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**WHEREAS**, the Dallas Floodway Extension (DFE) Project represents a portion of a project that was authorized by Congress for construction in 1965; the Congressional authorization for the project was amended by Section 356 of the Water Resources Development Act of 1999 to include environmental restoration and recreation as project purposes; and,

**WHEREAS**, Congressional language in Section 351 of the Water Resources Development Act of 1996 established that the cost of \$22,200,000 for portions of the City's levee construction compatible with the DFE project will be credited back to the City as part of the project cost sharing during construction; and,

**WHEREAS**, the U.S. Army Corps of Engineers (Corps) produced a Final Environmental Impact Statement (EIS) in February 1999 for the DFE project, which received final approval in December 1999; and,

**WHEREAS**, the DFE project will consist of a Cadillac Heights Levee, Lamar Levee, a Chain of Wetlands, a river realignment at IH-45, environmental restoration features incorporated into the Chain of Wetlands, recreation features that include over 30 miles of joint use maintenance trails, and an environmental mitigation plan that includes preservation of about 1,179 acres of forest, which would augment the establishment of the Great Trinity Forest; and,

**WHEREAS**, the DFE project will restore Standard Project Flood (SPF) protection to the downtown Dallas vicinity and extend this level of protection (800-year) to Cadillac Heights, Lamar area, and Rochester Park; and,

**WHEREAS**, the City and the Corps entered into a Project Cooperation Agreement (PCA) for the DFE on December 12, 2001, by Resolution No. 01-3720; and,

**WHEREAS**, the Corps has received \$84,700,000 to date in federal funds to complete the design and construction of the Lower Chain of Wetlands (in service) and Upper Chain of Wetlands (under construction), ongoing tree and wetlands plantings throughout the mitigation lands, preliminary design of the Lamar Levee and extension of the Rochester Levee and the joint use maintenance trails from IH-20 to Cedar Creek; and,

**WHEREAS**, the Corps has received additional funding for the DFE project to complete construction activities to address current erosion at IH-45 and the Trinity River which compromises the river channel as well as the Lower Chain of Wetlands and joint use maintenance trails that were planned from IH-20 to Cedar Creek near Moore Park in the amount of \$7,000,000; and

**WHEREAS**, the City is required to provide \$6,085,000 as the cost share for these projects; and,

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**WHEREAS**, funding for this cost share has been identified and recommended by the Transportation and Trinity River Corridor Project Committee to be allocated from 1998 Proposition 11 Bond Funds originally from the Elm Fork area, 2003 Bond Program, 2006 Bond Funds, 2012 Bond Program, Storm Drainage Funds and Private Funds; and,

**WHEREAS**, The Trinity Trust, to date, has received \$650,000 to be applied to the City's required match to complete the joint use maintenance trails with the goal that additional private funding that may be provided in the future will replenish the 1998 Bond Program funds; and,

**WHEREAS**, it is now necessary to authorize the acceptance of a donation from the Trinity Trust in the amount of \$650,000 for the joint use maintenance trails, increase appropriations and disburse funds to the Corps for the City's cost share for repair of erosion and other improvements to the channel at IH-45 and the Trinity River near the Lower Chain of Wetlands and complete construction of joint-use maintenance roads and trails from IH-20 to Cedar Creek in the DFE.

**NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**Section 1.** That the City Manager is hereby authorized to accept the donation from The Trinity Trust.

**Section 2.** That the Chief Financial Officer is hereby authorized to receive and deposit funds from The Trinity Trust in an amount not to exceed \$650,000 in the Trinity Trust Foundation - Dallas Floodway Extension Fund, Fund DL04, Dept. TWM, Unit 5804, Act. TTFF, Revenue Source 8411.

**Section 3.** That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$650,000 in the Trinity Trust Foundation - Dallas Floodway Extension Fund, Fund DL04, Dept. TWM, Unit 5804, Obj. 4599.

**Section 4.** The Chief Financial Officer is hereby authorized to disburse funds in accordance with the terms and conditions of the contract from:

Trinity River Corridor Project Fund	
Fund 6P14, Agency TWM, Unit N964, Act. TRPP	
Object 4599, Program #PB98N964, CT PBW12S619K1	
Vendor #352290, in an amount not to exceed	\$2,625,000.00

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Street and Transportation Improvements Fund Fund 5R22, Agency PBW, Unit W024, Act. HIBT Object 4599, Program #PB03W024, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$ 370,000.00
Street and Transportation Improvements Fund Fund 2T22, Agency PBW, Unit S619, Act. HIBT Object 4599, Program #PB12S619, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$ 271,714.61
Street and Transportation Improvement Fund Fund 2U22, Agency PBW, Unit S619, Act. HIBT Object 4599, Program #PB12S619, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$ 88,285.39
Stormwater Drainage Management Capital Construction Fund Fund 0063, Agency SDM, Unit P875, Act. SD01 Object 4599, Program #SDM0004, CT PBW12S619K1 Vendor #352290, in an amount not to exceed	\$2,080,000.00
Trinity Trust Foundation - Dallas Floodway Extension Fund Fund DL04, Agency TWM, Unit 5804, Act. TTFF Object 4599, Program #TWMDL5804, CT PBW12S619K1 Vendor #35229, in an amount not to exceed	<u>\$ 650,000.00</u>
Total amount not to exceed	\$6,085,000.00

**Section 5.** 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.

