City of University Park  
Response to City Hall Comments  
June 24, 2004

**PROCESS**

1. How long has this project been under consideration?

- **March 2000** - Staff proposed hiring an architect to assist in City Hall design.
- **September 2000** - At Council’s request, staff developed a report titled “Space Needs Study” for the current building.
- **October 2000** – At Council’s request, a report outlining “Alternatives for Reducing the Number of Employees at City Hall” was provided.
- **February of 2001** – Contracts with an architect and construction manager were approved to provide design and construction assistance.
- **July 2001** - Council reviewed the proposed design developed by architect.
- **July – August 2001** – Council indicated dissatisfaction with the design for several reasons including:
  - Failure to have all fire operations on one level and to provide space for additional fire equipment.
  - Lack of solution to flooding problems particularly in fire bays.
  - Lack of expansion space in proposed design.
  - Increase in the number of levels in the building created by floor level differences of 1 to 2 feet.
  - Location of Finance and Administration Offices on the 3rd Floor.
- **February 2002** – Council approved looking into drainage improvements for the creek to allow an alternative design for the building.
- **July 2002** – Approved a contract for design of drainage improvements and a revised contact for architectural design.
- **April 2003** – The Army Corps of Engineers issued a 404 Permit for drainage improvements.

2. Has a move of the administrative staff to the Worcola location been considered?

Yes. Council considered this in October of 2000. The Council determined disadvantages in customer convenience and other operational issues outweighed the advantages.

3. Has the use of meeting rooms at other locations been considered?
Yes. Facilities at the Peek Center, SMU and other area institutions are utilized from time to time for training classes and other events. Additional meeting space in City Hall is primarily geared toward smaller conference rooms and workspaces.

4. **Why is the city moving the opposite direction of other cities who are adding green space and preserving historic buildings?**

The City disagrees with this question. Since 1990 the City has added over 160,000 SF (3.69 acres) of park space. It includes:

- **NCE Linear Park** - 126,907 SF (2.913 Acres)
- **Elena’s Park** - 13,076 SF (0.300 Acres)
- **Pocket Park** (NW Corner) @ Lovers Lane & Hillcrest, 7,938 SF (0.182 Acres)
- **Pocket Park** (NE Corner) @ Lovers Lane & Hillcrest, 9,975 SF (0.229 Acres)

5. **Could the City provide insurance agents who will reduce insurance premiums by 10 percent?**

- Information regarding potential insurance savings was initially provided by the Texas Department of Insurance. [CLICK HERE](#)
- Scott Ragland of Ragland, Strother & LaFitte provided quotes from Chubb and Travelers Insurance Companies.
- Frank Swingle of Swingle, Collins & Associates also responded at the City Council Meeting on June 18th.

6. **Will there be sufficient space for future needs?**

Yes. One of the reasons for the rejection of the initial design by the Council was lack of expansion space.

**CONSTRUCTION**

7. **Does the Army Corps of Engineers know of opposition by the neighborhood?**

On December 23, 2002, the Corps sent a notice of the project to all property owners abutting the creek (both the East and West branches) from McFarlin north to Vassar. It included project plans and a list of residents and agencies receiving copies. The notice and list is attached. [CLICK HERE](#) Two residents responded; both of which were supportive of the project as proposed by the City.
8. Where can I get a copy of the Environmental Impact Statement?

The Corps of Engineers was the controlling governmental agency. A copy of their public notice is attached. Page 2 of the notice contains the following statement.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U.S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive orders. Our evaluation will also follow the guidelines published by the U.S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact, of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable determinants. All factors which may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

9. Will the renovation cause a flooding problem?

No. Three professional engineers concurred that construction of the proposed box culvert along the east side of Goar Park will improve drainage and reduce the 100-year Flood Plain. A concern was expressed about possible blockage of the box culvert during a rainfall event, which would cause upstream flooding. The proposed box culvert is actually much larger than the existing conduits under University Blvd and would therefore pose less of a threat for potential blockage than current conditions. The City’s consulting engineer’s letter is attached. CLICK HERE

10. How long will Goar Park be closed?

It will not be closed. The park, soccer fields and gazebo will be usable during construction.

