

**JUNE 15, 2016 CITY COUNCIL ADDENDUM
CERTIFICATION**

This certification is given pursuant to Chapter XI, Section 9 of the City Charter for the City Council Addendum dated June 15, 2016. We hereby certify, as to those contracts, agreements, or other obligations on this Agenda authorized by the City Council for which expenditures of money by the City are required, that all of the money required for those contracts, agreements, and other obligations is in the City treasury to the credit of the fund or funds from which the money is to be drawn, as required and permitted by the City Charter, and that the money is not appropriated for any other purpose.



A.C. Gonzalez
City Manager



Date



Jeanne Chipperfield
Chief Financial Officer



Date

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CITY SECRETARY
DALLAS, TEXAS

**ADDENDUM
CITY COUNCIL MEETING
WEDNESDAY, JUNE 15, 2016
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TX 75201
9:00 A.M.**

REVISED ORDER OF BUSINESS

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

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

OPEN MICROPHONE

CLOSED SESSION

MINUTES

Item 1

CONSENT AGENDA

Items 2 - 41

CONSENT ADDENDUM

Items 1 - 4

ITEMS FOR INDIVIDUAL CONSIDERATION

No earlier
than 9:15 a.m.

Items 42 - 50
Addendum Items 5 - 11

PUBLIC HEARINGS AND RELATED ACTIONS

1:00 p.m.

Items 51 - 60

SUPPLEMENTAL NOTICE

"Pursuant to Section 30.06, Penal Code (trespass by license holder with a concealed handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a concealed handgun."

"De acuerdo con la sección 30.06 del código penal (ingreso sin autorización de un titular de una licencia con una pistola oculta), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola oculta."

"Pursuant to Section 30.07, Penal Code (trespass by license holder with an openly carried handgun), a person licensed under Subchapter H, Chapter 411, Government Code (handgun licensing law), may not enter this property with a handgun that is carried openly."

"De acuerdo con la sección 30.07 del código penal (ingreso sin autorización de un titular de una licencia con una pistola a la vista), una persona con licencia según el subcapítulo h, capítulo 411, código del gobierno (ley sobre licencias para portar pistolas), no puede ingresar a esta propiedad con una pistola a la vista."

**ADDENDUM
CITY COUNCIL MEETING
JUNE 15, 2016
CITY OF DALLAS
1500 MARILLA
COUNCIL CHAMBERS, CITY HALL
DALLAS, TEXAS 75201
9:00 A. M.**

ADDITIONS:

Closed Session

Attorney Briefings (Sec. 551.071 T.O.M.A.)

- Legal issues involving the oil and gas lease between Chesapeake Exploration L.L.C. and the Dallas-Fort Worth International Airport Board, the City of Dallas, and the City of Fort Worth.

Personnel (Sec. 551.074 T.O.M.A.)

- Discussion on the status of the hiring and selection of a candidate for the position of city attorney.

CONSENT ADDENDUM

Intergovernmental Services

1. Authorize an application to the Texas Commission on the Arts under the Cultural Districts Program to designate Fair Park as a Cultural District – Financing: No cost consideration to the City

Street Services

Note: Addendum Item Nos. 2 and 3 must be considered collectively.

Agreement with TxDOT

2. * Authorize an amendment to the Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation (TxDOT) to authorize the City to mow, clean, and control litter on state highway rights-of-way for an additional five years (list attached) - Revenue: \$871,000 (see Fiscal Information for potential future costs)
3. * Authorize a Landscape Maintenance Agreement with the Texas Department of Transportation for the City to maintain the median, planters and bridge crossings related landscape improvements of succulent plantings along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

**ADDENDUM
CITY COUNCIL MEETING
JUNE 15, 2016**

ADDITIONS: (Continued)

CONSENT ADDENDUM (Continued)

Trinity Watershed Management

4. Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. M.I. Gaston Partners, Ltd., a Texas limited partnership, et al., Cause No. CC-16-00392-B, pending in Dallas County Court at Law No. 2, to acquire a subsurface easement under approximately 10,702 square feet of land, located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$70,500 (\$68,000 being the amount of the award, plus closing costs and title expenses not to exceed \$2,500); an increase of \$35,894 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

ITEMS FOR INDIVIDUAL CONSIDERATION

City Secretary's Office

5. A resolution designating absences by Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Councilmember Sandy Greyson as being for "Official City Business" - Financing: No cost consideration to the City

Human Resources

6. Authorize a 2% increase in the annual base salary of City Secretary Rosa Rios, in an amount of \$2,575 from \$128,750 to \$131,325, plus the associated pension contribution and Medicare payments, effective June 8, 2016 - Financing: Current Funds
7. Authorize a 4% increase in the annual base salary of City Auditor Craig Daniel Kinton, CPA in the amount of \$8,146 from \$203,647 to \$211,793, plus the associated pension contribution and Medicare payments effective June 8, 2016 - Financing: Current Funds

**ADDENDUM
CITY COUNCIL MEETING
JUNE 15, 2016**

ADDITIONS: (Continued)

ITEMS FOR INDIVIDUAL CONSIDERATION (Continued)

ITEMS FOR FURTHER CONSIDERATION

Trinity Watershed Management

8. Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for support services for construction documents updates, State-Thomas feasibility study, design services for storm drainage improvements from Junius Street to Gaston Avenue and engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed ~~\$6,126,500~~ \$8,025,400, from \$15,993,488 to ~~\$22,119,988~~ \$24,018,888 - Financing: 2006 Bond Funds (~~\$6,105,000~~) (\$8,003,900) and Water Utilities Capital Improvement Funds (\$21,500)
9. Authorize a professional services contract with Black & Veatch Corporation for support services for construction document updates, and construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed ~~\$17,350,000~~ \$19,800,000 - Financing: 2006 Bond Funds
10. Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$2,764,000 - Financing: 2006 Bond Funds
11. Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed \$209,894,515 - Financing: General Obligation Commercial Paper Funds (\$209,179,636), Water Utilities Capital Construction Funds (\$25,600) and Water Utilities Capital Improvement Funds (\$689,279)

**ADDENDUM
CITY COUNCIL MEETING
JUNE 15, 2016**

CORRECTION:

Sustainable Development and Construction

46. Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from Carol Arriaga a/k/a Caroline Arriaga, of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project - Not to exceed \$23,500 (\$21,500, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

Municipal Maintenance Agreement for State Highway Right-of-Ways
Addendum Item # 2

<u>Highway</u>	<u>Limits</u>	<u>Council District</u>
FM 1382	IH 20 to Cedar Hill City Limits	3
IH 20	Dallas City Limits to Cedar Ridge Drive	3
IH 20	Cockrell Hill Road to 1/2 mile east of IH 35E	8
IH 20	West of SH 342 to SH 310	8
IH 20	West of Trinity River to IH 635	8
IH 30	Dallas City Limits to Trinity Railway Express	2, 3, 6
IH 30	Trinity Railway Express to Mesquite City Limits	2, 4, 7, 14
IH 35E	Harry Hines Boulevard to Reunion Boulevard	2, 6
IH 35E	Reunion Boulevard to Loop 12	1, 2, 3, 4
IH 35E	Loop 12 to Dallas City Limits	4, 5, 8
IH 45	IH 30 to Grand Avenue	2, 7
IH 45	Overton Road to Pine Street	4, 7
IH 45	Grand Avenue to Loop 12	4, 5, 7
IH 45	Loop 12 to IH 20 (South Limits at Langdon)	5, 8
IH 345	Flora Street to Elm Street	14
IH 635	West Dallas City Limits to Denton Drive	6
IH 635	Merit Drive to Kingsley Road	10, 11
Loop 12	IH 35E to Elm Fork Trinity River	6
Loop 12	Trinity River Bridge to 0.3 miles south of Illinois Avenue	3, 6
Loop 12	Pemberton Hill Road to Carbondale Street	4, 5
SH 180	Dallas City Limits to Loop 12	1, 3, 6
SH 183	Elm Fork Trinity River to IH 35E	6
SH 310	IH 45 to US 175	7
Spur 408	Loop 12 to IH 20	3
Spur 482	Denton Drive to Elm Fork Trinity River	6
US 175	Grand Avenue to Seagoville City Limits	4, 5, 7, 8
US 67	IH 35E to IH 20	3, 4, 5, 8
US 67	IH 20 to Duncanville City Limits	8
US 75	Hamilton Park Addition to the South, Schroeder Road to the east, and US 75 north bound	10
US 75	Flora Street to Midpark Road	2, 10, 11, 13, 14
US 80	Loop 12 to Mesquite City Limit	7

ADDENDUM DATE June 15, 2016

ITEM #	OK	IND DEF	DISTRICT	TYPE	DEPT.	DOLLARS	LOCAL	MWBE	DESCRIPTION
1			7	C	IGS	NC	NA	NA	Authorize an application to the Texas Commission on the Arts under the Cultural Districts Program to designate Fair Park as a Cultural District - Financing: No cost consideration to the City
2			All	C	STS	REV \$871,000	NA	NA	Agreement with TxDOT: Authorize an amendment to the Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation (TxDOT) to authorize the City to mow, clean, and control litter on state highway rights-of-way for an additional five years - Revenue: \$871,000
3			All	C	STS	NC	NA	NA	Agreement with TxDOT: Authorize a Landscape Maintenance Agreement with the Texas Department of Transportation for the City to maintain the median, planters and bridge crossings related landscape improvements of succulent plantings along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)
4			2	C	TWM, ATT	\$70,500.00	NA	NA	Authorize the (1) deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. M.I. Gaston Partners, Ltd., a Texas limited partnership, et al., Cause No. CC-16-00392-B, pending in Dallas County Court at Law No. 2, to acquire a subsurface easement under approximately 10,702 square feet of land, located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and (2) settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$70,500 (\$68,000 being the amount of the award, plus closing costs and title expenses not to exceed \$2,500); an increase of \$35,894 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds
5			N/A	I	SEC	NC	NA	NA	A resolution designating absences by Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Councilmember Sandy Greyson as being for "Official City Business" - Financing: No cost consideration to the City
6			N/A	I	HRD	\$2,575.00	NA	NA	Authorize a 2% increase in the annual base salary of City Secretary Rosa Rios, in an amount of \$2,575 from \$128,750 to \$131,325, plus the associated pension contribution and Medicare payments, effective June 8, 2016 - Financing: Current Funds
7			N/A	I	HRD	\$8,145.88	NA	NA	Authorize a 4% increase in the annual base salary of City Auditor Craig Daniel Kinton, CPA in the amount of \$8,146 from \$203,647 to \$211,793, plus the associated pension contribution and Medicare payments effective June 8, 2016 - Financing: Current Funds
8			2, 7, 14	I	TWM, WTR	\$8,025,400.00	80.34%	28.59%	Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for <u>support services for construction documents updates, State-Thomas feasibility study, design services for storm drainage improvements from Junius Street to Gaston Avenue</u> and engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$6,126,500 \$8,025,400 , from \$15,993,488 to \$22,119,988 \$24,018,888 - Financing: 2006 Bond Funds (\$6,105,000) (\$8,003,900) and Water Utilities Capital Improvement Funds (\$21,500)
9			2, 7, 14	I	TWM	\$19,800,000.00	100.00%	26.91%	Authorize a professional services contract with Black & Veatch Corporation for <u>support services for construction document updates, and construction management services</u> during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$17,350,000 \$19,800,000 - Financing: 2006 Bond Funds
10			2, 7, 14	I	TWM	\$2,764,000.00	97.22%	98.00%	Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$2,764,000 - Financing: 2006 Bond Funds
11			2, 7, 14	I	TWM, WTR	\$209,894,515.00	19.93%	32.63%	Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed \$209,894,515 - Financing: General Obligation Commercial Paper Funds (\$209,179,636), Water Utilities Capital Construction Funds (\$25,600) and Water Utilities Capital Improvement Funds (\$689,279)

TOTAL \$240,565,135.88

ADDENDUM ITEM # 1

KEY FOCUS AREA: Culture, Arts and Recreation and Educational Enhancements

AGENDA DATE: June 15, 2016

COUNCIL DISTRICT(S): 7

DEPARTMENT: Intergovernmental Services

CMO: A. C. Gonzalez, 670-3297

MAPSCO: N/A

SUBJECT

Authorize an application to the Texas Commission on the Arts under the Cultural Districts Program to designate Fair Park as a Cultural District – Financing: No cost consideration to the City

BACKGROUND

The Texas Commission on the Arts (TCA) can designate cultural arts districts in cities, as authorized by House Bill 2208 of the 79th Legislature. Cultural districts can increase business, generate activity, attract tourists, stimulate cultural and economic activities, and help support community revitalization.

The goal of the TCA cultural arts program is to recognize outstanding community cultural efforts across the state in an effort to promote cultural tourism opportunities for designated places and bring audiences to the community. Those receiving a cultural district designation are able to apply for Arts Respond project support grants that comply with the priority areas of Texas government (education, health and human services, economic development, criminal justice and public safety, and natural resources and agriculture) from TCA to support activity that takes place in the cultural district.

Fair Park has been a gathering place for people for more than a hundred and thirty years and it was the Texas Centennial of 1936 that launched its permanence on the Dallas landscape. In addition to its current cultural institutions, many of Dallas' cultural institutions had their beginnings at Fair Park to include the Dallas Museum of Art, the Perot Museum of Nature and Science, the Dallas Symphony, the Dallas Opera, and numerous theater groups.

BACKGROUND (Continued)

Fair Park has the largest collection of Art Deco architecture in the United States and extensive public art. In addition to its cultural institutions, the Park annually hosts large events such as Earth Day Texas, North Texas Irish Festival, KwanzaaFest, the Taste of Dallas, Fair Park Fourth, the Diwali Mela Festival, Festival de Mayo, the State Fair of Texas, and the Zaxby's Heart of Dallas Bowl at the Cotton Bowl.

Securing designation as a cultural district would invigorate a new level of vibrancy for the Park's future with all cultural institutions and events being encouraged to actively support, promote and help maintain activities and events in said district.

This item is on the addendum because the authorization to submit the application must be acted on before the next available agenda.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

The Park and Recreation Board approved award of this item on June 2, 2016.

Information about this item will be provided to the Quality of Life and Environment Committee on June 13, 2016.

FISCAL INFORMATION

No cost consideration to the City.

June 15, 2016

WHEREAS, the Texas Commission on the Arts (TCA) can designate cultural arts districts in cities as authorized by House Bill 2208 of the 79th Legislature, and cultural districts can increase business, generate activity, attract tourists, stimulate cultural and economic activities, and help support community revitalization; and,

WHEREAS, the City of Dallas, through its Park and Recreation Department, is the owner of Fair Park, and Fair Park has been a gathering place for people for more than a hundred and thirty years; and,

WHEREAS, in addition to its current cultural institutions, many of Dallas' cultural institutions had their beginnings at Fair Park to include the Dallas Museum of Art, the Perot Museum of Nature and Science, the Dallas Symphony, the Dallas Opera, and numerous theater groups; and,

WHEREAS, those receiving a cultural district designation are able to apply for Arts Respond project support grants that comply with the priority areas of Texas government (education, health and human services, economic development, criminal justice and public safety, and natural resources and agriculture) from TCA to support activity that takes place in the cultural district.

Now, Therefore,

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

SECTION 1. That the City Manager is authorized to submit an application to the Texas Commission on the Arts under the Cultural Districts Program to designate Fair Park as a Cultural District.

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

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 15, 2016
COUNCIL DISTRICT(S): All
DEPARTMENT: Street Services
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: Various

SUBJECT

Agreement with TxDOT

- * Authorize an amendment to the Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation (TxDOT) to authorize the City to mow, clean, and control litter on state highway rights-of-way for an additional five years (list attached) - Revenue: \$871,000 (see Fiscal Information for potential future costs)
- * Authorize a Landscape Maintenance Agreement with the Texas Department of Transportation for the City to maintain the median, planters and bridge crossings related landscape improvements of succulent plantings along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way - Financing: This action has no cost consideration to the City (see Fiscal Information for potential future costs)

BACKGROUND

This item was placed on the addendum to authorize the Municipal Maintenance Interlocal Agreement with TxDOT to allow the City to continue to mow, clean, and control litter on TxDOT right-of-way; therefore to authorize partial reimbursement. TxDOT requires an approval from the City before TxDOT will fund the landscape installation project.

BACKGROUND (Continued)

With respect to the Municipal Maintenance Interlocal Agreement, on April 13, 2011, Resolution No. 11-0929 authorized an amendment to the Municipal Maintenance Interlocal Agreement with TxDOT that allowed the City to mow, clean, and control litter on state highways within the Dallas City limits. At the request of the City, TxDOT agreed to allow the City to perform mowing, cleaning, and litter control services for no less than five (5) years on approximately 3,300 acres along 17 corridors previously managed by TxDOT. The estimated cost for TxDOT right-of way maintenance is \$2.4 million per year or \$12 million over the five year term of the agreement. The City currently funds \$2.4 million per year to maintain TxDOT rights-of-way.

TxDOT will partially reimburse the City for mowing and litter removal; and the estimated amount of annual reimbursement is \$871,000, based on productions levels of 3 mowing cycles per year, and up to 12 litter cycles per year. The City provides an enhanced level of service for an estimated cost of \$2.4 million per year. This Municipal Maintenance Interlocal Agreement contract term is for five (5) years.

With respect to the Landscape Maintenance Agreement, TxDOT is proposing changes to the existing native grasses and will remove and install succulents along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way due to their resiliency during drought conditions. The Quality of Life and Environment committee recommended the installation of succulents as an aesthetic enhancement over the existing native grasses.

TxDOT will fund, approximately \$840,000, for the succulent installation. In turn, the City will agree to be responsible for all required landscape maintenance, including but not limited to, plant maintenance, plant replacement, weeding, trimming, and manual watering, as required. The typical annualized maintenance cost to the City would be \$704,060. Incremental future cost to the City for the succulent maintenance is \$232,180 annually.

This action will authorize (1) an amendment to the Municipal Maintenance Interlocal Agreement with TxDOT to allow the City continued control to mow, clean, and control litter on state highway rights-of-way; and (2) a Landscape Maintenance Agreement with TxDOT for the City to maintain median/planter and bridge crossings related landscape improvements of succulent plantings along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way. Council approval is required to move forward with the amendment to the Municipal Maintenance Interlocal Agreement and the Landscape Maintenance Agreement with TxDOT. The Landscape Maintenance Agreement with TxDOT has no specified contract term. As stated in the termination clause of the agreement, it is understood and agreed between the parties hereto that should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon thirty days written notice. Additionally, this agreement may be terminated by mutual agreement and consent of both parties.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a master Municipal Maintenance Agreement with the State of Texas on December 14, 1983, by Resolution No. 83-4008.

Authorized a Municipal Maintenance Interlocal Agreement with TxDOT to formally define the duties of each agency related to all aspects of roadway maintenance on state highways within the city limits on December 13, 2006, by Resolution No. 06-3471.

Authorized an amendment to the Municipal Maintenance Interlocal Agreement with TxDOT to authorize the City to operate red light camera enforcement systems at signals located on state highways on December 13, 2006, by Resolution No. 06-3472.

Briefed to the Transportation and Environment Committee regarding North Central Expressway landscaping on February 11, 2008.

Briefed to the Transportation and Environment Committee regarding North Central Expressway landscaping on September 8, 2008.

Briefed to the Transportation and Environment Committee regarding North Central Expressway landscaping on April 12, 2010.

Deferred Landscape Maintenance Agreement with TxDOT for US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 on June 23, 2010.

Deferred Landscape Maintenance Agreement with TxDOT for US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 by Council Majority on August 11, 2010.

Authorized a Landscape Maintenance Agreement with TxDOT to provide supplemental mowing in the parkways and maintain median landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way on September 22, 2010, by Resolution No. 10-2413.

Authorized an amendment to the Municipal Maintenance Interlocal Agreement with TxDOT to authorize the City to mow, clean, and control litter on state highway rights-of-way on April 13, 2011, by Resolution No. 11-0929.

Briefed to the Quality of Life and Environment Committee regarding Landscape Maintenance Agreements on January 9, 2012.

Authorize a Landscape Maintenance Agreement with TxDOT for the City to maintain bridge crossing related landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way on February 8, 2012, by Resolution No. 12-0461.

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

Briefed to the Quality of Life and Environment Committee regarding Landscape Maintenance Agreements and Potential TxDOT and City Partnerships on January 11, 2016.

Information about this item will be provided to the Quality of Life and Environment Committee on June 13, 2016.

FISCAL INFORMATION

Revenue - \$871,000 (Net expense for the city to maintain the rights-of-way is estimated to be \$1,520,800 (\$2,391,800 annually; of which \$871,000 is reimbursed by TxDOT) (subject to appropriations)

When the City assumes maintenance responsibility for the new vegetation, the annualized expense is estimated to be \$704,060 (subject to appropriations)

MAP

Attached

Municipal Maintenance Agreement for State Highway Right-of-Ways

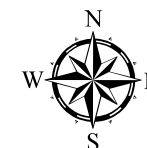
<u>Highway</u>	<u>Limits</u>	<u>Council District</u>
FM 1382	IH 20 to Cedar Hill City Limits	3
IH 20	Dallas City Limits to Cedar Ridge Drive	3
IH 20	Cockrell Hill Road to 1/2 mile east of IH 35E	8
IH 20	West of SH 342 to SH 310	8
IH 20	West of Trinity River to IH 635	8
IH 30	Dallas City Limits to Trinity Railway Express	2, 3, 6
IH 30	Trinity Railway Express to Mesquite City Limits	2, 4, 7, 14
IH 35E	Harry Hines Boulevard to Reunion Boulevard	2, 6
IH 35E	Reunion Boulevard to Loop 12	1, 2, 3, 4
IH 35E	Loop 12 to Dallas City Limits	4, 5, 8
IH 45	IH 30 to Grand Avenue	2, 7
IH 45	Overton Road to Pine Street	4, 7
IH 45	Grand Avenue to Loop 12	4, 5, 7
IH 45	Loop 12 to IH 20 (South Limits at Langdon)	5, 8
IH 345	Flora Street to Elm Street	14
IH 635	West Dallas City Limits to Denton Drive	6
IH 635	Merit Drive to Kingsley Road	10, 11
Loop 12	IH 35E to Elm Fork Trinity River	6
Loop 12	Trinity River Bridge to 0.3 miles south of Illinois Avenue	3, 6
Loop 12	Pemberton Hill Road to Carbondale Street	4, 5
SH 180	Dallas City Limits to Loop 12	1, 3, 6
SH 183	Elm Fork Trinity River to IH 35E	6
SH 310	IH 45 to US 175	7
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US 175	Grand Avenue to Seagoville City Limits	4, 5, 7, 8
US 67	IH 35E to IH 20	3, 4, 5, 8
US 67	IH 20 to Duncanville City Limits	8
US 75	Hamilton Park Addition to the South, Schroeder Road to the east, and US 75 north bound	10
US 75	Flora Street to Midpark Road	2, 10, 11, 13, 14
US 80	Loop 12 to Mesquite City Limit	7

TxDOT Median & R.O.W. Mowing



City of Dallas

Dept. of
Street Svcs.



