CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM

DEPARTMENT: Department of Transportation

AGENDA DATE: February 11, 2013

CONTACT PERSON NAME AND PHONE NUMBER: Antonio Bustillos, CNU-A, (915)621-6467
bustillosax@elpasotexas.gov

DISTRICT(S) AFFECTED: 2, 4

SUBJECT:
Approve a resolution that the City Manager be authorized to sign a Landscape Maintenance Agreement between the City of El Paso and the State of Texas acting by and through the Texas Department of Transportation, for the installation by the State and the maintenance by the City of landscape improvements for 18 medians on Dyer Street, between US 54 and Hondo Pass Avenue.

BACKGROUND / DISCUSSION:

This ordinance is in response to the Texas Department of Transportation's use of Green Ribbon Funds to build 18 medians on Dyer Street, with the request that the City of El Paso maintain them.

PRIOR COUNCIL ACTION:
N/A

AMOUNT AND SOURCE OF FUNDING:
N/A

BOARD / COMMISSION ACTION:
N/A

**********REQUIRED AUTHORIZATION**********

DEPARTMENT HEAD:

Ted Marquez, Interim Director
Department of Transportation

Information copy to Jane Shang, Deputy City Manager

RESOLUTION

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over the public streets within its corporate limits and authorizes the City to enter into agreements with the State regarding the maintenance, control, supervision, and regulation of State highways within its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State to enter into agreements with cities regarding responsibilities for maintenance, control, supervision, and regulation of State highways within the corporate limits of such cities; and

WHEREAS, the parties desire to enter into an agreement whereby the State shall provide landscape improvements for 18 medians on Dyer Street from the Patriot Freeway (US 54) to Hondo Pass Avenue and the City shall maintain the landscape improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Manager be authorized to sign a Landscape Maintenance Agreement between the City of El Paso and the State of Texas acting by and through the Texas Department of Transportation, for the installation by the State and the maintenance by the City of landscape improvements for 18 medians on Dyer Street, between US 54 and Hondo Pass Avenue.

ADOPTED this _____ day of _____, **2013**.

THE CITY OF EL PASO

_____
John F. Cook
Mayor

ATTEST:

_____
Richarda Duffy Momsen
City Clerk

APPROVED AS TO FORM:

Cynthia Osborn
Assistant City Attorney

APPROVED AS TO CONTENT:

Ted Marquez, P.E., Interim Director
Department of Transportation

Matter # 12-1036-236 PL # 149681
Resolution/TxDOT Landscape Maintenance Agreement
Dyer medians from US 54 to Hondo Pass
COSB

Texas Department of Transportation
Form 2043
(Rev. 04/12)

LANDSCAPE MAINTENANCE AGREEMENT

THE STATE OF TEXAS

THE COUNTY OF TRAVIS

This AGREEMENT made this _____ day of _____, 20___ , by and between the Texas Department of Transportation, hereinafter referred to as the "State," and the City of **El Paso** , **El Paso** County, Texas, acting by and through its duly authorized officers, hereinafter called the "City".

WITNESSETH

WHEREAS, Chapter 311 of the Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter into agreements with the State to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through its corporate limits; and

WHEREAS, Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities; and

WHEREAS, the State and the City have entered into a Municipal Maintenance Agreement dated **March 21, 2006** , **the provisions of which are incorporated herein by reference**, and wherein the City has agreed to retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of the department; and

WHEREAS, the State has existing and proposed landscape improvements, such as, but not limited to, the installation of tree, shrub, and turf plantings, irrigation systems, and other aesthetic elements for areas within the right of way of state highway routes within the City as shown on Attachment "A"; and

WHEREAS, the State will provide such landscape improvements, provided that the City agrees to be responsible for all required maintenance of the landscape improvements.

AGREEMENT

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, it is agreed as follows:

Contract Period

This Agreement becomes effective upon the date of final execution by the State, and shall remain in effect until terminated or modified as hereinafter provided.

Coverage

This agreement prescribes the responsibilities of the State and the City relating to the installation and maintenance of landscape elements on non-controlled access state highways, as defined in the Municipal Maintenance Agreement, and described and graphically shown as "State Maintained and Operated" in that agreement.

Amendment

The parties agree that this agreement may be amended. Such amendments, to be effective, must be in writing and signed by both parties.

State's Responsibilities

The State shall install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents.

City's Responsibilities

The City may install landscape elements including but not limited to trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features through its employees or duly appointed agents. Any installations shall be performed in accordance with Texas Department of Transportation specifications and standards, and must be approved by the State in writing prior to any work being performed.

The City shall maintain all landscape elements within the limits of the right of way including all median and island areas but excluding paved areas intended for vehicular travel. Landscape maintenance shall include but not be limited to plant maintenance, plant replacement, mowing and trimming, hardscape element maintenance, and irrigation system operation and maintenance. All landscape elements must be maintained in a functional and aesthetically pleasing condition.

