

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** 7  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 56L

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**SUBJECT**

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from 5901 Lamar, LP, of approximately 18,157 square feet of land, located on Lamar Street near its merging with SM Wright Freeway, for the Dallas Floodway Extension portion of the Trinity River Corridor Project - Not to exceed \$446,000 (\$440,000, plus closing costs not to exceed \$6,000) – Financing: U.S. Army Corps of Engineers Project Cooperation Funds

**BACKGROUND**

This item authorizes the acquisition of approximately 18,157 square feet of land improved with a 4,000 square foot commercial building from 5901 Lamar, LP. This property is located on Lamar Street near its merging with SM Wright Freeway and will be used for the Dallas Floodway Extension. The consideration is based upon an independent appraisal.

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

This item has no prior action.

**FISCAL INFORMATION**

U.S. Army Corps of Engineers Project Cooperation Funds - \$446,000 (\$440,000, plus closing costs not to exceed \$6,000)

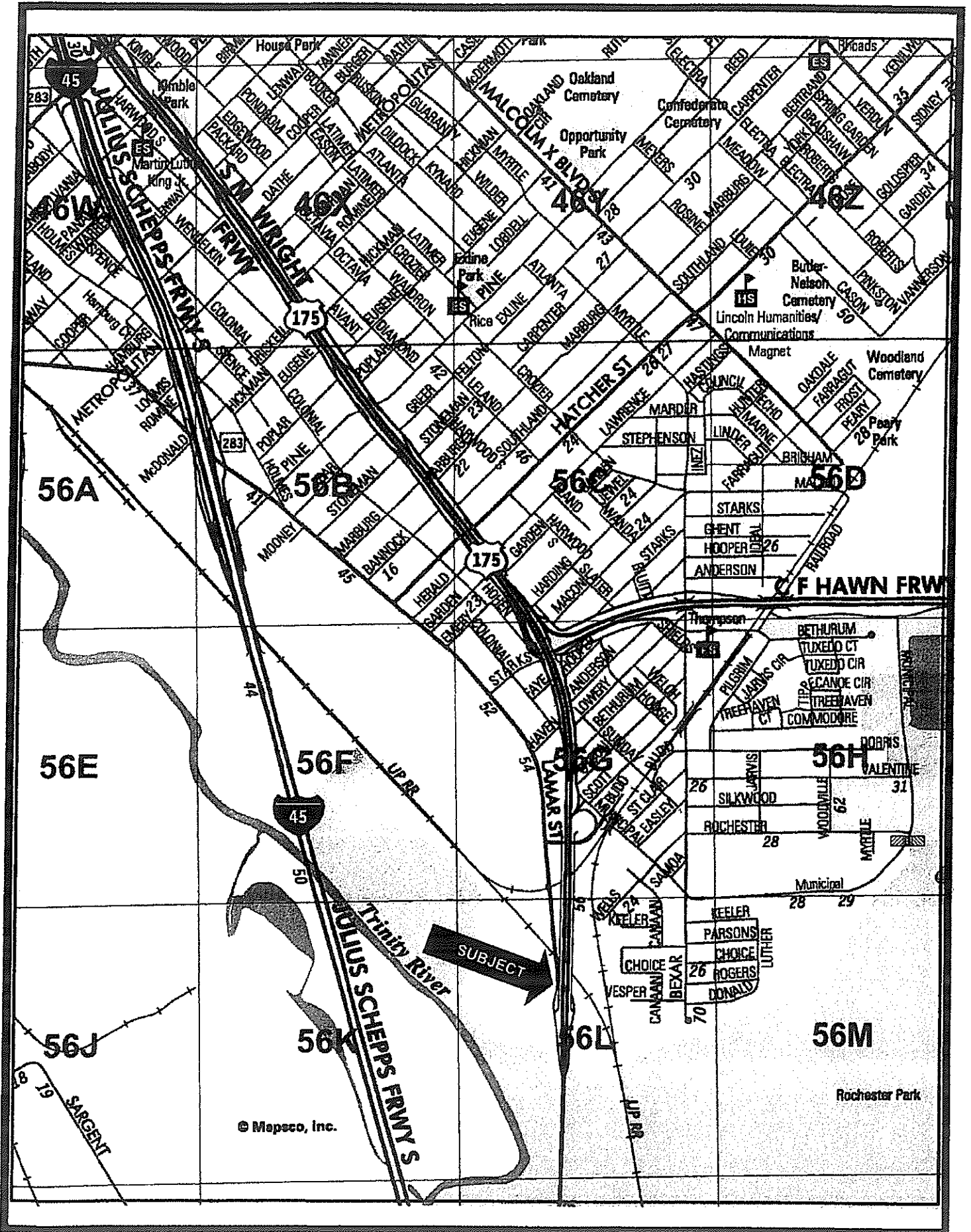
**OWNER**

**5901 Lamar, LP**

Dallas Lamar Partners, LLC  
Barbara Duncan, Member

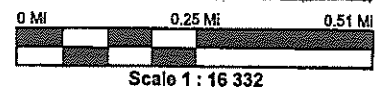
**MAPS**

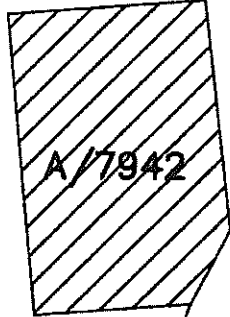
Attached



© Mapsco, Inc.

MAPSCO 56L





S. Lamar Street

S·M Wright Frwy

Access Road

AREA TO BE ACQUIRED



June 23, 2010

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

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

"CITY": The City of Dallas.

"PROPERTY": Approximately 18,157 square feet of property located in Dallas County, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"PROJECT": Trinity River Corridor Project – Dallas Floodway Extension

"PROPERTY INTEREST": Fee Simple

"OWNER": 5901 Lamar, LP, 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": \$440,000.00

"CLOSING COSTS": Not to exceed \$6,000.00

"AUTHORIZED AMOUNT": \$446,000.00

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

**SECTION 1.** That the PROJECT is a municipal and public purpose and a public use.

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

**SECTION 3.** That for the purpose of acquiring the PROPERTY INTEREST in the PROPERTY, the Assistant Director of the 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.

June 23, 2010

**SECTION 4.** That in the event the OWNER accepts the OFFER AMOUNT, the City Controller is authorized and directed to draw a warrant in favor of the OWNER, or the then current owner of record, or the title company closing the transaction described herein in the OFFER AMOUNT and CLOSING COSTS payable out of the U.S. Army Corps of Engineers Project Cooperation Funds, Fund No. TP14, Department TWM, Unit N962, Activity TRPP, Program No. PB 98N962, Object 4210, Encumbrance No. CT-PBW98N962H7. The OFFER AMOUNT and the CLOSING COSTS together shall not exceed the AUTHORIZED AMOUNT.

**SECTION 5.** That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay 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.

**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.

**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).

**SECTION 8.** 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 City Controller 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 23, 2010

**SECTION 9.** 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:  
THOMAS P. PERKINS, JR., City Attorney**

BY   
**Assistant City Attorney**

**Exhibit A**  
**BOUNDARY SURVEY OF**  
**0.417 OF AN ACRE**  
**5815 SOUTH LAMAR STREET**  
**CITY BLOCK 7942**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

**METES AND BOUNDS DESCRIPTION**

Being a 18,157 square feet tract of land situated in the John M. Crockett Survey, Abstract No. 353, City of Dallas, Dallas County, Texas, and being located in City Block 7942 and being all of a 0.4047 acre tract of land (by deed) designated "First Tract" deeded to 5901 Lamar, LP in the Special Warranty Deed recorded in the Instrument No. 200600129928 of the Official Public Records, Dallas County, Texas, and being a portion of the WEIL-SEGALL SUBDIVISION, a subdivision of the City of Dallas as recorded in Volume 70141, Page 1696 of the Deed Records, Dallas County, Texas, said 18,157 square foot tract of land being more particularly described by metes and bounds as follows:

**BEGINNING** at a 1/2-inch iron rod (controlling monument) found for the most southerly southeast corner of said 0.4047 acre tract of land, the most southerly southeast corner of said WEIL-SEGALL SUBDIVISION and a northeasterly corner of a 18.80 acre tract of land (by deed) deeded to 5901 South Lamar Street LLC as recorded in Instrument No. 200900299717 of said Public Records and being in the westerly right-of-way line of South Lamar Street / South Central Expressway (a variable width right-of-way)

**THENCE** South 84 degrees 50 minutes 50 seconds West, along the southerly line of said 0.4047 acre tract of land and the southerly line of said WEIL-SEGALL SUBDIVISION and a northerly line of said 18.80 acre tract of land, a distance of 84.03 feet to a 1-inch iron pipe (controlling monument) found for the southwest corner of said 0.4047 acre tract of land and an interior ell corner of said 18.80 acre tract of land;

**THENCE** North 05 degrees 09 minutes 10 seconds West, along the westerly line of said 0.4047 acre tract of land and an easterly line of said 18.80 acre tract of land, a distance of 180.00 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA & ASSOCIATES" set for the northwest corner of said 0.4047 acre tract of land and an interior ell corner of said 18.80 acre tract of land;

