

# Memorandum

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CITY SECRETARY  
DALLAS, TEXAS



CITY OF DALLAS

DATE 6 November 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 DART and Transportation and Trinity River Project Committee Joint Meeting Agenda

**Monday, 10 November 2014, at 1:30 p.m. until 3:00 p.m.**

DART office, 1401 Pacific Avenue, Conference Room 1C, First Floor, Dallas, TX 75202

The agenda for the meeting is as follows:

- I. Approval of the 20 October 2014 Minutes [Estimated 3 Minutes] Vonciel Jones Hill, Chair
  
- II. DART's Program of Inter-Related Projects [Estimated 75 Minutes] Gary Thomas, President/  
Executive Director, DART and  
Keith Manoy, Asst. Director,  
Planning and Neighborhood  
Vitality
  - A. D2-CBD Alignment
  - B. Platform Lengthening
  - C. Street Car Update
    - a. Tiger Grant Projects
    - b. Urban Circulator
    - c. State Safety Oversight Program
  
- III. Upcoming Agenda items [Estimated 10 Minutes]
  - Authorize a professional services contract with Mas-Tek Engineering & Associates, Inc. to provide construction material testing for the completion of construction of the Levee Drainage System – Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station – Not to exceed \$91,429 – Financing: General Obligation Commercial Paper Funds
  - Authorize (1) acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; (2) execution of a CTP Agreement with FEMA for FY 2014-15 to provide a 75% cost share for updating certain flood studies in the City of Dallas; (3) the receipt and deposit of funds in an amount not to exceed \$556,250 from FEMA; (4) establish appropriations in the amount of \$556,250 in the FEMA Cooperating Technical Partnership Fund; and (5) a professional service contract with Half Associates, Inc., in the amount of \$741,667 for updating certain flood studies in accordance with the CTP Agreement with FEMA - Total not to exceed \$741,667 - Financing: Stormwater Drainage Management Current Funds (\$185,417) and FEMA Cooperating Technical Partnership Funds (\$556,250)

***"A quorum of the Dallas City Council may attend this Council Committee meeting."***

- Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Yara L. Mitchell, of access easement rights to a portion of Zangs Boulevard containing approximately 7,969 square feet, located at its intersection with South Riverfront Boulevard for the Able Pump Station Project - Not to exceed \$10 – Financing: 2006 Bond Funds

#### IV. Adjourn

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



Vonciel Jones Hill, Chair  
Transportation and Trinity River Project Committee

c: Honorable Mayor and Members of the City Council	Eric D. Campbell, Assistant City Manager
A.C. Gonzalez, City Manager	Jill A. Jordan, P.E., Assistant City Manager
Warren M.S. Ernst, City Attorney	Mark McDaniel, Assistant City Manager
Craig D. Kinton, City Auditor	Joey Zapata, Assistant City Manager
Rosa A. Rios, City Secretary	Jeanne Chipperfield, Chief Financial Officer
Daniel F. Solis, Administrative Judge	Sana Syed, Public Information Officer
Ryan S. Evans, First Assistant City Manager	Elsa Cantu, Assistant to the City Manager – Mayor & Council

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:** 20 October 2014      **Convened:** 2:31 p.m.      **Adjourned:** 4:26 p.m.

<b>Councilmembers:</b>	<b>Presenter(s):</b>
Vonciel Jones Hill, Chair	Jill A. Jordan, Assistant City Manager
Lee Kleinman, Vice Chair	Liz Fernandez, Director, TWM
Mayor Pro Tem Tennell Atkins	Dr. Gail Thomas, Ph.D., President, Chief Executive Officer Trinity Trust
Deputy Mayor Pro Tem Monica Alonzo	
Sandy Greyson	
Sheffie Kadane	
<b>Councilmembers Absent:</b>	<b>Other Councilmembers Present:</b>
None	Scott Griggs
	Philip T. Kingston
<b>Staff Present:</b>	<b>Staff Present:</b>
Sarah Standifer	Keith Manoy
Robert Sims	Jennifer Cottingham
Gehan Asaad	

### AGENDA:

1. **Approval of the 13 October Meeting Minutes**

**Presenter(s):** Vonciel Jones Hill, Chair

**Action Taken/Committee Recommendation(s):** Motion was made to approve the 13 October 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. **Upcoming Agenda Item**

**Presenter(s):** Kris Sweckard, Director, Code Compliance

**Action Taken/Committee Recommendation(s):** Motion was made to move this item forward to full City Council for consideration with a recommendation for approval.

Motion made by: MPT Atkins  
Item passed unanimously: X  
Item failed unanimously: \_\_\_\_\_

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

3. **Continental Bridge and West Dallas Update**

**Presenter(s)**: Liz Fernandez, Director, TWM

Motion was made to continue programming at Continental Bridge for a six month period, monitor and return to committee for review.

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

Motion seconded by: Greyson  
Item passed on a divided vote:  
Item failed on a divided vote: \_\_\_\_\_

Motion was made to study proposed fees and bring back with more information to the committee in December.

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

Motion seconded by: Greyson  
Item passed on a divided vote:  
Item failed on a divided vote: X  
(Atkins, Kleinman, Kadane voted no)

Motion was made to study proposed fees and bring back with more information in six months.

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

Motion seconded by: Kadane  
Item passed on a divided vote:  
Item failed on a divided vote: X  
(Alonzo, Greyson, Kleinman voted no)

Motion was made to continue approach to monitor vandalism, graffiti, alcoholic use and in the future hire security, if illegal activities escalate, with the caveat that staff bring back to committee if they chose some type of security other than monitoring.

Motion made by: Greyson  
Item passed unanimously: X  
Item failed unanimously:

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

After the "Trinity Lakes Amenities Design Concepts" briefing, the Committee Chair discussed the issue of bringing a briefing on the Continental Bridge Fee Schedule to the committee at a later date. A Motion was made to bring back another briefing on the Continental Bridge Fee Schedule to the Committee in December 2014.

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

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

4. **Trinity Lakes Amenities Design Concepts**

**Presenter(s)**: Dr. Gail Thomas, Ph.D., President, Chief Executive Officer Trinity Trust

**Information Only**

5. Adjourn (4:26 p.m.)

# Memorandum



CITY OF DALLAS

DATE 6 November 2014

TO Transportation and Trinity River Project Committee Members: 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 DART's Program of Inter-Related Projects

On Monday, 10 November 2014, you will be briefed on DART's Program of Inter-Related Projects. The materials for the briefing are attached for your review.

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

A handwritten signature in cursive script that reads "Jill Jordan".

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

c: Honorable Mayor and Members of the City Council  
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  
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council



# DART's Program of Inter-Related Projects

Joint DART and Transportation and Trinity  
River Project Committee

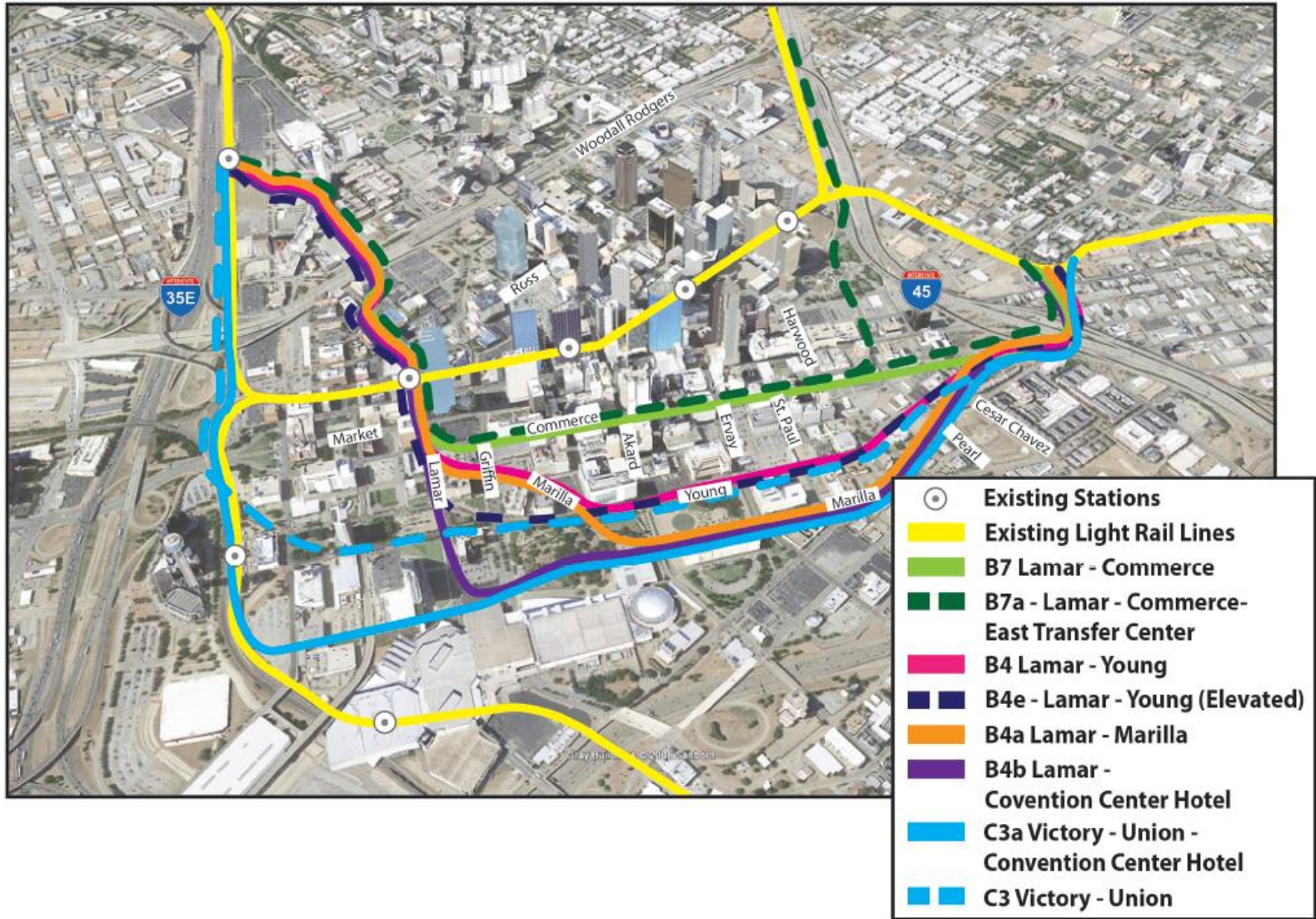
10 November 2014



# Outline

- Dallas CBD Second Alignment (D2)
- What's Changed Since 2006
- Core Capacity Program Approach
  - Platform Extensions
  - D2 Phase 1 Concept
  - Central Dallas Streetcar Link
- Streetcar
  - TIGER
  - Urban Circulator
- Summary