TERMINATION

It is understood and agreed between the parties hereto that should either party fail to properly fulfill its obligations as herein outlined, the other party may terminate this agreement upon thirty days written notice. Additionally, this agreement may be terminated by mutual agreement and consent of both parties.

Should the City terminate this agreement, as prescribed here above, the City shall, at the option of the State, reimburse any reasonable costs incurred by the State.

IN WITNESS WHEREOF, the parties have hereunto affixed their signatures, the City of El Paso on the _____ day of _____, year _____, and the Texas Department of Transportation, on the _____ day of _____, year _____.

ATTEST:

_____

CITY OF El Paso

By _____
(Title of Signing Official)

Approved as to Form:
Cynthia Osborne
Assistant City Attorney

Approved as to Content:
Ted Marquez, Interim Director
Department of Transportation

Attachments

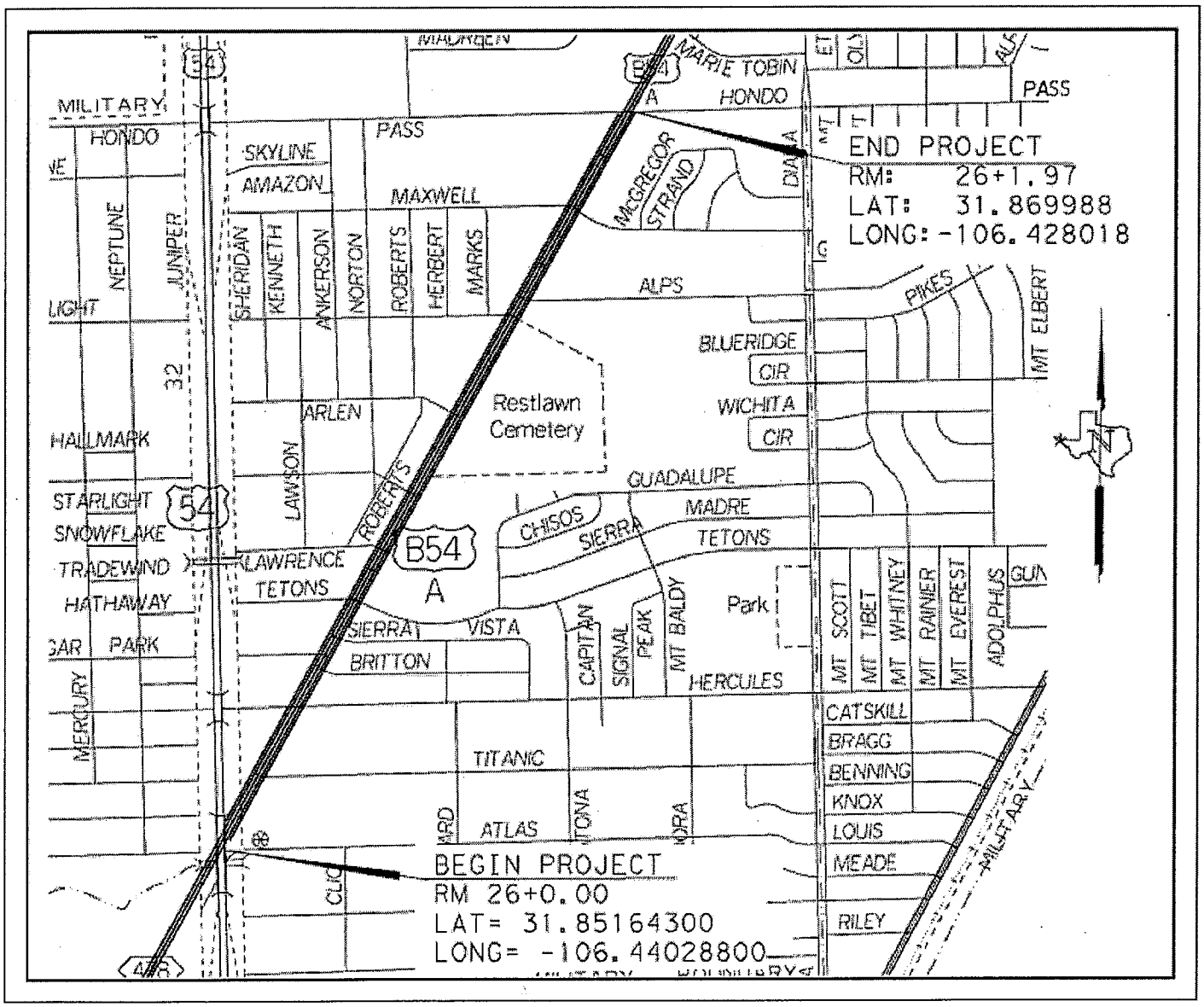
THE STATE OF TEXAS

Executed for the Executive Director and approved for the Texas Transportation Commission for the purpose and effect of activating and/or carrying out the orders, and the established policies or work programs heretofore approved and authorized by the Texas Transportation Commission.

