

**KEY FOCUS AREA:** Clean, Healthy Environment  
**AGENDA DATE:** September 14, 2016  
**COUNCIL DISTRICT(S):** All  
**DEPARTMENT:** Code Compliance  
**CMO:** Joey Zapata, 670-3009  
**MAPSCO:** N/A

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**SUBJECT**

An ordinance amending Sections 47A.1-4, 47A-1.6, 47A-2.1.2, 47A-2.1.8, 47A-2.2.1, 47A-2.3.2, 47A-2.3.3, 47A-2.3.5, 47A-2.4.8, 47A-2.5.1, and 47A-2.5.2 of Chapter 47A, "Transportation for Hire," of the Dallas City Code to: **(1)** clarify certain exclusions and definitions; **(2)** clarify insurance requirements; **(3)** prohibit an operating authority from owning a certain interest or maintaining control over entities that inspect or certify vehicles as required to obtain a vehicle permit under this chapter; **(4)** provide that the director may request information to verify airport fees from operating authorities; **(5)** add requirements for vehicle permits; **(6)** remove certain vehicle quality standards; **(7)** synchronize the vehicle permit validity period with the state registration period; **(8)** adjust the flat rates from Love Field and Dallas-Fort Worth International Airports; **(9)** clarify what flat rates from airports include; and **(10)** make certain other grammatical changes - Financing: No cost consideration to the City

**BACKGROUND**

On April 30, 2015, the current Chapter 47A went into effect redefining transportation for hire services as any ride for compensation, including motorized and non-motorized vehicles. It encouraged market competition by allowing new business models to operate, streamlined the permitting process and reduced fees. Different modes of transportation for hire companies can now compete directly against each other and consumers have a choice of what type of service to use.

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

On August 28, 2013, the City Council remanded consideration of transportation-for-hire service regulations to the Transportation and Trinity River Project Committee.

On January 13, 2014, the Transportation and Trinity River Project Committee was briefed on transportation-for-hire service regulations.

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

On January 21, 2014, the Transportation and Trinity River Project Committee held a special meeting to hear vendor presentations, receive public comments, and discuss the transportation-for-hire service regulations.

On January 24, 2014, the Transportation and Trinity River Project Committee was briefed on proposed amendments to the transportation-for-hire service regulations.

On March 4, 2014, April 25, 2014, and May 6, 2014, the Transportation-for-Hire Workgroup met to discuss amendments to the transportation-for-hire service regulations.

On May 27, 2014, the Transportation and Trinity River Project Committee was briefed on the proposed amendments to the transportation-for-hire service regulations submitted by the Transportation-for-Hire Workgroup, and moved to forward the amendments to the full council for consideration and comment, and then to establish a public forum and comment period.

On August 6, 2014, the City Council was briefed on the proposed amendments to the transportation-for-hire service regulations submitted by the Transportation-for-Hire Workgroup.

The transportation-for-hire ordinance was posted on the City's website on August 8, 2014, and written public comments were accepted by the City Secretary's Office from 12:00 a.m. on Saturday August 9, 2014 through 5:00 p.m. on Friday August 29, 2014. A revised transportation-for-hire ordinance was posted on the City's website on August 25, 2014.

A public forum on the transportation-for-hire ordinance was held on Tuesday, September 2, 2014.

On September 8, 2014, the Transportation and Trinity River Project Committee was briefed on the revised transportation-for-hire ordinance.

On November 17, 2014, the Transportation and Trinity River Project Committee was briefed on the transportation-for-hire ordinance.

On December 10, 2014, the City Council approved the transportation-for-hire ordinance.

On April 30, 2015, Chapter 47A, "Transportation for Hire," of the Dallas City Code went into effect.

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

On June 13, 2016, the Quality of Life Committee received a briefing memo on the proposed revisions to the transportation-for-hire ordinance.

On September 12, 2016, the Quality of Life Committee agenda will include the proposed revisions to the transportation-for-hire ordinance as an upcoming agenda item.