# D2 Alternatives



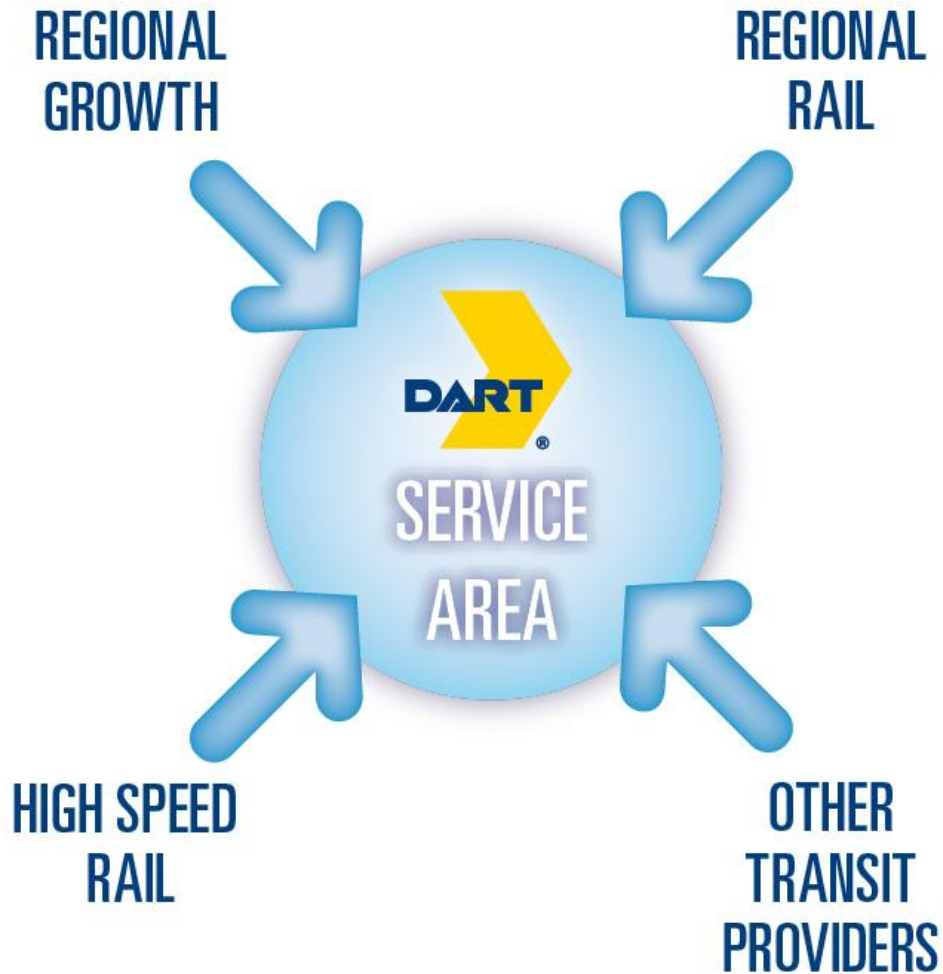


# Changes since 2006

- Economic recession
- SOC-3 to UNT accelerated
- 2030 projects deferred
- Streetcar
- High speed rail



# Purpose and Need - System Demands



# Context

- MAP-21 and Core Capacity
- Meeting with FTA
- Limited Funding
- Interest from FTA
- Confidence in DART
- What can we afford?
- What would satisfy the requirements of both DART and FTA?



# Why is DART Concerned?

*CAPACITY AND  
FLEXIBILITY!*



# Program of Interrelated Projects

## 1 Platform Extensions

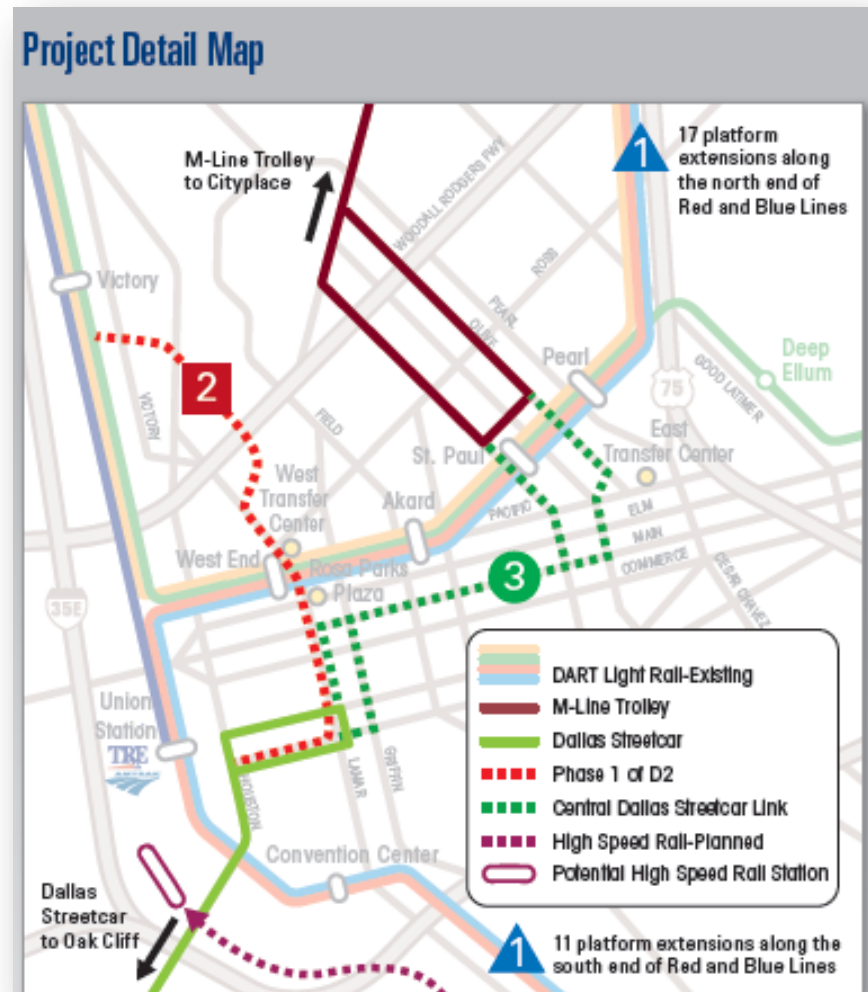
- 28 LRT Stations

## 2 Light Rail (Phase 1 of D2)

- Victory Station to Union Station

## 3 Streetcar (Central Dallas Streetcar Link):

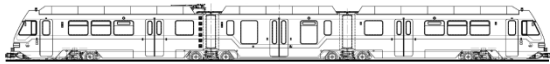
- Omni Hotel to St. Paul LRT Station



# Light Rail Vehicle Capacity

Seated Capacity = 94 riders per vehicle

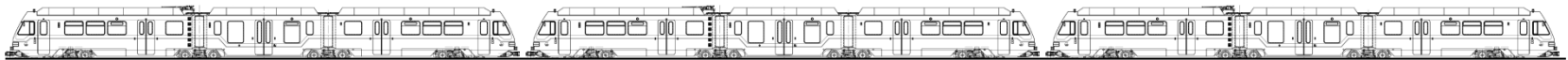
Seated and Standing = 164 riders per vehicle