Printed
April 28, 2016

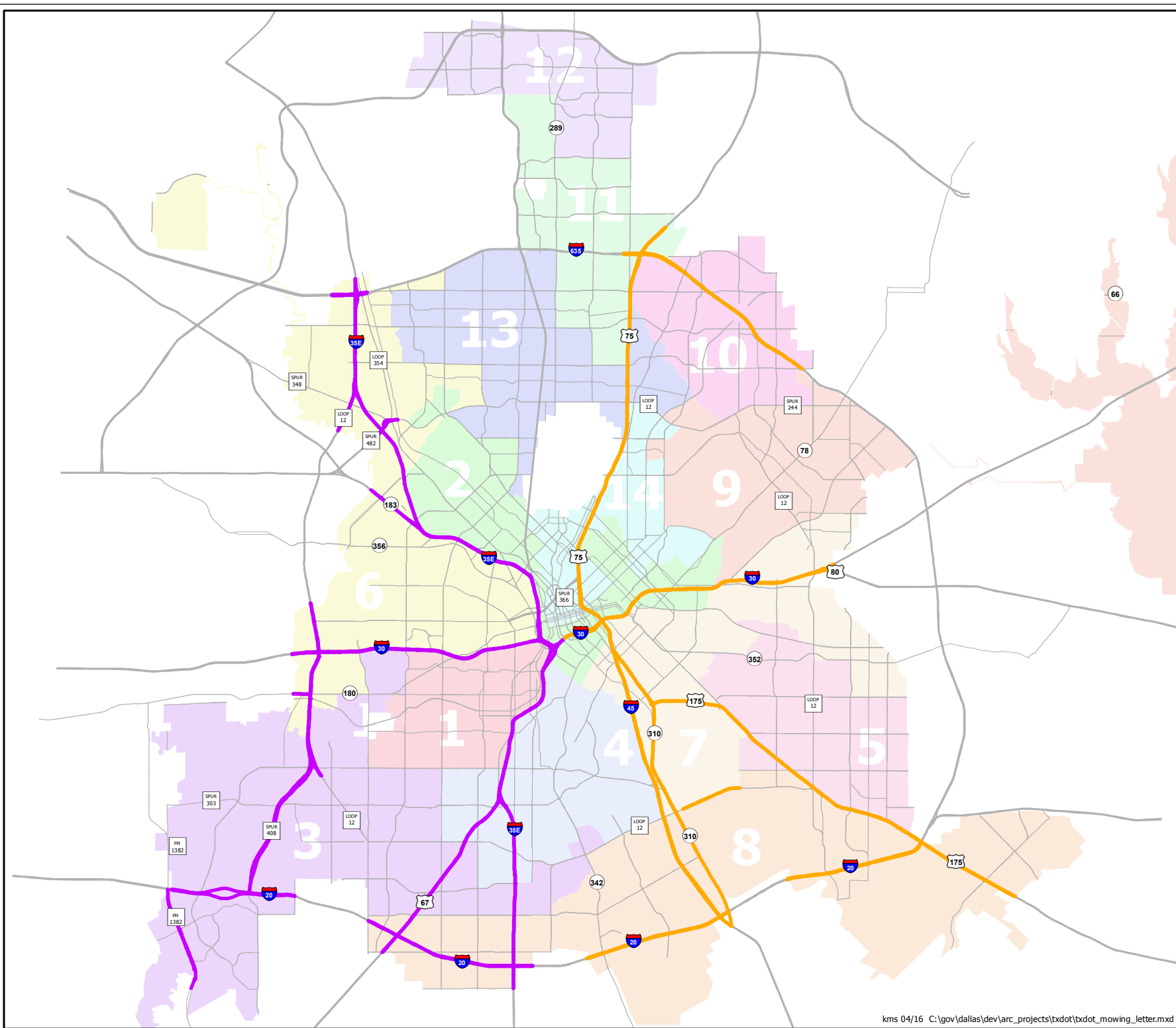
1 in = 3.47 miles

Legend

State Hwy Mowing

— TxDOT-East

— TxDOT-West



June 15, 2016

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter into agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within its corporate limits; and,

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, supervision, and regulation of State highways within those cities; and,

WHEREAS, the Executive Director, acting for and in behalf of the Texas Transportation Commission, has made it known that the State will assist the City in the maintenance and operation of State highways, conditioned that the City will enter into agreements with the State for the purpose of determining responsibilities; and,

WHEREAS, on December 13, 2006, Resolution No. 06-3472 authorized a Municipal Maintenance Interlocal Agreement with the Texas Department of Transportation (TxDOT) to define duties of each agency related to all aspects for roadway maintenance on state highways within the city limits; and,

WHEREAS, on April 13, 2011, Resolution No. 11-0929 authorized an amendment to the Municipal Maintenance Interlocal Agreement with TxDOT to authorize the City to mow, clean, and control litter on state highway rights-of-way; and,

WHEREAS, the City has performed mowing, cleaning, and litter control services on approximately 3,300 acres of TxDOT rights-of-way along 17 corridors for the past five years, and desires to continue to provide these services for an additional five (5) year period.

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 an amendment to the Municipal Maintenance Interlocal Agreement with TxDOT to authorize the City to mow, clean, and control litter on state highway rights-of-way, after it has been approved as to form by the City Attorney.

Section 2. That the Chief Financial Officer is hereby authorized to deposit reimbursements from TxDOT into Fund 0001, Dept. STS, Unit 3438, Revenue Code 6526, in an estimated annual amount of \$871,000 for five years in accordance with the terms of the agreement.

June 15, 2016

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.

June 15, 2016

WHEREAS, the Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and,

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion to enter into agreements with cities to fix responsibilities for maintenance, supervision, and regulation of state highways within those cities; and,

WHEREAS, on September 22, 2010, Resolution No. 10-2413 authorized a Landscape Maintenance Agreement with the Texas Department of Transportation (TxDOT) for the City to provide supplemental mowing in the parkways and maintain median landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT's right-of-way; and,

WHEREAS, on February 8, 2012, Resolution No. 12-0461 authorized a Landscape Maintenance Agreement with TxDOT for the City to maintain bridge crossing related landscape improvements along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT's right-of-way; and,

WHEREAS, it is now necessary to authorize a Landscape Maintenance Agreement with TxDOT for the City to maintain median, planters and bridge crossings related landscape improvements of succulent plantings along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT's right-of-way.

Now, Therefore,

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

June 15, 2016

Section 1. That the City Manager is hereby authorized to execute a Landscape Maintenance Agreement with the Texas Department of Transportation for the City to maintain median, planters and bridge crossings related landscape improvements of succulent plantings along US 75 from Spur 366 (Woodall Rodgers Freeway) to IH 635 within TxDOT right-of-way, after it has been approved as to form by the City Attorney.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 15, 2016

COUNCIL DISTRICT(S): 2

DEPARTMENT: Trinity Watershed Management
City Attorney's Office

CMO: Mark McDaniel, 670-3256
Christopher D. Bowers, 670-3491

MAPSCO: 46E

SUBJECT

Authorize the **(1)** deposit of the amount awarded by the Special Commissioners in the condemnation proceeding styled City of Dallas v. M.I. Gaston Partners, Ltd., a Texas limited partnership, et al., Cause No. CC-16-00392-B, pending in Dallas County Court at Law No. 2, to acquire a subsurface easement under approximately 10,702 square feet of land, located on Gaston Avenue near its intersection with Peak Street for the Mill Creek/Peaks Branch/State-Thomas Drainage Relief Tunnel Project; and **(2)** settlement of the condemnation proceeding for an amount not to exceed the award - Not to exceed \$70,500 (\$68,000 being the amount of the award, plus closing costs and title expenses not to exceed \$2,500); an increase of \$35,894 from the amount Council originally authorized for this acquisition - Financing: 2006 Bond Funds

BACKGROUND

This item is being placed on the addendum requesting Council approval prior to the deadline to file objections to the Award of the Special Commissioners.

On May 13, 2015, the City Council authorized the acquisition of this property, by Resolution No. 15-0857. On September 9, 2015, the City Council authorized the modification of elevation reference for the subsurface easement, by Resolution No. 15-1662.

The property owner was offered \$32,106, which was based on a written appraisal from an independent certified appraiser. The property owner did not accept the offer and the City filed an eminent domain proceeding to acquire the property. The appraisal was updated March 8, 2016, and the offer amount was revised to \$53,510. After a hearing before the Special Commissioners on June 2, 2016, the property owner was awarded \$68,000. This item authorizes deposit of the amount awarded by the Special Commissioners for the property, which is \$35,894 more than the City Council originally authorized for this acquisition, plus closing costs and title expenses not to exceed \$2,500.

BACKGROUND (Continued)

The City has no control over the Special Commissioners appointed by the judge or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession of the property and proceed with its improvements, must deposit the amount awarded by the Special Commissioners in the registry of the Court.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on May 13, 2015, by Resolution No. 15-0857.

Authorized modification of elevation on September 9, 2015, by Resolution No. 15-1662.

Council was briefed in Closed Session on June 8, 2016.

Information about this item will be provided to the Transportation and Trinity River Project Committee on June 13, 2016.

FISCAL INFORMATION

2006 Bond Funds - \$70,500 (\$68,000 plus closing costs and title expenses not to exceed \$2,500)

OWNER

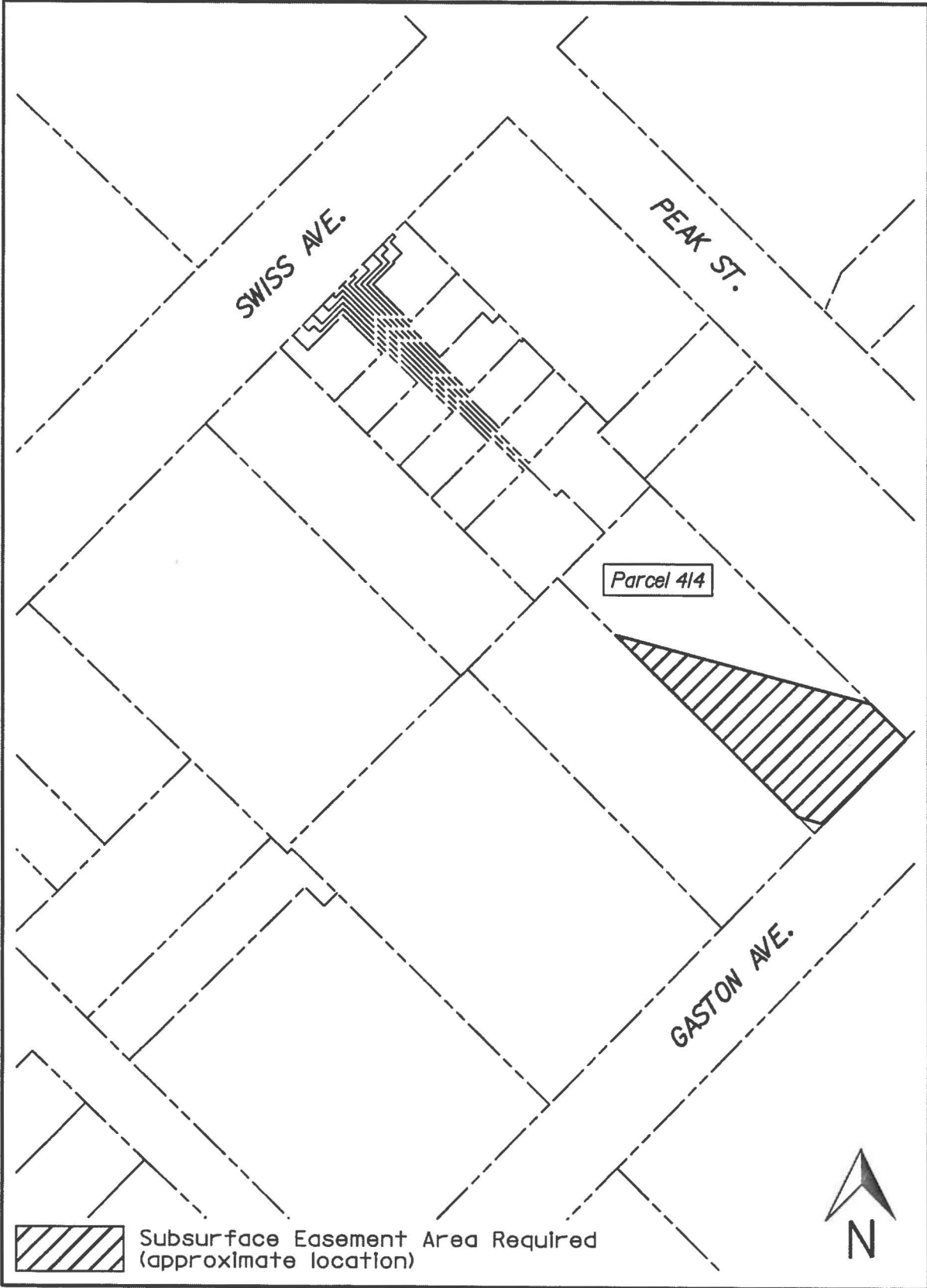
M.I. Gaston Partners, Ltd.

KM3 Operating, Inc., General Partner

Kenneth Murchison, III, President

MAP

Attached



June 15, 2016

A RESOLUTION AUTHORIZING THE DEPOSIT OF A SPECIAL COMMISSIONERS AWARD AND SETTLEMENT OF THE CONDEMNATION PROCEEDING AND IF OBJECTIONS ARE FILED, SETTLEMENT OF THE CONDEMNATION LAWSUIT FOR AN AMOUNT NOT TO EXCEED THE AWARD.

IN THIS RESOLUTION THE FOLLOWING DEFINITIONS SHALL APPLY:

AUTHORIZED AMOUNT: Not to exceed: \$70,500.00

AWARD: \$68,000.00

CLOSING COSTS AND TITLE EXPENSES: Not to exceed \$2,500.00

CONDEMNATION PROCEEDING: Cause No. CC-16-00392-B, in Dallas County Court at Law No. 2, and styled City of Dallas v. M.I. Gaston Partners, Ltd. a Texas limited partnership, et al., filed pursuant to City Council Resolution No. 15-0857.

DESIGNATED FUNDS: AWARD payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4210, Encumbrance No. CT-PBW06T525G48, CLOSING COSTS AND TITLE EXPENSES payable out of the 2006 Bond Funds, Fund No. 3T23, Department TWM, Unit T525, Activity SDRS, Program No. PB06T525, Object 4230, Encumbrance No. CT-PBW06T525G49.

OFFICIAL OFFER: \$32,106.00

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

PROPERTY: Subsurface easement located under approximately 10,702 square feet of land in Dallas County, as described in the CONDEMNATION PROCEEDING.

WHEREAS, the OFFICIAL OFFER having been made and refused, the City Attorney filed the CONDEMNATION PROCEEDING for the acquisition of the PROPERTY for the PROJECT; and,

WHEREAS, the Special Commissioners appointed by the Court in the CONDEMNATION PROCEEDING made the AWARD, which the City Council wishes to deposit with the County Clerk of Dallas County, Texas, so that the City may take possession of the PROPERTY; and,

June 15, 2016

WHEREAS, the City Council desires to authorize the City Attorney to settle the CONDEMNATION PROCEEDING and, if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING for an amount not to exceed the AWARD;

Now, Therefore,

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

SECTION 1. That the Chief Financial Officer is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the AWARD payable to the County Clerk of Dallas County, Texas, to be deposited by the City Attorney with the County Clerk and in the amount of the CLOSING COSTS AND TITLE EXPENSES payable to the title company closing the transaction described herein. The AWARD, CLOSING COSTS AND TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

SECTION 2. That the City Attorney is authorized to settle the CONDEMNATION PROCEEDING, and if objections are filed, the lawsuit arising from the CONDEMNATION PROCEEDING, for an amount not to exceed the AWARD.

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.

APPROVED AS TO FORM

**Christopher D. Bowers,
Interim City Attorney**

By: 
Assistant City Attorney

KEY FOCUS AREA: E-Gov
AGENDA DATE: June 15, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: City Secretary
CMO: Rosa A. Rios, 670-3738
MAPSCO: N/A

SUBJECT

A resolution designating absences by Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Councilmember Sandy Greyson as being for "Official City Business" - Financing: No cost consideration to the City

BACKGROUND

This item is on the addendum to allow council members additional time to request approval of their outstanding absences (if applicable) as "Official City Business."

Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city council member, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city council member's compensation...for that year will be reduced proportionately by the percentage of meetings missed.... Meetings missed by a city council member while he or she is on the official business of the city council and at the direction of the city council will not be counted towards the percentage of missed meetings for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business."

Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a council member for (1) attending a meeting or conference of a professional organization of or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the council member has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city council member for purposes of determining the council member's annual compensation.

BACKGROUND (Continued)

Section 4.11(c) of the City Council Rules of Procedure provides that, in addition to those absences automatically considered to be on "official city business at the direction of the city council" under Section 4.11(b) above, the city council may by resolution designate whenever a council member's absence is for official city business and not counted as a missed meeting for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter.

The proposed resolution authorizes and directs the city secretary to amend the minutes of city council meetings, without further city council action or approval, to reflect when the absences by designated council members have been deemed by the city council to be for "official city business."

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

No cost consideration to the City.

June 15, 2016

WHEREAS, Chapter III, Section 4(e) of the Dallas City Charter provides in part, "If any city council member, including the mayor, misses more than 10 percent of the total number of regular meetings held by the city council during any compensation year, then the city council member's compensation... for that year will be reduced proportionately by the percentage of meetings missed.... Meetings missed by a city council member while he or she is on the official business of the city council and at the direction of the city council will not be counted towards the percentage of missed meetings for which compensation reduction is required... but will be counted as though the member had attended the meetings that are missed while so engaged in city business"; and

WHEREAS, Section 4.11(b) of the City Council Rules of Procedure provides that an absence by a council member for (1) attending a meeting or conference of a professional organization or association of municipalities or municipal officers, (2) testifying at a legislative hearing at the request of the mayor, the city council, the chair of the council's legislative affairs committee or the city manager, or (3) attending a meeting of a board, commission, or committee to which the council member has been appointed by the mayor or the city council, will automatically be deemed to be for "official city business at the direction of the city council" and will not be counted against a city council member for purposes of determining the council member's annual compensation; and

WHEREAS, Section 4.11(c) of the City Council Rules of Procedure provides that, in addition to those absences automatically considered to be on "official city business at the direction of the city council" under Section 4.11(b) referenced above, the city council may by resolution designate whenever a council member's absence is for official city business and not counted as a missed meeting for purposes of determining the council member's annual compensation under Chapter III, Section 4 of the Dallas City Charter; and

WHEREAS, Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Sandy Greyson participated in event(s) and/or meeting(s), as described in **Exhibit A** attached, which required them to miss all or part of one or more city council meeting(s) or committee meeting(s) on the date(s) noted;

Now, Therefore,

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

June 15, 2016

SECTION 1. That, in accordance with Chapter III, Section 4(e) of the Dallas City Charter and Section 4.11(c) of the City Council Rules of Procedure, the event(s) and/or meeting(s) described in **Exhibit A**, attached, are hereby deemed to be for "official city business," and any absences from city council meeting(s) and/or city council committee meeting(s), on the date(s) noted in **Exhibit A**, by Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Sandy Greyson because of their participation in any event(s) and/or meeting(s) will not be counted against them in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 2. That, in accordance with Section 4.11(a) of the City Council Rules of Procedure, the City Secretary shall maintain a record of the absence on official city business so that such absence(s) will not count against Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Councilmember Sandy Greyson in determining their annual compensation under Chapter III, Section 4 of the Dallas City Charter.

SECTION 3. That the City Secretary is authorized and directed to amend the minutes of each city council meeting held on the date(s) specified in Exhibit A, if applicable, to reflect that the absence(s) by Mayor Michael S. Rawlings, Mayor Pro Tem Monica R. Alonzo, Deputy Mayor Pro Tem Erik Wilson, Councilmember Casey Thomas and Sandy Greyson as described in Exhibit A, were for "official city business," and no further city council action or approval of those minutes is required.

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

EXHIBIT A
CITY COUNCIL MEMBER(S)
REQUEST ABSENCE AS OFFICIAL CITY BUSINESS

COUNCILMEMBER	MEETING DATE	<u>MEETING</u> EXEMPTION	PURPOSE/LOCATION	ABSENCE TYPE
Erik Wilson	5/18/2016	City Council Briefing	Attended a training Houston, Texas	Absent
Casey Thomas	5/18/2016	City Council Briefing	Attended a speaking engagement in district Dallas, Texas	Absent more than 50%
Michael S. Rawlings	6/8/2016	City Council Briefing	Attended a Dallas/Fort Worth trade mission Mexico City, Mexico	Absent
Monica R. Alonzo	6/6/2016	Housing Council Committee	Attended a Dallas/Fort Worth trade mission Mexico City, Mexico	Absent
Monica R. Alonzo	6/8/2016	City Council Briefing	Attended a Dallas/Fort Worth trade mission Mexico City, Mexico	Absent
Sandy Greyson	6/8/2016	City Council Briefing	Represented the City of Dallas at the House Business and Industry Committee Meeting Austin, Texas	Absent

KEY FOCUS AREA: E-Gov
AGENDA DATE: June 15, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Human Resources
CMO: A. C. Gonzalez, 670-3302
MAPSCO: N/A

SUBJECT

Authorize a 2% increase in the annual base salary of City Secretary Rosa Rios, in an amount of \$2,575 from \$128,750 to \$131,325, plus the associated pension contribution and Medicare payments, effective June 8, 2016 - Financing: Current Funds

BACKGROUND

The City Council evaluated the performance of City Secretary, Rosa Rios on June 1, 2016. As a result of this annual performance review, the City Council desires to give this city official an increase in her annual base salary.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 14, 2014, the City Council discussed the City Secretary's performance review.

On May 28, 2014, City Council approved a merit increase to the annual base salary for City Secretary Rosa Rios; increasing her base annual base salary by four and one half percent (4.5%) from \$119,512 to \$125,000, effective May 28, 2014, by Resolution No. 14-0875.

On June 3, 2015, the City Council discussed the performance of City Secretary Rosa A. Rios.

On August 12, 2015, City Council approved a merit increase to the annual base salary for City Secretary Rosa Rios; increasing her base annual base salary by three percent (3%) from \$125,000 to \$128,750, effective May 28, 2015, by Resolution No. 15-1485.

On June 1, 2016, the City Council discussed the City Secretary's performance review.

FISCAL INFORMATION

\$ 2,575 - Current Funds

June 15, 2016

WHEREAS, on June 1, 2016, the City Council conducted an annual performance review of the City Secretary; and

WHEREAS, as a result of the review, and based upon the City Council's evaluation of the performance of this City officer, the City Council has determined that this officer should receive a 2% increase in her annual base salary.

NOW, THEREFORE,

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

Section 1. That the City Secretary's annual base salary be increased by 2%, in the amount of \$2,575 from \$128,750.00 to \$131,325, plus the associated pension contribution and Medicare, effective June 8, 2016.