*Just Holt 5-27-2010*  
**REVIEWED BY:**

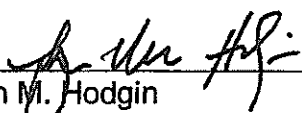


**Exhibit A**  
**BOUNDARY SURVEY OF**  
**0.417 OF AN ACRE**  
**5815 SOUTH LAMAR STREET**  
**CITY BLOCK 7942**  
**CITY OF DALLAS, DALLAS COUNTY, TEXAS**

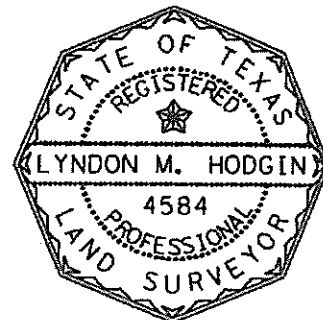
- THENCE** North 84 degrees 48 minutes 17 seconds East, along the northerly line of said 0.4047 acre tract of land and a southerly line of said 18.80 acre tract of land, a distance of 102.87 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA & ASSOCIATES" set for the northeast corner of said 0.4047 acre tract of land and a southeast corner of said 18.80 acre tract of land, being in the easterly line of said WEIL-SEGALL SUBDIVISION and the westerly right-of-way line of said South Lamar Street / South Central Expressway;
- THENCE** South 05 degrees 20 minutes 24 seconds East, along the easterly line of said 0.4047 acre tract of land, the easterly line of said WEIL-SEGALL SUBDIVISION and the westerly right-of-way line of said South Lamar Street / South Central Expressway, a distance of 137.14 feet to a 5/8 inch iron rod with cap stamped "GORRONDONA & ASSOCIATES" set for an angle point;
- THENCE** South 19 degrees 02 minutes 03 seconds West, continuing along the easterly line of said 0.4047 acre tract of land, the easterly line of said WEIL-SEGALL SUBDIVISION and the westerly right-of-way line of said South Lamar Street / South Central Expressway, a distance of 47.07 feet to the **POINT OF BEGINNING** and containing 18,157 square feet or 0.417 of an acre of land, more or less.

Basis of Bearing is the northeast line of the adjoining 5901 South Lamar Street LLC tract of land, called South 42 degrees 00 minutes 00 seconds East, as recorded in Instrument No. 200900299717 of the Official Public Records, Dallas County, Texas.

I, Lyndon M. Hodgin, a Registered Professional Land Surveyor licensed by the State of Texas do hereby certify that the boundary survey shown hereon depicts the results of an actual on-the-ground survey made under my direct supervision during the months of December, 2009 and January, 2010.

  
\_\_\_\_\_  
Lyndon M. Hodgin  
Registered Professional Land Surveyor  
Texas No. 4584

5-26-10



REVIEWED BY: *Justin Hood* 5-27-2010

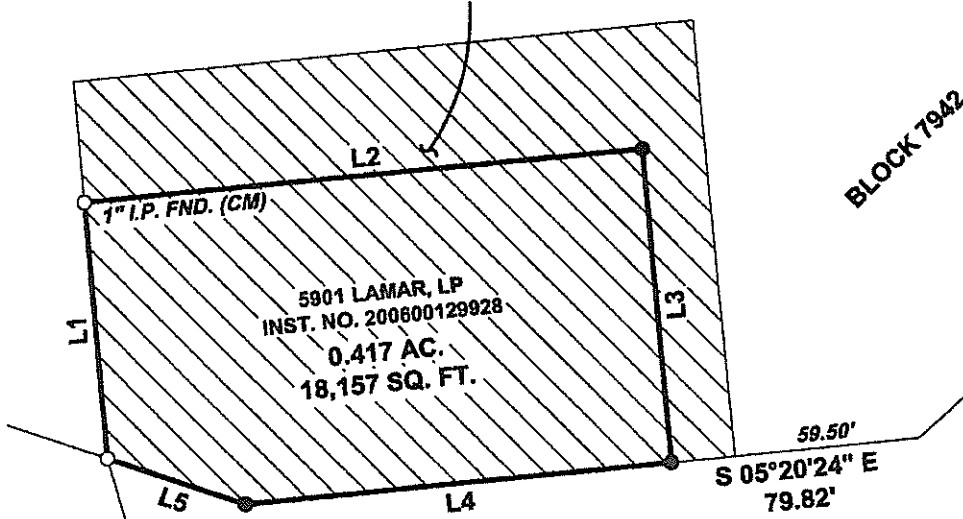
Exhibit A

BOUNDARY SURVEY OF  
0.417 OF AN ACRE  
5815 SOUTH LAMAR STREET  
CITY BLOCK 7942  
CITY OF DALLAS, DALLAS COUNTY, TEXAS

JOHN M. CROCKETT SURVEY  
A - 353

WEIL-SEGALL  
SUBDIVISION  
VOL. 70141, PG. 1696

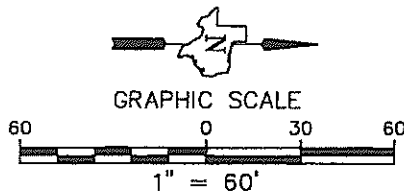
5901 SOUTH LAMAR STREET LLC  
INST. NO. 200900299717



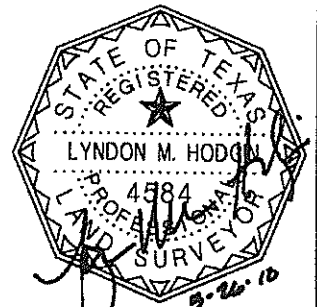
BASIS OF BEARINGS  
S 42°00'00" E

POINT OF BEGINNING  
1/2" I.R. FND. (CM)

SOUTH LAMAR STREET /  
SOUTH CENTRAL EXPRESSWAY  
(VARIABLE WIDTH RIGHT-OF-WAY)



5901 SOUTH LAMAR STREET LLC  
INST. NO. 200900299717



BASIS OF BEARING IS THE NORTHEAST LINE OF THE  
ADJOINING 5901 SOUTH LAMAR STREET LLC TRACT  
OF LAND, CALLED SOUTH 42 DEGREES 00 MINUTES  
00 SECONDS EAST, AS RECORDED IN INSTRUMENT  
NO. 200900299717 OF THE OFFICIAL PUBLIC  
RECORDS, DALLAS COUNTY, TEXAS.

L1	S 84°50'50" W	84.03'
L2	N 05°09'10" W	180.00'
L3	N 84°48'17" E	102.87'
L4	S 05°20'24" E	137.14'
L5	S 19°02'03" W	47.07'

- LEGEND**
- FND. FOUND
  - (CM) CONTROLLING MONUMENT
  - SET 5/8-INCH IRON ROD WITH CAP STAMPED "GORRONDONA & ASSOCIATES"
  - PROPERTY TO BE ACQUIRED



OWNER: 5901 LAMAR, LP

JOB NO. 0910-3864

DRAWN/CHK BY: JDS/MLH

CADD FILE: LAMAR 0X11

DATE: APRIL 30, 2010

PAGE 3 OF 3

SCALE: 1" = 60'

REVIEWED BY: *Justin Hoff* 5-27-2010

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** 5  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 57 Z

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**SUBJECT**

Authorize the deposit of a Special Commissioners' Award in the lawsuit styled, City of Dallas v. Lanny Gatlin, The Estate of Steve Gatlin, Cause No. 10-01369-D, pending in the County Court at Law No. 4, for acquisition from Lanny Gatlin and the Estate of Steve Gatlin of approximately 55,154 square feet of land located at the intersection of Long Acre Lane and Loop 12 for the Trinity River Corridor Project Audubon Center – Not to exceed \$382,500 (\$378,000, plus closing costs not to exceed \$4,500) - Financing: 1998 Bond Funds

**BACKGROUND**

This item authorizes deposit of a Special Commissioners' Award for the acquisition of approximately 55,154 square feet of land. The property is improved with a used car sales lot. The original offer of \$185,000 was based on an independent appraisal. The offer was not accepted by the owners and an eminent domain case was filed to acquire the land. The Special Commissioners awarded \$378,000.

The City has no control over Special Commissioners appointed by the county court at law judges or any award that is subsequently rendered by the Special Commissioners. The City, in order to acquire possession and proceed with its improvements, must deposit the Commissioners' Award in the Registry of the Court.

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

Authorized acquisition on September 10, 2008, by Resolution No. 08-2485.

