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CITY SECRETARY
DALLAS, TEXAS



CITY OF DALLAS

Memorandum

DATE October 7, 2010

TO Trinity River Corridor Project Committee Members:
Steve Salazar (Vice-Chair), Mayor Pro Tem Dwaine Caraway, Deputy Mayor Pro Tem Pauline Medrano, Carolyn R. Davis, Vonciel Jones Hill, Delia Jasso, Linda Koop, Ann Margolin

SUBJECT Trinity River Corridor Project Council Committee Agenda

Please plan to attend a meeting of the Trinity River Corridor Project Committee on Tuesday, October 12, 2010 from 9:30 A.M. to 11:30 A.M. The meeting will be held at City Hall, 1500 Marilla, 6/E/S, Dallas, TX 75201

1. **Approval of minutes for September 21, 2010 Trinity River Corridor Project Committee meeting**
2. **Trinity River Corridor Project Expenditure Report (Memo for Information Only)**
3. **National Endowment for the Arts Grant to CityDesign Studio (Memo for Information Only)**
4. **Personal Service Contracts with Larry Beasley and Brent Brown for FY 2010-2011 (Memo for Information Only)**
5. **Upcoming Items for Council Agenda (10/13/10)**
 - a) Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harold F. Carmichael, III, of approximately 2,688 square feet of land located at the corner of Starks Avenue and US-175/SM Wright for the Trinity Parkway – Not to exceed \$33,800 (\$31,800, plus closing costs not to exceed \$2,000) - Financing: 1998 Bond Funds
 - b) Authorize settlement in lieu of proceeding with condemnation of an improved tract of land containing approximately 9,000 square feet from Fermin Lopez and Gloria Lopez located near the intersection of Lamar Avenue and Starks Avenue for the Trinity Parkway - Not to exceed \$245,000 (\$242,000, plus closing costs not to exceed \$3,000) - Financing: 1998 Bond Funds
 - c) Authorize acquisition of a temporary work area easement, from The Housing Authority of the City of Dallas, Texas, on two tracts of land containing a total of approximately 63.29 acres, located at the intersection of U.S. Highway 175 and Municipal Street for the Rochester Levee Project, Phase I – Not to exceed \$ 286,000 (\$283,000, plus closing costs not to exceed \$3,000) – Financing: U.S. Army Corps of Engineers Project Cooperation Funds
6. **Dallas Floodway System Update 100-Year Levee Remediation**
Presenter: Jill A. Jordan, P.E., Assistant City Manager
7. **FEMA Flood Insurance Rate Map Update Information Campaign (Memo for Information Only)**

8. Upcoming Events

- a) Texas Discovery Gardens' Trinity Watershed Exhibit during the State Fair of Texas, 3601 Martin Luther King Jr. Blvd. Dallas, Texas 75210, September 24, 2010 through October 17, 2010 from 10:00 A.M. to 5:00 P.M.



David A. Neumann, Chairman
Trinity River Corridor Project Committee



THE TRINITY
DALLAS

c: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Ryan S. Evans, First Assistant City Manager
Jill A. Jordan, P.E., Assistant City Manager
A. C. Gonzalez, Assistant City Manager
Forest E. Turner, Assistant City Manager

Deborah A. Watkins, City Secretary
Frank Libro, Director, Public Information Office
Kelly High, Director, Trinity Watershed Management
Rebecca Rasor, P.E., Managing Director, Trinity River Corridor Project
Paul D. Dyer, Director, Park and Recreation Department
Theresa O'Donnell, Director, Sustainable Development & Construction



Trinity River Corridor Project Committee Meeting Record

The Trinity River Corridor Project Committee Meetings (TRCPC) are recorded. Agenda materials and audiotapes may be reviewed/copied by contacting the Trinity River Corridor Project Committee Coordinator at 214-671-9500.

Meeting Date: 9/21/10

Convened: 10:30 A.M.

Adjourned: 10:53 A.M.

Committee Members Present:

David Neumann, Chairman
Deputy Mayor Pro Tem Pauline Medrano
Carolyn R. Davis
Vonciel Jones Hill
Delia Jasso
Linda Koop
Ann Margolin

City Staff Present:

Jill A. Jordan, P.E., ACM
Kelly High, TWM
Rebecca Rasor, P.E., TWM
Elizabeth Fernandez, P.E., TWM
Dan Chapman, HNTB

Committee Members Absent:

Steve Salazar, Vice Chairman
Mayor Pro Tem Dwaine Caraway

Other City Councilmember's Present:

AGENDA:

1. Approval of minutes for August 17, 2010 Trinity River Corridor Project Committee Meeting

Presenter: David A. Neumann, Chairman

Action Taken/Committee Recommendation(s):

Motion made by:	Pauline Medrano	Motion seconded by:	Vonciel Jones Hill
Item passed unanimously:	X	Item passed on a divided vote:	
Item failed unanimously:		Item failed on a divided vote:	

2. Periodic Inspection Report No. 9 – Maintenance Deficiency Correction Period (MDCP) August 2010 Update (Memo for discussion)

Presenter: Elizabeth Fernandez, P.E., Trinity Watershed Management

Action Taken/Committee Recommendation(s): Information Only

Motion made by:		Motion seconded by:	
Item passed unanimously:		Item passed on a divided vote:	
Item failed unanimously:		Item failed on a divided vote:	

3. Sylvan Avenue Bridge Public Meeting (Memo for Information Only)

4. Upcoming Items for Council Agenda (9/22/10)

- a) Authorize Supplemental Agreement No. 1 to the professional services contract with Arun Wagh, Inc., Geotechnical & Environmental Consultants, for independent external peer review services for the 100-Year Levee Improvement Project, Pavaho Pump Station, Baker Pump Station and Sylvan Avenue Bridge for the Trinity River Corridor Project - Not to exceed \$90,952, from \$114,400 to \$205,352 - Financing: 2003 Bond Funds (\$33,952) and 2006 Bond Funds (\$57,000)
- b) Authorize Supplemental Agreement No. 1 to the professional services contract with David T. Williams and Associates, Engineers, LLC for independent external peer review services for the Dallas Floodway Project including the 100-Year Levee Improvement Project, Pavaho Pump Station, Baker Pump Station and Sylvan Avenue Bridge for the Trinity River Corridor Project - Not to exceed \$67,852, from \$226,900 to \$294,752 - Financing: 2003 Bond Funds (\$35,852) and 2006 Bond Funds (\$32,000)
- c) Authorize Supplemental Agreement No. 1 to the professional services contract with George Sills Geotechnical Engineering Consultant, LLC for independent external peer review services for the Dallas Floodway Project including the 100-Year Levee Improvement Project, Pavaho Pump Station, Baker Pump Station and Sylvan Avenue Bridge for the Trinity River Corridor Project - Not to exceed \$91,072, from \$201,353 to \$292,425 - Financing: 2003 Bond Funds (\$34,072) and 2006 Bond Funds (\$57,000)

Action Taken/Committee Recommendation(s):

Motion made by:	<u>Linda Koop</u>	Motion seconded by:	<u>Vonciel Jones Hill</u>
Item passed unanimously:	<u>X</u>	Item passed on a divided vote:	<u></u>
Item failed unanimously:	<u></u>	Item failed on a divided vote:	<u></u>

5. Upcoming Event

- a) Texas Discovery Gardens' Trinity Watershed Exhibit during the State Fair of Texas, 3601 Martin Luther King Jr. Blvd. Dallas, Texas 75210, September 24, 2010 through October 17, 2010 from 10:00 A.M. to 5:00 P.M.

APPROVED BY:

David A. Neumann, Chairman
Trinity River Corridor Project Committee

ATTEST:

Crystal Lee, Senior Office Assistant
Trinity River Corridor Project Committee

Memorandum



CITY OF DALLAS

DATE October 7, 2010

TO Trinity River Corridor Project Committee Members:
David A. Neumann (Chairman) Vonciel Jones Hill
Steve Salazar (Vice-Chair) Delia Jasso
Mayor Pro Tem Dwaine Caraway Linda Koop
Deputy Mayor Pro Tem Pauline Medrano Ann Margolin
Carolyn R. Davis

SUBJECT **Trinity River Corridor Project Expenditure Report**

The attached is provided for your information, to update you on the status of expenditures associated with the Trinity River Corridor Project. This spreadsheet includes information on funding sources from the 1998 Bond Program, the 2006 Bond Program and private donations.

Please contact me if you have questions.

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



THE TRINITY
DALLAS

Attachment

C: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander
Helena Stevens-Thompson, Asst. to the City Manager
Frank Libro, Director, Public Information Office
Kelly High, Director, Trinity Watershed Management
Rebecca Rasor, P.E., Managing Director, Trinity River Corridor Project

Trinity River Corridor Project
Expenditure Report



8-Oct-10

Based on July 31, 2010 Fund/Unit Summary

A	B	C	D	E	F	G	H
Project Components	Bond Program Authorized Amount	Current Budget (as of July 31, 2010)	Expended / Encumbered (as of July 31, 2010)	Unencumbered Funds (Column C minus D)	Remaining 1998 Bonds to be Sold or CP to be Issued	2006 BP - to replace funding advanced from 98 BP for 100-Year Levee Remediation Study	Comments
1998 Bond Program							
Trinity Parkway	\$84,000,000	\$47,287,956	\$35,545,457	\$11,742,499	\$34,232,697	\$1,975,829	EIS, Land acquisition, Design, Construction.
Margaret Hunt Hill Bridge (Woodall Rodgers)	28,000,000	\$29,783,084	29,300,537	\$482,547	0	\$0	Bridge Design (partial), Construction. Note: Bonds sold-to-date includes \$1.233M in public art allocated from 1998 Bond Program TRCP projects.
Lakes	31,500,000	\$19,817,563	19,555,150	\$262,413	0	\$11,523,187	Master Plan, Lakes Design.
Great Trinity Forest/Park	41,800,000	\$35,453,097	\$28,902,858	\$6,550,239	6,007,303	\$0	Land, Park & Trails Design, Construction.
Dallas Floodway Extension	24,700,000	\$22,661,746	19,406,179	\$3,255,567	0	\$2,004,504	Land acquisition, payments to Corps.
Elm Fork	30,000,000	\$20,000,000	17,141,234	\$2,858,766	0	\$10,000,000	Flood & Soccer complex design, Land acquisition.
Beckley Avenue Improvements	6,000,000	\$5,967,525	4,101,728	\$1,865,797	0	\$0	Commerce/Beckley Intersection Design, Construction.
100-Year Levee Remediation Study	0	\$25,503,520	25,503,520	\$0	0	\$0	\$25.5M in 2006 Bond Program funds will be reprogrammed to replace TRCP project funding that was advanced from 1998 BP to fund the 100-Year Levee Remediation Study.
TRCP Comprehensive Land Use Plan	0	\$0	1,090,188	\$0	0		Note: Comprehensive Land Use Plan funded with CIP Interest Earnings.
Total 1998 Bond Program	\$246,000,000	\$206,474,491	\$180,546,851	\$27,017,828	\$40,240,000	\$25,503,520	1998 Bond Funds: The March 2010 bond sale included \$5.7M of the remaining \$40.2M (Column F). The remaining \$34.5M will be included in the Commercial Paper program. 2006 Bond Funds will be reprogrammed to replace TRCP project funding that was advanced from 1998 BP to fund the 100-Year Levee Remediation Study.

Note: Bonds Sold to Date amounts reflect appropriation adjustments and Public Art allocations to-date.

Trinity River Corridor Project
TRCP Expenditure Report



8-Oct-10

Based on July 31, 2010 Fund/Unit Summary

A	B	C	D	E	F	G	H
Private Donation / Other Funds	Private / Other Funds (as of July 31, 2010)	Current Budget (as of July 31, 2010)	Expended / Encumbered (as of July 31, 2010)	Unencumbered Funds (Column C minus D)			Comments
IH-30 Signature Bridge	\$11,914,500	\$11,914,500	\$11,576,515	\$337,985			
DFE - USCOE Project Cooperation Fund (Corps Levee Credit)	\$15,000,000	\$15,000,000	\$5,873,507	\$9,126,493			Expended on property acquisition for Dallas Floodway Extension Project. Additionally, the City Council has authorized offers for 4 property acquisitions for another \$1.67M not yet encumbered. Two of these properties are located near Lamar, one is located near IH-20 and Loop 12, and one is located near US 175 and Municipal Street for the Rochester Levee.
Woodall Rodgers Extension Design	\$4,604,000	\$4,604,000	\$4,604,000	\$0			
Woodall Rodgers Bridge (Construction)	\$6,000,000	\$6,000,000	\$6,000,000	\$0			
Moore Park Gateway Fund	\$2,000,000	\$2,000,000	\$294,195	\$1,705,805			
Trinity Transmission Line Undergrounding (City Funds from previously issued CO's)	\$4,500,000	\$4,500,000	\$4,500,000	\$0			
Santa Fe Trestle Trail - STEP Grant	\$3,547,603	\$3,547,603	\$3,547,603	\$0			Total STEP Grant funding of \$3,547,603.
Continental Bridge - Private Donation	\$1,127,000	\$1,127,000	\$1,127,000	\$0			\$10.0M private donation of which \$1,127,000 has been received and awarded for full design contract. Anticipate remaining donation of \$8,873,000 for construction.
Fast Track Overlook Donation Fund	\$100,000	\$100,000	\$100,000	\$0			The Fast Track Overlook was completed with 1998 Bond Funds. The Fast Track Overlook Donation fund reimbursed a portion of the construction cost.
Total Private Donation / Other Funds	\$48,793,103	\$48,793,103	\$37,622,820	\$11,170,283			
TOTAL 1998 Bond Program and Private Donation/Other Funds	\$294,793,103	\$255,267,594	\$218,169,671	\$38,188,111			

