

Memorandum

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2014 MAY -9 AM 9:35

CITY SECRETARY
DALLAS, TEXAS

CITY OF DALLAS

DATE 9 May 2014

TO Transportation and Trinity River Project Committee Members: Lee Kleinman (Vice Chair), Deputy Mayor Pro Tem Monica Alonzo, Mayor Pro Tem Tennell Atkins, Sandy Greyson, and Sheffie Kadane

SUBJECT Transportation and Trinity River Project Committee Meeting Agenda

Tuesday, 12 May 2014, at 1:00 p.m. until 2:30 p.m.

Dallas City Hall – 6ES, 1500 Marilla Street, Dallas, TX 75201

The agenda for the meeting is as follows:

1. Approval of the 28 April 2014 Minutes [Estimated 3 Minutes] Vonciel Jones Hill, Chair
2. On-Street Parking Modernization [Estimated 40 Minutes] Donzell Gipson, Assistant Director Dallas Police Department
3. DART Board Selection Process [Estimated 20 Minutes] Committee Members
4. Trinity River Wind Festival Briefing Memo [Estimated 5 Minutes] Liz Fernandez, Director, TWM
5. Upcoming Potential Council Agenda Item(s) [Estimated 5 Minutes]
 - DRAFT Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation
 - DRAFT - Authorize an amendment to the development and operations agreement with Equest for the Texas Horse Park

Adjourn

Should you have any questions, please do not hesitate to contact me.


Vonciel Jones Hill, Chair
Transportation and Trinity River Project Committee

“A quorum of the Dallas City Council may attend this Council Committee meeting.”

c: The Honorable Mayor and Members of the Dallas City Council Forest E. Turner, Assistant City Manager
 A.C. Gonzalez, City Manager Joey Zapata, Assistant City Manager
 Warren M. S. Ernst, City Attorney Charles M. Cato, (I) Assistant City Manager
 Judge Daniel F. Solis, Administrative Judge Theresa O'Donnell, (I) Assistant City Manager
 Rosa A. Rios, City Secretary Jeanne Chipperfield, Chief Financial Officer
 Craig D. Kinton, City Auditor Shawn Williams, (I) Public Information Officer
 Ryan S. Evans, (I) First Assistant City Manager Elsa Cantu, Assistant to the City Manager – Mayor and Council
 Jill A. Jordan, P. E., Assistant City Manager

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation is an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

Transportation and Trinity River Project Council Committee Meeting

Meeting Minutes

Meeting Date: 28 April 2014

Convened: 1:02 p.m.

Adjourned: 3:30 p.m.

Councilmembers:	Presenter(s):
Vonciel Jones Hill, Chair	Jill A. Jordan, P.E., Assistant City Manager
Lee Kleinman, Vice Chair	Charles H. Klinge, Commander, Army Corps of Engineers
Mayor Pro Tem Tennell Atkins	Rob Newman, Director of Trinity River Project, Army Corps of Engineers
Deputy Mayor Pro Tem Monica Alonzo	Mark Duebner, Director, Aviation
Sandy Greyson	Darren Perry, Managing Director and Partner, L.E.K. Consulting, LLC
Sheffie Kadane	Keith Manoy, Assistant Director, Public Works
	Liz Fernandez, Director, Trinity Watershed Mgmt.
Councilmembers Absent: None	
Other Councilmembers Present:	
Jerry R. Allen	Philip T. Kingston
Scott Griggs	Adam Medrano
Staff Present:	Staff Present:
Rick Galceran, Director, Public Works	Sarah Standifer, Assistant Director, TWM

AGENDA:

1. **Approval of the 14 April 2014 Meeting Minutes**

Presenter(s): Vonciel Jones Hill, Chair

Action Taken/Committee Recommendation(s): Motion was made to approve the 14 April 2014 Transportation and Trinity River Project Council Committee ["TTRPC"] meeting minutes.

Motion made by: Atkins
Item passed unanimously: X
Item failed unanimously: _____

Motion seconded by: Kleinman
Item passed on a divided vote: _____
Item failed on a divided vote: _____

2. **Update on Dallas Floodway – Environmental Impact Statement ["EIS"]**

Presenter(s): Charles H. Klinge, Commander and Rob Newman, Director of Trinity River Project, U.S. Army Corps of Engineers – Ft. Worth District

Information Only: X

3. **Dallas Love Field Gate Leases**

Presenter(s): Mark Duebner, Director, Aviation and Darren Perry, Managing Director and Partner, L.E.K. Consulting, LLC

At 2:34 p.m., Committee Chair Vonciel Jones Hill announced the closed session of the TTRPC authorized by Chapter 551.071, "OPEN MEETINGS," of the Texas Open Meetings Act to receive legal advice from and consult with attorneys in the City Attorney's Office regarding: "Dallas Love Field Gate Leases."

Committee Chair Vonciel Jones Hill reconvened the TTRPC meeting after the closed session at 3:21 p.m. and immediately reconvened to open session. No action was taken during the closed session.

Motion was made to move this item forward to full City Council for consideration.

Motion made by: Alonzo
Item passed unanimously:
Item failed unanimously:

Motion seconded by: Hill
Item passed on a divided vote:
Item failed on a divided vote:

4. **Streetcar Production – Final Phase**

Presenter(s): Keith Manoy, Assistant Director, Public Works

Action Taken/Committee Recommendation(s): A motion was made to match the interior and exterior colors of the current DART fleet to avoid additional operation and maintenance costs.

Motion made by: Atkins
Item passed unanimously:
Item failed unanimously:

Motion seconded by: Kadane
Item passed on a divided vote:
Item failed on a divided vote:

5. **Upcoming Council Agenda Item(s)**

Presenter(s): Liz Fernandez, Director, Trinity Watershed Management

- Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the City of Irving, of an unimproved tract of land containing approximately 20 acres located on the east bank of the Trinity River near the west termination of Mexicana Drive for the Dallas Floodway Project - Not to exceed \$39,700 (\$36,700 plus closing costs and title expenses not to exceed \$3,000) – Financing: 2006 Bond Funds
- Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from the John G. Campbell Trust, of an unimproved tract of land containing approximately 4 acres located on Wildwood Drive near its intersection with California Crossing Road for the Elm Fork Flood Control Project - Not to exceed \$18,279 (\$16,079 plus closing costs and title expenses not to exceed \$2,200) – Financing: 1998 Bond Funds

Action Taken/Committee Recommendation(s): Motion was made to move all items forward to full City Council for consideration.

Motion made by: Atkins
Item passed unanimously:
Item failed unanimously:

Motion seconded by: Kadane
Item passed on a divided vote:
Item failed on a divided vote:

Adjourn (3:30 p.m.)

Memorandum



CITY OF DALLAS

DATE 9 May 2014

TO The Honorable Members of the Transportation and Trinity River Project Committee:
Vonciel Jones Hill (Chair), Lee Kleinman (Vice Chair), Deputy Mayor Pro Tem Monica Alonzo,
Mayor Pro Tem Tennell Atkins, Sandy Greyson, and Sheffie Kadane

SUBJECT On-Street Parking Modernization

On Monday, 12 May 2014, you will be briefed on the On-Street Parking Modernization Program and its Parking Pilots. The briefing materials are attached for your review.