**FISCAL INFORMATION**

\$382,500 (\$378,000, plus closing costs not to exceed \$4,500) – 1998 Bond Funds

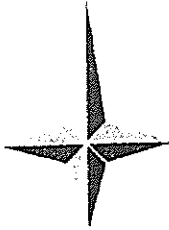
**OWNERS**

Lanny Gatlin  
The Estate of Steve Gatlin

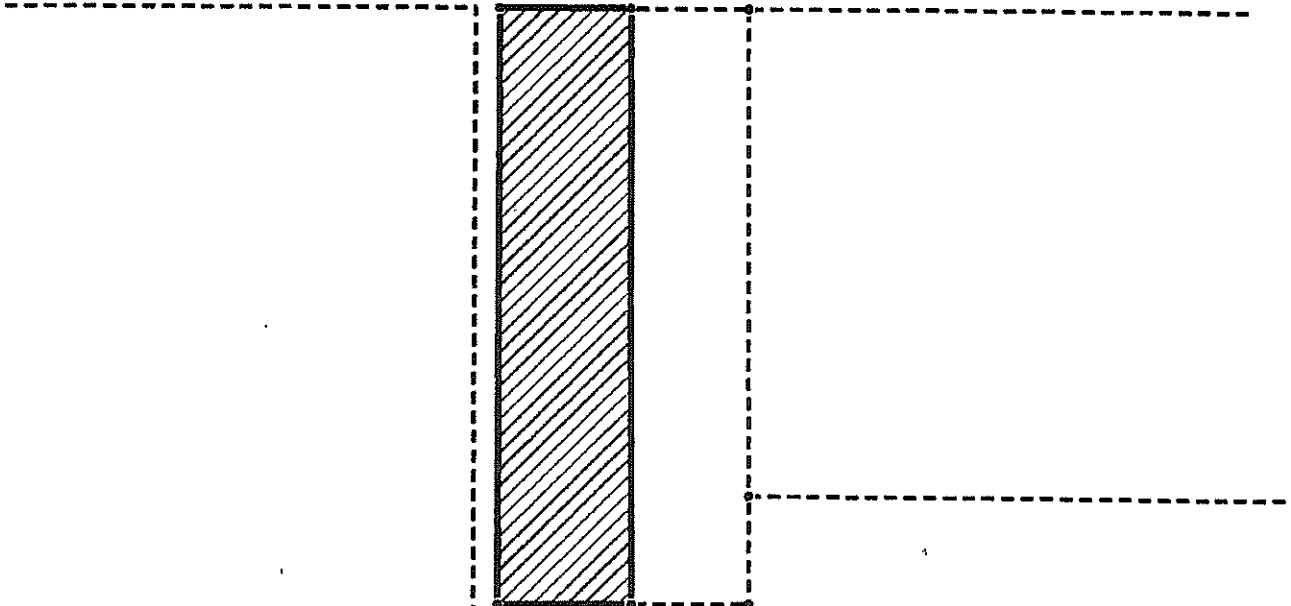
**MAPS**

Attached

N



# STATE HIGHWAY LOOP 12

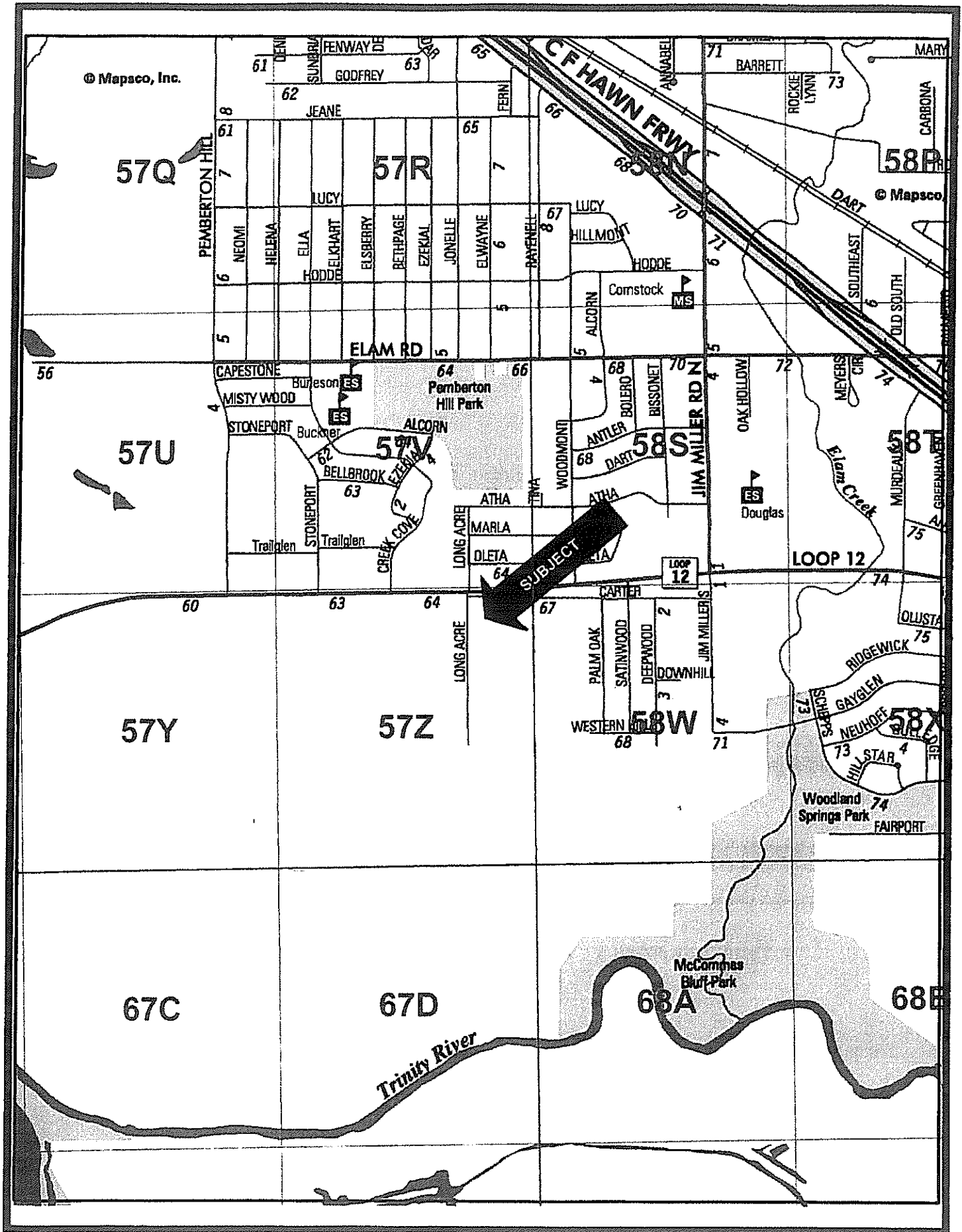


Longacre Lane  
(20' Right-of-Way)

BLOCK  
6263



Area To Be Acquired



© Mapaco, Inc.

© Mapaco

**SUBJECT**

June 23, 2010

**A RESOLUTION AUTHORIZING THE DEPOSIT OF THE COMMISSIONERS' AWARD**

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

**CONDEMNATION SUIT:** Cause No. 10-01369-D in County Court at Law No. 4, and styled City of Dallas v. Lanny Gatlin, The Estate of Steve Gatlin filed pursuant to City Council Resolution No. 082485

**PROPERTY:** Fee simple containing approximately 55,154 square feet of land situated in City Block 6263 in the City of Dallas, Dallas County, Texas, as described in Exhibit A, attached hereto and made a part hereof for all purposes

**PROJECT:** Trinity River Corridor Project - Audubon Center

**OFFICIAL OFFER:** \$185,000

**AWARD:** \$378,000

**CLOSING COSTS:** Not to exceed \$4,500

**DESIGNATED FUNDS:** \$189,000 from Trinity River Corridor Project Fund No. 5P14, Department PBW, Unit N966, Object 4210, Activity TRPP, Program No. PB98N966, Encumbrance No. CT-PBW98N966K3; and \$193,500.00 from Trinity River Corridor Project Fund No. 6P14, Department PBW, Unit N966, Object 4210, Activity TRPP, Program No. PB98N966, Encumbrance No. CT-PBW98N966K3

**WHEREAS,** the OFFICIAL OFFER having been made and refused, the City Attorney instituted a condemnation suit for the acquisition of the PROPERTY for the PROJECT; and

**WHEREAS,** the Special Commissioners appointed by the Court in the CONDEMNATION SUIT made an 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 the City will pay any title expenses and closing costs;

June 23, 2010

Now, Therefore,

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

**SECTION 1.** That the City Controller 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.

**SECTION 2.** That the City Controller is hereby authorized and directed to issue a check, paid out of and charged to the DESIGNATED FUNDS, in the amount of the CLOSING COSTS payable to the title company.

**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**

**Thomas P. Perkins, Jr.**

**City Attorney**

By: \_\_\_\_\_

**Assistant City Attorney**



## Exhibit A

### FIELD NOTES DESCRIBING 1.266 Acres (55,154 Sq. Ft.) OF LAND IN BLOCK 6263, TO BE ACQUIRED FROM LANNY & STEVE GATLIN

BEING a 1.266 Acre (55,154 Sq. Ft.) tract of land in the George Markham Survey, Abstract Number 980, Dallas County, Texas, lying in Block 6263, Official City of Dallas Numbers, and being all of the land conveyed to Lanny Gatlin and Steve Gatlin from L.A. Parks and Grace Parks, by Warranty Deed with Vendor's Lien dated February 3, 1988 and recorded in Volume 88027, Page 4256 of the Deed Records of Dallas County, and being more particularly described as follows:

**COMMENCING** at a wooden Railroad Tie fence corner with a PK nail set in the top, found in the South line of Carter Road (a variable-width Right-of-Way) at the Northwest corner of a tract of land conveyed to LaPoleon Denson, Jr., by deed dated April 14, 1995, recorded in Volume 95077, Page 03368 of the Dallas County Deed Records, same being the most Easterly Northeast corner of a tract of land conveyed to North Benson, Inc., by deed dated April 4, 2003 and recorded in Volume 2003065, Page 05458 of said deed records:

