

QUALITY OF LIFE & ENVIRONMENT COMMITTEE

DALLAS CITY COUNCIL COMMITTEE AGENDA

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CITY SECRETARY  
DALLAS, TEXAS

MONDAY, AUGUST 10, 2015  
CITY HALL  
COUNCIL BRIEFING ROOM, 6ES  
1500 MARILLA  
DALLAS, TEXAS 75201  
9:00 A.M. – 10:30 A.M.

**Chair**, Councilmember Sandy Greyson  
**Vice-Chair**, Councilmember Tiffinni A. Young  
Councilmember Rickey D. Callahan  
Councilmember Mark Clayton  
Councilmember Philip T. Kingston  
Councilmember B. Adam McGough

Call to Order

1. Approval of June 6, 2015 Minutes

**BRIEFINGS**

2. Annual Air Quality Monitoring and Compliance Agreements with TCEQ  
Mary Nix  
*Assistant Director, Public Works*
3. Single Stream Recycle Processing Services Procurement  
Kelly High  
*Director, Sanitation Services*
4. Proposed Amendments to Outside Storage Use Provisions  
David Cossum  
*Director, Sustainable Development & Construction*
5. Upcoming Agenda Items

**August 12, 2015**

- A. Agenda Item #52: Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for civil engineering, land surveying and landscape architectural services for the design and construction for the Trinity Strand Trail, Phase II located between Interstate Highway 35 at Oak Lawn Avenue to the Inwood DART Station - Not to exceed \$422,000
- B. Agenda Item #53: Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items for the Trinity Strand Trail Phase I located between Stemmons Freeway and Motor-Farrington Street - Not to exceed \$165,686, from \$5,632,746 to \$5,798,432

Adjourn



Sandy Greyson, Chair  
Quality of Life & Environment Committee

A closed executive session may be held if the discussion of any of the above agenda items concerns one of the following:

1. Contemplated or pending litigation, or matters where legal advice is requested of the City Attorney. Section 551.071 of the Texas Open Meetings Act.
2. The purchase, exchange, lease or value of real property, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.072 of the Texas Open Meetings Act.
3. A contract for a prospective gift or donation to the City, if the deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person. Section 551.073 of the Texas Open Meetings Act.
4. Personnel matters involving the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of a public officer or employee or to hear a complaint against an officer or employee. Section 551.074 of the Texas Open Meetings Act.
5. The deployment, or specific occasions for implementation of security personnel or devices. Section 551.076 of the Texas Open Meetings Act.
6. Deliberations regarding economic development negotiations. Section 551.087 of the Texas Open Meetings Act.

# Quality of Life & Environment Committee Meeting Record

**DRAFT**

**Meeting Date:** June 8, 2015

**Convened:** 9:28 a.m.

**Adjourned:** 11:19 a.m.

**Members Present:**

Dwaine R. Caraway, Chair  
Rickey D. Callahan  
Carolyn R. Davis  
Sandy Greyson, Vice Chair  
Lee M. Kleinman

**Members Absent:**

Adam Medrano

**Briefing Presenters**

Zachary S. Thompson  
Director, Dallas County Health  
and Human Services

Dr. Christopher Perkins  
Medical Director, Dallas County  
Health and Human Services

Janette Weedon  
Assistant Director, Code  
Compliance

Frank Camp  
Managing Director, Office of  
Environmental Quality

Molly McCall Carroll  
Director, Human Resources

Sana Syed  
Public Information Officer

Kris Sweckard  
Director, Code Compliance  
Services

**Staff Present:**

Joey Zapata, Kelly High, Tammy Palomino, Kris Sweckard, Frank Camp, Kevin Lefbreve, Molly McCall Carroll, Jacquina Gilbert, Kevin Belcher, Sana Syed, Eric Izuora

**Special Guests:**

Zachary S. Thompson  
Director, Dallas County Health and Human Services

Dr. Christopher Perkins  
Medical Director, Dallas County Health and Human Services

**AGENDA:**

1. **Approval of May 26, 2015 Minutes**

**Presenter(s):**

A motion was made to approve the minutes of May 26, 2015.

**Action Taken/Committee Recommendation(s):**

**Motion made by:** Sandy Greyson

**Motion seconded by:** Lee M. Kleinman

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**2. Dallas County Health and Human Services Update: West Nile Virus**

**Presenter(s):**

Zachary S. Thompson, Dr. Christopher Perkins, Janette Weedon

**Information Only**

This briefing from the Dallas County Health and Human Services provided the committee an update on the 2015 West Nile Virus season.

The Committee requested for staff to return with options for strengthening substandard pool regulations, and to also take steps to increase notifications to residents in a treated neighborhood that pools in the area have been abated.

**Action Taken/Committee Recommendation(s):**

**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. Sustainability Plan Revisions 2015**

**Presenter(s):**

Frank Camp

**Information Only**

This briefing provided the committee a review of proposed revisions to the 2015 Sustainability Plan.

**Action Taken/Committee Recommendation(s):**

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

Item failed unanimously:

Item failed on a divided vote:

**4. Labor Hiring & Sanitation Employment Program**

**Presenter(s):** Molly McCall Carroll

**Information Only**

This briefing provided the committee an overview of the labor hiring and sanitation employment program to address the difficulty in staffing labor positions, and to establish a program to offer day laborers who work on Sanitation collection crews an opportunity to transition to full-time City employment.

The committee requested for staff to take further actions to implement the program, and to also consider the hiring of candidates that have A classification felonies on a case by case basis.

**Action Taken/Committee Recommendation(s):**

**Motion made by:**

**Motion seconded by:**

Item passed unanimously:  Item passed on a divided vote:

Item failed unanimously:  Item failed on a divided vote:

**5. City of Dallas Broadcast Center**

**Presenter(s):** Sana Syed

**Information Only**

This briefing provided the committee an overview of the City of Dallas Broadcast Center that will be located at Fair Park.

**Action Taken/Committee Recommendation(s):**

**Motion made by:**

**Motion seconded by:**

Item passed unanimously:  Item passed on a divided vote:

Item failed unanimously:  Item failed on a divided vote:

**5. Code Compliance Sunset Review Update**

**Presenter(s):** Kris Sweckard

**Information Only**

This briefing provided the committee an update on sunset review actions occurring within Code Compliance Services.

**Action Taken/Committee Recommendation(s):**

**Motion made by:**

**Motion seconded by:**

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

**5. Upcoming Agenda Items**

**Presenter(s):**

**Information Only**

The committee voted to recommend the following agenda items on the June 17, 2015 Council Agenda:

June 17, 2015 Park and Recreation Upcoming Agenda Item: Second Amendment to the lease and use agreement (“Agreement”) between Live Nation (“Partnership”) and the City of Dallas

June 17, 2015 Park and Recreation Upcoming Agenda Item: Amendment to the Memorandum of Agreement between the Park and Recreation Board and the City Manager’s Office to transfer the management and operation of Science Place I back to the Park and Recreation Board

June 17, 2015 Public Works Upcoming Agenda Item: Consideration of a professional services contract with Russ Berger Design Group, Inc. for renovation of the Science Place II Building at Fair Park for the Dallas City News Network

**Action Taken/Committee Recommendation(s):**

**Motion made by:** Lee M. Kleinman

**Motion seconded by:** Carolyn R. Davis

**Item passed unanimously:**

**Item passed on a divided vote:**

**Item failed unanimously:**

**Item failed on a divided vote:**

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**Councilmember Sandy Greyson**

Chair

# Memorandum



CITY OF DALLAS

DATE August 7, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),  
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **Annual Air Quality Monitoring and Compliance Agreements with TCEQ**

On Monday, August 10, 2015, the Quality of Life & Environment Committee will be briefed on Annual Air Quality Monitoring and Compliance Agreements with TCEQ. A copy of the briefing is attached.

Please feel free to contact me if you have any questions at (214) 670-5299.

A handwritten signature in black ink, appearing to read 'Jill Jordan'.

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

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solls, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
Eric D. Campbell, Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council

# Annual Air Quality Monitoring and Compliance Agreements with TCEQ

Presented to the  
**Quality of Life & Environment Committee**  
August 10, 2015





# Purpose of Briefing

- Provide Committee with background information about air quality monitoring and regulation enforcement in Dallas  
Prior briefings include:
  - June 23, 2014 briefing to Quality of Life Committee presented by the Office of Environmental Quality, entitled: ***DFW Air Quality and State Implementation Plan Update***
  - October 27, 2014 briefing to Quality of Life Committee presented by Public Works, entitled: ***Used Car Lots – Air Registration Fees***
- Describe the City’s contract agreements with the state environmental agency
- Advise Council of upcoming renewals of 5 contract agreements



# Maintaining the Balance

# Air Quality Standards

- **Federal Clean Air Act:** Passed in 1970; Amended in 1990
- Requires the Environmental Protection Agency (EPA) to establish **health-based standards** called National Ambient Air Quality Standards (NAAQS)
- Six Criteria Pollutants
  - ❑ Ground Level Ozone/Smog (O<sub>3</sub>)
  - ❑ Particulate Matter (PM)
  - ❑ Lead (Pb)
  - ❑ Nitrogen Dioxide (NO<sub>2</sub>)
  - ❑ Sulfur Dioxide (SO<sub>2</sub>)
  - ❑ Carbon Monoxide (CO)

*Information on this slide corresponds to same information in the 06/23/2014 briefing to Quality of Life Committee presentation by the Office of Environmental Quality*

# Current Strategies for Air Quality

## ■ Internal City strategies

- ❑ Reduce vehicle emissions
- ❑ Reduce electricity consumption
- ❑ Purchase renewable energy
- ❑ Implement an Ozone Action Plan

## ■ Community-wide strategies

- ❑ Reduce vehicle emissions (*i.e.; idling and taxi ordinances*)
- ❑ Promote GREEN policies and ordinances
- ❑ Enforce state's air regulations within city limits
  - City Code Chapter 5A-Air Pollution
  - Mirrors state regulations pertaining to air quality
  - Managed by the Public Works Dept

*Information on this slide corresponds to same information in the 06/23/2014 briefing to Quality of Life Committee presentation by the Office of Environmental Quality*

# Enforcing the Standards

- EPA has the primary authority for air quality monitoring, based on federal regulation
- In Texas, EPA has delegated authority to the Texas Commission on Environmental Quality (TCEQ)
- Throughout Texas, TCEQ has either:
  - administered the regulations directly
  - or
  - contracted with local authorities to administer the regulations and conduct enforcement, in co-operation with the TCEQ
- In Dallas, TCEQ has partnered with the City for more than 20 years
  - Five (5) contract agreements with TCEQ for various services
    - On 3 contracts, TCEQ reimburses for ALL costs
    - On 2 contracts, TCEQ provides a 67%-to-33% cost-sharing split with the City
  - All 5 contracts are ready for renewal on August 26, 2015 agenda



# PBW Air Pollution Control Services - Verification and Inspection

- City acts as local agent of TCEQ to review facility requirements and enforce air quality rules
  - ❑ Verify air permits and registrations, and inspect facilities that have the potential to emit pollutants
  - ❑ 1,498 facilities on record in 2015
  - ❑ Includes 17 “major sources” such as: steel foundries, manufacturers (like Texas Instruments), solid waste sites, others
  - ❑ Also includes 835 “non-major sources” such as: concrete batch plants, paint-and-body shops, gas station pumps
  - ❑ and 646 used car lots



# PBW Air Pollution Control Services – Air Sampling

- Daily air quality sampling for:
  - ❑ Ozone
  - ❑ Sulfur dioxide
  - ❑ Lead
  - ❑ Carbon monoxide
  - ❑ Nitrogen oxides
  - ❑ Dust/particulates
  - ❑ Biological contaminants
- City acts as extension of TCEQ for monitoring the ambient air quality
  - ❑ Sets up sampling sites per TCEQ instructions
  - ❑ Verifies that sampling stations operate properly
  - ❑ Delivers physical samples to local laboratory
  - ❑ Coordinates regionally and nationally with numerous agencies
- This service provides information to Dallas about its air quality - such as “Ozone Awareness Alerts” - and serves to create statewide trend analyses for air quality planning



# PBW Air Pollution Control Services - Complaint Investigations



- Investigates complaints from citizens related to air quality issues
- Citizens voice concerns about a variety of issues, like:
  - Odors
  - Dust/Allergens
  - Smoke
- 49 cases (to date) in FY15
- TCEQ is notified of each investigation and the outcome



# Used Car Lot Inspections

- 646 used car lots in Dallas
- TCEQ has funded inspections of these lots to prevent cars from being sold without proper emission control systems – specifically, to detect where emission systems have been tampered with
- All lots are inspected every 1-3 years
- Value of the City’s inspection has steadily lessened as:
  - ❑ car manufacturers build better tamper-proof emission systems
  - ❑ car owners submit their cars for annual inspections which check for emissions



# Used Car Lot Inspections

- Recommend eliminating this service and the fee in FY16
- TCEQ concurs with recommendation
  - TCEQ will eliminate the requirement for “Used Car Lot” inspections from their Dallas Work Scope – at City request
  - TCEQ will maintain the annual grant funding amount to City, and allocate funds to other required inspection work
- Funding changes to FY16 budget
  - Decrease expenditures (staffing level) by \$58,000
  - Decrease fee revenue by \$54,000

# TCEQ's contracts with City

- Five contracts for various services
- Renewed annually

<b>FY16 Air Quality Contracts with TCEQ</b>				
<u>Contract Name &amp; Number</u>	<u>Description</u>	<u>Total funds</u>	<u>TCEQ share</u>	<u>Dallas share</u>
<b>Air Quality Compliance - emissions</b> # 582-15-50121	Field inspections of possible pollution emitters (industries, gas stations, other); citizen complaint investigations; review of air permit requests for TCEQ	\$ 783,757	\$ 525,117	\$ 258,640
<b>Ambient Air Monitoring</b> <i>(two-year contract)</i> # 582-14-4015	Daily sampling the outdoor air at 8 locations in Dallas for pollutants (ozone, nitrous oxides, sulfur oxides, lead, carbon monoxides)	\$ 548,941	\$ 367,790	\$ 181,151
<b>Fine Particle Monitoring (PM2.5)</b> # 582-15-50039	Daily sampling the outdoor air at several locations in Dallas for tiny particles of dust / smoke / fumes harmful to respiratory system	\$ 67,587	\$ 67,587	\$ -
<b>Ambient Air - Rockwall</b> # 582-15-50031	Daily sampling the outdoor air at one location in Rockwall for ozone and nitrous oxides	\$ 28,053	\$ 28,053	\$ -
<b>BioWatch</b> # 582-16-50016	Daily sampling of outdoor air at 20 locations in Dallas for biologic pollutants (i.e.; bacteria)	\$ 477,811	\$ 477,811	\$ -
<b>Contract TOTALS:</b>		<b>\$ 1,906,149</b>	<b>\$ 1,466,358</b>	<b>\$ 439,791</b>
<b>FY16 (only) TOTALS:</b>	Note that 2nd contract is two-year term and two-year funding	<b>\$ 1,631,678</b>	<b>\$ 1,282,463</b>	<b>\$ 349,216</b>

# How does the City benefit?

- **Partnerships** benefit from the best of both parties
  - ❑ Dallas' team is quick in responding to citizen calls / concerns / complaints
  - ❑ TCEQ has invested in air sampling equipment, data communications systems, and provides training
  - ❑ Dallas is knowledgeable about our city's industry, traffic, developments – can better identify where air monitoring should be done
  - ❑ TCEQ has expertise to analyze air data – and propose strategies
- Both parties have a “seat at the table” to best formulate air quality control measures and set performance incentives and standards



# Council Action

- Contract renewals are on the August 26, 2015 agenda
- Requesting that Committee recommend approval of the 5 agenda items to renew the contracts

# Memorandum



CITY OF DALLAS

DATE August 7, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),  
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **Single Stream Recycle Processing Services Procurement**

On Monday, August 10, 2015, the Quality of Life & Environment committee will be briefed on single stream recycle processing services procurement.

The briefing materials are attached for your review.

A handwritten signature in black ink, appearing to read 'Joey Zapata'.

