File #: 20-1189, **Version:** 1

STRATEGIC PRIORITY: Mobility Solutions, Infrastructure, and Sustainability

AGENDA DATE: August 12, 2020

COUNCIL DISTRICT(S): 6

DEPARTMENT: Water Utilities Department

EXECUTIVE: Majed Al-Ghafry

SUBJECT

Authorize acquisition from RSDC, LLC; 1/3 BC, LLC; and 1836 W Jefferson LLC, of approximately 5,835 square feet of land located near the intersection of North Beckley Avenue and West Commerce Street for the Dallas Floodway Project. - Not to exceed $255,900.00 ($250,900.00, plus closing costs and title expenses not to exceed $5,000.00) - Financing: Flood Protection and Storm Drainage Facilities Fund (2006 General Obligation Bond Funds)

BACKGROUND

The City of Dallas is the owner and operator of the Dallas Levee System extending from the Elm and West Forks of the Trinity River through the main stem and terminating at Interstate Highway 20. This system is regulated by the U.S. Army Corps of Engineers (USACE). In addition to regulating the Dallas Levee System, the USACE and City have been cost participating in two separate federal projects to improve the public safety of the residents and businesses that are served by this system. The City is required to own, in fee simple, all parcels related to the Dallas Levee System.

In July 2018, the Dallas Levee System flood risk management projects included in the Modified Dallas Floodway Project (DF) and the Dallas Floodway Extension (DFE) were authorized for funding under the Supplemental Appropriation in the Bipartisan Budget Act of 2018- Public Law 115-123 (PL-115-123). This information has been presented to the City Council and provided in memorandum to the City Council at major milestones since the notification by the USACE. All work associated with the design and construction of these improvements is being performed by USACE with the City serving as a technical advisor and client. An overview of the projects, federal funding and associated local requirements included in PL 115-123 are, as follows:

- DFE: Up to $135.25M for Lamar Levee and Cadillac Heights Levee
    - City is obligated to expend funds to complete necessary real estate activities such as acquisition, relocation and environmental remediation and public utility relocation; acquisition funds are potentially eligible for reimbursement in the future.

- DF: $261.9M for approved flood risk management such as levee raises and flattening, removal of ATSF Bridge, Trinity Portland Pump Station, Charlie Pump Station, Delta Pump Station Rehabilitation, Hampton Pump Station and Nobles Sump Improvements
    - City is obligated to expend funds on 35 percent of the design and construction and environmental remediation and public utility relocation; the real estate funds are credits against the cost share for the project.

This item authorizes the acquisition from RSDC, LLC; 1/3 BC, LLC; and 1836 W Jefferson LLC, of an unimproved tract of land containing a total of approximately 5,835 square feet of land. The property is located near the intersection of North Beckley Avenue and West Commerce Street and will be used for the Dallas Floodway Project. The consideration is based on an independent appraisal. There are no relocation benefits associated with this acquisition.

This acquisition is for an outparcel of land determined as necessary to the benefit of the Dallas Levee System, Dallas Floodway Project, levee raises and flattening and levee access for future operations and maintenance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

This item has no prior action.

FISCAL INFORMATION

Fund	FY 2020	FY 2021	Future Years
Flood Protection and Storm Drainage Facilities Fund (2006 General Obligation Bond Funds)	$255,900.00	$0.00	$0.00

OWNERS

RSDC, LLC

Robert Stimson, Managing Member

1/3 BC, LLC

Joseph McElroy III, Manager

1856 W Jefferson, LLC

Richard Patten, Managing Member

MAP

Attached