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

KEY FOCUS AREA: E-Gov
AGENDA DATE: June 15, 2016
COUNCIL DISTRICT(S): N/A
DEPARTMENT: Human Resources
CMO: A. C. Gonzalez, 670-3302
MAPSCO: N/A

SUBJECT

Authorize a 4% increase in the annual base salary of City Auditor Craig Daniel Kinton, CPA in the amount of \$8,146 from \$203,647 to \$211,793, plus the associated pension contribution and Medicare payments effective June 8, 2016 - Financing: Current Funds

BACKGROUND

The City Council evaluated the performance of City Auditor Craig D. Kinton on June 1, 2016. As a result of this annual performance review, the City Auditor's annual base salary is increased by 4%.

PRIOR ACTION / REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 28, 2014, City Council approved a merit increase to the annual base salary for City Auditor Craig Kinton; increasing his base annual base salary by four percent 4% from \$188,283.27 to \$195,814.60, effective May 28, 2014, by Resolution No. 14-0876.

On April 22, 2015, the City Council discussed the City Auditor's performance review.

On May 27, 2015, City Council approved a merit increase to the annual base salary for City Auditor Craig Kinton; increasing his base annual base salary by four percent 4% from \$195,814.60 to \$203,647.18, effective May 28, 2015, by Resolution No. 15-1013.

On June 1, 2016, the City Council discussed the City Auditor's performance review.

FISCAL INFORMATION

\$8,145.88 - Current Funds

June 15, 2016

WHEREAS, on June 1, 2016, the City Council conducted an annual performance review of the City Auditor; and

WHEREAS, as a result of the review, and based upon the City Council's evaluation of the performance of this City officer, the City Council has determined that this officer should receive a 4% merit increase in his annual base salary;

NOW, THEREFORE,

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

Section 1. That the City Auditor's annual base salary is increased by 4%, in the amount of \$8,145.88 from \$203,647.18 to \$211,793.06, plus the associated pension contribution and Medicare, effective June 8, 2016.

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 15, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for support services for construction documents updates, State-Thomas feasibility study, design services for storm drainage improvements from Junius Street to Gaston Avenue and engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed ~~\$6,126,500~~ \$8,025,400, from \$15,993,488 to ~~\$22,119,988~~ \$24,018,888 - Financing: 2006 Bond Funds (~~\$6,105,000~~) (\$8,003,900) and Water Utilities Capital Improvement Funds (\$21,500)

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

On June 13, 2007, Council authorized a professional services contract with Halff Associates, Inc., for the design of drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds.

BACKGROUND (Continued)

Supplemental Agreement No. 1 authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep tunnel that will drain both watersheds into Lower White Rock Creek and provided for the design of drainage relief improvements for Mill Creek, Phase II, which extends flooding protection through Fair Park to the Baylor Hospital and Buckner Park areas. Supplemental Agreement No. 2 provided for engineering design of the deep drainage tunnel extension to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas. Supplemental Agreement No. 3 provided for additional scope of work to design upgrades to water and wastewater facilities in the tunnel project area. Supplemental Agreement No. 4 provided for additional scope of work to design water and wastewater facilities related to the drainage tunnel and right-of-way acquisition support during design.

On May 25, 2016, the City Council remanded this item to the Budget, Finance and Audit Committee for its review and recommendation concerning issues outlined in an audit by the City Auditor related to the procurement of the Mill Creek / Peaks Branch State-Thomas Drainage Relief Tunnel construction contract. On June 6, 2016, after consideration of the issues disclosed in the City Auditor's report, the Budget, Finance and Audit Committee recommended that the City reject all bids and re-advertise the construction contract. If the construction contract on this project is rebid, the proposal from Halff will need to be increased from \$6,126,500 to \$8,025,400. This will incorporate revisions to the scope of services to be provided by Halff Associates, Inc. and increases the amount as underlined from the original proposed amount shown with a strikethrough.

This action authorizes Supplemental Agreement No. 5 which provides for support services for construction document updates, State-Thomas feasibility study, design services for storm drainage improvements from Junius Street to Gaston Avenue and engineering design services required during construction including reviews of contractor submittals and RFIs, evaluations of contractor-proposed changes, and preparation of as-built drawings.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

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

Briefed Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed the Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was provided to the Transportation and Trinity River Project Committee on April 11, 2016.

~~On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.~~

~~On May 25, 2016, this item was deferred by Councilmember Gates.~~

~~Information about this item was provided to the Budget, Finance and Audit Committee on June 6, 2016.~~

On both April 13, 2016 and May 11, 2016, action on this item was deferred by the City Council, pending the completion of an audit prepared by the City Auditor regarding issues related to the procurement of the construction contract for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

On May 25, 2016, this item was remanded to the Budget, Finance and Audit Committee by the City Council for the Committee's recommendation after consideration of the procurement issues disclosed in the City Auditor's audit.

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

Information about the construction contract procurement was provided to the Budget, Finance and Audit Committee on June 6, 2016 and the Committee approved a recommendation to send the construction contract back to the City Council, recommended the rejection of any and all of the current construction bids and recommended the re-advertisement of new bids on the construction contract.

FISCAL INFORMATION

2006 Bond Funds - ~~\$6,105,000~~ \$8,003,900
Water Utilities Capital Improvement Funds - \$21,500

Design

Original contract	\$ 8,571,100
Supplemental Agreement No. 1	\$ 3,225,500
Supplemental Agreement No. 2	\$ 2,602,200
Supplemental Agreement No. 3	\$ 45,088
Supplemental Agreement No. 4	\$ 1,549,600
Supplemental Agreement No. 5 (this action)	\$ 6,126,500 <u>\$8,025,400</u>

Total Design ~~\$ 22,119,988~~ \$24,018,888

Construction <u>Estimate</u>	\$209,894,515 <u>\$257,000,000</u>
<u>Preliminary Construction Management</u>	\$ 1,215,000
Construction Management	\$ 18,565,000 <u>\$19,800,000</u>
Construction Materials Testing	\$ 2,764,000

Total Project Cost ~~\$253,343,503~~ \$304,797,888

Council District

Amount

2	\$1,654,160 <u>\$2,166,860</u>
7	\$2,756,920 <u>\$3,611,420</u>
14	\$1,715,420 <u>\$2,247,120</u>
Total	\$6,126,500 <u>\$8,025,400</u>

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Half Associates, Inc.

Hispanic Female	20	Hispanic Male	75
African-American Female	7	African-American Male	12
Other Female	6	Other Male	12
White Female	91	White Male	294

OWNER

Half Associates, Inc.

Walter Skipwith, P.E., Chairman
Pat Kunz, P.E., President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. for design and analysis of drainage relief for Mill Creek, Peaks Branch, and State-Thomas areas, for additional scope of work for support services for construction documents updates, State-Thomas feasibility study, design services for storm drainage improvements from Junius Street to Gaston Avenue and engineering design services required during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed ~~\$6,126,500~~ \$8,025,400, from \$15,993,488 to ~~\$22,119,988~~ \$24,018,888 - Financing: 2006 Bond Funds (~~\$6,105,000~~) (~~\$8,003,900~~) and Water Utilities Capital Improvement Funds (\$21,500)

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

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$6,447,900.00	80.34%
Non-local contracts	\$1,577,500.00	19.66%
TOTAL THIS ACTION	\$8,025,400.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
HVJ Associates, Inc.	BMMB61733N0516	\$115,000.00	1.78%
Urban Engineers Group, Inc.	HFDB10630Y0716	\$230,000.00	3.57%
Charles Gojer	HMDB92968Y0616	\$200,000.00	3.10%
Garcia Land Data	HMMB64109N0217	\$125,000.00	1.94%
Gupta & Associates Inc	PMMB62419Y0719	\$150,000.00	2.33%
Nathan D. Maier	WFWB62783Y0816	\$888,000.00	13.77%
Total Minority - Local		\$1,708,000.00	26.49%

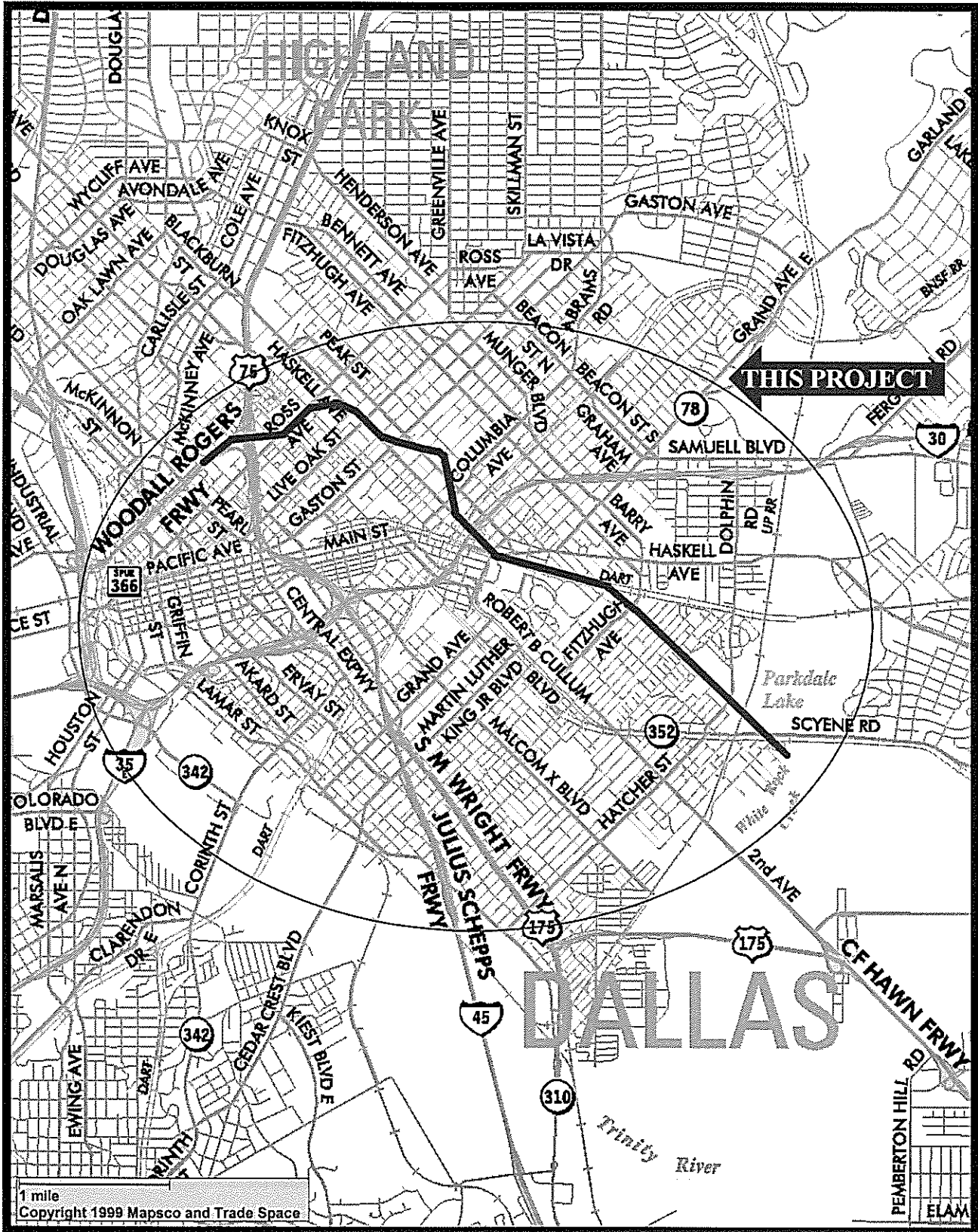
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	This Action		Participation to Date	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$115,000.00	1.43%	\$436,740.00	1.82%
Hispanic American	\$555,000.00	6.92%	\$2,468,602.68	10.28%
Asian American	\$150,000.00	1.87%	\$220,500.00	0.92%
Native American	\$0.00	0.00%	\$1,078,347.68	4.49%
WBE	\$888,000.00	11.06%	\$2,661,700.00	11.08%
Total	<u>\$1,708,000.00</u>	<u>21.28%</u>	<u>\$6,865,890.36</u>	<u>28.59%</u>

Mill Creek Tunnel



June 15, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for additional scope of work to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, the professional services contract with Parsons Environment & Infrastructure Group, Inc. was subsequently terminated at the convenience of the City.

WHEREAS, it is now necessary to authorize Supplemental Agreement No. 5 to the professional services contract with Halff Associates, Inc. to provide for support services for construction documents updates, State-Thomas feasibility study, additional design services for storm drainage improvements from Junius Street to Gaston Avenue and engineering design services required during construction including reviews of contractor submittals, evaluations of contractor-proposed changes, and preparation of as-built drawings.

June 15, 2016

Now, Therefore,

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

Section 1. That the City Manager is hereby authorized to execute Supplemental Agreement No. 5 to the contract with Halff Associates, Inc. ~~for engineering design services required (including reviews of contractor submittals and RFIs, evaluations of contractor proposed changes, and preparation of as-built drawings) during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel to provide for support services for construction documents updates, State-Thomas feasibility study, additional design services for storm drainage improvements from Junius Street to Gaston Avenue and engineering design services required during construction including reviews of contractor submittals, evaluations of contractor-proposed changes, and preparation of as-built drawings~~ in an amount not to exceed ~~\$6,126,500~~ \$8,025,400, increasing the contract from \$15,993,488, to ~~\$22,119,988~~ \$24,018,888 after it has been approved as to form by the City Attorney.

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

Flood Protection and Storm Drainage Facilities Fund
Fund 3T23, Department TWM, Unit T525, Act. SDRS
Obj. 4111, Program #PB06T536, CT PBW06T523I1
Vendor #089861, in an amount not to exceed ~~\$6,105,000~~ \$8,003,900

Wastewater Capital Improvement Fund
Fund 2116, Department DWU, Unit PS42
Obj. 4111, Program #714076, CT DWU714076CPA
Vendor #089861, in an amount not to exceed \$ 21,500

Total \$6,126,500 \$8,025,400

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: June 15, 2016
COUNCIL DISTRICT(S): 2, 7, 14
DEPARTMENT: Trinity Watershed Management
CMO: Mark McDaniel, 670-3256
MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize a professional services contract with Black & Veatch Corporation for support services for construction document updates, and construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed ~~\$17,350,000~~ \$19,800,000 - Financing: 2006 Bond Funds

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

In 2007, Council authorized a professional services contract to study and design drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds. In 2009, Council authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep underground tunnel that will drain both watersheds into Lower White Rock Creek.

BACKGROUND (Continued)

In 2012, Council authorized extending the tunnel to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas. In 2015, Council authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. to provide preliminary construction management services during the design phase, including a constructability review and reviews of construction costs and schedule. This contract was terminated at the end of the construction advertisement/bidding phase in March 2016.

The construction of the tunnel will utilize a tunnel boring machine and requires specialized construction management services due to the complexity and sophistication of tunnel construction. The construction manager will minimize the project risk and serve as an extension of City staff to provide professional supervision and experienced inspection of the construction.

On May 25, 2016, the City Council remanded this item to the Budget, Finance and Audit Committee for its review and recommendation concerning issues outlined in an audit by the City Auditor related to the procurement of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel construction contract. On June 6, 2016, after consideration of the issues disclosed in the City Auditor's report, the Budget, Finance and Audit Committee recommended that the City reject all bids and re-advertise the construction contract. If the construction contract for this project is rebid, the proposal from Black & Veatch will need to be increased from \$17,350,000 to \$19,800,000. This will extend the construction management services and increase the amount as underlined from the original proposed amount show with a strikethrough.

This action authorizes a professional services contract with Black & Veatch Corporation to provide support services for construction document updates, and construction management services during construction including field inspection, administration, and project coordination during the construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

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

Briefed the Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was presented to the Transportation and Trinity River Project Committee on April 11, 2016.

~~On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.~~

~~On May 25, 2016, this item was deferred by Councilmember Gates.~~

~~Information about this item was provided to the Budget, Finance and Audit Committee on June 6, 2016.~~

On both April 13, 2016 and May 11, 2016, action on this item was deferred by the City Council, pending the completion of an audit prepared by the City Auditor regarding issues related to the procurement of the construction contract for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

On May 25, 2016, this item was remanded to the Budget, Finance and Audit Committee by the City Council for the Committee's recommendation after consideration of the procurement issues disclosed in the City Auditor's audit.

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

Information about the construction contract procurement was provided to the Budget, Finance and Audit Committee on June 6, 2016 and the Committee approved a recommendation to send the construction contract back to the City Council, recommended the rejection of any and all of the current construction bids and recommended the re-advertisement of new bids on the construction contract.

FISCAL INFORMATION

2006 Bond Funds - ~~\$17,350,000~~ \$19,800,000

Construction Management (this action)	\$ 17,350,000 <u>\$19,800,000</u>
Design	\$ 22,119,988 <u>\$24,018,888</u>
Preliminary Construction Management	\$ 1,215,000
Construction Materials Testing	\$ 2,764,000
Construction <u>Estimate</u>	<u>\$209,894,515</u> <u>\$257,000,000</u>
Total Project Cost	\$253,343,503 <u>\$304,797,888</u>

<u>Council District</u>	<u>Amount</u>	
2	\$4,684,500	<u>\$5,346,000</u>
7	\$7,807,500	<u>\$8,910,000</u>
14	\$4,858,000	<u>\$5,544,000</u>
Total	\$17,350,000	<u>\$19,800,000</u>

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Black & Veatch Corporation

Hispanic Female	91	Hispanic Male	157
African-American Female	116	African-American Male	129
Other Female	116	Other Male	324
White Female	1,285	White Male	3,466

OWNER

Black & Veatch Corporation

Cindy Wallis-Lage, President, Black & Veatch Corporation Water

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Black & Veatch Corporation for support services for construction document updates, and construction management services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed ~~\$17,350,000~~ \$19,800,000 - Financing: 2006 Bond Funds

Black & Veatch 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 - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$19,800,000.00	100.00%
Non-local contracts	\$0.00	0.00%
TOTAL THIS ACTION	\$19,800,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
K Strategies Group	BFDB06673Y0317	\$317,250.00	1.60%
CMTS, LLC.	BMDB05598Y8016	\$1,361,530.00	6.88%
Arredondo, Zepeda & Brunz, LLC.	HMDB52665Y0616	\$2,230,750.00	11.27%
2M Associates	IMDB36537Y0716	\$1,417,765.00	7.16%
Total Minority - Local		\$5,327,295.00	26.91%

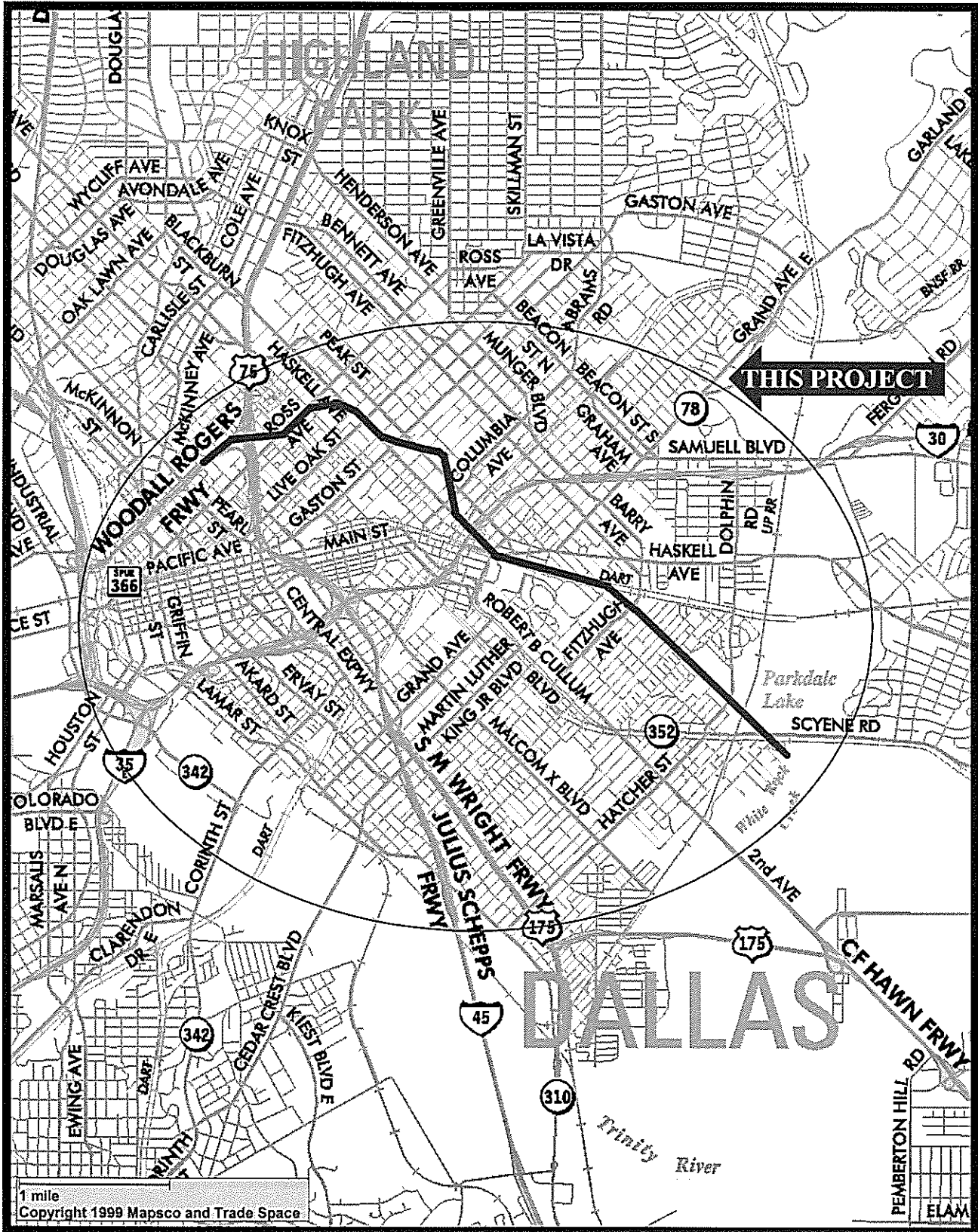
Non-Local Contractors / Sub-Contractors

None

TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$1,678,780.00	8.48%	\$1,678,780.00	8.48%
Hispanic American	\$2,230,750.00	11.27%	\$2,230,750.00	11.27%
Asian American	\$1,417,765.00	7.16%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$1,417,765.00	7.16%
WBE	\$0.00	0.00%	\$0.00	0.00%
Total	\$5,327,295.00	26.91%	\$5,327,295.00	26.91%

Mill Creek Tunnel



June 15, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for scope of works to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, the professional services contract with Parsons Environment & Infrastructure Group, Inc. was subsequently terminated at the convenience of the City.

WHEREAS, this project requires specialized construction management services due to the complexity and sophistication of tunnel construction, it is now necessary to authorize a professional services contract with Black & Veatch Corporation for construction management services and other related contract administration services during construction of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

June 15, 2016

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 Black & Veatch Corporation for support services for construction document updates, and construction management services for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project in an amount not to exceed ~~\$17,350,000~~ \$19,800,000, after it has been approved as to form by the City Attorney.

