from the previously described funds.

SECTION 6. That if the OWNER refuses to accept the OFFER AMOUNT, the CITY will appropriate the PROPERTY INTEREST in the PROPERTY for the PROJECT under the laws of eminent domain and the provisions of the Charter of the City of Dallas. In such case, the City Attorney is authorized and requested to file the necessary proceeding(s) and take the necessary action for the prompt acquisition of the PROPERTY INTEREST in the PROPERTY by condemnation or in any manner provided by law.

SECTION 7. That in the event it is subsequently determined that additional persons other than those named herein have an interest in the PROPERTY, the City Attorney is authorized and directed to join said parties as defendants in said condemnation proceedings or suit(s).

SECTION 8. That to the extent the PROPERTY is being purchased wholly or partly with bond proceeds CITY has obtained an independent appraisal of the PROPERTY'S market value.

SECTION 9. That OWNER has been provided with a copy of the Landowner's Bill of Rights as required by Texas Property Code Section 21.0112.

March 23, 2016

SECTION 10. That in the event the City Attorney files a condemnation proceeding because the OWNER refused to accept the OFFER AMOUNT; and in the event the special commissioners appointed by the Court return an award that is the same amount or less than the OFFER AMOUNT, the City Attorney is hereby authorized to deposit the award in the registry of the Court and to settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for an amount not to exceed the OFFER AMOUNT; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the OFFER AMOUNT made payable to the County Clerk of Dallas County, to be deposited into the registry of the Court, to enable the CITY to take possession of the PROPERTY without further action of the Dallas City Council; and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed \$3,000.00 for CLOSING COSTS AND TITLE EXPENSES in favor of the title company closing the transaction described herein. The Award, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 11. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

APPROVED AS TO FORM:
WARREN M. S. ERNST, City Attorney

BY _____
Assistant City Attorney

STATE HIGHWAY 352
SCYENE RD.

DIXON AVE.

DIXON CIRCLE

BARBER AVE.

Parcel 143

MURAL LANE



Property Acquisition Area Required
(approximate location)



PROPERTY ACQUISITION

EXHIBIT A

City of Dallas Drawing No. 423R-54 (Parcel 143)
8,545 Sq. Ft. or 0.1961 Acres
Being a Part Lot 16 and Lot 17 of City of Dallas Block 7/6122
South Dallas Gardens Addition
Thomas Lagow Survey, Abstract No.759
City of Dallas, Dallas County, Texas
From Elza McKnight Jr., and wife, Mamie Lee McKnight

Being a 8,545 square feet or 0.1961 acre tract of land situated in the Thomas Lagow Survey, Abstract No. 759, in the City of Dallas, Dallas County, Texas, and being in City of Dallas Block 7, (Official City of Dallas Block Numbers 7/6122), and being part of Lot 16 and 17, of said Block 7 of the South Dallas Gardens Addition, an Addition to the City of Dallas, Recoded by Plat in Volume 1, Page 448, of the Map Records of Dallas County, Texas, being all of that tract of land conveyed to Elza McKnight Jr. and wife, Mamie Lee McKnight, by Warranty Deed recorded in Volume 4993, Page 177 of the Deed Records of Dallas County, Texas, and being more particularly described as follows:

BEGINNING at the most easterly corner of a said Elza McKnight tract, and being in the intersection of the southwest line of Barber Avenue (30' Right-of-Way) dedicated by said South Dallas Gardens Addition, and the northwest line of Mural Lane (Variable Right-of-Way) as "Variable width roadway by use and occupation", referenced as a 25 feet wide street easement in the following deeds: Volume 3975, Page 99; Volume 4993, Page 175; Volume 4993, Page 177 of the Deed Records of Dallas County, from which a ½" iron rod found with broken cap (controlling monument) bears North 45°49'30" West, a distance of 140.00 feet, for the most northerly corner of a tract of land conveyed to Gaythell Smith by Instrument No. 201000148256 of the Official Public Records of Dallas County, Texas, also being the most easterly corner of a tract of land conveyed to Jeffery D. Smith by Instrument No. 201000184285 of the Official Public Records of Dallas County, Texas, being in the northwest Subdivision line of said South Dallas Gardens Addition, being the most northerly corner of Lot 17, of said Block 7/6122, being in the southwest line of said Barber Avenue;