Joey Zapata  
Assistant City Manager

## Attachment

- c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solis, Administrative Judge  
Ryan S. Evans, First Assistant City Manager  
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Jill A. Jordan, P.E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council



## Single Stream Recycle Processing Services Procurement

August 10, 2015

Quality of Life & Environment Committee



# *Presentation Overview*

- Background: Resource Recovery Planning Study and Recommendations
  - Recommendation to issue Request for Competitive Sealed Proposal (RFCSP) related to single stream recycle processing services
- Actions Prior to RFCSP Issuance
- Request for Competitive Sealed Proposals (RFCSP) Development, Overview and Timeline
- RFCSP Proposals Received and Scoring
- Highest Ranking Proposal Overview
- Recommended Vendor Review
- Proposed Next Steps
- Appendix – Additional Information



# Resource Recovery Planning Study

- In June 2014, staff briefed the Transportation and Trinity Committee on the City's recently completed Resource Recovery Planning Study. The study:
  - Reviewed Resource Recovery planning needs
    - Current recycle processing contract ends in December 2016
    - Many cities nationwide are seeing significant financial impacts associated with recent recycle processing contracts (loss of revenue and/or actual cost for service)
  - Reviewed waste diversion opportunities and resource recovery technologies
  - Analyzed which technologies Dallas should or should not consider, either through City investment or a public-private partnership
  - Provided potential implementation recommendations

# Resource Recovery Planning Study

- The study made two key recommendations:
  - Emerging waste diversion technologies are promising, but not financially viable at this time for Dallas (due to low disposal costs)
  - **Dallas should begin immediately to conduct a procurement that includes the ability to receive broader proposal options than previously considered. The recommendation stated that the City should consider:**
    - **Making land available at the McCommas Bluff Landfill for a Material Recovery Facility**
    - **Developing a procurement that allows for a direct comparison between a processing services agreement and a recycling facility with processing agreement located at McCommas Bluff Landfill**

# *RFCSP Development*

- June 2014 - Council approved a supplemental agreement for professional consulting services to assist the City with the Single Stream Processing RFCSP and to assist in the technical and financial evaluation of submitted proposals
- July thru September 2014 - City staff and consultant completed the first draft of the RFCSP
- October – December 2014 – Staff held four meetings in the Southeast Oak Cliff Community (near the landfill) to receive input related to the potential of a facility being located at McCommas Bluff Landfill for inclusion into RFCSP
- December 18, 2014 final RFCSP (with input from the community) was advertised and published

# *Final RFCSP Overview*

- Options for companies to propose on either (or both) delivery methods
  - **Processing Services Agreement (PSA):** Contractor processes material at a facility that meets RFCSP requirements.
  - **McCommas Bluff Facility:** City to make 15 acres available to proposers to design, build and operate a facility at McCommas Bluff Landfill.
    - Capital cost to be born by proposer and ownership transitions to the City of Dallas at contract termination.
    - Opportunity for facility to “anchor” Resource Recovery Park

# *Final RFCSP Overview*

- Key RFCSP provisions:
  - **Contract Term:** 15 years with optional renewals (up to 10 additional years)
  - **Background and Experience:** Experience, Ownership, Financial Capacity, Performance
  - **Financial Considerations:** Processing Fee, Commodity Revenue Share, Host Fees (McCommas Bluff option) and Public Education Support
  - **Performance Based Specifications:** Focus on meeting industry standards
  - **Proposed Approach:** Personnel, site details, operational approach and capacity, partnering with local community, employee pay and work environment, ability for tours and outreach at the facility, approach to commercial, multi-family recycling and City's "Zero Waste" goals
  - **Business Inclusion and Development Plan goals**

## *RFCSP Review Timeline*

- RFCSP issued - December 18, 2014
- Final proposals received – March 18, 2015
- Evaluation team review - March 23 – May 13, 2015
- Proposer Interviews – April 23-24, 2015
- Best and final submissions – May 1, 2015
- Final evaluations completed – May 2015

# *Proposals Received (listed alphabetically)*

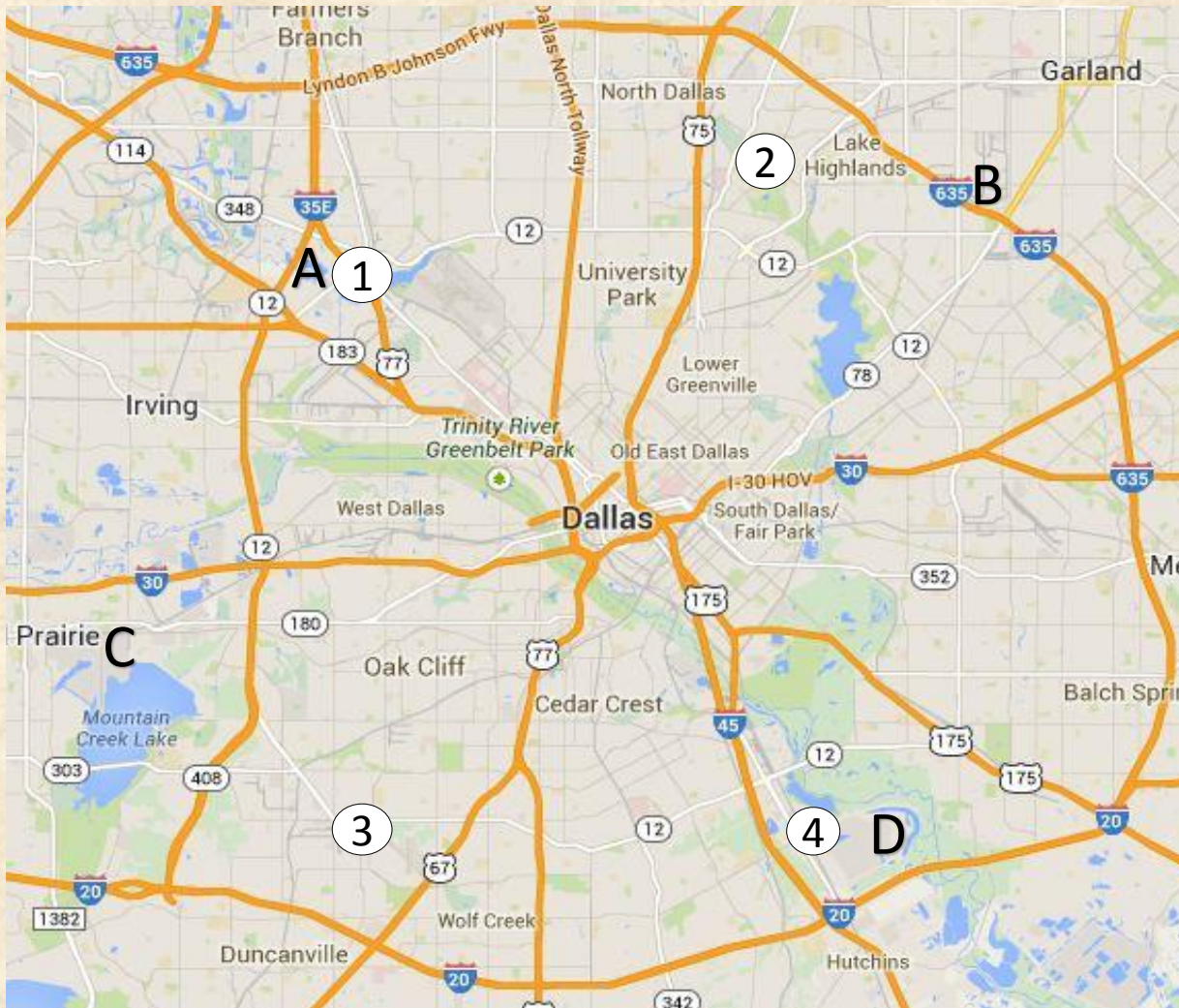
- **McCommas Bluff Facility**

- Balcones Resources (BR)
- Community Waste Disposal (CWD)
- FCC Environmental (FCC)
- ReCommunity (RC)

- **PSA**

- Balcones Resources (BR)
- Community Waste Disposal (CWD)
- Greenstar Mid-America, LLC (owned by Waste Management) (WM)

# Location of Proposed Sites



## Location of Proposed Sites:

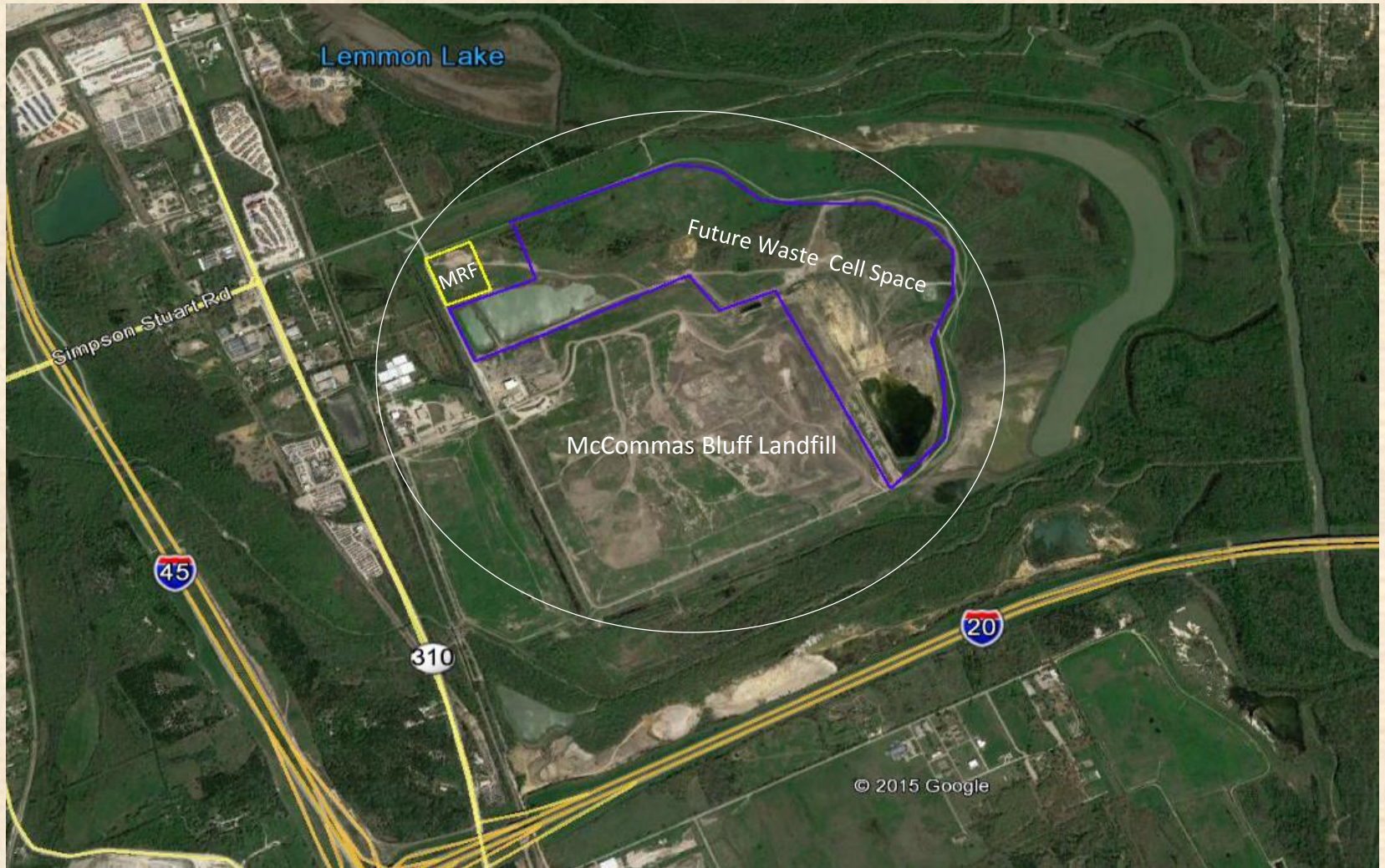
- A. CWD - PSA
- B. Waste Management - PSA
- C. Balcones - PSA
- D. McCommas Bluff  
- 4 Proposals

## City of Dallas Facilities:

- 1. Bachman TS
- 2. Fair Oaks TS
- 3. Oak Cliff TS
- 4. McCommas Bluff LF



# McCommas Bluff Landfill Location



# Final Scoring and Rankings

Criteria	Max Points	Balcones (PSA)	Balcones (MB)	CWD (PSA)	CWD (MB)	FCC (MB)	ReCommunity (MB)	WM (PSA)
BID Plan	15	10	10	11	11	15	8	8
Background & Experience	15	13.06	12.81	12.81	12.81	13.05	12.88	11.75
Proposed Approach	30	21.75	23.63	23.00	22.75	26.35	24.38	18.75
Financial Value	40	26.10	0	34.10	18.10	40.00	21.20	26.50
<b>Total</b>	<b>100</b>	<b>70.91</b>	<b>46.44</b>	<b>80.91</b>	<b>64.66</b>	<b>94.40</b>	<b>66.46</b>	<b>65.00</b>

MB – McCommas Bluff Landfill Facility Option  
 PSA – Processing Service Agreement Option

## *Highest Ranking Proposal*

- Fomento de Construcciones y Contratas, S.A., (FCC) had the most advantageous proposal. FCC had the highest ranking or was essentially tied for the highest ranking in all four criteria
  - Large European-based company involved in solid waste/recycling, construction, water, environmental and other industries
- FCC's proposal is to build and operate a new 120,000 ton per year Material Recovery Facility at McCommas Bluff Landfill

# *FCC Company Background and Experience*

- More than 100 years of experience with municipal contracts, providing services in more than 5,000 municipalities worldwide
  - Over 65,000 employees worldwide
- 220 locations/facilities that manage 16 million tons of solid waste and recycling annually worldwide
- Facilities include recycling processing (MRF), anaerobic digestion, waste-to-energy and landfills
- Comparable reference MRFs in the United Kingdom, but none in the U.S.
  - FCC manages 52 material recovery facilities and owns 3 pure single stream MRF's and is in a partnership for a 4th (similar to the size proposed in Dallas)

# *FCC Company Background and Experience*

- Publicly traded on Madrid Stock Exchange
  - Largest Individual Shareholders: Carlos Slim (25.63%), Esther Koplowitz (22.43%), Bill Gates (5.73%)
- U. S. Headquarters in The Woodlands, Texas (near Houston), multiple service and construction projects in the U. S.
  - Working in the US for more than 20 years (environmental, construction and cement)
  - FY 2014 US revenues - \$500M

# *FCC Proposal Approach*

- Only proposal to guarantee positive financial value to the City
- Did not request any exceptions to the City's contract terms
- Only proposer to agree that the City will not pay to process recyclables, even in a low commodity market
- Proposal most thoroughly addressed the City's key provisions and requirements from the RFCSP
- FCC experienced with operating similar facilities
- Marketing strategy: combination of local and international markets
- Facility site plan and layout well thought out and allows for potential expansion
- Proposal addresses community concerns

# *FCC Facility Approach*

- Attractive facility that includes a visitor/meeting facility that can be utilized for scheduled education and outreach
  - Operating facility includes a climate controlled viewing platform for educational tours
- Only concrete tilt wall construction proposed (compared to steel beam/metal build)
- Proposed Tier IV, CNG and Electric fleet
- Expanded recyclable material to be accepted: household metals (pots/pans), clean aluminum foil, #6 plastics, and rigid plastics
- Processing equipment equal to or better than other proposals
- Only proposal to guarantee third party tonnage, which provides environmental and financial benefits to the City
- Current schedule provides ability to meet December 2016 deadline