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

Flood Protection and Storm Drainage Facilities Fund
Fund 3T23, Department TWM, Unit T525, Act. SDRS
Obj. 4111, Program #PB06T525, CT TWM06T525G1
Vendor #520478, in an amount not to exceed ~~\$17,350,000~~ \$19,800,000

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: June 15, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$2,764,000 - Financing: 2006 Bond Funds

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage relief tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

In 2007, Council authorized a professional services contract to study and design drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds. In 2009, Council authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep underground tunnel that will drain both watersheds into Lower White Rock Creek. In 2012, Council authorized extending the tunnel to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas.

BACKGROUND (Continued)

The construction materials testing consultant will provide all labor, supervision, and equipment for performing field or laboratory analyses for soil, concrete, air and water testing, seismic, noise and light monitoring and other necessary services. These services will typically be related to tunnel excavation and lining, pump station, street paving, storm drainage, water, wastewater and other infrastructure improvements.

On May 25, 2016, the City Council remanded this item to the Budget, Finance and Audit Committee for its review and recommendation concerning issues outlined in an audit by the City Auditor related to the procurement of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel construction contract. On June 6, 2016, after consideration of the issues disclosed in the City Auditor's report, the Budget, Finance and Audit Committee recommended that the City reject all bids and re-advertise the construction contract.

This action authorizes a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Halff Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

Briefed Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

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

Authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed the Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was presented to the Transportation and Trinity River Project Committee on April 11, 2016.

~~On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.~~

~~On May 25, 2016, this item was deferred by Councilmember Gates.~~

~~Information about this item was provided to the Budget, Finance and Audit Committee on June 6, 2016.~~

On both April 13, 2016 and May 11, 2016, action on this item was deferred by the City Council, pending the completion of an audit prepared by the City Auditor regarding issues related to the procurement of the construction contract for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

On May 25, 2016, this item was remanded to the Budget, Finance and Audit Committee by the City Council for the Committee's recommendation after consideration of the procurement issues disclosed in the City Auditor's audit.

Information about the construction contract procurement was provided to the Budget, Finance and Audit Committee on June 6, 2016 and the Committee approved a recommendation to send the construction contract back to the City Council, recommended the rejection of any and all of the current construction bids and recommended the re-advertisement of new bids on the construction contract.

FISCAL INFORMATION

2006 Bond Funds - \$2,764,000

Construction Materials Testing (this action)	\$ 2,764,000
Design	\$ 22,119,988 <u>\$24,018,888</u>
Construction Management	\$ 18,565,000 <u>\$21,015,000</u>
Construction <u>Estimate</u>	\$209,894,515 <u>\$257,000,000</u>
Total Project Cost	\$253,343,503 <u>\$304,797,888</u>

<u>Council District</u>	<u>Amount</u>
2	\$ 746,280
7	\$1,243,800
14	<u>\$ 773,920</u>
Total	\$2,764,000

M/WBE INFORMATION

See attached

ETHNIC COMPOSITION

Alliance Geotechnical Group, Inc.

Hispanic Female	2	Hispanic Male	19
African-American Female	0	African-American Male	19
Other Female	0	Other Male	2
White Female	10	White Male	54

OWNER

Alliance Geotechnical Group, Inc.

Robert P. Nance, President

MAP

Attached

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Not to exceed \$2,764,000 - Financing: 2006 Bond Funds

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

PROJECT CATEGORY: Professional Services

LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$2,687,120.00	97.22%
Total non-local contracts	\$76,880.00	2.78%
TOTAL CONTRACT	\$2,764,000.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Alliance Geotechnical Group, Inc.	BMDB94986Y0117	\$1,760,668.00	65.52%
T. Smith Inpection and Testing	BMDB72436Y0616	\$857,352.00	31.91%
Design Consultant Engineers	IMDB32421Y0317	\$69,100.00	2.57%
Total Minority - Local		\$2,687,120.00	100.00%

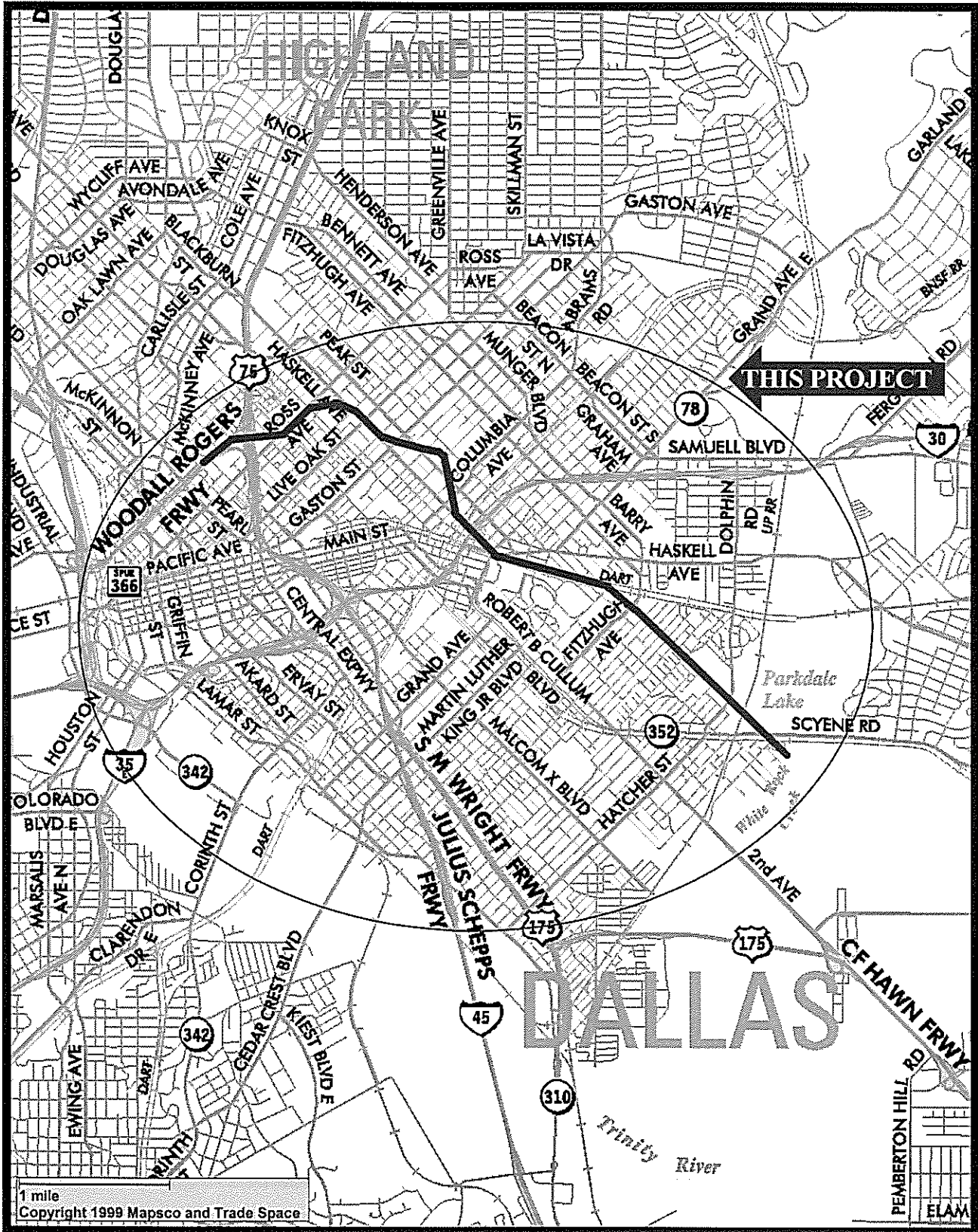
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Steel Inspectors of Texas	WMDB73989N1116	\$21,600.00	28.10%
Total Minority - Non-local		\$21,600.00	28.10%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$2,618,020.00	97.43%	\$2,618,020.00	94.72%
Hispanic American	\$0.00	0.00%	\$0.00	0.00%
Asian American	\$69,100.00	2.57%	\$69,100.00	2.50%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$21,600.00	0.78%
Total	<u>\$2,687,120.00</u>	<u>100.00%</u>	<u>\$2,708,720.00</u>	<u>98.00%</u>

Mill Creek Tunnel



June 15, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for scope of works to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, the professional services contract with Parsons Environment & Infrastructure Group, Inc. was subsequently terminated at the convenience of the City.

WHEREAS, this project requires specialized construction materials testing services for performing field or laboratory analyses for soil, concrete, air, and water testing, seismic, noise and light monitoring and other necessary services, it is now necessary to authorize a professional services contract with Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

June 15, 2016

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 Alliance Geotechnical Group, Inc. for construction materials testing services during the construction phase of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project in an amount not to exceed \$2,764,000, after it has been approved as to form by the City Attorney.

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

Flood Protection and Storm Drainage Facilities Fund	
Fund 3T23, Department TWM, Unit T525, Act. SDRS	
Obj. 4111, Program #TW06T525, CT TWM06T525G2	
Vendor #338366, in an amount not to exceed	\$2,764,000.00

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: June 15, 2016

COUNCIL DISTRICT(S): 2, 7, 14

DEPARTMENT: Trinity Watershed Management
Water Utilities

CMO: Mark McDaniel, 670-3256

MAPSCO: 45D 45H 46E 46J 46K 46L 46M 47N

SUBJECT

Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed \$209,894,515 - Financing: General Obligation Commercial Paper Funds (\$209,179,636), Water Utilities Capital Construction Funds (\$25,600) and Water Utilities Capital Improvement Funds (\$689,279)

BACKGROUND

The 2006 and 2012 Bond Programs provided funding for design and construction of storm drainage relief improvements for the Mill Creek / Peaks Branch / State-Thomas watersheds. This project is a deep underground storm drainage tunnel that will provide drainage and flooding relief to the lower areas of the Mill Creek watershed (around Baylor Hospital), Peaks Branch watershed (south of Buckner Park), and East Peaks Branch watershed (around Fair Park area). It will also provide drainage relief to the Woodall Rodgers area in the State-Thomas area.

The drainage relief tunnel project consists of approximately five miles of thirty-foot diameter storm drainage tunnel that is between seventy-five and one hundred fifty feet deep. The project includes an outfall structure on White Rock Creek and five intake shafts that will connect to existing storm drainage systems and collect overland floodwaters during heavy rain events. The project also includes street and surface drainage improvements at the intake and outfall sites.

In 2007, Council authorized a professional services contract to study and design drainage relief improvements to reduce flooding in the lower portions of the Mill Creek and Middle Peaks Branch watersheds. In 2009, Council authorized a change of alignment of both Mill Creek and Peaks Branch drainage relief systems that provided a deep underground tunnel that will drain both watersheds into Lower White Rock Creek. In 2012, Council authorized extending the tunnel to the State-Thomas area to reduce flooding in the State-Thomas and Uptown areas.

BACKGROUND (Continued)

On May 25, 2016, the City Council remanded this item to the Budget, Finance and Audit Committee for its review and recommendation concerning issues outlined in an audit by the City Auditor related to the procurement of the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel construction contract. On June 6, 2016, after consideration of the issues disclosed in the City Auditor's report, the Budget, Finance and Audit Committee recommended that the City reject all bids and re-advertise the construction contract. The re-bidding of the project construction contract results in an increase to the original item presented for this action. Rebidding this project and extending the construction management services increases the amount as underlined from the original proposed amount shown with a strikethrough.

This action authorizes a contract with Southland Mole JV to construct storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project including five miles of 30-foot diameter tunnel, five intake shafts and connections, an outfall shaft, a dewatering station, associated street and surface storm drainage improvements, and water and wastewater improvements.

ESTIMATED SCHEDULE OF PROJECT

Began Design	June 2007
Completed Design	September 2015
Begin Construction	May 2016
Complete Construction	May 2021

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized a professional services contract with Half Associates, Inc., for engineering design on June 13, 2007, by Resolution No. 07-1833.

Briefed Council on alternate combined drainage tunnel alignment for both Mill Creek and Peaks Branch on August 6, 2008.

Authorized Supplemental Agreement No. 1 to the professional services contract with Half Associates, Inc., for additional engineering design on March 25, 2009, by Resolution No. 09-0835.

Briefed Council on the State-Thomas tunnel extension to the Mill Creek and Peaks Branch drainage relief tunnel on January 4, 2012.

Authorized Supplemental Agreement No. 2 to the professional services contract with Half Associates, Inc., for additional engineering design on January 11, 2012, by Resolution No. 12-0136.

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

Authorized Supplemental Agreement No. 4 to the professional services contract with Half Associates, Inc., for additional engineering design on January 14, 2015, by Resolution No. 15-0123.

Authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase on January 14, 2015, by Resolution No. 15-0120.

Briefed Council on the project status and the evaluation of the construction bid tabulation on February 17, 2016.

Information about this item was provided to the Transportation and Trinity River Project Committee on April 11, 2016.

~~On April 13, 2016 and May 11, 2016, this item was deferred by Councilmember Kleinman.~~

~~On May 25, 2016, this item was deferred by Councilmember Gates.~~

~~Information about this item was provided to the Budget, Finance and Audit Committee on June 6, 2016.~~

On both April 13, 2016 and May 11, 2016, action on this item was deferred by the City Council, pending the completion of an audit prepared by the City Auditor regarding issues related to the procurement of the construction contract for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project.

On May 25, 2016, this item was remanded to the Budget, Finance and Audit Committee by the City Council for the Committee's recommendation after consideration of the procurement issues disclosed in the City Auditor's audit.

Information about the construction contract procurement was provided to the Budget, Finance and Audit Committee on June 6, 2016 and the Committee approved a recommendation to send the construction contract back to the City Council, recommended the rejection of any and all of the current construction bids and recommended the re-advertisement of new bids on the construction contract.

FISCAL INFORMATION

2012 Bond Program (General Obligation Commercial Paper Funds) - \$209,179,636.00

Water Utilities Capital Construction Funds - \$25,600.00

Water Utilities Capital Improvement Funds - \$689,279.00

Construction

Storm drainage improvements \$209,179,636.00

Water improvements \$ 124,234.00

Wastewater improvements \$ 590,645.00

Total Construction \$209,894,515.00

Design ~~\$22,119,988.00~~ \$24,018,888

Construction Management ~~\$18,565,000.00~~ \$21,015,000

Construction Materials Testing \$ 2,764,000.00

Total Project Cost ~~\$253,343,503.00~~ \$257,692,403

Engineer's Construction Estimate \$257,000,000

Council District

Amount

2 \$ 56,671,520

7 \$ 94,452,530

14 \$ 58,770,465

Total \$209,894,515

M/WBE INFORMATION

See attached.

ETHNIC COMPOSITION

Southland Mole JV

Hispanic Female 5 Hispanic Male 121

African-American Female 1 African-American Male 16

Other Female 6 Other Male 43

White Female 10 White Male 72

BID INFORMATION

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

*Denotes successful bidder(s)

BIDDERS	BID AMOUNT
* Southland Mole JV 608 Henrietta Creek Road Roanoke, Texas 76262	\$209,894,515
Salini Impregilo / Healy / MCM JV	\$223,174,000
Archer Western / Obayashi JV	\$235,355,009
Mill Creek Tunnel Constructors, LLC.	\$262,946,375
Dragodos / Pulice JV	\$281,449,979
Odebrecht Construction, Inc.	\$189,246,994**

**Odebrecht Construction, Inc. bid was deemed non-responsible due to not meeting bid specifications relevant to tunnel experience.

Engineer's Estimate: \$257,644,000

OWNER

Southland Mole JV

Frank Renda, Managing Member

MAP

Attached.

BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

PROJECT: Authorize a contract for construction of storm drainage improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project - Southland Mole JV, lowest responsive and responsible bidder of five - Not to exceed \$209,894,515 - Financing: General Obligation Commercial Paper Funds (\$209,179,636), Water Utilities Capital Construction Funds (\$25,600) and Water Utilities Capital Improvement Funds (\$689,279)

Southland Mole JV 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	\$41,830,000.00	19.93%
Total non-local contracts	\$168,064,515.00	80.07%
TOTAL CONTRACT	\$209,894,515.00	100.00%

LOCAL/NON-LOCAL M/WBE PARTICIPATION

Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Clemons Trucking Company	BFDB48714Y1016	\$14,500,000.00	34.66%
Eagle Barricade LLC	BFMB6480N0417	\$40,000.00	0.10%
Pannell Industries, Inc.	BMDB16064Y1116	\$65,000.00	0.16%
Ibarra Consulting Engineers, Inc.	HFDB64809Y0146	\$2,550,000.00	6.10%
All Janitorial, Inc.	HDFW224960616	\$55,000.00	0.13%
Partnering for Success	HFMB61772Y0516	\$15,000.00	0.04%
Omega Contracting, Inc.	HMMB63334Y1016	\$12,000,000.00	28.69%
GLL Corporation DBE MG Trucking	HMDB64606Y016	\$500,000.00	1.20%
Romera Steel	HMMB63034N0916	\$300,000.00	0.72%
LKT & Associates, LLC	WFDB26473Y1016	\$10,500,000.00	25.10%
Champion Fuel Supply	WFDB79263Y0416	\$1,000,000.00	2.39%
Ram Tool Supply	WFWB61372N0416	\$150,000.00	0.36%
Bowden's Guaranteed Hydromulch	WFWB80971N0517	\$45,000.00	0.11%
Universal Fence Company, Inc.	WFDB92092Y0416	\$10,000.00	0.02%
Total Minority - Local		\$41,730,000.00	99.76%

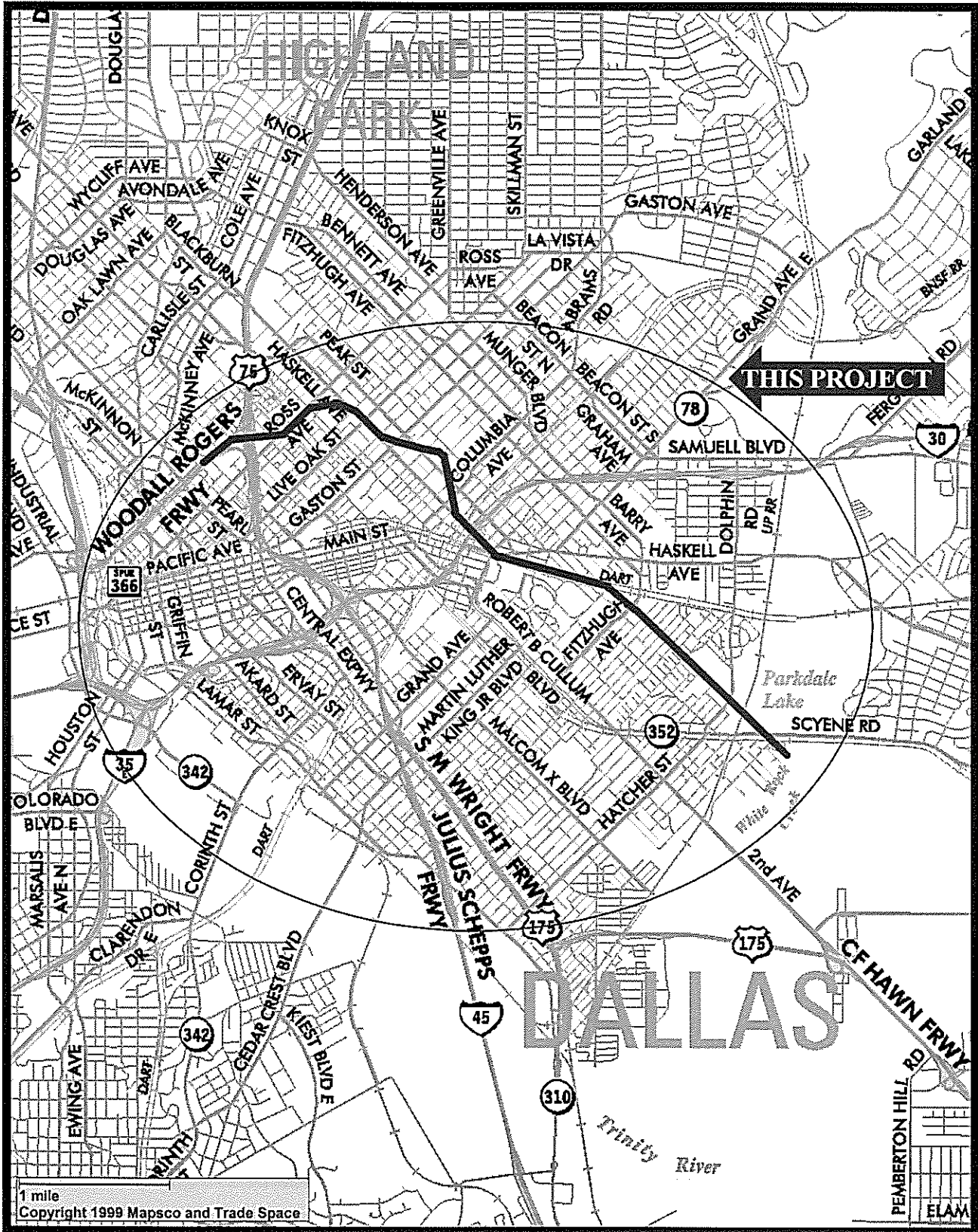
Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
LeVis Consulting Group, LLC	BFMB17589Y1116	\$50,000.00	0.03%
Curtis & Cartwright Transport Services, LLC	BMMB08640N1017	\$1,000,000.00	0.60%
KDAT, LLC	BMDB45396Y0117	\$50,000.00	0.03%
Dtech Services	BMMB61579Y0917	\$25,000.00	0.01%
Luis Moreno Trucking	HMDB33385Y0117	\$500,000.00	0.30%
RECS, Inc.	WFWB63026N0816	\$24,000,000.00	14.28%
Suncoast Resources	WFWB63943N0117	\$1,000,000.00	0.60%
A.N.A. Consultants LLC	WFDB57431Y0516	\$100,000.00	0.06%
MMG Building & Construction	WFWB62284N0616	\$40,000.00	0.02%
Total Minority - Non-local		\$26,765,000.00	15.93%

TOTAL M/WBE CONTRACT PARTICIPATION

	<u>Local</u>	<u>Percent</u>	<u>Local & Non-Local</u>	<u>Percent</u>
African American	\$14,605,000.00	34.92%	\$15,730,000.00	7.49%
Hispanic American	\$15,420,000.00	36.86%	\$15,920,000.00	7.58%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$11,705,000.00	27.98%	\$36,845,000.00	17.55%
Total	\$41,730,000.00	99.76%	\$68,495,000.00	32.63%

Mill Creek Tunnel



June 15, 2016

WHEREAS, on June 13, 2007, Resolution No. 07-1833 authorized professional services contracts with four engineering firms, including Halff Associates, Inc., to provide program management and engineering design of major flood management and storm drainage projects; and,

WHEREAS, on March 25, 2009, Resolution No. 09-0835 authorized Supplemental Agreement No. 1 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis for drainage relief for Mill Creek Phase I, and Middle Peaks Branch, Phases I and II, for additional scope of work to develop and update master drainage plans for Mill Creek and Middle Peaks Branch, including design of the Mill Creek, Phase II system; and,

WHEREAS, on January 11, 2012, Resolution No. 12-0136 authorized Supplemental Agreement No. 2 to the professional services contract with Halff Associates, Inc. to provide additional scope of work for design and analysis for drainage relief for the State-Thomas area, and for additional survey and right-of-way services for required property acquisition; and,

WHEREAS, on July 25, 2014, Administrative Action No. 14-6555 authorized Supplemental Agreement No. 3 to the professional services contract with Halff Associates, Inc. to provide additional design and analysis of water and wastewater main replacements in Carroll Avenue from Junius Street to Victor Street; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0123 authorized Supplemental Agreement No. 4 to the professional services contract with Halff Associates, Inc. to provide for additional scope of work for design of water and wastewater facilities and right-of-way acquisition support during design; and,

WHEREAS, on January 14, 2015, Resolution No. 15-0120 authorized a professional services contract with Parsons Environment & Infrastructure Group, Inc. for preliminary construction management services during the design phase; and,

WHEREAS, the professional services contract with Parsons Environment & Infrastructure Group, Inc. was subsequently terminated at the convenience of the City.

