

RESOLUTION NO. 19-2010

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, APPROVING THE RECOMMENDED ALIGNMENT OF THE PROPOSED DALLAS WATER UTILITIES WATER TRANSMISSION PIPELINE WITHIN THE CITY OF MESQUITE, TEXAS.

WHEREAS, the City of Dallas, Dallas Water Utilities (DWU), has identified the need for a new water transmission pipeline to maintain service to their existing and future customers in the southern portion of their service area for future population growth and water supply capacity; and

WHEREAS, DWU has retained the services of Halff Associates, an engineering consulting firm, to provide engineering services for the study, design and surveying of the new water transmission pipeline from the City of Dallas Eastside Water Treatment Plant in Sunnyvale to the intersection of JJ Lemon Road and Langdon Road in Hutchins, of which a portion traverses the city limits of Mesquite; and

WHEREAS, the new water transmission pipeline will have a diameter of 120 inches (10 feet) that will generally follow an alignment along Lawson Road from south of IH-20 to Berry Road, along Berry Road to Faithon P. Lucas, Sr., Boulevard, and along Faithon P. Lucas, Sr., Boulevard to the Union Pacific Railroad within the City of Mesquite (as shown on Exhibit "A"); and

WHEREAS, DWU and the City of Mesquite have a history of successful cooperation in the development, implementation, operation and maintenance of regionally significant water projects; and

WHEREAS, DWU agrees to address certain issues and requirements (attached as Exhibit "B") as requested by the City of Mesquite in the interlocal agreement to be subsequently developed; and

WHEREAS, DWU requests the City of Mesquite approve the alignment of the new water transmission pipeline through the City of Mesquite prior to continuing with the development of the project.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

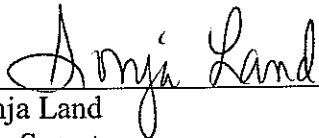
SECTION 1. That the City Council of the City of Mesquite, Texas, approves the alignment of the new water transmission pipeline through the City of Mesquite as indicated in Exhibit "A" and conditioned in Exhibit "B."

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 17th day of May, 2010.