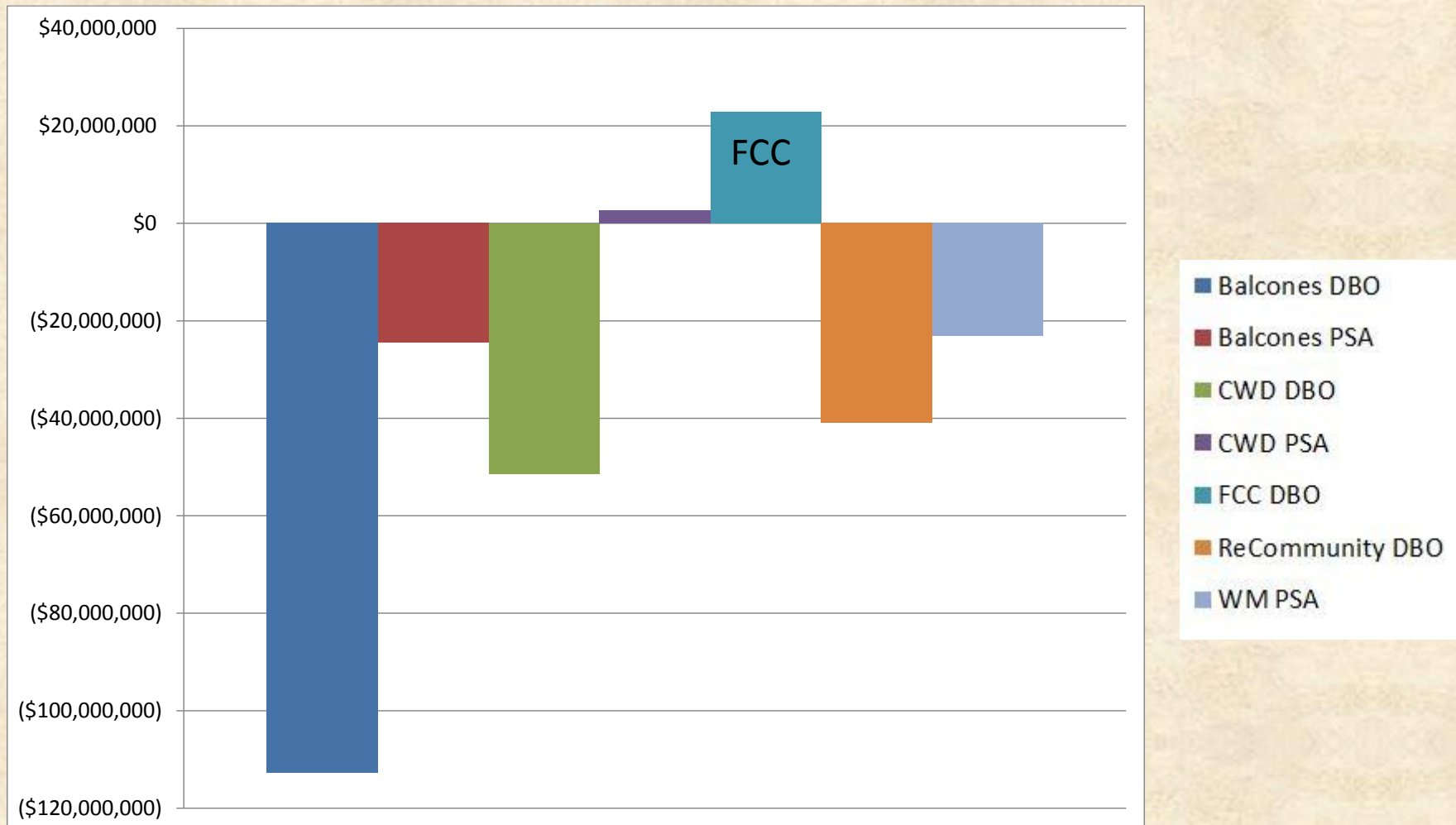
# *FCC Financial Value*

- Based on a combination of nine commodity market and tonnage scenarios, FCC provided the greatest financial value to the City (ranging from \$15M - \$34M)
- Utilizing low to mid-range value assumptions FCC proposal is estimated to bring \$15M - \$22 million in value to the City over the initial 15 year term
  - 50/50 revenue share (on net revenues after processing fee deduction)
  - FCC to pay City host fee of \$15 per ton and guarantees to bring 366,000 tons over 15 years
  - FCC to pay additional public education fee of \$1 per household annually (utilizing a 250,000 home estimate)
- Processing capital fee capped
- No City payments to FCC regardless of market conditions



# Financial Comparison – 15 Year Total Value

(based on an average value of 9 scenarios)



# Financial Comparison – 15 Year Total Value

(based on an average value of 9 scenarios)

Rank	Firm	MRF Location	Avg. Total Value <sup>1</sup>	Difference
1	FCC	McCommas Bluff	\$22,793,487	\$0
2	CWD	Vendor Site	\$2,726,999	(\$20,066,488)
3	WM	Vendor Site	(\$23,111,710)	(\$45,905,197)
4	Balcones	Vendor Site	(\$24,463,797)	(\$47,257,284)
5	ReCommunity	McCommas Bluff	(\$40,920,950)	(\$63,714,437)
6	CWD	McCommas Bluff	(\$51,357,220)	(\$74,150,707)
7	Balcones	McCommas Bluff	(\$112,779,320)	(\$135,572,807)

- Based on the average of the nine scenarios from the scenario analysis. The amount represents the total 15 year value

## FCC Financial Value Breakdown

- Estimated \$15M - \$22M in value to the City over the initial 15 year term (utilizing low to mid-range value assumptions)

<b>Financial Value</b>	<b>Low Commodity</b>	<b>Mid-Range Commodity</b>
<b>Commodity Revenue</b>	\$0	\$6.6M
<b>Guaranteed Host Fee</b>	\$6.5M	\$6.5M
<b>Capital Asset Value</b>	\$5.1M	\$5.1M
<b>Public Education Fee</b>	\$3.75M	\$3.75M
<b>Total</b>	<b>\$15.3M</b>	<b>\$22M</b>

# *FCC's Approach to Employees and Community*

- Sorters will work in climate controlled cabins (only company to propose this approach)
- FCC will utilize a robust safety program, including the use of proximity indicators for employees working in areas with motorized equipment
  - Appropriate Personal Protective Equipment also provided
- FCC's proposes hourly employee wages at or above \$12/hr. (significantly better than all other proposals) and look to hire locally
- Agreed to limit facility impacts and address concerns in a timely fashion
  - Agreed to exclude Simpson Stuart Road (west of I-45) for ingress and egress
- Plan to partner with the City of Dallas on local school recycling and waste diversion education programs and to target outreach to elementary schools in the Southeast Oak Cliff area.
- Plans to assist in outreach to commercial sector related to recycling

# *FCC BID Plan*

## Business Inclusion and Development (BID) Plan

- FCC received the highest point total from the seven proposals
- Support local business during the design, building and operation
- Design: Pacheco Koch and GSR Andrade Architects
- Building: FA Peinado and GSR Andrade Architects
- Operations: Hire local employees, partner with M/WBE local haulers and engage other M/WBE companies

# *FCC Site Plan at McCommas Bluff*



# *FCC Site Plan at McCommas Bluff*



# FCC Facility Layout





# *Final Recommendation*

- Staff recommends awarding a 15 year contract (with the option for extensions up to 10 years) and land lease to FCC to build a Material Recovery Facility and provide single stream recyclable processing services at McCommas Bluff Landfill – Estimated financial value of \$15M - \$22M
  - Positive FCC’s proposal components include:
    - Highest proposed financial value to the City over 15 years
    - Only proposer to take no exceptions to proposed contract requirements
      - Including that the City will never pay for recyclable processing
    - Very positive approach to employee work environment and pay
    - Highest ranked BID commitment
    - Significant company experience designing and operating material recovery facilities
    - Commitment to partner with surrounding community
    - Attractive and functional facility design, including a facility education room and operational facility with integrated tour platform
    - Commitment to outreach to multi-family and commercial sector

# Proposed Next Steps

- August 10<sup>th</sup>: Receive input from Quality of Life & Environment Committee
- August 19<sup>th</sup>: Planned presentation to the Full City Council (if requested)
- August 26<sup>th</sup>: Planned Council consideration of FCC contract
- August 26<sup>th</sup>: Planned Council consideration of consulting services contract with Burns and McDonnell for facility construction and processing equipment quality assurance and acceptance
- December 2016: Material Recovery Facility completed before current processing agreement ends

Questions?

# Appendix

# *Additional Information*

# *Additional Related Efforts*

- Community meeting at Highland Hills Library planned for August 17<sup>th</sup>
- TCEQ Permit amendment for MRF at McCommas Bluff Landfill submitted in July 2015
- Sanitation Services will facilitate and coordinate with Development Services for expedited building construction review and permitting

# Evaluation Criteria

Criteria	Max Points
Minimum Qualifications	Pre-requisite
Business Inclusion and Development Plan (BID)	15
Company Background and Experience	15
Proposed Approach	30
Financial Value	40
<b>Total</b>	<b>100</b>

**Evaluation criteria allows the City to consider a specific range of evaluation criteria, including but not limited to price**

# *RFCSP Review and Evaluation Team*

- RFCSP evaluation team consisted of four City departmental executives from four different departments
  - Three Directors and one Assistant Director
- Additional RFCSP high level support came from the:
  - City Attorney's Office
  - Business Development and Procurement Services
  - Sanitation Services
  - City's consulting team



# *Dallas Program, Enhanced by FCC*

## *Accepted Program Materials*

- **Paper** - Office paper, ad/circulars, cardboard, chipboard (cereal boxes, paper towel and toilet paper cores), magazines, paper bags, envelopes, beverage containers, etc.
- **Plastics** labeled 1 to 7
  - #6 added and not currently in the Dallas program
- **Rigid plastics**
  - Added and not currently in the Dallas program
- **Glass**
  - Bottles and jars
- **Metals**
  - Aluminum drink cans, metal food cans and lids
  - Household metals (pots/pans), clean aluminum foil and pie plates added and not currently in the Dallas program

# FCC Fifteen Year Projections Based on Varying Commodity Values

Fiscal Year	Low Value Scenario	Average Value Scenario	High Value Scenario
2017 (Partial)	\$243,750 – \$243,750	\$538,884 – \$538,884	\$863,560 – \$863,560
2018	\$381,250 – \$381,250	\$796,406 – \$821,316	\$1,233,638 – \$1,284,781
2019	\$461,200 – \$461,200	\$869,322 – \$919,766	\$1,310,926 – \$1,415,952
2020	\$639,284 – \$639,284	\$1,039,897 – \$1,116,420	\$1,485,916 – \$1,647,637
2021	\$700,972 – \$700,972	\$1,093,586 – \$1,196,638	\$1,544,065 – \$1,765,358
2022	\$711,795 – \$711,795	\$1,095,906 – \$1,225,822	\$1,550,891 – \$1,834,694
2023	\$722,878 – \$722,878	\$1,097,967 – \$1,254,949	\$1,557,501 – \$1,906,807
2024	\$734,227 – \$734,227	\$1,099,759 – \$1,283,851	\$1,563,889 – \$1,981,731
2025	\$745,848 – \$745,848	\$1,101,272 – \$1,312,339	\$1,570,043 – \$2,059,489
2026	\$757,749 – \$757,749	\$1,102,496 – \$1,340,193	\$1,575,955 – \$2,140,091
2027	\$769,935 – \$769,935	\$1,103,422 – \$1,367,160	\$1,581,616 – \$2,223,531
2028	\$782,413 – \$782,413	\$1,104,039 – \$1,392,954	\$1,587,014 – \$2,309,786
2029	\$795,191 – \$795,191	\$1,104,335 – \$1,417,250	\$1,592,141 – \$2,398,810
2030	\$808,276 – \$808,276	\$1,104,301 – \$1,439,677	\$1,596,984 – \$2,490,534
2031	\$821,674 – \$821,674	\$1,103,924 – \$1,459,815	\$1,601,534 – \$2,584,863
2032 (Partial)	\$5,264,457 – \$5,264,457	\$5,331,406 – \$5,424,906	\$5,457,053 – \$5,726,025
<b>Total</b>	<b>\$15,340,899 – \$15,340,899</b>	<b>\$20,686,922 – \$23,511,939</b>	<b>\$27,672,726 – \$34,633,651</b>

# Details of Proposal Financial Components

Rank	Company	Location	Processing Fee	Host Fee	Education and Outreach Fee	Depreciated Capital Value
1	FCC	McCommas Bluff	\$70.84	\$15.00*	\$1.00	\$5,055,608
2	CWD	Vendor Site	\$73.02	N/A	\$0.00	N/A
3	WM	Vendor Site	\$100.50	N/A	\$0.20	N/A
4	Balcones	Vendor Site	\$93.00	N/A	\$0.00	N/A
5	ReCommunity	McCommas Bluff	\$137.80	\$0.00	\$0.10	\$6,860,000
6	CWD	McCommas Bluff	\$144.68	\$1.00**	\$0.00	\$12,659,436
7	Balcones	McCommas Bluff	\$123.00	\$3.00**	\$0.00	\$10,675,000

\* FCC has guaranteed to bring 366,000 tons over 15 years

\*\* No guarantee or estimate of additional tonnage

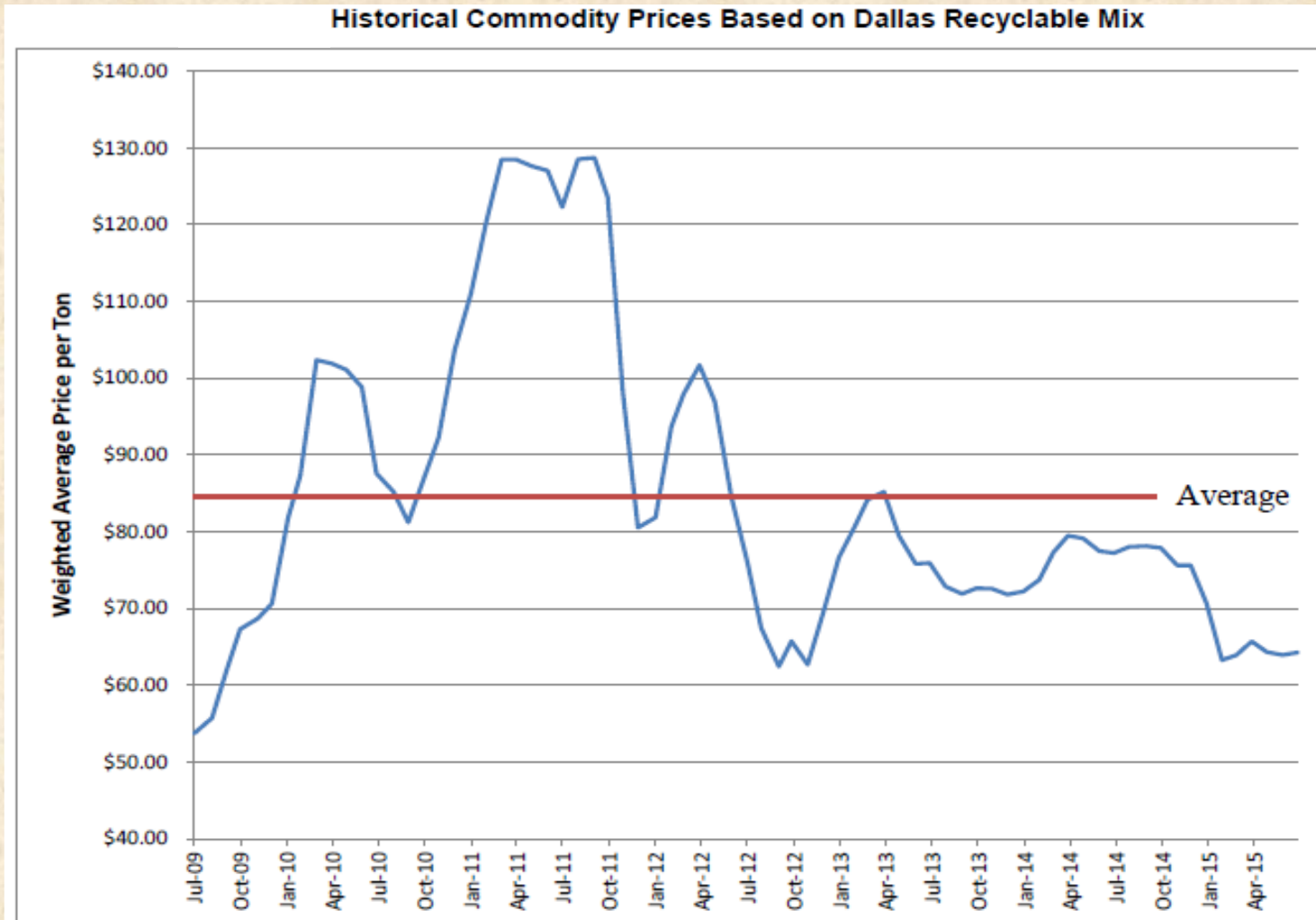
# Traffic Analysis Near McCommas Bluff

## Landfill

Street	Current 24Hr Count	Estimate 2017 Total assuming all vehicles travel through all intersections (est. 55 additional daily)	Percent Increase	Estimated 2017 Total assuming 50% increase @ any given intersection	Percent Increase
EB Ledbetter @ Bonnie View	14,882	14,937	0.37%	14,910	0.18%
WB Ledbetter @ Bonnie View	14,369	14,424	0.38%	14,397	0.19%
WB Ledbetter @ Central	12,431	12,486	0.44%	12,459	0.22%
EB Ledbetter @ Central	13,141	13,196	0.42%	13,169	0.21%
SB Central @ Ledbetter	7,662	7,717	0.72%	7,690	0.36%
NB Central @ Ledbetter	5,235	5,290	1.05%	5,263	0.53%
NB Central @ Simpson Stuart	3,897	3,952	1.41%	3,925	0.71%
SB Central @ Simpson Stuart	4,937	4,992	1.11%	4,965	0.56%
EB Simpson Stuart @ Bonnie View*	4,729	4,784	1.16%	4,757	0.58%
WB Simpson Stuart @ Bonnie View*	5,654	5,709	0.97%	5,682	0.49%
NB Central @ Simpson Stuart	3,897	3,952	1.41%	3,925	0.71%
SB Central @ Simpson Stuart	4,937	4,992	1.11%	4,965	0.56%
EB Simpson Stuart @ Central	2,747	2,802	2.00%	2,775	1.00%

\* Shown for analytical purposes. Vendor has agreed to utilize routes other than Simpson Stuart

# Historical Commodity Prices



# *RFCSP Process Overview:* *Collaborative and Time Tested Approach*



# Community Input to RFCSP

# *RFSCP: COMMUNITY INPUT*

- October thru December 2014 – Sanitation staff attended four meetings in the Southeast Oak Cliff community to discuss and receive input regarding the option of building a MRF at the McCommas Bluff Landfill.
  - October 11, 2014 - Southeast Dallas Civic Association (SDCA)
  - October 27, 2014 – Tour of the new Republic Services MRF in Ft. Worth (members of the Southeast Oak Cliff Communities Leadership Association and members of the SDCA were invited to attend; approximately 10 members attended)
  - November 17, 2014 - Southeast Oak Cliff Communities Leadership Association
  - December 1, 2014 - Singing Hills Neighborhood Association
  - December 15, 2014 - Community meeting at the Highland Hills Library



# Community Input

- Request/Concern: Concerned about increased litter on Simpson Stuart which is sometimes used by collection vehicles transporting waste to McCommas Bluff Landfill
- How addressed:
  - RFCSP requirement – All proposers were requested to minimize travel through residential areas and maximize use of highways and major thoroughfares. For a facility at McCommas Bluff proposers were instructed to not utilize Simpson Stuart Road (west of I-45) as a transportation route. For McCommas preferred collection routes should include highways such as I-20, I-45, and SH 310. Facility and site maintenance plans required as part of RFCSP submittal (including litter control).
  - McCommas Bluff Landfill has since expanded its regulatory required litter collection to include Simpson Stuart Road and some portions of Bonnie View Road (potential routes to McCommas Bluff).
  - City transfer trucks hauling waste and recycling from Southwest Transfer Station have been instructed to avoid use of Simpson Stuart Rd.