**Length: 124 feet      164 riders**



**Length: 248 feet      329 riders**

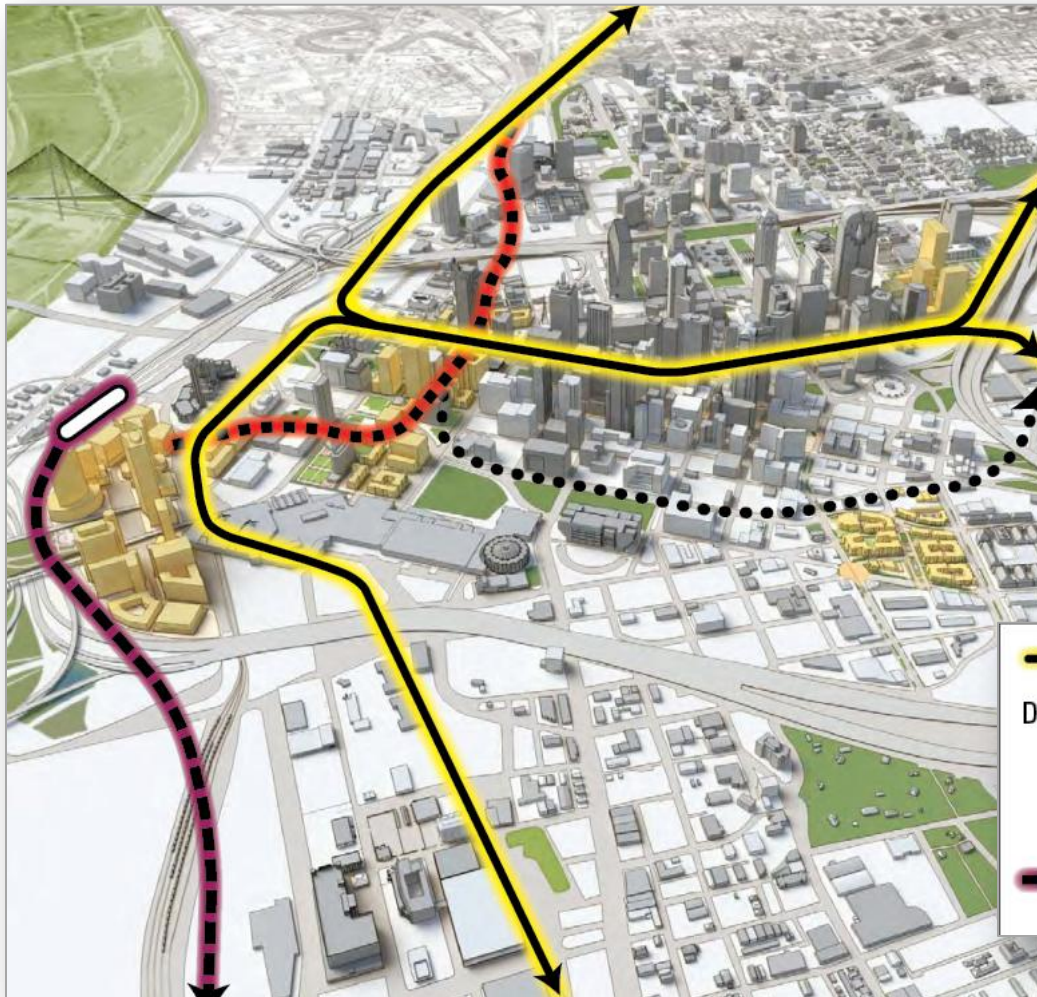


**Length: 372 feet      493 riders**

# Platform Locations



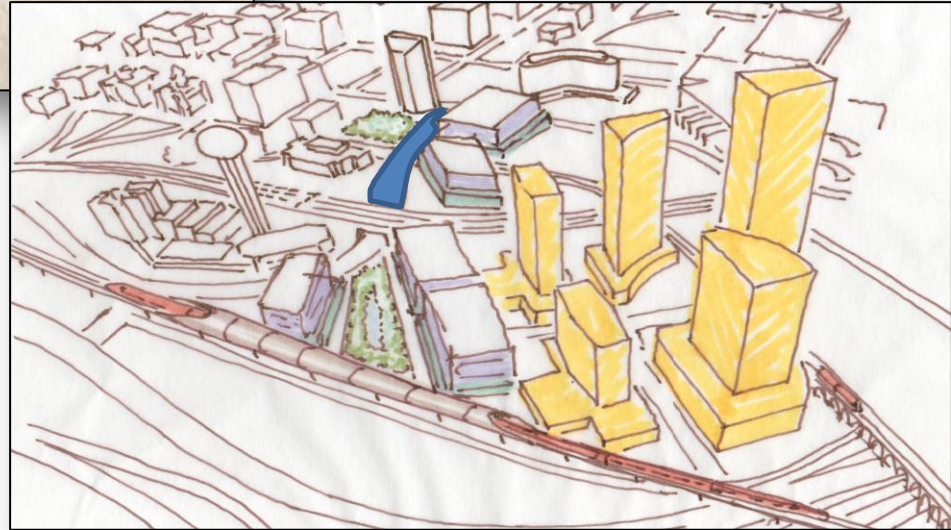
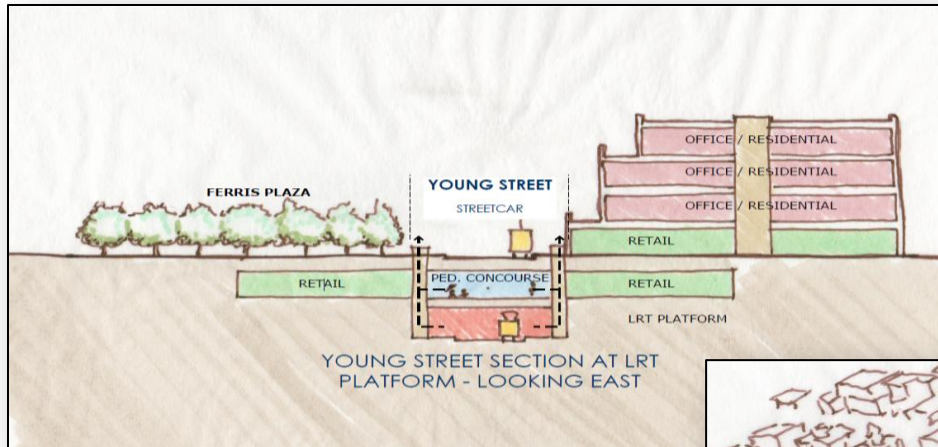
# 2 D2 Phased Development



- Existing Light Rail Transit Alignment
- Downtown Dallas 2nd LRT Alignment (D2)
- - - Phase 1 of D2
- Phase 2 of D2 (post 2030)
- - - Proposed High Speed Rail to Houston



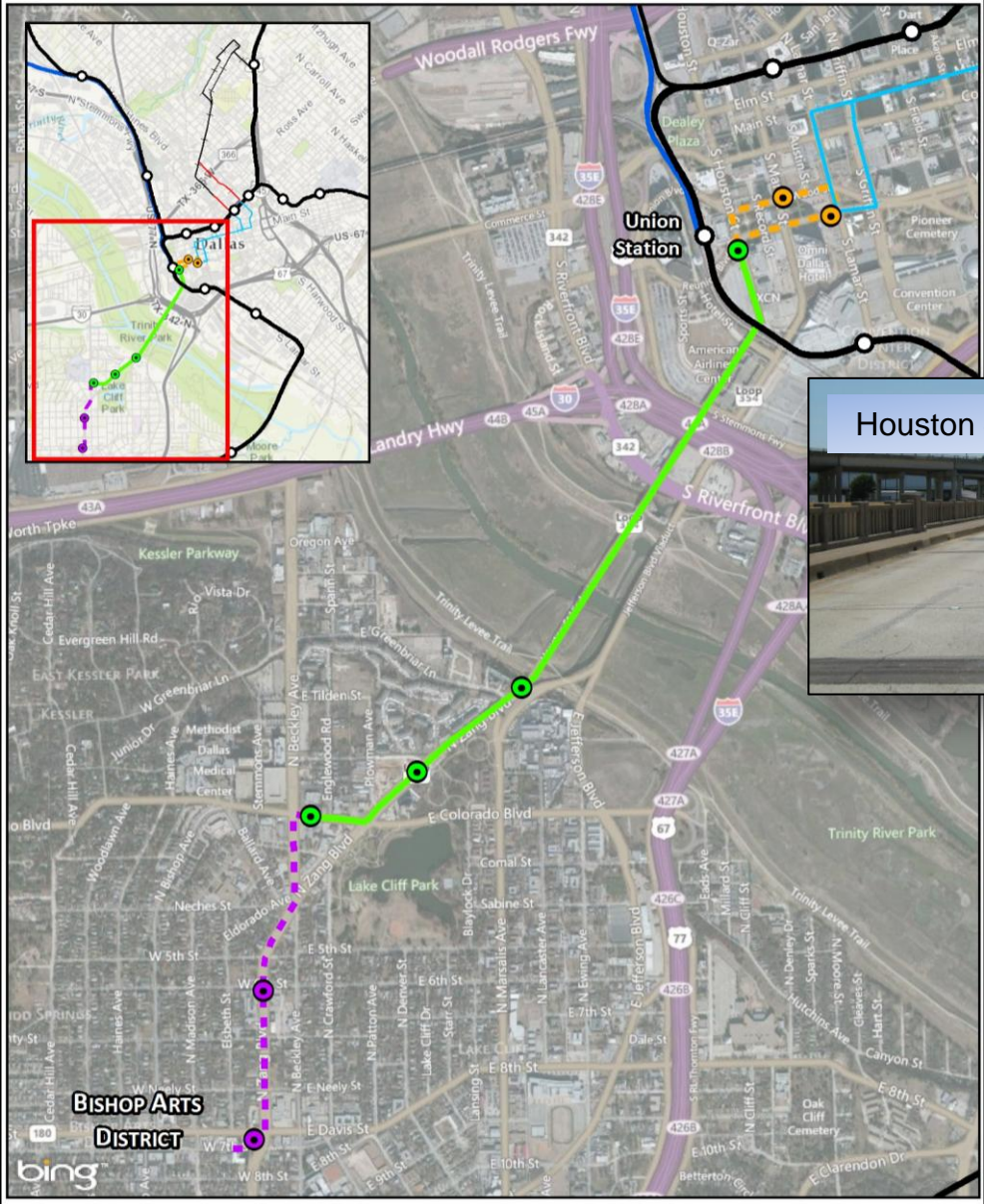
# Underground Pedestrian Corridor Cross-section