By _____
District Engineer

El Paso
District

ATTACHMENT A
LOCATION MAP SHOWING PROJECT
On Dyer Street (BU-54)
From
Patriot Freeway (US 54)
To
Hondo Pass Avenue



BU-54A
MAP "A"

ATTACHMENT A (CON'T)

Scope of Work

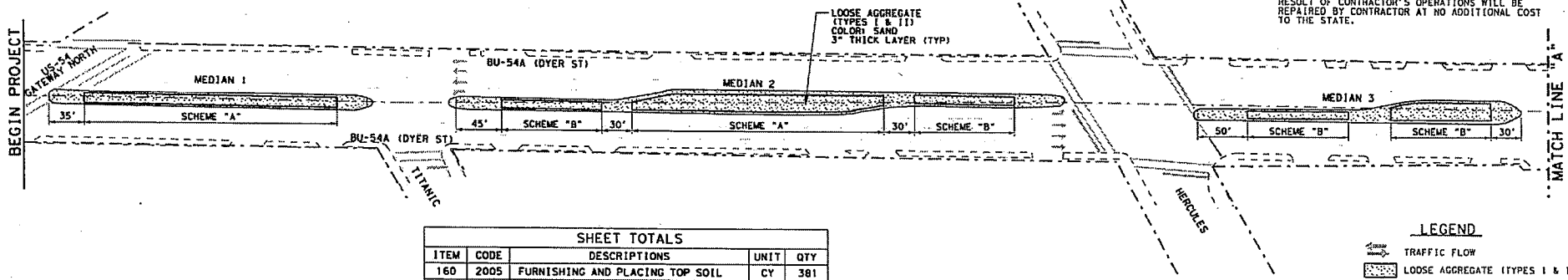
The City will maintain 18 landscaped medians with an irrigation system, loose aggregate for groundcover, weed barrier, and plant vegetation between RM 26 and RM 26+1.97 of BU-54 (**from Patriot Freeway to Hondo Pass Avenue**) as per project specification Item 193 (Landscape Establishment) after final acceptance by the State from its contractor(s).

ATTACHMENT A (CON'T)

Plan Sheets

NOTES:

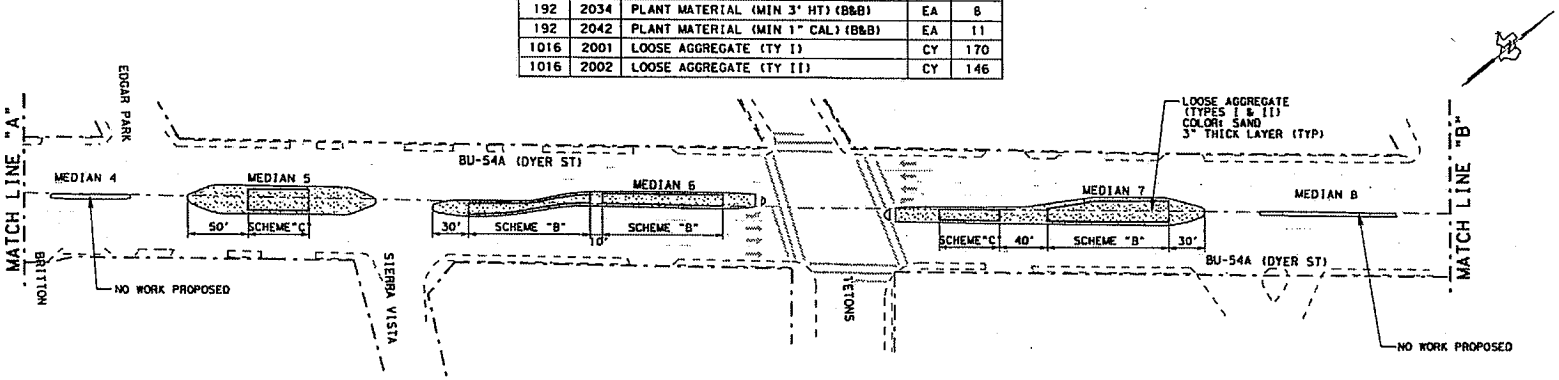
1. STAKE AND LOCATE TREES AT THE SITE ACCORDING TO THE DIMENSIONS GIVEN. NOTIFY ENGINEER TO REVIEW SITE AND MAKE ANY ADJUSTMENTS DEEMED NECESSARY FOR CLEAR-ZONE SETBACKS AND SIGHT DISTANCES.
2. REFER TO "PLANT SCHEME LAYOUT" SHEET FOR PLANT TYPES AND LAYOUT.
3. FOR LOOSE AGGREGATE DETAILS REFER TO "MISCELLANEOUS DETAILS" SHEET AND GENERAL NOTES.
4. PERFORM PLANT BED PREPARATION AND PLACE TOP SOIL AT PLANT SCHEMES LOCATIONS. REFER TO "PLANTING DETAILS" SHEET FOR ADDITIONAL INFORMATION.
5. EXERCISE CARE WHEN OPERATING MACHINERY. DAMAGE INCURRED TO EXISTING STRUCTURES AS A RESULT OF CONTRACTOR'S OPERATIONS WILL BE REPAIRED BY CONTRACTOR AT NO ADDITIONAL COST TO THE STATE.