June 15, 2016

WHEREAS, bids were received on December 18, 2015, for the construction of storm drainage improvements and water and wastewater improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project:

<u>BIDDERS</u>	<u>BID AMOUNT</u>
* Southland Mole JV 608 Henrietta Creek Road Roanoke, Texas 76262	\$209,894,515
Salini Impregilo / Healy / MCM JV	\$223,174,000
Archer Western / Obayashi JV	\$235,355,009
Mill Creek Tunnel Constructors, LLC.	\$262,946,375
Dragodos / Pulice JV	\$281,449,979
Odebrecht Construction, Inc.	Non-responsible**

**Odebrecht Construction, Inc. bid was deemed non-responsible due to not meeting bid specifications.

Now, Therefore,

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

Section 1. That Southland Mole JV, Inc. is hereby awarded the contract for the construction of storm drainage improvements and water and wastewater improvements for the Mill Creek / Peaks Branch / State-Thomas Drainage Relief Tunnel Project in an amount not to exceed \$209,894,515, this being the lowest responsive and responsible bid received as indicated by the tabulation of bids.

Section 2. That the City Manager is hereby authorized to execute the contract after it has been approved as to form by the City Attorney.

Section 3. That the Chief Financial Officer is hereby authorized to distribute funds in accordance with the terms and conditions of the contract from:

Flood Protection and Storm Drainage Facilities Fund Fund 4U23, Dept. TWM, Unit S769, Act. SDRS Obj. 4540, Program #TW12S769, CT TWM12S769G1 Vendor #VS90299, in an amount not to exceed	\$209,179,636.00
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Water Utilities Capital Improvement Fund Fund 2115, Department DWU, Unit PW42 Obj. 4550, Program #715387, CT TWM715387CP Vendor # VS90299, in an amount not to exceed	\$ 115,334.00
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June 15, 2016

Water Utilities Construction Fund Fund 0102, Department DWU, Unit CW42 Obj. 3221, Program #715387X, CT TWM715387EN Vendor # VS90299, in an amount not to exceed	\$ 8,900.00
Wastewater Capital Improvement Fund Fund 2116, Department DWU, Unit PS42 Obj. 4560, Program #715388, CT TWM715388CP Vendor # VS90299, in an amount not to exceed	\$ 573,945.00
Wastewater Construction Fund Fund 0103, Department DWU, Unit CS42 Obj. 3222, Program #715388X, CT TWM715388EN Vendor # VS90299, in an amount not to exceed	<u>\$ 16,700.00</u>
Total in an amount not to exceed	\$209,894,515.00

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

KEY FOCUS AREA: Economic Vibrancy

AGENDA DATE: June 15, 2016

COUNCIL DISTRICT(S): 4

DEPARTMENT: Sustainable Development and Construction
Public Works Department

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

MAPSCO: 55H

SUBJECT

Authorize acquisition, ~~including the exercise of the right of eminent domain, if such becomes necessary,~~ from Carol Arriaga a/k/a Caroline Arriaga, of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project - Not to exceed \$23,500 (\$21,500, plus closing costs and title expenses not to exceed \$2,000) - Financing: 2006 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 6,000 square feet of land improved with a single-family dwelling located near the intersection of Pontiac Avenue and Cadillac Drive for the Cadillac Heights City Service and Maintenance Facilities Project. ~~The use of eminent domain is being pursued because the subject property is encumbered with title issues preventing the issuance of a title policy.~~ The consideration is based on an independent appraisal. The relocation benefits are estimated to be \$62,000.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on May 16, 2016.

On May 25, 2016, this item was deferred by Councilmember Carolyn King Arnold.

FISCAL INFORMATION

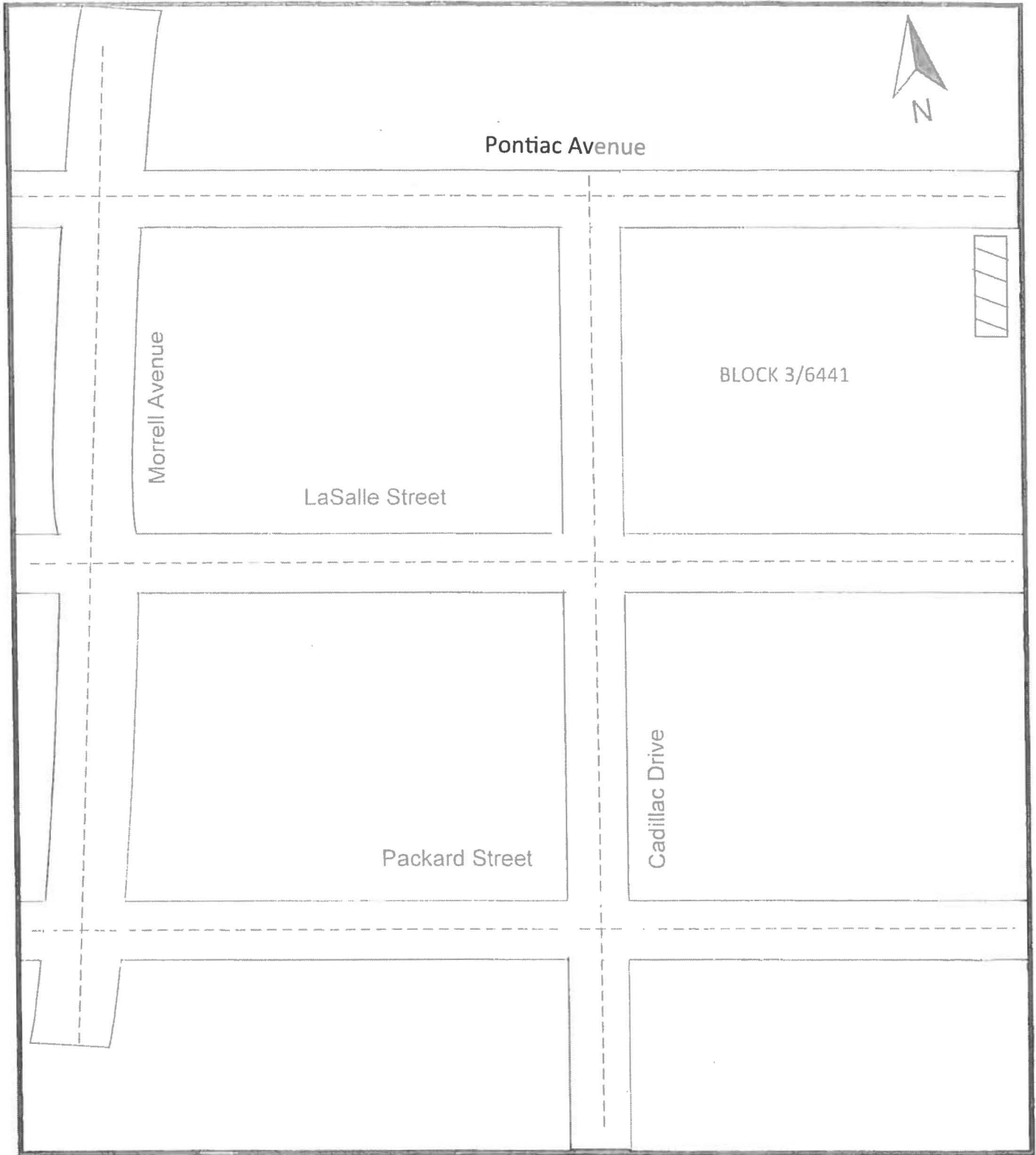
2006 Bond Funds - \$23,500 (\$21,500, plus closing costs and title expenses not to exceed \$2,000)

OWNER

Carol Arriaga a/k/a Caroline Arriaga

MAP

Attached



SUBJECT: 

June 15, 2016

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

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

"CITY": The City of Dallas

"PROPERTY": Approximately 6,000 square feet of ~~property~~ land located in Dallas County, Texas and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes, and any and all improvements, rights and appurtenances appertaining thereto.

"PROJECT": Cadillac Heights Phase II

"USE": City service and maintenance facilities provided, however, to the extent fee title to the PROPERTY is acquired, such title and the PROPERTY shall not be limited to or otherwise deemed restricted to the USE here provided.

"PROPERTY INTEREST": Fee Simple Title subject to the exceptions, reservations, covenants, conditions and/or interests, if any, provided in the form instrument more particularly described in Exhibit "B" attached hereto and made a part hereof for all purposes.

"OWNER": Carol Arriaga a/k/a Caroline Arriaga, 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": \$21,500

"CLOSING COSTS AND TITLE EXPENSES": Not to exceed \$2,000

"AUTHORIZED AMOUNT": Not to exceed \$23,500

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.

June 15, 2016

SECTION 3. ~~That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the Department of Sustainable Development and Construction Department, Real Estate Division, or such person as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY INTEREST in the PROPERTY.~~the City Manager, and/or the City Manager's designees, is hereby authorized and directed to consummate and accept the purchase, grant, and conveyance to CITY of the PROPERTY INTEREST in and to the PROPERTY pursuant to the conveyancing instrument substantially in the form described in Exhibit "B", attached hereto and made a part hereof for all purposes, and approved as to form by the City Attorney and to execute, deliver and receive such other usual and customary documents necessary, appropriate and convenient to consummating this transaction.

SECTION 4. ~~That in the event the OWNER accepts the OFFER AMOUNT, the Chief Financial Officer is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition in Cadillac Heights Fund, Fund No. BT11, Department PBW, Unit T825, Activity LAAQ, Program No. PB06T825, Object 4210, Encumbrance No. SUSVL82572 The OFFER AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.~~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 5. ~~That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs. 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.~~OWNER has been provided with a copy of the Landowner's Bill of Rights as contemplated by applicable state statute.

June 15, 2016

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 suit(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.~~in the event this acquisition closes, the Chief Financial Officer 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 PURCHASE AMOUNT and CLOSING COSTS AND TITLE EXPENSES payable out of Land Acquisition in Cadillac Heights Funds, Fund No. PB06T825, Department PBW, Unit T825, Activity LAAQ, Program No. PB06T825, Object 4210, Encumbrance No. SUSVL82572. The PURCHASE AMOUNT, CLOSING COSTS and TITLE EXPENSES together shall not exceed the AUTHORIZED AMOUNT.

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 suit(s). CITY is to have possession and/or use, as applicable, of the PROPERTY at closing; and CITY will pay any title expenses and closing costs. All costs and expenses described in this section shall be paid from the previously described funds.~~

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.. 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.~~

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.~~

SECTION 10. ~~That in the event the Special Commissioners in Condemnation 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 lawsuit for that amount and the Chief Financial Officer is hereby authorized to issue a check drawn on the previously described funds in an amount not to exceed the Commissioners' award 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.~~

June 15, 2016

~~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:

Christopher D. Bowers, Interim City Attorney

BY 
Assistant City Attorney

EXHIBIT A

Being Lot 26, in Block 3/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas

NOTICE OF CONFIDENTIALITY OF RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

Exhibit B

GENERAL WARRANTY DEED

THE STATE OF TEXAS §
 § KNOW ALL PERSONS BY THESE PRESENTS:
COUNTY OF DALLAS §

That Carol Arriaga a/k/a Caroline Arriaga, a single woman (hereinafter called "Grantor" whether one or more natural persons or legal entities) of the County of Dallas, State of Texas, for and in consideration of the sum of TWENTY ONE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$21,500.00) to the undersigned in hand paid by the **City of Dallas, 1500 Marilla Street, Dallas, Texas 75201**, a Texas municipal corporation (hereinafter called "City"), the receipt of which is hereby acknowledged and confessed, has GRANTED, SOLD AND CONVEYED and does hereby GRANT, SELL AND CONVEY unto City, its successors and assigns, the following (all said property and interests being collectively referred to herein as the "Property"):

(a) that certain tract or parcel of land (the "Land") in Dallas County, Texas, described more fully on Exhibit "A", attached hereto and incorporated herein for all purposes;

(b) all right, title and interest of Grantor, as owner of the Land, in (i) strips or gores, if any, between the Land and abutting properties and (ii) any land lying in or under the bed of any street, alley, road or right-of-way, opened or proposed, abutting or adjacent to the Land;

(c) all improvements, buildings, structures, fixtures, and open parking areas which may be located on the Land (the "Improvements"), including, without limitation, all mechanical, electrical, heating, ventilation, air conditioning and plumbing fixtures, systems and equipment as well as compressors, engines, elevators and escalators, if any;

(d) all right, title and interest of Grantor, as owner of the Land, in and to any easements, rights-of-way, rights of ingress and egress or other interests in, on, or to any land, highway, street, road or avenue, opened or proposed, in, on, across from, in front of, abutting, adjoining or otherwise appurtenant to the Land; and

(e) all other rights, privileges and appurtenances owned by Grantor and in any way related to the Property.

TO HAVE AND TO HOLD the Property, together with all and singular the rights and appurtenances thereto in anywise belonging unto City, its successors and assigns forever, and Grantor binds Grantor and Grantor's heirs, executors, administrators, or successors to Warrant and Forever Defend all and singular the said premises unto City, its successors and assigns, against every person whomsoever lawfully claiming or to claim the same or any part thereof.

EXECUTED this _____ day of _____, _____.

Carol Arriaga a/k/a Caroline Arriaga

ACKNOWLEDGEMENT

STATE OF TEXAS
COUNTY OF DALLAS

This instrument was acknowledged before me on _____ by Carol Arriaga a/k/a
Caroline Arriaga.

Notary Public, State of TEXAS

After recording return to:
City of Dallas, Department of Development Services
Real Estate Division
320 East Jefferson Boulevard, Room 203
Dallas, Texas 75203
attn: VLeal

Warranty Deed Log No. 36820

EXHIBIT A

Being Lot 26, in Block 3/6641, of CADILLAC PLACE ADDITION, an Addition to the City of Dallas, Dallas County, Texas, according to the Map thereof recorded in Volume 7, Page 459, of the Map Records of Dallas County, Texas

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: June 15, 2016
COUNCIL DISTRICT(S): 13
DEPARTMENT: Sustainable Development and Construction
CMO: Ryan S. Evans, 671-9837
MAPSCO: 24K

SUBJECT

An ordinance abandoning a portion of Montwood Lane and a garbage collection and utility easement to The Episcopal School of Dallas, Inc., and WBL Family Investments, Inc., the abutting owners, containing a total of approximately 75,438 square feet of land, located near the intersection of Merrell and Midway Roads, authorizing the quitclaim and providing for the dedication of approximately 36,970 square feet of land needed for right-of-way - Revenue: \$840,024, plus the \$20 ordinance publication fee

BACKGROUND

This item authorizes the abandonment of a portion of Montwood Lane and a garbage collection and utility easement to The Episcopal School of Dallas, Inc., and WBL Family Investments, Inc., the abutting owners. The areas will be included with the property of the abutting owners for future development of an elementary school. The owners will dedicate a total of approximately 36,970 square feet of land needed for right-of-way. The abandonment fee is based on an independent appraisal.

Notices were sent to 37 property owners located within 300 feet of the proposed abandonment area. There were 9 responses received in opposition to this request.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Information about this item was provided to the Economic Development Committee on April 4, 2016.

On April 13, 2016, this item was deferred by Councilmember Jennifer S. Gates.

FISCAL INFORMATION

Revenue: \$840,024, plus the \$20 ordinance publication fee

OWNERS

The Episcopal School of Dallas, Inc.

Erin Mayo, President

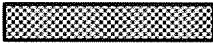
WBL Family Investments, Inc.


Stephen B. Swann, Director

MAP

Attached



Abandonment areas: 

Dedication areas: 

ORDINANCE NO. _____

An ordinance providing for the abandonment of a portion of Montwood Lane located adjacent to City Blocks 3/6150 and 4/6150 and a garbage collection and utility easement located in City Block 3/6150 in the City of Dallas and County of Dallas, Texas; providing for the quitclaim thereof to The Episcopal School of Dallas, Inc. and WBL Family Investments, Inc.; providing for the terms and conditions of the abandonment and quitclaim made herein; providing for barricading; providing for the conveyance of needed land to the City of Dallas; providing for the indemnification of the City of Dallas against damages arising out of the abandonment herein; providing for the consideration to be paid to the City of Dallas; providing for the payment of the publication fee; providing a future effective date for this abandonment; and providing an effective date for this ordinance.

ooo0ooo

WHEREAS, the City Council of the City of Dallas, acting pursuant to law and upon the request and petition of The Episcopal School of Dallas, Inc., a Texas non-profit corporation, and WBL Family Investments, Inc., a Texas corporation, hereinafter referred to collectively as **GRANTEE**, deems it advisable to abandon and quitclaim the hereinafter described tracts of land to **GRANTEE**, and is of the opinion that, subject to the terms and conditions herein provided, said easement and portion of Montwood Lane are not needed for public use, and same should be abandoned and quitclaimed to **GRANTEE**, as hereinafter stated; and

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

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

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

SECTION 2. That for and in monetary consideration of the sum of **EIGHT HUNDRED FORTY THOUSAND TWENTY-FOUR AND NO/100 DOLLARS (\$840,024.00)** paid by **GRANTEE**, and the further consideration described in Sections 8, 9, 10, 11, 12, 13, 16 and ~~14~~ and 17, the City of Dallas does by these presents **FOREVER QUITCLAIM** unto the said **GRANTEE**, subject to the conditions, reservations, future effective date, and exceptions hereinafter made and with the restrictions and upon the covenants below stated, all of its right, title and interest in and to the certain tracts of land hereinabove described in Exhibit A as follows: unto The Episcopal School of Dallas, Inc., all of its right, title, and interest in Tract 1 of Exhibit A; unto WBL Family Investments, Inc., all of its right, title and interest in Tract # 2 of Exhibit A. **TO HAVE AND TO HOLD** all of such right, title and interest in and to the property and premises, subject aforesaid, together with all and singular the rights, privileges, hereditaments and appurtenances thereto in any manner belonging unto the said **GRANTEE** forever.

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

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

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

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

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

SECTION 8. That as a condition of this abandonment and as a part of the consideration for the quitclaim to **GRANTEE** herein, **GRANTEE**, their successors and assigns, to the extent allowed by law, agree to indemnify, defend, release and hold harmless the City of Dallas as to any and all claims for damages, fines, penalties, costs or expenses to persons or property that may arise out of, or be occasioned by or from: (i) the use and occupancy of the areas described in Exhibit A by **GRANTEE**, their successors and assigns; (ii) the presence, generation, spillage, discharge, release, treatment or disposition of any Hazardous Substance on or affecting the areas set out in Exhibit A; (iii) all corrective actions concerning any discovered Hazardous Substances on or affecting the areas described in Exhibit A, which **GRANTEE**, their successors and assigns, agree to undertake and complete in accordance with applicable federal, state and local laws and regulations; and (iv) the abandonment, closing, vacation and quitclaim by the City of Dallas of the areas set out in Exhibit A. **GRANTEE**, their successors and assigns, hereby agree to defend any and all suits, claims, or causes of action brought against the City of Dallas on account of same, and discharge any judgment or judgments that may be rendered against the City of Dallas in connection therewith. For purposes hereof, "Hazardous Substance" means the following: (a) any "hazardous substances" under the Comprehensive Environmental Response, Compensation, and Liability Act, 42 U.S.C. Section 9601 et seq., as amended; (b) any "hazardous substance" under the Texas Hazardous Substances Spill Prevention and

Control Act, TEX. WATER CODE, Section 26.261 et seq., as amended; (c) petroleum or petroleum-based products (or any derivative or hazardous constituents thereof or additives thereto), including without limitation, fuel and lubricating oils; (d) any “hazardous chemicals” or “toxic chemicals” under the Occupational Safety and Health Act, 29 U.S.C. Section 651 et seq., as amended; (e) any “hazardous waste” under the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et seq., as amended; and (f) any “chemical substance” under the Toxic Substance Control Act, 15 U.S.C. Section 2601 et seq., as amended. References to particular acts or codifications in this definition include all past and future amendments thereto, as well as applicable rules and regulations as now or hereafter promulgated thereunder.

SECTION 9. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall complete construction of alley right-of-way improvements within the dedication area, being Exhibit C - Tract 3, to be conveyed to the City of Dallas as described in Section 13 herein. GRANTEE shall complete alley right-of-way improvements prior to any barricading of the abandoned right-of-way pursuant to Section 17. All alley right-of-way construction shall comply with the City of Dallas street construction standards. Failure to complete alley right-of-way improvements within the dedication area, being Exhibit C - Tract 3, within two years of the effective date of this ordinance and prior to barricading or removal of the abandoned right-of-way in accordance with the terms of this section shall render this ordinance null and void and of no further effect.

SECTION 10. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, GRANTEE shall allow for continued and uninterrupted sanitation services by the City of Dallas to residences of City Block 2/6150 until such time that completion of alley right-of-way improvements have been completed for the dedication area being Exhibit C – Tract 3. Failure to comply with the terms of this section shall render this ordinance null and void and of no further effect.

SECTION 11. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall:

- a) Ensure the alley right-of-way improvements shall be constructed at a width of least 16 feet wide;
- b) Ensure height clearance of dedication area, being Exhibit C – Tract 3, meet a minimum of 15 feet in height, measured from the surface of pavement, to avoid obstruction of City of Dallas Sanitation vehicles.

SECTION 9 12. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall file a final replat of the adjoining properties prior to the issuance of any building permits affecting the tracts of land abandoned and quitclaimed herein. This final replat shall be recorded by **GRANTEE** in the official real property records of the county in which the abandoned area is located after its approval by the City Plan Commission of the City of Dallas.

SECTION 40 13. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall convey by General Warranty Deed to the City of Dallas, within 90 days of the effective date of this ordinance, good, indefeasible and marketable fee simple title, subject to only those title exceptions approved by the City Attorney, and insured by an owner's policy of title insurance approved as to form by the City Attorney, to certain properties located in City Blocks 6150, 3/6150, and 4/6150, containing a total of approximately 36,970 square feet of land, a description of which is attached hereto and made a part hereof as Exhibit C. This abandonment shall not be effective unless and until this dedication is completed as herein provided and failure to convey the above described property as set forth shall render this ordinance null and void and of no further effect.