Trinity River Corridor Project
TRCP Expenditure Report



8-Oct-10
Based on July 31, 2010 Fund/Unit Summary

A	B	C	D	E	F	G	H
Project Components	Bond Program Authorized Amount	Current Budget (as of July 31, 2010)	Expended / Encumbered (as of July 31, 2010)	Unencumbered Funds (Column C minus D)	Remaining Bonds to be Sold or CP to be Issued		Comments
2003 Bond Program							
Elm Fork Athletic Complex	\$3,000,000	\$2,856,905	\$2,422,762	\$434,143	\$0		Land acquisition and design.
Total 2003 Bond Program	\$3,000,000	\$2,856,905	\$2,422,762	\$434,143	\$0		
2006 Bond Program							
Continental - Industrial/Riverfront to IH 35E	\$3,828,900	\$570,027	\$464,357	\$105,670	\$3,230,156		Industrial/Riverfront to IH-35, design and ROW.
Industrial/Riverfront Improvements	\$5,488,091	\$5,474,216	\$877,454	\$4,596,762	\$0		Cadiz to Continental, design and ROW.
Sylvan Bridge from Irving to Gallagher - Amenities	\$9,827,510	\$7,600,367	\$1,143,810	\$6,456,557	\$2,153,437		Sylvan Bridge design and ROW.
Pressure Sewers	\$14,720,921	\$12,451,623	\$642,239	\$11,809,384	\$1,900,000		
Sump A Improvements	\$56,157,200	\$4,333,000	\$4,333,000	\$0	\$51,824,200		
Hampton-Oak Lawn Improvements (see comment re: outfall extension)	\$48,116,510	\$28,737,121	\$7,202,442	\$21,534,679	\$6,333,000		The Outfall Extension portion of the larger \$48 million project included in the 2006 bond program is estimated to cost approx. \$1.5 million.
Audubon Center Land (Loop 12 Land Acquisition)	\$4,000,000	\$3,200,000	\$3,200,000	\$0	\$0		Property for entry along Loop 12 (part of the Simpkins acquisition).
Texas Horse Park	\$14,000,000	\$10,962,687	\$2,000,000	\$8,962,687	\$2,480,594		Design and construction. Fund-raising efforts being undertaken by the managing partner have slowed with the downturn in the economy.
Joppa Gateway	\$1,200,000	\$684,000	\$0	\$684,000	\$516,000		
Standing Wave	\$1,000,000	\$3,606,000	\$3,214,440	\$391,560	\$0		Construction contract awarded November 9, 2009.
Bellevue Trail Connector	\$2,000,000	\$187,344	\$187,344	\$0	\$0		\$1,812,656 reprogrammed to Trinity Standing Wave. Council Resolution 09-2781 dated November 9, 2009.
Reunion Gateway Land	\$1,200,000	\$13,225	\$12,391	\$834	\$393,431		\$793,344 reprogrammed to Trinity Standing Wave. Council Resolution 09-2781 dated November 9, 2009.
Continental Pedestrian Mods.	\$2,000,000	\$0	\$0	\$0	\$1,970,000		
West Dallas Gateway Park	\$1,800,000	\$342,000	\$0	\$342,000	\$1,431,000		Design and land acquisition.
Trinity Strand (Old Trinity Trail Phase II)	\$1,500,000	\$1,436,250	\$574,637	\$861,613	\$0		Trinity Strand Trail construction
Elm Fork Trail	\$200,000	\$191,500	\$0	\$191,500	\$0		Elm Fork Trail will be reprogrammed to Elm Fork Soccer Complex when the construction contract is awarded.
Elm Fork Soccer Complex	\$14,200,000	\$1,395,000	\$1,056,209	\$338,791	\$12,637,000		\$3 million of this is allocated for land acquisition balance of funding will be used for construction. Construction is anticipated to be in late 2010.
Total 2006 Bond Program	\$181,239,132	\$81,184,360	\$24,908,323	\$56,276,037	\$84,868,818		Project list includes projects with some connection to the Trinity River Corridor Project.
Total 2003, 2006 Bond Program Funds	\$184,239,132	\$84,041,265	\$27,331,085	\$56,710,180	\$84,868,818		

Note: Bonds Sold to Date amounts reflect appropriation adjustments and Public Art allocations to-date.

Memorandum



CITY OF DALLAS

DATE October 7, 2010

TO Trinity River Corridor Project Committee Members:

David A. Neumann (Chairman)

Steve Salazar (Vice-Chair)

Mayor Pro Tem Dwaine Caraway

Deputy Mayor Pro Tem Pauline Medrano

Carolyn R. Davis

Vonciel Jones Hill

Delia Jasso

Linda Koop

Ann Margolin

SUBJECT **National Endowment for the Arts Grant to CityDesign Studio**

On July 20, 2010, the City of Dallas submitted an application for \$100,000 to the National Endowment for the Arts as part of the Mayors' Institute on City Design 25th Anniversary Initiative for the Dallas CityDesign Studio's "Connecting the City" project. The City has received notice of the award from the National Endowment of the Arts in the amount of \$100,000.

The Studio is using the awarded grant funds to highlight how design can overcome physical barriers separating Dallas' communities. This will include cultural mapping of the creative community, with input from all citizens on how to build the city with specific focus on the arts and design; design of communities along the Trinity Corridor, such as West Dallas, South Dallas, and Oak Cliff; and public art competitions that will engage public infrastructure where it has divided or become a burden to communities.

Staff is preparing an agenda item for the October 26, 2010 City Council meeting to authorize the City to accept the grant. Please contact me if you have questions.

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



THE TRINITY
DALLAS

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Thomas P. Perkins, Jr., City Attorney
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Helena Stevens-Thompson, Assistant to the City Manager
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Memorandum



CITY OF DALLAS

DATE October 7, 2010

TO Trinity River Corridor Project Committee Members:

David A. Neumann (Chairman)	Vonciel Jones Hill
Steve Salazar (Vice-Chair)	Delia Jasso
Mayor Pro Tem Dwaine Caraway	Linda Koop
Deputy Mayor Pro Tem Pauline Medrano	Ann Margolin
Carolyn R. Davis	

SUBJECT **Personal Service Contracts with Larry Beasley and Brent Brown for FY 2010-2011**

On October 28, 2009, City Council authorized personal service contracts with Larry Beasley and Brent Brown. Their functions were to guide and direct the Studio, work with City Staff and the local design and development community to advance livable communities within Dallas, and elevate an awareness and attention to design in both private and public projects.

Larry Beasley has agreed to renew his contract to serve as an Urban Design Special Advisor to the City, and will provide experience and expertise to mentor and guide the ongoing work of the Studio. The amount of the contract for FY 2010-2011 is \$156,000. The scope of services for this contract will include:

- Work with development interests identified by the Studio to develop collaborative strategies to advance livable communities along the Trinity Corridor and within the City of Dallas;
- Represent the Studio through community engagement and outreach efforts in areas of interest identified by the Studio; and
- Advise the City Manager and mentor Studio staff in the ongoing operation of the Studio.

Also, Brent Brown has agreed to renew his contract to serve as the Studio Director. The amount of the contract for FY 2010-2011 is \$85,000. The scope of services for this contract will include:

- Plan and direct the overall management of the Studio;
- Establish priorities for the Studio and develop appropriate strategies and work program to ensure their implementation;
- Direct Studio staff to ensure productivity and quality standards are maintained; and
- Represent the Studio to the design and development community as well as other City Departments.

Staff is preparing an agenda item for the October 26, 2010 City Council meeting to authorize each of these personal service contracts. Please contact me if you have questions.



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



THE TRINITY
DALLAS

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Frank Libro, Director, Public Information Office
Kelly High, Director, Trinity Watershed Management
Rebecca Rasor, P.E., Managing Director, Trinity River Corridor Project

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 13, 2010
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56 G

SUBJECT

Authorize acquisition, including the exercise of the right of eminent domain, if such becomes necessary, from Harold F. Carmichael, III of approximately 2,688 square feet of land located at the corner of Starks Avenue and US 175/SM Wright for the Trinity Parkway - Not to exceed \$33,800 (\$31,800, plus closing costs not to exceed \$2,000) - Financing: 1998 Bond Funds

BACKGROUND

This item authorizes the acquisition of approximately 2,688 square feet of land for the reconstruction of a direct connector route between US 175/SM Wright to I-45 to ultimately eliminate "dead-man's curve". The property is improved with a v-face monopole billboard that may require relocation at a future date. This connector is part of the Trinity Parkway, without it the downgrade of SM Wright cannot proceed. The consideration is based on an independent appraisal.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

1998 Bond Funds - \$33,800 (\$31,800, plus closing costs not to exceed \$2,000)

OWNER

Harold F. Carmichael, III

MAPS

Attached

October 13, 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 2,688 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 Parkway

"PROPERTY INTEREST": Fee Simple

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

"OFFER AMOUNT": \$31,800

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

"AUTHORIZED AMOUNT": \$33,800

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.

October 13, 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 Trinity River Corridor Project Fund, Fund No. 6P14, Department PBW, Unit N965, Activity TRPP, Program No. PB98N965, Object 4210, Encumbrance No. CT- PB98N965KL. 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.

October 13, 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

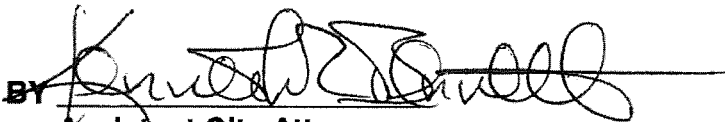
BY 
Assistant City Attorney

Exhibit A

**Field Notes describing a 2,688 Square Foot (0.0617 Acre) Tract of Land
In City Block 2249, to be Acquired from
Harold F. Carmichael, III**

Being 2,688 Square Feet (0.0617 Acres) of land situated in the John M. Crockett Survey, Abstract No. 353, Dallas County, Texas, and lying in Block 2249 (official City of Dallas Block Numbers), being the remainder of Lot 90 of the Ervay Place addition, an addition to the City of Dallas, recorded in Volume 1, Page 443 of the Map Records of Dallas County, and being all of the property conveyed to Harold F. Carmichael, III by Warranty Deed dated May 30, 1996 and recorded in Volume 96108, Page 3404 of the Deed Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a 5/8" Dia. Iron Rod with cap marked "CITY OF DALLAS" (hereinafter called "5/8" I.R. w/COD cap") set at the most Southerly corner of a tract of land conveyed to the State of Texas for Highway Purposes, by Deed recorded in Volume 5430, Page 285 of the Deed Records of Dallas County, on the Northwest line of Stark Street (a variable width Right-of-Way) lying also on the Southeast line of said Lot 90 and being the most Southerly Northeast corner of the herein described tract of land:

THENCE South 50°35'02" West along the common line between said Lot 90 and Stark Street a distance of 44.00 feet to a PK Nail set at the most Easterly corner of a tract of land conveyed to D.C. Johnson by Deed dated September 20, 1967 and recorded in Volume 67215, Page 100 of the Deed Records of Dallas County, same being also the most Southerly corner of the herein described tract of land:

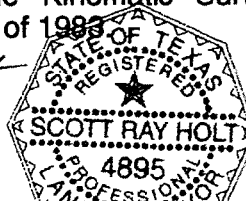
THENCE North 38°55'02" West, departing the last said Northwest line of Stark Street and along the common line with said D.C. Johnson tract a distance of 50.00 feet to a 5/8" I.R. w/COD cap set on the common line between said Lots 90 and 91, at the most Westerly corner of the herein described tract of land:

THENCE North 50°35'02" East along the common line between said Lots 90 and 91 a distance of 54.00 feet to a PK Nail set at the most Westerly corner of the above mentioned State of Texas tract, being also the most Northerly corner of the herein described tract of land:

THENCE South 41°47'27" East along the Southwest line of said State of Texas tract a distance of 38.00 feet to a 5/8" I.R. w/COD cap set at an inside corner of said State tract, being also the most Northerly Northeast corner of the herein described tract of land:

THENCE South 05°32'12" West a distance of 17.00 feet to the **POINT OF BEGINNING**, containing 2,688 Square Feet, or 0.0617 Acres of land.

BASIS OF BEARINGS: Bearings are based on the common line between Lots 90 and 91, Block 2249 of the Ervay Place Addition, at South 50°35'02" West, monumented as noted and derived from Global Positioning System observations using the North Texas Cooperative Real Time Kinematic Survey, Virtual Reference Station System, North American Datum of 1983.



*Property Transferred to State of Texas for Highway Purposes.

U.S. Highway 175
(Variable Width Right-of-Way)

Set PK Nail
POINT OF
BEGINNING

Geoffrey Security Services
Vol. 96135, Pg. 4453

Unable to
Monument

Hershel Floyd Jr. &
Wife; Effie Jewel Floyd
Vol. 82119, Pg. 2292

D.C. Johnson
Vol. 67215, Pg. 100

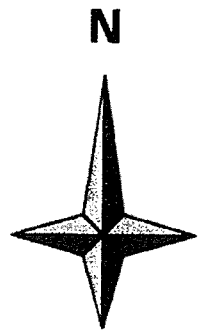
Harold F. Carmichael, III
Vol. 96108, Pg. 3404
2,688 Square Feet

Set 5/8" I.R.
POINT OF
BEGINNING

BLOCK 2249

STARK STREET
(Variable Width Right-of-Way)

ERVAY PLACE ADDITION
Volume 1, Page 443



NOTE: Controlling Monuments do not appear on this drawing.