11. How will the box culvert affect the stagnancy of the creek water?
It will not. Construction of the box culvert will not have any impact on the water quality between University Blvd and Vassar. Water will continue to be impounded north of McFarlin (to Vassar) like it is now.

12. How many trees will be lost?

Eleven trees will be removed. See the attached map for details. CLICK HERE

13. Has the City considered shortening the box culvert?

The box culvert can be constructed to whatever limit the City Council chooses.

14. If City employees park on the street now even though they have a parking lot, how will the proposed parking lot change anything?

Presently there are not enough off site spaces for all employees in the lot. If sufficient spaces are provided, staff will be directed to park in the spaces.

FINANCE

15. Why was the use of municipal bonds rejected?

- First Southwest Company, the City’s financial advisor and one of the largest financial advisors in the country, recommends that the City not issue debt for this project—even though First Southwest makes its living on fees from debt issuance.
- Issuance of 20-year municipal bonds would result in interest expense of $6-9 million dollars on a $12 million project. This expense can be avoided entirely by financing the project without debt.
- The City budgets each year to pay for capital projects on a pay-as-you-go basis. Through this method, monies are invested and earn interest until they are paid out for projects.
- Flexibility is increased because funds gathered for one project may be diverted to another if the City Council chooses to do so. Issuing bonds commits the City to a series of debt service payments that cannot be altered until repaid or refunded.

POLICE OPERATIONS
16. Could the police department move to the Worcola location?

- Moving the police department from City Hall is contrary to providing a centrally located police facility for citizens of the community and the philosophy of community oriented policing.
- Dallas and other larger cities have all placed sub-stations in strategically located areas of their cities in order to locate officers closer to the population they serve.
- Such a move would also create issues of jurisdiction in our own police department, as the officers of the University Park Police Department have no jurisdictional authority in the City of Dallas and therefore would have no jurisdictional authority in its own police headquarters.

17. Could police records be commercially stored?

- The City currently stores some of its records off-site at the Peek Service Center.
- Close proximity to the police records clerk is the purpose for a records storage room.
- These records are accessed on a regular basis and off site storage would defeat the purpose of the adjacent storage. The third floor is currently used because there is not space for records storage on the second floor.

FIRE OPERATIONS

18. Has the city considered moving the fire department into a separate facility or building a substation?

- Yes.
- Either option would require acquisition of half to a full acre of land. This would likely involve condemnation and would cost $1.5 to $2.5 million.
- The construction of a facility would cost $1.5-3 million.
- The continued use of fire facilities at City Hall still requires addressing the flooding problem in the existing fire bays.
Fax Cover Sheet

US Army Corps of Engineers
Fort Worth District

Number of pages including cover sheet: 1)

Date: January 8, 2003

From: Ken Laterza
Phone: (817) 885-1735
Fax: (817) 885-6493
e-mail: Ken.Laterza@sw02.usace.army.mil

U.S. Army Corps of Engineers
Regulatory Branch, CESWF-PER-R
P.O. Box 17300
819 Taylor Street
Fort Worth, Texas 76102-0300

To: Rudi Reinecke Fax Number 972-422-2738
Re: Public Notice USACE Project No. 200200561

Notes:
Rudi,

Attached is a copy of the mailing list for the above-referenced project. Please contact me if you have any questions.