SECTION 44 14. That at such time as the instrument described in Section 40 13 above is executed and delivered to the City of Dallas and has been approved as to form by the City Attorney it be accepted, and thereafter, the Director of Department of Sustainable Development and Construction is authorized and directed to record said instrument in the official real property records of the county in which the subject property is located;

and the recorded instrument shall be forwarded to the City Secretary for permanent record.

SECTION 12 15. That this ordinance and properly executed General Warranty Deed, approved as to form by the City Attorney, be forwarded to a title insurance company for closing. Subsequent to closing, all instruments conveying real estate interests to the City of Dallas shall be recorded in the official real property records of the county in which the subject property is located and thereafter returned to the City Secretary for permanent record.

SECTION 13 16. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall pay all closing costs and title expenses associated with the acquisition of the property described in Section ~~40-13~~ above.

SECTION 14 17. That as a condition of this abandonment and as a part of the consideration for the quitclaim made herein, **GRANTEE** shall, immediately upon the effectiveness of this abandonment; ~~close, barricade and/or place signs in the area described in Exhibit A in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, their successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.~~

- (i) close, barricade and/or place signs in the area described in Exhibit A-Tract 1 in accordance with detailed plans approved by the Director of Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A-Tract 1 closed, barricaded and/or the signs in place shall continue until the street improvements and intersection returns are removed by **GRANTEE**, their successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction; and

- (ii) close barricade and/or place signs in the area described in Exhibit A-Tract 2, but in no event prior to the completion of the alley right-of-way improvements required pursuant to Section 9 of this ordinance, in accordance with detailed plans approved by the Director of the Department of Sustainable Development and Construction. **GRANTEE's** responsibility for keeping the area described in Exhibit A-Tract 2 closed, barricaded and/or the signs in place shall continue until the right-of-way improvements and intersection returns are removed by **GRANTEE**, their successors and assigns, to the satisfaction of the Director of Department of Sustainable Development and Construction.

SECTION 18. That the City Secretary is hereby authorized and directed to certify a copy of this ordinance for recordation in the official real property records of the county in which the abandonment area is located, which certified copy shall be delivered to the Director of Department of Sustainable Development and Construction, or designee. Upon receipt of the monetary consideration set forth in Section 2, plus the fee for the publishing of this ordinance, which **GRANTEE** shall likewise pay, and completion of the dedication set forth in Section ~~40~~ 13 the Director of Department of Sustainable Development and Construction, or designee: (i) shall deliver to **GRANTEE** a certified copy of this ordinance, and (ii) is authorized to and shall prepare and deliver a **QUITCLAIM DEED** with regard to the area abandoned herein, to **GRANTEE** hereunder, same to be executed by the City Manager on behalf of the City of Dallas, attested by the City Secretary and approved as to form by the City Attorney. The Director of Department of Sustainable Development and Construction, or designee, shall be the sole source for receiving certified copies of this ordinance for one year after its passage.

SECTION 16 19. That this ordinance shall take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:
CHRISTOPHER D. BOWERS
Interim City Attorney

DAVID COSSUM
Director of Department of Sustainable
Development and Construction

BY 
Assistant City Attorney

BY 
Assistant Director

Passed _____.

**STREET RIGHT-OF-WAY ABANDONMENT
A PORTION OF MONTWOOD LANE
ADJACENT TO BLOCK 3/6150 MIDMONT ADDITION
BLOCK 4/6150 EPISCOPAL SCHOOL OF DALLAS ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 1.606 ACRE TRACT OF LAND SITUATED IN THE BENJAMIN MERELL SURVEY, ABSTRACT NO. 933, ADJACENT TO CITY OF DALLAS BLOCK NO. 3/6150, AND 4/6150, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF MONTWOOD LANE, (A 58-FOOT PUBLIC RIGHT-OF-WAY), SAID MONTWOOD LANE BEING DEDICATED BY THE PLAT OF THE EPISCOPAL SCHOOL OF DALLAS, RECORDED IN VOLUME 79218, PAGE 598 OF THE DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.), AND THE PLAT OF MIDMONT ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 36, PAGE 201, MAP RECORDS OF DALLAS COUNTY, TEXAS, (M.R.D.C.T.), SAID 1.606 ACRE TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE POINT OF INTERSECTION OF THE WESTERLY RIGHT-OF-WAY LINE OF MIDWAY ROAD (A VARIABLE WIDTH RIGHT-OF-WAY, CALLED 80-FOOT WIDE AT THIS POINT) WITH THE SOUTHERLY RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE AND BEING THE NORTHEAST CORNER OF LOT 12, BLOCK 3/6150 OF SAID MIDMONT ADDITION;

THENCE SOUTH 89°51'50" WEST, DEPARTING THE WEST RIGHT-OF-WAY LINE OF SAID MIDWAY ROAD ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE, SAME BEING THE NORTH LINE OF LOTS 2 THROUGH 12, BLOCK 3/6150 OF SAID MIDMONT ADDITION, AT A DISTANCE OF 365.00 FEET PASSING A 1-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF LOT 10, BLOCK 3/6150 AND THE NORTHEAST CORNER OF LOT 9, BLOCK 3/6150, AT A DISTANCE OF 1065.00 FEET PASSING A 1/2-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF LOT 3, BLOCK 3/6150 AND THE NORTHEAST CORNER OF LOT 2, BLOCK 3/6150, CONTINUING IN ALL FOR A DISTANCE OF 1074.50 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE POINT OF CURVATURE OF A NON-TANGENT CURVE TO THE RIGHT HAVING A RADIUS POINT WHICH BEARS NORTH 60°08'10" WEST, A DISTANCE OF 50.00 FEET;

(For SPRG use only)

Reviewed by: JD

Date: 7/16/2015

SPRG NO: 2964

**STREET RIGHT-OF-WAY ABANDONMENT
A PORTION OF MONTWOOD LANE
ADJACENT TO BLOCK 3/6150 MIDMONT ADDITION
BLOCK 4/6150 EPISCOPAL SCHOOL OF DALLAS ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE WESTERLY, NORTHERLY AND EASTERLY ALONG THE CURVING CUL-DE-SAC OF SAID MONTWOOD LANE, WITH SAID CURVE TO THE RIGHT AT AN ARC LENGTH OF 135.91 FEET PASSING THE COMMON LINE OF SAID MIDMONT ADDITION AND SAID EPISCOPAL SCHOOL OF DALLAS CONTINUING ALONG THE COMMON LINE OF SAID CUL-DE-SAC AND THE SOUTHERLY LINE OF SAID LOT 1, BLOCK 4/6150 OF THE EPISCOPAL SCHOOL OF DALLAS, THROUGH A TOTAL CENTRAL ANGLE OF 288°42'00" FOR AN ARC LENGTH OF 251.94 FEET, A CHORD BEARING OF NORTH 05°47'10" WEST AND A CHORD DISTANCE OF 58.28 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER IN THE NORTHERLY RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE;

THENCE NORTH 89°51'50" EAST ALONG SAID NORTHERLY RIGHT-OF-WAY LINE, SAME BEING THE SOUTH LINE OF SAID LOT 1, BLOCK 4/6150, A DISTANCE OF 1074.47 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE SOUTH END OF A CORNER CLIP;

THENCE NORTH 44°58'45" EAST ALONG SAID CORNER CLIP, A DISTANCE OF 7.09 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

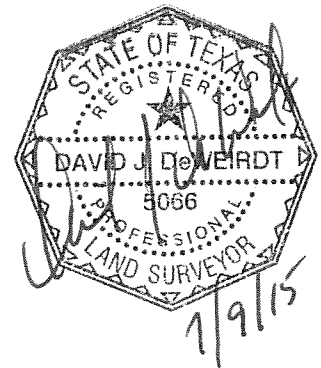
THENCE SOUTH 00°49'01" EAST DEPARTING SAID CORNER CLIP, OVER AND ACROSS SAID MONTWOOD LANE, A DISTANCE OF 63.00 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 69,963 SQUARE FEET OR 1.606 ACRES OF LAND.

NOTES:

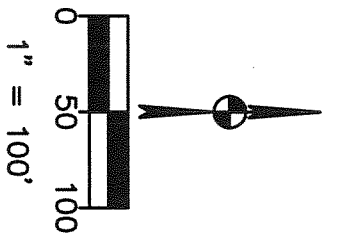
A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING NORTH 89°51'50" EAST, THE SAME AS RECORDED IN VOLUME 79218, PAGE 598, D.R.D.C.T.



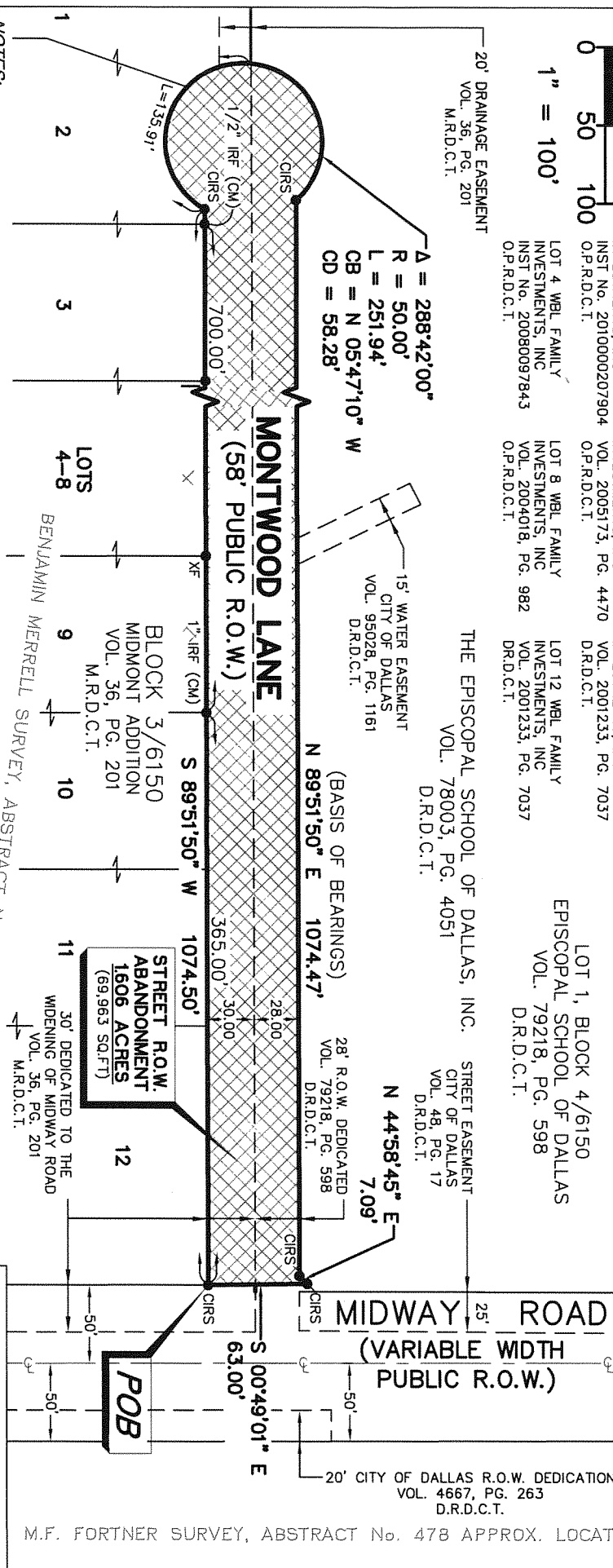
(For SPRG use only)
Reviewed by: JD
Date: 7/16/2015
SPRG NO: 2964

EXHIBIT A-TRACT 1



OWNERSHIP LIST	
LOT 1 WBL FAMILY INVESTMENTS, INC INST No. 2009900041141 O.P.R.D.C.T.	LOT 5 WBL FAMILY INVESTMENTS, INC VOL. 2001233, PG. 7037 D.R.D.C.T.
LOT 2 WBL FAMILY INVESTMENTS, INC INST No. 2009900041157 O.P.R.D.C.T.	LOT 6 WBL FAMILY INVESTMENTS, INC INST No. 200802222092 O.P.R.D.C.T.
LOT 3 WBL FAMILY INVESTMENTS, INC INST No. 2010000207904 O.P.R.D.C.T.	LOT 7 WBL FAMILY INVESTMENTS, INC VOL. 2005173, PG. 4470 O.P.R.D.C.T.
LOT 4 WBL FAMILY INVESTMENTS, INC INST No. 200800097843 O.P.R.D.C.T.	LOT 8 WBL FAMILY INVESTMENTS, INC VOL. 2004018, PG. 982 O.P.R.D.C.T.
	LOT 9 WBL FAMILY INVESTMENTS, INC INST No. 201300128230 O.P.R.D.C.T.
	LOT 10 WBL FAMILY INVESTMENTS, INC VOL. 2003114, PG. 23109 D.R.D.C.T.
	LOT 11 WBL FAMILY INVESTMENTS, INC VOL. 2001233, PG. 7037 D.R.D.C.T.
	LOT 12 WBL FAMILY INVESTMENTS, INC VOL. 2001233, PG. 7037 D.R.D.C.T.

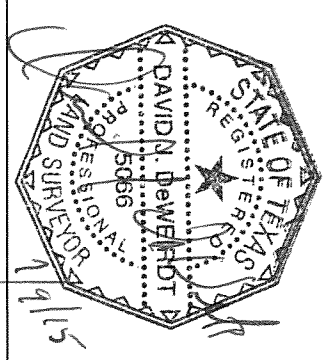
LEGEND	
IRF	1/2" IRON ROD FOUND
XF	CUT "X" FOUND
CIRS	5/8" IRON ROD SET W/YELLOW CAP STAMPED "BURY"
D.R.D.C.T.	DEED RECORDS OF DALLAS COUNTY, TEXAS
M.R.D.C.T.	MAP RECORDS OF DALLAS COUNTY, TEXAS
→	LAND HOOK DENOTES COMMON OWNERSHIP
(CM)	CONTROL MONUMENT
INST. NO.	INSTRUMENT NUMBER
VOL., PG.	VOLUME, PAGE
SQ. FT.	SQUARE FEET
POB	POINT OF BEGINNING
R.O.W.	RIGHT-OF-WAY



NOTES:
 BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING NORTH 89°51'50" EAST AS RECORDED IN MIDMONT ADDITION, VOLUME 36, PAGE 201, M.R.D.C.T.
 A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

(FOR SPRG USE ONLY)
 REVIEWED BY: JD
 DATE: 7/16/2015
 SPRG NO. 2964

**STREET RIGHT-OF-WAY ABANDONMENT
 A PORTION OF MONTWOOD LANE
 ADJACENT TO BLOCK 3/6150 MIDMONT ADDITION AND
 BLOCK 4/6150 EPISCOPAL SCHOOL OF DALLAS ADDITION
 CITY OF DALLAS, DALLAS COUNTY, TEXAS**



**EASEMENT ABANDONMENT
PORTION OF LOTS 10, 11 & 12, BLOCK 3/6150
MIDMONT ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 5,475 SQUARE FOOT TRACT OF LAND SITUATED IN THE BENJAMIN MERRELL SURVEY, ABSTRACT NO. 933, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF LOTS 10, 11 AND 12, BLOCK 3/6150, MIDMONT ADDITION, AN ADDITION TO THE CITY OF DALLAS, DALLAS COUNTY, TEXAS ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 36, PAGE 201, MAP RECORDS OF DALLAS COUNTY, TEXAS, (M.R.D.C.T.), AND BEING A PORTION OF A TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC. RECORDED IN VOLUME 2003114, PAGE 23109, DEED RECORDS, DALLAS COUNTY, TEXAS, (D.R.D.C.T.), AND A TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC. RECORDED IN VOLUME 2001233, PAGE 7037, D.R.D.C.T., SAID 5,475 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1-INCH IRON ROD FOUND FOR THE NORTHWEST CORNER OF SAID LOT 10, BLOCK 3/6150, SAME BEING THE NORTHEAST CORNER OF LOT 9, BLOCK 3/6150 OF SAID MIDMONT ADDITION, SAID POINT BEING IN THE SOUTH RIGHT-OF-WAY LINE OF MONTWOOD LANE (A 58-FOOT PUBLIC RIGHT-OF-WAY) AND FROM WHICH A CUT "X" FOUND FOR THE NORTHWEST CORNER OF SAID LOT 9, BLOCK 3/6150 BEARS SOUTH 89°51'50" WEST, A DISTANCE OF 100.00 FEET;

THENCE, SOUTH 00°08'10" EAST, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE ALONG THE COMMON LINE OF SAID LOT 10 AND SAID LOT 9, A DISTANCE OF 165.00 FEET TO THE **POINT OF BEGINNING**, BEING IN THE NORTH LINE OF A 15-FOOT WIDE EASEMENT CREATED BY SAID MIDMONT ADDITION;

THENCE, NORTH 89°51'50" EAST, DEPARTING SAID COMMON LINE OVER AND ACROSS SAID LOTS 10, 11 AND 12, BLOCK 3/6150 ALONG THE NORTH LINE OF SAID EASEMENT, A DISTANCE OF 365.00 FEET TO A POINT IN THE COMMON EAST LINE OF SAID LOT 12, BLOCK 3/6150 WITH THE WEST RIGHT-OF-WAY LINE OF MIDWAY ROAD, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY);

THENCE, SOUTH 00°08'10" EAST, ALONG SAID COMMON LINE, A DISTANCE OF 15.00 FEET TO A POINT FOR THE SOUTHEAST CORNER OF SAID LOT 12, BLOCK 3/6150 AND BEING IN THE NORTH LINE OF A TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC. RECORDED IN INSTRUMENT NUMBER 200600332154, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS;

THENCE, SOUTH 89°51'50" WEST, DEPARTING SAID COMMON LINE ALONG THE NORTH LINE OF SAID WBL FAMILY INVESTMENTS, INC. TRACT, AT A DISTANCE OF 320.00 FEET PASSING THE MOST NORTHERLY NORTHEAST CORNER OF MIDWAY WEST, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 28, PAGE 149, M.R.D.C.T., CONTINUING ALONG THE NORTH LINE

(For SPRG use only)
Reviewed by: JD
Date: 1/13/2015
SPRG NO: 3030

**EASEMENT ABANDONMENT
PORTION OF LOTS 10, 11 & 12, BLOCK 3/6150
MIDMONT ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

OF SAID MIDWAY WEST ADDITION, IN ALL A TOTAL DISTANCE OF 365.00 FEET TO A POINT FOR THE SOUTHWEST CORNER OF SAID LOT 10, BLOCK 3/6150 SAME BEING THE SOUTHEAST CORNER OF SAID LOT 9, BLOCK 3/6150;

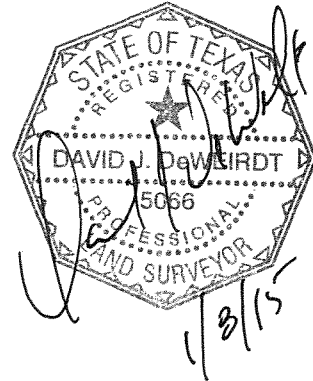
THENCE, NORTH 00°08'10" WEST, ALONG THE COMMON LINE OF SAID LOT 10, BLOCK 3/6150 AND SAID LOT 9, BLOCK 3/6150, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 5,475 SQUARE FEET OR 0.126 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING SOUTH 89°51'50" WEST, THE SAME AS RECORDED IN VOLUME 79218, PAGE 598, D.R.D.C.T.



(For SPRG use only)

Reviewed by: JD

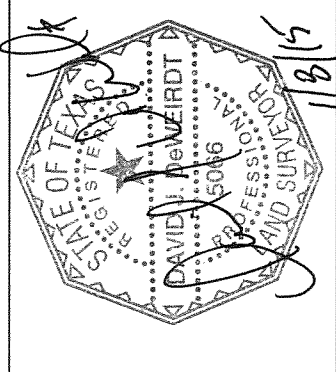
Date: 1/13/2015

SPRG NO: 3030

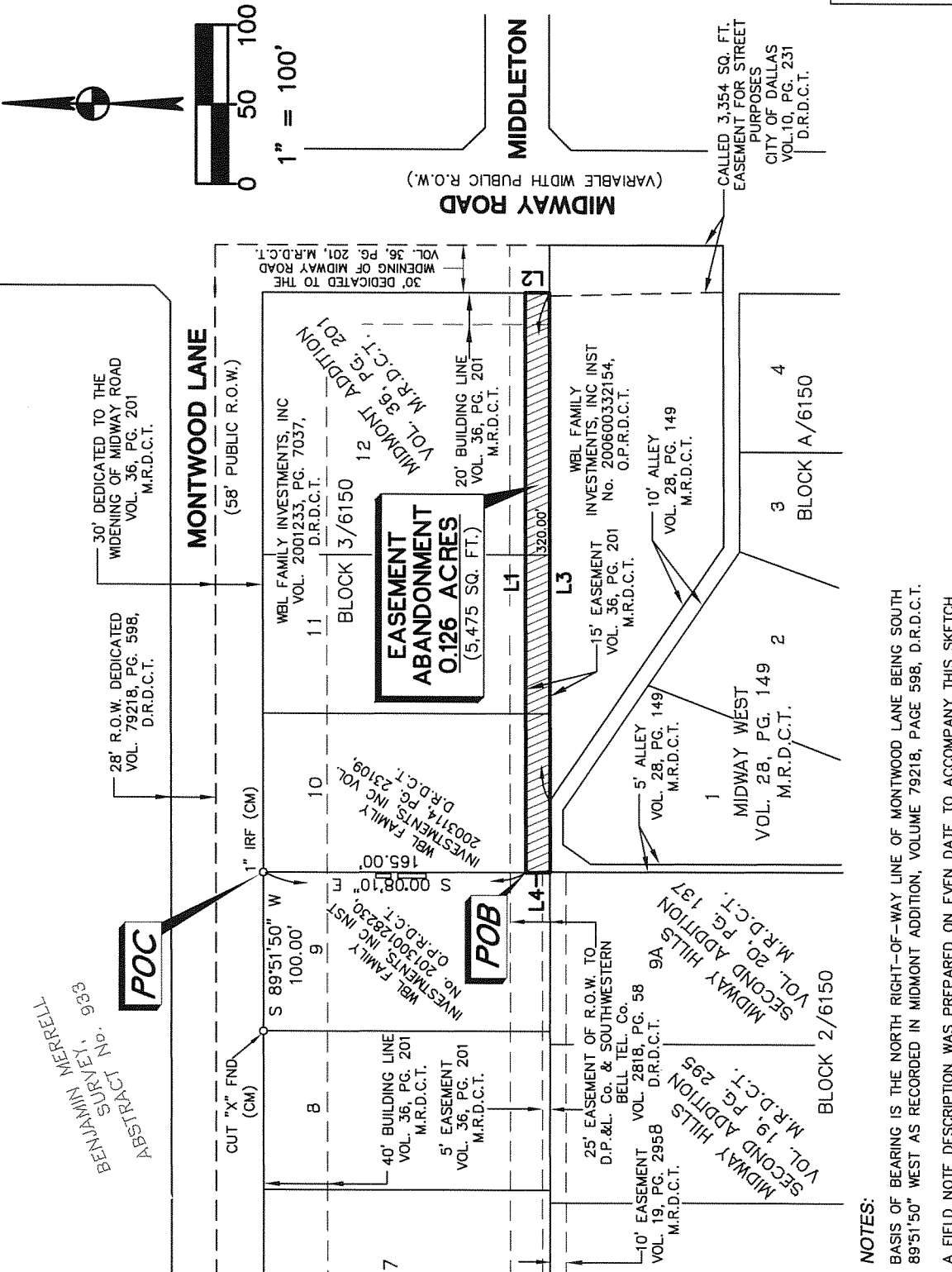
LINE TABLE		
LINE #	BEARING	DISTANCE
L1	N89°51'50"E	365.00'
L2	S0°08'10"E	15.00'
L3	S89°51'50"W	365.00'
L4	N0°08'10"W	15.00'