# Union Station, Dallas Concept Option 1

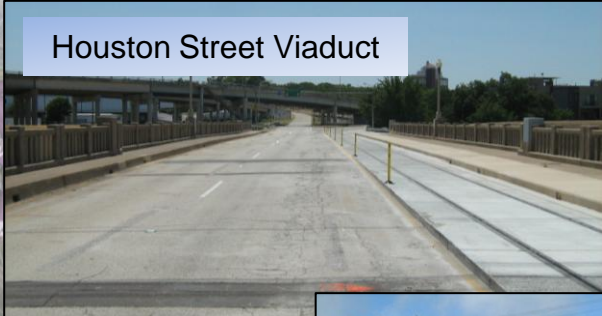


# Dallas Streetcar to Oak Cliff

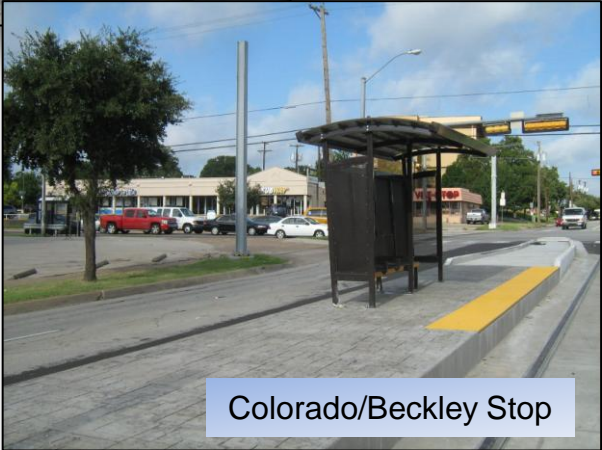


Union Station Stop

06/28/2014

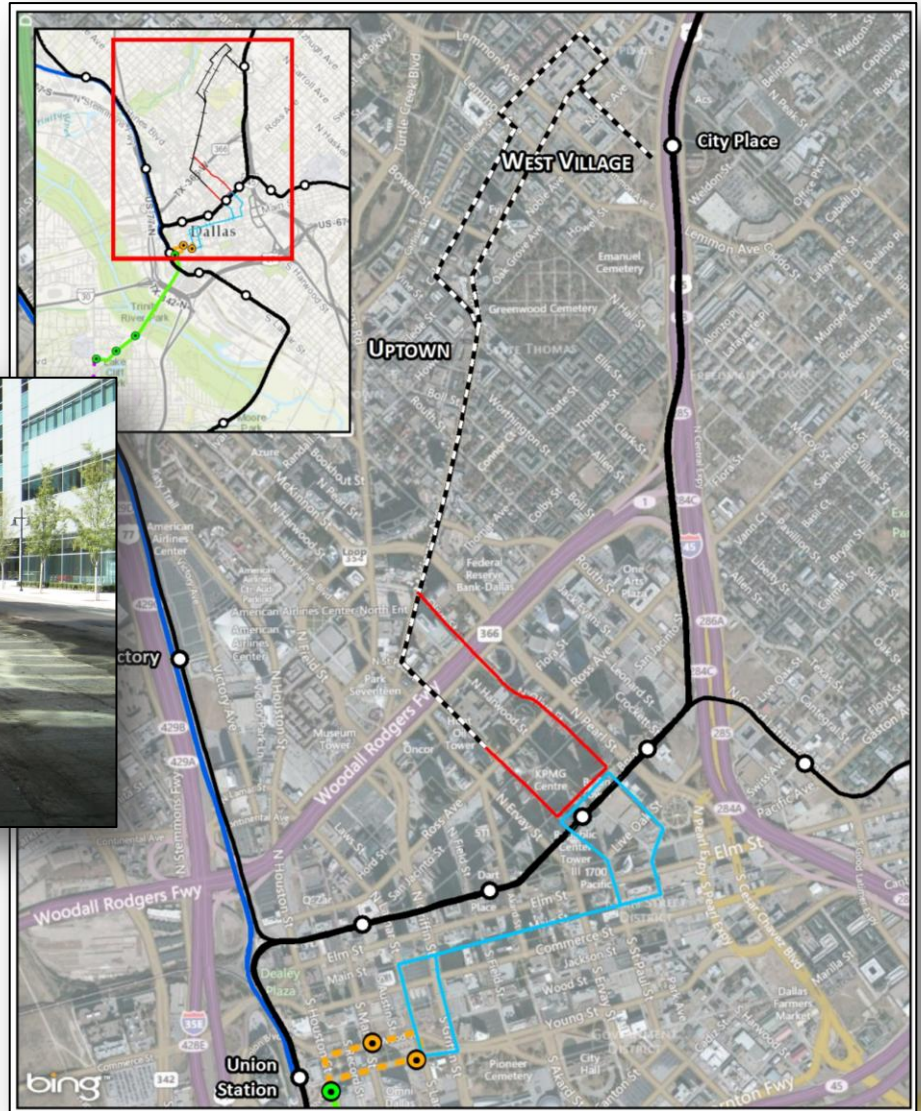


Houston Street Viaduct



Colorado/Beckley Stop

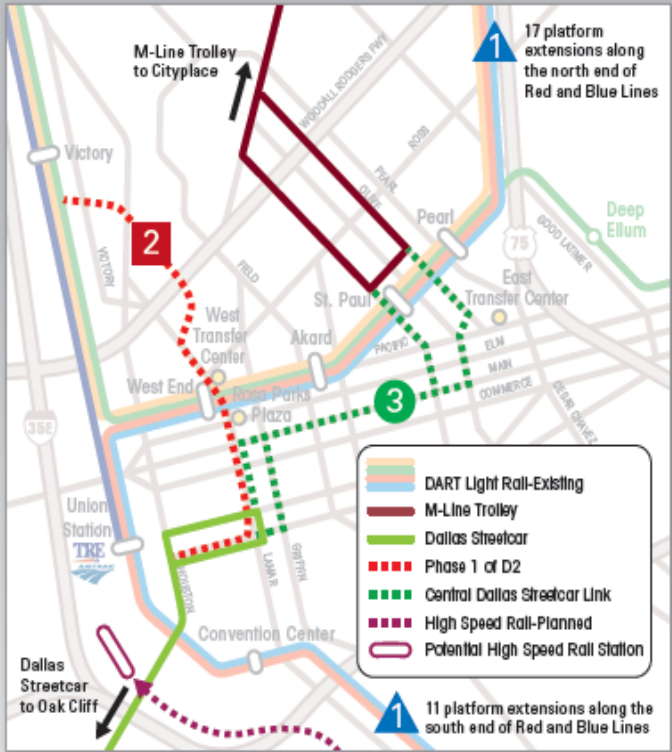
# Urban Circulator

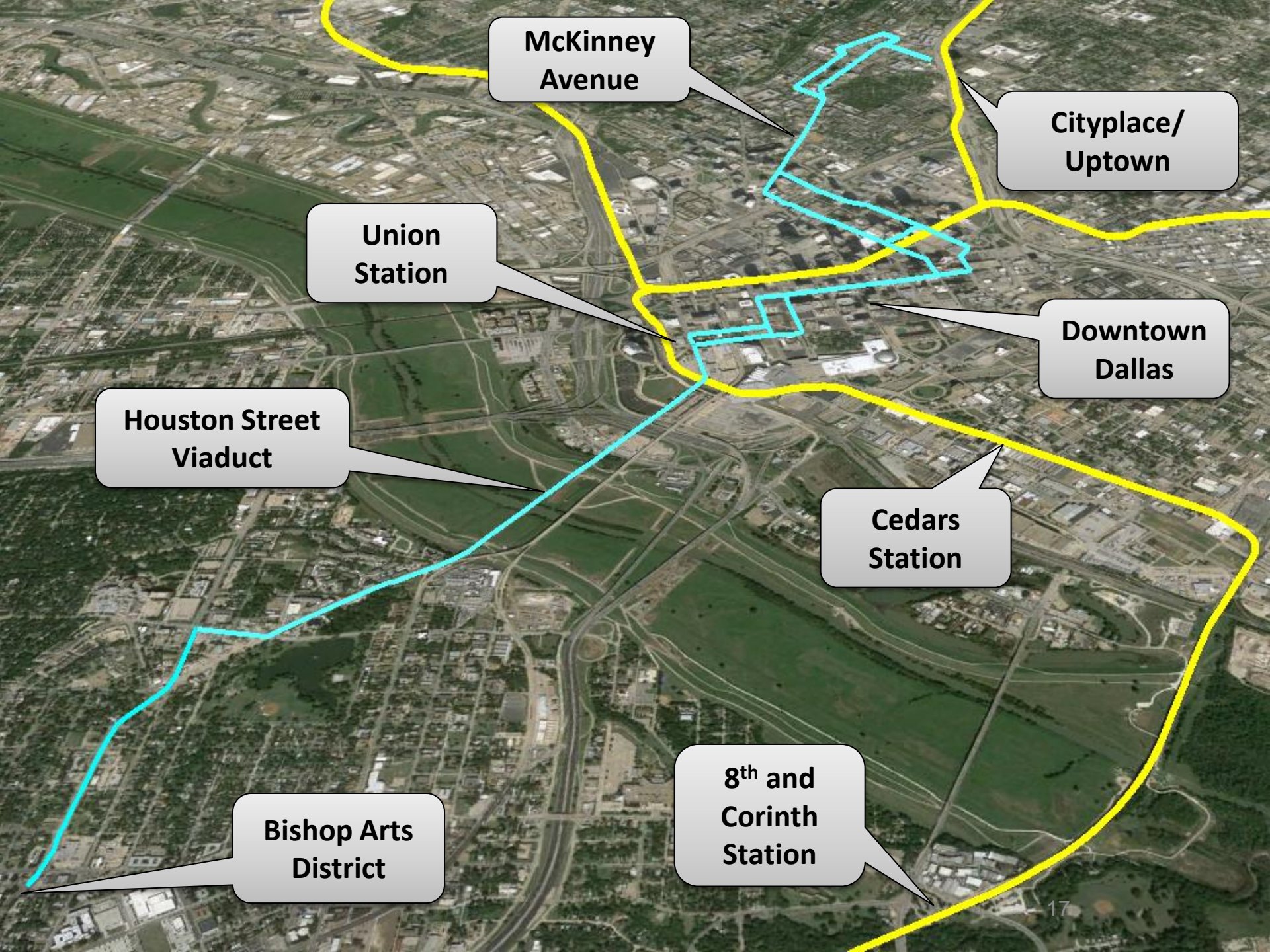


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# Central Dallas Streetcar Link