Please feel free to contact me if you need additional information.

A handwritten signature in black ink, appearing to read 'Ryan S. Evans'.

Ryan S. Evans
Interim First Assistant City Manager

c: A. C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
Craig D. Kinton, City Auditor
Rosa A. Rios, City Secretary
Daniel F. Solis, Administrative Judge
Jill A. Jordan, P.E., Assistant City Manager
Forest E. Turner, Assistant City Manager

Joey Zapata, Assistant City Manager
Charles M. Cato, (I) Assistant City Manager
Theresa O'Donnell, (I) Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, (I) Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

On-Street Parking Modernization

Transportation & Trinity River Corridor Committee

12 May 2014



Purpose:

Provide Brief Update on Parking Modernization Plan

Outline

- Parking Program Goals
- History of Parking Technology Timeline
- Parking Management System
- Parking Pilot Program Goals
- Parking Pilot Program Timeline
- Locations of Pilots Tests
- Equipment, Technology, and Applications To Be Tested
- Testing of Equipment, Technology, and Applications
- Operational Procedures To Be Tested
- Testing of Operational Procedures
- Public Art and Parking Brand
- PayByPhone Update
- Next Steps
- Questions

Parking Program Goals

Parking is at a revolutionary stage because of technology.

Dallas Parking Goals:

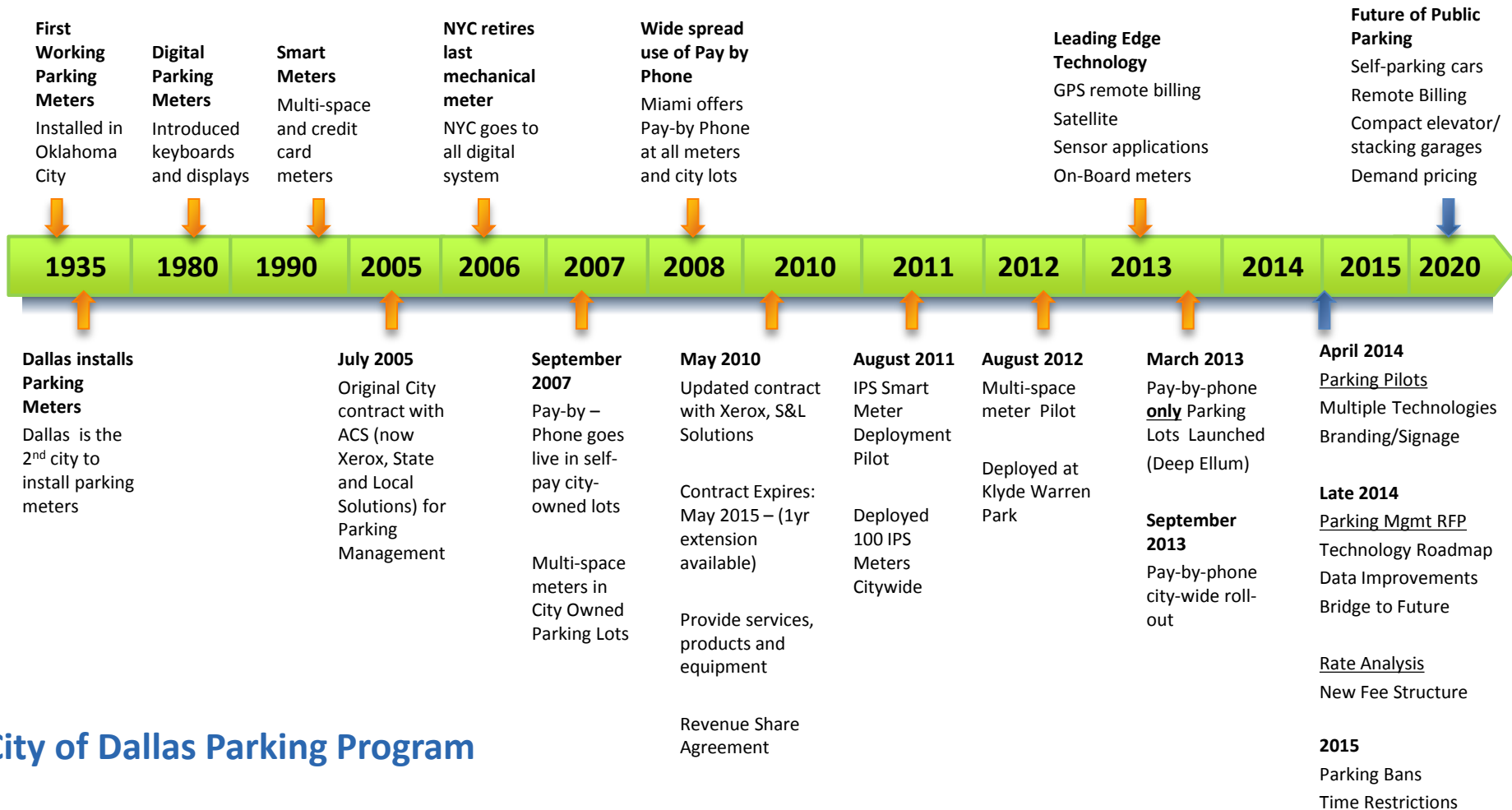
- Improve Customer Service
- Enhance Operational Efficiency
- Adapt to Changes in Streetscape

Guiding Principles for Parking Services:

- Provide safe public parking
- Available parking (85% occupancy rate)
- Provide accessible public parking
- Use technology/parking practices for effective parking management
- Create aesthetically pleasing and functional parking
- Generate revenue to support public parking

History of Parking Technology Timeline

Municipal Parking Industry



City of Dallas Parking Program

Parking Management System



Parking Pilot Program

Parking Pilot Program Goals

The success of new development downtown and other economic centers of our City has accelerated the need for parking modernization.

Parking Pilot Program Goals:

- Address current challenges
- Minimize/avoid future parking pressures
- Change the visibility and atmosphere of parking

The Pilot Program will test both:

- New equipment, services, and applications
- New operational procedures







Parking Pilot Program Timeline

January 2014	Invitation to Pilot Technology
February 2014	Benchmarking and Research Trip to San Francisco
March 2014	Award projects to eleven (11) vendors
March 2014	Partnerships with Xerox, Kimley-Horn, UT Center for Transportation Research, and Office of Cultural Affairs to manage and evaluate Pilot Program
April 2014	Official Pilot Start Date
May to June 2014	Pilot Implementation
August 2014	Mid Project Report
November 2014	End of Pilot Report

Locations of Pilot Tests

- Different equipment and operational procedures will be tested in several areas.
- Areas in which testing will occur are:
 - Central Business District
 - Mockingbird Station
 - City Hall
 - Oak Lawn
 - Arts District
 - Uptown
 - West End
 - Deep Ellum
 - Jefferson Corridor

Equipment, Technology, and Applications To Be Tested

Type	Name	Description
	Car Share	Short term car rental, often by the hour.
	“Smart” Meter	Meters that allow drivers to pay with coins or credit/debit cards.
	Sensors	Wireless sensors detect when vehicles occupy a parking space in real time.
	Multi-Space Pay Station	Multi space meters have the ability to accept payment for multiple parking spaces.
	Parking Guidance App	Parking applications for smart phones and mobile devices that enable you to find, reserve and pay for parking.
	Dallas Smart Cities-Wi-Fi Initiative	Where possible the parking pilot equipment will use the wireless communication network created as part of the Dallas Smart Cities, Wi-Fi Initiative.