Sincerely,

Ken Laterza
<table>
<thead>
<tr>
<th>Name</th>
<th>Address Details</th>
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<tbody>
<tr>
<td>Juanita M. Belvutt</td>
<td>3717 University Blvd, Dallas, TX 75205-1708</td>
</tr>
<tr>
<td>Thomas W. Lupe III &amp; Phoebe M. Lupe</td>
<td>3701 Haynie Ave, Dallas, TX 75205-1205</td>
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<tr>
<td>Timothy M. Hutchabue &amp; Anne O. Hutchabue</td>
<td>3705 Haynie Ave, Dallas, TX 75205-1205</td>
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<tr>
<td>William G. Thompson &amp; Susan K. Thompson</td>
<td>3709 Haynie Ave, Dallas, TX 75205-1205</td>
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<tr>
<td>Patricia Pettigo Leavelle</td>
<td>3217 Haynie Ave, Dallas, TX 75205-1205</td>
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<tr>
<td>Anne E. Solley</td>
<td>3723 Haynie Ave, Dallas, TX 75205-1205</td>
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<tr>
<td>Highland Park Presbyterian</td>
<td>3221 University Blvd, Dallas, TX 75205-1710</td>
</tr>
<tr>
<td>R. Brooks Reed &amp; Sherry K. Reed</td>
<td>3106 (University Blvd)</td>
</tr>
<tr>
<td>Robert B. Cullum Jr. &amp; Elna M. Cullum</td>
<td>6600 Turtle Creek Blvd, Dallas, TX 75205-1245</td>
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<tr>
<td>Richard H. Brown and Christine D. Brown</td>
<td>5400 Legacy Dr, Plano, TX 75024-3105</td>
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<tr>
<td>Margaret Moore Solopron</td>
<td>8000 Vassar Ave, Dallas, TX 75205-1271</td>
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*Peep Caswell*
Public Notice

Applicant: City of University Park, Texas

Permit Application No.: 20000561

Date: December 21, 2002

The purpose of this public notice is to inform you of a proposal for work in which you might be interested. It is also to solicit your comments and information to better enable us to make a reasonable decision on factors affecting the public interest. We hope you will participate in this process.

Regulatory Program

Since its early history, the U.S. Army Corps of Engineers has played an important role in the development of the nation's water resources. Originally, this involved construction of harbor fortifications and coastal defenses. Later duties included the improvement of waterways to provide avenues of commerce. An important part of our mission today is the protection of the nation's waterways through the administration of the U.S. Army Corps of Engineers Regulatory Program.

Section 10

The U.S. Army Corps of Engineers is directed by Congress under Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 409) to regulate all work or structures in or affecting the course, condition or capacity of navigable waters of the United States. The intent of this law is to protect the navigable capacity of waters important to interstate commerce.

Section 404

The U.S. Army Corps of Engineers is directed by Congress under Section 404 of the Clean Water Act (33 U.S.C. 1344) to regulate the discharge of dredged and fill material into all waters of the United States, including wetlands. The intent of the law is to protect the nation's waters from the indiscriminate discharge of material capable of causing pollution and to restore and maintain their chemical, physical and biological integrity.

Contact

Name: Ken Luster
Phone Number: (214) 466-1735
JOINT PUBLIC NOTICE

U.S. ARMY CORPS OF ENGINEERS, FORT WORTH DISTRICT

AND

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY

SUBJECT: Application for a Department of the Army Permit under Section 404 of the Clean Water Act (CWA) and for water quality certification under Section 401 of the CWA to discharge dredged and fill material into waters of the United States associated with the construction of additions to the University Park City Hall in University Park, Dallas County, Texas.

APPLICANT: City of University Park
Mr. Bud Smallwood
3800 University Boulevard
University Park, Texas 75205

APPLICATION NUMBER: 200200561

DATE ISSUED: December 23, 2002

LOCATION: The proposed improvements to the existing City Hall building would be located at 3800 University Boulevard in University Park, Dallas County, Texas. The proposed project would be located approximately at UTM coordinates 706255.89 East and 3636177.22 North (Zone 14) on the Dallas, Texas 7.5-minute USGS quadrangle map in the USGS Hydrologic Unit 12030100.