Project Detail Map





**McKinney Avenue**

**Cityplace/  
Uptown**

**Union Station**

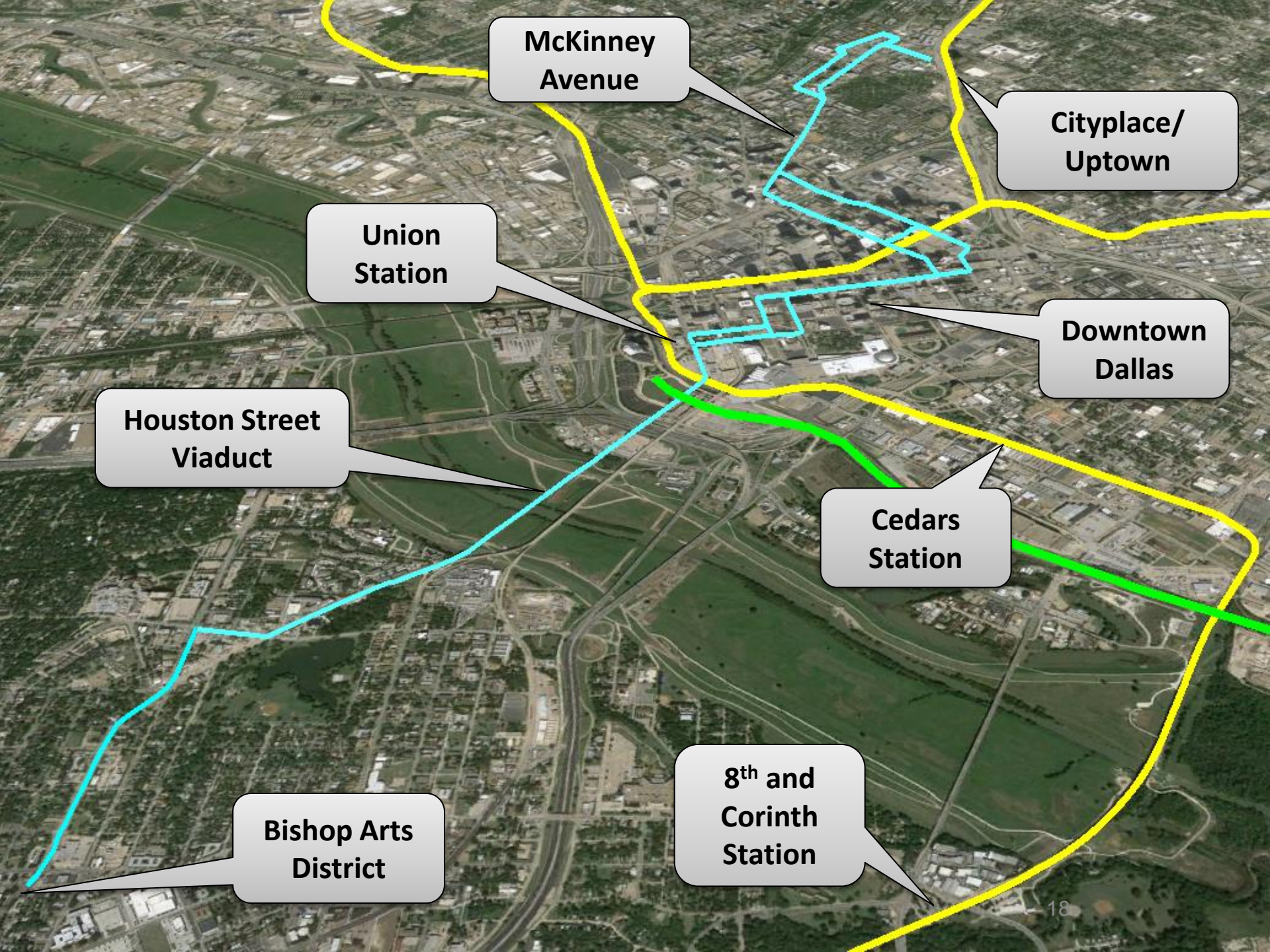
**Downtown Dallas**

**Houston Street Viaduct**

**Cedars Station**

**Bishop Arts District**

**8<sup>th</sup> and Corinth Station**



**McKinney Avenue**

**Cityplace/  
Uptown**

**Union Station**

**Downtown Dallas**

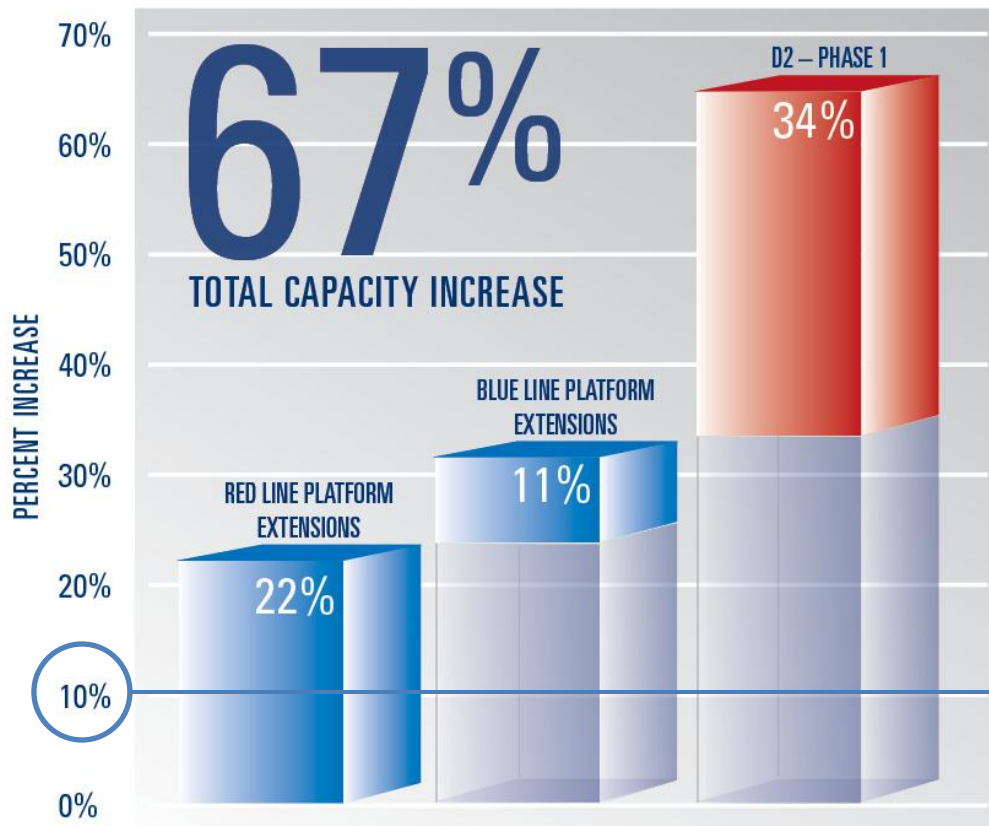
**Houston Street Viaduct**

**Cedars Station**

**Bishop Arts District**

**8<sup>th</sup> and Corinth Station**

# Benefit of Core Capacity Improvements\*



\*Streetcar benefits not yet quantified



# Core Capacity Cost and Funding (\$M YOE)

Project	Conceptual Cost Estimate
Platform Extensions	\$184.4
Streetcar Extension	\$92.2
Orange Line Extension (D2 Phase 1)	\$706.8
<b>Total Core Capacity Cost</b>	<b>\$983.4</b>
Proposed Funding Sources	
Savings from current projects	\$150.0
Capital project phasing	\$80.0
CBD, Platform Extension and other related budgets	\$27.0
TxDOT	\$60.0
NCTCOG (MPO)	\$40.0
Core Capacity Grant	\$400.0
Additional Long-Term Debt	\$350.0
<b>Total Funding Sources*</b>	<b>\$1,107.0</b>

\*Due to the timing of cash receipts and disbursements, funding for the project exceeds the project cost but is necessary to maintain cash balances throughout the Plan.

# Next Steps

- Project Development phase for Platform Extensions (pending FTA approval)
- Complete D2 Alternatives Analysis
- Refine Phase 1 concept to request entry into Project Development phase
- Continued streetcar coordination with City



214.979.1111  
[www.DART.org](http://www.DART.org)

# State Safety Oversight Program

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TRANSPORTATION AND TRINITY RIVER PROJECT/DART BOARD

JOINT COMMITTEE MEETING

NOVEMBER 10, 2014

# State Safety Oversight Program

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- What does the State Safety Oversight Program (SSOP) accomplish
- Why are the Dallas streetcar projects included
- Who is responsible for administration of the SSOP
- When does State Safety Oversight begin

# What is the State Safety Oversight Program

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- The purpose of the SSOP is to oversee safety at rail transit systems.
- The Office of Program Oversight is responsible for the development and implementation of an effective and comprehensive national oversight program to ensure compliance with Federal Transit Administration (FTA) requirements
- The SSOP fosters stewardship of federal funds
- The SSOP monitors safety oversight programs implemented by the State and local governments to ensure that:
  - elements of an effective program are in place
  - adequate financial resources are available
  - the mechanism through which the oversight is being accomplished is appropriate given the nature of the particular transit system

# Why are the Dallas Streetcar Projects included in State Safety Oversight

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- The Intermodal Surface Transportation Efficiency Act of 1991 (ISTEA) added Section 28 to the Federal Transit Act requiring the FTA to issue a regulation creating the first state-managed oversight program for rail transit safety
- This regulation applies to all rail fixed guideway systems receiving funding under FTA's formula program for urbanized areas
- The DART fixed rail system is currently included in State Safety Oversight

# Why are the Dallas Streetcar Projects included in State Safety Oversight

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The designated State Oversight Agency is required to perform seven distinct functions. These activities constitute the core of FTA's State Safety Oversight Rule

The Oversight Agency must:

- Develop a System Safety Program Standard
- Require, review and approve, and monitor the implementation of an System Safety Program Plan that complies with the Oversight Agency's Program Standard at each rail transit system
- Require each rail transit system to report the occurrence of accidents and unacceptable hazardous conditions within a period of time specified by the Oversight Agency
- Require the rail transit system to implement a Corrective Action Plan when appropriate
- Conduct on-site visits at each rail transit system at a minimum of every three years to perform a formal Safety Review
- Require the rail transit system to conduct safety audits according to the Internal Safety Audit Process
- Report to FTA



# Who is responsible for administration of the SSOP

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- The Office of Transit Safety and Oversight administers a national transit safety program and program compliance oversight process to advance the provision of safe, reliable, and equitable transit service through regulatory requirements established by FTA
- Our SSO program is administered by the Texas Department of Transportation (TxDOT) with rail transit systems in their jurisdiction
- The City of Dallas as the project owner for the TIGER Streetcar Project and The Urban Circulator Project is responsible for overseeing the Program
- The City of Dallas and DART will administer the program for the TIGER Streetcar Project
- The City of Dallas and the McKinney Avenue Transit Authority (MATA) will administer the program for the Urban Circulator Project and existing MATA System

# When does the State Safety Oversight Program begin

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- The City of Dallas, DART and MATA are currently finalizing the State Safety Oversight components
- The TIGER Streetcar project is currently under State Safety Oversight
- The Urban Circulator and entire MATA system will fall within State Safety Oversight when revenue service begins

# Further Staff Action

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- Finalize the State Safety Oversight requirements for the TIGER Streetcar Project and The Urban Circulator/MATA system
- Submit the SSOP to the State Oversight Agency and FTA
- Add the SSOP requirements to the City of Dallas/MATA Operating Agreement
- Council approval for the City's State Safety Oversight Program

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 12, 2014  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** N/A

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**SUBJECT**

Authorize a professional services contract with Mas-Tek Engineering & Associates, Inc. to provide construction material testing for the completion of construction of the Levee Drainage System – Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station – Not to exceed \$91,429 – Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

The 2006 Bond Program included \$334 million dollars for storm drainage and flood management projects. This included \$48.1 million dollars for Levee Drainage System - Hampton-Oak Lawn Sump Project, also referred to as the Baker No. 3 Pump Station Project. The Baker No. 3 Pump Station project is located at 2331 Irving Boulevard, has a total pumping capacity of 700,000 gallons per minute and provides 100–year flood protection to a large industrial and commercial area in Dallas that has flooded several times in recent years, reducing the flood elevation from 403.7 to 402.5 feet.