Testing of Equipment, Technology, and Applications

Field Pilot Purpose:

Field testing the equipment



























Goal:

Learn where equipment is best utilized






Method:

- Deploy in different areas
- Conduct a parking survey
- Evaluate and analyze parking data






Deployment

Area	Field Pilots
CBD	    
Mockingbird Station	
Oak Lawn	
Arts District	     
Uptown	
West End	    
Deep Ellum	   
Jefferson Corridor	  

Operational Procedures To Be Tested

Type	Name	Description
	Handicap Placards	Count and identification of metered parking spaces used by vehicles with handicap placards.
	Signage	Test of new signage with a parking brand and logo.
	Parking Lot Enforcement/Reservations	Test of new parking lot services and a proof of concept enforcement application.
	Multi-space Hooding	Test of new ways to reserve or restrict parking at metered spaces served by multi-space pay stations.
	Collections and Enforcement Routes	Test new collections and enforcement routes based on existing and “new” parking data.

Operational Procedures To Be Tested

Type	Name	Description
	Public Art	Parking meters as temporary and permanent public art.
	Time Limits	Modified time limits to reflect surrounding areas activities and parkers needs.
	Parking Bans	Removal of existing parking bans to reflect change in travel patterns (traffic engineer).
	Electronic Locks	Addition of a smart locking system with electronic key control and restricted lock codes on cylinders.
	PayByPhone Only	Test of Pay By Phone only on-street metered spaces.

Testing of Operational Procedures

Operations Pilot Purpose:

Testing of new procedures



























Goal:

Learn where changes to procedures can improve operations

Method:

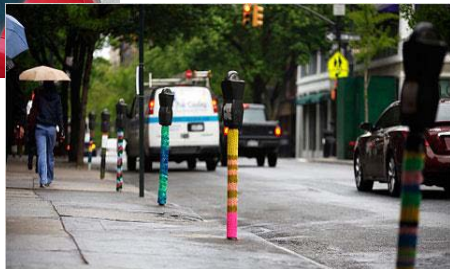
- Test in different areas
- Evaluate and analyze parking data

Deployment

Area	Operations Pilots						
CBD							
City Hall							
Arts District							
West End							
Deep Ellum							
Jefferson Corridor							

Public Art and Parking Brand

- Parking Meters as Public Art
- Partnership with the Office of Cultural Affairs



Public Art

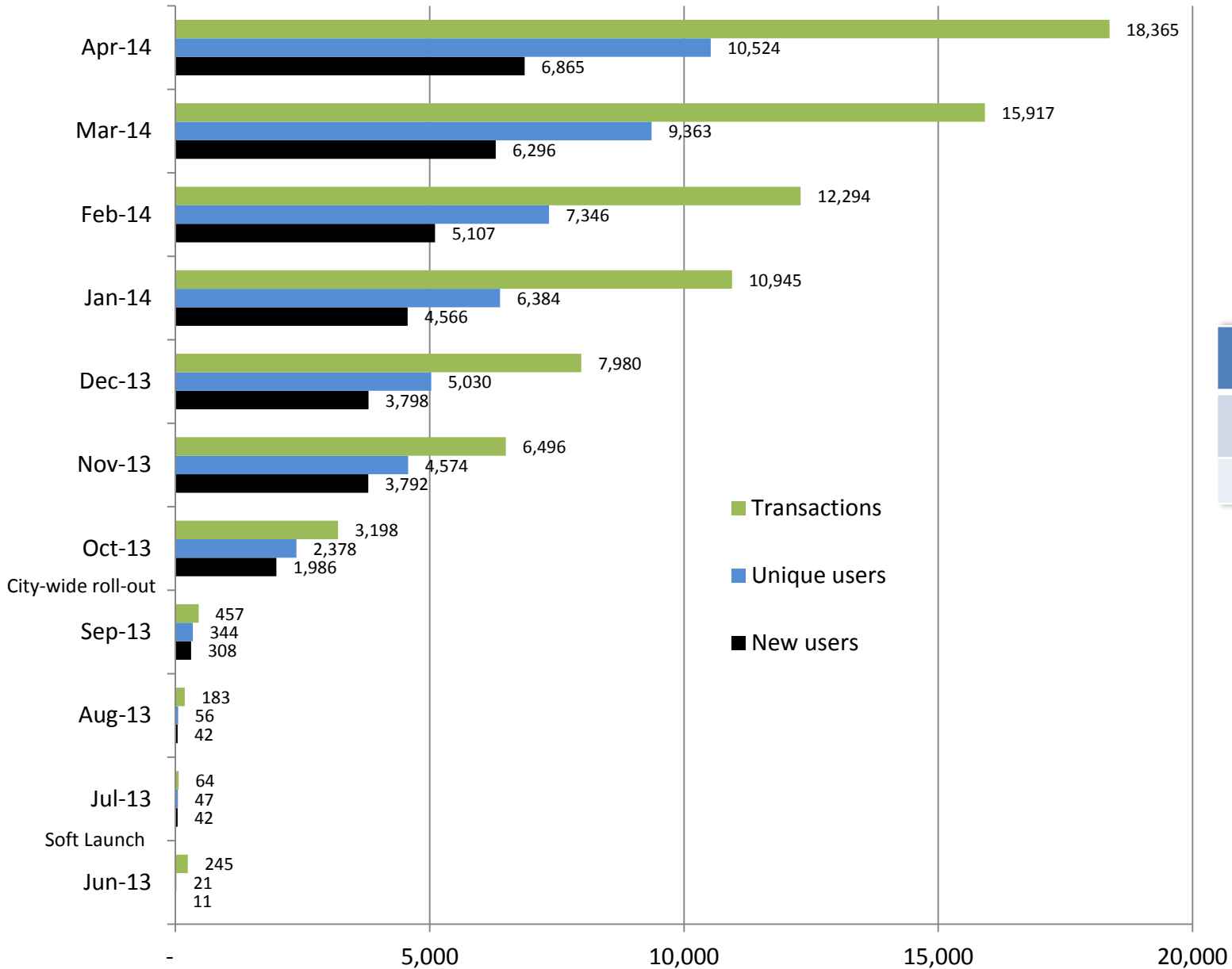


Old Signage

Dallas Parking Brand

PayByPhone Update

PayByPhone Growth Chart



Total June 2013 thru April 2014	
Transactions	New users
76,144	32,813

Introducing...



pay **by**
phone

Paying for parking just got easier....

Want to park at a meter? Have your smart phone?

No Coins, No Cash... No Problem

You can pay for ANY parking meter in Dallas with your smart phone

4 easy steps to pay by phone – Call 1-888-680-7275



1

Call the number
Posted on meter

Phone number for PayByPhone service is on each parking meter.