SHEET TOTALS				
ITEM	CODE	DESCRIPTIONS	UNIT	QTY
160	2005	FURNISHING AND PLACING TOP SOIL	CY	381
161	2011	GENERAL USE COMPOST (1")	SY	1981
192	2002	PLANT MATERIAL (1 GAL)	EA	94
192	2014	PLANT SOIL MIX	CY	110
192	2016	PLANT BED PREPARATION	SY	1981
192	2017	VEGETATION BARRIER	SY	3367
192	2023	PLANT MATERIAL (15 GAL) (TREE)	EA	8
192	2031	PLANT MATERIAL (5 GAL) (SHRUB)	EA	144
192	2033	PLANT MATERIAL (15 GAL) (SHRUB)	EA	14
192	2034	PLANT MATERIAL (MIN 3' HT) (B&B)	EA	8
192	2042	PLANT MATERIAL (MIN 1" CAL) (B&B)	EA	11
1016	2001	LOOSE AGGREGATE (TY I)	CY	170
1016	2002	LOOSE AGGREGATE (TY II)	CY	146

LEGEND

- TRAFFIC FLOW
- LOOSE AGGREGATE (TYPES I & II)
- PLANTER BED



STATE OF TEXAS
ARLENE FRESQUEZ
106510
LICENSED
PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
4/12/2012

BU-54A
(DYER ST)
LANDSCAPE

VEGETATION LAYOUT

SHEET 1 OF 3 SCALE: 1"= 100' (HORIZ)

Texas Department of Transportation
© 2012

$FILEABBREV$

CSJ: RB: DIST.			SHEET NO.
6			28
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONTROL	SECTION	JOB	HIGHWAY NO.
0924	06	426	VARIOUS

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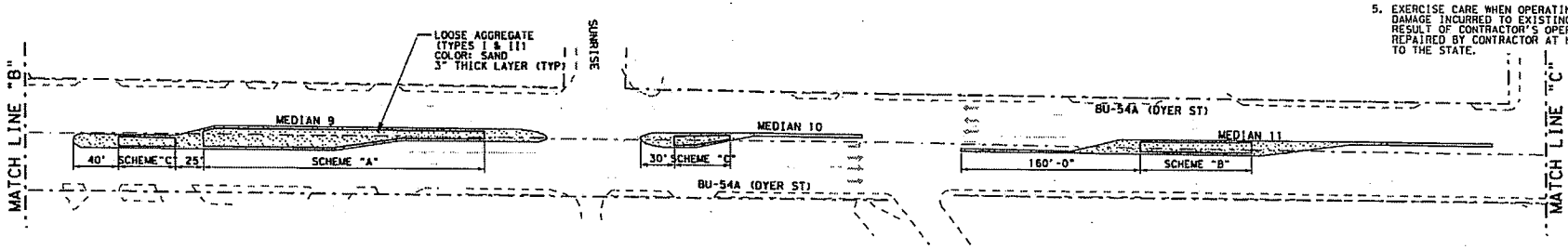
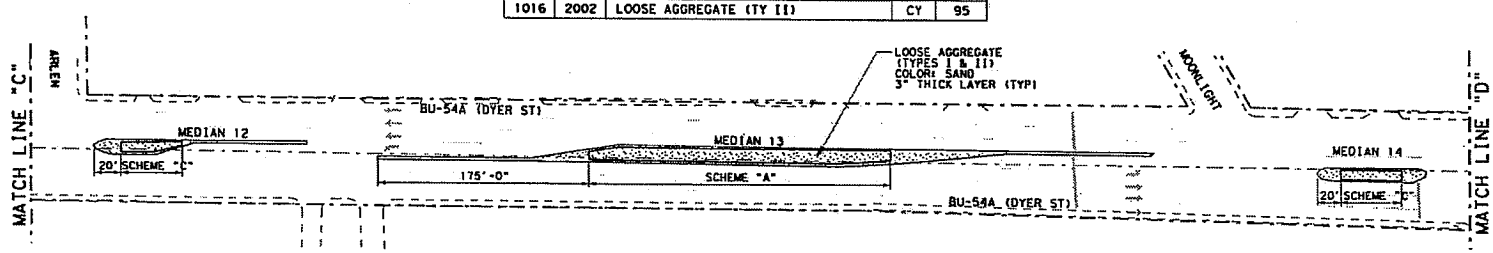