Construction material testing services are a necessary part of the City's construction projects to ensure quality assurance and compliance with the plans and specifications. Mas-Tek Engineering & Associates, Inc. has been performing these services for the Baker No. 3 Pump Station project under a master agreement which has expired, therefore, a separate contract is now required to complete this project work. This action will authorize Mas-Tek Engineering & Associates, Inc., to continue providing the construction material testing services for the ongoing construction of the Baker No. 3 Pump Station. It is anticipated that the construction of Baker No. 3 Pump Station will be complete in the Spring of 2015.

**ESTIMATED SCHEDULE**

Began Construction	September 2012
Complete Construction	March 2015

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

Authorized forty-five professional service contracts for thirty-six months each for geotechnical studies and construction materials testing, and asbestos environmental and non-asbestos environmental testing services on June 24, 2009, by Resolution No. 09-1604.

Authorized Supplemental Agreement No. 1 to exercise a one year renewal with forty-three professional services contracts for geotechnical studies and construction materials testing, analytical laboratory testing, and asbestos environmental and non-asbestos environmental testing services on June 27, 2012, by Resolution No. 12-1617.

Authorized a construction contract with AUI Contractors, LP for the construction of the Levee Drainage System - Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station on June 27, 2012, by Resolution No. 12-1731.

Authorized approval of Change Order No. 1 to the contract with AUI Contractors, LLC in the amount of \$92,309.00, on August 14, 2013, by Resolution No. 13-1329.

Authorized approval of Change Order No. 2 to the contract with AUI Contractors, LLC in the amount of \$4,616,623.20, on April 23, 2014, by Resolution No. 14-0673.

**FISCAL INFORMATION**

2006 Bond Program (General Obligation Commercial Paper Funds ) - \$91,429.00

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**Mas-Tek Engineering & Associates, Inc.**

Hispanic Female	0	Hispanic Male	1
African-American Female	2	African-American Male	5
Other Female	0	Other Male	2
White Female	2	White Male	3

**OWNER(S)**

**Mas-Tek Engineering & Associates, Inc.**

Stephen Mason, President

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize a professional services contract with Mas-Tek Engineering & Associates, Inc. to provide construction material testing for the completion of construction of the Levee Drainage System – Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station – Not to exceed \$91,429 – Financing: General Obligation Commercial Paper Funds

Mas-Tek Engineering & Associates, Inc. is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use their own workforce.

**PROJECT CATEGORY:** Professional Services

### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$91,429.00	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$91,429.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Mas-Tek Engineering & Associates, Inc.	BMDB60577Y0315	\$91,429.00	100.00%
<b>Total Minority - Local</b>		<b>\$91,429.00</b>	<b>100.00%</b>

#### **Non-Local Contractors / Sub-Contractors**

None

### **TOTAL M/WBE CONTRACT PARTICIPATION**

	<u>Local</u>	<u>Percent</u>	<u>Local &amp; Non-Local</u>	<u>Percent</u>
African American	\$91,429.00	100.00%	\$91,429.00	100.00%
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%	\$0.00	0.00%
<b>Total</b>	<b>\$91,429.00</b>	<b>100.00%</b>	<b>\$91,429.00</b>	<b>100.00%</b>

November 12, 2014

**WHEREAS**, on June 24, 2009, Resolution No. 09-1604 authorized forty-five professional service contracts for thirty-six months each for geotechnical studies and construction materials testing, and asbestos environmental and non-asbestos environmental testing services; and,

**WHEREAS**, on June 27, 2012, Resolution No. 12-1617 authorized Supplemental Agreement No. 1 to exercise a one year renewal with forty-three professional services contracts for geotechnical studies and construction materials testing, analytical laboratory testing, and asbestos environmental and non-asbestos environmental testing services; and,

**WHEREAS**, on June 27, 2012, Resolution No. 12-1731 authorized a construction contract with AUI Contractors, LLC for the construction of the Levee Drainage System - Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station in the amount of \$37,869,184.00; and,

**WHEREAS**, on August 14, 2013, Resolution No. 13-1329 authorized approval of Change Order No. 1 to the contract with AUI Contractors, LLC in the amount of \$92,309, increasing the contract from \$37,869,184 to \$37,961,493; and,

**WHEREAS**, on September 4, 2013, Administrative Action No. 13-6243 authorized Supplemental Agreement No. 2 to extend the professional service contract for construction materials testing and geotechnical engineering services, asbestos environmental testing services, non-asbestos environmental services under the same terms and conditions for an additional one year period; and,

**WHEREAS**, on April 23, 2014, Resolution No. 14-0673 authorized approval of Change Order No. 2 to the contract with AUI Contractors, LLC in the amount of \$4,616,623.20, increasing the contract from \$37,961,493.00 to \$42,578,116.20;

**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 Mas-Tek Engineering & Associates, Inc. to provide construction material testing for the completion of construction of the Levee Drainage System – Hampton-Oak Lawn Sump, also referred to as the Baker No. 3 Pump Station, in an amount not to exceed \$91,429.00, after it has been approved as to form by the City Attorney.

November 12, 2014

**Section 2.** That the City Controller is hereby authorized to disburse funds in accordance with the terms and conditions of the agreement from:

Flood Protection and Storm Drainage Facilities Fund	
Fund 2T23, Department TWM, Unit T509, Act. FLDM	
Obj. 4113, Program # PB06T509, CT PBW06T509B1	
Vendor #350688, in an amount not to exceed	\$91,429.00

**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.



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 12, 2014  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** Citywide

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**SUBJECT**

Authorize **(1)** acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; **(2)** execution of a CTP Agreement with FEMA for FY 2014-15 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$556,250 from FEMA; **(4)** establish appropriations in the amount of \$556,250 in the FEMA Cooperating Technical Partnership Fund; and **(5)** a professional service contract with Half Associates, Inc., in the amount of \$741,667 for updating certain flood studies in accordance with the CTP Agreement with FEMA - Total not to exceed \$741,667 - Financing: Stormwater Drainage Management Current Funds (\$185,417) and FEMA Cooperating Technical Partnership Funds (\$556,250)

**BACKGROUND**

The CTP program is FEMA's approach to creating partnerships between FEMA and participating National Flood Insurance Program (NFIP) communities to improve the flood hazard mapping program. In this program, FEMA provides a grant for 75% of the cost of the project while the participating city is responsible for the remaining 25%. In March 2010, the City of Dallas submitted an application for the CTP program, which included a multi-year plan to update outdated flood studies for numerous streams. The application was subsequently approved by FEMA.

On November 10, 2010, City Council approved year one (FY 2010-11), which included three streams within the Joe's Creek watershed and eleven streams within the White Rock Creek watershed.

On September 14, 2011, City Council approved Supplemental Agreement No. 1 for year two (FY 2011-12), which included nine tributaries of White Rock Creek and Honey Springs Branch.

**BACKGROUND (Continued)**

On November 14, 2012, City Council approved Supplemental Agreement No. 2 for year three (FY 2012-13), which includes detailed studies of Ash Creek and South Fork of Ash Creek, Streams 5B1, 5B2, 5B3, 5B5, 5B6, 5B9, and Forney Branch.

On November 12, 2013, City Council approved Supplemental Agreement No. 3 for year four (FY 2013-14), which includes a connectivity model for White Rock Creek, Stream 4B5, and several tributaries of Five Mile Creek.

This agenda item will address the FY 2014-15 plan include which includes detailed studies of Woody Branch and eight tributaries, Rickett’s Branch and five tributaries, and Ledbetter Branch and one tributary. The total cost of this project is \$741,667, of which FEMA is reimbursing \$556,250 to the City through its grant program. The City's cost share for this work is \$185,417. Halff Associates, Inc. has been selected to perform the work for a three year term through 2017.

The remaining program years (FY2015-16 and FY 2016-17) will include the update of additional streams in the Five Mile Creek, Mountain Creek and Turtle Creek watersheds. Council will be asked to authorize future year's CTP agreement with FEMA and to authorize a future supplemental agreement to the engineering contract with Halff Associates, Inc.

Participation in the CTP program allows Dallas to update its flood hazard mapping at substantial savings, since FEMA funds the larger share of the cost of the projects.

This action will authorize the execution of the CTP agreement with FEMA and authorize a professional services contract with Halff Associates, Inc., for updating the flood studies in accordance with the CTP agreement for FY 2014-15.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Study	November 2014
Complete Study	September 2015

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

Authorized CTP FY 2010-11, receipt of grant funds, increase in appropriations, and a contract with Halff Associates, Inc., on November 10, 2010, by Resolution No. 10-2822.

Authorized CTP FY 2011-12, receipt of grant funds, increase in appropriations, and authorized Supplemental Agreement No. 1 with Halff Associates, Inc., on September 14, 2011, by Resolution No. 11-2457.

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

Authorized CTP FY 2012-13 receipt of grant funds, increase in appropriations, and authorized Supplemental Agreement No. 2 with Halff Associates, Inc., on November 14, 2012, by Resolution No. 12-2767.

Authorized CTP FY 2013-14 receipt of grant funds, increase in appropriations, and authorized Supplemental Agreement No. 3 with Halff Associates, Inc., on November 12, 2013, by Resolution No. 13-1958.

**FISCAL INFORMATION**

Storm Drainage Management Funds - \$185,417  
Capital Projects Reimbursement Funds - \$556,250

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Halff Associates, Inc.