**FISCAL INFORMATION**

No cost consideration to the City

**KEY FOCUS AREA:** Clean, Healthy Environment  
**AGENDA DATE:** September 14, 2016  
**COUNCIL DISTRICT(S):** 2  
**DEPARTMENT:** Office Of Environmental Quality  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** N/A

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**SUBJECT**

Authorize a three-year professional services contract with Terracon Consultants, Inc. to complete remedial actions and a Municipal Setting Designation, as mandated by the Texas Commission on Environmental Quality, at the Central Service Center leaking petroleum storage tank site located at 3111 Dawson Street, through an Interlocal Purchasing Agreement with the City of Irving - Not to exceed \$305,922 - Financing: Current Funds (subject to annual appropriations)

**BACKGROUND**

Since 1987, the City of Dallas has managed remediation of fifty-six leaking petroleum storage tank (LPST) sites at forty-five different City facilities. The City's LPST sites were generally discovered during the removal of aging underground petroleum storage tanks at forty-five City facilities. Under State law, the current owner of an LPST site must take corrective action to address any contaminated soil and groundwater under the guidance of the Texas Commission on Environmental Quality (TCEQ). The Office of Environmental Quality (OEQ) is responsible for managing the City's LPST sites and ensuring that they are cleaned up in accordance with TCEQ requirements in a manner that is protective of human health and the environment.

With the assistance of OEQ, the City has achieved TCEQ regulatory closure for all of these LPST sites but one. The last remaining LPST site is the City of Dallas Central Service Center (CSC) LPST site, located at 3111 Dawson Street, Dallas, Texas.

The CSC LPST site is managed by OEQ staff to ensure successful completion of the corrective actions, the preparation of a Municipal Setting Designation (MSD) application, and obtaining regulatory closure from TCEQ.

**BACKGROUND** (Continued)

The Terracon Consultants, Inc. (Terracon) proposal for \$305,922 includes the costs to (i) conduct the TCEQ-mandated corrective actions at the CSC LPST site; (ii) prepare an application for entrance into the TCEQ’s Voluntary Cleanup Program (VCP) and comply with the requirements of the VCP; (iii) prepare an application for and obtain an MSD; and (iv) obtain regulatory closure of the CSC LPST site from TCEQ and estimates the actions will be completed in approximately three (3) years. Terracon’s professional services are available at competitively proposed rates and costs are available to the City under a Terracon contract with Irving, Texas, pursuant to a cooperative purchasing program that conforms to and satisfies the requirements of Texas Statutes that are applicable for competitive bids and proposals, in accordance with the Interlocal Cooperation Act, Chapter 791, Texas Government Code.

If the City does not make sufficient progress in completing the required corrective actions, TCEQ has discretion to take a variety of actions. These actions include the TCEQ completing the required corrective actions using its own contractors and invoicing the City for the work, or the TCEQ taking enforcement action which may include monetary penalties. Through the proposed professional services contract with Terracon, the City will avoid enforcement and ensure that corrective action at the CSC LPST site is properly performed in a timely manner.

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

Information about this item will be provided to the Quality of Life and Environment Committee on September 12, 2016.

**FISCAL INFORMATION**

\$305,922 - Current Funds (subject to annual appropriations)

**ETHNIC COMPOSITION**

Terracon Consultants, Inc.

|               |    |                 |    |
|---------------|----|-----------------|----|
| White Male    | 67 | White Female    | 19 |
| Black Male    | 6  | Black Female    | 4  |
| Hispanic Male | 17 | Hispanic Female | 3  |
| Other Male    | 10 | Other Female    | 5  |

**OWNER**

**Terracon Consultants, Inc.**

David R. Gaboury, President  
Donald Vrana, Executive Vice President  
M. Gayle Packer, Secretary  
Douglas D. Loveridge, Treasurer

**AGENDA ITEM # 31**

**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements  
**AGENDA DATE:** September 14, 2016  
**COUNCIL DISTRICT(S):** 13  
**DEPARTMENT:** Park & Recreation  
Public Works Department  
**CMO:** Willis Winters, 670-4071  
Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 24B C D 25A B

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**SUBJECT**

Authorize a professional services contract with Urban Engineers Group, Inc. for design services for plans, specifications and cost estimates for Phase 2A for the Northaven Trail from Preston Road to Midway Road - Not to exceed \$266,387 - Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

Urban Engineers Group, Inc. has presented a proposal dated July 25, 2016, for design services for plans, specifications and cost estimates for Phase 2A for the Northaven Trail for a fee not to exceed \$266,387.