# *Community Input*

- Request/Concern: Increased traffic used by collection vehicles transporting additional recycling to McCommas Bluff Landfill
- How addressed:
  - RFCSP requirement – All proposer were requested to minimize travel through residential areas and maximize use of highways and major thoroughfares. For a facility at McCommas Bluff proposer were instructed to not utilize Simpson Stuart Road (west of I-45) as a transportation route. For McCommas preferred collection routes should include highways such as I-20, I-45, and SH 310. Facility and site maintenance plans required as part of RFCSP submittal (including litter control).
  - McCommas Bluff Landfill has expanded its regulatory required litter collection to include Simpson Stuart Road and some portions of Bonnie View Road (potential routes to McCommas Bluff).
  - City transfer trucks hauling waste and recycling from Southwest Transfer Station have been instructed to avoid use of Simpson Stuart.

# Community Input

- Request/Concern: Proposers should consider providing well paying jobs and partnering with the community and schools
- How addressed:
  - RFCSP included community partnering, educational opportunities, as well as pay and benefits for hourly employees as part of the approach request.
- Request/Concern: Nuisances (litter, noise, odor) from the facility
- How addressed:
  - A specific requirement concerning litter, noise, odor and other nuisances was included in the RFCSP requirements.

# *FCC Reference Facilities*

# Reference Facility – Envirosort (Evesham, UK)



# Reference Facility – Envirosort (Evesham, UK)



# Reference Facility – EnviroSORT (Evesham, UK)



# Envirosort Neighbors





# Re3 – Central Berkshire

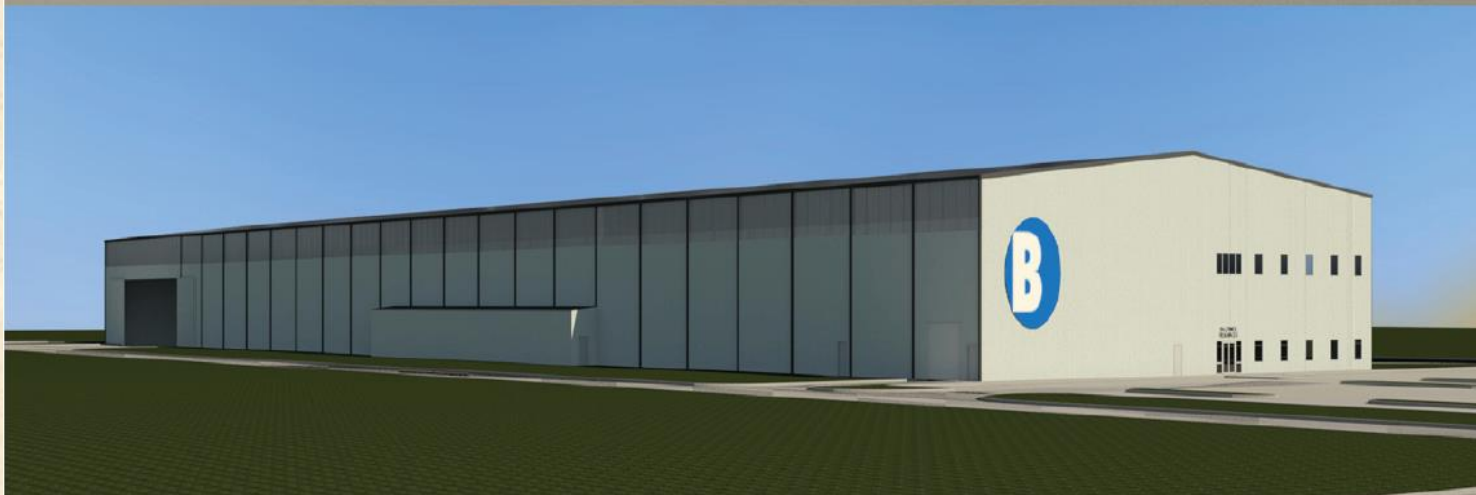


# Other McCommas Bluff Proposals

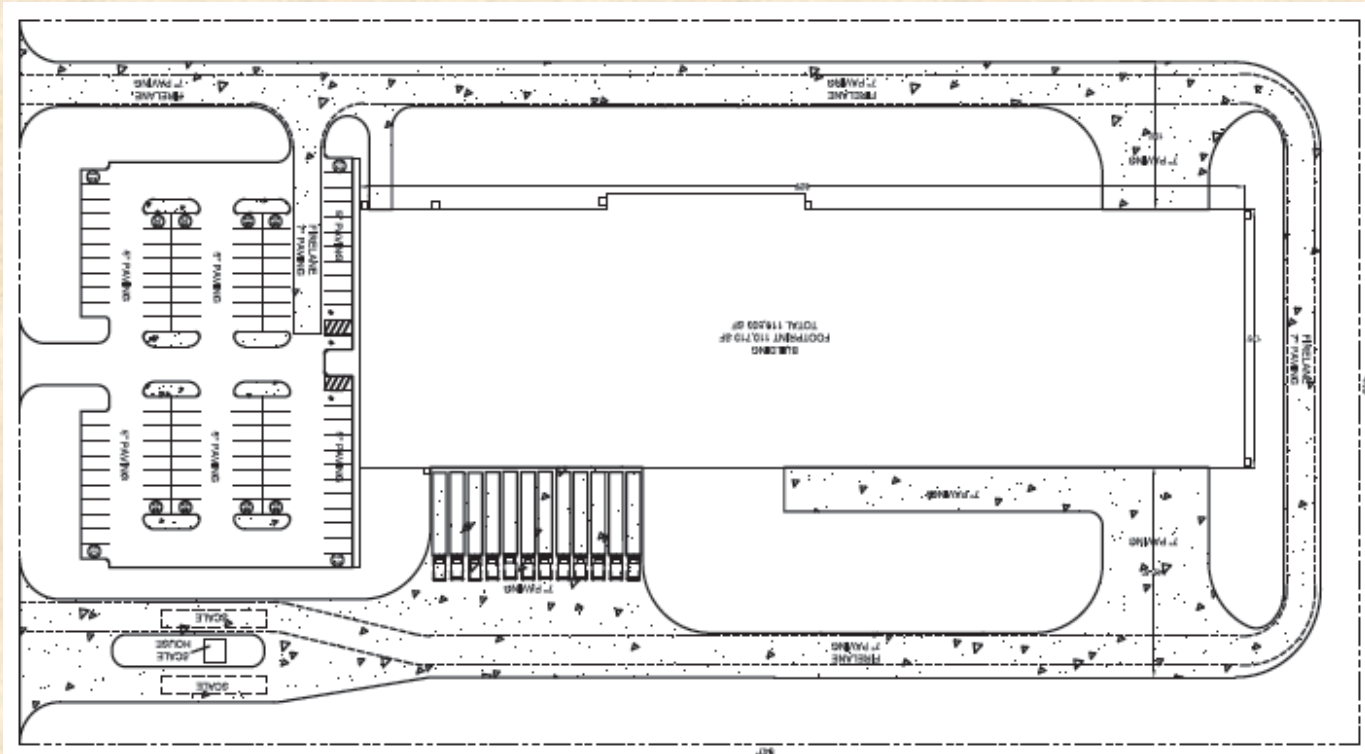
# *Balcones Resources*

- Headquartered in Austin, with operations in DFW and Little Rock
- Privately owned
- Recently built new MRF in Austin and process approximately 60% of Austin's residential recyclables
- Proposing to build a 120,000 SF building
- New BHS processing system
- No exceptions initially identified, but submitted exceptions to revenue share calculation and City would be responsible if processing fee was greater than revenue from sale of material
- Plan to finance with 100% debt

# Balcones Resources



# Balcones Resources



# *Community Waste Disposal*

- Dallas area company
- Private owned
- Existing MRF in Dallas (see PSA)
- Proposing to build 100,000 SF facility
- New CP processing system
- Listed exceptions to contract, including that the City would be responsible if processing fee was greater than revenue from sale of material

# *Community Waste Disposal*



# Community Waste Disposal

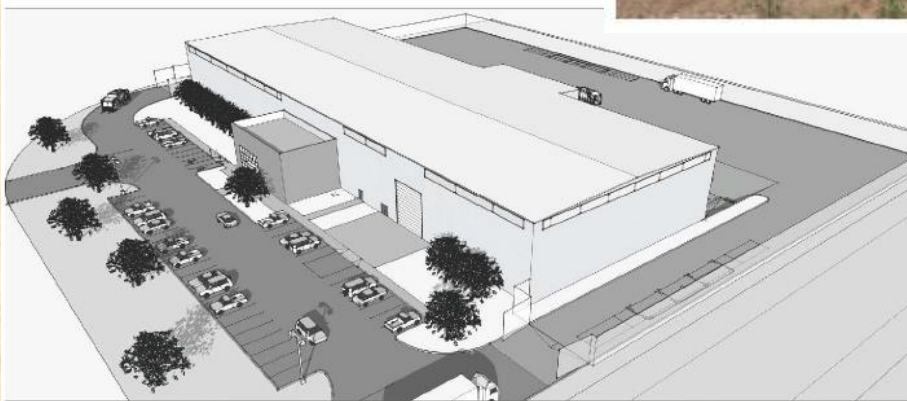




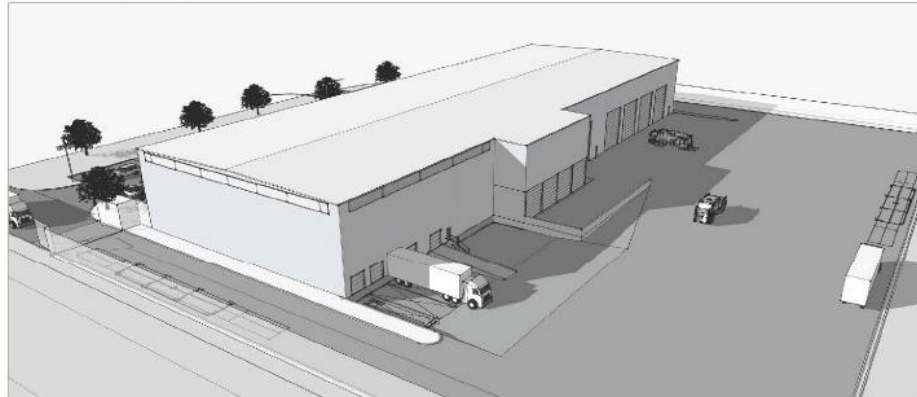
# ReCommunity

- Privately owned, primarily by three investment firms
- Process the recyclables for the City of San Antonio
- Proposing 74,000 SF building
- New Van Dyk / Bollegraaf processing system
- Listed exceptions to contract, including that the City would be responsible if processing fee was greater than revenue from sale of material

# ReCommunity

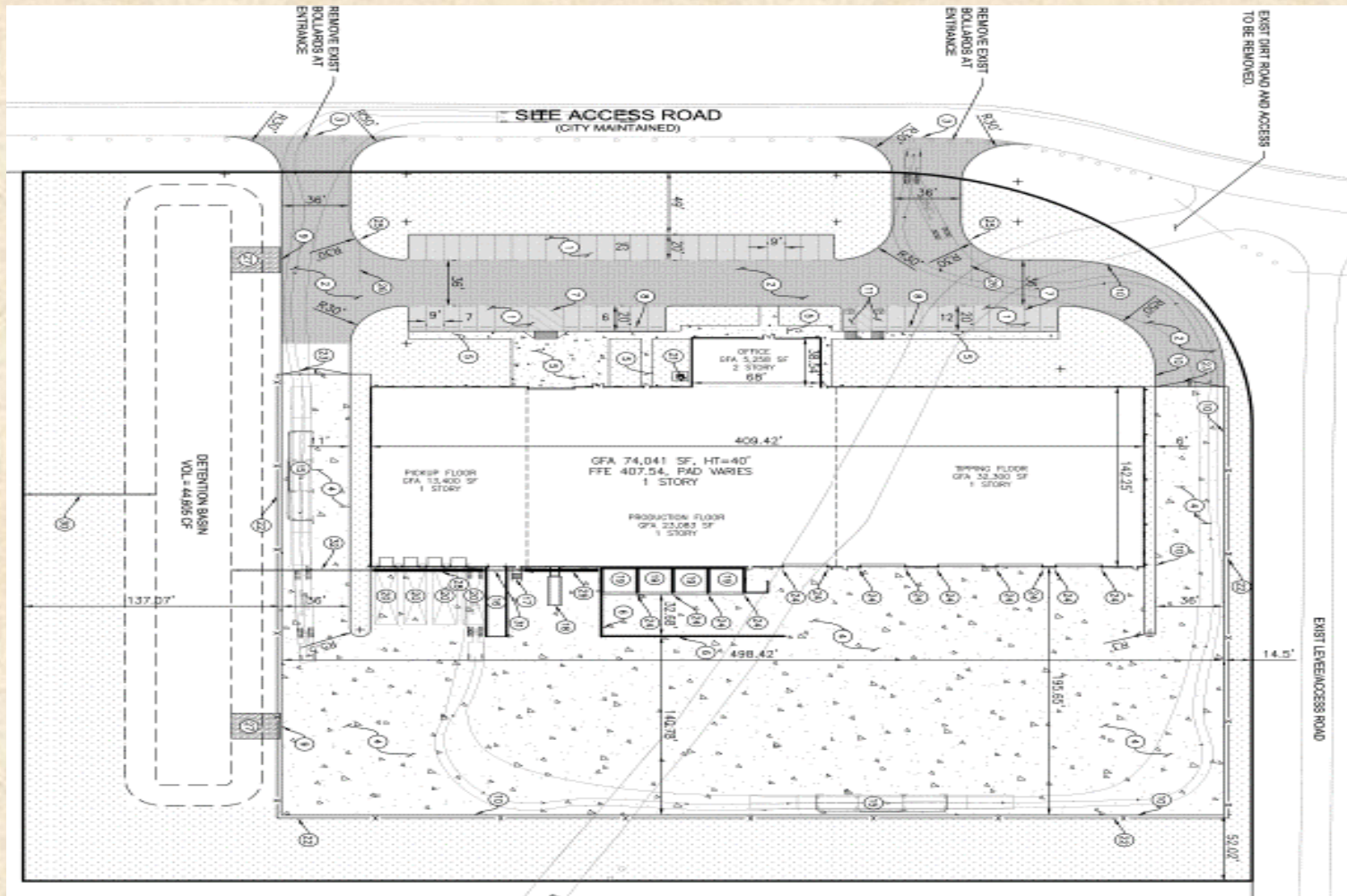


Southwest View



SouthEast View

# ReCommunity



# PSA proposals

## *Balcones Resources*

- Likely location is Dallas Global Industrial Center
- Would utilize an existing building, but install new processing equipment
- No exceptions initially identified, but submitted exceptions to revenue share calculation and City would be responsible if processing fee was greater than revenue from sale of material

# *Balcones Resources*



# *Community Waste Disposal*

- Would use existing facility, with small expansion and upgraded processing equipment
- Existing facility opened in 1993, with major upgrade in 2004
- Listed exceptions to contract, including that the City would be responsible if processing fee was greater than revenue from sale of material

# *Community Waste Disposal*





# *Waste Management*

- Proposing to use existing facility and equipment
- Attached a Waste Management contract to their proposal

# Waste Management



# Memorandum



CITY OF DALLAS

DATE August 7, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),  
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **Proposed Amendments to Outside Storage Use Provisions**

On August 10, 2015, you will be briefed on proposed code amendments to the provisions regulating outside storage and provided additional information requested at the May 26, 2015 briefing to the committee related to fences in residential districts. The proposed amendments focus on the need for screening of outside storage in a more consistent manner, particularly along major thoroughfares. The proposed amendments to the outside storage screening requirements have been recommended for approval by the City Plan Commission.