LEGEND

- IRF IRON ROD FOUND
- FND FOUND
- (CM) CONTROL MONUMENT
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY, TEXAS
- INST. NO. INSTRUMENT NUMBER
- VOL., PG. VOLUME, PAGE
- SQ. FT. SQUARE FEET
- R.O.W. RIGHT-OF-WAY
- POC** POINT OF COMMENCING
- POB** POINT OF BEGINNING



DAVID J. De WEIRTD
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5066



**EASEMENT ABANDONMENT
PORTION OF LOTS 10, 11 & 12, BLOCK 3/6150
MIDMONT ADDITION
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

NOTES:
BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING SOUTH 89°51'50" WEST AS RECORDED IN MIDMONT ADDITION, VOLUME 79218, PAGE 598, D.R.D.C.T.
A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

(FOR SPRG USE ONLY)
REVIEWED BY: JD
DATE: 1/13/2015
SPRG NO. 3030

EXHIBIT B

ADDITIONAL ABANDONMENT PROVISIONS

That as a condition hereof, this abandonment is subject to any utilities or communication facilities, including without limitation water and wastewater lines, gas lines, and storm sewers, ("Facilities") presently located within the abandoned area described in Exhibit "A", owned and/or operated by the City of Dallas or any utility or communications company, public or private, ("Utility") and to the rights of any Utility for the use of the abandoned area for its Facilities. It is the intent of the foregoing to confirm and maintain and there is hereby reserved and excepted unto the City of Dallas, and not abandoned or conveyed hereunder, an easement (to which this abandonment is made expressly subject) over, upon, under, through, in, and across the abandoned area for each Utility for its respective Facilities located therein at the time of this abandonment, together with the right to make any subsequent alterations, additions, expansions, upgrades or modifications to such Facilities as may, from time to time be deemed necessary or convenient by the Utility owning and/or operating same. No buildings, structures (above or below ground) or trees shall be constructed or placed within the abandoned area without written consent of each affected Utility. Each Utility shall have the full right to remove and keep removed all or part of any buildings, fences, trees, or other improvements or growths which in any way may endanger or interfere with the construction, maintenance or efficiency of its respective Facilities lying within the abandoned area and shall at all times have the full right of ingress and egress to or from and upon the abandoned area for the purposes of reconstructing, removing, relocating, inspecting, patrolling, maintaining, expanding, upgrading, and/or adding to all or part of its Facilities without the necessity at any time of procuring the permission of anyone. The easement reserved hereunder and the conditions and restrictions to which this abandonment is subject shall remain for the benefit of the applicable Utility and/or operators of the Facilities until said Facilities are removed and relocated from the abandoned area. The relocation, removal or adjustment of any or all such Facilities, if made necessary by GRANTEE'S (whether one or more natural persons or legal entities) use of the abandonment area, shall be at the expense of GRANTEE herein, or GRANTEE'S successors and assigns. Should GRANTEE'S relocation or removal of the Facilities require the obtaining of new easements, the acquisition of same shall be at the expense of GRANTEE, GRANTEE'S successors and assigns. If any of the Facilities (or relocations thereof) are allowed to remain on any part of the abandoned area, the easements and buildings restrictions provided herein shall remain thereon. Upon removal or relocation of all of the Facilities, any easements reserved or created herein relating to such removed or relocated Facilities shall terminate, and any building restrictions herein created shall cease.

**STREET RIGHT-OF-WAY DEDICATION
FOR A PORTION OF MIDWAY ROAD
PART OF BLOCK 6150 AND PART OF LOT 1, BLOCK 4/6150
EPISCOPAL SCHOOL OF DALLAS,
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 29,021 SQUARE FOOT (0.6662 ACRE) TRACT OF LAND SITUATED IN THE BENJAMIN MERRELL SURVEY, ABSTRACT NO. 933, CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING PART OF CITY OF DALLAS BLOCK NO. 6150, AND BEING ALL OF A CALLED 25,477 SQUARE FOOT TRACT OF LAND DESCRIBED TO THE CITY OF DALLAS FOR A STREET EASEMENT RECORDED IN VOLUME 48, PAGE 17, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.), AND BEING A PORTION OF LOT 1, BLOCK 4/6150 OF EPISCOPAL SCHOOL OF DALLAS, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 79218, PAGE 598, D.R.D.C.T. AND DESCRIBED IN GENERAL WARRANTY DEED TO THE EPISCOPAL SCHOOL OF DALLAS, INC. RECORDED IN VOLUME 78003, PAGE 4051, D.R.D.C.T.; SAID 29,021 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" FOUND AT THE INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF MIDWAY ROAD, (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY), WITH THE SOUTH RIGHT-OF-WAY LINE OF MONTWOOD LANE, (A 58 FOOT WIDE PUBLIC RIGHT-OF-WAY) AND BEING THE NORTHEAST CORNER OF LOT 12, BLOCK 3/6150 OF MIDMONT ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 36, PAGE 201, MAP RECORDS OF DALLAS COUNTY, TEXAS, (M.R.D.C.T.);

THENCE NORTH 00°49'01" WEST OVER AND ACROSS SAID MONTWOOD LANE RIGHT-OF-WAY, A DISTANCE OF 63.00 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE **POINT OF BEGINNING** AT THE INTERSECTION WITH A CORNER CLIP IN THE NORTH RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE, SAME BEING THE SOUTHERLY LINE OF SAID LOT 1, BLOCK 4/6150;

THENCE DEPARTING THE NORTH RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE AND ALONG A LINE WHICH IS 5.00 FEET WESTERLY FROM AND PARALLEL TO THE EAST LINE OF SAID LOT 1, BLOCK 4/6150 THE FOLLOWING:

NORTH 00°05'40" EAST, A DISTANCE OF 416.94 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

NORTH 01°45'20" WEST, A DISTANCE OF 265.29 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

THENCE NORTH 45°52'40" WEST, A DISTANCE OF 21.54 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER AT THE INTERSECTION WITH THE SOUTH RIGHT-OF-WAY LINE OF MERRELL ROAD, (A 60-FOOT PUBLIC RIGHT-OF-WAY);

THENCE NORTH 90°00'00" EAST ALONG SAID SOUTH RIGHT-OF-WAY LINE, A DISTANCE OF 9.99 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE NORTH END OF CORNER CLIP AT THE INTERSECTION OF SAID SOUTH RIGHT-OF-WAY LINE WITH THE EXISTING WEST RIGHT-OF-WAY LINE OF SAID MIDWAY ROAD;

(For SPRG use only)

Reviewed by: JD

Date: 7/16/2015

SPRG NO: 3233

**STREET RIGHT-OF-WAY DEDICATION
FOR A PORTION OF MIDWAY ROAD
PART OF BLOCK 6150 AND PART OF LOT 1, BLOCK 4/6150
EPISCOPAL SCHOOL OF DALLAS,
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

THENCE SOUTH 45°52'34" EAST ALONG SAID CORNER CLIP, A DISTANCE OF 14.36 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET AT THE INTERSECTION WITH THE WEST RIGHT-OF-WAY LINE OF SAID MIDWAY ROAD;

THENCE SOUTH 01°53'28" EAST ALONG THE WEST RIGHT-OF-WAY LINE OF SAID MIDWAY ROAD, A DISTANCE OF 4.00 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET AT THE NORTHWEST CORNER OF SAID 25,477 SQUARE FOOT STREET EASEMENT;

THENCE OVER AND ACROSS SAID MIDWAY ROAD, ALONG THE NORTH, EAST, SOUTH, AND WEST LINE OF SAID 25,477 SQUARE FOOT STREET EASEMENT, THE FOLLOWING:

NORTH 90°00'00" EAST, A DISTANCE OF 53.59 FEET TO A POINT FOR CORNER AT THE NORTHEAST CORNER OF SAID 25,477 SQUARE FOOT STREET EASEMENT;

SOUTH 00°05'40" WEST, A DISTANCE OF 322.00 FEET TO A POINT FOR CORNER;

NORTH 89°54'20" WEST, A DISTANCE OF 20.00 FEET TO A POINT FOR CORNER;

SOUTH 00°05'40" WEST, A DISTANCE OF 394.06 FEET TO A POINT FOR CORNER AT THE SOUTHEAST CORNER OF SAID 25,477 SQUARE FOOT STREET EASEMENT;

SOUTH 89°51'50" WEST, A DISTANCE OF 25.00 FEET TO A MAGNETIC NAIL SET AT THE SOUTHWEST CORNER OF SAID 25,477 SQUARE FOOT STREET EASEMENT;

NORTH 00°05'40" EAST, A DISTANCE OF 38.00 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE NORTH END OF A CORNER CLIP AT THE INTERSECTION OF THE NORTH RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE WITH THE EAST LINE OF SAID LOT 1, BLOCK 4/6150;

THENCE SOUTH 44°58'45" WEST ALONG SAID CORNER CLIP, A DISTANCE OF 7.09 FEET TO THE POINT OF BEGINNING;

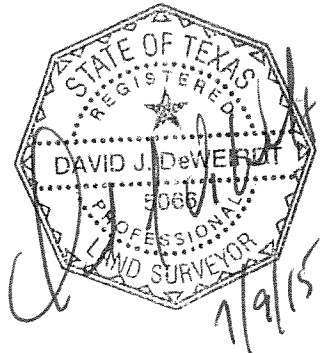
CONTAINING A COMPUTED AREA OF 29,021 SQUARE FEET OR 0.6662 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING SOUTH 89°51'50" WEST, THE SAME AS RECORDED IN VOLUME 79218, PAGE 598, D.R.D.C.T.

(For SPRG use only)
Reviewed by: JD
Date: 7/16/2015
SPRG NO: 3233



NOTES:

BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING SOUTH 89°51'50" WEST AS RECORDED IN MIDMONT ADDITION, VOL. 79218, PG. 598, M.R.D.C.T.

A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

ESD ONE
LOT 1, BLOCK 4/6151
INST. NO. 200900329127
O.P.R.D.C.T.
1/2" CIRF
"RLG INC."

NORTHCREST
ADD. REVISED
VOL. 4, PG. 143
M.R.D.C.T.
BLOCK 2/5536
4 5

R.O.W. EASEMENT
VOL. 14, PG. 66
D.R.D.C.T.

MERRELL ROAD

(60' WIDTH PUBLIC R.O.W.)
VOL. 2388, PG. 330 D.R.D.C.T.

14' QUIT CLAIM
BY CITY OF DALLAS
VOL. 31, PG. 33
D.R.D.C.T.

BENJAMIN MERRELL SURVEY
ABSTRACT No. 933

CALLED 25,477 SQ. FT.
VARIABLE WIDTH
STREET EASEMENT
CITY OF DALLAS
VOL. 48, PG. 17
D.R.D.C.T.

**STREET R.O.W.
DEDICATION
0.6662 ACRES
(29,021 SQ. FT.)**

THE EPISCOPAL SCHOOL OF DALLAS, INC.
VOL. 78003, PG. 4051
D.R.D.C.T.

LOT 1, BLOCK 4/6150
EPISCOPAL SCHOOL
OF DALLAS
VOL. 79218, PG. 598
D.R.D.C.T.

VARIABLE WIDTH
STREET EASEMENT
CITY OF DALLAS
VOL. 48, PG. 17
D.R.D.C.T.

*NO RIGHT-OF-WAY
DEDICATION FOUND

(SEE PAGE 4 OF 4
FOR DETAIL)

POB

(BASIS OF BEARINGS)
S 89°51'50" W 1074.47'

28' R.O.W. DEDICATED
VOL. 79218, PG. 598
D.R.D.C.T.

30' R.O.W. DEDICATED
VOL. 36, PG. 201
M.R.D.C.T.

MONTWOOD LANE

(58' PUBLIC R.O.W.)
S 89°51'50" W 365.00'

1" IRF
(CM)

100.00' 100.00'

165.00' CIRF (CM)

9 10
BLOCK 3/6150
MIDMONT ADDITION
VOL. 36, PG. 201
M.R.D.C.T.

(F)

30' DEDICATED TO THE
WIDENING OF MIDWAY ROAD
VOL. 36, PG. 201
M.R.D.C.T.

POC

1
WALNUT HILL
RIDGE
VOL. 8, PG. 268 A
M.R.D.C.T.
BLOCK 1/5537

BURY

5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972) 991-0011 Fax (972) 991-0278
TBPE # F-1048 TBPLS # F-10107502
Copyright © 2015

**STREET RIGHT-OF-WAY DEDICATION
FOR A PORTION OF MIDWAY ROAD
PART OF BLOCK 6150 AND
PART OF LOT 1, BLOCK 4/6150
EPISCOPAL SCHOOL OF DALLAS,
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

(FOR SPRG USE ONLY)
REVIEWED BY: JD
DATE: 7/16/2015
SPRG NO. 3233

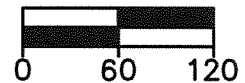


DAVID J. De WEIRDT
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5066

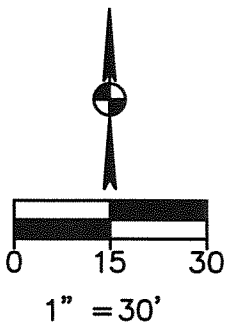
PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N45°52'40"W	21.54'
L2	N90°00'00"E	9.99'
L3	S45°52'34"E	14.36'
L4	S1°53'28"E	4.00'
L5	N90°00'00"E	53.59'
L6	N89°54'20"W	20.00'
L7	S89°51'50"W	25.00'
L8	N0°05'40"E	38.00'
L9	S44°58'45"W	7.09'
L10	N0°49'01"W	63.00'

LEGEND

- CIRS 5/8" IRON ROD SET WITH YELLOW PLASTIC CAP STAMPED "BURY"
- CIRF 5/8" IRON ROD FOUND WITH YELLOW PLASTIC CAP STAMPED "BURY"
- INST., NO. INSTRUMENT, NUMBER
- VOL./PG. VOLUME/PAGE
- SQ. FT. SQUARE FEET
- (CM) CONTROLLING MONUMENT
- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY, TEXAS
- O.P.R.D.C.T. OFFICIAL PROPERTY RECORDS OF DALLAS COUNTY, TEXAS
- R.O.W. RIGHT-OF-WAY
- ☉ CENTERLINE
- POC** POINT OF COMMENCING
- POB** POINT OF BEGINNING
- PFC POINT FOR CORNER (NOT MONUMENTED FOR SAFETY CONCERNS)



1" = 120'



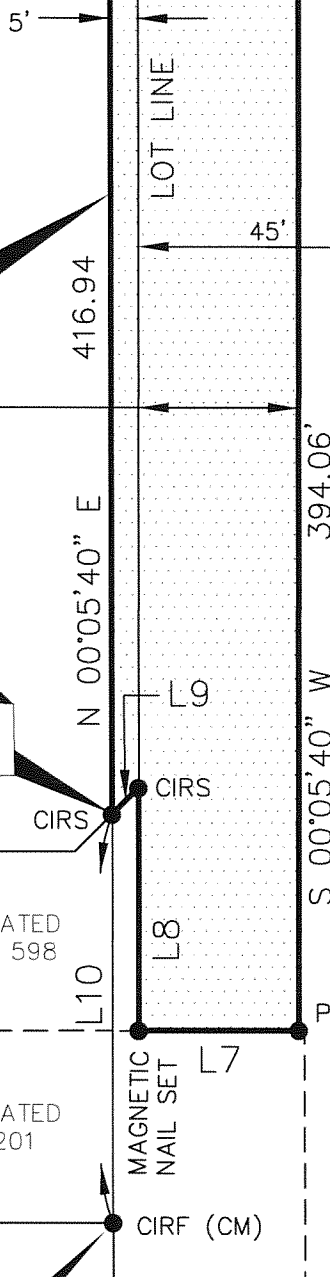
**STREET R.O.W.
DEDICATION
0.6662 ACRES
(29,021 SQ. FT.)**

LOT 1, BLOCK 4/6150
EPISCOPAL SCHOOL
OF DALLAS
VOL. 79218, PG. 598
D.R.D.C.T.

VARIABLE WIDTH
STREET EASEMENT
CITY OF DALLAS
VOL. 48, PG. 17
D.R.D.C.T.

THE EPISCOPAL SCHOOL OF DALLAS, INC.
VOL. 78003, PG. 4051
D.R.D.C.T.

(BASIS OF BEARINGS)
S 89°51'50" W 1074.47'



(58' PUBLIC R.O.W.)
MONTWOOD LANE

28' R.O.W. DEDICATED
VOL. 79218, PG. 598
D.R.D.C.T.

30' R.O.W. DEDICATED
VOL. 36, PG. 201
M.R.D.C.T.

PARCEL LINE DATA		
LINE #	BEARING	DISTANCE
L1	N45°52'40"W	21.54'
L2	N90°00'00"E	9.99'
L3	S45°52'34"E	14.36'
L4	S1°53'28"E	4.00'
L5	N90°00'00"E	53.59'
L6	N89°54'20"W	20.00'
L7	S89°51'50"W	25.00'
L8	N0°05'40"E	38.00'
L9	S44°58'45"W	7.09'
L10	N0°49'01"W	63.00'

12

POC

BLOCK 3/6150

MIDMONT ADDITION
VOL. 36, PG. 201
M.R.D.C.T.

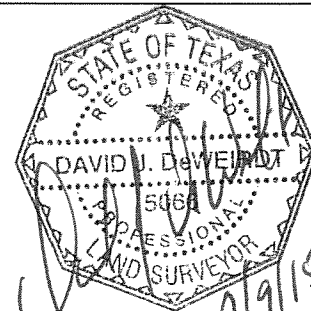
(FOR SPRG USE ONLY)
REVIEWED BY: JD
DATE: 7/16/2015
SPRG NO. 3233

DETAIL SHEET

BURY

5310 Harvest Hill Road, Suite 100
Dallas, Texas 75230
Tel. (972) 991-0011 Fax (972) 991-0278
TBPE # F-1048 TBPLS # F-10107502
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**STREET RIGHT-OF-WAY DEDICATION
FOR A PORTION OF MIDWAY ROAD
PART OF BLOCK 6150 AND
PART OF LOT 1, BLOCK 4/6150
EPISCOPAL SCHOOL OF DALLAS,
CITY OF DALLAS, DALLAS COUNTY, TEXAS**



DAVID J. De WEIRD
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5066

DATE: 07-05-15

SCALE: 1" = 30'

DRAWN BY: RSG/RDR

PROJECT NO. R0112220-30001

SHEET NO. 4 OF 4

**STREET RIGHT-OF-WAY DEDICATION
A PORTION OF MIDWAY ROAD
PART OF BLOCK 6150 & BLOCK 3/6150
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 4,291 SQUARE FEET TRACT OF LAND SITUATED IN THE BENJAMIN MERRELL SURVEY, ABSTRACT NO. 933, CITY OF DALLAS, DALLAS COUNTY, TEXAS, BEING PART OF BLOCK 6150 AND BLOCK 3/6150 CITY OF DALLAS, TEXAS, BEING ALL OF A STREET EASEMENT DESCRIBED IN DEED TO THE CITY OF DALLAS, RECORDED IN VOLUME 10, PG. 231, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.), BEING PART OF LOT 12, BLOCK 3/6150 OF MIDMONT ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 36, PAGE 201, MAP RECORDS OF DALLAS COUNTY, TEXAS (M.R.D.C.T.), BEING PART OF A TRACT OF LAND DESCRIBED IN A SPECIAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC., RECORDED IN VOLUME 2001233, PAGE 7037 (D.R.D.C.T.) AND A PORTION OF A TRACT OF LAND DESCRIBED IN A GENERAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC., RECORDED IN INSTRUMENT NUMBER 200600332154, OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.), SAID 4,291 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A 5/8-INCH IRON ROAD WITH YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE NORTHEAST CORNER OF SAID LOT 12, BLOCK 3/6150 AND BEING THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF MIDWAY ROAD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) WITH THE SOUTH RIGHT-OF-WAY LINE OF MONTWOOD LANE (A 58-FOOT PUBLIC RIGHT-OF-WAY), FROM WHICH POINT A 1-INCH IRON ROD FOUND AT THE NORTHWEST CORNER OF LOT 10, BLOCK 3/6150 OF SAID MIDMONT ADDITION AND THE NORTHEAST CORNER OF LOT 9, BLOCK 3/6150 OF SAID MIDMONT ADDITION, BEARS SOUTH 89°51'50" WEST, A DISTANCE OF 365.00 FEET;

THENCE, DEPARTING THE SOUTH RIGHT-OF-WAY LINE OF SAID MONTWOOD LANE AND ALONG THE WEST RIGHT-OF-WAY LINE OF SAID MIDWAY ROAD THE FOLLOWING CALLS;

1. SOUTH 00°08'10" EAST, A DISTANCE OF 180.00 FEET TO A 5/8-INCH IRON ROAD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET AT THE SOUTHEAST CORNER OF SAID LOT 12, BLOCK 3/6150 AND BEING IN THE NORTH LINE OF SAID WBL FAMILY INVESTMENTS, INC. TRACT, RECORDED IN INSTRUMENT NUMBER 200600332154, O.P.R.D.C.T.;
2. NORTH 89°51'50" EAST, A DISTANCE OF 30.00 TO A POINT FOR CORNER, BEING THE NORTHEAST CORNER OF SAID WBL FAMILY INVESTMENTS, INC. TRACT;
3. SOUTH 00°08'10" EAST, A DISTANCE OF 109.00 FEET TO A POINT FOR CORNER, BEING THE SOUTHEAST CORNER OF SAID WBL FAMILY INVESTMENTS, INC. TRACT OF LAND;

(For SPRG use only)

Reviewed by: JD

Date: 7/16/2015

SPRG NO: 3235

**STREET RIGHT-OF-WAY DEDICATION
A PORTION OF MIDWAY ROAD
PART OF BLOCK 6150 & BLOCK 3/6150
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

4. SOUTH 89°44'18" WEST, AT A DISTANCE OF 30.00 FEET PASSING THE NORTHEAST CORNER OF MIDWAY WEST, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 28, PAGE 149, M.R.D.C.T., CONTINUING ALONG THE COMMON LINE OF SAID WBL FAMILY INVESTMENTS, INC. TRACT OF LAND AND SAID MIDWAY WEST ADDITION IN ALL A TOTAL DISTANCE OF 37.06 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

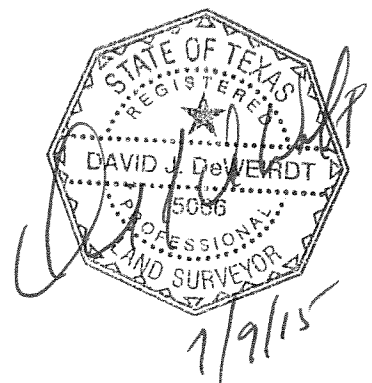
THENCE, NORTH 01°15'43" EAST, DEPARTING SAID COMMON LINE, OVER AND ACROSS SAID WBL FAMILY INVESTMENTS, INC. TRACT OF LAND, AT A DISTANCE OF 109.11 FEET PASSING THE COMMON LINE OF SAID WBL FAMILY INVESTMENTS, INC. TRACT OF LAND AND SAID LOT 12, BLOCK 3/6150, CONTINUING OVER AND ACROSS SAID LOT 12, BLOCK 3/6150, IN ALL A TOTAL DISTANCE OF 289.17 FEET TO THE POINT OF BEGINNING;

CONTAINING A COMPUTED AREA OF 4,291 SQUARE FEET OR 0.0985 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BEARINGS CALLED FOR HEREIN ARE BASED ON THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING NORTH 89°51'50" EAST, THE SAME AS RECORDED IN VOLUME 79218, PAGE 598, D.R.D.C.T.