Property to be Acquired

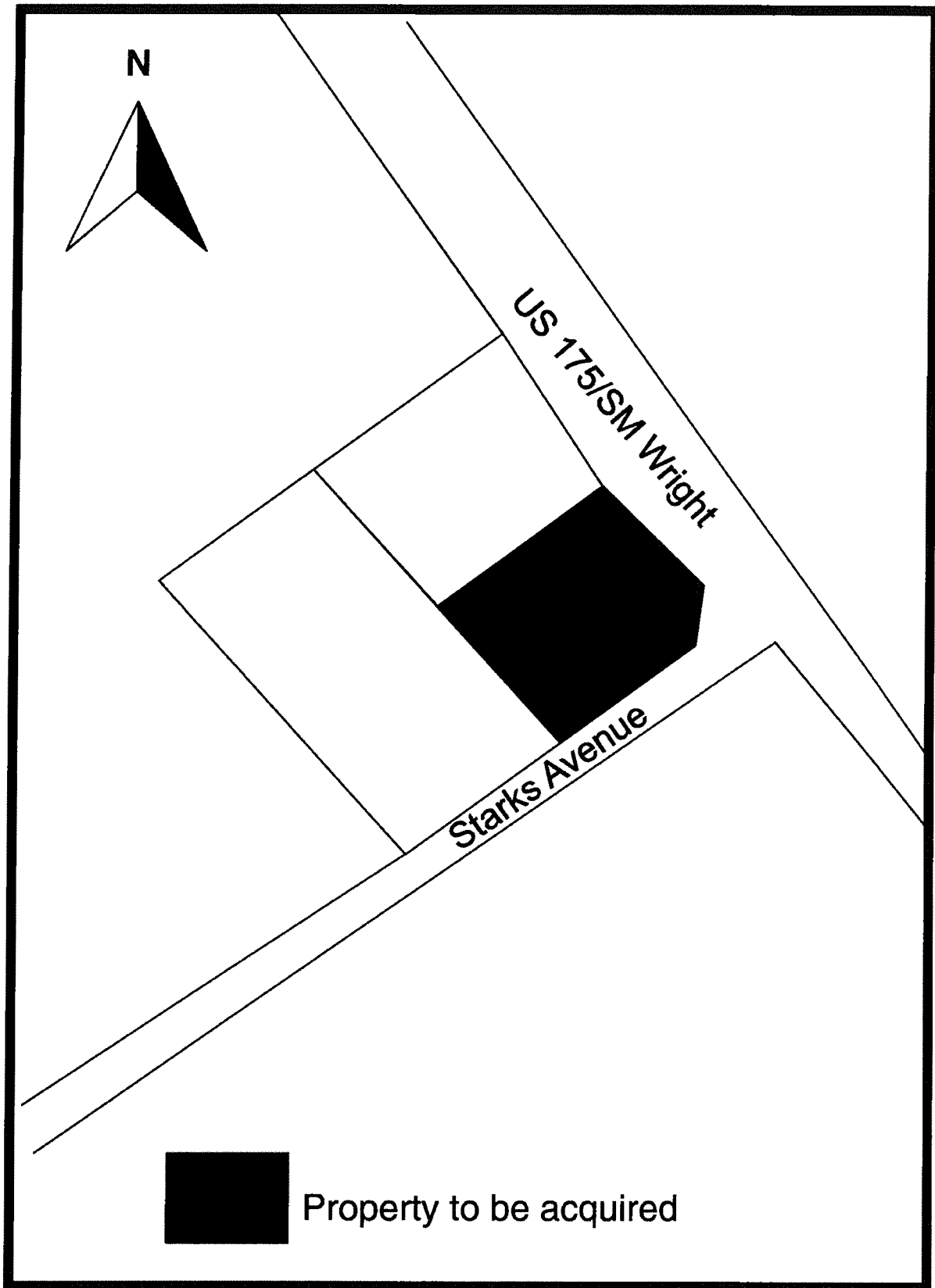
⊙ Set 5/8" Iron Rod w/City of Dallas Cap

□ PK Nail Set

Sheet 2 of 2

LOCATOR MAP: Parcel No. 521

 TRINITY RIVER CORRIDOR			
Tollway Project			
Harold F. Carmichael, III, 5131 Hohen Ave.			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	N:\EMR\SURVEY\HOLT\Trinity\Tollway\Locat\Locat Field Notes.dgn	As Noted	8-7-09
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 2249	320R-408-D



KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 13, 2010
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56 G

SUBJECT

Authorize settlement in lieu of proceeding with condemnation of an improved tract of land containing approximately 9,000 square feet from Fermin Lopez and Gloria Lopez located near the intersection of Lamar Avenue and Starks Avenue for the Trinity Parkway - Not to exceed \$245,000 (\$242,000 plus closing costs not to exceed \$3,000) - Financing: 1998 Bond Funds

BACKGROUND

This item authorizes a settlement for the acquisition of approximately 9,000 square feet of land for the reconstruction of a direct connector route between US 175/SM Wright to I-45 to ultimately eliminate "dead-man's curve". The property is improved with a commercial building. Relocation assistance may be required at a future date. This connector is part of the Trinity Parkway, without it the downgrade of SM Wright cannot proceed. This settlement will allow acquisition of the property without proceeding further with condemnation proceedings.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

Authorized acquisition on September 23, 2009, by Resolution No. 09-2329.

FISCAL INFORMATION

1998 Bond Funds - \$245,000 (\$242,000 plus closing costs not to exceed \$3,000)

OWNERS

Fermin Lopez

Gloria Lopez

MAPS

Attached

October 13, 2010

A RESOLUTION AUTHORIZING THE ACQUISITION OF REAL PROPERTY FOR A NEGOTIATED PRICE HIGHER THAN THE AUTHORIZED OFFER.

WHEREAS, the Dallas City Council by the FIRST RESOLUTION authorized acquisition, by purchase and/or eminent domain, of the INTERESTS in the PROPERTY held by OWNER for the PROJECT (as such terms are defined herein); and

WHEREAS, OWNER refused the official offer authorized by the FIRST RESOLUTION, but agreed to the CONSIDERATION stated herein; and

WHEREAS, the City Council desires to authorize the City Manager to acquire the INTERESTS in the PROPERTY for the CONSIDERATION stated herein: Now, Therefore,

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

SECTION 1. That the following definitions shall apply to this resolution:

FIRST RESOLUTION: Resolution No. 09-2329 approved by the Dallas City Council on September 23, 2009

PROJECT: Trinity Parkway

OWNER: Fermin Lopez and Gloria Lopez

INTERESTS: Fee Simple

PROPERTY: Approximately 9,000 square feet in City of Dallas Block No. 2247 Official City Numbers, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

IMPROVEMENTS: Commercial Building

CONSIDERATION: \$242,000

CLOSING COSTS: \$3,000

AUTHORIZED AMOUNT: \$245,000

October 13, 2010

SECTION 2. That the City Manager is authorized to acquire the INTERESTS in the PROPERTY and IMPROVEMENTS from OWNER for the CONSIDERATION, and is authorized to execute such documents, after approval of same as to form by the City Attorney, as may be necessary.

SECTION 3. That the City will have possession at closing and will pay all closing costs and title expenses.

SECTION 4. That the City Controller is authorized to draw checks for the CONSIDERATION, closing costs and title expenses, payable out of Trinity River Corridor Project Fund, Fund 6P14, Dept. PBW, Unit N965, Activity TRPP, Object 4210, Program PB98N965, Encumbrance No. CT-PBW98N965KM, and said payment shall be delivered to a title insurance company after evidence of satisfactory title has been provided to and approved by the City Attorney. The CONSIDERATION - \$242,000 and the CLOSING COSTS - \$3,000 together shall not exceed the AUTHORIZED AMOUNT - \$245,000.

SECTION 5. That appropriate acquisition instruments be forwarded to a title insurance company for preparation of the necessary documents for closing, which shall be forwarded to the City Attorney for review and approval as to form and, subsequent to closing, filed with the County Clerk and returned, along with the original Owner's Policy of Title Insurance, to the City Secretary for permanent record.

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

APPROVED AS TO FORM:

THOMAS P. PERKINS, CITY ATTORNEY

BY:


Assistant City Attorney

Exhibit A

Field Notes Describing Land To Be Acquired in Block 2247 From Fermin Lopez and Gloria Lopez

Being 9,000 Square Feet (0.2066 Acres) of land situated in the John M. Crockett Survey, Abstract No. 353, Dallas County, Texas, and lying in Block 2247 (official City of Dallas Block Numbers), being the remainder of Lots 8 and 9 of the Ervay Place addition, an addition to the City of Dallas, recorded in Volume 1, Page 443 of the Map Records of Dallas County, and being all of the property conveyed to Fermin Lopez and Gloria Lopez by deed dated July 17, 2007 and recorded in Instrument 20070259308 of the Official Public Records of Dallas County, Texas and being more particularly described as follows:

BEGINNING at a PK Nail set on the common line between Lots 9 and 10 of said Block 2247, at the most Easterly corner of a tract of land conveyed to the Texas Highway Department by Deed recorded in Volume 2189, Page 221 of the Deed Records of Dallas County, and being the most Southerly corner of the herein described tract of land:

THENCE North 38°54'58" West along the Northeast line of said Texas Highway Department tract, being also the Northeast line of Lamar Street, pass at 50 feet the common line between said Lots 8 and 9, same being also the most Easterly corner of a tract of land conveyed to the Texas Highway Department by Deed recorded in Volume 2188, Page 405 of the Deed Records of Dallas County, and continuing for a total distance of 81.00 feet to an "X" cut in concrete at the Point of Curvature of a Curve to the left:

THENCE Northwesterly along said Curve, having a Radius of 2,914.93 feet, a Central Angle of 0°22'24", an Arc Length of 19.00 feet and a Chord which bears North 39°06'10" West a distance of 19.00 feet to the most Northerly corner of said Texas Highway Department tract, and being also the most Westerly corner of the herein described tract of land (unable to monument) lying on the common line between Lots 7 and 8:

THENCE North 50°35'02" East, departing the said Northeast line of Lamar Street and with the common line between said Lots 7 and 8 a distance of 90.06 feet to a 5/8" Dial. Iron Rod with cap marked "CITY OF DALLAS" (hereinafter referred to as "5/8" I.R. w/COD cap") set at the common Northeast corner of said Lots 7 and 8, on the Southwest line of a 15-foot wide alley:

THENCE South 38°54'58" East along the Southwest line of said alley, pass at 50.00 feet a 5/8" I.R. w/COD cap set at the common Northeast corner of said Lots 8 and 9, and continuing for a total distance of 100.00 feet to a 5/8" I.R. w/COD cap set at the common Northeast corner of said Lots 9 and 10:

**Field Notes Describing Land To Be Acquired in Block 2247 From
Fermin Lopez and Gloria Lopez**

THENCE South 50°35'02" West with the common line between said Lots 9 and 10 a distance of 90.00 feet to the **POINT OF BEGINNING**, containing 9,000 Square Feet, or 0.2066 Acres of land.

BASIS OF BEARINGS: Bearings are based on the Northeast line of Lamar Street, at North 38°54'58" West, monumented as noted and derived from Global Positioning System observations using the North Texas Cooperative Real Time Kinematic Survey, Virtual Reference Station System, North American Datum of 1983.



Scott Holt
8-20-2009

ERVAY PLACE ADDITION Volume 1, Page 443

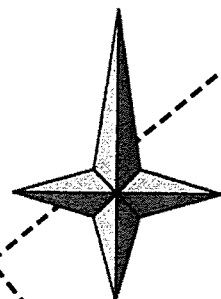
Joel L. Esters
Vol. 95246, Pg. 4518

**BLOCK
2247**



49

N 48



Unable to
Monument

$R=2,914.93'$
 $\Delta=0^{\circ}22'24''$
 $L=19.00'$
Ch: Brs. 19.00'
 $N39^{\circ}06'10''W$

Texas Hwy. Dept.
Vol. 2188, Pg. 405

Texas Hwy. Dept.
Vol. 2189, Pg. 221

Set PK Nail
POINT OF
BEGINNING

Texas Hwy. Dept.
Vol. 2207, Pg. 371

LAMAR STREET
(Variable Right-of-Way)

90.06' N50°35'02"E
100.00' S38°54'58"E
90.00' S50°35'02"W
81.00' N38°54'58"W

Fermin Lopez & Gloria Lopez
Instr. No. 20070259308
9,000 Square Feet

Brian Famkar and
Seyed Moosavi

Sheet 3 of 3

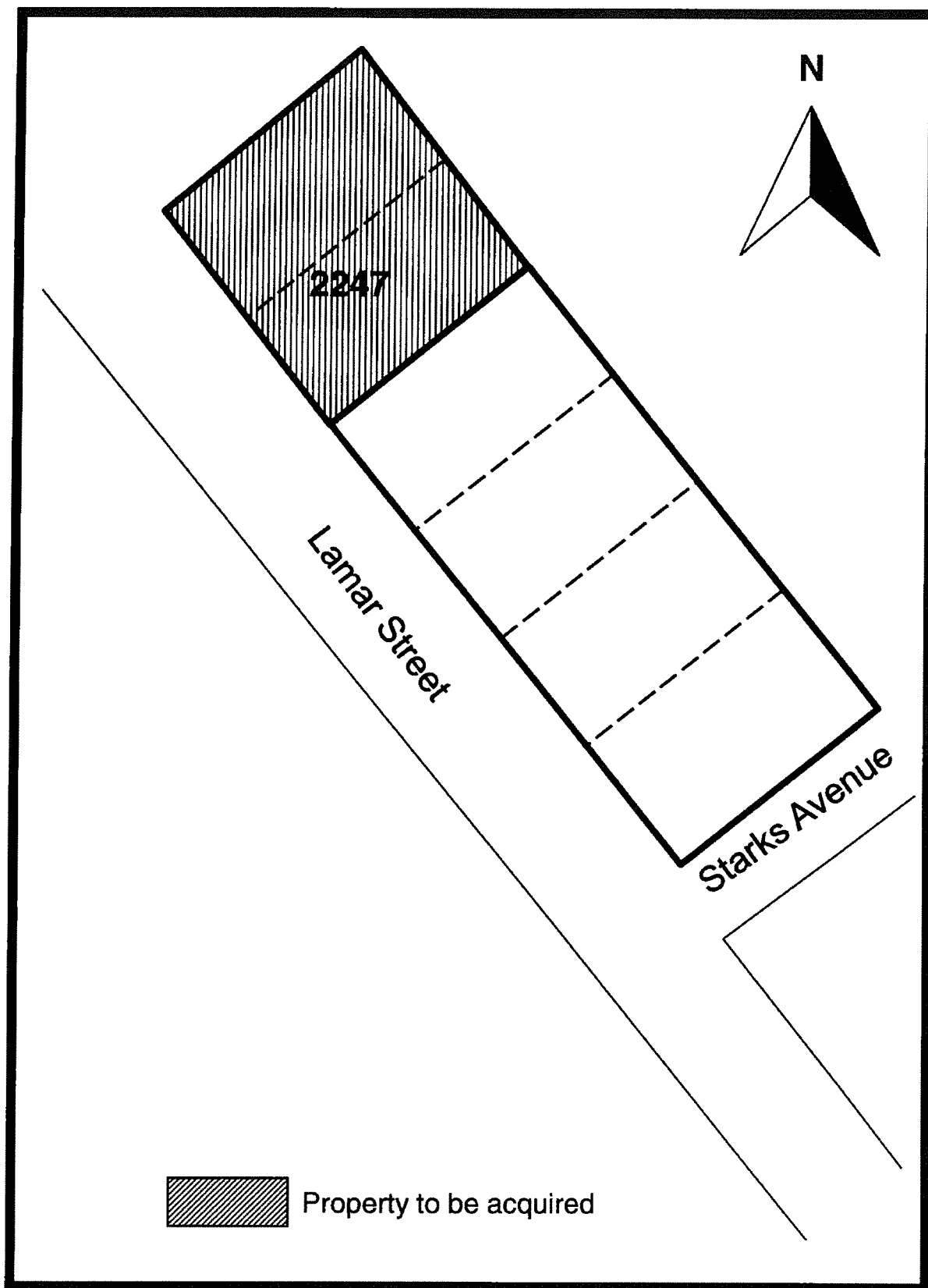
LOCATOR MAP: Parcel No's. 532 & 536

TRINITY RIVER CORRIDOR			
Tollway Project			
Fermin & Gloria Lopez, 5102 & 5106 Lamar Street			
DEPT. OF PUBLIC WORKS & TRANSPORTATION			
SURVEY DIVISION CITY OF DALLAS, TEXAS			
OPERNAME	DESIGN FILE NAME	SCALE	DATE
S. Holt	K:\ENGR\SURVEY\HOLT\Trinity\Tollway\Jocks\Jocks Field Notes.dgn	As Noted	8-12-09
PARTY CHIEF	CALCULATIONS	FOLDER	FILE NO.
J. Chambers	S. Holt	Block 2249	320R-408-D