A handwritten signature in black ink, appearing to read 'Ry - S. Evans', with a horizontal line underneath.

Ryan S. Evans  
First Assistant City Manager

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solis, Administrative Judge  
Eric D. Campbell, Assistant City Manager

Jill A. Jordan, P.E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council

# Proposed Amendments to Outside Storage Use Provisions

Quality of Life & Environment Committee

August 10, 2015

Presented by the Department of Sustainable Development and Construction



# Purpose

- Follow up on the May 26, 2015 briefing to the committee
  - Conduct and report on meeting with stakeholders on South Lamar
  - Discuss whether “weathering steel” should be an acceptable fencing material
  - Provide information on existing standards for non-required fences (i.e. fences in residential areas)
  - Research on non-required fence standards in other cities
- Receive recommendation on proposed revisions to outside storage screening requirements
- Receive direction on any possible code amendments on non-required fence standards

# Background

- January 2014, Staff briefed the **Quality of Life & Environment Committee** and was directed to bring the matter back to **ZOC** for direction on outstanding issues.
- **ZOC** considered the proposed amendments at seven meetings between January 23 and September 18, 2014, and recommended approval on September 18, 2014.
- December 4, 2014, the **City Plan Commission** recommended approval of the proposed amendments.
- May 26, 2015 Staff briefed the **Quality of Life & Environment Committee** and was directed to meet with property owners along Lamar Street to discuss the proposed amendments. That meeting was held on June 11, 2015.

## **Definition of Outside Storage**

The outside placement of an item for a period in excess of 24 hours. Outside placement includes storage in a structure that is open or not entirely enclosed.

# Primary Use vs Accessory Use

- A primary use is the main use on a building site for which a certificate of occupancy is issued
- An accessory use is a use customarily incidental to the primary use
  - If conducted outside, should not occupy more than 5 % of the area of the building site
  - If conducted inside, may not occupy more than 5% of the area of the building
- Some uses allow outside storage related to the use at greater percentages (i.e. Building material sales yard and salvage and recycling facilities)



## Current Requirements

- Outside storage ***with screening*** is allowed by right in:
  - CS (Commercial Service),
  - LI (Light Industrial),
  - IR (Industrial Research),
  - IM (Industrial Manufacturing), and
  - CA-1 and CA-2 (Central Area districts)
- Outside storage ***without screening*** is allowed in the IM (Industrial Manufacturing) district

# Current Requirements

- When required, screening must not be less than 6 feet in height and can consist of any combination of the following:
  - **Fences and walls** - must be brick, stone, concrete masonry, stucco, concrete, or wood
  - **Earthen Berm** - planted with turf or ground cover with a slope not greater than one foot of height for each two feet or width
  - **Landscaping** - evergreen plant material capable of reaching a solid appearance within 3 years
- Metal is not a permitted screening material
- Chain link with slats is generally not a permitted screening material
- Screening is required on all sides, irrespective of adjacent district

# Screening

## Requirements

### Current regulations

- Outside Storage is permitted by right in CS, Industrial and Central Area districts
- Screening required in CS, LI, IR and Central Area districts

### CPC Recommendation

- Require Outside Storage to be screened in an IM District:
  - On any side that is within 200 feet and visible from a thoroughfare\* or adjacent property not zoned IM

\*Thoroughfares are streets designated in the City's thoroughfare plan. Typically arterial or collector streets. Does not include freeways and highways.

# Screening

## Requirements

### Current regulations

- Uses with an outside storage component allowed by right in the IM District
  - Petroleum Product Storage and Wholesale – *Screening required with RAR*
  - Sand, Gravel, or Earth Sales and Storage – *Screening required with RAR*
  - Organic Compost Recycling Facility - *Screening required with RAR*

### CPC Recommendation

- Required screening for additional uses that have an outside storage component and are allowed by right in the IM District:
  - Petroleum Product Storage and Wholesale
  - Sand, Gravel, or Earth Sales and Storage
  - Organic Compost Recycling Facility
- Screening would be consistent with the screening proposed for Outside Storage in the IM District

# Other Uses with an Outside Storage Component

## Organic Compost Recycling Facility



# Screening

## Materials

### Current regulations

- Required screening must not be less than 6 feet in height and can consist of any combination of the following:
  - **Fences and walls** - must be brick, stone, concrete masonry, stucco, concrete, or wood
  - **Earthen Berm** - planted with turf or ground cover with a slope not greater than one foot of height for each two feet or width
  - **Landscaping** - evergreen plant material capable of reaching a solid appearance within 3 years
- Metal is not a permitted screening material
- Chain link with slats is generally not a permitted screening material

### CPC Recommendation

- Allow chain link with slats and corrugated sheet metal (that includes a cap, a top and a bottom rail) as additional allowable screening materials for this use in the IM District

# Screening



# Landscaping

## Current regulations

- A perimeter landscape buffer must be provided along the entire length of the portion of the perimeter of the lot where a residential adjacency exists

## CPC Recommendation

- Require a landscape buffer between any required screening fence and the adjacent thoroughfare
  - Alternative irrigation may be approved by the director
- Regulation would apply to Outside Storage uses issued certificates of occupancy after the ordinance is adopted



# Stacking Height

## Current regulations

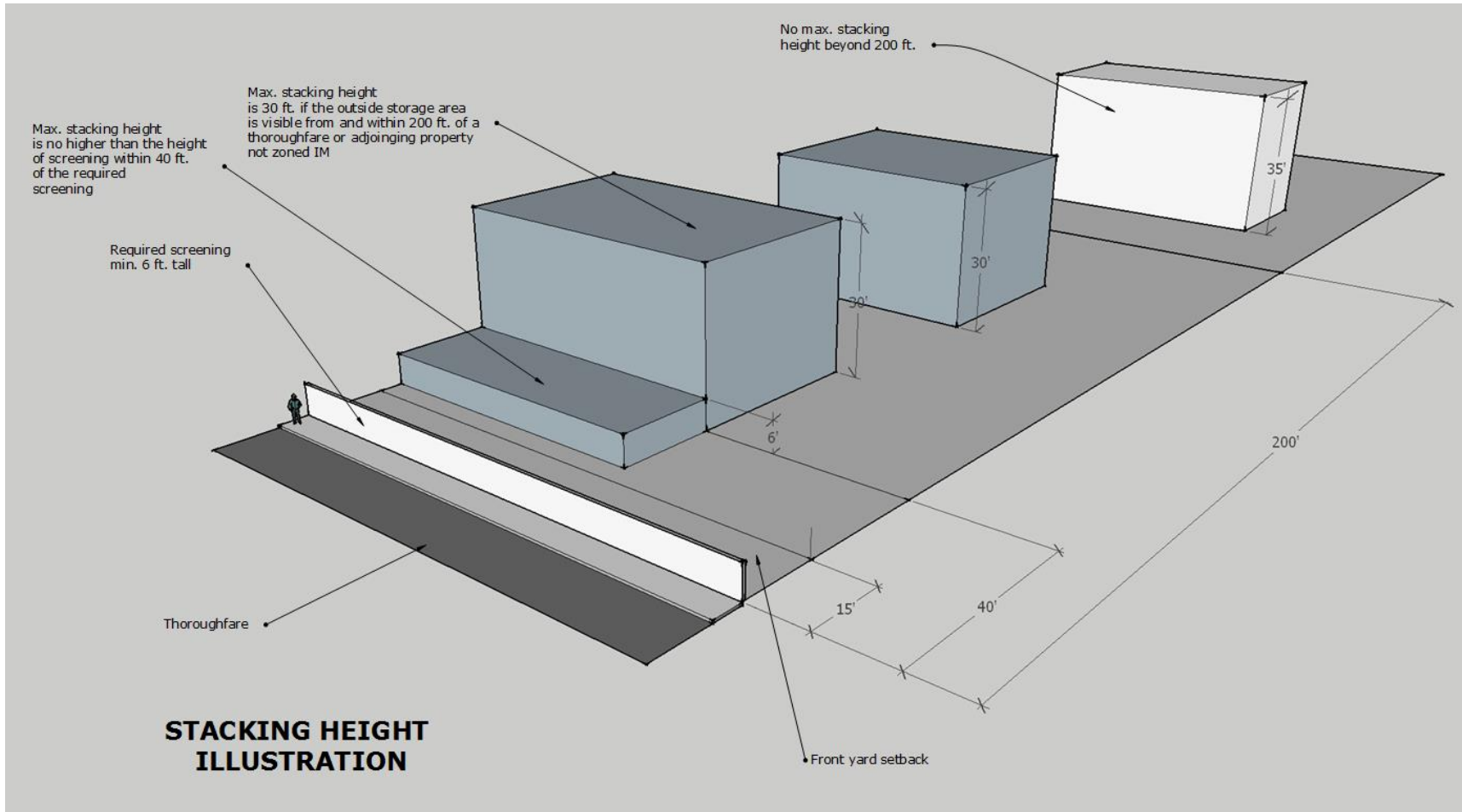
- No restrictions on the stacking height of outside storage

## CPC Recommendation

- Maximum stacking height of outside storage within 40 feet of the required screening is no higher than the height of the screening
- Maximum stacking height of outside storage is 30 feet if the outside storage area is visible from and within 200 feet of a thoroughfare or adjoining property not zoned IM
- No maximum stacking height 200 feet or more from a thoroughfare or adjoining property

# CPC Recommendation

## Stacking Height



# Outside Storage Use in CA Districts

## Current regulations

- Outside Storage is permitted by right with screening in the CA-1 and the CA-2 Districts

## CPC Recommendation

- Require an SUP for Outside Storage as a main use in the CA-1 and the CA-2 Districts
  - Allows for additional scrutiny of this use in these areas

# Compliance Periods

- Five year compliance period for screening and stacking height requirements
- No compliance date proposed for landscape buffer requirement

# Who will the changes affect?

## **Existing Business**

- Certificate of Occupancy (CO) must list one of the following land uses:
  - Outside Storage
  - Petroleum Product Storage and Wholesale
  - Sand, Gravel, or Earth Sales and Storage
  - Organic Compost Recycling Facility
- Five year compliance period for screening and stacking height requirements
- No compliance date proposed for landscape buffer requirement

## **New Business**

- Must comply after ordinance takes effect

# Staff Concerns

- No screening for outside storage from highways in IM districts
  - Staff recommendation, require screening
- Allowing chain link with slats as a screening material along thoroughfares
  - Staff recommendation, only allow slats to bring non-conforming chain link fences into compliance
- SUP requirement for outside storage in IM when exemption from screening requirements sought
  - Staff recommendation, allow exception process through Board of Adjustment similar to other districts

# Additional Staff Issues

Outside Salvage and Reclamation



Screening from Highways



Chain Link with Slates



# COR-TEN STEEL (US Steel A606 Type 4 or A588) Also know as Weathering Steel

- A group of steel alloys developed to eliminate the need for painting
- Forms a rust-like appearance when exposed to weather over time



Cor-ten material as sculpture  
John Carpenter Plaza - 2201 Pacific



# **Non-required Fences**

# Fences

- The City does not regulate materials for fences that are not required in Ch. 51A
- Dept. of Code Compliance is responsible for enforcing regulations for fencing

# Fence Heights

DISTRICT	WHEN IN REQUIRED FRONT YARD SETBACK	WHEN IN OTHER REQUIRED SETBACKS	FENCE PERMIT	BUILDING PERMIT	BOARD OF ADJUSTMENT APPROVAL
SINGLE FAMILY/DUPLEX RESIDENTIAL DISTRICTS	MAX 4 FEET	MAX 9 FEET	<ul style="list-style-type: none"> <li>REQUIRED FOR FENCES OVER 4 FEET TALL IN FRONT YARD SETBACK; AND</li> <li>REQUIRED FOR FENCES OVER 6 FEET TALL</li> </ul>	<p style="text-align: center;">REQUIRED FOR FENCES OVER 9 FEET TALL</p>	<ul style="list-style-type: none"> <li>BDA APPROVAL REQUIRED FOR FENCES OVER 4 FEET IN A REQUIRED FRONT YARD SETBACK IN SINGLE FAMILY AND DUPLEX RESIDENTIAL DISTRICTS</li> <li>BDA APPROVAL REQUIRED FOR FENCES OVER 9 FEET IN A REQUIRED SETBACK</li> </ul>
MULTI-FAMILY	MAX 6 FEET*	MAX 9 FEET			
COMMERCIAL	MAX 9 FEET	MAX 9 FEET			
INDUSTRIAL	MAX 9 FEET	MAX 9 FEET			

\*Allowed if: No lot in the blockface is zoned single-family or duplex; gates for vehicle traffic are set back 20 feet from back of curb; and fence panels within 5 feet of front lot line are not less than 50% open.

# Maintenance Standards

## Dallas City Code Ch. 27. - Article III

A property owner shall maintain any fence on a property in compliance with the following standards:

- **Maintain** a fence so that it is not out of vertical alignment:  
Fence more than 4 feet tall - more than one foot from the vertical  
Fence less than 4 feet tall - more than 6 inches from the vertical
- This provisions does not apply to a masonry wall unless the wall encloses:
  - (i) A multi-tenant property; or
  - (ii) A single-family or duplex property where the wall is not shared with another property;
- **Repair** or replace rotted, fire damaged, or broken wooden slats and support posts;
- **Repair** or replace broken or bent metal posts and torn, cut, bent, or ripped metal fencing materials; and
- **Repair** or replace loose bricks, stones, rocks, mortar, and similar materials on any masonry wall that encloses:
  - (i) A multi-tenant property; or
  - (ii) A single-family or duplex property where the wall is not shared with another property.

# Issues

- Materials – Should we specify materials for fences that are not required by Ch. 51A?
- How do we enforce?
  - Allow Code Compliance to enforce
  - Require a fence permit for all new fences
- Compliance dates?
  - Require a fence permit from effective date of any ordinance for any new fence

# Summary of Outside Storage Use Provisions

Existing Outside Storage Regulations				
CH. 51A	Zoning district	Permitted	Screening Required	RAR Required
	CA-1	X	X	
	CA-2	X	X	
	CS	X	X	X
	LI	X	X	X
	IR	X	X	X
	IM	X		X



Proposed Outside Storage Regulations						
CH. 51A	Zoning district	Permitted	Screening Required	RAR Required	Maximum Stacking Heights	Landscape Buffer
	CA-1	SUP	SUP	SUP	SUP	SUP
	CA-2	SUP	SUP	SUP	SUP	SUP
	CS	X	X	X	X	X***
	LI	X	X	X	X	X***
	IR	X	X	X	X	X***
	IM	X*/SUP	X**	X	X	X***

**NOTE:**

**X\*** Screening must be provided in accordance with Subparagraph (F) and stacking heights must comply with Subparagraph (G), otherwise, by SUP only in the IM districts.

**X\*\*** In the IM district, outside storage must be visually screened on any side that is within 200 feet of and visible from a thoroughfare or an adjacent property that is not zoned IM.