2

Respond to the
prompts

Prompted to enter the location number and parking time required. Any new users will be guided through a registration process.



3

Wait to hear that
parking has started

Once you hear confirmation that your parking has started, you may leave your vehicle.

The Meter will still show expired but your vehicle will now appear as having paid for parking on the Parking Enforcement Officers handheld patrol units.



4

Extend parking
anytime

To extend time call the number you dialed in Step 1. Your account will be recognized and you can extend your parking session or to start a new one.

Introducing Pay by App...



- Set up text reminders to alert you when to return to your car or top up your parking
- Set up email receipts to your inbox
- Add or remove vehicle registration numbers
- Update your payment card
- Manage your security settings

It is easy to pay by app – paybyphone.com



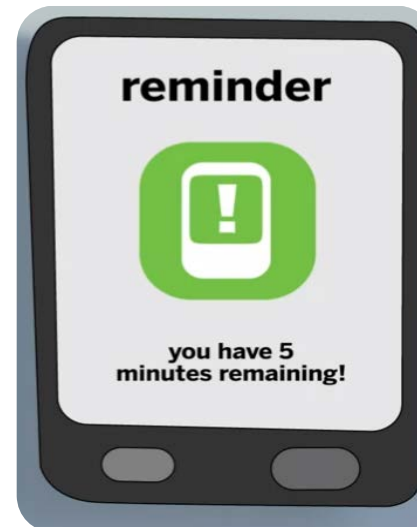
- Search “paybyphone” in your app store
- Fill in your location
- Select vehicle
- Choose duration
- Click Confirm

Any new users will be guided through a registration process.

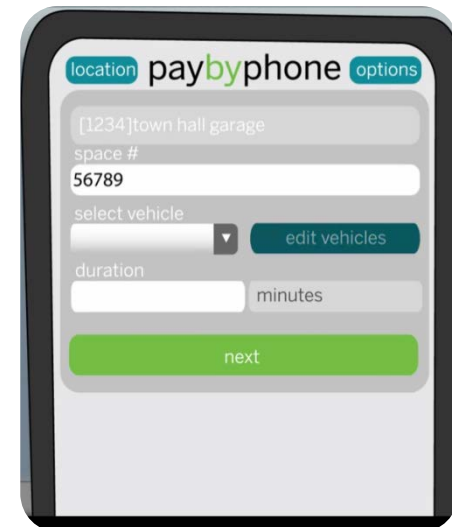


Once you see the confirmation message that your parking has started, you may leave your vehicle.

The Meter will still show expired but your vehicle will now appear as having paid for parking on the Parking Enforcement Officers handheld patrol units.



A text reminder message will alert you your parking is about to expire.



To extend time go to the paybyphone app. Your account will be recognized and you can extend your parking session or to start a new one.

Next Steps

Here & Now

- **Notify adjacent property owner**
- **Pilot Analysis**
 - Online surveys
 - Street teams
 - Pilot Partner Reports
- **End of Pilot Report back to committee**



Follow us on

<http://www.dallaspolice.net/>

Next Steps



- **Request For Competitive Sealed Proposal Development**
- **New Parking Management Contract (late 2015)**
- **Continued Parking Modernization Changes**

Questions?



Memorandum



DATE May 2, 2014

TO Honorable Members of the City Council

SUBJECT **Final Report - Dallas Area Rapid Transit Board (Re)Nominees**

Noted below are all (re)nominees to the Dallas Area Rapid Transit Board (DART) that were submitted by today's 5 p.m. deadline and therefore qualify for possible (re)appointment, pending clearance of the background check.

Date Received	(Re)Nominee	(Co)Nominated by	Status
April 18, 2014	James F. Adams	CCM Allen	Complete
April 24, 2014	Robert Strauss	CCM Greyson	Complete
April 29, 2014	David Sheinfeld	CCM Kleinman	Complete
April 30, 2014	Richard Carrizales	DMPT Alonzo MPT Atkins CCM Jones Hill CCM A. Medrano	Background check in progress - Problem identified - campaign treasurer
May 2, 2014	Sue Bauman	CCM Greyson	Background check in progress

Because only five (5) (re)nominees were submitted, there will be changes to the appointment process as there is no longer a need for the Transportation and Trinity River Project Committee (TTRPC) on Monday, May 12, 2014, to select six (6) individuals to interview. Instead, the TTRPC will discuss DART issues, rules, and procedures. Once all background checks are complete, notebooks to the entire City Council will be distributed on or before Friday, June 6, 2014. These notebooks will contain all information on each (re)nominee.

As you know, TTRPC will interview only nominees that have cleared the background check. A revised timeline is attached for your convenience. Please let me know if you have any questions.

Rosa A. Rios
City Secretary




- c: A.C. Gonzalez, City Manager
- Warren M.S. Ernst, City Attorney
- Biliera Johnson, Assistant City Secretary
- Sam Merten, Manager of Public Affairs/Communications
- Jesus J. Salazar, Boards and Commissions Manager

Dallas Area Rapid Transit Board (DART)

UPDATED
2014 APPOINTMENT TIMELINE

3 Dallas Members

- Place 01 (Term Expires 7/1/14)
- Place 02 (Term Expires 7/1/14)
- Place 03 (Term Expired 7/1/13; Holdover)

<p>April 11, 2013 (Friday)</p> 	<ul style="list-style-type: none"> • Chair of the Transportation & Trinity River Project Committee (TTRPC) sends memo to City Council requesting nominees via submission of a nominating memo, resume, biography and NeoGov Application <ul style="list-style-type: none"> • Maximum 3 (re)nominees from each City Councilmember per seat (re)nominees per seat (totals to 9 nominees per council member) • Places to be filled: 1, 2,(2-year terms) and 3 (1-year term) • Deadline for nominations to be submitted to City Secretary's Office is Friday, May 2, 2014, no later than 5:00 p.m.
<p>April 18, 2014 April 25, 2014 (Fridays)</p> 	<ul style="list-style-type: none"> • City Secretary sends reminders to City Council of Friday, May 2, 2014, 5:00 p.m. deadline to submit nominations to the City Secretary's Office
<p>May 2, 2014 (Friday) 5:00 p.m.</p> 	<ul style="list-style-type: none"> • Deadline for City Council nominations to be submitted no later than 5:00 p.m. <ul style="list-style-type: none"> • If NeoGov Application and biography/resume for a particular nominee is not received by the deadline date/time, the nomination will be considered incomplete and the nominee will not be considered for review
<p>May 12, 2014 (Monday)</p>	<ul style="list-style-type: none"> • TTRPC meets to discuss DART <ul style="list-style-type: none"> • Issues, Rules, and Procedures
<p>June 6, 2014 (Friday)</p>	<ul style="list-style-type: none"> • Notebooks of DFW Board (re)nominees delivered to all City Councilmembers
<p>June 9, 2014 (Monday)</p>	<ul style="list-style-type: none"> • TTRPC meets to interview top six (6) candidates <ul style="list-style-type: none"> • Full City Council invited to attend/participate • TTRPC recommends top three (3) candidates for appointment to City Council <ul style="list-style-type: none"> • City Secretary informs City Council of the TTRPC's recommendation(s) • The 3 recommended individuals are not guaranteed appointment as the city council may consider other nominees, but only if they were interviewed by TTRPC
<p>June 18, 2014 (Wednesday)</p>	<ul style="list-style-type: none"> • City Council overview on the (re)appointment process/top 3 candidates • City Council (re)appoints three (3) members <ul style="list-style-type: none"> • Only nominees interviewed can be considered for (re)appointment • After (re)appointments, City Secretary assigns position numbers to appointees (Position Nos. 1, 2, & 3)
<p>June 25, 2014 (Wednesday)</p>	<ul style="list-style-type: none"> • Alternate Appointment Date
<p>July 1, 2014 (Tuesday)</p>	<ul style="list-style-type: none"> • Term begins for (re)appointees