LEGEND:

- ⊙ 5/8" I.R. wCOD Cap Set
- P.K. Nail Set
- × "X" Cut in Concrete

Property to be Acquired



KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: October 13, 2010
COUNCIL DISTRICT(S): 7
DEPARTMENT: Trinity Watershed Management
CMO: Jill A. Jordan, P.E., 670-5299
MAPSCO: 56H 57E

SUBJECT

Authorize acquisition of a temporary work area easement, from The Housing Authority of the City of Dallas, Texas, on two tracts of land containing a total of approximately 63.29 acres, located at the intersection of U.S. Highway 175 and Municipal Street for the Rochester Levee Project, Phase I – Not to exceed \$ 286,000 (\$283,000, plus closing costs not to exceed \$3,000) – Financing: U.S. Army Corps of Engineers Project Cooperation Funds

BACKGROUND

This item authorizes the acquisition of a temporary work area easement, for a 2-year period, on two tracts of land containing a total of approximately 63.29 acres located at the intersection of U.S. Highway 175 and Municipal Street from The Housing Authority of the City of Dallas, Texas. Approximately 40 acres will be utilized as a staging area for the duration of construction of the Rochester Levee Project, Phase I. Approximately 23 acres will allow for the draining of Rochester Lake to facilitate levee repair and thereafter completing mitigation work to restore and improve the lake ecosystem. 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 - \$286,000 (\$283,000 plus closing costs not to exceed \$3,000)

OWNER

The Housing Authority of the City of Dallas, Texas

MaryAnn Russ, President and CEO

MAPS

Attached

October 13, 2010

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

SECTION 1. That for the purposes of this resolution, the following definitions of terms shall apply:

"CITY": The City of Dallas.

"PROJECT": Trinity River Corridor Project – Dallas Floodway Extension
Rochester Levee Project , Phase I

"PROPERTY INTEREST": Easement – Temporary Work Area Easement

"PROPERTY": Two tracts of land containing a total of approximately 63.29 acres located in City Block 7066, Dallas, Dallas County, Texas, and being the same property more particularly described in "Exhibit A", attached hereto and made a part hereof for all purposes.

"OWNER(S)": The Housing Authority of the City of Dallas, Texas

"OFFER AMOUNT": \$283,000

"CLOSING COSTS": Not to exceed \$3,000

"AUTHORIZED AMOUNT": \$286,000

All of the above PROPERTY being located in the City of Dallas, Dallas County, Texas.

SECTION 2. That the PROJECT is a municipal and public purpose and a public use.

SECTION 3. That it is hereby determined that public necessity requires that the CITY should acquire the PROPERTY INTEREST under, over and across the PROPERTY necessary for the PROJECT.

SECTION 4. That the PROPERTY is hereby determined to be necessary for the PROJECT. That for the purpose of acquiring the PROPERTY INTEREST, the Director of Sustainable Development and Construction Department, or such employee as she may designate, is hereby authorized and directed to offer the OFFER AMOUNT as payment for the PROPERTY to be acquired and full damages allowable by law, which amount represents its fair cash market value.

SECTION 5. That the CITY determines to appropriate the PROPERTY INTEREST under, over and across the PROPERTY for the PROJECT under the provisions of the Charter of the City of Dallas.

October 13, 2010

SECTION 6. 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, in the OFFER AMOUNT payable out of the U.S. Army Corps Project Cooperation Funds, Fund No. TP14, Department PBW, Unit N962, Activity TRPP, Object 4210, Encumbrance No. CT-PBW98N962K8. The OFFER AMOUNT - \$283,000 and the CLOSING COSTS - \$3,000 together shall not exceed the AUTHORIZED AMOUNT - \$286,000.

SECTION 7. That the CITY is to have possession of the PROPERTY at closing; and the CITY will pay any title expenses and closing costs.

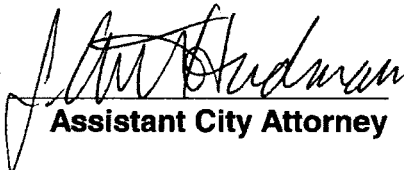
SECTION 8. That the term OWNER in this resolution means all persons having an ownership interest in the PROPERTY regardless of whether those persons are actually named in Section 1. In the event of a conflict between this section and Section 1, this section controls.

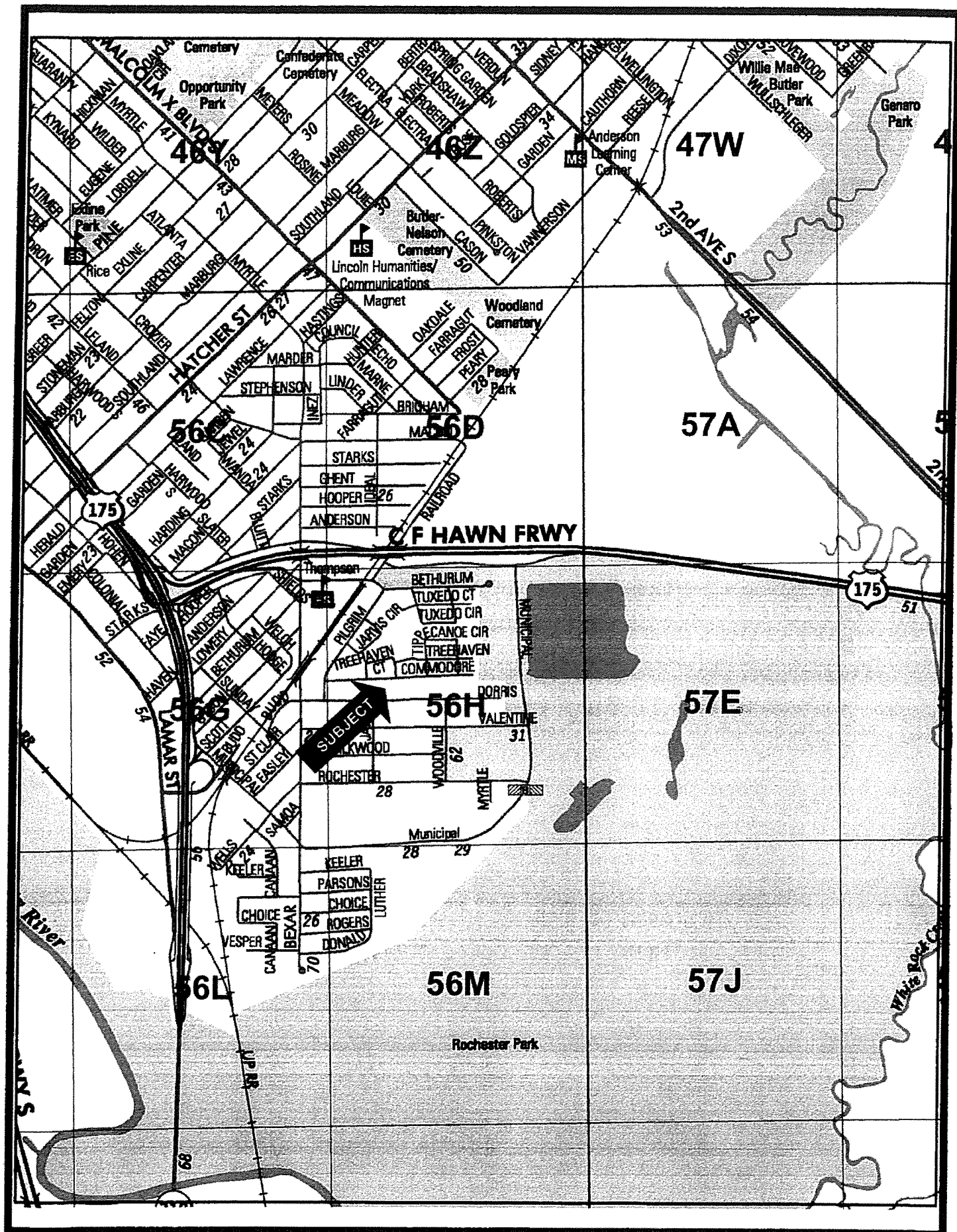
SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

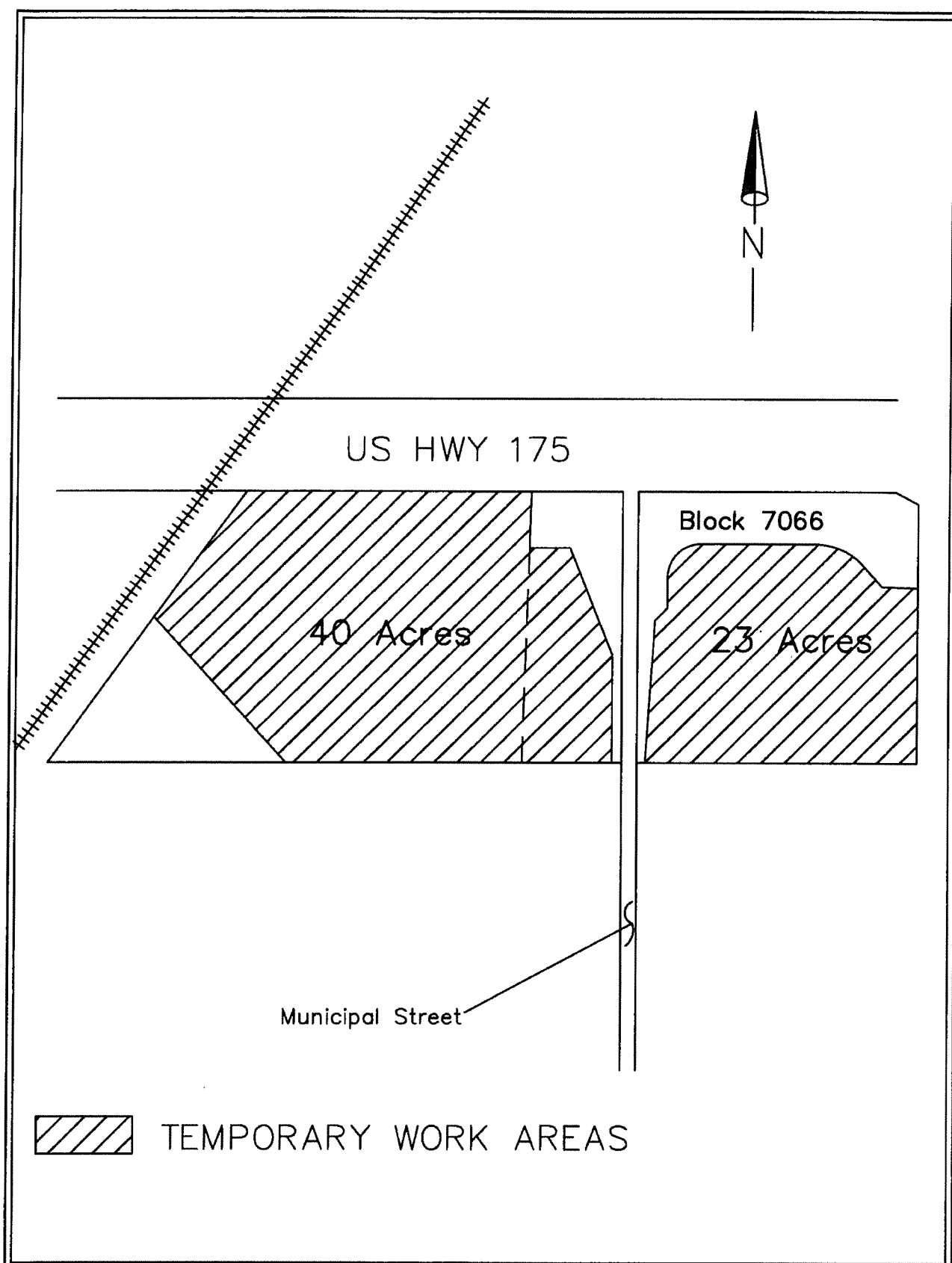
APPROVED AS TO FORM:

THOMAS P. PERKINS, JR., City Attorney

BY


Assistant City Attorney





TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 ACRES
CITY BLOCK 7066

Exhibit A – Tract I

FIELD NOTES FOR 40.047 ACRES (1,744,445 SQUARE FEET) OF LAND BEING OUT OF A CALLED 90.14 ACRE TRACT DESCRIBED IN DEED DATED OCTOBER 18, 1951 TO THE HOUSING AUTHORITY OF THE CITY OF DALLAS, TEXAS RECORDED IN VOLUME 3575, PAGE 275, DALLAS COUNTY DEED RECORDS; SAID 40.047 ACRES OF LAND BEING OUT OF CITY BLOCK 7066, CITY OF DALLAS, LOCATED IN THE SOLOMON SILKWOOD SURVEY, ABSTRACT NO. 1345, DALLAS COUNTY, TEXAS:

COMMENCING at a point in the west line of a called 73.985 acre tract described as "Tract No. 1" in deed dated June 7, 1961 to City of Dallas recorded in Volume 5564, Page 585, Dallas County Deed Records for the northeast corner of a called 24.992 acre tract described as "Second Tract" in deed dated October 18, 1962 to City of Dallas recorded in Volume 5887, Page 357, Dallas County Deed Records and the southeast corner of said 90.14 acre tract, from which a found 1/2 inch iron rod with cap stamped "RPLS# 3688" (Controlling Monument) bears North 10°12'50" East, 2.99 feet; said point also being in the west survey line of the S.A. & M.G. R.R. Survey, Abstract No. 1415 and the east survey line of said Solomon Silkwood Survey;