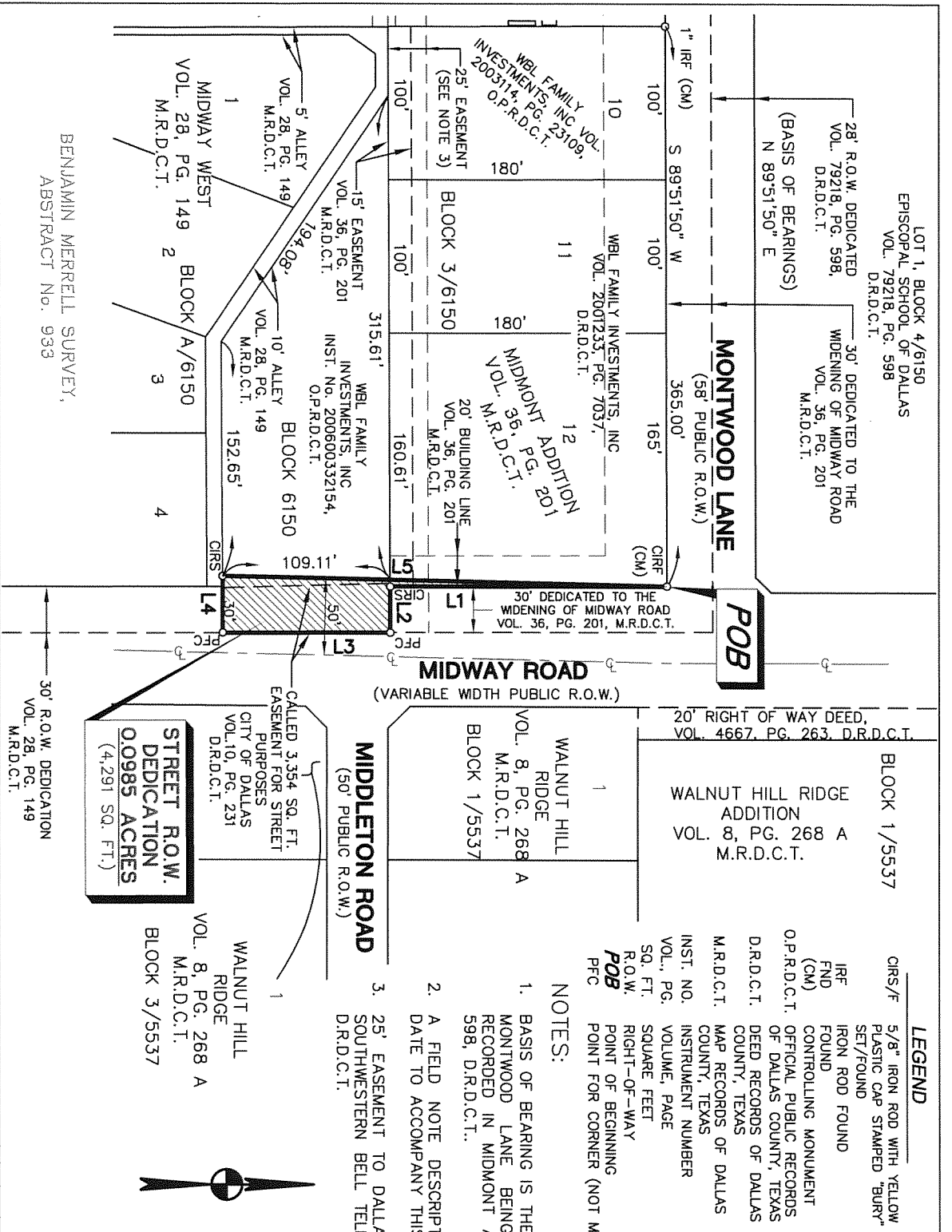


(For SPRG use only)

Reviewed by: JD

Date: 7/16/2015

SPRG NO: 3235



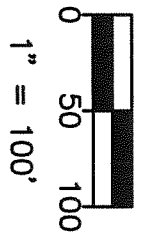
LINE #	BEARING	DISTANCE
L1	S0°08'10"E	180.00'
L2	N89°51'50"E	30.00'
L3	S0°08'10"E	109.00'
L4	S89°44'18"W	37.06'
L5	N1°15'43"E	289.17'

LEGEND

- 5/8" IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY"
- IRON ROD FOUND
- FOUND
- CONTROLLING MONUMENT
- OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- DEED RECORDS OF DALLAS COUNTY, TEXAS
- MAP RECORDS OF DALLAS COUNTY, TEXAS
- INST. NO. INSTRUMENT NUMBER
- VOL., PG. VOLUME, PAGE
- SQ. FT. SQUARE FEET
- R.O.W. RIGHT-OF-WAY
- POB POINT OF BEGINNING
- PFC POINT FOR CORNER (NOT MONUMENTED DUE TO SAFETY CONCERNS)

NOTES:

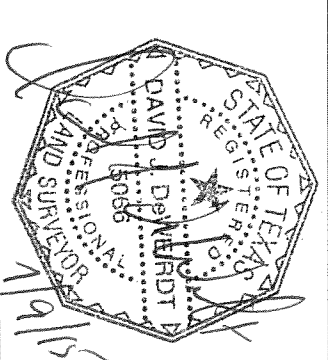
- BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING NORTH 89°51'50" EAST AS RECORDED IN MIDMONT ADDITION, VOLUME 79218, PAGE 598, D.R.D.C.T..
- A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.
- 25' EASEMENT TO DALLAS POWER AND LIGHT CO. AND SOUTHWESTERN BELL TELEPHONE CO. VOL. 2818, PG. 58 D.R.D.C.T..



(FOR SPRG USE ONLY)
 REVIEWED BY: JD
 DATE: 7/16/2015
 SPRG NO. 3235

**STREET RIGHT-OF-WAY DEDICATION
 A PORTION OF MIDWAY ROAD
 PART OF BLOCK 6150 & BLOCK 3/6150
 CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BENJAMIN MERRELL SURVEY,
 ABSTRACT No. 933



**ALLEY RIGHT-OF-WAY DEDICATION
PORTIONS OF
LOTS 10, BLOCK 3/6150, MIDMONT ADDITION
AND WBL FAMILY INVESTMENTS, INC. TRACT, BLOCK 6150
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

BEING A 3,658 SQUARE FOOT TRACT OF LAND SITUATED IN THE BENJAMIN MERRELL SURVEY, ABSTRACT NO. 933, CITY OF DALLAS, DALLAS COUNTY, TEXAS, AND BEING A PORTION OF LOT 10, BLOCK 3/6150, MIDMONT ADDITION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO THE PLAT THEREOF FILED FOR RECORD IN VOLUME 36, PAGE 201, MAP RECORDS OF DALLAS COUNTY, TEXAS, (M.R.D.C.T.), AND DESCRIBED IN A GENERAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC., RECORDED IN VOLUME 2003114, PAGE 23109, DEED RECORDS OF DALLAS COUNTY, TEXAS, (D.R.D.C.T.), AND BEING A PORTION OF DALLAS CITY BLOCK 6150 AS DESCRIBED IN A GENERAL WARRANTY DEED TO WBL FAMILY INVESTMENTS, INC., RECORDED IN INSTRUMENT NO. 200600332154, OFFICIAL PUBLIC RECORDS, DALLAS COUNTY, TEXAS, (O.P.R.D.C.T.), SAID 3,658 SQUARE FOOT TRACT OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" FOUND FOR THE NORTHEAST CORNER OF LOT 12, BLOCK 3/6150 IN SAID MIDMONT ADDITION, SAME BEING THE POINT OF INTERSECTION OF THE WEST RIGHT-OF-WAY LINE OF MIDWAY ROAD (A VARIABLE WIDTH PUBLIC RIGHT-OF-WAY) WITH THE SOUTH RIGHT-OF-WAY LINE OF MONTWOOD LANE, (58-FOOT PUBLIC RIGHT-OF-WAY);

THENCE SOUTH 00°08'10" EAST, ALONG SAID WEST RIGHT-OF-WAY LINE, AT A DISTANCE OF 180.00 FEET PASSING THE SOUTHEAST CORNER OF SAID LOT 12, BEING IN THE NORTH LINE OF SAID WBL FAMILY INVESTMENTS, INC. TRACT, AND BEING THE NORTHWEST CORNER OF A CALLED 3,354 SQUARE FOOT TRACT OF LAND DESCRIBED TO THE CITY OF DALLAS FOR A STREET EASEMENT, RECORDED IN VOLUME 10, PAGE 231, DEED RECORDS OF DALLAS COUNTY, TEXAS (D.R.D.C.T.), CONTINUING ALONG THE WEST LINE OF SAID CITY OF DALLAS 3,354 TRACT AND OVER AND ACROSS SAID WBL FAMILY INVESTMENTS, INC. TRACT, A TOTAL DISTANCE OF 289.07 FEET TO THE SOUTHWEST CORNER OF SAID CITY OF DALLAS 3,354 SQUARE FOOT TRACT, BEING IN THE SOUTH LINE OF SAID WBL FAMILY INVESTMENTS, INC. TRACT, SAME BEING THE NORTH LINE OF A 10-FOOT ALLEY CREATED BY MIDWAY WEST, AN ADDITION TO THE CITY OF DALLAS, ACCORDING TO THE PLAT THEREOF RECORDED IN VOLUME 28, PAGE 149, M.R.D.C.T.;

THENCE SOUTH 89°44'18" WEST, ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 7.06 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" SET FOR THE **POINT OF BEGINNING**;

THENCE CONTINUING ALONG SAID NORTH LINE, THE FOLLOWING CALLS:

SOUTH 89°44'18" WEST, A DISTANCE OF 152.65 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

NORTH 55°49'10" WEST, A DISTANCE OF 194.08 FEET TO A 5/8-INCH IRON ROD WITH A YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER IN THE SOUTH LINE OF LOT 10, BLOCK 3/6150 OF SAID MIDMONT ADDITION;

(For SPRG use only)

Reviewed by: JD

Date: 1/4/2016

SPRG NO: 3234

**ALLEY RIGHT-OF-WAY DEDICATION
PORTIONS OF
LOTS 10, BLOCK 3/6150, MIDMONT ADDITION
AND WBL FAMILY INVESTMENTS, INC. TRACT, BLOCK 6150
CITY OF DALLAS, DALLAS COUNTY, TEXAS**

SOUTH 89°51'50" WEST, ALONG THE NORTH LINE OF SAID ALLEY, A DISTANCE OF 44.60 FEET TO THE NORTHWEST CORNER OF SAID ALLEY, THE SOUTHWEST CORNER OF SAID LOT 10, BLOCK 3/6150, THE SOUTHEAST CORNER OF LOT 9, BLOCK 3/6150 OF SAID MIDMONT ADDITION, AND THE NORTHEAST CORNER OF LOT 9A, BLOCK 2/6150 OF MIDWAY HILLS, SECOND SECTION, AN ADDITION TO THE CITY OF DALLAS ACCORDING TO PLAT THEREOF RECORDED IN VOLUME 20, PAGE 137, M.R.D.C.T.;

THENCE NORTH 00°17'40" WEST, ALONG THE COMMON LINE OF SAID LOT 10 AND LOT 9, A DISTANCE OF 5.00 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER

THENCE NORTH 89°51'50" EAST, ALONG A LINE WHICH IS 5-FEET NORTHERLY FROM AND PARALLEL TO THE SOUTH LINE OF SAID MIDMONT ADDITION, A DISTANCE OF 55.03 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

THENCE SOUTH 55°49'10" EAST, ALONG A LINE WHICH IS 10.00 FEET NORTHEASTERLY FROM AND PARALLEL TO THE NORTHEAST LINE OF THE AFOREMENTIONED 10-FOOT ALLEY CREATED BY MIDWAY WEST ADDITION, A DISTANCE OF 185.20 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER;

THENCE NORTH 89°44'18" EAST, CONTINUING ALONG A LINE WHICH IS 10.00 FEET NORTHERLY FROM AND PARALLEL TO SAID 10-FOOT ALLEY, A DISTANCE OF 149.81 FEET TO A 5/8-INCH IRON ROD WITH YELLOW PLASTIC CAP STAMPED "BURY" SET FOR CORNER IN THE PROPOSED WESTERLY RIGHT-OF-WAY LINE OF MIDWAY ROAD, BEING 50 FEET WESTERLY FROM THE ESTABLISHED CENTERLINE OF SAID MIDWAY ROAD;

THENCE SOUTH 01°15'43" WEST ALONG SAID PROPOSED WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING;

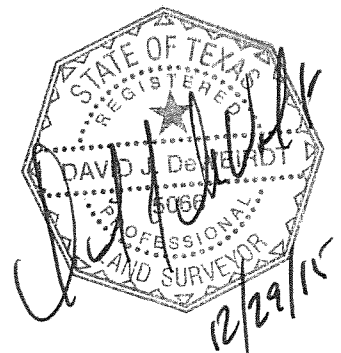
CONTAINING A COMPUTED AREA OF 3,658 SQUARE FEET OR 0.0840 ACRES OF LAND.

NOTES:

A SKETCH WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS DESCRIPTION.

BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE, BEING SOUTH 89°51'50" WEST, THE SAME AS RECORDED IN MIDMONT ADDITION, VOLUME 79218, PAGE 598, D.R.D.C.T.

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Reviewed by: JD
Date: 1/4/2016
SPRG NO: 3234



THE EPISCOPAL SCHOOL OF DALLAS, INC. LOT 1, BLOCK 4/6150
 VOL. 78005, PG. 4051 EPISCOPAL SCHOOL OF DALLAS
 D.R.D.C.T. VOL. 79218, PG. 598
 D.R.D.C.T. VOL. 79218, PG. 598
 D.R.D.C.T.

(BASIS OF BEARINGS)
 S 89°51'50" W 1074.47'

MONTWOOD LANE
 (58' PUBLIC R.O.W.)

28' R.O.W. DEDICATION
 VOL. 79218, PG. 598, D.R.D.C.T.
 30' R.O.W. DEDICATION
 VOL. 36, PG. 201 M.R.D.C.T.

ALLEY R.O.W. DEDICATION
3658 SQ. FT.
 0.0840 ACRES

BLOCK 3/6150
 MIDMONT ADDITION
 VOL. 36, PG. 201
 M.R.D.C.T.

MIDWAY ROAD
 (VARIABLE WIDTH PUBLIC R.O.W.)

SEXTON LANE

MIDDLETON ROAD

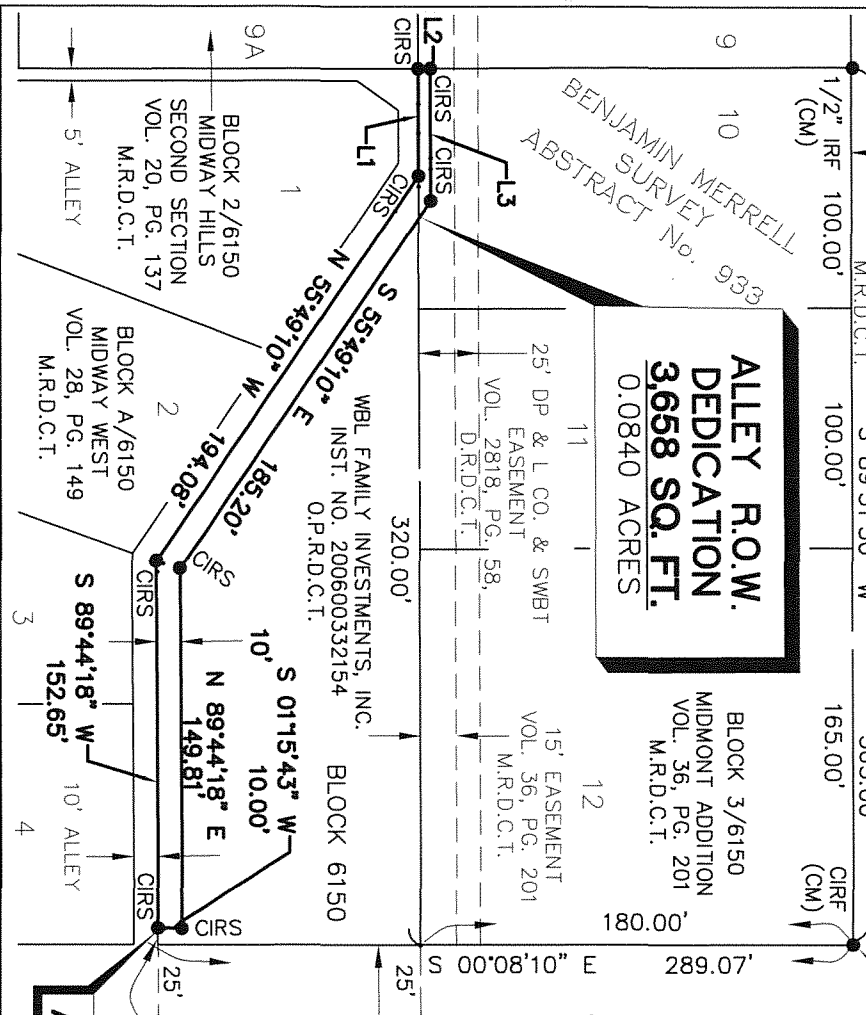
LINE #	BEARING	DISTANCE
L1	S89°51'50"W	44.60'
L2	N01°7'40"W	5.00'
L3	N89°51'50"E	55.03'

LEGEND

- CIRS 5/8-INCH IRON ROD W/YELLOW PLASTIC CAP STAMPED "BURY" SET
- CIRF 5/8-INCH IRON ROD W/YELLOW PLASTIC CAP STAMPED "BURY" FOUND
- IRF IRON ROD FOUND
- FND FOUND
- (CM) CONTROLLING MONUMENT
- O.P.R.D.C.T. OFFICIAL PUBLIC RECORDS OF DALLAS COUNTY, TEXAS
- D.R.D.C.T. DEED RECORDS OF DALLAS COUNTY, TEXAS
- M.R.D.C.T. MAP RECORDS OF DALLAS COUNTY, TEXAS
- INST. NO. INSTRUMENT NUMBER
- VOL., PG. VOLUME, PAGE
- SQ. FT. SQUARE FEET
- DP & L CO. DALLAS POWER & LIGHT COMPANY
- & SWBT & SOUTHWESTERN BELL TELEPHONE
- R.O.W. RIGHT-OF-WAY
- POC POINT OF COMMENCING
- POB POINT OF BEGINNING
- LAND OWNERSHIP HOOK

NOTES:

BASIS OF BEARING IS THE NORTH RIGHT-OF-WAY LINE OF MONTWOOD LANE BEING SOUTH 89°51'50" WEST AS RECORDED IN MIDMONT ADDITION, VOLUME 79218, PAGE 598, D.R.D.C.T.
 A FIELD NOTE DESCRIPTION WAS PREPARED ON EVEN DATE TO ACCOMPANY THIS SKETCH.

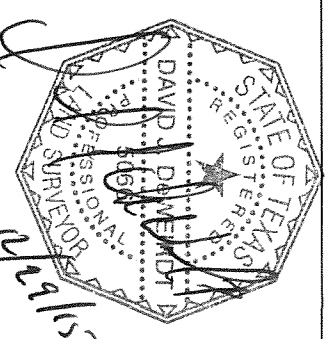


BURY

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 REVIEWED BY: JD
 DATE: 1/4/2016
 SPRG NO. 3234

ALLEY RIGHT-OF-WAY DEDICATION
 PORTIONS OF
 LOT 10, BLOCK 3/6150 MIDMONT ADDITION
 AND WBL FAMILY INVESTMENTS, INC. TRACT, BLOCK 6150
 CITY OF DALLAS, DALLAS COUNTY, TEXAS



DAVID J. De WEIRDT
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 50666

OWNERSHIP LIST BLOCK 2/6150

MIDWAY HILLS SECOND SECTION
VOL. 20, PG. 137, M.R.D.C.T.

LOT 9A
CYNTHIA OSBORNE
INST. NO. 201400090949
O.P.R.D.C.T.

OWNERSHIP LIST BLOCK A/6150

MIDWAY WEST ADDITION
VOL. 28, PG. 149, M.R.D.C.T.

LOT 1
OLIVER SINTOBIN
VOL. 83148, PG. 3574
D.R.D.C.T.

LOT 3
ROBERT M. &
DEBRA A. BARTOLOMEO
INST. NO.
201300209180
O.P.R.D.C.T.

LOT 2
MARK L. &
DONNA L. RATHBUN
VOL. 86202, PG. 4139
D.R.D.C.T.

LOT 4
KENETH B. ZALLY
VOL. 77127, PG. 1463
D.R.D.C.T.

OWNERSHIP LIST BLOCK 3/6150

MIDMONT ADDITION
VOL. 36, PG. 201, M.R.D.C.T.

LOT 9
WBL FAMILY INVESTMENTS,
INC
INST No. 201300128230
O.P.R.D.C.T.

LOT 10
WBL FAMILY INVESTMENTS,
INC
VOL. 2003114, PG. 23109
D.R.D.C.T.

LOT 11
WBL FAMILY INVESTMENTS,
INC
VOL. 2001233, PG. 7037
D.R.D.C.T.

LOT 12
WBL FAMILY INVESTMENTS,
INC
VOL. 2001233, PG. 7037
D.R.D.C.T.

BURY

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ALLEY RIGHT-OF-WAY DEDICATION
PORTIONS OF
LOT 10, BLOCK 3/6150 MIDMONT ADDITION
AND WBL FAMILY INVESTMENTS TRACT, BLOCK 6150
CITY OF DALLAS, DALLAS COUNTY, TEXAS

DAVID J. De WEIRDT
REGISTERED PROFESSIONAL
LAND SURVEYOR NO. 5066