SHEET TOTALS				
ITEM	CODE	DESCRIPTIONS	UNIT	QTY
160	2005	FURNISHING AND PLACING TOP SOIL	CY	285
161	2011	GENERAL USE COMPOST (1")	SY	1079
192	2002	PLANT MATERIAL (1 GAL)	EA	44
192	2014	PLANT SOIL MIX	CY	60
192	2016	PLANT BED PREPARATION	SY	1079
192	2017	VEGETATION BARRIER	SY	1788
192	2023	PLANT MATERIAL (15 GAL) (TREE)	EA	2
192	2031	PLANT MATERIAL (5 GAL) (SHRUB)	EA	80
192	2033	PLANT MATERIAL (15 GAL) (SHRUB)	EA	8
192	2034	PLANT MATERIAL (MIN 3' HT) (B&B)	EA	12
192	2042	PLANT MATERIAL (MIN 1" CAL) (B&B)	EA	5
1016	2001	LOOSE AGGREGATE (TY I)	CY	75
1016	2002	LOOSE AGGREGATE (TY II)	CY	95

LEGEND

- TRAFFIC FLOW
- LOOSE AGGREGATE (TYPES I & II)
- PLANTER BED



STATE OF TEXAS
ARLENE FRESQUEZ
106510
LICENSED
PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
4/12/2012

BU-54A
(DYER ST)
LANDSCAPE

VEGETATION LAYOUT

SHEET 2 OF 3 SCALE: 1"= 100' (HORIZ)

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FILEABBREV

DIST.		SHEET NO.
6		29

STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONTROL	SECTION	JOB	HIGHWAY NO.
0924	06	426	VARIOUS

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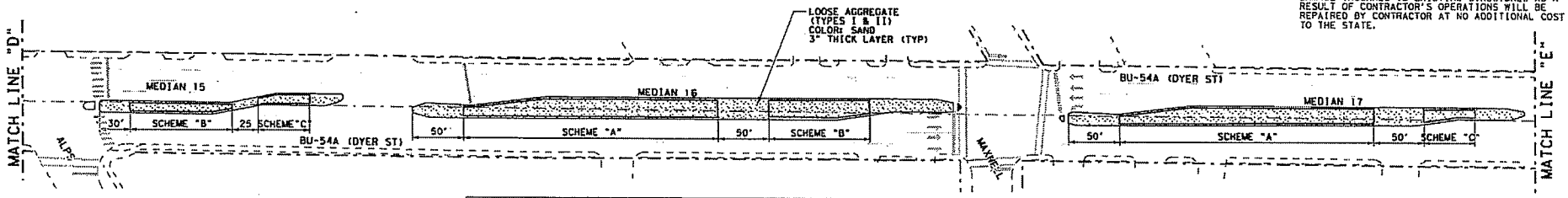

SHEET TOTALS				
ITEM	CODE	DESCRIPTIONS	UNIT	QTY
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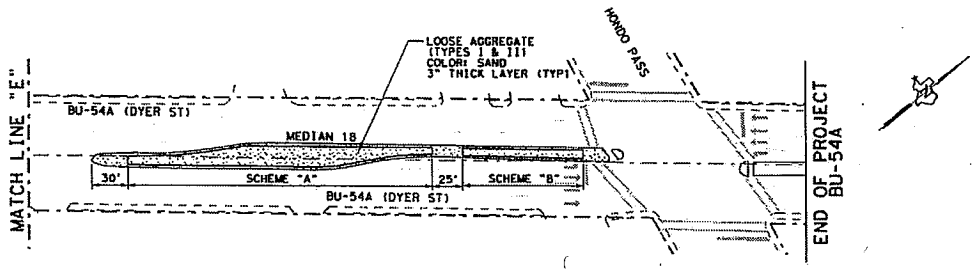
161	2011	GENERAL USE COMPOST (1")	SY	1783
192	2002	PLANT MATERIAL (1 GAL)	EA	61
192	2014	PLANT SOIL MIX	CY	99
192	2016	PLANT BED PREPARATION	SY	1783
192	2017	VEGETATION BARRIER	SY	2788
192	2023	PLANT MATERIAL (15 GAL) (TREE)	EA	6
192	2031	PLANT MATERIAL (5 GAL) (SHRUB)	EA	122
192	2033	PLANT MATERIAL (15 GAL) (SHRUB)	EA	12
192	2034	PLANT MATERIAL (MIN 3' HT) (B&B)	EA	10
192	2042	PLANT MATERIAL (MIN 1" CAL) (B&B)	EA	9
1016	2001	LOOSE AGGREGATE (TY I)	CY	140
1016	2002	LOOSE AGGREGATE (TY II)	CY	121