THENCE, South 89°05'47" West, along the south line of said 90.14 acre tract and the north line of said 24.992 acre tract, a distance of 1,297.64 feet to a 5/8 inch iron rod with cap stamped "Landtech" set for the southeast corner and the POINT OF BEGINNING of the herein described tract;

THENCE, South 89°05'47" West, continuing along the south line of said 90.14 acre tract and the north line of said 24.992 acre tract, a distance of 47.16 feet to an angle point of the herein described tract;

THENCE, South 89°02'17" West, continuing along the south line of said 90.14 acre tract, a distance of 733.80 feet to a 1/2 inch iron rod with cap found in the west right-of-way line of Woodville Street (50 feet wide per Volume 8, Page 190, Dallas County Map Records) for the northeast corner of Block 4, Rochester Park Addition recorded in Volume 8, Page 190, Dallas County Map Records and an angle point of the herein described tract;

THENCE, South 88°23'17" West, continuing along the south line of said 90.14 acre tract, a distance of 388.92 feet to the most southerly southwest corner of the herein described tract;

THENCE, North 41°16'07" West, a distance of 1,045.21 feet to a point in the southeast line of the Houston and Texas Central Railroad Company tract as recorded in Volume 738, Page 597, Dallas County Deed Records, for the most westerly southwest corner of the herein described tract;

REVIEWED BY: *Deft Host 8.3.10*

TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 ACRES
CITY BLOCK 7066

THENCE, North 34°32'47" East, along the southeast line of said Houston and Texas Central Railroad Company tract, a distance of 480.69 feet to the intersection of the northwest right-of-way line of Railroad Avenue (25 feet wide, no deed of record found) and the south right-of-way line of Bethurum Avenue (25 feet wide, unimproved, no deed of record found), for the northwest corner of said 90.14 acre tract and of the herein described tract; said point also being in the south survey line of William Scroggins Survey, Abstract No. 1342, and the north survey line of said Solomon Silkwood Survey;

THENCE, North 88°39'47" East, along the south right-of-way line of said Bethurum Avenue, the south line of a residue of a called 303,764 square feet tract described as "Tract No. 1" in deed dated October 26, 1961 to City of Dallas recorded in Volume 5656, Page 88, Dallas County Deed Records, and the north line of said 90.14 acre tract and along the south survey line of said William Scroggins Survey and the north survey line of said Solomon Silkwood Survey, a distance of 1,220.10 feet to the most northerly northeast corner of the herein described tract;

THENCE, South 00°45'19" East, a distance of 232.14 feet to an angle point;

THENCE, North 89°47'51" East, a distance of 189.73 feet to the most easterly northeast corner of the herein described tract;

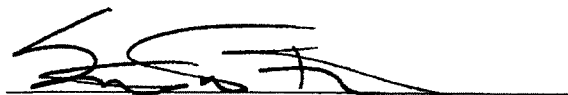
THENCE, South 16°52'56" East, a distance of 509.92 feet to an angle point;

THENCE, South 03°09'49" East, a distance of 467.32 feet to the POINT OF BEGINNING and containing 40.047 acres (1,744,445 square feet) of land.

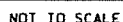
Metes and Bounds description contains a mathematical calculated closure of 1/514,151.

REVIEWED BY: Bearings are referenced to the Texas Coordinate System of 1983, North Central Zone, North American Datum of 1983 (1993 adjustment), based on the most easterly, southern line of a called 90.14 acre tract of land as described in Volume 3575, Page 275 D.C.D.R., calculated South 89°05'47" West (deed call North 89°40' East), based on GPS survey performed in March 2003, referenced to National Geodetic Survey Monument "DAL A" (AB2821). To obtain grid values multiply surface values by Project Surface Factor (PSF) of 0.999861718217, Surface * PSF = Grid. Unit of measure is US Survey Foot.

July 26, 2010
Landtech Consultants, Inc.


Scott M. Fertak
Registered Professional Land Surveyor
No. 5257





- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (1993 ADJUSTMENT), BASED ON THE MOST EASTERLY, SOUTHERN LINE OF A CALLED 90.14 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 3575, PAGE 275 D.C.D.R., CALCULATED SOUTH 89 05'47" WEST (DEED CALL NORTH 89 40' EAST), BASED ON GPS SURVEY PERFORMED IN MARCH 2003, REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENT "DAL A" (AB2821).
- 2). THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. SURVEYOR DID NOT PERFORM A COMPLETE ABSTRACT OF THE SUBJECT PROPERTY. EASEMENTS, RIGHT OF WAYS AND OTHER MATTERS OF RECORD OTHER THAN THOSE SHOWN HEREON MAY EXIST.
- 3). ALL COORDINATES AND DISTANCES ARE SURFACE VALUES. TO OBTAIN GRID VALUES MULTIPLY SURFACE VALUES BY PROJECT SCALE FACTOR (PSF) OF 0.999861718217, SURFACE PSF - GRID. UNIT OF MEASURE IS US SURVEY FOOT.



EDITED BY _____ DATE _____

PG.	PAGE
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SCOTT M. FERTAK
REG. PROF. LAND SURVEYOR, NO. 5257

FAX NO. (713) 881-4131



US Army Corps
of Engineers
District or Division

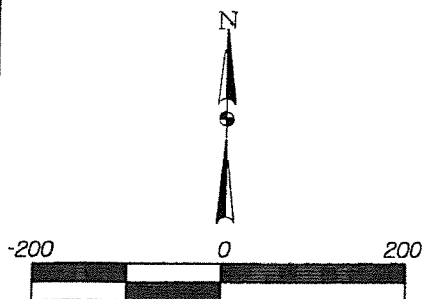
DATE:	JUNE 2010				
Don by:	KAC				
Ord by:	SP				
Reviewed by:	SP	Mark	Description	Date	Amount

WILLIAM SCROGGINS SURVEY A-1342

CITY BLOCK 7953

CITY OF DALLAS
VOL. 5656, PG. 88
D.C.D.R.
RESIDUE OF CALLED
303,764 SQ. FT.
(TRACT NO. 1)
OCTOBER 26, 1961

LINE TABLE		
NO.	BEARING	DIST.
L1	S 89° 05' 47" W	47.16'
L2	S 88° 23' 17" W	388.92'
L3	N 89° 47' 51" E	189.73'



SCALE: 1"=200'

BETHURUM AVE. (UNIMPROVED)
(25' R.O.W.)
NO DEED OF RECORD FOUND

N 88° 39' 47" E 1,220.10'

S 00° 45' 19" E
232.14'

L3

SOLOMON SILKWOOD SURVEY A-1345

TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 AC.
(1,744,445 SQ. FT.)

WEST LINE OF A CALLED
45.256 AC. LEASE TRACT
FOR PARK AND PLAYGROUND
PURPOSES TO CITY OF DALLAS
RECORDED IN VOL. 4309,
PG. 255, D.C.D.R.

CYNTHIA THORNBURG
C.F. NO. 200900025341
D.C.O.P.R.

ANDERSON HUGHES, ET UX
VOL. 72111, PG. 928
D.C.D.R.

MARY ANN HUGHES
VOL. 72078, PG. 1269
D.C.D.R.

FND. 1/2" I.R.
W/CAP

7.5' ALLEY
(PER PLAT)

L2

7.5' ALLEY
(PER PLAT)

S 89° 02' 17" W 733.80'

P.O.B.

SET 5/8" I.R.
W/"LANDTECH" CAP
N=6,958,774.29
E=2,508,182.11

CITY BLOCK 7066

THE HOUSING AUTHORITY OF
THE CITY OF DALLAS, TEXAS
VOL. 3575, PG. 275
D.C.D.R.
CALLED 90.14 AC.
OCTOBER 18, 1951

CITY OF DALLAS
VOL. 5564, PG. 585
D.C.D.R.
CALLED 73.985 AC.
(TRACT NO. 1)
JUNE 7, 1961

P.O.C.
FND. 1/2" I.R. W/
"RPLS # 3688" CAP
BEARS N 10° 12' 50" E,
2.99'
(CONTROLLING
MONUMENT)
N=6,958,794.75
E=2,509,479.59

S 89° 05' 47" W
1,297.64'

CITY BLOCK
7069

CITY OF DALLAS
VOL. 92038, PG. 2014
D.C.D.R.

CITY OF DALLAS
VOL. 5887, PG. 357
D.C.D.R.
CALLED 24.992 AC.
(SECOND TRACT)
OCTOBER 18, 1962

NELVIN JACKSON
C.F. NO. 200600340805
D.C.O.P.R.

CITY BLOCK 7067

ROSEBROOK CORPORATION
SUBDIVISION REVISED
VOL. 42, PG. 28
D.C.M.R.

ROCHESTER PARK
ADDITION
VOL. 8, PG. 190
D.C.M.R.

CITY BLOCK 4/7072

WOODVILLE ST.
(50' R.O.W.)
(VOL. 8, PG. 190, D.C.M.R.)

S.A. & M.G. R.R.
SURVEY A-1415
CITY BLOCK 7950

LANDTECH CONSULTANTS, INC.

CIVIL ENGINEERING - LAND SURVEYING
2525 NORTH LOOP WEST
SUITE 300
HOUSTON, TEXAS 77008
TEL NO. (713) 861-7068 FAX NO. (713) 861-4131



US Army Corps
of Engineers
District or Division

DATE	BY	DATE	BY
Drawn by	SA	Checked by	SA
Reviewed by	SP	Mark Description	Date

SHEET 4 OF 5

WILLIAM SCROGGINS SURVEY A-1342

CITY BLOCK 7953

CITY OF DALLAS
VOL. 5656, PG. 88
D.C.D.R.
RESIDUE OF CALLED
303,764 SQ. FT.
(TRACT NO. 1)
OCTOBER 26, 1961

RAILROAD AVE.
(25' R.O.W.)
NO DEED OF
RECORD FOUND

CITY BLOCK 7953

N 88° 39' 47" E 1,220.10'

BETHURUM AVE. (UNIMPROVED)
(25' R.O.W.)
NO DEED OF RECORD FOUND

SOLOMON SILKWOOD SURVEY A-1345

CITY BLOCK 7066

TEMPORARY WORK EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
40.047 AC.
(1,744,445 SQ. FT.)

THE HOUSING AUTHORITY OF
THE CITY OF DALLAS, TEXAS
VOL. 3575, PG. 275
D.C.D.R.
CALLED 90.14 AC.
OCTOBER 18, 1951

APPROXIMATE REMNANT AREA
11.4 ACRES WITHIN THIS CORNER

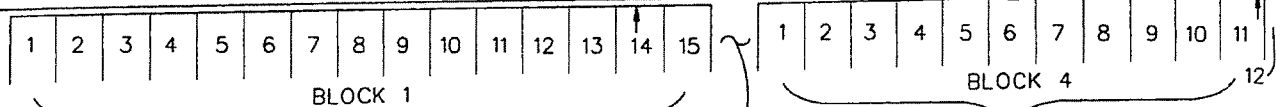
7.5' ALLEY
(PER PLAT)

7.5' ALLEY
(PER PLAT)

S 88° 23' 17" W
388.92'

REVIEWED BY: *Just Hart B. 3.10*

BEXAR ST.
(R.O.W. VARIES
NO DEED OF
RECORD FOUND)



O.E. TAYLOR ADDITION
VOL. 8, PG. 233
D.C.M.R.

JARVIS ST.
(50' R.O.W.)
(VOL. 8, PG. 190, D.C.M.R.)

ROCHESTER PARK
ADDITION
VOL. 8, PG. 190
D.C.M.R.

CITY BLOCK 4/7072

CITY BLOCK A/7071

LANDTECH CONSULTANTS, INC.

CIVIL ENGINEERING - LAND SURVEYING
2525 NORTH LOOP WEST
SUITE 300
HOUSTON, TEXAS 77008
TEL. NO. (713) 861-7088 FAX NO. (713) 861-4131



US Army Corps
of Engineers
District or Division

DATE:	APR 2010				
Drawn by:	SP				
Reviewed by:	SP				
Mark Description					
Date					
Appr.					

SHEET 5 OF 5

MATCH LINE SHEET 4

TEMPORARY WORKING EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
23.241 ACRES
CITY BLOCK 7066

FIELD NOTES FOR 23.241 ACRES (1,012,391 SQUARE FEET) OF LAND BEING OUT OF A CALLED 90.14 ACRE TRACT DESCRIBED IN DEED DATED OCTOBER 18, 1951 TO THE HOUSING AUTHORITY OF THE CITY OF DALLAS, TEXAS RECORDED IN VOLUME 3575, PAGE 275, DALLAS COUNTY DEED RECORDS; SAID 23.241 ACRES OF LAND BEING OUT OF CITY BLOCK 7066, CITY OF DALLAS, LOCATED IN THE SOLOMON SILKWOOD SURVEY, ABSTRACT NO. 1345, DALLAS COUNTY, TEXAS:

BEGINNING at a point in the west line of a called 73.985 acre tract described as "Tract No. 1" in deed dated June 7, 1961 to City of Dallas recorded in Volume 5564, Page 585, Dallas County Deed Records for the northeast corner of a called 24.992 acre tract described as "Second Tract" in deed dated October 18, 1962 to City of Dallas recorded in Volume 5887, Page 357, Dallas County Deed Records and the southeast corner of said 90.14 acre tract and of the herein described tract, from which a found 1/2 inch iron rod with cap stamped "RPLS# 3688" bears North 10°12'50" East, 2.99 feet; said point also being in the west survey line of the S.A. & M.G. R.R. Survey, Abstract No. 1415 and the east survey line of said Solomon Silkwood Survey;

THENCE, South 89°05'47" West, along the south line of said 90.14 acre tract and the north line of said 24.992 acre tract, a distance of 1,158.18 feet to the southwest corner of the herein described tract;

THENCE, North 02°29'32" East, a distance of 531.54 feet to an angle point;

THENCE, North 05°07'21" East, a distance of 86.16 feet to an angle point;

THENCE, North 36°08'31" East, a distance of 73.20 feet to an angle point;

THENCE, North 03°42'25" East, a distance of 162.12 feet to the point of curvature of a curve to the right for the most westerly northwest corner of the herein described tract;

THENCE, along said curve to the right, having a radius of 140.00 feet, an arc length of 217.62 feet, a central angle of 89°03'39", and a chord which bears North 48°14'15" East, 196.36 feet to the point of tangency for the most northerly northwest corner of the herein described tract;

THENCE, South 87°13'56" East, a distance of 180.15 feet to an angle point;

THENCE, South 89°17'57" East, a distance of 312.17 feet to the point of curvature of a curve to the right;

REVIEWED BY:

Post Hook 8.3.10

TEMPORARY WORKING EASEMENT
TO BE ACQUIRED FROM
DALLAS HOUSING AUTHORITY
23.241 ACRES
CITY BLOCK 7066

THENCE, along said curve to the right, having a radius of 265.00 feet, an arc length of 202.29 feet, a central angle of $43^{\circ}44'16''$, a chord which bears South $67^{\circ}25'49''$ East, 197.42 feet to the point of tangency;

THENCE, South $45^{\circ}33'41''$ East, a distance of 153.96 feet to an angle point;

THENCE, South $89^{\circ}43'54''$ East, a distance of 130.47 feet to a point in the west line of said 73.985 acre tract, the west survey line of said S.A. & M.G. R.R. Survey, the east line of said 90.14 acre tract, and the east survey line of said Solomon Silkwood Survey for the northeast corner of the herein described tract;

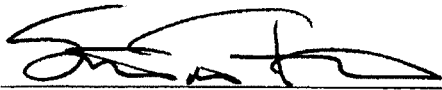
THENCE, South $00^{\circ}56'13''$ East, along the west line of said 73.985 acre tract, the west survey line of said S.A. & M.G. R.R. Survey, the east line of said 90.14 acre tract, and the east survey line of said Solomon Silkwood Survey, a distance of 753.67 feet to the POINT OF BEGINNING and containing 23.241 acres (1,012,391 square feet) of land.

