



Legislation Details (With Text)

**File #:** 21-468      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved

**File created:** 3/5/2021      **In control:** Water Utilities Department

**On agenda:** 12/8/2021      **Final action:**

**Title:** Authorize an Occupancy License Agreement with Dallas, Garland & Northeastern Railroad to construct, operate, and maintain a 36-inch diameter storm drain within the railroad right-of-way - Not to exceed \$15,300.00 - Financing: Stormwater Drainage Management Capital Construction Fund

**Sponsors:**

**Indexes:** 6

**Code sections:**

**Attachments:** 1. Map, 2. Resolution

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** December 8, 2021

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Water Utilities Department

**EXECUTIVE:** Majed Al-Ghafry

**SUBJECT**

Authorize an Occupancy License Agreement with Dallas, Garland & Northeastern Railroad to construct, operate, and maintain a 36-inch diameter storm drain within the railroad right-of-way - Not to exceed \$15,300.00 - Financing: Stormwater Drainage Management Capital Construction Fund

**BACKGROUND**

Dallas Water Utilities (DWU) has a project to install utility improvements in Commerce Street from Ormsby Street to Vilbig Road and in Vilbig Road from Commerce Street north to the existing railroad. As part of the project, drainage improvements will be made to the area near Commerce Street and Vilbig Road. The drainage improvements will alleviate flooding concerns along Commerce that currently impact the adjacent properties during storm events.

The drainage outfall for the proposed improvements is located north of Commerce and just west of Vilbig on property owned by the Dallas, Garland & Northeastern Railroad. To complete the project and tie-into the existing drainage system, a proposed 36-inch diameter storm drain must be constructed within the railroad property. DWU has coordinated the proposed improvements with the

railroad and wishes to enter into an agreement for use of the property.

This action will authorize the City of Dallas to enter into an occupancy license agreement for the construction, ownership, operation, and maintenance of the 36-inch diameter storm drain within the Dallas, Garland & Northeastern Railroad's right-of-way. The agreement includes provisions for ownership, liability, termination, as well as notification and coordination requirements for the construction, operation, and future maintenance of the main. A one-time fee has been negotiated with the railroad in consideration for the proposed use of the property for drainage improvements.

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

On August 26, 2020, City Council authorized a construction contract for the installation of water, wastewater, and storm sewer mains at 23 locations by Resolution No. 20-1270.

**FISCAL INFORMATION**

Fund	FY 2022	FY 2023	Future Years
Stormwater Drainage Management Capital Construction Fund	\$15,300.00	\$0.00	\$0.00

**OWNER**

**Dallas, Garland & Northeastern Railroad**

Stephen Wellman, General Manager

**MAP**

Attached