Hispanic female	15	Hispanic male	68
Black female	12	Black male	9
Other female	12	Other male	7
White female	91	White male	280

**OWNER**

**Halff Associates, Inc.**

Walter E. Skipwith, P.E., Vice President

## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize **(1)** acceptance of an annual grant from the Federal Emergency Management Agency (FEMA) for the Cooperating Technical Partners (CTP) program; **(2)** execution of a CTP Agreement with FEMA for FY 2014-15 to provide a 75% cost share for updating certain flood studies in the City of Dallas; **(3)** the receipt and deposit of funds in an amount not to exceed \$556,250 from FEMA; **(4)** establish appropriations in the amount of \$556,250 in the FEMA Cooperating Technical Partnership Fund; and **(5)** a professional service contract with Halff Associates, Inc., in the amount of \$741,667 for updating certain flood studies in accordance with the CTP Agreement with FEMA - Total not to exceed \$741,667 - Financing: Stormwater Drainage Management Current Funds (\$185,417) and FEMA Cooperating Technical Partnership Funds (\$556,250)

Halff Associates, 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:** Professional Services

### **LOCAL/NON-LOCAL CONTRACT SUMMARY**

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$741,667.00	100.00%
Total non-local contracts	\$0.00	0.00%
<b>TOTAL CONTRACT</b>	<b>\$741,667.00</b>	<b>100.00%</b>

### **LOCAL/NON-LOCAL M/WBE PARTICIPATION**

#### **Local Contractors / Sub-Contractors**

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Garcia Land Data, Inc.	HMMB60221N0215	\$191,000.00	25.75%
<b>Total Minority - Local</b>		<b>\$191,000.00</b>	<b>25.75%</b>

**Non-Local Contractors / Sub-Contractors**

None

**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$191,000.00	25.75%	\$191,000.00	25.75%
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	\$191,000.00	25.75%	\$191,000.00	25.75%

November 12, 2014

**WHEREAS**, on September 18 2014, the Federal Emergency Management Agency (FEMA) approved Cooperating Technical Partners (CTP) program funding at \$556,250 (75%) for the City of Dallas for FY2014-15;

**WHEREAS**, the City of Dallas will be responsible for the remaining \$185,417 (25%) per the Federal Emergency Management Agency (FEMA) Cooperating Technical Partners (CTP) Agreement; and,

**WHEREAS**, Halff Associates, Inc., in conjunction with a separate contract for Floodplain Management Program Assistance, developed the multi-year plan required for the CTP application including the FY2014-15 plan funded at \$556,250 in federal funds by FEMA.

**Now, Therefore,**

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

**Section 1.** That the City Manager is hereby authorized to accept an annual grant from FEMA and to execute the CTP Agreement with FEMA after it has been approved as to form by the City Attorney, to provide a \$556,250 or 75% federal funds cost share with the City of Dallas for updating certain flood studies for FY 2014-15.

**Section 2.** That the City Manager is hereby authorized to establish appropriations in Fund F446, Dept. TWM, Unit 9154, Object Code 3070, CFDA 97.045, Grant Number EMW-2014-CA-K00277-S01 in an amount not to exceed \$556,250.

**Section 3.** That the City Controller is hereby authorized to deposit funds from FEMA in an amount not to exceed \$556,250 in Fund F446, Dept. TWM, Unit 9154, Revenue Source 6506.

**Section 4.** That the City Manager is hereby authorized to execute a contract with Halff Associates, Inc., after it has been approved as to form by the City Attorney, for updating certain flood studies in accordance with the CTP Agreement with FEMA for Fiscal Year 2014-15.

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

Storm Drainage Management Funds  
Fund 0061 Dept. SDM, Unit 4908, Act. SD01  
Obj. 3070, Program No. PBSWM004, CT SDMPBSWM004A1  
Vendor No. 089861, in an amount not to exceed \$185,417

November 12, 2014

FEMA Cooperating Technical Partnership Funds  
Fund F446, Dept. TWM, Unit 9154, Act. PB40  
Obj. 3070, Program No. PBSWM004, CT SDMPBSWM004A1  
Vendor No. 089861, in an amount not to exceed \$556,250

**Section 6.** That the City Manager is hereby authorized to reimburse FEMA any expenditure identified as ineligible. The City Manager shall notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

**Section 7.** That the City Manager shall keep the appropriate City Council Committee informed of all final FEMA monitoring reports not later than 30 days after the receipt of the report.

**Section 8.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** November 12, 2014  
**COUNCIL DISTRICT(S):** 1  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 45 S

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**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Yara L. Mitchell, of access easement rights to a portion of Zangs Boulevard containing approximately 7,969 square feet, located at its intersection with South Riverfront Boulevard for the Able Pump Station Project - Not to exceed \$10 – Financing: 2006 Bond Funds

**BACKGROUND**

This item authorizes the acquisition of access easement rights to a portion of Zangs Boulevard, containing approximately 7,969 square feet, from Yara L. Mitchell. This portion of Zangs Boulevard is located at its intersection with South Riverfront Boulevard and once abandoned will be used for the Able Pump Station Project. The consideration is based upon an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