Metes and Bounds description contains a mathematical calculated closure of 1/536,239.

REVIEWED BY:

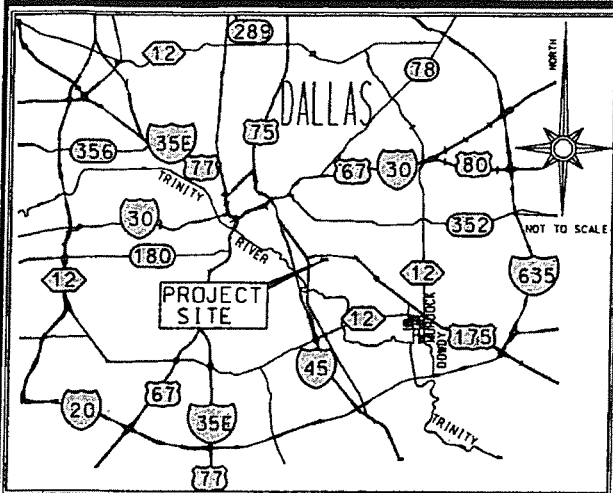
Bearings are referenced to the Texas Coordinate System of 1983, North Central Zone, North American Datum of 1983 (1993 adjustment), based on the most easterly, southern line of a called 90.14 acre tract of land as described in Volume 3575, Page 275 D.C.D.R., calculated South $89^{\circ}05'47''$ West (deed call North $89^{\circ}40'$ East), based on GPS survey performed in March 2003, referenced to National Geodetic Survey Monument "DAL A" (AB2821). To obtain grid values multiply surface values by Project Surface Factor (PSF) of 0.999861718217, Surface * PSF = Grid. Unit of measure is US Survey Foot.

June 26, 2010
Landtech Consultants, Inc.



Scott M. Fertak
Registered Professional Land Surveyor No.
5257



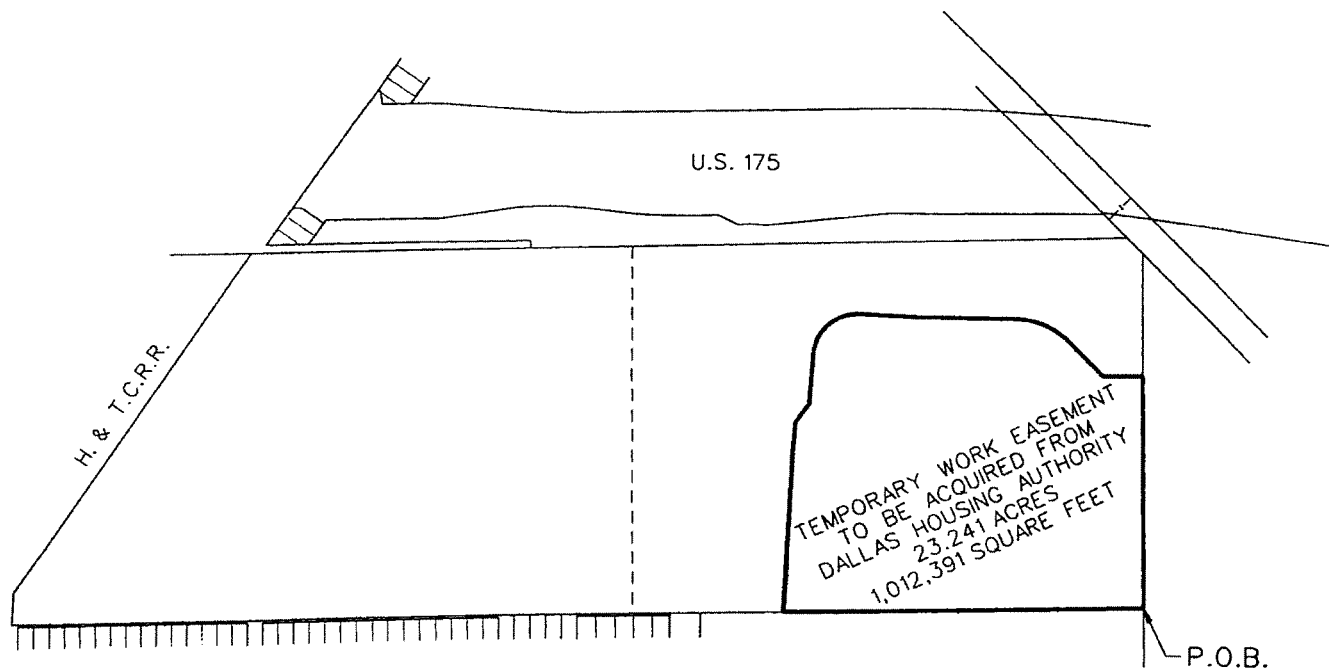


VICINITY MAP

NOT TO SCALE

NOTES

- 1). BEARINGS ARE REFERENCED TO THE TEXAS COORDINATE SYSTEM OF 1983, NORTH CENTRAL ZONE, NORTH AMERICAN DATUM OF 1983 (1993 ADJUSTMENT), BASED ON THE MOST EASTERLY, SOUTHERN LINE OF A CALLED 90.14 ACRE TRACT OF LAND AS DESCRIBED IN VOLUME 3575, PAGE 275 D.C.D.R., CALCULATED SOUTH 89° 05'47" WEST (DEED CALL NORTH 89° 40' EAST), BASED ON GPS SURVEY PERFORMED IN MARCH 2003, REFERENCED TO NATIONAL GEODETIC SURVEY MONUMENT "DAL A" (AB2821).
- 2). THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A CURRENT TITLE COMMITMENT. SURVEYOR DID NOT PERFORM A COMPLETE ABSTRACT OF THE SUBJECT PROPERTY. EASEMENTS, RIGHT OF WAYS AND OTHER MATTERS OF RECORD OTHER THAN THOSE SHOWN HEREON MAY EXIST.
- 3). ALL COORDINATES AND DISTANCES ARE SURFACE VALUES. TO OBTAIN GRID VALUES MULTIPLY SURFACE VALUES BY PROJECT SCALE FACTOR (PSF) OF 0.999861718217, SURFACE PSF - GRID. UNIT OF MEASURE IS US SURVEY FOOT.



CHECKING PLOT

CHECKED BY _____ DATE _____

BACK CHECK BY _____ DATE _____

CORRECTED BY _____ DATE _____

EDITED BY _____ DATE _____

LEGEND

D.C.D.R. DALLAS COUNTY DEED RECORDS
D.C.M.R. DALLAS COUNTY MAP RECORDS
I.R. IRON ROD
I.P. IRON PIPE
P.O.B. POINT OF BEGINNING
P.O.C. POINT OF COMMENCING
P. PROPERTY LINE
S. SURVEY LINE
VOL. VOLUME
PG. PAGE



I, SCOTT M. FERTAK, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, DO HEREBY CERTIFY THAT THIS SURVEY CORRECTLY REFLECTS THE LOCATION OF THE PROPERTY LINES AND OTHER MATTERS OF RECORD. THIS MAP IS THE RESULT OF AN ON-THE-GROUND SURVEY CONDUCTED UNDER MY DIRECT SUPERVISION DURING THE MONTH OF APRIL, 2010.

[Signature]
SCOTT M. FERTAK
REG. PROF. LAND SURVEYOR, NO. 5257

LANDTECH CONSULTANTS, INC.
CIVIL ENGINEERING - LAND SURVEYING
2525 NORTH LOOP WEST
SUITE 300
HOUSTON, TEXAS 77008
TEL. NO. (713) 861-7068 FAX NO. (713) 861-4131



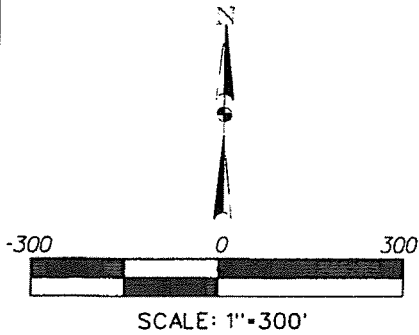
US Army Corps
of Engineers
District or Division

DATE:	JUN 2010				
Drawn by:	SC				
Check by:	SC				
Reviewed by:	SC				
	Mark	Description	Date	App.	

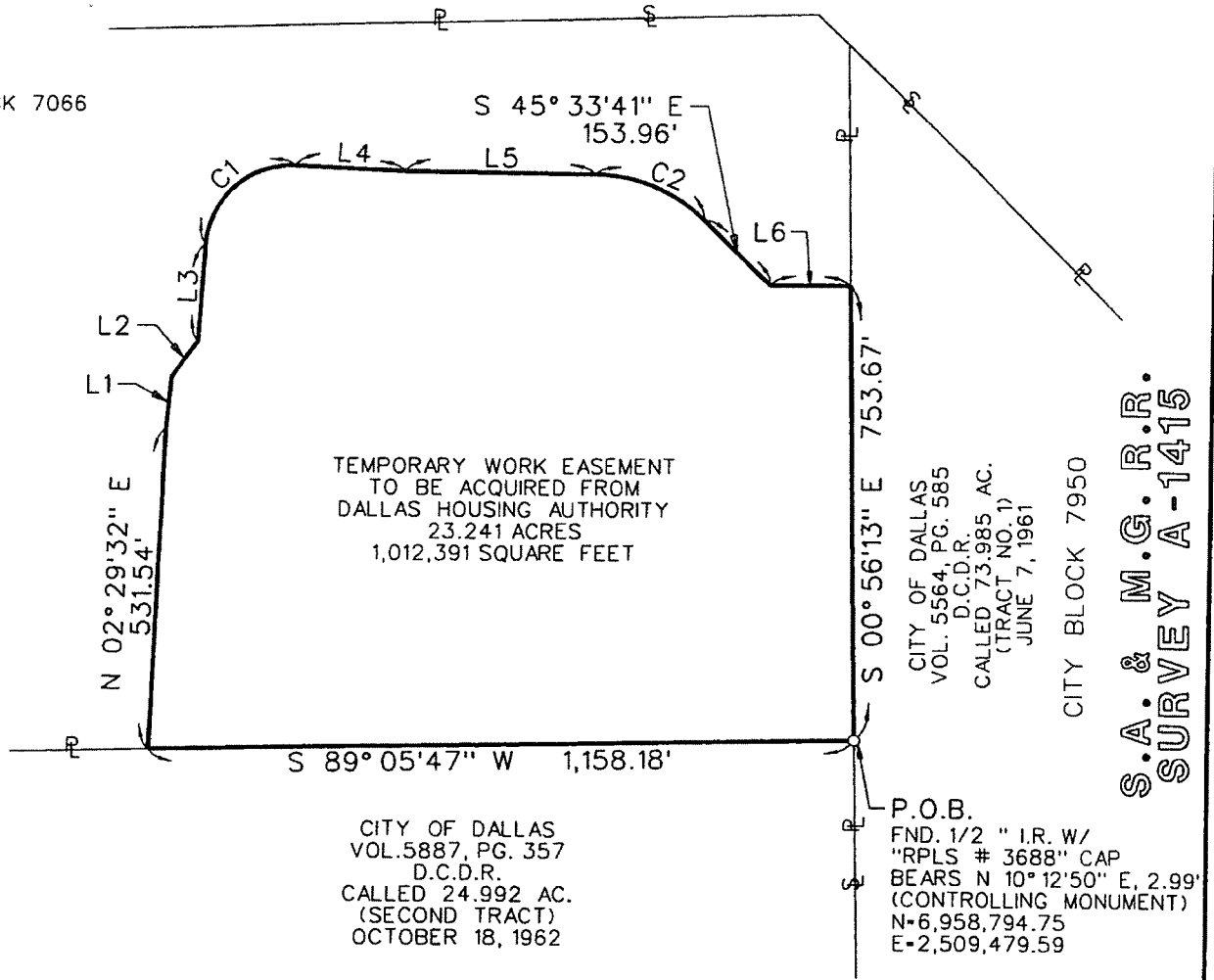
REVIEWED BY: *Don Hart 8.3.10*

THE HOUSING AUTHORITY OF
THE CITY OF DALLAS, TEXAS
VOL. 3575, PG. 275
D.C.D.R.
CALLED 90.14 AC.
OCTOBER 18, 1951

CURVE TABLE					
NO.	RADIUS	LENGTH	DELTA	CH. BEARING	CH. LEN.
C1	140.00'	217.62'	89° 03' 39"	N 48° 14' 15" E	196.36'
C2	265.00'	202.29'	43° 44' 16"	S 67° 25' 49" E	197.42'



CITY BLOCK 7066



S.A. & M.G. R.R.
SURVEY A-1415

CITY BLOCK 7069

SOLOMON SILKWOOD SURVEY A-1345

LINE TABLE		
NO.	BEARING	DIST.
L1	N 05° 07' 21" E	86.16'
L2	N 36° 08' 31" E	73.20'
L3	N 03° 42' 25" E	162.12'
L4	S 87° 13' 56" E	180.15'
L5	S 89° 17' 57" E	312.17'
L6	S 89° 43' 54" E	130.47'

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HOUSTON, TEXAS 77008
TEL NO. (713) 881-7088 FAX NO. (713) 881-4131

US Army Corps
of Engineers
District or Division

DATE: JUNE 2010
Drawn by: KAX
Checked by: SP
Reviewed by: SP

Mark Description Date Appr.