Memorandum



CITY OF DALLAS

DATE 9 May 2014

TO The Honorable Members of the Transportation and Trinity River Project Committee:
Vonciel Jones Hill (Chair), Lee Kleinman (Vice Chair), Deputy Mayor Pro Tem
Monica Alonzo, Mayor Pro Tem Tennell Atkins, Sandy Greyson, Sheffie Kadane

SUBJECT Trinity River Wind Festival – Saturday, 17 May 2014

The fourth year of the Trinity River Wind Festival will be held on Saturday, 17 May 2014, in the Dallas Floodway between Commerce Street and IH-30, from 11:00 a.m. to 5:00 p.m. Parking is available for the festival in the surface lots and parking garages at the corner of Riverfront Boulevard and Commerce Street (146 Commerce Street, Dallas, 75207).

The Trinity River Wind Festival focuses on families having fun outdoors and celebrating the beauty and spirit of the wide open spaces along the Trinity River. A flyer and schedule are attached to provide additional details of the day's wind-driven action. You can access the area through the paid parking lot by walking up and over the east levee.

We encourage you to attend and enjoy the wind-driven recreational showcase of fun and adventure. This is an opportunity for thousands of people to visit the Dallas Floodway to see giant show kites, international stunt kite flyers, kite making with kite masters from Sendai, Japan; experience the beauty and history of Dragon Kites coming to Dallas from Weifang, China; visit the Girl Scout Zone; and participate in many other free activities. In addition, the general public may bring a kite, pinwheel, whistle, or other wind driven toy to engage in the simple joy of playing in the wind.

Please let me know if you have any questions or need additional information.

Jill A. Jordan, P.E.
Assistant City Manager



THE TRINITY
DALLAS

C: Honorable Mayor and Members of the Council
A.C. Gonzalez, City Manager
Warren M.S. Ernst, City Attorney
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Theresa O'Donnell, (I) Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Shawn Williams, (I) Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council



THE TRINITY
DALLAS



City of Dallas



4th Annual

Trinity River Wind Festival

SATURDAY, MAY 17, 2014

11 a.m. - 5 p.m.

DALLAS, TEXAS

FREE
Family Fun!
Kites, Birds
and Music!

A bike & dog
friendly event!

Parking for a fee at Riverfront Blvd. and Commerce Street
(146 Commerce Street) Festival area in the Dallas Floodway

TrinityRiverWindFestival.com

TRINITY RIVER

Wind Festival

Saturday, May 17, 2014 11 a.m. - 5 p.m.

The following FREE events are scheduled for all day:

Public Kite Flying

Show and Stunt Kites

North Texas Hang/Paragliding Association

City of Dallas Kite Giveaway (*while supplies last*)

Girl Scout Zone (*Photo Booth, Snow Cones, Face Painting*)

Sprint Booth (*Phone recycling and Giveaways*)

Paper Airplane Making

Other events and time schedule:

Girl Scout Council Bridging Ceremony 10 a.m. - Noon
(*Continental Avenue Bridge and West Dallas Gateway*)

Girl Scout Opening Flag Ceremony 11 a.m.

Japanese Kite Makers (*Sendai, Japan*) Noon - 5 p.m.

Dragon Kites (*Weifang, China*) Noon - 5 p.m.

Blackland Prairie Raptors Noon - 4 p.m.

Girl Scout Sing Along 1 p.m. - 2 p.m.

Second Spin Rescue Disc Dogs 1:30 p.m. and 2:30 p.m.

Wildflower Planting 2:30 p.m. - 4 p.m.

Dallas Zoo Outreach 3 p.m. - 3:45 p.m.

Alma y Corazon Tejano Ballet Folklorico 4 p.m. - 4:30 p.m.

DRAFT

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: May 14, 2014

COUNCIL DISTRICT(S): 7, 8

DEPARTMENT: Trinity Watershed Management
Office of Economic Development

CMO: Jill A. Jordan, P.E., 670-5299
Ryan S. Evans, 671-9837

MAPSCO: 57-P T U X Y & Z, 67-B C & D

SUBJECT

Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road - Not to exceed \$2,371,711 - Financing: Stormwater Drainage Management Capital Construction Funds (\$2,000,000) and Company of Trinity Forest Golfers Funds (\$371,711) (to be reimbursed by the Company of Trinity Forest Golfer's, Inc.)

BACKGROUND

This item was placed on the addendum to assist with the completion schedule for golf course related improvements. Having this construction contractor, DCI Contracting, Inc., work concurrently with the remediation contractor, L. D. Kemp Excavating, will address stormwater, erosion and vegetative support layer construction issues.

The Elam and South Loop 12 Landfills, also known as Simpkins Landfills, were issued a Municipal Solid Waste (MSW) Permit No. 88 on August 29, 1975, by the Texas State Department of Health. Both landfills are located in the vicinity of Great Trinity Forest Way (also known as Loop 12) and Pemberton Hill Road. The total permitted landfill area is approximately 340 acres; 85 acres for Elam and 255 acres for South Loop.

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 approved a remediation contract with L.D. Kemp Excavating to obtain a permit from the Texas Commission on Environmental Quality (TCEQ). Additionally, Council approved an engineering design contract with Pacheco Koch Consulting for golf course related improvements. The construction contract will be conducted concurrently with the L.D. Kemp Excavating contract.

BACKGROUND (Continued)

Based on prior environmental investigations, remediation efforts are to be made for environmental conditions at the site to be in compliance with regulations by the state regulatory agency, TCEQ. The Elam and South Loop Landfills require additional fill to be placed on top of this remediation area to preserve the existing landfill cap as the remediation work will restore the clay cap to the 2-foot minimum clay cap. Additional fill will ensure that this clay cap within the Simpkins Remediation area is not disturbed or structural integrity damaged due to future golf course related improvements. In addition, structural fill is necessary for the golf course's clubhouse, entrance and parking lot area.

This action will authorize a construction contract with DCI Contracting, Inc. for the additional fill for the Simpkins Remediation area and the structural fill for the golf course's clubhouse, entrance and parking lot area. The Company of Trinity Forest Golfer's, Inc. will reimburse the City in the amount of \$371,711 for the structural fill.

ESTIMATED SCHEDULE OF PROJECT

Began Engineering Design	March 2014
Completed Engineering Design	April 2014
Begin Construction	May 2014
Complete Construction	October 2014

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition of approximately 61 acres from Weir Bros, Partners, L.L.C. on April 28, 2004, by Resolution No. 04-1416.