John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney

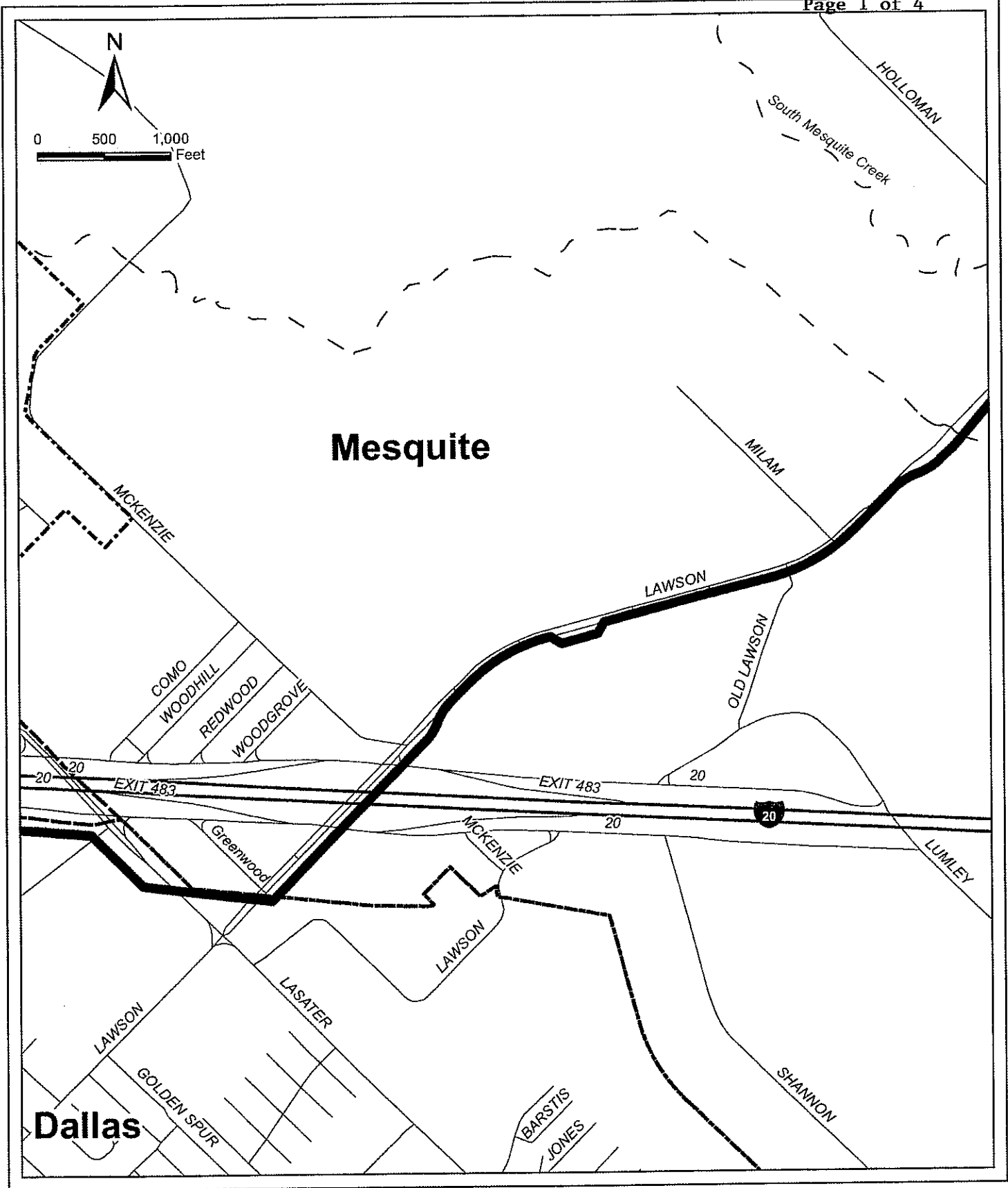
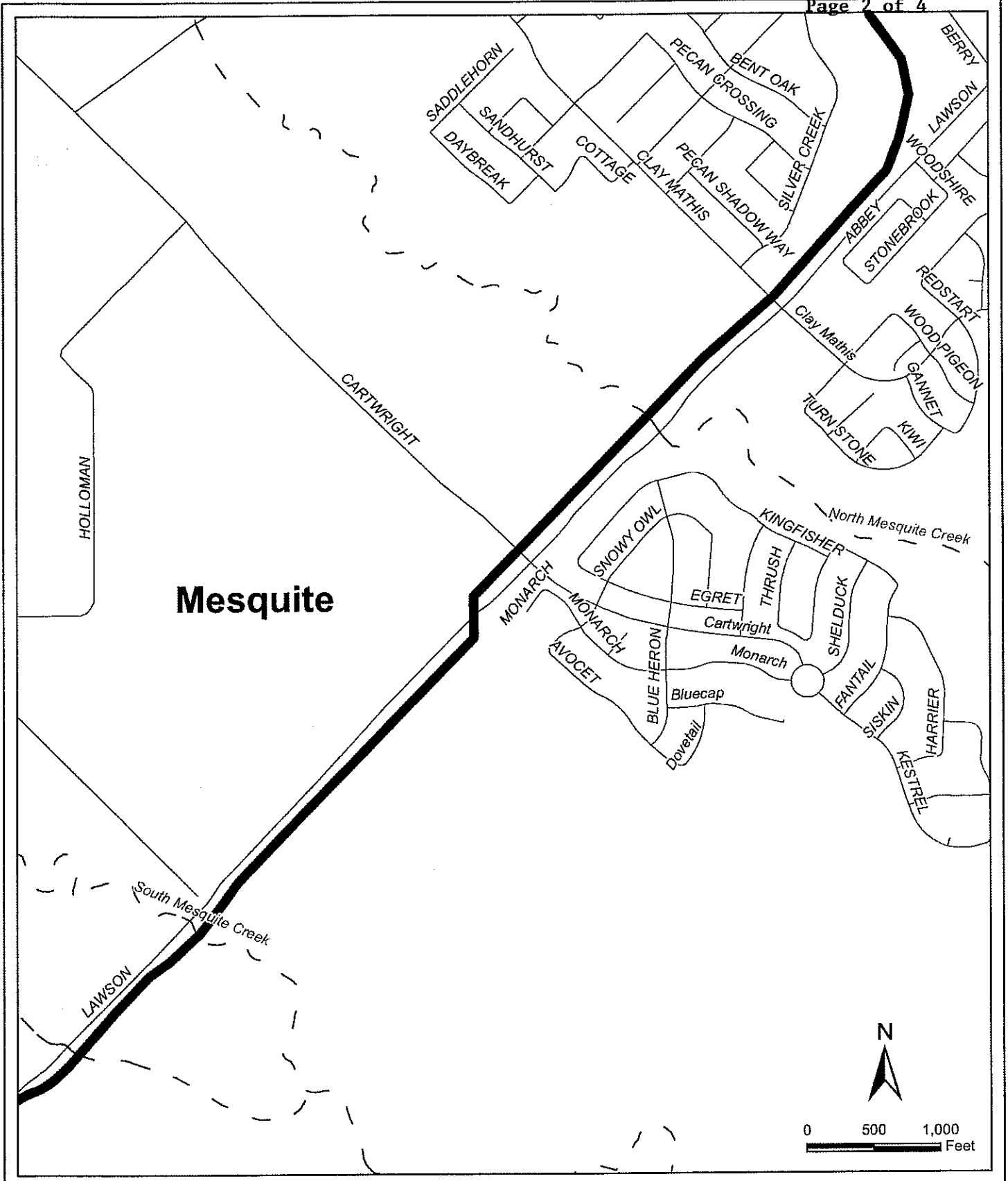