**THENCE** North 89°34'18" West, along the North line of said North Benson, Inc. tract, same being the South line of said Carter Road, pass at 688.76 feet the most Westerly Northwest corner of said North Benson, Inc. tract, being also the Northeast corner of a tract of land conveyed to James Robert McDaniel by Deed dated October 30, 1968 and recorded in Volume 68217, Page 1480 of the Deed Records of Dallas County, and continuing for a total distance of 787.20 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the common North corner between said Gatlin and McDaniel tracts, being the Northeast corner and **POINT OF BEGINNING** of the herein described tract:

**THENCE** South 00°31'03" East, departing the last said South line of Carter Road, with the common line between said McDaniel and Gatlin tracts a distance of 499.64 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the common South corner of said tracts, being also the Southeast corner of this tract:

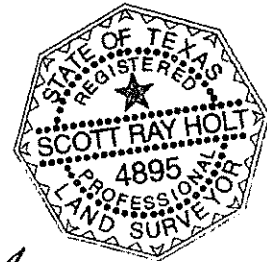
**THENCE** South 89°56'36" West a distance of 111.52 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the Southwest corner of this tract, in the East line of Longacre Lane, a twenty-foot wide roadway easement granted to the City of Dallas by Deed dated April 16, 1963 and recorded in Volume 60, Page 1331 of the Dallas County Deed Records:

**THENCE** North 00°14'11" West with the said East line of Longacre Lane a distance of 500.55 feet to a 5/8 inch dia. steel rod with cap marked "CITY OF DALLAS" set at the Northwest corner of this tract, in the said South line of Carter Road:

**FIELD NOTES DESCRIBING 1.266 Acres (55,154 Sq. Ft.) OF LAND IN  
BLOCK 6263, TO BE ACQUIRED FROM  
LANNY & STEVE GATLIN**

**THENCE** South 89°34'18" East with the said South line of Carter Road a distance of 109.07 feet to the **POINT OF BEGINNING**, containing 1.266 acres (55,154 Sq. Ft.) of land.

**BASIS OF BEARINGS** is the Texas State Plane, North Central Zone, Geodetic bearing as established by Global Positioning System observations taken from the U.S.C. & G.S. Triangulation Station "BUCKNER RESET," North American Datum of 1983.



*Scott Holt*  
4.27.2010

**LOOP 12**

(A Variable Width Right-of-Way)

**ABSTRACT LINE**

**Carter Road**  
(A Variable Width Right-of-Way)

POINT OF COMMENCING & CONTROLLING MONUMENT

POINT OF BEGINNING

Railroad Tie Fence Corner with P-K Nail Set in Top. Record Monument Found for all Adjoining Properties

**LAPLON DENSON, JR.**  
Vol. 9507, Pg. 3368

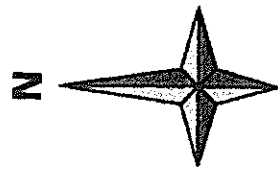
**NORTH BENSON, INC.**  
Vol. 20026, Pg. 05488  
(5.81 Ac. Deed)

**TRACT NO. 3**  
**TRIGGER GAP, INC.**  
Vol. 200200, Pg. 4116  
51,193 Acres  
(39,8347 Acres Deed)

**GIDEON PEMBERTON SURVEY**  
**ABSTRACT 1155**

**CITY BLOCK 6268**  
**George Markham Survey**  
**ABSTRACT 980**

"LONGACRE LANE"  
Vol. 60, Pg. 1331  
An Easement For Street Purposes, to The City of Dallas

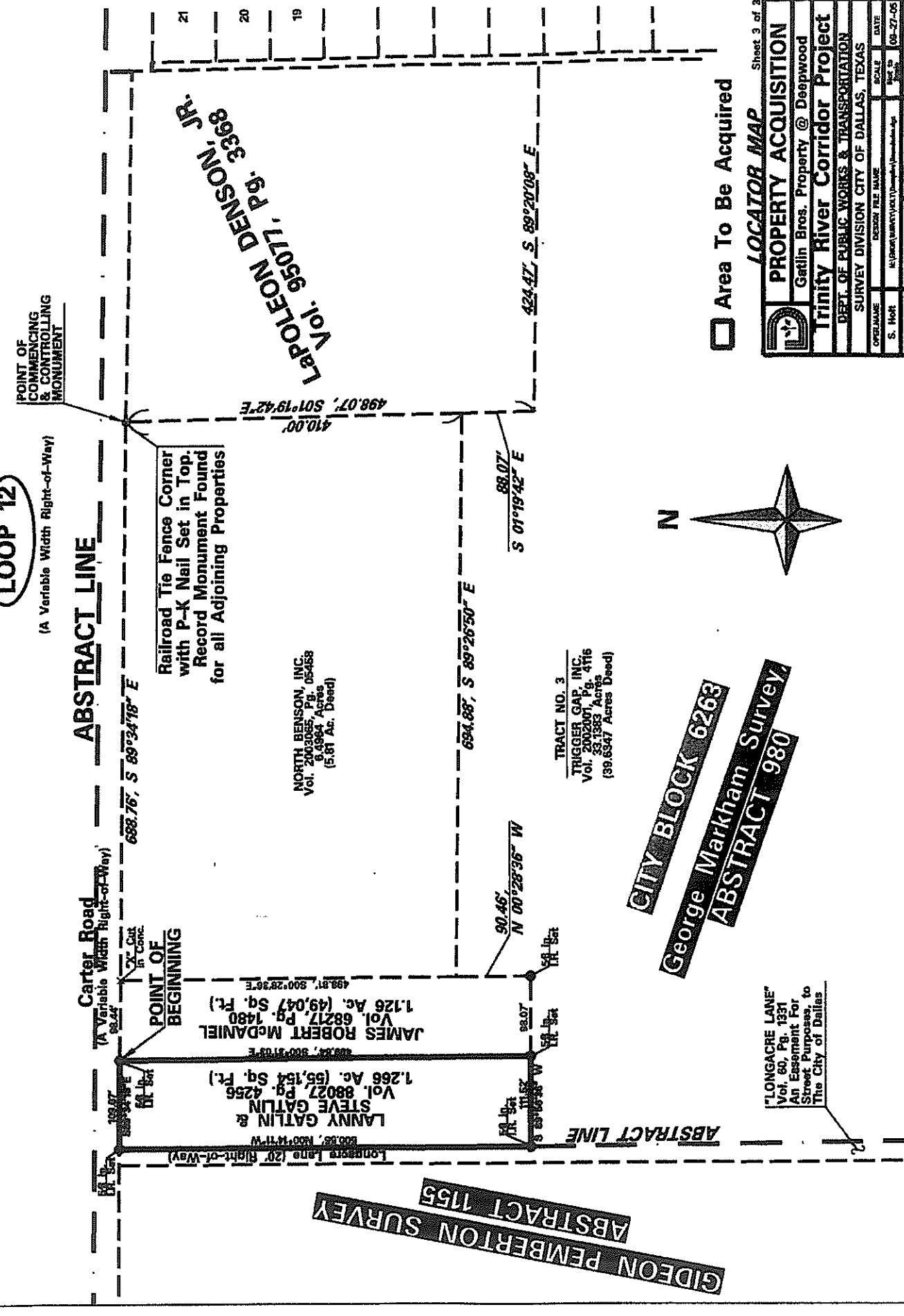


□ Area To Be Acquired

**LOCATOR MAP**

Sheet 3 of 3

<b>PROPERTY ACQUISITION</b>	
Gatlin Bros. Property @ Deepwood	
<b>Trinity River Corridor Project</b>	
DEPT. OF PUBLIC WORKS & TRANSPORTATION	
SURVEY DIVISION CITY OF DALLAS, TEXAS	
OPERATOR	SCALE
S. Holt	1" = 100'
PARTY CHIEF	DATE
J. Swisher	09-27-05
CALCULATIONS	FOUNDER
S. Holt	Deepwood
LANDROLL	FILE NO.
461D-368-Q-B	



**ADDENDUM ITEM # 10**

**KEY FOCUS AREA:** Better Cultural, Arts and Recreational Amenities

**AGENDA DATE:** June 23, 2010

**COUNCIL DISTRICT(S):** 5

**DEPARTMENT:** Park & Recreation  
Trinity Watershed Management

**CMO:** Paul D. Dyer, 670-4071  
Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 56-Z 57U-Z 58-S T W X

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**SUBJECT**

Authorize a professional services contract with Brown Reynolds Watford Architects, Inc. for design services for the Loop 12 Gateway project, including widening of the entrance road at the Trinity River Audubon Center; and solar lighting and signage along Loop 12 - Not to exceed \$198,700 - Financing: 1998 Bonds Funds

**BACKGROUND**

Trinity River Corridor Master Implementation Plan identified the Loop 12 Gateway as a highly desirable project. This action will include design services for widening and improvements to the entrance road at the Trinity River Audubon Center; solar powered street lights along a portion of Loop 12; monument signs at the Loop 12 entrances to the Great Trinity Forest; and signage along Loop 12 to identify facilities.

This action will authorize the award of a professional services contract to Brown Reynolds Watford Architects, Inc. for the Loop 12 Gateway project, including widening of the entrance road at the Trinity River Audubon Center; and solar lighting and signage along Loop 12.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Design	July 2010
Complete Design	February 2011
Begin Construction	July 2011
Complete Construction	January 2012

**PRIOR ACTION/REVIEW (Council, Boards, Commissions)**

The Trinity River Corridor Committee Project was briefed on February 16, 2010.