THENCE South 42°22'50" West, with the northwest line of said Mural Lane, and the common southeast line of said McKnight tract, over and across said Lot 16, Block 7/6122, a distance of 140.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the northwest line of said Mural Lane, and being the southeast corner of a tract of land conveyed to Verline Cooks, by Warranty Deed recorded in Volume 82122, Page 3215 of the Deed Records of Dallas County, Texas, and being the southwest corner of said McKnight Tract;

THENCE North 45°49'30" West, over and across said Lot 17, Block 7/6122, with the northeast line of said Cooks tract and the common southwest line of said McKnight Tract, a passing distance of 40.00 feet, to the common line of said Lots 16 and 17, Block 7/6122, continuing for a total distance of 90.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being in the southwest line of said Smith tract, being the north corner of said Cooks tract, being the west corner of said McKnight tract;

THENCE North 42°22'50" East, over and across said Lot 17, Block 7/6122, and along the northwest line of said McKnight tract and the common southeast line of said Smith tract, a distance of 50.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most westerly north corner of said McKnight tract, and being in the southeast line of said Smith tract, and being the west corner of a tract of land conveyed to Otis Scruggs, by Warranty Deed recorded in Volume 80149, Page 1634 of the Deed Records of Dallas County, Texas;

PROPERTY ACQUISITION

City of Dallas Drawing No. 423R-54 (Parcel 143)

EXHIBIT A

8,545 Sq. Ft. or 0.1961 Acres

Being a Part Lot 16 and Lot 17 of City of Dallas Block 7/6122

South Dallas Gardens Addition

Thomas Lagow Survey, Abstract No.759

City of Dallas, Dallas County, Texas

From Elza McKnight Jr., and wife, Mamie Lee McKnight

THENCE South 45°49'30" East, over and across said Lot 17, Block 7/6122, and departing the northwest line of said McKnight tract and the common southeast line of said Smith tract and along an interior line of said McKnight tract, and along the southwest line of said Scruggs tract, a distance of 45.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the interior corner of said McKnight tract, and being the south corner of said Scruggs tract;

THENCE North 42°22'50" East, over and across said Lot 17, Block 7/6122, and said common corner and along said common line, a distance of 90.00 feet, to a set ½" iron rod with yellow cap stamped "SGI RPLS 3664", being the most easterly north corner of said McKnight tract, and being the east corner of said Scruggs tract, being in the southwest line of said Barber Avenue, being in the northeast line of said Lot 17, Block 7/6122;

THENCE South 45°49'30" East, departing said common line and along the northeast line of said Lot 17, Block 7/6122 and along the southwest line of said Barber Avenue, 5.00 feet, passing the common corner of Lots 16 and 17, Block 7/6122, continuing along the north line of said Lot 16, Block 7/6122, having a total distance of 45.00 feet, to the **POINT OF BEGINNING** and containing 0.1961 acres (8,545 square feet) of land, more or less.

BASIS OF BEARING State Plane Coordinate System, Texas North Central Zone (4202), North American Datum of 1983. All Coordinates are State Plane on grid values. All Distances are Surface Distances. Surface Adjustment Scale Factor: 1.0001365060.