Exhibit A (Page 1 of 4):
**Dallas Water Utilities Southwest 120-inch
Water Transmission Pipeline Project**

May 7, 2010

LEGEND

- City Limit Line
- Roadway
- + Railroad
- Stream
- Proposed Waterline
- Pipeline Alignment



Mesquite

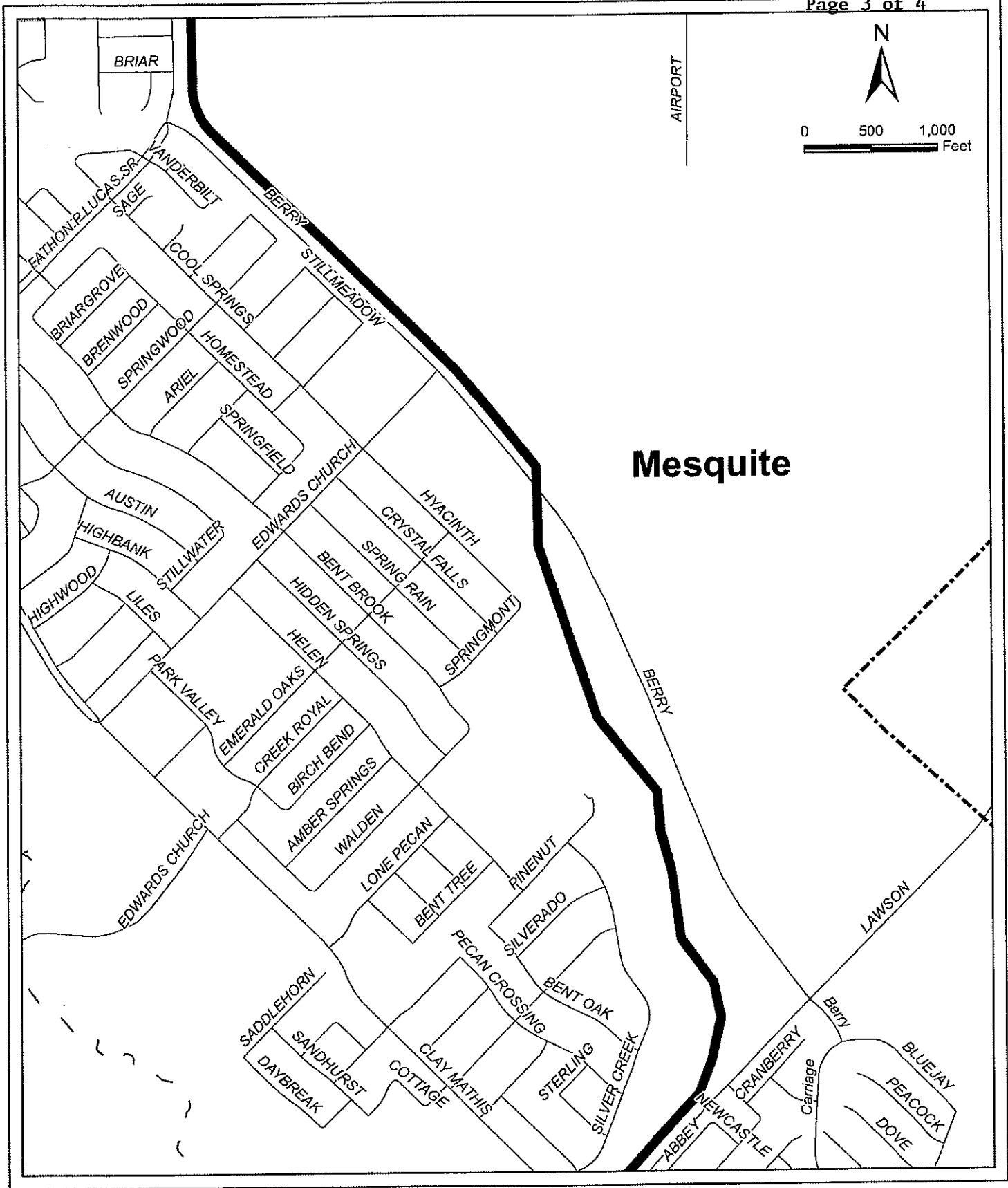


Exhibit A (Page 2 of 4):
**Dallas Water Utilities Southwest 120-inch
 Water Transmission Pipeline Project**