**FISCAL INFORMATION**

1998 Bond Funds - \$198,700

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Brown Reynolds Watford Architects, Inc.

White Male	32	White Female	26
Black Male	0	Black Female	1
Hispanic Male	1	Hispanic Female	6
Other Male	1	Other Female	4

**OWNERS**

**Brown Reynolds Watford Architects, Inc.**

Craig S. Reynolds, President

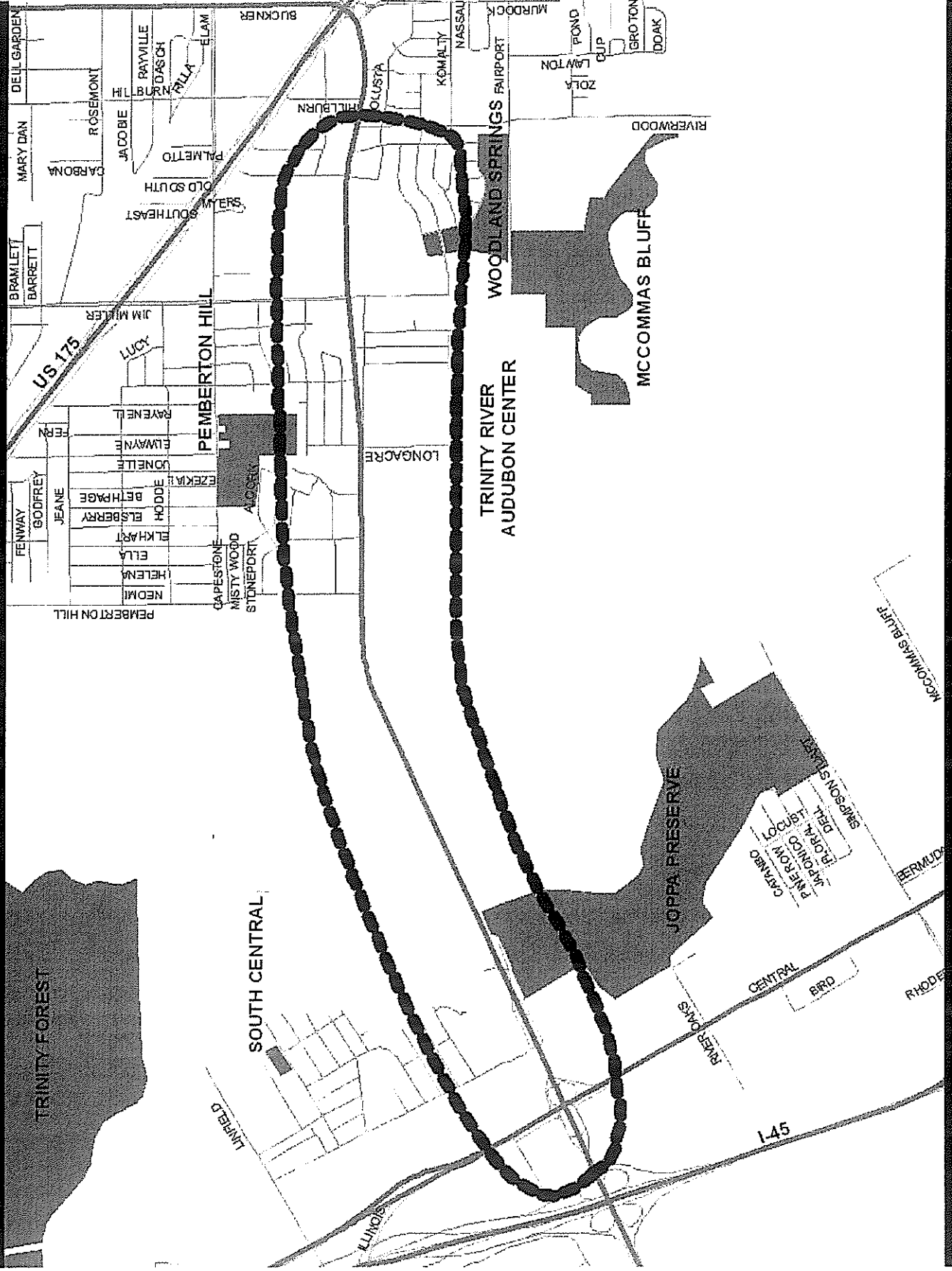
Mark E. Watford, Vice President

**MAP**

Attached

# Loop 12 Gateway

## Council District 5



Mapscos #s 56-Z, 57U-Z, and 58-S, T, W, X

**KEY FOCUS AREA:** Economic Vibrancy

**AGENDA DATE:** June 23, 2010

**COUNCIL DISTRICT(S):** All

**DEPARTMENT:** Trinity Watershed Management

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

**MAPSCO:** N/A

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**SUBJECT**

Authorize a professional services contract with George Sills Geotechnical Engineering Consultant, LLC for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$201,353 - Financing: 2006 Bond Funds

**BACKGROUND**

The City of Dallas, in accordance with the Water Resources Development Act of 2007, Section 2034 and 2035, is required to perform an independent external peer review of projects during design and construction of large federally authorized flood control projects, such as the Dallas Floodway Project. The U.S. Army Corps of Engineers (USACE) has determined that the design and construction of the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station require an independent external peer review.

The independent external peer review will be a team with expertise in hydraulics and hydrology, geotechnical, civil and construction management disciplines. Each team member has submitted the appropriate qualifications and submitted the conflict disclosure forms in accordance with National Academy of Sciences' policy for committee selection with respect to evaluating the potential for conflicts. In addition, team members have been approved by the USACE.

This team will review scientific and technical matters. The team will review the designs at 35% and 95% submittals and submit a report to the City of Dallas in accordance with USACE guidance. Each team member has participated in previous independent external peer reviews. This team also has experience with projects of similar size and similar time constraints.

**BACKGROUND (Continued)**

George Sills will serve as the geotechnical expert and ensure compatibility of the designs for the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station. He has extensive experience in subsurface investigations, soil mechanics, seepage and slope stability evaluations, erosion protection design, and construction and earthwork construction.

The Water Resources Development Act (WRDA) of 2007 provided authorization for the Dallas Floodway Project which includes the Balanced Vision Plan and Interior Drainage Plan for the East and West Levees. The 100-Year Levee Improvement are anticipated to be included as phase 1 of the Balanced Vision Plan. The Pavaho Pump Station and Baker Pump Station are part of the Interior Drainage Plan. This independent external peer review contract will serve as a portion of the City of Dallas' in-kind credit towards the construction of the Dallas Floodway Project. This contract is being fully coordinated with the U. S. Army Corps of Engineers with respect to their ongoing development of the Dallas Floodway Environmental Impact Statement (EIS) and future construction activities.

**ESTIMATED SCHEDULE OF PROJECTS**

Independent External Peer Review Begin	July 2010
Independent External Peer Review Complete	February 2013

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

Trinity River Corridor Project Committee will be briefed (by memo) on June 22, 2010.

**FISCAL INFORMATION**

2006 Bond Funds - \$201,353

**ETHNIC COMPOSITION**

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



**OWNER**

**George Sills Geotechnical Engineering Consultant, LLC**

George Sills, Owner

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** N/A

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**SUBJECT**

Authorize a professional services contract with David T. Williams and Associates, Engineers, LLC for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$226,900 - Financing: 2006 Bond Funds

**BACKGROUND**

The City of Dallas, in accordance with the Water Resources Development Act of 2007, Section 2034 and 2035, is required to perform an independent external peer review of projects during design and construction of large federally authorized flood control projects, such as the Dallas Floodway Project. The U. S. Army Corps of Engineers (USACE) has determined that the design and construction of the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station require an independent external peer review.

The independent external peer review will be a team with expertise in hydraulics and hydrology, geotechnical, civil and construction management disciplines. Each team member has submitted the appropriate qualifications and submitted the conflict disclosure forms in accordance with National Academy of Sciences' policy for committee selection with respect to evaluating the potential for conflicts. In addition, team members have been approved by the USACE.

## **BACKGROUND (Continued)**

This team will review scientific and technical matters. The team will review the designs at 35% and 95% submittals and submit a report to the City of Dallas in accordance with USACE guidance. Each team member has participated in previous independent external peer reviews. This team also has experience with projects of similar size and similar time constraints. The City of Dallas, in accordance with the Water Resources Development Act of 2007, Section 2034 and 2035, is required to perform an independent external peer review of projects under design through construction if the City intends on seeking in-kind credit or reimbursement upon completion of the construction activities. The U. S. Army Corps of Engineers (USACE) has determined that the design and construction of the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station require an independent external peer review.

David T. Williams will serve as the Team Lead and the hydraulics and hydrology expert. In addition to ensuring compatibility of the designs for the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station, he will perform administrative functions and serve as the primary contact for recommendations from the Independent External Peer Review Team. He has extensive experience serving as the lead role as well as performing hydrologic analysis and design of hydraulic structures.

The Water Resources Development Act (WRDA) of 2007 provided authorization for the Dallas Floodway Project which includes the Balanced Vision Plan and Interior Drainage Plan for the East and West Levees. The 100-Year Levee Improvement are anticipated to be included as phase 1 of the Balanced Vision Plan. The Pavaho Pump Station and Baker Pump Station are part of the Interior Drainage Plan. This independent external peer review contract will serve as a portion of the City of Dallas' in-kind credit towards the construction of the Dallas Floodway Project. This contract is being fully coordinated with the U. S. Army Corps of Engineers with respect to their ongoing development of the Dallas Floodway Environmental Impact Statement (EIS) and future construction activities.