Authorized settlement in lieu of proceeding further with condemnation for the acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project on May 28, 2008, by Resolution No. 08-1591.

Authorized a professional services contract with Terracon Consultants, Inc., on October 22, 2008, by Resolution No. 08-2874.

Authorized acquisition of approximately 1,415 acres from Metropolitan Sand & Gravel Co., L.L.C. on February 13, 2008, by Resolution No. 08-0398.

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.

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

Authorized Supplemental Agreement No. 1 with Terracon Consultants, Inc., on April 9, 2014, by Resolution No. 14-0629.

Authorized an engineering design contract with Pacheco Koch Consulting on April 9, 2014, by Resolution No. 14-0627.

Authorized a construction contract with L.D. Kemp Excavating, Inc., on April 9, 2014, by Resolution No. 14-0628.

FISCAL INFORMATION

Stormwater Drainage Management Capital Construction Funds - \$2,000,000.00
Company of Trinity Forest Golfers Funds - \$371,711.00

Engineering Design Cost	\$842,290.00
Construction Cost (this action)	<u>\$2,371,711.00</u>

Total Project Cost	\$3,214,001.00
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<u>Council District</u>	<u>Amount</u>
7	\$ 806,381.74
8	<u>\$1,565,329.26</u>
Total	\$2,371,711.00

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

DCI Contracting, Inc.

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

BID INFORMATION

The following bids with quotes were received and opened on Thursday, May 1, 2014:

*Denotes successful bidder

BID INFORMATION (Continued)

BIDDERS

BID AMOUNT

* DCI Contracting, Inc. 2045 East Highway 380, Suite 100 Decatur, Texas 76234	\$2,371,711.00
Vilhauer Enterprises	\$2,798,692.90
Longhorn Excavators, Inc.	\$3,350,799.60
L.D. Kemp Excavating, Inc.	\$3,463,246.10
FCS Construction	\$3,583,785.65

OWNER

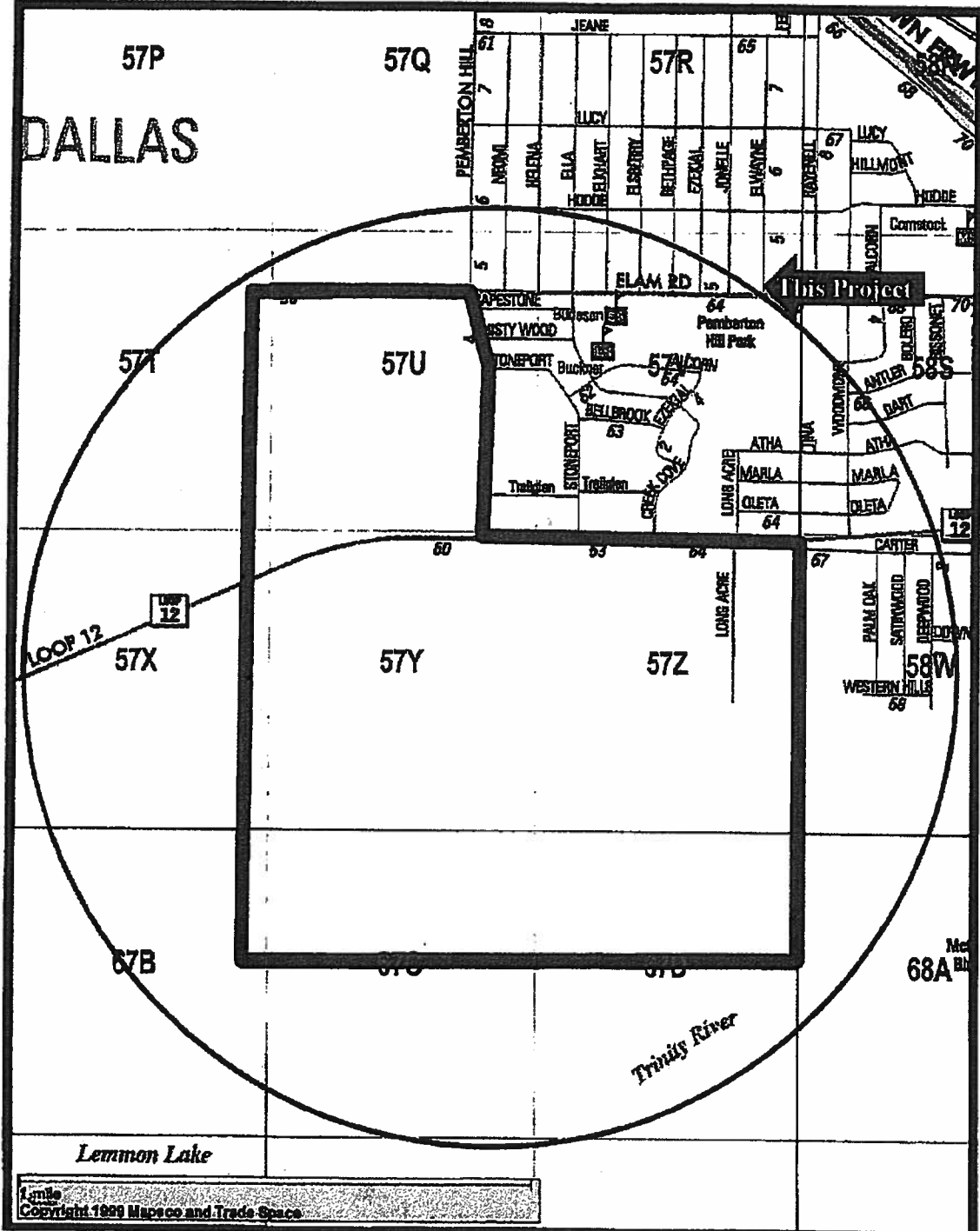
DCI Contracting, Inc.

Greg Sherman, Vice President

MAP

Attached

Simpkins Remediation



Mapsco 57-P, T, U, X, Y, Z, and 67-B, C, D

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract with DCI Contracting, Inc., lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road - Not to exceed \$2,371,711 - Financing: Stormwater Drainage Management Capital Construction Funds (\$2,000,000) and Company of Trinity Forest Golfers Funds (\$371,711) (to be reimbursed by the Company of Trinity Forest Golfer's, Inc.)