OTHER AGENCY AUTHORIZATIONS: State Water Quality Certification

PROJECT DESCRIPTION: The applicant proposes to construct improvements to the existing University Park City Hall Building and associated facilities (Sheets 1-4 of 4). Although some municipal departments have been relocated to other areas of the City, continued growth has rendered the facility inadequate for housing the branches of city government which must remain centrally located within the City. Proposed improvements would include the construction of additional administrative offices and meeting rooms, new living quarters and equipment rooms for the existing University Park fire station, police station and City jail; enhancements to facilities to meet requirements of the Americans with Disabilities Act (ADA); the addition of a computer network and communications facility; and construction of additional parking spaces for City employees and visitors. The proposed project would result in adverse impacts to 0.65 acre of waters of the United States along an impounded segment of Turtle Creek.

Proposed activities include the filling and box-culverting approximately 550 linear feet (0.65 acre) of an impounded segment of Turtle Creek, a water of the United States. This segment of
Turtle Creek is entirely confined by retaining walls and contains no wetland fringe or vegetated riparian corridor and is essentially an on-channel pond that has limited aquatic resource value and provides limited flood control or storage function.

The applicant investigated alternatives for satisfying the need for additional municipal facilities. The applicant considered leasing space in existing business within the City and adjoining cities. The applicant rejected this alternative due to economic issues and University Park Charter requirements that require public hearings and meetings and other similar activities be held within the City limits. Also, limited retail and office locations within University Park would not provide one location with the space necessary to accommodate all city departments. The applicant also investigated the construction of a new City Hall at another location within city limits. The applicant rejected this alternative because limited open space for construction would require the removal of existing residential and commercial facilities and public opposition.

The applicant designed the project to avoid and minimize adverse impacts to waters of the United States to the extent practicable. Opportunities to mitigate unavoidable adverse impacts to waters of the United States were investigated on the project site and at off-site locations. Lack of space at the project locations prohibits on-site mitigation and no suitable locations for off-site mitigation were identified. The applicant has submitted a proposal to compensate for adverse impacts to waters of the United States at a 2:1 ratio by purchasing 1.3 credits from the Trinity River Mitigation Bank. The proposed mitigation would satisfy compensatory mitigation requirements that could not be performed on-site or off-site.

PUBLIC INTEREST REVIEW FACTORS: This application will be reviewed in accordance with 33 CFR 320-331, the Regulatory Program of the U. S. Army Corps of Engineers (USACE), and other pertinent laws, regulations, and executive order. Our evaluation will also follow the guidelines published by the U. S. Environmental Protection Agency pursuant to Section 404(b)(1) of the CWA. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impact of the proposed activity on the public interest. That decision will reflect the national concerns for both protection and utilization of important resources. The benefits which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detractors. All factors which may be relevant to the proposal will be considered, including its cumulative effects. Among the factors addressed are conservation, economic, aesthetic, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people.

The USACE is soliciting comments from the public, federal, state, and local agencies and officials, Indian Tribes, and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the USACE in determining whether to issue, issue with modifications, or conditions, or deny a permit for this
Proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

STATE WATER QUALITY CERTIFICATION: This project incorporates the requirements necessary to comply with the Texas Commission on Environmental Quality’s (TCEQ) Tier 1 project criteria. Tier 1 projects are those which result in a direct impact of three acres or less of waters of the state or 1,500 linear feet of streams (or a combination of the two is below the threshold) for which the applicant has incorporated best management practices (BMPs) and other provisions designed to safeguard water quality. The USACE has received a completed checklist and signed statement fulfilling Tier I criteria for the project. Accordingly, a request for 401 certification is not necessary and there will be no additional TCEQ review.

ENDANGERED AND THREATENED SPECIES: The USACE has reviewed the U.S. Fish and Wildlife Service’s latest published version of endangered and threatened species to determine if any may occur in the project area. The proposed project would be located in a county where the black-capped vireo (Vireo atricapillus), interior least tern (Sterna antillarum), and piping plover (Charadrius melodus) are known to occur or may occur as migrants. The black-capped vireo and interior least tern are endangered species and the piping plover is a threatened species. Our initial review indicates that the proposed work would have no effect on federally-listed endangered or threatened species.