## **ESTIMATED SCHEDULE OF PROJECTS**

Independent External Peer Review Begin	July 2010
Independent External Peer Review Complete	February 2013

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

Trinity River Corridor Project Committee was briefed (by memo) on June 22, 2010.

## **FISCAL INFORMATION**

2006 Bond Funds - \$226,900

**ETHNIC COMPOSITION**

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

**OWNER**

**David T. Williams and Associates, Engineers, LLC**

David T. Williams, Owner

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** N/A

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**SUBJECT**

Authorize a professional services contract with Arun Wagh, Inc. for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$114,400 - Financing: 2006 Bond Funds

**BACKGROUND**

The City of Dallas, in accordance with the Water Resources Development Act of 2007, Section 2034 and 2035, is required to perform an independent external peer review of projects during design and construction of large federally authorized flood control projects, such as the Dallas Floodway Project. The U. S. Army Corps of Engineers (USACE) has determined that the design and construction of the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station require an independent external peer review.

The independent external peer review will be a team with expertise in hydraulics and hydrology, geotechnical, civil and construction management disciplines. Each team member has submitted the appropriate qualifications and submitted the conflict disclosure forms in accordance with National Academy of Sciences' policy for committee selection with respect to evaluating the potential for conflicts. In addition, team members have been approved by the USACE.

This team will review scientific and technical matters. The team will review the designs at 35% and 95% submittals and submit a report to the City of Dallas in accordance with USACE guidance. Each team member has participated in previous independent external peer reviews. This team also has experience with projects of similar size and similar time constraints.

**BACKGROUND (Continued)**

Arun Wagh will serve as the construction expert and ensure compatibility of the designs and associated construction for the 100-Year Levee Improvements, Pavaho Pump Station, and Baker Pump Station. He has extensive experience in subsurface investigations, soil mechanics, seepage and slope stability evaluations, erosion protection design, and construction and earthwork construction.

The Water Resources Development Act (WRDA) of 2007 provided authorization for the Dallas Floodway Project which includes the Balanced Vision Plan and Interior Drainage Plan for the East and West Levees. The 100-Year Levee Improvement are anticipated to be included as phase 1 of the Balanced Vision Plan. The Pavaho Pump Station and Baker Pump Station are part of the Interior Drainage Plan. This independent external peer review contract will serve as a portion of the City of Dallas' in-kind credit towards the construction of the Dallas Floodway Project. This contract is being fully coordinated with the U. S. Army Corps of Engineers with respect to their ongoing development of the Dallas Floodway Environmental Impact Statement (EIS) and future construction activities.

**ESTIMATED SCHEDULE OF PROJECTS**

Independent External Peer Review begins	July 2010
Independent External Peer Review completes	February 2013

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

Trinity River Corridor Project Committee will be briefed (by memo) on June 22, 2010.

**FISCAL INFORMATION**

2006 Bond Funds - \$114, 400

**ETHNIC COMPOSITION**

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

**OWNER**

**Arun Wagh, Inc.**

Arun Wagh, P.E.

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 44L

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**SUBJECT**

Authorize a contract for the construction of the Pavaho Pump Station for the Trinity River Corridor Project - BAR Constructors, Inc., lowest responsible bidder of six - Not to exceed \$26,532,270 - Financing: 2006 Bond Funds

**BACKGROUND**

The 2006 Bond Program included \$334M in Proposition No. 2 for storm drainage and flood management projects. Proposition No. 2 included Levee Drainage System - Pavaho Sump, also referred to as the Pavaho Pump Station. On June 13, 2007, a professional services contract with Carter Burgess, Inc., a wholly-owned subsidiary of the Jacobs Engineer Group, Inc., was authorized to design the levee drainage system at Hampton/Oak Lawn Sump, also referred to as the Baker Pump Station, and Pavaho Pump Station. Under this contract, Carter Burgess, Inc., completed the design for the Pavaho Pump Station in April of 2010 and will complete the Baker Pump Station

Supplemental Agreement No. 1 to the professional services contract authorized additional design services to provide USACE Design Analysis documents related to the Baker and Pavaho Pump Stations.

This action will authorize a contract with BAR Constructors, Inc. to construct a new Pavaho Pump Station that will be approximately 10,890 square feet in size consisting of three 125,000-gpm pumps (375,000 gpm total capacity), and one 6,000 gpm low-flow pump.



**BACKGROUND** (Continued)

In addition, under this contract there will be a minor improvement to the existing Pavaho Pump Station. This improvement will ensure compatibility with the new Pavaho Pump Station. Also, a liner will be installed in the sump area immediately adjacent to the new Pavaho Pump Station to improve stormwater conveyance by minimizing the maintenance needs associated with erosion, silting and vegetation.

This project will provide 100-year flood protection to a large residential area in West Dallas that has flooded several times in recent years, by reducing the flood elevation from 408.1 to 405.5 feet. Floodwaters will be contained within the sump channels. About eight homes adjacent to the pump station will remain in the floodplain because they were originally built too low. Voluntary purchase will be offered to the homeowners.

The Water Resources Development Act (WRDA) of 2007 provided authorization for the Dallas Floodway Project which includes the Balanced Vision Plan and Interior Drainage Plan for the East and West Levees. The Pavaho Storm Water Pumping Station is part of the Interior Drainage Plan and has been released for construction by the U. S. Army Corps of Engineers. This construction contract will serve as a portion of the City of Dallas' in-kind credit towards the construction of the Dallas Floodway Project. This contract is being fully coordinated with the U. S. Army Corps of Engineers with respect to their ongoing development of the Dallas Floodway Environmental Impact Statement (EIS) and future construction activities.

**ESTIMATED SCHEDULE OF PROJECT:**

Begin Construction	July 2010
Complete Construction	July 2012

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

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

Authorized Supplemental Agreement No. 1 to the design contract on October 28, 2009, by Resolution No. 09-2652.

**FISCAL INFORMATION**

2006 Bond Funds - \$26,532,270

**ETHNIC COMPOSITION**

**BAR Constructors, Inc.**

Hispanic Female	3	Hispanic Male	150
African-American Female	0	African-American Male	5
Other Female	0	Other Male	0
White Female	4	White Male	28

**BID INFORMATION**

The following bids with quotes were received and opened on May 27, 2010:

\*Denotes successful bidder

<b><u>BIDDERS</u></b>	<b><u>BID AMOUNT</u></b>
* BAR Constructors, Inc. 805 Katy Street Lancaster, TX 75146	\$26,532,270.00
Archer Western Contractors, Ltd.	\$27,656,000.00
Oscar Renda Contracting, Inc.	\$28,629,491.00
Western Summit Constructors, Inc.	\$30,403,290.00
AUI Contractors, Inc.	\$32,358,200.00
ARK Contracting Services, LLP	\$34,354,050.00