**ESTIMATED SCHEDULE OF PROJECT**

|                       |               |
|-----------------------|---------------|
| Begin Design          | October 2016  |
| Complete Design       | August 2017   |
| Begin Construction    | December 2017 |
| Complete Construction | December 2018 |

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

On August 18, 2016, the Park and Recreation Board authorized award of the professional services contract.

Information about this item will be provided to the Quality of Life & Environment Committee on September 12, 2016.

**FISCAL INFORMATION**

2012 Bond Program (General Obligation Commercial Paper Funds) - \$266,387

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**Urban Engineer Groups, Inc.**

|               |   |                 |   |
|---------------|---|-----------------|---|
| White Male    | 1 | White Female    | 0 |
| Hispanic Male | 2 | Hispanic Female | 1 |
| Black Male    | 1 | Black Female    | 0 |
| Other Male    | 4 | Other Female    | 0 |

**OWNER**

**Urban Engineers Group, Inc.**

Nilsa Luna, President/Treasurer  
Faisal Syed, Vice President/Secretary

**MAP**

Attached



**AGENDA ITEM # 32**

**KEY FOCUS AREA:** Culture, Arts and Recreation and Educational Enhancements

**AGENDA DATE:** September 14, 2016

**COUNCIL DISTRICT(S):** 8

**DEPARTMENT:** Park & Recreation  
Public Works Department

**CMO:** Willis Winters, 670-4071  
Jill A. Jordan, P.E., 670-5299

**MAPSCO:** 65U X 75B

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**SUBJECT**

Authorize a decrease in the contract with Northstar Construction, LLC to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and associated work for the Runyon Creek Trail located between Glendale Park and Camp Wisdom Road - Not to exceed (\$143,600), from \$2,497,700 to \$2,354,100 - Financing: General Obligation Commercial Paper Funds

**BACKGROUND**

The original contract was awarded to Northstar Construction, LLC, by City Council on April 27, 2016, by Resolution No. 16-0638 for trail improvements at Runyon Creek Trail located between Glendale Park to Camp Wisdom Road, in an amount not to exceed \$2,497,700.

This action is to authorize Change Order No. 1 to the contract with Northstar Construction, LLC, in an amount not to exceed (\$143,600), from \$2,497,700 to \$2,354,100 for a decrease in the contract to add a section of trail from Crouch Road to the new Singing Hills Recreation Center and associated work; and to delete a section of the trail from Crouch Road to Runyon Springs Branch and associated work for the Runyon Creek Trail. This action will provide a connection from the trail to the new Singing Hills Recreation Center.

**ESTIMATED SCHEDULE OF PROJECT**

|                       |           |
|-----------------------|-----------|
| Began Construction    | June 2016 |
| Complete Construction | June 2017 |

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

On August 6, 2015, the Park and Recreation Board authorized proceeding with advertisement for construction procurement.

On March 10, 2016, the Park and Recreation Board deferred this item.

On April 7, 2016, the Park and Recreation Board authorized award of the contract.

City Council authorized award of the contract on April 27, 2016, by Resolution No. 16-0638.

On August 18, 2016, the Park and Recreation Board authorized award of Change Order No. 1.

Information about this item will be provided to the Quality of Life & Environment Committee on September 12, 2016.