**X\*\*\*** A landscape buffer must be provided between any required screening fence and the adjacent thoroughfare

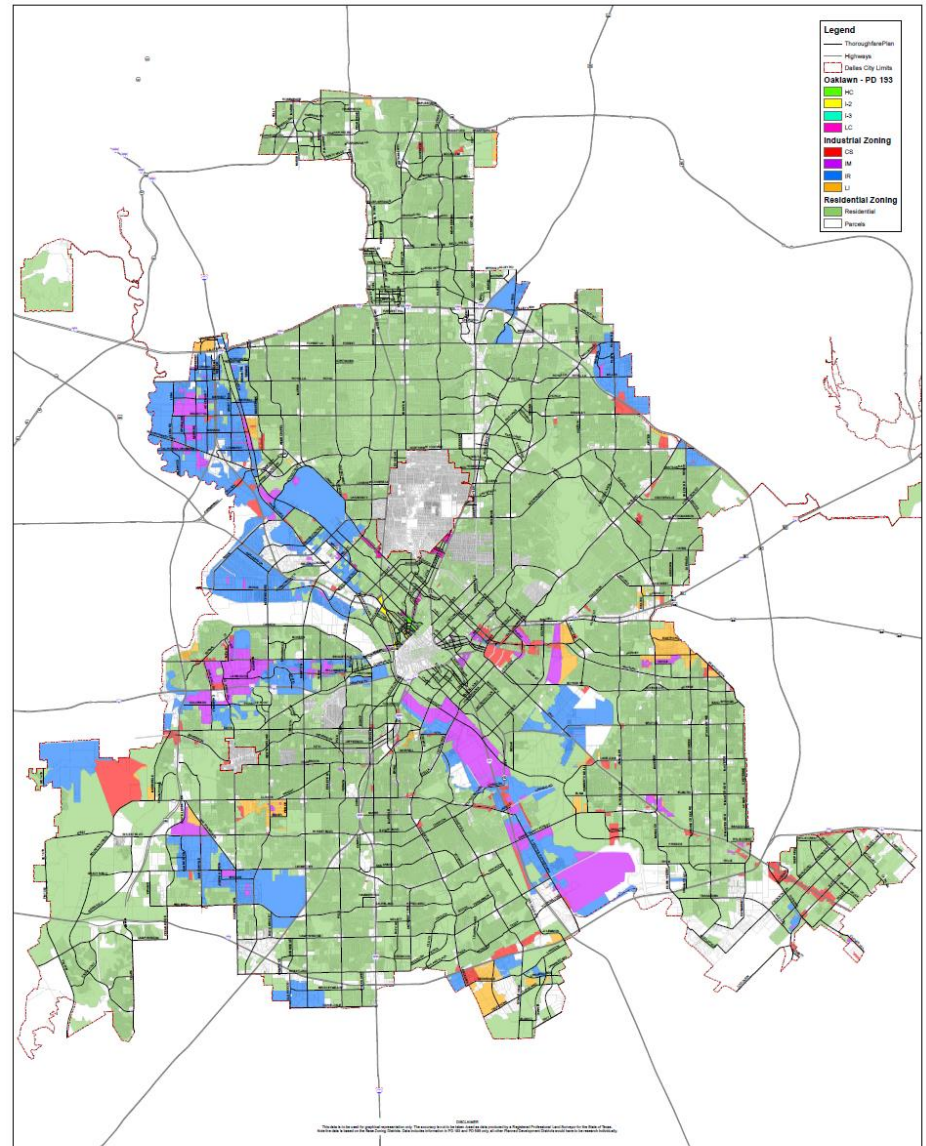
## Industrial Zoning

- CS
- IM
- IR
- LI

## Residential Zoning

- Residential
- Parcels

*Thoroughfares are shown in bold*



Prepared By: City of Dallas  
Sustainable Development and Construction  
Department/IGD Division  
Printed: May 12, 2014

### City of Dallas Industrial Zoning Adjacent to Residential Zoning



# Cap & Rail Requirement





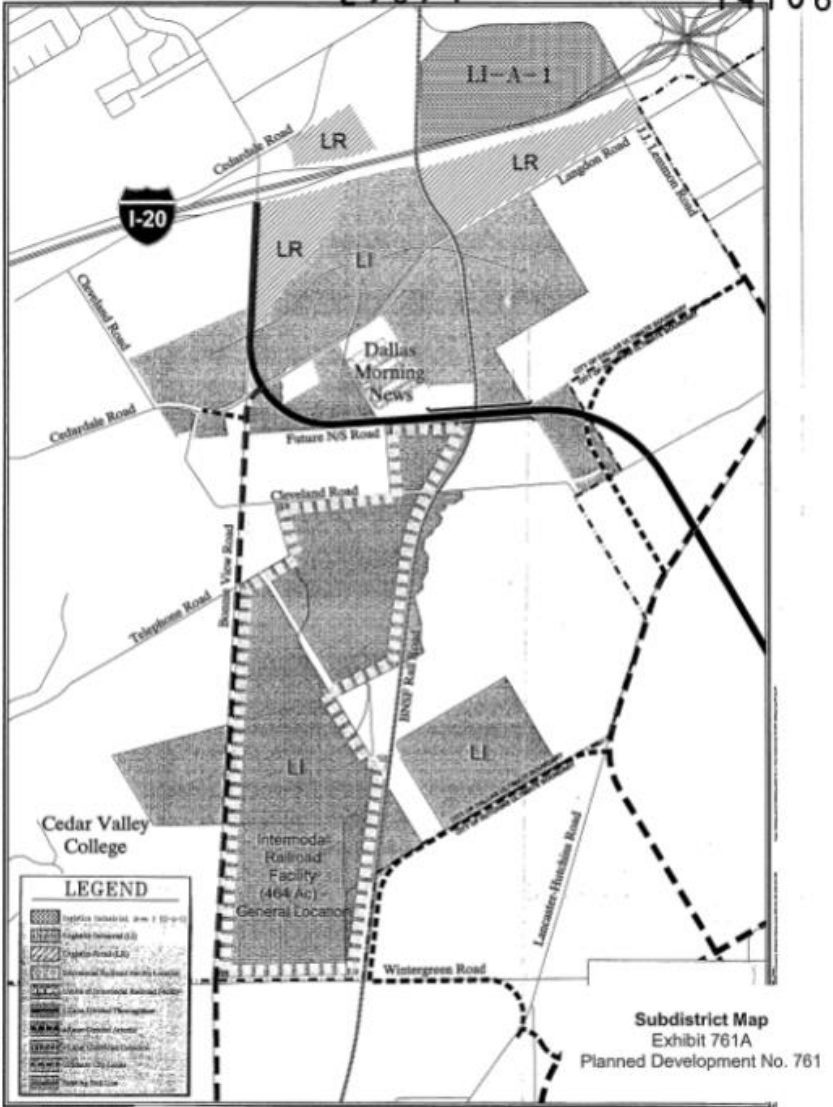
## Additional Land Uses in the City of Dallas with an Outside Storage Component

Use	SUP Required	Existing Screening Requirements
Building movers temporary storage yard	Always	Yes*
Metal salvage facility	Always	Yes*
Outside salvage or reclamation	Always	Yes*
Contractors maintenance yard	No	Yes
Vehicle storage lot	Sometimes	Yes
Industrial outside	Sometimes**	No
<b>Organic compost recycling facility</b>	Sometimes	No
<b>Petroleum Product Storage and Wholesale</b>	Sometimes	No
<b>Sand, gravel or earth sales and storage</b>	Sometimes	No

\* Corrugated sheet metal & chain link with metal strips is allowed as a screening material

\*\* If this use is potentially incompatible, it is permitted by SUP only in the IM district

**PD 761 – Dallas  
Logistics Port Special  
Purpose District**



# PD 761 – Dallas Logistics Port Special Purpose District

- **Max. stacking height of outside storage is 30-ft.**
- **Max. stacking height of outside storage *within 40-ft of screening is 8-ft.***
- **Screening required for outside storage if visible from:**
  - Public right-of-way
  - Single family, Duplex or multifamily use or
  - Visible from and within 100 feet of an adjoining property with a use other than a residential or an intermodal railroad facility use.
- **Screening must be a min. of 9 feet in height**
- **Screening must be constructed of:**
  - Brick, stone, or concrete masonry;
  - Earthen berm planted with turf grass or ground cover;
  - Evergreen plant materials (in a bed that is at least 3-ft wide)
  - Any combination of the above
- **Intermodal rail facility exempt from screening requirements**

## Outside Storage Screening Requirements

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
<b>Arlington</b>	Yes. From public streets and from adjoining property not zoned Light Industrial or Industrial Manufacturing	8 ft.	No materials may be stacked above the top of the screening device	Wood, Masonry Units or Corrugated Metal
<b>Cedar Hill</b>	Yes. From public streets	7 ft. or 1 ft. above the top of the storage materials, whichever is taller	None Specified	Masonry Wall, Berm, Planting enclosure
<b>Desoto</b>	Yes (In Commercial District – 2) from public view	6 ft.	No materials may be stacked above the top of the screening device	Solid Masonry, Chain Link (with solid landscape screening), or Wrought Iron (with solid landscape screening)
<b>Duncanville</b>	Yes. At property line (adjacent to area to be screened)	6 ft.	None Specified	Solid Brick or Masonry; Vinyl; Chain Link (with solid landscape screening. Slats, fabric or other materials woven or attached to chain link fences shall not be permitted); Wrought Iron (with solid landscape screening)

## Outside Storage Screening Requirements

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
<b>Garland</b>	Yes. From public streets and adjacent residential districts	6 ft.	None Specified	Masonry Walls; Earthen Berms (vegetated with lawn grass or groundcover within 2 years); Live Screening (hedgerow of evergreen shrubs that will grow to or exceed the min. height planted in a minimum 3-ft wide bed)
<b>Town of Sunnyvale</b>	Yes. From public ROW and from adjacent property	6 ft. or 8 ft. (next to residential uses)	None Specified	Chain Link with ¼" slats (allowed in industrial districts); Solid Masonry (adjacent to residential); Landscaped Berms; Living Fence (a combo of planted materials and fencing that forms an opaque screen at least 6-ft tall in two growing seasons)
<b>Lancaster</b>	Yes. From public streets & open space; from abutting residential and from NS, R, CS, CBD or RT districts	Height of what is being stored	No materials may be stacked above the top of the screening device	None Specified

## Outside Storage Screening Requirements

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
<b>Mesquite</b>	Yes. On front and exterior property lines; rear or interior property lines (adjacent to zones that do not allow outdoor storage); and any side open to public view	6 ft.	No materials may be stacked above the top of the screening device or 8 ft., whichever is less	Wood; Masonry; or Chain Link with ¼” slats
<b>Plano</b>	Yes. From the view of adjacent streets and adjacent properties	6 ft. – 8 ft.	Stacking height may not exceed the height of screening	Masonry; or chain link or ornamental fencing in combination with a landscape screen; or a solid evergreen shrub landscape screen without a fence or wall-evergreen shrubs shall be placed so as to create at least a 6ft tall solid screen within two years of their installation with proper irrigation plans.
<b>San Antonio</b>	Yes. From street view and adjacent residence, office, and commercial districts to a height commensurate with the location and height of the proposed storage	6 ft.	No materials may be stacked above the top of the screening device	Fences or walls shall be 100% opaque and solid; fences may be of ½ inch thickness and of wood, precast concrete, metal, or wrought iron with an adjoining hedge which provides an opaque barrier; Corrugated and galvanized steel or metal sheets shall not be permitted. Walls may be concrete, concrete block with stucco finish, masonry, stone or a combination of these materials. Solid landscaping within the buffer yard to completely screen the use.

## Outside Storage Screening Requirements

City	Screening Required	Min. Screening Height	Stacking Height	Screening Materials
<b>Fort Worth</b>	Yes. Storage must be surrounded by a screen fence min of 6ft; in order to screen the storage from public view	6 ft. – 8 ft.	No materials may be stacked above the top of the screening device	Landscape buffer yard that's 20 feet wide, irrigated and shall be provided with three-inch caliper trees with a mature height of 25 feet planted every 20 feet in an overlapping pattern such that the canopy creates a solid visual screening at maturity and live ground cover; Along with an 8 foot masonry wall constructed of brick, stone, split block or concrete cast to simulate such materials.
<b>Richardson</b>	Not permitted as a principal use	N/A	N/A	N/A
<b>Grand Prairie</b>	Yes. With a setback of 25ft from any street right-of-way line.	6 ft.	Concealed from eye-level public view from all areas of a public street r-o-w and from eye-level public view of any residentially zoned property.	Solid masonry wall consisting of brick with decorative stone pilasters every 50 ft., cast stone to be used as a cap at walls, columns and pilasters; or if adjacent to any different land use, the screening wall shall be a solid cement fiberboard wall or a wood screening fence.

# Ch. 51A-4.602 - Fence Standards

## Single Family Districts

- **Fence Height**

- In a required front yard setback, fences for single family and duplex uses are limited to 4 feet in height above grade
- Fences on the remainder of the lot may not exceed 9 feet in height



# Ch. 51A-4.602 - Fence Standards

## Multifamily Districts

- **Fence Height**

- In a required front yard setback fences in Multifamily districts may be a maximum of 6 feet above grade, if:
  - No lot in the blockface is zoned as a single family or duplex district; and
  - No gates for vehicular traffic may be located less than 20 feet from the back of the street curb; and
  - No fence panel having less than 50% open surface area may be located less than 5 feet from the front lot line
- Otherwise, a fence in a required front yard setback may not exceed 4 feet above grade, except when the required front yard is governed by side or rear yard regulations

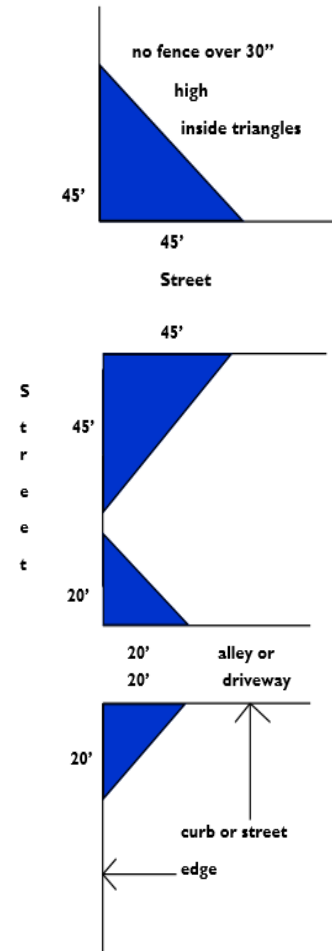
# Ch. 51A-4.602 - Fence Standards Commercial & Industrial Districts

- **Fence Height**

- Fences in a required setback may not exceed 9 feet in height
- Fences over 9 feet in height are considered structures. They require a Building Permit and may not be located in a required setback

# Ch. 51A-4.602 – General Fence Standards

- **Barbed wire** may not be used for fencing unless it is located 6 feet or more above grade and does not project beyond the property line
- Fences may not be located in **easements**
- Fences may not be placed in a **visibility triangle** at a street, alley or driveway intersections if the fence is higher than 2-1/2 feet



Visibility Triangles

# **Other City's Regulations Related to Fencing in Residential Districts**

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Arlington</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 4 feet</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Max. 8 feet. As measured from highest adjacent grade within 10 feet of the fence</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> When &gt; 50% of the length of a fence along property line is being replaced</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Ornamental metal (with min. 75% transparency)</li> <li>Masonry columns with a 30 year life expectancy of (brick stone, reinforced concrete) may be used</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Masonry</li> <li>Ornamental metal</li> <li>Cedar &amp; redwood</li> <li>Composite Fencing</li> <li>Vinyl Fencing (flat white or flat natural tones)</li> <li>Other wooden picket fences (only if constructed with metal posts, metal brackets, and metal caps)</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Cedar, redwood, &amp; other wood products</li> <li>Composite or vinyl fencing</li> <li>Chain link</li> <li>Sheet, roll or corrugated metal</li> <li>Cast off, secondhand, or other items not originally intended to be used for constructing or maintain a fence.</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Chain Link (may be allowed if not visible from any public street)</li> <li>Sheet, roll, or corrugated metal</li> <li>Cast off, secondhand, or other items not originally intended to be used for constructing or maintain a fence.</li> </ul>	<ul style="list-style-type: none"> <li>Gates for vehicular access must be setback a min. of 20 feet from the property line</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>If fence is located on a lot next to a street, fence shall be oriented with exposed posts and rails away from view of adjacent public street</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Dallas</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 4 feet in residential districts (except MF)</li> <li>Max. 6 feet in multifamily districts</li> </ul> <p><b>Other Yards</b></p> <ul style="list-style-type: none"> <li>Max. 9 feet</li> </ul>	<ul style="list-style-type: none"> <li>A fence permit is required for a fence located in a required front yard setback, when the fence exceeds 4 feet</li> <li>A fence permit is required for fences exceeding 6 feet on the remainder of the lot</li> </ul>	<ul style="list-style-type: none"> <li>None specified</li> </ul>	<ul style="list-style-type: none"> <li>Barbed wire may not be used for fencing unless it is located 6 feet or more above grade and does not project beyond the property line</li> </ul>	<ul style="list-style-type: none"> <li>Fences may not be located in easements</li> <li>Fences may not be placed in a visibility triangle at a street, alley or driveway intersections if the fence is higher than 2.5 feet</li> <li>Fences over 4 feet in residential districts (except multifamily) in the required front yard setback may be allowed if approved by the Board of Adjustment as a Fence Height Special Exception</li> <li>Fences over 9 feet are considered structures and may not be located in a required setback</li> <li>Fences over 9 feet require a building permit</li> <li>Fences over 9 feet may be allowed in a required setback if approved by the Board of Adjustment as a Fence Height Special Exception</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Desoto</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>• Max. 3 feet</li> <li>• Except, platted lots in Single-Family Estate and Agriculture Districts (min. 150 foot lot width) fences may be constructed to front property line; 8 feet max. with 80% openings</li> </ul> <p><b>Other Yards</b> (located to the rear of the required front yard line) -</p> <ul style="list-style-type: none"> <li>• Max. 8 feet</li> </ul>	<ul style="list-style-type: none"> <li>• <b>Yes.</b> All fences require permits</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Decorative fences (with min. 50% openings)</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>• Masonry</li> <li>• Ornamental metal</li> <li>• Cedar &amp; redwood</li> <li>• Composite Fencing</li> <li>• Vinyl Fencing (flat white or flat natural tones)</li> <li>• Other wooden picket fences (only if constructed with metal posts, metal brackets, and metal caps)</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Chain link, woven wire mesh or similar materials are not considered decorative fencing</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>• Chain Link</li> <li>• Sheet, roll, or corrugated metal</li> <li>• Cast off, secondhand, or other items not originally intended to be used for constructing or maintain a fence.</li> </ul>	<ul style="list-style-type: none"> <li>• No fence may be erected in any front or side yard which is adjacent to a public street.</li> <li>• No residential fence shall be closer than 20 feet to a public street, except in case where the side or rear building line of the yards on contiguous corner lots adjoin, the fence may be constructed out to the property line of said side yard.</li> <li>• Fences must be maintained at all times</li> <li>• Vehicular access gate must be set back 20 feet</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Fort Worth</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>• Max. 4 feet</li> </ul> <p><b>Other Yards</b></p> <ul style="list-style-type: none"> <li>• Max. 6 feet</li> </ul>	<ul style="list-style-type: none"> <li>• <b>No</b></li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Wrought iron, tubular steel, picket or similar type material designed for fencing</li> <li>• No greater than 50% in density</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>• Chain link</li> </ul>	<ul style="list-style-type: none"> <li>• The Board of Adjustment may grant a special exception to allow a solid fence or wall up to 4 feet in the front yard</li> <li>• Up to a 5 foot open design fence consisting of wrought-iron, tubular steel, picket or a similar type material designed for fencing with 50% openings may be allowed by the Board of Adjustment by special exception</li> </ul>



# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
Lancaster	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 3.5 feet</li> <li>Posts max. 4 feet</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Fences <i>between houses</i>, max. 6 feet</li> <li>Fences <i>along a side street</i> may be up to 6 feet in height at the rear of the building</li> <li>Fences <i>along a rear alley</i> may be up to 6 feet in height</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> When &gt; 50% of the length of a fence along property line is being replaced</li> </ul>	<p><b>Front Yard –</b></p> <ul style="list-style-type: none"> <li>Painted rot-resistant wood</li> <li>Metal or flat topped (non-crimped or capped)</li> <li>Plastic/PVC or similar material with integrated color</li> </ul>	<ul style="list-style-type: none"> <li>Barbed wire fencing</li> </ul>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Picket fences in front yards shall be a min. 30% open and include corner posts.</li> <li>Picket fences may be located within 1.5 feet of any property line adjacent to a street</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Wood fences greater than 4 feet in height shall be constructed using metal posts set in concrete</li> <li>Fences <i>between houses</i> may be solid, but may not extend closer to the street than 15 feet behind the front outside corner of the home</li> <li>Fences <i>along a side street</i> may be solid but may not be closer to the street than the rear corner of the home</li> <li>Fences <i>along a rear alley</i> must be located at least 3 feet back from property line, may be solid (unless facing a trail or open space) and the area between the fence and alley should be irrigated and planted with grass, ground cover, shrubs, or trees.</li> <li>Finished side of all perimeter fencing visible from a public area or ROW shall face outward</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Plano</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 2.5 feet from front building line to the property line</li> <li>Estate Development I and Estate Development II may have a max. 3.5 foot fence</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Max. 8 feet along alley</li> <li>Max. 8 feet along rear yard</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> Required for the installation, alteration, addition or changes to a fence.</li> <li>A permit is not required for alterations, additions or changes if repairs do not exceed 25% of the area of the fence over a 12 month period.</li> </ul>	<ul style="list-style-type: none"> <li>None specified</li> </ul>	<ul style="list-style-type: none"> <li>Wire fencing</li> </ul>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Fences in front yards shall be a min. 50% open</li> </ul> <p><b>Other -</b></p> <ul style="list-style-type: none"> <li>Electric fences are prohibited</li> <li>Fence arms are prohibited in residential districts</li> </ul>

# Fencing in Residential Districts

CITY	HEIGHT	FENCE PERMIT REQUIRED?	APPROVED MATERIALS	PROHIBITED MATERIALS	OTHER REQUIREMENTS
<b>Richardson</b>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>Max. 3 feet</li> </ul> <p><b>Other Yards –</b></p> <ul style="list-style-type: none"> <li>Fences <i>along a side yard</i> may be up to 8 feet in height (front the rear property line up to a point in line with the front wall of the building or up to the building line, whichever is greatest)</li> <li>Fences <i>along a rear property line</i> may be up to 8 feet in height</li> </ul>	<ul style="list-style-type: none"> <li><b>Yes.</b> Required when constructing a fence over 2.5 feet tall</li> </ul>	<ul style="list-style-type: none"> <li>Wood</li> <li>Concrete</li> <li>Masonry</li> <li>Chain link</li> <li>Wrought iron</li> <li>Metal tubing</li> <li>Vinyl</li> <li>Fiberglass composite</li> </ul>	<ul style="list-style-type: none"> <li>Barbed wire</li> <li>Razor ribbon</li> <li>Sheet metal</li> <li>Corrugated steel</li> <li>Fiberglass panel</li> <li>Plywood</li> </ul>	<p><b>Front Yard -</b></p> <ul style="list-style-type: none"> <li>No fence shall be permitted between the front property line and the front wall of the building unless a part of the landscaping or a decorative screen</li> </ul> <p><b>Other Yards -</b></p> <ul style="list-style-type: none"> <li>Corner lot exceptions. On corner lots where the rear the rear lot line is adjacent to a side lot line of an adjoining lot, fences may be constructed at a height not exceeding eight feet along the side property and rear property lines except that no fence exceeding 4 feet in height, with 50% through vision shall be constructed within an area measured 15 feet along the rear property line and 25 feet measured along the side property line adjacent to the street</li> </ul>

# Memorandum



CITY OF DALLAS

DATE August 7, 2015

TO Honorable Members of the Quality of Life & Environment Committee: Sandy Greyson (Chair),  
Tiffinni A. Young (Vice Chair), Rickey D. Callahan, Mark Clayton, Philip T. Kingston, B. Adam McGough

SUBJECT **August 12, 2015 Park and Recreation Department City Council Agenda Items**

On Wednesday, August 12, 2015, the Dallas City Council will consider the following agenda items:

- Agenda Item # 52 - Trinity Strand Trail Phase II – Professional services contract award with Pacheco Koch Consulting Engineers, Inc. This item was approved by the Dallas Park and Recreation Board on Thursday, June 18, 2015.
- Agenda Item # 53 - Trinity Strand Trail Phase I – Authorize Change Order No. 6 to expand scope of work to include new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items. This item was approved by the Dallas Park and Recreation Board on Thursday, June 18, 2015.

City Council agenda items are attached with this memo to provide further details. If you have any questions, please contact me at 214-670-4071.

A handwritten signature in cursive script, appearing to read 'John Jenkins for'.

Willis C. Winters, FAIA, Director  
Park and Recreation Department

## Attachments

c: Honorable Mayor and Members of the City Council  
A.C. Gonzalez, City Manager  
Warren M.S. Ernst, City Attorney  
Craig D. Kinton, City Auditor  
Rosa A. Rios, City Secretary  
Daniel F. Solis, Administrative Judge  
Ryan S. Evans, First Assistant City Manager

Eric D. Campbell, Assistant City Manager  
Jill A. Jordan, P.E., Assistant City Manager  
Mark McDaniel, Assistant City Manager  
Joey Zapata, Assistant City Manager  
Jeanne Chipperfield, Chief Financial Officer  
Sana Syed, Public Information Officer  
Elsa Cantu, Assistant to the City Manager – Mayor & Council

**AGENDA ITEM # 52**

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

**AGENDA DATE:** August 12, 2015

**COUNCIL DISTRICT(S):** 2

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

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

**MAPSCO:** 34Q U Y 44C D

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**SUBJECT**

Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for civil engineering, land surveying and landscape architectural services for the design and construction for the Trinity Strand Trail, Phase II located between Interstate Highway 35 at Oak Lawn Avenue to the Inwood DART Station - Not to exceed \$422,000 - Financing: 2012 Bond Funds (\$160,428) and 2006 Bond Funds (\$261,572)

**BACKGROUND**

This design contract was originally recommended for award to Schrickel, Rollins and Associates, Inc. on November 21, 2013. The City attorney's office advised that it be rescinded due to a potential claim related to another project.

Pacheco Koch Consulting Engineers, Inc. has presented a proposal dated April 22, 2015, for civil engineering, land surveying and landscape architectural services for the design and construction for the Trinity Strand Trail, Phase II for a fee not to exceed \$422,000.

**ESTIMATED SCHEDULE OF PROJECT**

Begin Design	September 2015
Complete Design	September 2016
Begin Construction	February 2017
Complete Construction	February 2018

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

The Park and Recreation Board authorized award of the professional services contract on November 21, 2013.

The Park and Recreation Board authorized rescission of the previous contract and award of a new contract on June 18, 2015.

Information about this item will be provided to the Quality of Life Committee on August 10, 2015.

**FISCAL INFORMATION**

2012 Bond Funds - \$160,428.25

2006 Bond Funds - \$261,571.75

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

Pacheco Koch Consulting Engineers, Inc.

White Male	60	White Female	11
Black Male	1	Black Female	0
Hispanic Male	21	Hispanic Female	6
Other Male	3	Other Female	2

**OWNER**

**Pacheco Koch Consulting Engineers, Inc.**

Mark A. Pacheco, P.E., RPLS, President

**MAP**

Attached

August 12, 2015

**WHEREAS**, it is necessary to hire a firm to provide for civil engineering, land surveying and landscape architectural services for the design and construction for the Trinity Strand Trail Phase II located between Interstate Highway 35 at Oak Lawn Avenue to the Inwood DART Station, and the firm of Pacheco Koch Consulting Engineers, Inc. has presented a proposal dated April 22, 2015 for a fee not to exceed \$422,000.00.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to enter into a professional services contract with Pacheco Koch Consulting Engineers, Inc. for civil engineering, land surveying and landscape architectural services for the design and construction for the Trinity Strand Trail, Phase II located between Interstate Highway 35 at Oak Lawn Avenue to the Inwood DART Station, in an amount not to exceed \$422,000.00.

**SECTION 2.** That the Park and Recreation Board and the City Manager are hereby authorized to execute a contract with Pacheco Koch Consulting Engineers, Inc., after approval as to form by the City Attorney.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$422,000.00 to Pacheco Koch Consulting Engineers, Inc., as follows:

(2012) Street and Transportation Improvement Fund Fund 2U22, Department PBW, Unit S623, Object 4111 Activity HIBT, CT-PKR14019419, Program PB12S623 Commodity 92500, Vendor 342980	\$160,428.25
(2006) Street and Transportation Improvement Fund Fund 1T22, Department PBW, Unit S623, Object 4111 Activity HIBT, CT-PKR14019419, Program PB12S623 Commodity 92500, Vendor 342980	<u>\$261,571.75</u>
Total amount not to exceed	\$422,000.00

**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.

## BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY

**PROJECT:** Authorize a professional services contract with Pacheco Koch Consulting Engineers, Inc. for civil engineering, land surveying and landscape architectural services for the design and construction for the Trinity Strand Trail, Phase II located between Interstate Highway 35 at Oak Lawn Avenue to the Inwood DART Station - Not to exceed \$422,000 - Financing: 2012 Bond Funds (\$160,428) and 2006 Bond Funds (\$261,572)

Pacheco Koch Consulting Engineers, Inc is a local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractors.

**PROJECT CATEGORY:** Architecture & Engineering

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### LOCAL/NON-LOCAL CONTRACT SUMMARY

	<u>Amount</u>	<u>Percent</u>
Total local contracts	\$416,500.00	98.70%
Total non-local contracts	\$5,500.00	1.30%
<b>TOTAL CONTRACT</b>	<b>\$422,000.00</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION

#### Local Contractors / Sub-Contractors

<u>Local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Urban Engineers Group, Inc.	HFDB62721Y0715	\$81,000.00	19.45%
Pacheco Koch Consulting Engineers, Inc.	HMDB63257Y1015	\$300,500.00	72.15%
Lim & Associates, Inc.	PMDB01647Y0416	\$35,000.00	8.40%
<b>Total Minority - Local</b>		<b>\$416,500.00</b>	<b>100.00%</b>

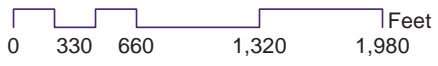
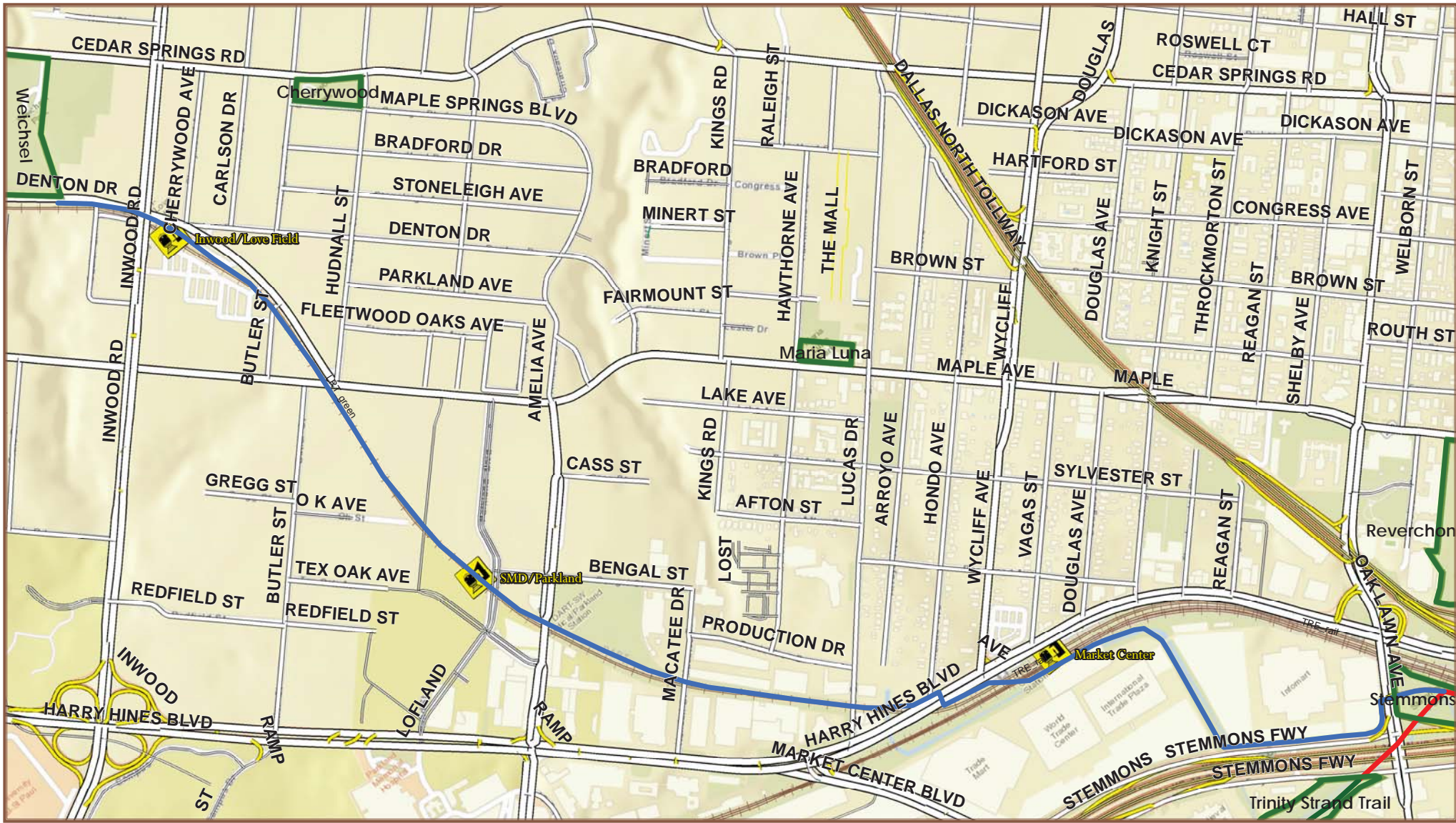
#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
Integrated Environmental Solutions, LLC	WFDB63365Y1015	\$5,500.00	100.00%
<b>Total Minority - Non-local</b>		<b>\$5,500.00</b>	<b>100.00%</b>



**TOTAL M/WBE CONTRACT PARTICIPATION**

	<b><u>Local</u></b>	<b><u>Percent</u></b>	<b><u>Local &amp; Non-Local</u></b>	<b><u>Percent</u></b>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$381,500.00	91.60%	\$381,500.00	90.40%
Asian American	\$35,000.00	8.40%	\$35,000.00	8.29%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$0.00	0.00%	\$5,500.00	1.30%
Total	<u>\$416,500.00</u>	<u>100.00%</u>	<u>\$422,000.00</u>	<u>100.00%</u>



**Trinity Strand Trail Phase II**  
 (North Houston Street to Inwood Road)

Mapsco  
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District  
 2

June 18, 2015

**AGENDA ITEM # 53**

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

**AGENDA DATE:** August 12, 2015

**COUNCIL DISTRICT(S):** 6

**DEPARTMENT:** Park & Recreation

**CMO:** Willis Winters, 670-4071

**MAPSCO:** 44B C D F G H

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**SUBJECT**

Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items for the Trinity Strand Trail Phase I located between Stemmons Freeway and Motor-Farrington Street - Not to exceed \$165,686, from \$5,632,746 to \$5,798,432 - Financing: Texas Department of Transportation Grant Funds (\$128,068) and 2006 Bond Funds (\$37,618)

**BACKGROUND**

The original contract was awarded to RoeschCo Construction, Inc. by Council on September 12, 2012, by Resolution No. 12-2260, for Phase I and Phase II of a 12-foot-wide hike and bike trail for the Trinity Strand Trail from Farrington Street to Oak Lawn Avenue and Stemmons Freeway, in an amount not to exceed \$5,426,113.55.