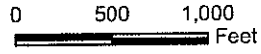
May 7, 2010

LEGEND

- City Limit Line
- Roadway
- Railroad
- Stream
- Proposed Waterline
- Pipeline Alignment



Mesquite



AIRPORT

BERRY

LAWSON

Berry

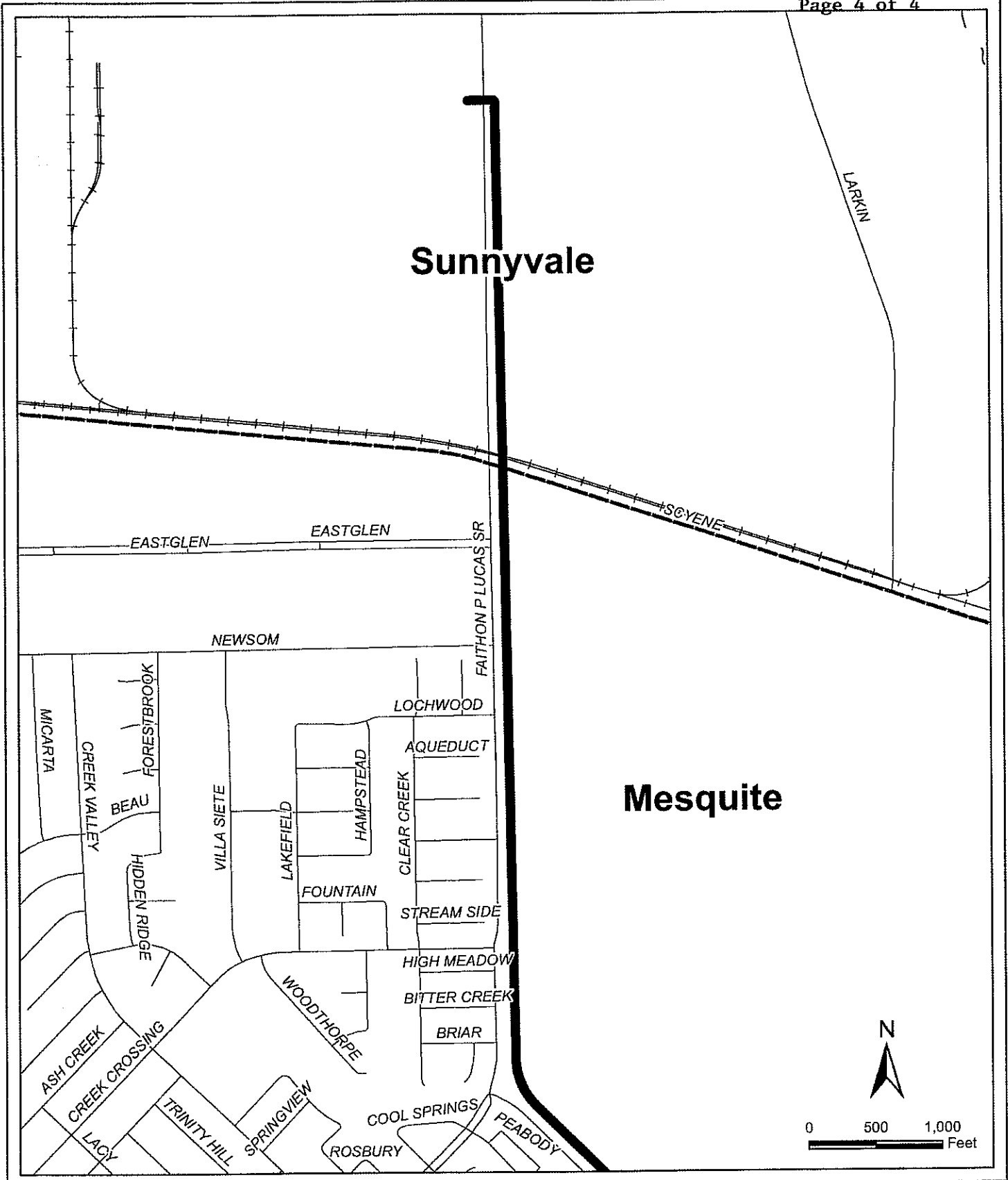
Carriage



Exhibit A (Page 3 of 4):
**Dallas Water Utilities Southwest 120-inch
 Water Transmission Pipeline Project**