NATIONAL REGISTER OF HISTORIC PLACES: The proposed project would impact a portion of Turtle Creek adjacent to the University Park City Hall. The USACE has concluded that the retaining wall and culvert system associated with the creek are not considered to be eligible for the National Register of Historic Places (NRHP) due to its modern age and lack of structural integrity. Work on Turtle Creek may have an indirect effect on the existing City Hall building. The City Hall building is potentially eligible for inclusion in the NRHP due to unique architecture among government buildings and age in excess of fifty years. Once the design phase of the expansion project and consultation with the Texas Historical Commission is completed, formal coordination under Section 106 of the National Historic Preservation Act to minimize the indirect effect of the work may be warranted.

FLOODPLAIN MANAGEMENT: The USACE is sending a copy of this public notice to the local floodplain administrator. In accordance with 44 CFR part 60 (Flood Plain Management Regulations Criteria for Land Management and Use), the floodplain administrators of participating communities are required to review all proposed development to determine if a floodplain development permit is required and maintain records of such review.
SOLICITATION OF COMMENTS: The public notice is being distributed to all known interested persons in order to assist in developing fact upon which a decision by the USACE may be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition.

PUBLIC HEARING: Prior to the close of the comment period any person may make a written request for a public hearing setting forth the particular reasons for the request. The District Engineer will determine whether the issues raised are substantial and should be considered in his final decision. If a public hearing is warranted, all known interested persons will be notified of the time, date, and location.

CLOSE-OF COMMENT PERIOD: All comments pertaining to this Public Notice must reach this office on or before January 22, 2003, which is the close of the comment period. Extensions of the comment period may be granted for valid reasons provided a written request is received by the limiting date. If no comments are received by that date, it will be considered that there are no objections. Comments and requests for additional information should be submitted to Mr. Ken Laterza, Regulatory Branch, CENWF-PER-R, U. S. Army Corps of Engineers, Post Office Box 17300, Fort Worth, Texas 76162-0300. You may visit the Regulatory Branch in Room 3437 of the Federal Building at 819 Taylor Street in Fort Worth between 8:00 A.M. and 3:30 P.M., Monday through Friday. Telephone inquiries should be directed to (817) 886-1731. Please note that names and addresses of those who submit comments in response to this public notice may be made publicly available.

DISTRICT ENGINEER
FORT WORTH DISTRICT
CORPS OF ENGINEERS
Limits of determination of waters of the United States are indicated as the boundaries of waters of the United States shown.
June 16, 2004

Mr. Bud Smallwood
City of University Park
4420 Worcola
Dallas, Texas 75206

Re: Turtle Creek Hydraulic Model
RLG No: 01317

Dear Mr. Smallwood:

A concern was raised by Mr. Boyd, PE of Nathan D. Maier Consulting Engineers, Inc. that, in his opinion, the proposed box culvert to be built with the City Hall Project would increase flooding upstream of Vassar Avenue. Due to this concern, we retained Mr. Richard Carson, P.E. to conduct an additional review of the Turtle Creek hydraulics. Mr. Carson reviewed the proposed improvements and the hydraulics model prepared by Mr. Mike Boyd, P.E.. After several consultations, Mr. Carson and Mr. Boyd agreed on the assumptions and methodology to be used in analyzing the proposed creek improvements. Based on this agreement, the proposed improvements have been designed to provide “no increase” in the flooding upstream of this project. As stated in a letter from Mr. Carson dated May 7, 2004, the “multiple box culvert will not create an increase in flooding upstream of Vassar Avenue.” Mr. Carson, P.E. provided these results to Mr. Boyd and he has advised him that he concurs with his findings.

I have attached a copy of Mr. Carson’s letter for your files. Should you need and additional information, please let me know

Sincerely,

Stuart A. Markuseen, P.E.
Vice President

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cc: Mr. Bob Livingston - City of University Park
Mr. John Stull