SHEET 4 OF 4

Memorandum



CITY OF DALLAS

DATE October 7, 2010

TO Trinity River Corridor Project Committee Members:
David A. Neumann (Chairman) Vonciel Jones Hill
Steve Salazar (Vice-Chair) Delia Jasso
Mayor Pro Tem Dwaine Caraway Linda Koop
Deputy Mayor Pro Tem Pauline Medrano Ann Margolin
Carolyn R. Davis

SUBJECT **Dallas Floodway System Update 100-Year Levee Remediation**

The attached briefing will be presented at the Trinity River Corridor Project Committee meeting on October 12, 2010 at 9:30 A.M. This briefing provides an update of the progress to date for retaining FEMA certification for our levees for the 100-year flood, and outlines the steps, including the estimated timeline and funding sources, for making the 100-year levee fixes

Please contact me if you have questions.

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



THE TRINITY
DALLAS

Attachment

C: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander
Helena Stevens-Thompson, Asst. to the City Manager
Frank Libro, Director, Public Information Office
Kelly High, Director, Trinity Watershed Management
Rebecca Rasor, P.E., Managing Director, Trinity River Corridor Project



THE TRINITY
DALLAS

Dallas Floodway System Update 100-Year Levee Remediation

Presented to
Trinity River Corridor Project Committee
October 12, 2010

In Summary...

- The City and Corps are committed to protecting people and property
- FEMA's latest schedule for releasing revised flood maps has been adjusted from August 2011 to December 2011
- As part of the design of the 100-year levee fixes it was determined soil strength testing is necessary
- The City and Corps are committed to conducting the tests on an aggressive schedule, staying committed to meeting FEMA's remapping schedule
- If it appears FEMA's remapping schedule will not be met, new solutions for a path forward will be brought to Council for consideration in January 2011



Outline

- Purpose
- Overview
- FEMA Remapping
- 100-year Levee Remediation Plan
- Fully Softened Shear Strength Test
- Parallel Initiatives that May Affect Remapping
- Next Steps

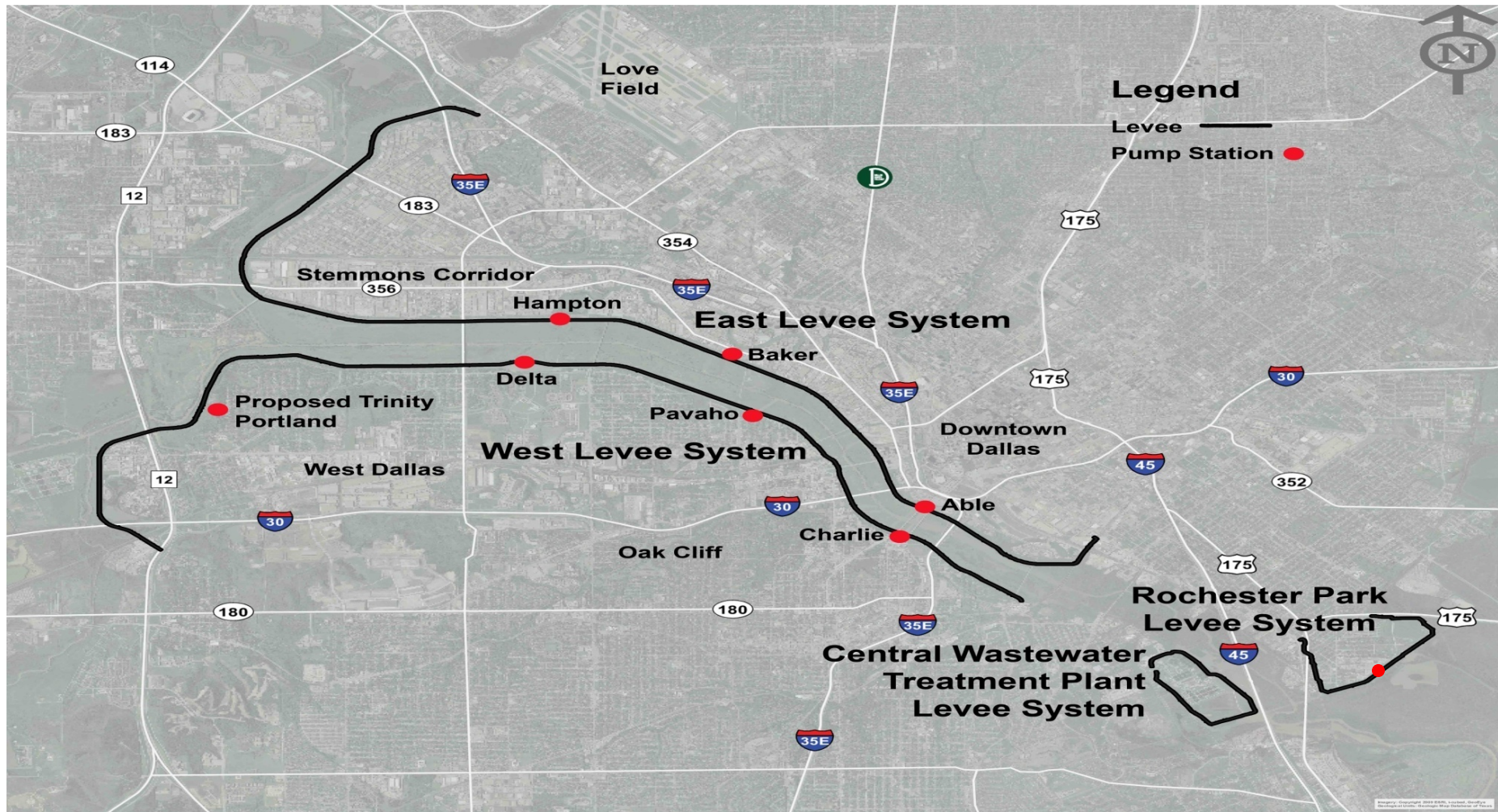


Purpose of Briefing

- Provide an update of the progress to date for retaining FEMA certification that the Dallas Floodway System Levees can withstand the 100-year flood (flood that has a 1% chance of being equaled or exceeded in a given year)
- Outline the steps, including the estimated timeline and funding sources, for making the 100-year levee fixes



Dallas Floodway System Map



- **Flood Protection is of critical importance to the City**
- Dallas Floodway System protects billions of dollars of property value
- Dallas Floodway System historically received **good, very good or excellent ratings** on annual and periodic (every 5 years) inspections
- Our levees still meet the standards to which they were built by the Corps in the 1950's



Overview (cont'd)

- After Hurricane Katrina, a National Levee Safety Program was instituted resulting in more rigorous and nationally uniform criteria for inspecting levee systems
- Dallas Floodway Levee System was one of first levee systems in a major American City to be inspected based on new rating criteria
 - As of 2008, over 200 US levees failed inspection by the Corps
 - Those cities/local flood control districts will have to bear entire cost of correction unless they are in a cost sharing partnership with the Corps – most are not
 - City is currently in a cost sharing partnership with the Corps for the Dallas Floodway Environmental Impact Statement (EIS)



Overview (cont'd)

- Under this new criteria, the Corps issued Periodic Inspection Report 9 (PI #9) in March 2009 and rated the Dallas Levee System “unacceptable”
 - Deficiencies of two types were identified:
 - Operations & Maintenance (O&M) such as vegetation, siltation and erosion
 - To date approximately, **181** of the 198 items have been addressed
 - System wide issues such as levee height, seepage and stability
 - Levee height and stability issues were the fundamental drivers for the Trinity River Corridor Project and the partnership with the Corps since 1993



Overview (cont'd)

- As a part of our partnership with the Corps, the City and the Corps expanded the scope of the current EIS to include study of levee deficiencies. This is called the System Study (800-Year Levee project)
 - System Study is underway to identify and address system-wide deficiencies
- City has preliminary design identifying 100-year levee issues and fixes
 - In August 2010, the Draft Master Plan of the 100-year levee fixes and Draft Environmental Assessment document were submitted to the Corps



FEMA Remapping

- After PI #9, the Corps withdrew a letter used to support the technical certification of the Dallas levees, and FEMA began its de-accreditation process in April 2009
 - FEMA is remapping the area around Dallas Floodway as if levees are not there
 - If remapping occurs, ramifications include:
 - Existing structures within the remapped areas that have federally backed mortgages will have to carry flood insurance
 - No new building permits unless on fill or elevated
 - Lending institutions may require flood insurance prior to FEMA's final effective maps

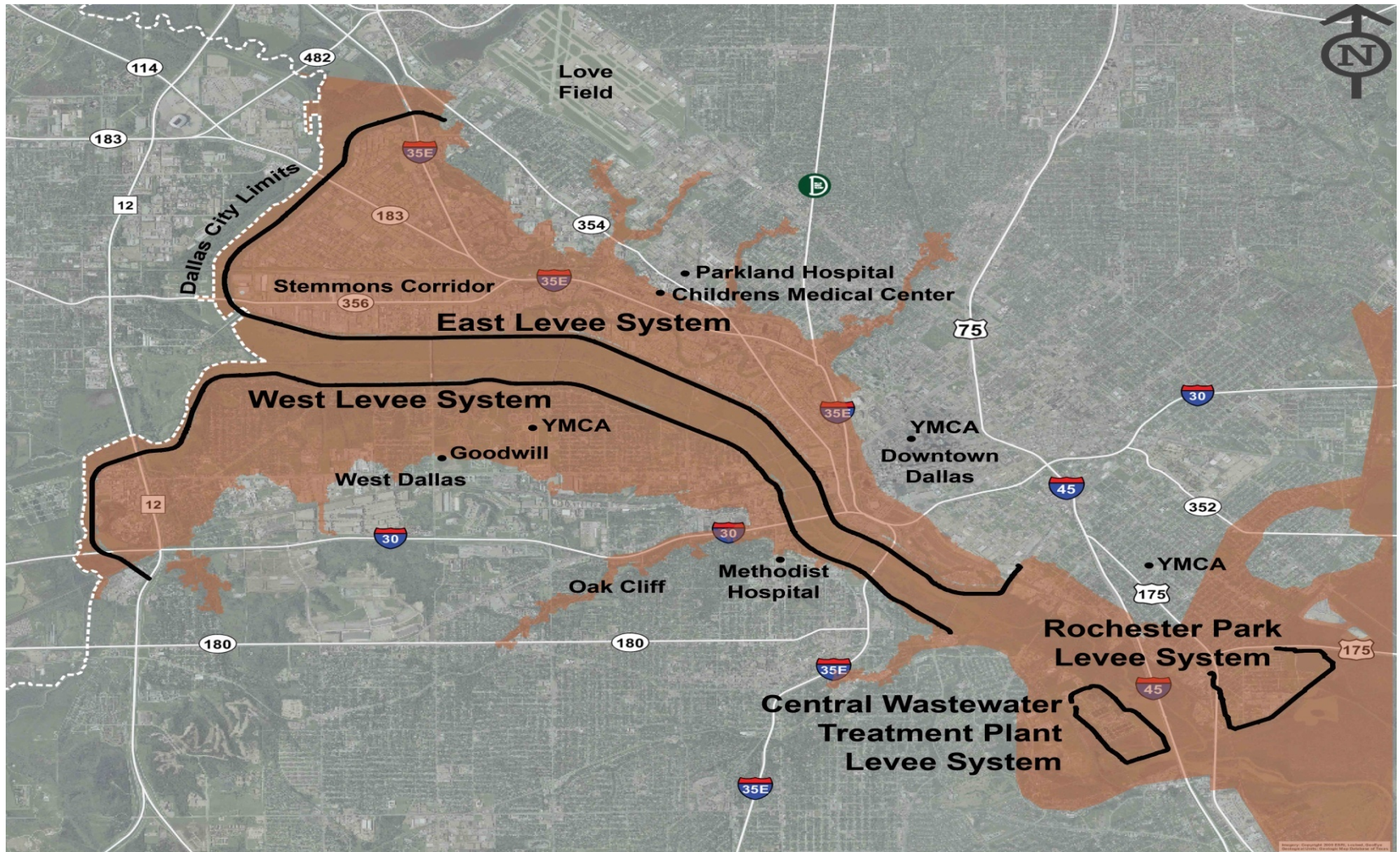


FEMA Remapping

- FEMA has been working closely with the City
- FEMA's schedule for the release of the revised finalized flood maps have been **adjusted** by **four months**

<i>FEMA Actions</i>	<i>Original Schedule</i>	<i>Latest Schedule</i>
Preliminary revision to current maps released for public comments	September 2010	February 2011 (90 day period to submit concerns about map begins)
Revised flood maps finalized (Depends on resolution of public comments)	August 2011	December 2011 (This is the Date to Beat)
Final effective maps in place	February 2012	June 2012

This Map Approximates What FEMA's Remapping Could Look Like Assuming no levee protection



- To prevent remapping, City would have to:
 - Complete levee repairs by **December 2011**
 - 100-Year Levee Remediation
 - Submit 100-year flood certification information to FEMA for floodway/levees by **December 2011**
- The City must fix 3 levee systems
 1. Central Wastewater Treatment Plant (CWWTP)
 2. Rochester
 3. Dallas Floodway (East and West levees)