May 7, 2010

- LEGEND**
- City Limit Line
 - Roadway
 - + Railroad
 - Stream
 - - - Proposed Waterline
 - Pipeline Alignment



Mesquite

Sunnyvale



Exhibit A (Page 4 of 4):
**Dallas Water Utilities Southwest 120-inch
Water Transmission Pipeline Project**

May 7, 2010

LEGEND

- City Limit Line
- Roadway
- Railroad
- Stream
- Proposed Waterline
- Pipeline Alignment



CITY OF DALLAS

Date: April 8, 2010

To: Jerome J Dittman, P.E,
Assistant Director of Public Works
City of Mesquite
P.O. Box 850137
Mesquite, Texas 75185-0137

Sub: City of Dallas Water Transmission Pipeline Alignment within the City of Mesquite
Request for Formal Alignment Approval

Ref: Mesquite letter to Jo M. Puckett, P.E., dated January 12, 2010
Ref: DWU letter to Matt Holzapfel, P.E. dated December 23, 2009

Dear Mr. Dittman:

We appreciate your time and consideration of our December 23, 2009 request for the City of Mesquite (City) to approve the schematic alignment of a Dallas Water Utilities (DWU) water transmission pipeline within the City. In your letter of January 12, 2010, you explicitly outlined various items that will need to be included in an Interlocal Agreement with the City. DWU agrees to include these items in an Interlocal Agreement as follows:

- DWU agrees to enter into a joint use agreement with the City for the construction and maintenance of hike and bike trails atop, parallel, and across the DWU right-of-way (ROW) at City expense.
- DWU agrees to enter into a joint use agreement with the City for the construction and maintenance of City communications, water, sanitary sewer, and storm drainage lines.
- DWU acknowledges the right of the City to approve the crossing of the DWU ROW with private electric power, fiber optic, communications, and natural gas and cable TV lines.
- DWU agrees to consider accommodation of public joint use agreements, for parallel public utilities, within the first 15 feet of the DWU ROW, on one side of the pipeline ROW, in areas where DWU has acquired 150 feet of right of way.
- DWU acknowledges the right of the City to approve construction of private driveway connections across the DWU ROW.
- DWU agrees to enter into a public joint use agreement with the City for the construction and maintenance of public street connections, at City expense, across the DWU ROW after coordination with by DWU.
- DWU agrees to enter into a public joint use agreement with the City for the construction and maintenance of public (or Mesquite-Owned) landscaping, irrigation, and illumination atop the DWU ROW at City expense after coordination with and concurrence by DWU.

Page 2 - City of Dallas Water Transmission Pipeline Alignment within the City
Request for Formal Alignment Approval

- DWU agrees to identify and codify all DWU clearance requirements in the interlocal agreement.
- DWU agrees to the establishment of a maximum 90 day DWU first review and 30 day subsequent review and approval timeframe to preclude unnecessary delays to public and private projects within the DWU ROW.
- DWU agrees with the requirement for construction projects within the DWU ROW to follow the more stringent construction, notification, dust control, and traffic control requirements of either DWU or the City.
- DWU agrees to maintain or provide for maintenance of the DWU ROW in accordance with the more stringent code requirements of either DWU or the City.

It is understood that:

- As the DWU project develops further, additional issues may arise; both DWU and the City will commit to continue to work together to their mutual benefit.
- Agreements shall be considered final after review and approval by both City of Dallas and City of Mesquite legal representatives and City Councils.

Thank you for your time and consideration regarding this matter. We are requesting the City's written approval of the schematic alignment in order that we may advance the project. You have our commitment that we will continue to work with the City's staff to address all comments and concerns. If you should have any questions regarding this request please call me directly at 214-670-3152.

Sincerely,



Cesar Baptista, P.E., Assistant Director
City of Dallas Water Utilities Department
1500 Marilla Street, Room 4AN
Dallas, Texas 75201

c: Jo M. Puckett, P.E., Director
C. Michael Hines, P.E., Program Manager Pipeline Program
Jackie Culton, P.E., Program Manager Wholesale Services
Erick Steitle, Project Manager Pipeline Program