Change Order No. 1, was authorized on September 11, 2013, by Resolution No. 13-1569, for a decrease in the contract to change originally designed boardwalks to retaining walls at Phase I of the Trinity Strand Trail from Farrington Street to Turtle Creek Plaza (near Turtle Creek Boulevard and Market Center Drive) and credits to include: piers abutments, bents, slabs and surface treatments for all boardwalks in Phase I. Additional retaining wall costs: retaining wall blocks, concrete footings, trail, engineering services and piers as required. Additional scope of work: provide downspout extensions, remove additional trees, credit drainage, demolish guardrails at Wycliff Avenue and power shutdown at Wycliff bridge for installation of pedestrian bridge, in an amount not to exceed (\$195,859.22), making a revised contract amount of \$5,230,254.33.

**BACKGROUND** (Continued)

Change Order No. 2, was authorized on February 26, 2014, by Resolution No. 14-0398, for additional scope of work which includes existing water line relocations and replacement near Anatole Partners property and at Wycliff Avenue; and the replacement of a damaged existing storm line, retaining wall and repair of a parking lot at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$205,678.69, making a revised contract amount of \$5,435,933.02.

Change Order No. 3, was authorized on May 14, 2014, by Resolution No. 14-0753, for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$114,673.10, making a revised contract amount of \$5,550,606.12.

Change Order No. 4, was authorized on October 22, 2014, by Resolution No. 14-1804, for additional scope of work to include: additional flume, drainage inlet, retaining walls, new water line, landscaping and other miscellaneous items at the Trinity Strand Trail, Phase I and Phase II located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$56,304.00, making a revised contract amount of \$5,606,910.12.

Change Order No. 5, authorized by Administration Action No. 15-0625, on May 21, 2015, for additional scope of work to provide and install new trees near the Taco Shop Restaurant and provide a one year warranty on the trees, in an amount not to exceed \$25,836.00, making a revised contract amount of \$5,632,746.12.

This action will authorize Change Order No. 6 to the contract with RoeschCo Construction, Inc. in an amount not to exceed \$165,685.55, from \$5,632,746.12 to \$5,798,431.67 for additional scope of work to include: new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items for the Trinity Strand Trail Phase I located between Stemmons Freeway and Motor-Farrington Street.

**ESTIMATED SCHEDULE OF PROJECT**

Began Construction	November 2012
Complete Construction	September 2015

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

The Park and Recreation Board authorized the advertisement for a Request for Competitive Sealed Proposals on September 1, 2011.

The Park and Recreation Board authorized award of the contract on January 12, 2012.

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

The Park and Recreation Board authorized the rescinding of the contract award and the re-advertisement to proceed with construction procurement on March 1, 2012.

The Park and Recreation Board authorized award of the contract on August 2, 2012.

City Council authorized award of the contract on September 12, 2012, by Resolution No. 12-2260.

The Park and Recreation Board authorized Change Order No. 1 on August 15, 2013.

City Council authorized Change Order No. 1 on September 11, 2013, by Resolution No. 13-1569.

The Park and Recreation Board authorized Change Order No. 2 on January 9, 2014.

City Council authorized Change Order No. 2 on February 26, 2014, by Resolution No. 14-0398.

The Park and Recreation Board authorized Change Order No. 3 on April 17, 2014.

City Council authorized Change Order No. 3 on May 14, 2014, by Resolution No. 14-0753.

The Park and Recreation Board authorized Change Order No. 4 on October 2, 2014.

City Council authorized Change Order No. 4 on October 22, 2014, by Resolution No. 14-1804.

The Park and Recreation Board authorized Change Order No. 6 on June 18, 2015.

Information about this item will be provided to the Quality of Life Committee on August 10, 2015.

**FISCAL INFORMATION**

Texas Department of Transportation Grant Funds - \$128,067.89  
2006 Bond Funds - \$37,617.66

Original Contract Amount	\$5,426,113.55
Change Order No. 1	(\$195,859.22)
Change Order No. 2	\$205,678.69
Change Order No. 3	\$114,673.10
Change Order No. 4	\$56,304.00
Change Order No. 5	\$25,836.00
Change Order No. 6 (this action)	<u>\$165,685.55</u>
 Total amount not to exceed	 \$5,798,431.67

**M/WBE INFORMATION**

See attached.

**ETHNIC COMPOSITION**

RoeschCo Construction, Inc.

White Male	5	White Female	1
Black Male	0	Black Female	0
Hispanic Male	10	Hispanic Female	0
Other Male	1	Other Female	0

**OWNER**

**RoeschCo Construction, Inc.**

Marcie L. Roeschley, President  
Sarah N. Roeschley, Vice President  
Keith R. Roeschley, Secretary/Treasurer

**MAP**

Attached

August 12, 2015

**WHEREAS**, on September 12, 2012, by Resolution No. 12-2260, RoeschCo Construction, Inc. was awarded a contract for Phase I and Phase II of a 12-foot-wide hike and bike trail for the Trinity Strand Trail from Farrington Street to Oak Lawn Avenue and Stemmons Freeway, in an amount not to exceed \$5,426,113.55; and

**WHEREAS**, on September 11, 2013, Resolution No. 13-1569, authorized Change Order No. 1, for a decrease in the contract to change originally designed boardwalks to retaining walls at Phase I of the Trinity Strand Trail from Farrington Street to Turtle Creek Plaza (near Turtle Creek Boulevard and Market Center Drive) and credits to include: piers abutments, bents, slabs and surface treatments for all boardwalks in Phase I. Additional retaining wall costs: retaining wall blocks, concrete footings, trail, engineering services and piers as required. Additional scope of work: provide downspout extensions, remove additional trees, credit drainage, demolish guardrails at Wycliff Avenue and power shutdown at Wycliff bridge for installation of pedestrian bridge, in an amount not to exceed (\$195,859.22), increasing the contract amount from \$5,426,113.55 to \$5,230,254.33; and

**WHEREAS**, on February 26, 2014, Resolution No. 14-0398, authorized Change Order No. 2, for additional scope of work which includes existing water line relocations and replacement near Anatole Partners property and at Wycliff Avenue; and the replacement of a damaged existing storm line, retaining wall and repair of a parking lot at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$205,678.69, increasing the contract amount from \$5,230,254.33 to \$5,435,933.02; and

**WHEREAS**, on May 14, 2014, Resolution No. 14-0753, authorized Change Order No. 3, for additional scope of work to include: repair of existing stormwater headwall, additional drainage, deletion of chain link fence, replacement of paving at new inlet and retaining wall stain at the Trinity Strand Trail located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$114,673.10, increasing the contract amount from \$5,435,933.02 to \$5,550,606.12; and

**WHEREAS**, on October 22, 2014, Resolution No. 14-1804, authorized Change Order No. 4 for additional scope of work to include: additional flume, drainage inlet, retaining walls, new water line, landscaping and other miscellaneous items at the Trinity Strand Trail, Phase I and Phase II located between Farrington Street and Oak Lawn Avenue, in an amount not to exceed \$56,304.00, increasing the contract amount from \$5,550,606.12 to \$5,606,910.12; and

**WHEREAS**, on May 21, 2015, Administration Action No. 15-0625, authorized Change Order No. 5 for additional scope of work to provide and install new trees near the Taco Shop Restaurant and provide a one year warranty on the trees, in an amount not to exceed \$25,836.00, increasing the contract amount from \$5,606,910.12 to \$5,632,746.12; and

August 12, 2015

**WHEREAS**, this action will authorize Change Order No. 6 to the contract with RoeschCo Construction, Inc. for additional scope of work to include: new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items for the Trinity Strand Trail Phase I located between Stemmons Freeway and Motor-Farrington Street, in an amount not to exceed \$165,685.55, increasing the contract amount from \$5,632,746.12 to \$5,798,431.67.

**Now, Therefore,**

**BE IT RESOLVED BY THE PARK AND RECREATION BOARD AND THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to execute Change Order No. 6 to the contract with RoeschCo Construction, Inc. in an amount not to exceed \$165,685.55, from \$5,632,746.12 to \$5,798,431.67 for additional scope of work to include: new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items for the Trinity Strand Trail Phase I located between Stemmons Freeway and Motor-Farrington Street.

**SECTION 2.** That the Chief Financial Officer is hereby authorized to pay the amount of \$165,685.55 to RoeschCo Construction, Inc., as follows:

Trinity Strand Trail Grant Fund Fund S205, Department PKR, Unit T304, Object 4599 Activity HIBT, Program PKSTRAND, CT-PKR12019341 Commodity 91200, Vendor VS0000057213	\$128,067.89
(2006) Park and Recreation Facilities Improvement Fund Fund BT00, Department PKR, Unit T304, Object 4599 Activity HIBT, Program PKSTRAND, CT-PKR12019341 Commodity 91200, Vendor VS0000057213	<u>\$37,617.66</u>
Total amount not to exceed	\$165,685.55

**SECTION 3.** 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.



## **BUSINESS INCLUSION AND DEVELOPMENT PLAN SUMMARY**

**PROJECT:** Authorize an increase in the contract with RoeschCo Construction, Inc. for additional scope of work to include: new trees, irrigation, signs, pipes, wood bollards and other miscellaneous items for the Trinity Strand Trail Phase I located between Stemmons Freeway and Motor-Farrington Street - Not to exceed \$165,686, from \$5,632,746 to \$5,798,432 - Financing: Texas Department of Transportation Grant Funds (\$128,068) and 2006 Bond Funds (\$37,618)

RoeschCo Construction, Inc. is a non-local, minority firm, has signed the "Business Inclusion & Development" documentation, and proposes to use the following sub-contractor.

**PROJECT CATEGORY:** Construction

### LOCAL/NON-LOCAL CONTRACT SUMMARY - THIS ACTION ONLY

	<u>Amount</u>	<u>Percent</u>
Local contracts	\$9,875.00	5.96%
Non-local contracts	\$155,810.55	94.04%
<b>TOTAL THIS ACTION</b>	<b>\$165,685.55</b>	<b>100.00%</b>

### LOCAL/NON-LOCAL M/WBE PARTICIPATION THIS ACTION

#### Local Contractors / Sub-Contractors

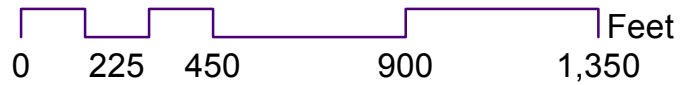
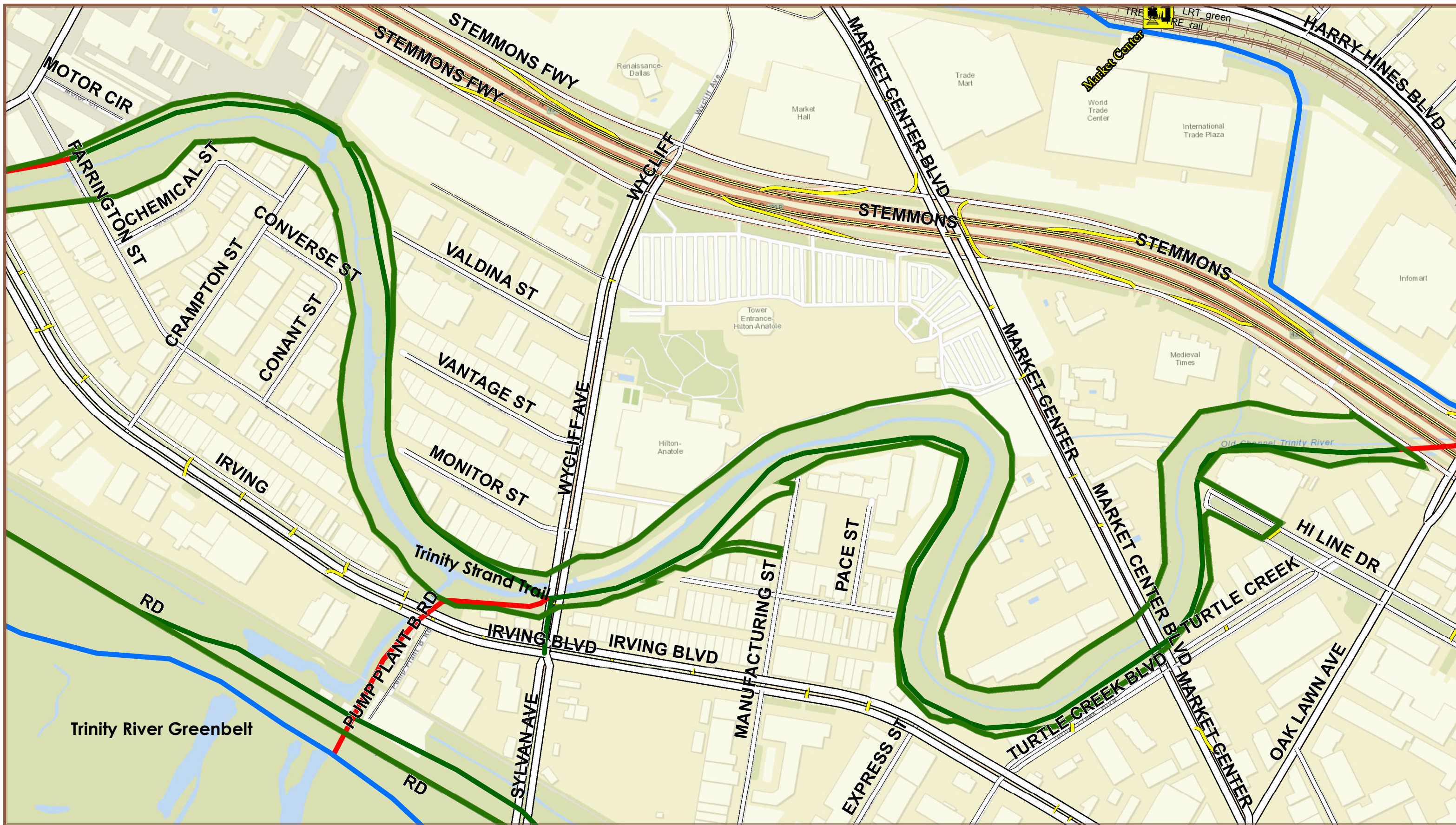
None

#### Non-Local Contractors / Sub-Contractors

<u>Non-local</u>	<u>Certification</u>	<u>Amount</u>	<u>Percent</u>
RoeschCo Construction, Inc.	WFWB61300N0416	\$26,612.55	17.08%
<b>Total Minority - Non-local</b>		<b>\$26,612.55</b>	<b>17.08%</b>

### TOTAL M/WBE PARTICIPATION

	<u>This Action</u>		<u>Participation to Date</u>	
	<u>Amount</u>	<u>Percent</u>	<u>Amount</u>	<u>Percent</u>
African American	\$0.00	0.00%	\$0.00	0.00%
Hispanic American	\$0.00	0.00%	\$1,545,679.00	26.66%
Asian American	\$0.00	0.00%	\$0.00	0.00%
Native American	\$0.00	0.00%	\$0.00	0.00%
WBE	\$26,612.55	16.06%	\$1,229,829.35	21.21%
<b>Total</b>	<b>\$26,612.55</b>	<b>16.06%</b>	<b>\$2,775,508.35</b>	<b>47.87%</b>



## Trinity Strand Trail (Stemmons to Motor-Farrington)

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June 18, 2015