202 2-3-16

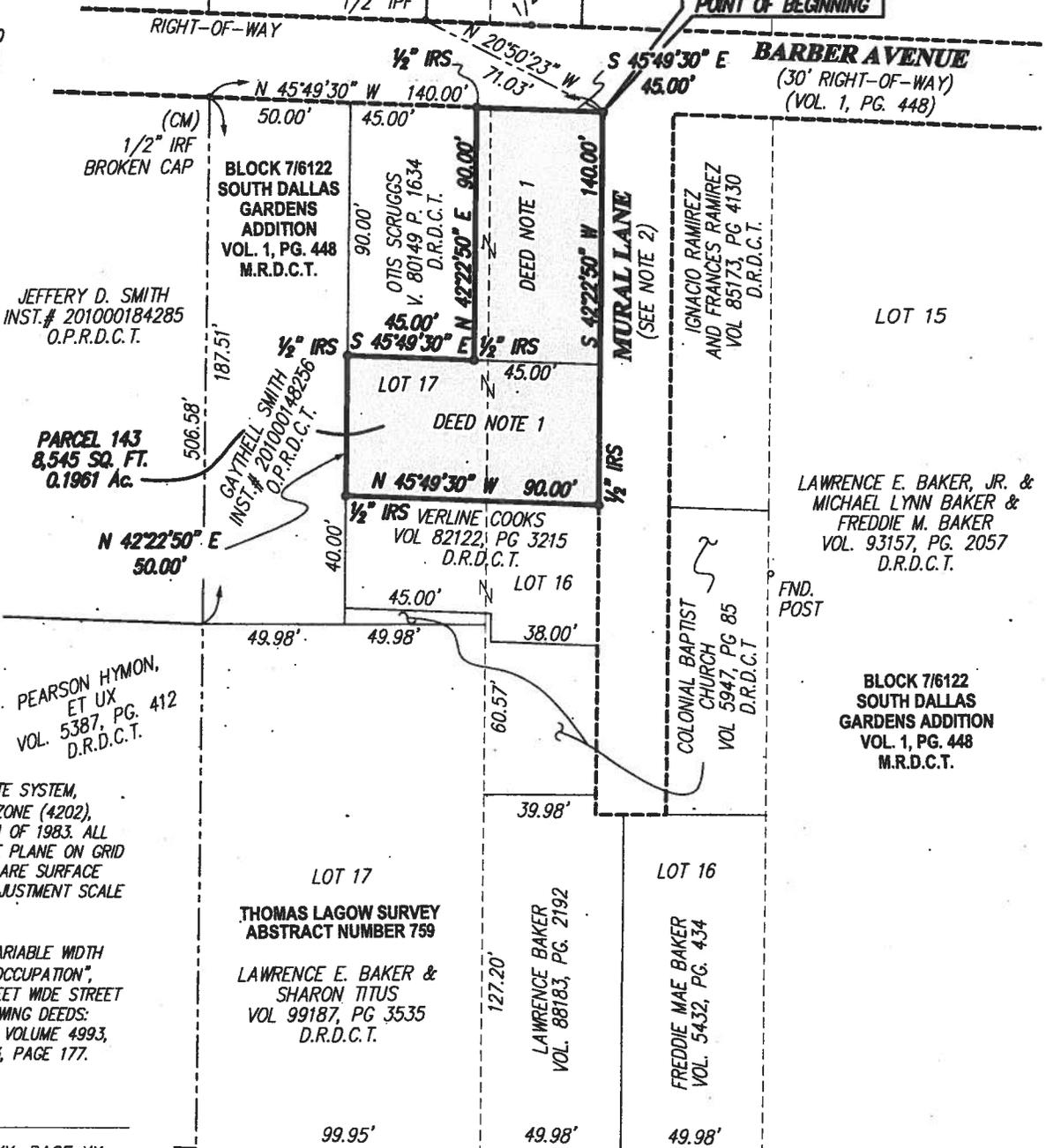


STONEWOOD TERRACE
APARTMENTS, LTD
VOL. 2001250, PG 5188
D.R.D.C.T.

JAMES EARL TEEL
& MILDRED TEEL
VOL 76159, PG. 202
D.R.D.C.T.

BLOCK 6/6122
SOUTH DALLAS
GARDENS ADDITION
VOL. 1, PG. 448
M.R.D.C.T.

COMMON GROUND
ECONOMIC DEVELOPMENT
CORPORATION
VOL. 85101, PG. 2973
D.R.D.C.T.



DEED NOTES:
1. ELZA MCKNIGHT JR.,
AND WIFE, MAMIE
LEE MCKNIGHT
VOL. 4993, PG. 177
D.R.D.C.T.

JEFFERY D. SMITH
INST.# 201000184285
O.P.R.D.C.T.

PARCEL 143
8,545 SQ. FT.
0.1961 Ac.

GAYTHELL SMITH
INST.# 201000148256
O.P.R.D.C.T.

PEARSON HYMON,
ET UX
VOL. 5387, PG. 412
D.R.D.C.T.

GENERAL NOTES
1. BASIS OF BEARING
STATE PLANE COORDINATE SYSTEM,
TEXAS NORTH CENTRAL ZONE (4202),
NORTH AMERICAN DATUM OF 1983. ALL
COORDINATES ARE STATE PLANE ON GRID
VALUES. ALL DISTANCES ARE SURFACE
DISTANCES. SURFACE ADJUSTMENT SCALE
FACTOR: 1.0001365060.

2. MURAL LANE IS A "VARIABLE WIDTH
ROADWAY BY USE AND OCCUPATION",
REFERENCED AS A 25 FEET WIDE STREET
EASEMENT IN THE FOLLOWING DEEDS:
VOLUME 3975, PAGE 99; VOLUME 4993,
PAGE 175; VOLUME 4993, PAGE 177.