LEGEND

- TRAFFIC FLOW
- LOOSE AGGREGATE (TYPES I & II)
- PLANTER BED



STATE OF TEXAS
ARLENE FRESQUEZ
106510
LICENSED PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
4/12/2012

BU-54A
(DYER ST)
LANDSCAPE

VEGETATION LAYOUT

SHEET 3 OF 3 SCALE: 1"=100 ' (HORIZ)

Texas Department of Transportation
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FED. RD. DIV. NO.			SHEET NO.
6			30
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONTROL	SECTION	JOB	HIGHWAY NO.
0924	06	426	VARIOUS

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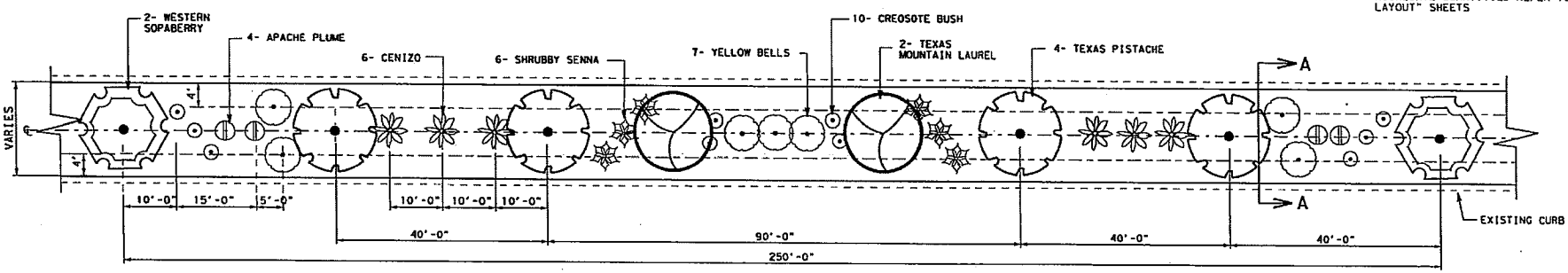
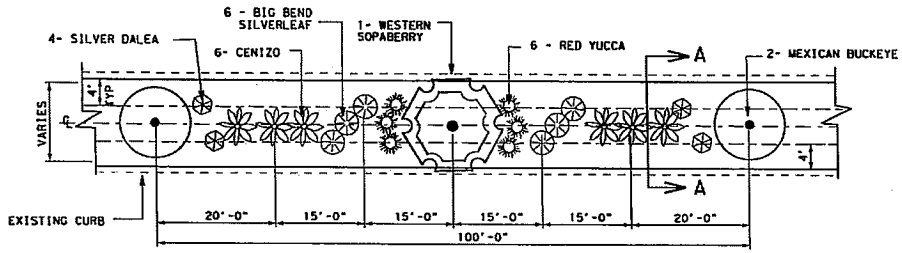
NOTES:

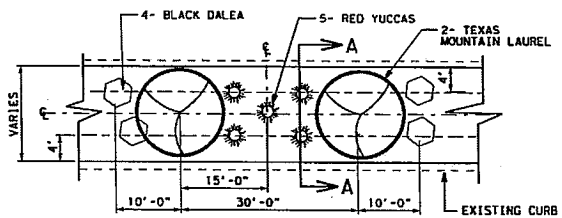
1. SCHEME DIMENSIONS MAY BE ADJUSTED TO FIT FIELD CONDITIONS OR EXISTING STRUCTURES AND SIGNS.
2. FOR SCHEME LOCATIONS, PLANT AND LOOSE AGGREGATE QUANTITIES REFER TO "VEGETATION LAYOUT" SHEETS



PLANT SCHEME TYPE "A"
NTS



PLANT SCHEME TYPE "B"
NTS



PLANT SCHEME TYPE "C"
NTS

LEGEND	
	SILVER DALEA
	BLACK DALEA
	CENIZO
	RED YUCCA
	APACHE PLUME
	CREOSOTE BUSH
	BIGBEND SILVERLEAF
	SHRUBBY SENNA
	YELLOW BELLS
	MEXICAN BUCKEYE
	TEXAS MOUNTAIN LAUREL
	WESTERN SOAPBERRY
	TEXAS PISTACHE

STATE OF TEXAS
ARLENE FRESQUEZ
106510
LICENSED
PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
4/12/2012

