

March 8, 2023

**WHEREAS**, the 1998 Trinity Bond Program authorized funding to implement flood control, lake development, environmental, transportation, and recreation projects within the Dallas Levee System: Dallas Floodway and Dallas Floodway Extension; and

**WHEREAS**, the Dallas Floodway Extension (DEE) project represents a portion of a project that was authorized by Congress for construction in 1965; the Congressional authorization for the project was amended by Section 356 of the Water Resources Development Act of 1999 to include environmental restoration and recreation as project purposes; and

**WHEREAS**, the U.S. Army Corps of Engineers produced an Environmental Impact Statement (EIS) in February 1999 for the DEE project, which received final approval in December 1999; and

**WHEREAS**, the City Council adopted the Balanced Vision Plan on December 8, 2003 and it's amended Balanced Vision Plan on April 14, 2004; and

**WHEREAS**, Congress authorized the U.S. Army Corps of Engineers to construct the Dallas Floodway Project, including associated interior drainage improvements adjacent to the Dallas Floodway levees consistent with the Balanced Vision Plan for the Trinity River Corridor Project in November 2007 with the Water Resources Development Act (WRDA) 2007: Section 5141; and

**WHEREAS**, the U.S. Army Corps of Engineers issued a Record of Decision for the Modified Dallas Floodway Project in 2015 which approved the City's plans from the Balanced Vision Plan and Interior Drainage Plans and outlined the cost share components; and

**WHEREAS**, the City entered into project agreements for both the Dallas Floodway and Dallas Floodway Extensions requiring the City to acquire and remediate properties required for the federal flood risk management improvements; and

**WHEREAS**, the Supplemental Appropriation in the Bipartisan Budget Act of 2018- Public Law 115-123 (PL-115-123) provides funding to complete the flood risk management components of the Dallas Floodway and Dallas Floodway Extension; and

**WHEREAS**, the City of Dallas is obligated to acquire necessary right of way for the construction of pump stations, Lamar and Cadillac Heights Levees; and

**WHEREAS**, the U.S. Army Corps of Engineers is performing the planning, design and construction of flood risk management projects to be complete in 2027 providing necessary and lifesaving structural flood control to neighborhoods along the Dallas Levee System; and

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**WHEREAS**, the City of Dallas flood risk management has been in the planning stages dating back to 1965 while federal and City funding is available for flood risk management planning, design and construction; and

**WHEREAS**, the City of Dallas with the U.S. Army Corps of Engineers has plans to install flood control improvements in the area east of South Central Expressway and west of block 7947, an unimproved area; and

**WHEREAS**, the proposed improvements require the construction of a floodgate opening supported by concrete floodwalls and earthen embankment; and

**WHEREAS**, the City of Dallas desires to enter into an Reimbursement Agreement with Union Pacific Railroad Company to allow for the review of preliminary engineering designs for Dallas Floodway Extension – Lamar Levee.

**Now, Therefore,**

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

**SECTION 1.** That the Reimbursement Agreement submitted by Union Pacific Railroad Company in the amount of \$225,000.00 be approved.

**SECTION 2.** That the City Manager is hereby authorized to execute a Reimbursement Agreement with Union Pacific Railroad Company, approved as to form by the City Attorney, for preliminary engineering services for the portion of the proposed expansion of the Dallas Floodway Extension Lamar Levee that impacts Union Pacific's operations, including improvements to infrastructure.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$225,000.00 to Union Pacific Railroad Company from the Trinity River Corridor Project, Fund 2P14, Department SDM, Unit W632, Object 3070, Program PB98W397, Encumbrance/Contract No. CX-SDM-2023-00021314, Vendor 266649.

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