2006 Bond Funds - \$10

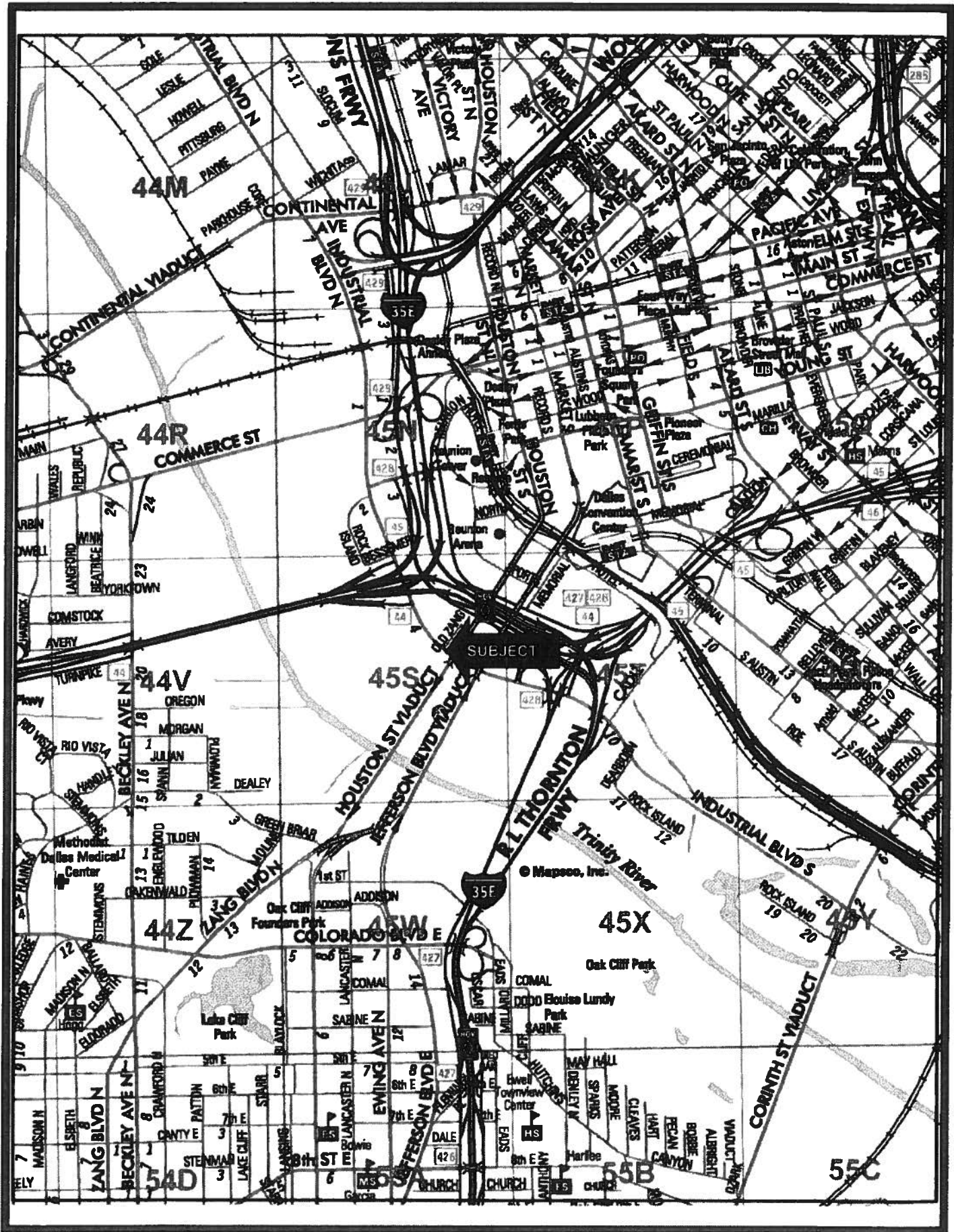
**OWNER**

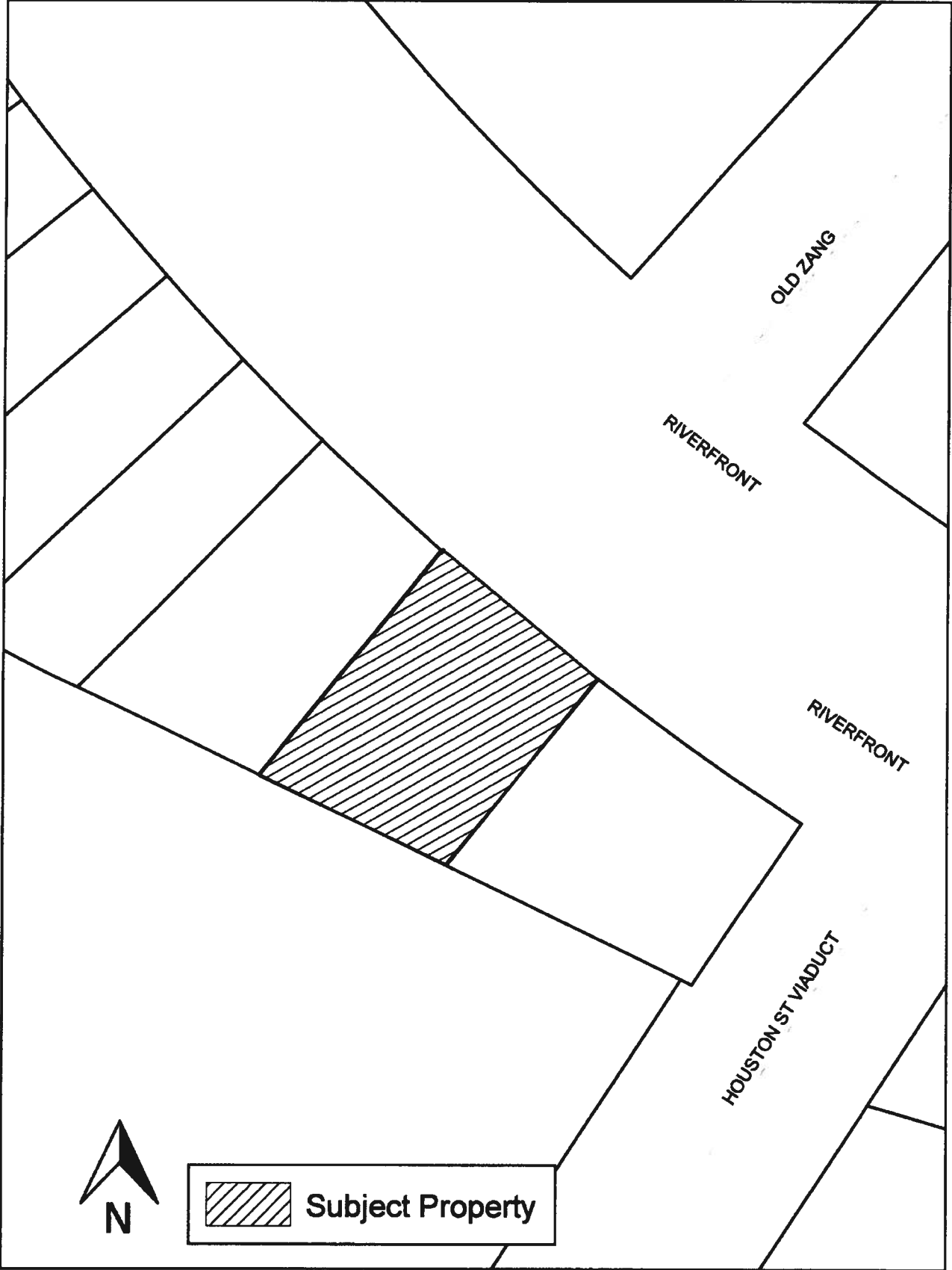
Yara L. Mitchell

**MAPS**

Attached







November 12, 2014

**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 7,969 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": Able Pump Station Project

"USE": The construction, installation, use, and maintenance of the Able Pump Station, together with such appurtenant facilities as may be necessary.

"PROPERTY INTEREST": Access easement rights

"OWNER": Yara L. Mitchell, 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": \$10.00

"AUTHORIZED AMOUNT": \$10.00

**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.

**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.

November 12, 2014

**SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT payable out of Flood Protection and Storm Drainage Facilities Fund, Fund No. BT23, Department TWM, Unit T513, Activity FLDM, Program No. PB06T513, Object 4210, Encumbrance No. CT-PBW06T513A1. The OFFER AMOUNT 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 court costs as may be assessed by the Special Commissioners or the court. Further, that litigation 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.

November 12, 2014

**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 settle the condemnation proceeding, or if the condemnation proceeding becomes a lawsuit, the lawsuit, for amount not to exceed the OFFER AMOUNT; and the City Controller 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. The Award 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

## Exhibit A

### Field Notes Describing a 7,969 Square Foot (0.183 Acre) Portion of Zangs Boulevard

Being a 7,969 Square Foot (0.183 Acre) portion of Zangs Boulevard, an 80-foot wide street Right-of-Way conveyed to the City of Dallas by A.M. Cockrell by deed dated September 7, 1897, recorded in Volume 221, Page 25 of the Deed Records of Dallas County, Texas, said property lying in the John Neely Bryan Survey, Abstract Number 149, in the City and County of Dallas, Texas, between City Blocks 64/415 and 1/416 (Official City of Dallas Block Numbers), abutting the Southwest Right-of-Way line of Riverfront Boulevard (a variable width, undedicated Right-of-Way at this location), and being more particularly described as follows:

**BEGINNING** at a 5/8 inch diameter Iron Rod with cap marked "CITY OF DALLAS" set at the intersection of the Southeast Right-of-Way line of Zangs Boulevard with the North bank of the old channel of the Trinity River, being also the most Westerly corner of a tract of land conveyed to John Fouts by deed recorded in Volume 3786, Page 54 of the Deed Records of Dallas County, Texas, and being also the most Southerly corner of the herein described tract of land, from which a ½ inch diameter iron rod (Controlling Monument) found at the most Southerly corner of said Fouts property bears South 66°37'34" East a distance of 72.56 feet and South 67°57'34" East a distance of 35.35 feet:

**THENCE** North 66°37'34" West, departing the last said Southeast Right-of-Way line and with the said North Bank of the old Trinity River channel, over and across Zangs Boulevard a distance of 82.54 feet to a Mag Nail with Washer marked "DALLAS" (hereinafter referred to as "Mag Nail w/Washer") set in concrete pavement at the intersection with the Northwest line of Zangs Boulevard, being also the most Southerly corner of Lot 23 of Block 64/415 of the Industrial Improvement Project Unit Number 2 Addition, an addition to the City of Dallas Recorded in Volume 5, Page 415 of the Map Records of Dallas County, Texas:

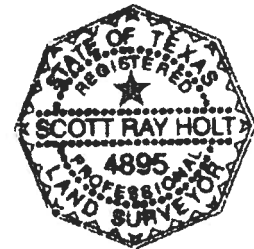
**THENCE** North 37°37'36" East, departing the last said North Bank of the old Trinity River channel and with the common line between Zangs Boulevard and said Lot 23 a distance of 111.44 feet to a Mag Nail w/Washer set at the most Easterly corner of said Lot 23, at the intersection with the Southwest Right-of-Way line of Riverfront Boulevard (platted "Industrial Boulevard" to the Northwest of Zangs Boulevard), as shown on said Industrial Improvement Project Unit Number 2 Addition plat, and being also the most Northerly corner of the herein described tract of land:

**Field Notes Describing  
a 7,969 Square Foot (0.183 Acre)  
Portion of Zangs Boulevard**

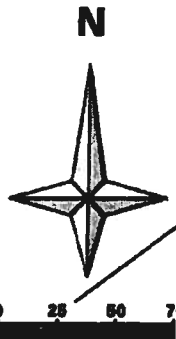
**THENCE** Southeasterly, departing the last said Northwest line of Zangs Boulevard and with the said Southwest line of Riverfront Boulevard produced, over and across Zangs Boulevard along a Curve to the Left having a Radius of 1,211.28 feet, a Central Angle of 3°47'12", an Arc Length of 80.05 feet and a Chord which bears South 50°37'18" East a distance of 80.03 feet to a Mag Nail w/Washer set at the intersection with the above said Southeast line of Zangs Boulevard at the most Northerly corner of the above referenced tract of land conveyed to John Fouts, being also the most Easterly corner of the herein described tract of land:

**THENCE** South 37°37'36" West with the common line between said Fouts tract and Zangs Boulevard a distance of 88.67 feet to the POINT OF BEGINNING, containing 7,969 Square Feet, or 0.183 Acres of land.

**BASIS OF BEARINGS:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).



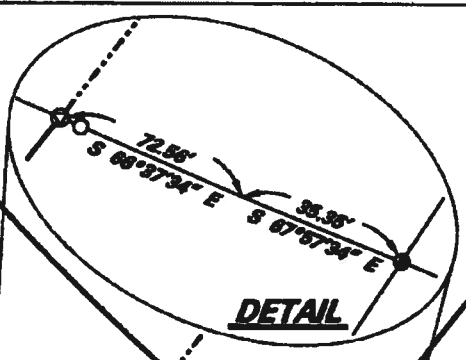
*Scott Holt*  
*10/15/14*



**BLOCK 64/415**

19 Industrial Improvement  
Project Unit Number 2  
Volume 5, Page 415  
20  
21  
22

**RIVERFRONT BOULEVARD**  
(100' Right-of-Way)



**DETAIL**

**PNYX Limited Partnership**

$R = 1,211.28'$   
 $\Delta = 3^{\circ}47'12''$   
 $L = 80.05'$   
 $Ch\ Brs: 80.03'$   
 $S\ 50^{\circ}37'18''\ E$

North Bank: Old Trinity River Channel  
**John Neely Bryan Survey**  
Abstract No. 149

**Yara L. Mitchell**  
Vol. 2003047, Pg. 135

Riverfront (Industrial) Blvd.  
Not Dedicated in this Area

**John Fouts**  
Vol. 3786, Pg. 54

1/2" I.R. Found  
Bears 1.85'  
N 32°42'34" E

7,969 Sq. Ft.  
(0.183 Acres)

5/8" I.R. w/  
COD Cap Set  
POINT OF BEGINNING

1" I.P. Found  
Bears 1.86'  
S 69°17'01" E

**BLOCK 1/416**  
1/2" I.R. Found  
CONTROLLING MONUMENT

**UNPLATTED Dallas County**  
Vol. 1715, Pg. 11

Old Channel of the Trinity River  
**City of Dallas**  
Vol. 3099, Pg. 64

**UNPLATTED**

**ZANGS BOULEVARD**  
80' Right-of-Way  
Vol. 271, Pg. 28

Abstract No. 149  
Abstract No. 607  
**City of Dallas**  
Vol. 3099, Pg. 64

**City of Dallas**  
Vol. 74029, Pg. 777

**Peter Haight Survey**  
Abstract No. 607

**BLOCK 2/416**

**HOUSTON STREET VIADUCT**  
Volume 495, Page 626

Northeast Corner of Pier Column  
CONTROLLING MONUMENT

**BLOCK 2/416**

Page 3 of 3

Indicates a Mag Nail with Washer Marked "DALLAS" set in a hole drilled into concrete pavement.

**Basis of Bearings:** Bearings are based on the State Plane Coordinate System, Texas North Central Zone 4202, North American Datum of 1983 (2011).

<b>ABLE PUMP STATION</b>			
<b>Trinity Watershed Management</b>			
<b>Zangs Boulevard</b>			
<b>PUBLIC WORKS DEPARTMENT</b>			
<b>SURVEY DIVISION CITY OF DALLAS, TEXAS</b>			
OPER/ENGINE	DESIGN FILE NAME	SCALE	DATE
Holt	E:\HOLDINGS\WELLS\Trinity\Able Pump Station.dwg	As Noted	2-3-14
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
Peck	Holt	Block 2416	041D-71