DCI Contracting, Inc. 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	\$0.00	0.00%
Total non-local contracts	\$2,371,711.00	100.00%
TOTAL CONTRACT	\$2,371,711.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

None

Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Champion Fuel Solutions	WFDB57670Y0614	\$493,870.00	20.82%
G. J. Seeding, LLC	WFWB61254N0415	\$77,000.00	3.25%
J.M. Materials, Inc.	WFDB61580Y0515	\$20,000.00	0.84%
Total Minority - Non-local		\$590,870.00	24.91%

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	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$590,870.00	24.91%
Total	\$0.00	0.00%	\$590,870.00	24.91%

May 14, 2014

WHEREAS, on May 28, 2008, Resolution No. 08-1591 authorized acquisition of approximately 1,415 acres of land located near the intersection of Loop 12 and Pemberton Hill Road from Metropolitan Sand and Gravel Company, L.L.C. or its successor, and approximately 111 acres of land located near the intersection of Linfield Road and Hull Avenue from Weir Bros. Partners, L.L.C., for the Trinity River Corridor Project; and,

WHEREAS, on May 28, 2008, Resolution No. 08-1591 authorized the City Attorney to assume, on behalf of the City, the responsibility for the costs to remediate environmental conditions on the Metropolitan Tract and the Linfield Tract known by the City as of the date the settlement closed, and to waive any right to contribution for those costs from Metropolitan Sand and Gravel Co., L.L.C. and Weir Brothers Partners, L.L.C., including their officers, successors, and assigns; and,

WHEREAS, Terracon Consultants Inc., conducted a Phase I Environmental Site Assessment on August 24, 2005. In addition, Terracon also prepared a Limited Solid Waste Evaluation Report on October 12, 2005, a Limited Site Investigation on January 8, 2008, and a Methane and Landfill Cap Evaluation and Proposed Response Actions on January 30, 2008. Based on the preliminary investigation and findings, Terracon Consultants, Inc. recommends further detailed investigations and assessment, before remedial designs are prepared; and,

WHEREAS, on October 22, 2008, Resolution No. 08-2874 authorized a professional services contract with Terracon Consultants Inc., for such detailed environmental investigation, assessment, remedial designs, and coordination with TCEQ, in an amount not to exceed \$814,464.00, and,

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 an engineering design 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 April 9, 2014, Resolution No. 14-0628 authorized a construction contract with L. D. Kemp Excavating, Inc. for the construction of closed landfill improvements for Simpkins Remediation in an amount not to exceed \$2,530,276.20, this being the lowest responsive bid as indicated by the tabulation of bids; and,

May 14, 2014

WHEREAS, on April 9, 2014, Resolution 14-0629 authorized Supplemental Agreement No. 1 to the engineering services contract with Terracon Consulting, Inc. for additional detailed environmental investigation, assessment, remedial designs, and coordination with TCEQ associated with Simpkins Remediation in an amount not to exceed \$273,720.00; increasing the contract from \$814,464.00 to \$1,088,184.00; and,

WHEREAS, bids were received on May 1, 2014, for the construction of closed landfill improvements for Simpkins Remediation, as follows:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
DCI Contracting, Inc.	\$2,371,711.00
Vilhauer Enterprises	\$2,798,692.90
Longhorn Excavators, Inc.	\$3,350,799.60
L.D. Kemp Excavating, Inc.	\$3,463,246.10
FCS Construction	\$3,583,785.65

WHEREAS, it is now necessary to enter into a contract with DCI Contracting, Inc. lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road in an amount not to exceed \$2,371,711.

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 DCI Contracting, Inc. lowest responsible bidder of five, for closed landfill improvements associated with the Simpkins Remediation located at 5950 Elam Road, 6300 Great Trinity Forest Way Boulevard, and 811 Pemberton Hill Road in an amount not to exceed \$2,371,711.

Section 2. That the City Manager is hereby authorized to execute the contract after approval as to form by the City Attorney.

Section 3. That the City Controller is hereby authorized to receive and deposit funds in the amount of \$371,711.00 from the Company of Trinity Forest Golfers, Inc. in the Company of Trinity Forest Golfers Fund, Fund 0289, Dept. TWM, Revenue Source 8476, Act. CTFG.

Section 4. That the City Manager is hereby authorized to establish appropriations in the amount of \$371,711.00 in the Company of Trinity Forest Golfers Fund 0289, Dept. TWM, Unit P891, Object 4599.

May 14, 2014

Section 5. That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the contracts from:

Stormwater Drainage Management Capital Construction Fund Fund 0063, Department SDM, Unit 4796, Act. SD01 Obj. 4599, Program # PBSWM007, CT SDM4796BM06 Vendor #VS0000052497, in an amount not to exceed	\$2,000,000.00
Company of the Trinity Forest Golfers Fund Fund 0289, Dept. TWM, Unit P891, Act. CTFG Obj. 4599, Program # PBSWM007, CT TWMP891VH01 Vendor #VS0000052497, in an amount not to exceed	<u>\$ 371,711.00</u>
Total Amount not to exceed	\$2,371,711.00

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.

DRAFT

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: May 14, 2014
COUNCIL DISTRICT(S): 5
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 57Q

SUBJECT

Authorize modifications to the Development and Operations Agreement with Equest for the Texas Horse Park to: **(1)** allow for a line of credit for Equest's operating account balance; **(2)** reduce the operating balance from three month average to one month average; and **(3)** strengthen the termination clauses - Financing: No cost consideration to the City

BACKGROUND

This action would approve modifications to the development and operations agreement with Equest approved on December 12, 2012, where the City is constructing a facility at the Texas Horse Park and Equest, a non-profit corporation, will operate a therapeutic riding program as more fully described in the agreement between the City of Dallas and Equest. The Texas Horse Park has long been part of the Dallas' Trinity River Project vision. Equest operates in Wylie, Texas, providing therapeutic riding for children and adults with physical, cognitive, emotional and learning disabilities. To operate at the Horse Park, Equest agreed to the following terms as part of the original agreement:

A six-year agreement with five 5-year renewal options with mutual consent subject to City approval.

Equest is responsible for all operating and maintenance costs, including major maintenance and utilities, associated with the facilities and portion of the site that they utilize.

A minimum of 75% of Equest's patrons at the Texas Horse Park location shall be residents of the city of Dallas.

Equest will endeavor to host the Special Olympics and other similar events at the Texas Horse Park site, including charity fund-raising events.

City reserves the right to reserve the event portion (including ancillary components, such as restrooms, visitor center, etc.) of the facility at no charge up to six dates per year, if not previously reserved, on mutually agreed upon terms and conditions.

BACKGROUND (Continued)

The modifications to the Development and Operations Agreement are as follows:
Requested clarification in Section 4.1 to address operating account balances, which clarifies the ability to use a line of credit and reduces number of months from three to one:

"Equest shall maintain a one-month balance equivalent to its one-month average operating costs either; 1) in cash deposited in an insured depository institution within the city limits of Dallas or; 2) through a line of credit; beginning upon City Council award of the construction contract and during the remaining Term of this Agreement."

Requested clarification to Exhibit C (Insurance Requirements) to include a schedule of activities. Insurance cannot be obtained for some items until actual activities begin.

Addition of Section 9.1(f) and 9.1(g) to address default in the event of moral turpitude, which requires conviction. This provides for Equest remedies to personnel issues prior to default:

"(f) conviction or a plea of nolo contendere (no contest) of Equest, or a then-serving member of Equest's Board of Directors, executive officers, or senior management, of any felony criminal statute(s) involving moral turpitude, or the harming of, or the intent to harm, persons or animals;

(g) conviction or a plea of nolo contendere (no contest) of Equest, or a then-serving member of Equest's Board of Directors, executive officers, or senior management, of any misdemeanor criminal statute(s) involving moral turpitude, or the harming of, or the intent to harm, persons or animals provided that Equest does not take immediate and decisive action to 1) remedy the harm caused by the violation; and 2) to take steps to City's (through its Director) reasonable satisfaction to ensure that future misdemeanor violations of a similar nature will not occur; and"

Addition of Section 9.1(h) to address default in the event of accreditation of therapeutic services is not maintained:

"(h) failure of Equest to maintain its status as an "Accredited Center" as determined by the Professional Association of Therapeutic Horsemanship International ("PATH"). Alternatively, should PATH cease offering this accreditation, the failure of Equest to maintain an accreditation, if available, at a level commensurate with the standards set forth in the most current PATH-issued Standards of Certification and Accreditation Manual."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On November 7, 2012, City Council was briefed on the Horse Park and Equest Educational Charities.