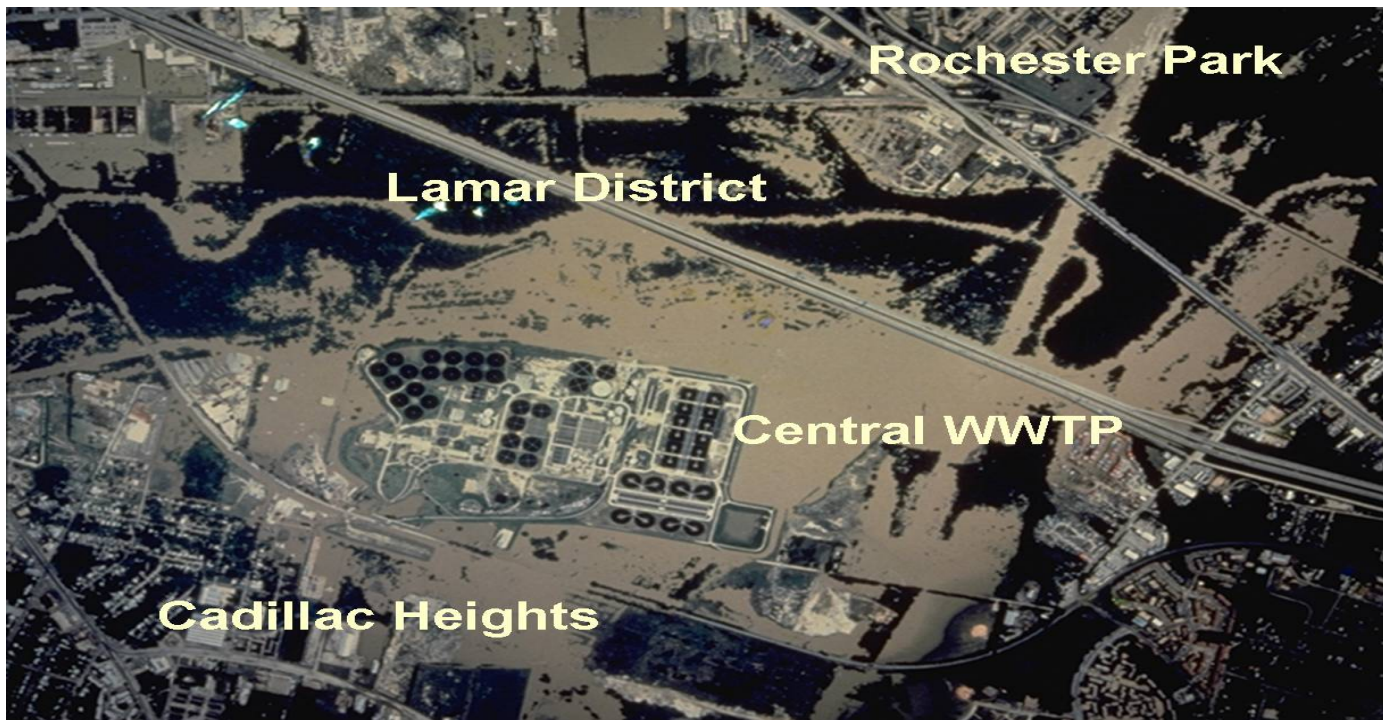
100-Year Levee Remediation Plan

- Funding plan for construction of 100-year flood improvements have been previously briefed to City Council in April 2010 consisting of:
 - Re-allocation of Flood Protection Bond Program projects
 - Stormwater Funds
 - Dallas Water Utility (DWU) Funds
 - Potential Corps Funds



1. Central Wastewater Treatment Plant - 100-Year Levee Remediation Plan

- No issues related to slope stability or under seepage known at this time
- 100-year levee fix is to address multiple utility levee crossings



2. Rochester Levee 100-Year Levee Remediation Plan

- No issues related to slope stability or under seepage known at this time
- 100-year levee fixes may include:
 - Addressing multiple utility levee crossings
 - Addressing the existing MSE (Mechanical Stabilized Earth) wall with the following options:
- Install interim measures involving repairs to the wall or
- Incorporate into the Dallas Floodway Extension project
- A separate briefing will be forthcoming to address long term levee improvements



3. Dallas Floodway Levees (East and West) 100-Year Levee Remediation Plan

- 100-year levee fixes may include:
 - Measures to address multiple utility levee crossings
 - Cut-off walls or relief wells to address under seepage
 - Levee fattening to address stability



Schedule: 100-Year Levee Remediation Plan

- Original Schedule:

- ✓ Feb 2010: Submitted Draft Levee Remediation Plan
- ✓ Apr 2010: Completed geotechnical field investigations
- ✓ May 2010: Began design of proposed fixes
- ✓ Jun 2010: Submitted lab test results
- ✓ Aug 2010: Submitted design analyses and Draft Master Plan for the 100-year levee fixes
- ✓ Aug 2010: Submitted Draft Environmental Assessment document
- Sept 2010: Advertise Construction
- Nov 2010: Corps Approval and Construction Begins

✓ Indicates completed task



Schedule: 100-Year Levee Remediation Plan

- Schedule Changes:
 - As part of the Corps' analysis of the geotechnical information, it was determined that it may be necessary to perform site specific testing for fully softened shear strengths
 - The methodology the consultant utilized to determine these strengths was based on a correlation rather than testing
 - The Corps and City held a meeting of various experts in the geotechnical field on August 25-26, 2010 to determine the necessary path forward
 - At the workshop it was agreed upon to complete additional testing specifically for fully softened shear strengths



Schedule: 100-Year Levee Remediation Plan

- Schedule Changes:
 - Sept 2010 : Soil samples identified
 - Oct 2010: First of soil samples collected and shipped
 - Subsequent soil samples to be sent throughout the month
 - Oct 2010: Fully softened shear strength testing begins
 - Jan 2011: Mid-point of testing
 - Mar 2011: Testing and Results Complete
 - Advertisement of 100-year improvements, Corps Approval and Construction start are delayed a minimum of 4 to 6 months



Fully Softened Shear Strength Test

- Clay soils, like those found in and under the Dallas Floodway levees, exhibit a wide range of strengths depending on soil saturation, flood levels and flood duration
- This strength determines the soil's ability to resist failure
- These soils can lose strength over time
- “Fully softened shear strength” represents a strength value that takes these factors into account and provides a high level of certainty that the levees can be designed to perform as intended for many years



Fully Softened Shear Strength Test

- The Corps offered to have its Engineering Research and Development Center (ERDC) perform the tests, analyze the results and provide approved strength values. ERDC will:
 - Complete all tests and analyses in 6 months at a cost of \$958K, shared by the Corps and City
 - Make this their number one priority project
 - Provide results to the City throughout the testing period, with initial results available within 30 days
 - Provide quality-assured data, thereby reducing future technical review processes related to the testing



Minor Changes to the Current 100-Year Levee Remediation Plan

- **If the results** of the preliminary testing **indicate** that the proposed Draft Master Plan for the 100-year levee fixes requires **minor changes** of this document, then plan **will meet latest FEMA schedule**
 - The 100-year levee fixes will address multiple utility levee crossings and construction of cut-off walls
 - Based on these fixes, the construction could begin in July 2011 and end by December 2011
 - The fixes would be funded as originally proposed from the reallocation of the 2006 Bond Program, DWU funds and Stormwater Funds
 - City Consultant would certify the levees for 100-year event and submit plans to FEMA for accreditation upon completion of fixes



Extensive Changes to the Current 100-Year Levee Design Fixes

- **If the results** of the preliminary testing **indicate** that the proposed Draft Master Plan for the 100-year levee fixes requires **extensive changes** of this document, then the **City would not likely meet FEMA's latest remapping schedule**
- If this occurs, staff will brief the Council in January 2011 on the preliminary testing results and the various strategies and their impacts to the schedule of 100-year levee fixes



Impacts to Ongoing Projects

- There is likely a 4 to 6 month impact to the following project schedules currently under design:
 - Baker Pump Station
 - Sylvan Avenue Bridge Project
 - Balanced Vision Plan



Parallel Initiatives that May Affect Remapping

- FEMA – National Levee Issues Alliance (LIA)
 - Since the post-Katrina inspections have created levee issues nationally, concerned civic and business leaders have joined the National Levee Issues Alliance
 - The purpose of the LIA is to:
 - Reduce the adverse effects of levee decertification and flood zone re-designation; and
 - Identify resources and methodologies to assist local sponsors in expediting correction of flood protection project deficiencies.
 - Membership includes entities from Illinois, Louisiana, Mississippi and Texas (where initial Corps inspections occurred); additional membership is anticipated
 - US Chamber of Commerce has begun meeting with the LIA to address wide-spread concerns from the business community



Parallel Initiatives that May Affect Remapping (cont'd)

- FEMA – National Levee Issues Alliance (LIA) (cont'd)
 - Dallas participates in the LIA
 - The LIA is working on a number of national initiatives related to levee decertification
 - Creation of a Congressional Levee Caucus
 - Legislation related to levee certification and FEMA remapping
 - Seeking language that recognizes good faith efforts toward levee repair/interior drainage improvements and slows remapping activities
- Congress is expected to take up legislation addressing the National Flood Insurance Program (NFIP) which could provide the best opportunity in the new Congress (112th Congress) to address FEMA re-mapping



Parallel Initiatives that May Affect Remapping (cont'd)

- The LIA will be monitoring the November elections and plans to meet before the end of the year to discuss strategy and next steps for the 112th Congress
- Efforts undertaken by the LIA will focus on the 112th Congress



Next Steps

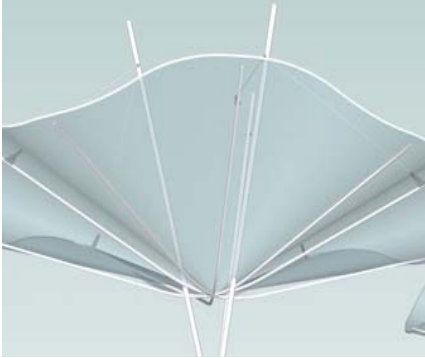
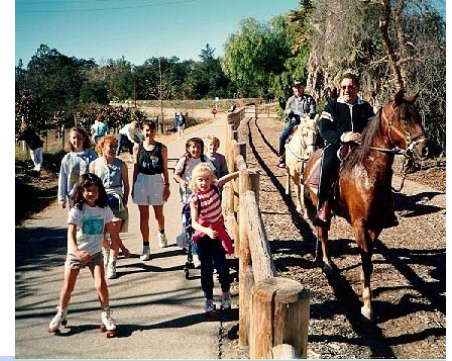
- **November 2010 through January 2011** – Launch Information Campaign
- **November 2010** - Brief TRCP Committee on the update of the Dallas Floodway Extension Project
- **December 2010** – Obtain Council authorization to supplement Consultant's (Jacobs) design contract for additional work on Baker and Pavaho Pump Stations
- **January 2011** - Brief the TRCP Committee on the preliminary look of the fully softened shear strength test results and its impact to the schedule and cost of the 100-year levee fixes



In Summary...

- The City and Corps are committed to protecting people and property
- FEMA's latest schedule for releasing revised flood maps has been adjusted from August 2011 to December 2011
- As part of the design of the 100-year levee fixes it was determined soil strength testing is necessary
- The City and Corps are committed to conducting the tests on an aggressive schedule, staying committed to meeting FEMA's remapping schedule
- If it appears FEMA's remapping schedule will not be met, new solutions for a path forward will be brought to Council for consideration in January 2011





DISCUSSION

Memorandum



CITY OF DALLAS

DATE October 7, 2010

TO Trinity River Corridor Project Committee Members:

David A. Neumann (Chairman)

Vonciel Jones Hill

Steve Salazar (Vice-Chair)

Delia Jasso

Mayor Pro Tem Dwaine Caraway

Linda Koop

Deputy Mayor Pro Tem Pauline Medrano

Ann Margolin

Carolyn R. Davis

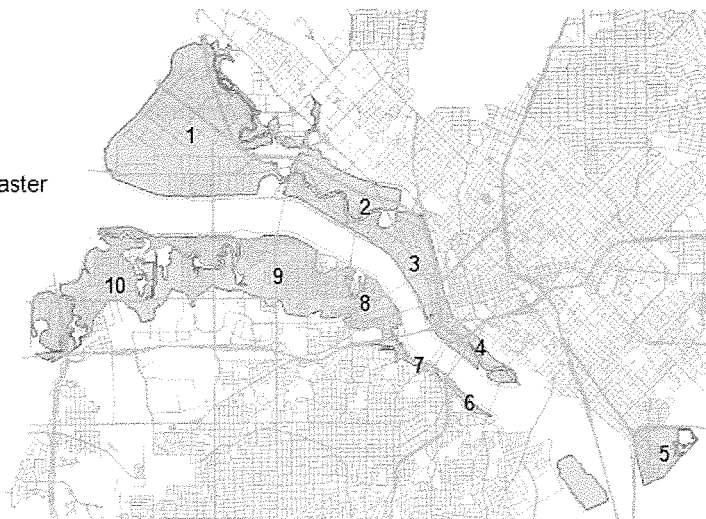
SUBJECT **FEMA Flood Insurance Rate Map Update Information Campaign**

On June 22, 2010, you were briefed on the FEMA Flood Insurance Rate Map (FIRM) Update Information Campaign. As described, the Campaign is three-phased:

- 1) Meetings with neighborhood, organization and industry leaders (65 meetings held to date)
- 2) Citizen information meetings (10 to be held)
- 3) Open-house forum meetings to present FEMA's preliminary FIRMs (up to 3 to be held)

In anticipation of the FEMA preliminary map release (estimated February 2011), staff is currently embarking on phase II of the Information Campaign. In preparation, the phase I leadership input has been synthesized and each of the appropriate councilmembers is being contacted to identify meeting times/dates and preferred locations for the neighborhood meetings. It is anticipated that the meetings will be held in November (west side of levee) and in January (east side of levee and Rochester). The 10 meetings will be held in the communities listed below:

1. Brookhollow
2. Stemmons
3. Design District
4. Cedars West/Mixmaster
5. Rochester
6. The Bottom
7. Oak Cliff
8. West Dallas
9. West Dallas
10. Eagle Ford



The goal of the phase II neighborhood meetings is to educate property owners about mitigating their risk associated with living near a levee and understanding the remapping process. The topics to be covered at these meetings include:

- I. Floodway System Status
- II. Corrections to Floodway System (including removal of trees, where required)
- III. FEMA Remapping
 - i. Information about open-house meetings to be held upon release of preliminary maps
 - ii. FEMA's protest and appeal process
- IV. Living Behind A Levee and Ways to Mitigate Risk
- V. Emergency Action and Evacuation Plan

Staff expects that with use of mailers, meetings, and website updates, the potentially affected population will be well informed about the status of the floodway system and FEMA's remapping efforts.

Please contact me if you have questions.



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



THE TRINITY
DALLAS

C: Honorable Mayor and Members of the City Council
Mary K. Suhm, City Manager
Ryan S. Evans, First Assistant City Manager
A.C. Gonzalez, Assistant City Manager
Forest E. Turner, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Deborah A. Watkins, City Secretary
Thomas P. Perkins, Jr., City Attorney
Craig D. Kinton, City Auditor
Judge C. Victor Lander
Helena Stevens-Thompson, Asst. to the City Manager
Frank Libro, Director, Public Information Office
Kelly High, Director, Trinity Watershed Management
Rebecca Rasor, P.E., Managing Director, Trinity River Corridor Project