BU-54A
(DYER ST)
LANDSCAPE

PLANT SCHEME LAYOUT

SHEET 1 OF 1 SCALE: 1" = NOT TO SCALE

Texas Department of Transportation
© 2012

#FILEABBREV#

FED. RD. DIST. NO.	PROJECT AID No.	SHEET NO.
6	STP 2012(582)	34

STATE	DIST.	COUNTY
TEXAS	ELP	EL PASO

CONTROL	SECTION	JOB	HIGHWAY NO.
0924	06	426	VARIOUS

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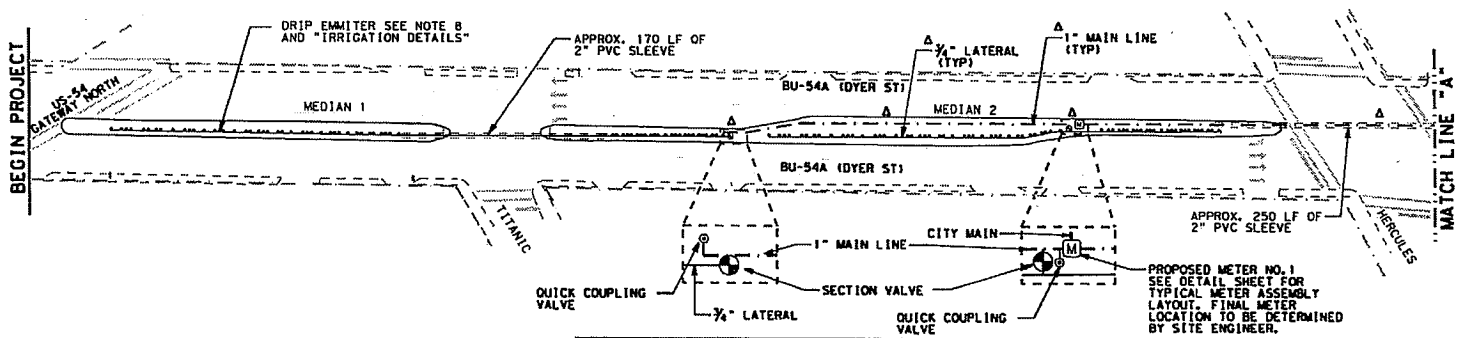
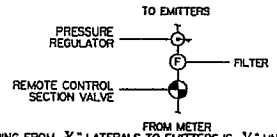


NOTES:

1. LOCATION SHOWN FOR CONTROLLERS ARE APPROXIMATE AND MAY BE ADJUSTED AT THE SITE WITH APPROVAL OF THE ENGINEER AND RECORDED ON THE AS-BUILT DRAWING.
2. LOCATE QUICK-COUPLING VALVES IN SEPARATE BOXES FROM SECTION VALVES.
3. LOCATION SHOWN FOR NEW TAPS AND METERS ARE APPROXIMATE AND MAY BE ADJUSTED AT THE SITE BY THE ENGINEER.
4. THERE ARE UNDERGROUND UTILITIES IN THE AREA. VERIFY LOCATIONS OF ALL UTILITIES WITH THE CONTROLLING AUTHORITIES PRIOR TO ANY EXCAVATION.
5. Δ ALL MAIN LINES WILL BE 1" PIPE SIZE. ALL LATERAL LINES WILL BE ¾" PIPE SIZE.
6. EACH SECTION SHALL INCLUDE THE FOLLOWING DRIP ASSEMBLY:



7. Δ PIPING FROM ¾" LATERALS TO EMITTERS IS ⅜" UNLESS OTHERWISE NOTED.
8. THE IRRIGATION SYSTEM SHALL BE OPERABLE TO THE QUICK-COUPLING VALVES BEFORE ANY PLANTS MAY BE DELIVERED TO THE SITE. EACH DRIP EMITTER DOT IS NOT REPRESENTATIVE OF PROPOSED PLANTS. DOT IS FOR ILLUSTRATION PURPOSE ONLY.