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

On December 12, 2012, City Council approved Resolution No. 12-3068, authorizing a six-year development and operations agreement, with five five-year renewal options, with Equest, for the Texas Horse Park.

On May 7, 2014, the Transportation and Trinity River Project Committee was briefed on the Texas Horse Park update.

FISCAL INFORMATION

No cost consideration to the City

OWNER

Equest

Patrick J. Bricker, Chief Executive Officer

2012 Equest Board of Directors Executive Committee:

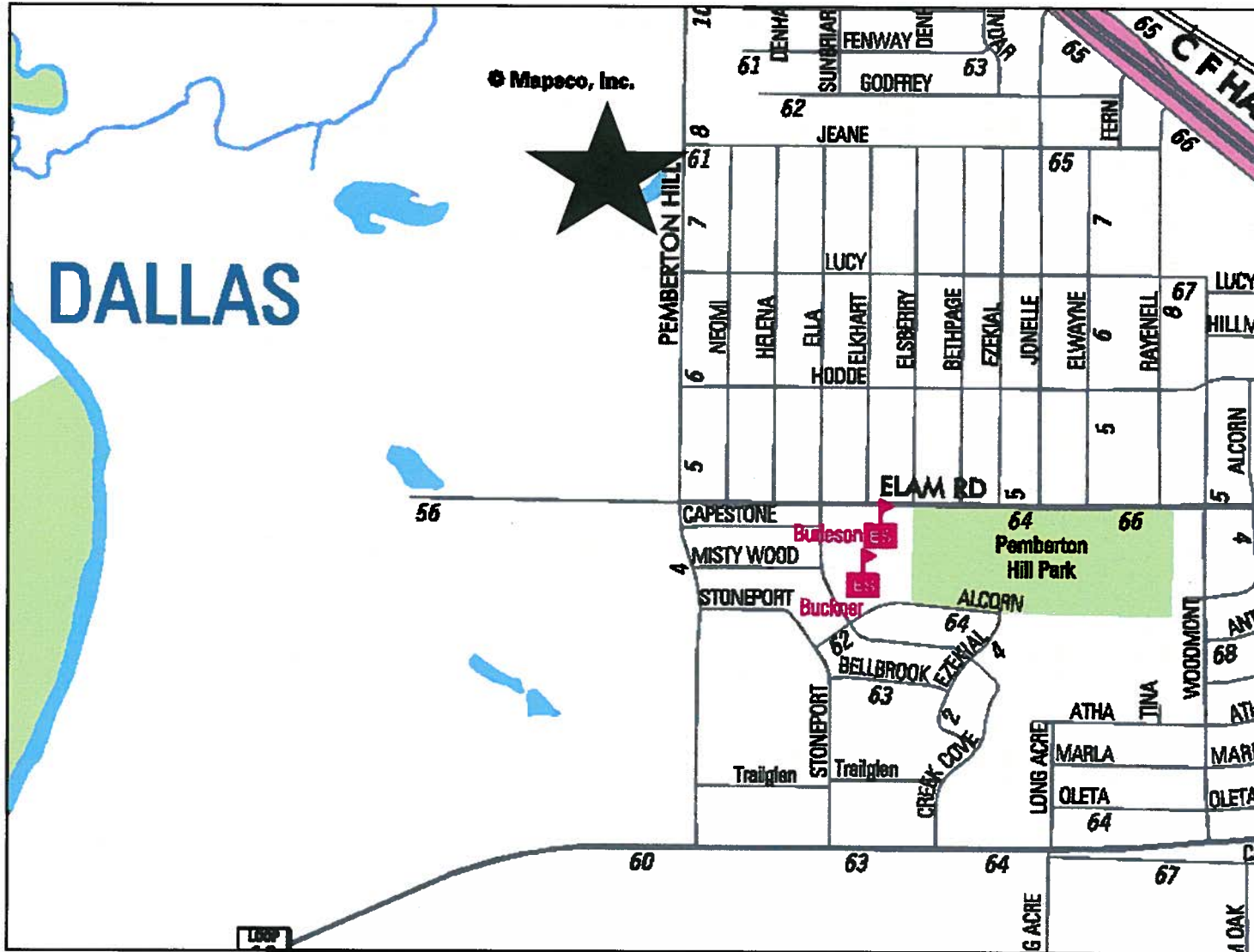
Emily Hargrove, Chairman
Dawn Spalding, Chairman-Elect
Natalie Snyder, Secretary
William J. Seeger, Ph.D., Treasurer
Melissa Cooksey, Chairman-Emeritus
Nekima Booker
Christina Collins
William Earhart
Tom Floyd
Phyllis Glazer
Paulette Hopkins
David Johnson
Terri Kennedy
William Noble
Susan Schwartz
Waverly Smith
Terry Stallcup
Andy Steingasser
Jocelyn White

MAP

Attached

Texas Horse Park

Council District 5



Mapco # 57-Q

May 14, 2014

WHEREAS, the City is presently undertaking the Trinity River Corridor Project that will provide economic development opportunities along the Trinity River Corridor and the Great Trinity Forest located in Dallas County, Texas, and a component of the Trinity River Corridor Project is the development of an equestrian center, (the “ Texas Horse Park”); and

WHEREAS, \$12 million for the development of the Horse Park was approved in the 2006 Bond election; and

WHEREAS, Equest is a Texas non-profit corporation organized and existing under Texas law for the purpose of empowering, enriching, and educating children and adults with physical, cognitive, emotional, and learning disabilities, primarily through equine-assisted therapy; and

WHEREAS, the City is constructing the Texas Horse Park and the parties desire for Equest to provide therapeutic and other enrichment, educational equine-related services for the citizens of Dallas, particularly children and veterans with physical, cognitive and emotional learning disabilities; and

WHEREAS, Equest will operate its program at its own cost and maintain and manage a portion of the Texas Horse Park as discussed in the Agreement; and

WHEREAS, on December 12, 2012, City Council approved Resolution No. 12-3068, authorizing a six-year development and operations agreement, with five five-year renewal options, with Equest, for the Texas Horse Park.

Now, Therefore,

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

Section 1. That modifications to the development and operations agreement with Equest for the Texas Horse Park to: **(1)** allow for a line of credit for Equest’s operating account balance; **(2)** reduce the operating balance from three month average to one month average; and **(3)** strengthen the termination clauses be approved.

Section 2. That the City Manager be authorized to execute an amendment to the Equest development and operation agreement, reflecting the modifications herein, subject to the terms and conditions, after approval as to form by the City Attorney’s Office.

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