**FISCAL INFORMATION**

2012 Bond Program (General Obligation Commercial Paper Funds) - (\$143,600)

|                                  |                    |
|----------------------------------|--------------------|
| Construction Contract            | \$2,497,700        |
| Change Order No. 1 (this action) | <u>(\$143,600)</u> |
| Total amount not to exceed       | \$2,354,100        |

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

**Northstar Construction, LLC**

|               |    |                 |   |
|---------------|----|-----------------|---|
| White Male    | 4  | White Female    | 0 |
| Black Male    | 0  | Black Female    | 0 |
| Hispanic Male | 12 | Hispanic Female | 1 |
| Other Male    | 0  | Other Female    | 0 |

**OWNER**

**Northstar Construction, LLC**

Michael A. Heimlich, President

**MAP**

Attached

**KEY FOCUS AREA:** Clean, Healthy Environment  
**AGENDA DATE:** September 14, 2016  
**COUNCIL DISTRICT(S):** 6  
**DEPARTMENT:** Office Of Environmental Quality  
**CMO:** Jill A. Jordan, P.E., 670-5299  
**MAPSCO:** 23 N

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**SUBJECT**

A public hearing to receive comments on a proposed municipal setting designation to prohibit the use of groundwater as potable water beneath property owned by Highland Industrial Properties, LP, located near the intersection of Shady Trail and Manana Drive and adjacent street rights-of-way; and an ordinance authorizing support of the issuance of a municipal setting designation to Highland Industrial Properties, LP, by the Texas Commission on Environmental Quality and prohibiting the use of groundwater beneath the designated property as potable water - Financing: No cost consideration to the City

Recommendation of Staff: Approval

**BACKGROUND**

Based on information provided by the Applicant, the designated property is underlain by groundwater that is encountered at approximately 8 to 13 feet below ground surface (bgs) and is within alluvial sand, silt, and clay which is approximately 16 feet thick. This groundwater bearing unit overlies the Eagle Ford Shale, which forms an underlying regional aquitard to vertical migration of groundwater and contaminants in the site vicinity and is 300 to 700 feet thick. The direction of groundwater flow beneath the designated property is towards the southwest. The groundwater has been affected by volatile organic compounds (VOCs) trichloroethylene, 1,1-dichloroethene, 1,2-dichloroethane, cis-1,2-dichloroethylene, and vinyl chloride; semi-volatile organic compounds (SVOCs) n-nitrosodi-n-propylamine; and lead at concentrations above groundwater ingestion standards. The potential offsite sources of the VOCs are multiple former industrial facilities located north and east of the designated property that used or stored similar chemicals and have documented VOC contamination. Groundwater contamination is believed to have migrated to the designated property through the north-south flowing utility corridor extending southward down Shady Trail. The source of the n-nitrosodi-n-propylamine and lead are unknown.

## **BACKGROUND (Continued)**

The designated property was entered into the Voluntary Cleanup Program (VCP) administered by the Texas Commission on Environmental Quality (TCEQ) in February 2012 and is designated as VCP Facility ID No. 2476.

The applicant has requested that the City support its application for a Municipal Setting Designation (MSD). A public meeting will be held on September 7, 2016 to receive comments and concerns. Notices of the meeting were sent to 266 property owners within 2,500 feet of the property and 94 private well owners within 5 miles of the property. There are no other municipalities within one-half mile of the property.

This item is a municipal setting designation ordinance prohibiting the use of potable groundwater beneath property located near the intersection of Shady Trail and Manana Drive including adjacent street rights-of-way; and supporting the issuance of a MSD by TCEQ.

The applicant's current plan is to obtain closure through the Voluntary Cleanup Program supported by a MSD. Currently, the designated property is occupied by commercial offices and warehouses with one tenant that is a global wholesaler and distributor of new and used cellular phones and accessories and a second tenant that conducts coin wrapping services. The anticipated future use of the designated property is to remain the same.

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

Information about this item will be provided to the Quality of Life and Environment Committee on September 12, 2016.

## **FISCAL INFORMATION**

No cost consideration to the City

## **OWNER**

### **Highland Industrial Properties, LP**

Highland Industrial Properties GP, LLC, General Partner  
Howard L. Lawson, Manager

## **MAP**

Attached