LEGEND

- VOL. PG. VOLUME XX, PAGE XX
- V. P. VOLUME XX, PAGE XX
- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY TEXAS
- M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY TEXAS
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY TEXAS
- CM CONTROLLING MONUMENT
- IRON PIPE FOUND (IPF)
- IRON ROD FOUND (IRF)
- 1/2" IRS 1/2" IRON ROD SET WITH YELLOW CAP STAMPED "SGI RPLS 3664"

- - - COMMON LOT LINE
- - - LOT LINE
- - - RIGHT-OF-WAY LINE
- - - DEED LINE
- - - SUBDIVISION LINE
- - - PROPERTY ACQUISITION



PROPERTY ACQUISITION
CITY OF DALLAS DRAWING NO. 423R-54 (Parcel 143)
8,545 Sq. Ft. or 0.1961 Acres
BEING A PART OF CITY OF DALLAS BLOCK 7/6122
SOUTH DALLAS GARDENS ADDITION
Thomas Lagow Survey, Abstract No. 759
City of Dallas, Dallas County, Texas
From ELZA MCKNIGHT JR. AND WIFE,
MAMIE LEE MCKNIGHT

SGI Civil Engineers - Surveyors
TBPLS FIRM No. 10070800
TBPE FIRM No. 5482
PHONE: (214) 941-8610

KEY FOCUS AREA: Economic Development
AGENDA DATE: March 23, 2016
COUNCIL DISTRICT(S): 3
DEPARTMENT: Aviation
CMO: Ryan S. Evans, 671-9837
MAPSCO: 63L

SUBJECT

Authorize a thirty-year lease with two five-year renewal options with Development & Construction Service, LLC for approximately 2.11 acres (91,700 sq. ft.) of land at Dallas Executive Airport for the development of aviation related hangar space - Estimated Revenue: \$228,333 (over the first ten years of the lease)

BACKGROUND

This item is on the addendum to allow sufficient time to finalize the lease terms with the tenant.

The Department of Aviation has long desired to see the expansion and further development of Dallas Executive Airport (“DEA”). The airport currently has 400 acres of undeveloped land for aviation use. Hangar development at the airport will benefit the City of Dallas, as it will offer more clients access to an underutilized asset in the southern sector of Dallas.

Under the DEA Masterplan, DEA is currently completing: (1) A runway expansion, which will be completed in the fall of 2016; (2) Revising the minimum standards for airport development and operations, which will bring about a higher quality and standard for tenant operations at the airport; and (3) An increase in the prevailing lease rental rates for all future developments and lease agreements, which was recently approved on February 24, 2016, by Resolution No. 16-0324.

The proposed lease agreement with Development & Construction Service, LLC will be a catalyst for new economic growth at DEA as the completion of the first (1st) phase of this hangar development will coincide with the completion of the new runway extension.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item will be provided to the Budget, Finance and Audit Committee on March 21, 2016.

FISCAL INFORMATION

\$228,333.00 - Estimated Revenue (over the first ten-year period)

OWNER

Development & Construction Service, LLC

Robby Rahmani, President

March 23, 2016

WHEREAS, the City of Dallas owns that certain airport in Dallas more commonly known as Dallas Executive Airport; and

WHEREAS, the Department of Aviation desires to lease approximately 2.11 acres (91,700 sq. ft.) of land to Development & Construction Service, LLC for aviation related hanger development space.

Now, Therefore,

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

Section 1. That the City Manager, upon approval as to form by the City Attorney, is hereby authorized to execute a lease agreement with Development & Construction Service, LLC ("DCS") for approximately 2.11 acres (91,700 sq. ft.) of land at Dallas Executive Airport.

Section 2. That the key terms and conditions of the lease are:

- (a) The lease shall be for a term of thirty (30) years with two (2) five-year (5) renewal options.
- (b) The ground lease rental rate shall commence at \$0.13 per sq. ft. in year one of the lease with an annual increase of \$0.034 beginning in year two until it reaches the airport's prevailing lease rate of \$0.30 (beginning in year six).
- (c) The lease rate shall remain at \$0.30 for years six through ten and shall escalate beginning in year eleven and every five (5) years thereafter determined by the percentage increase in the appraised market value over the previous five-year period. In any case, no single escalation in the ground lease rate shall exceed 10% of the previous ground lease rate.
- (d) DCS will develop and construct this aviation related hangar development in three (3) phases over the initial five-year (5) period of the lease agreement (in accordance with attached Exhibits A and B).

Section 3. That the Chief Financial Officer is hereby authorized to deposit all revenues received to: Aviation Operating Fund 0130; Dept. AVI; Unit 7725; Revenue Source 7814.

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