**OWNER**

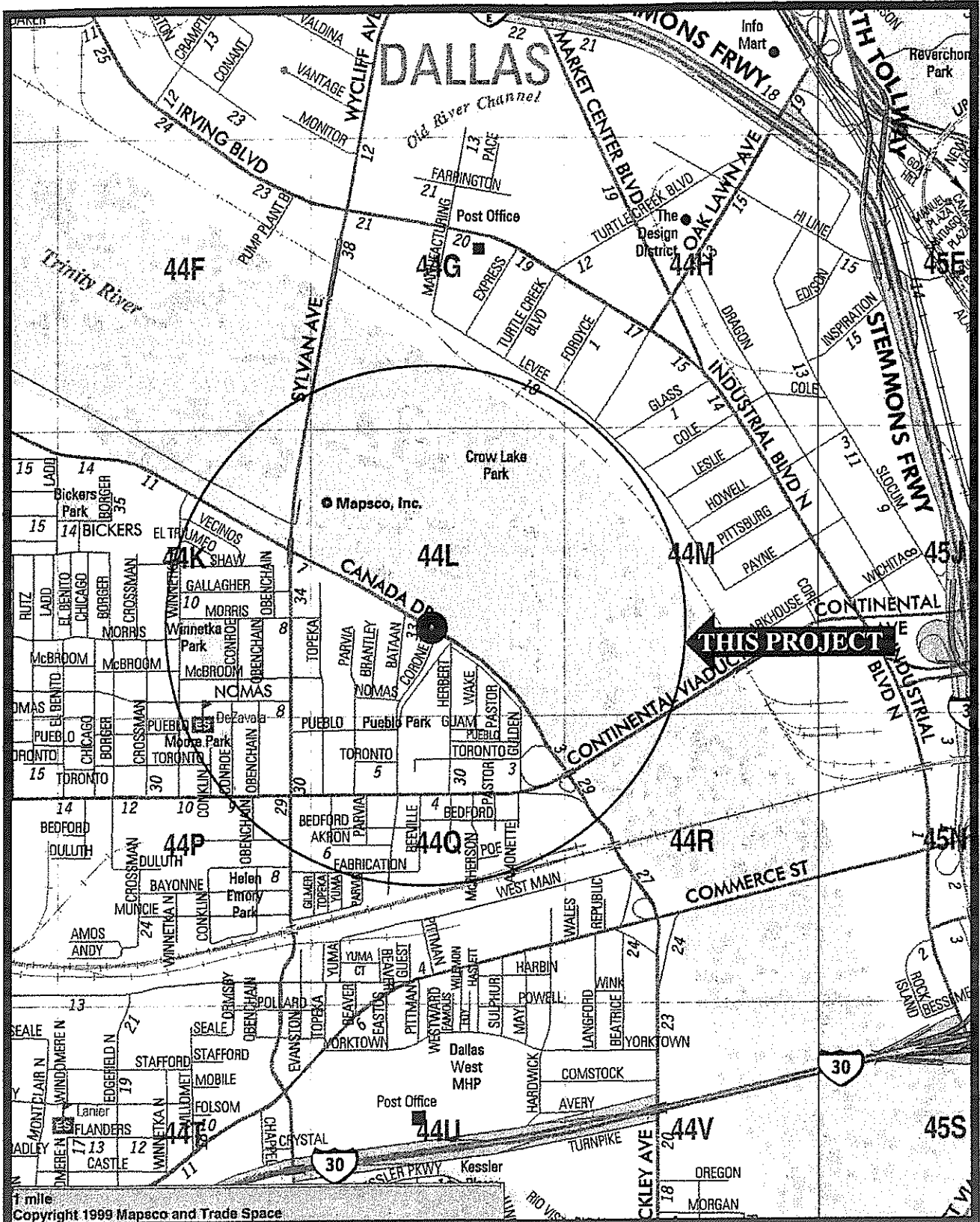
**Bar Constructors, Inc.**

Marle Arrambide, President

**MAP(S)**

See attached.

# Pavaho Pump Station



Mapsco - 44L

**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** 2, 6  
**DEPARTMENT:** Trinity Watershed Management  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 44L

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**SUBJECT**

Authorize Supplemental Agreement No. 2 to the professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of the Jacobs Engineering Group, Inc., for construction management services and design support during construction of the Pavaho Pump Station and Baker Pump Station for the Trinity River Corridor Project - Not to exceed \$3,727,000, from \$8,151,440 to \$11,878,440 - Financing: 2006 Bond Funds

**BACKGROUND**

The professional services contract with Carter & Burgess, Inc., a wholly owned subsidiary of the Jacobs Engineering Group, Inc., was authorized by City Council on June 13, 2007, by Resolution No. 07-1833. Under this contract, Carter & Burgess is providing engineering design services for improvements to the Baker Pump Station (also referred in the 2006 Bond Program as the Hampton/Oak Lawn Sump) and the Pavaho Pump Station. The design for Pavaho Pump Station was completed in April 2010. This action will authorize funding for construction management services and for design support during construction of both pump stations.

On October 28, 2009, Council authorized, by Resolution No. 09-2652, Supplemental Agreement No. 1 to provide additional design services on the Pavaho and Baker Pump Station projects as required by the U. S. Army Corps of Engineers.

**BACKGROUND** (Continued)

Construction is scheduled to begin in July 2010 for Pavaho Pump Station and in December 2010 for Baker Pump Station. These projects require specialized construction management due to the complexity of pump station design and construction. This action will authorize a contract with Carter & Burgess, a wholly owned subsidiary of the Jacob Engineering Group who will serve as the City's construction manager for both projects, providing management, oversight and field inspection for the administration, coordination, and design assistance during construction of both pump stations.

In November 2007, \$459 million was authorized for the Dallas Floodway Project in the Water Resources Development Act of 2007 (WRDA). The authorization of the Dallas Floodway Project in the WRDA allows the City of Dallas to seek annual appropriations from the Federal Government to support floodway projects in the Trinity River Corridor Project. The \$459 million authorization consists of an estimated Federal cost of \$298 million and an estimated non-Federal cost of \$161 million. As a portion of the estimated \$161 million non-Federal cost, the Baker Pump Station and Pavaho Pump Station improvements were included in WRDA. For inclusion in WRDA, these projects are required to undergo a Design Analysis to meet the USACE requirements.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Construction	July 2010
Complete Construction	July 2014

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

Authorized professional services contracts with four consulting firms to provide program management and engineering design of major flood management and storm drainage projects included in the 2006 Bond Program on June 13, 2007, by Resolution No. 07-1833.

Authorized Supplemental Agreement No. 1 to the professional services contract with Carter & Burgess, Inc., for additional design services on the Levee Drainage System-Hampton/Oak Lawn, also referred to as the Baker Pump Station, and the Levee Drainage System-Pavaho Pump Station on October 28, 2009, by Resolution No. 09-2652.

**FISCAL INFORMATION**

2006 Bond Funds - \$3,727,000

Design	\$7,621,000
Supplemental Agreement No. 1	\$ 530,440
Construction Management and Design Support During Construction (this action)	<u>\$ 3,727,000</u>

Total Project Cost \$11,878,440

**COUNCIL DISTRICT**

**AMOUNT**

2	\$2,013,000
6	<u>\$1,714,000</u>
Total	\$3,727,000

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Carter & Burgess, Inc., a wholly owned subsidiary of the Jacobs Engineering Group, Inc.

Hispanic Female	8	Hispanic Male	29
African-American Female	11	African-American Male	16
Other Female	9	Other Male	22
White Female	53	White Male	187

**OWNER**

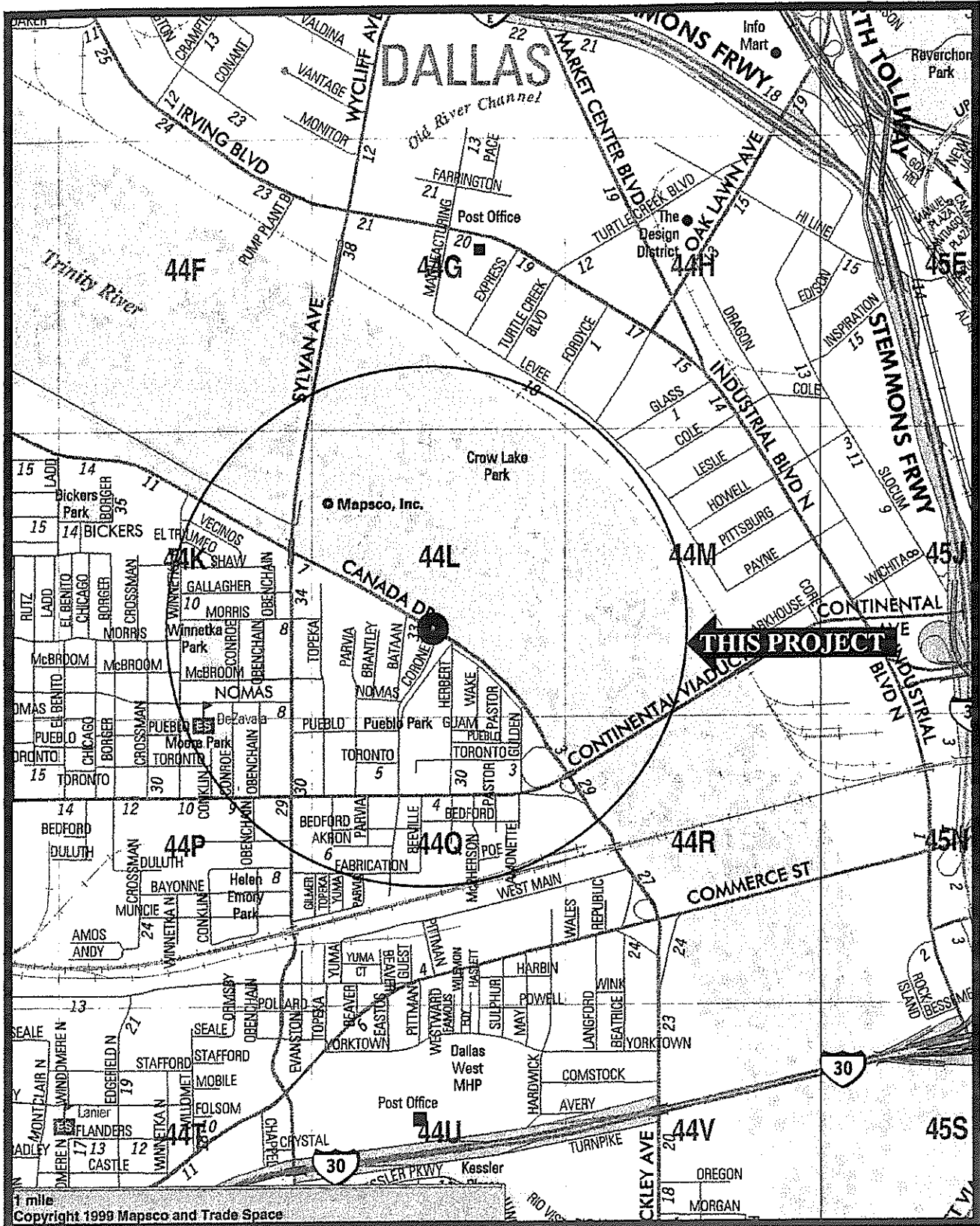
**Carter & Burgess, Inc., a wholly owned subsidiary of the Jacobs Engineering Group, Inc.**

Brian K. Adams, P.E., Managing Principal

**MAP**

Attached.

# Pavaho Pump Station



**KEY FOCUS AREA:** Economic Vibrancy  
**AGENDA DATE:** June 23, 2010  
**COUNCIL DISTRICT(S):** 4, 7  
**DEPARTMENT:** Water Utilities  
**CMO:** Ryan S. Evans, 670-3314  
**MAPSCO:** 56 H 57 E

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**SUBJECT**

Authorize a Memorandum of Agreement with the U.S. Army Corps of Engineers for the relocation of a 30-inch water transmission main in association with improvements to the Rochester Levee, Phase 1 near State Highway 175 (C.F. Hawn Freeway) and Municipal Street - \$800,000 - Financing: Water Utilities Capital Improvement Funds

**BACKGROUND**

On December 12, 2001, Council authorized a Project Cooperation Agreement with the United States Army Corps of Engineers (USACE) for the construction of the Dallas Floodway Extension project, which specifies the construction cost responsibilities of the USACE and the City of Dallas. Included in the agreement are provisions that the Non-Federal Sponsor, the City of Dallas, shall be responsible for costs associated with utility relocations that the USACE determines to be necessary for the construction, operation, and maintenance of the project.

In December 2007, the USACE performed a periodic inspection on the Dallas Floodway system using new, standardized criteria for inspecting and assessing levee systems. On March 31, 2009, the USACE issued a report titled "Dallas Floodway Project - Periodic Inspection Report Number 9" (Periodic Inspection Report Number 9). The report issued an "unacceptable" rating to the Dallas Floodway system and the USACE withdrew their letter of support for the Federal Emergency Management Agency (FEMA) accreditation of the Dallas Levee System. As a result of the USACE withdrawal of support, FEMA began the de-accreditation process for the Dallas Levee System in April 2009.



## **BACKGROUND** (Continued)

The Periodic Inspection Report Number 9 provides a list of deficiencies with the Dallas levee system. The City of Dallas has begun efforts to address these deficiencies and complete levee repairs for 100-year flood protection, by August 2011, before FEMA releases revised flood maps for the Dallas Floodway. One of the unacceptable deficiencies cited in the Periodic Inspection Report Number 9 is the mechanically stabilized earth retaining wall on the riverside levee slope of the Rochester Levee. In order to address this deficiency and others cited in the report for the Rochester Levee, the USACE and the City of Dallas plan to construct improvements to the levee at this location under the Rochester Levee Phase 1 project.

Part of the improvements required with the Rochester Levee, Phase 1 project include the relocation and removal of approximately 1,650 feet of 30-inch water main owned and operated by the City of Dallas. The relocation and removal of the water main is required to bring the levee into compliance with USACE requirements for the design, and construction of levees. To accomplish this work in a timely and efficient manner it is necessary for the USACE and the City of Dallas to enter into a Memorandum of Agreement (MOA).

Under the MOA with the USACE, the City will provide design plans and specifications for the water main relocation, construction funding, construction inspection services, and will approve all design changes for the water main relocation. The USACE will be responsible for the advertisement and construction of the relocation and removal of the abandoned water main. The USACE has designed the levee improvements and Dallas Water Utilities has designed the water main relocation. The USACE will administer the construction project and has agreed to incorporate the water main relocation as part of their contract. The USACE is scheduled to advertise the construction project in July 2010.

## **ESTIMATED SCHEDULE OF PROJECT**

Begin Construction      September 2010  
Complete Construction   August 2011

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

Authorized a Project Cooperation Agreement with the U.S. Army Corps of Engineers for the construction of the Dallas Floodway Extension project and a variance to the Corridor Development Certificate permit requirements for the Dallas Floodway Extension project, on December 12, 2001, by Resolution No. 01-3720.

Briefed the City Council on Periodic Inspection Report No. 9, on April 1, 2009.

Briefed the City Council on Periodic Inspection Report No. 9, on June 3, 2009.

Briefed the City Council on Dallas Floodway System, on April 21, 2010.

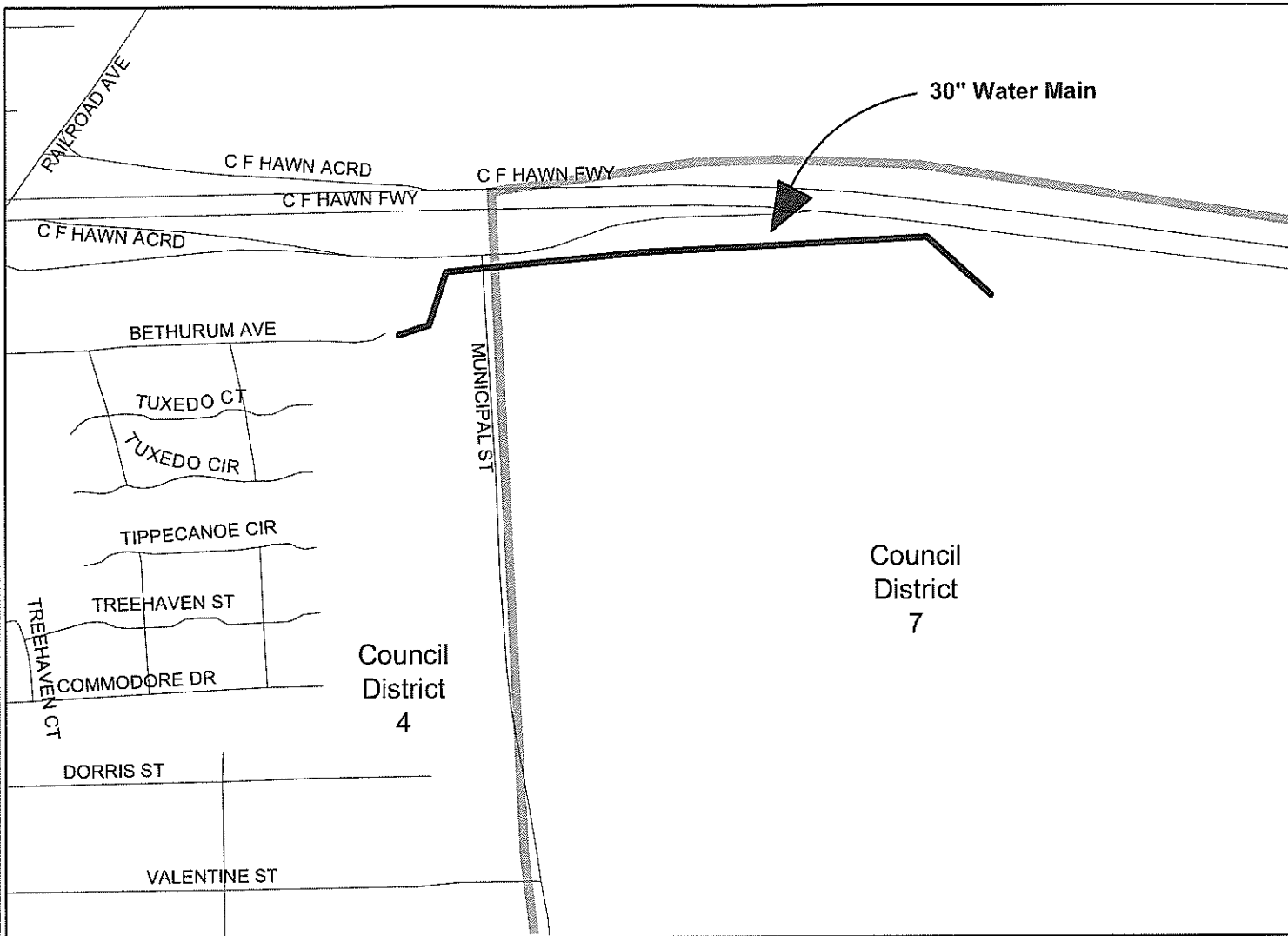
**FISCAL INFORMATION**

\$800,000.00 - Water Utilities Capital Improvement Funds

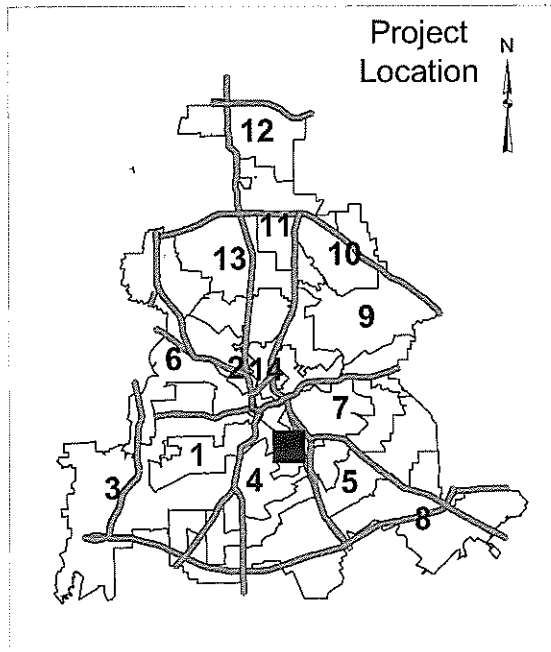
<b><u>Council District</u></b>	<b><u>Amount</u></b>
4	\$640,000.00
7	<u>\$160,000.00</u>
Total	\$800,000.00

**MAP**

Attached



MAPSCO : 56H, 57E  
 Council District : 4, 7



Water Utilities Department  
 Contract No. 10-215F  
 30-inch Water Main Relocation  
 Rochester Levee Phase 1 of 2  
 Near State Highway 175 (C.F. Hawn Freeway) and Municipal Street