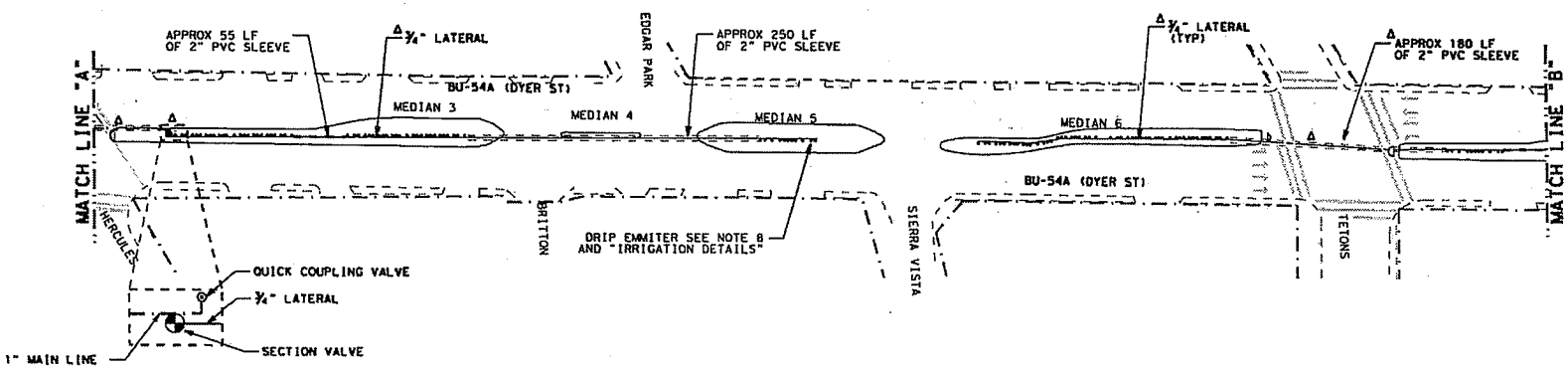
   * EMITTERS TO BE EQUALLY SPACED AROUND PLANT/TREE. THE NUMBER OF EMITTERS PER PLANT SHOULD BE AS FOLLOWS:

   1 AND 5 GAL = 2 EMMITERS — 15 - GAL = 4 EMMITERS
   3 - FT HEIGHT = 6 EMMITERS — 1" CAL TREE = 8 EMMITERS

9. TRENCHING AND/OR BORING REQUIRED FOR THE INSTALLATION OF THE IRRIGATION SYSTEM IS SUBSIDIARY TO ITEM 170.

LEGEND

A	CONTROLER		QUICK COUPLING VALVE
M	WATER METER		MAINLINE
	REMOTE CONTROL VALVE		LATERALS
F	FILTER		SLEEVE UNDER ROADWAY OR SIDEWALK
	PRESSURE REGULATOR	•	EMITTER



ΔCHANGE ORDER NO. ____
REVISED: 1/18/2013

STATE OF TEXAS — ARLENE FRESQUEZ — 106510 — LICENSED PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
1/18/2013

BU-54A
(DYER ST)
LANDSCAPE

IRRIGATION LAYOUT

SHEET 1 OF 3 — SCALE: 1" = 100' (HORIZ)

Texas Department of Transportation
© 2012

FED. RD. DIV. NO.			SHEET NO.
6			31A
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONTROL	SECTION	JOB	HIGHWAY NO.
0924	06	426	VARIOUS

1/18/2013 7:36:25 AM
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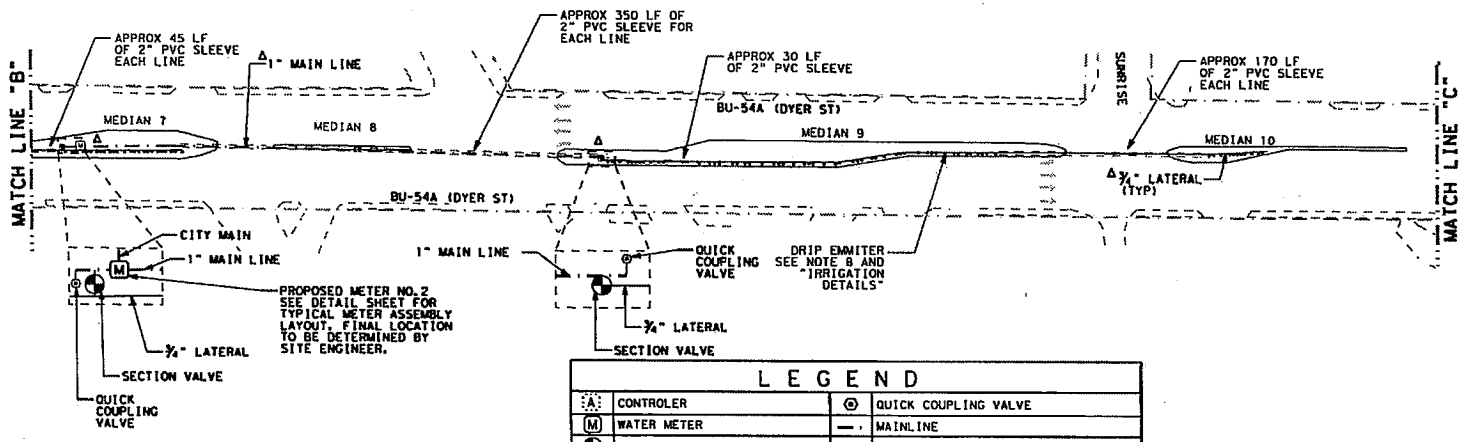

NOTES:

1. LOCATION SHOWN FOR CONTROLLERS ARE APPROXIMATE AND MAY BE ADJUSTED AT THE SITE WITH APPROVAL OF THE ENGINEER AND RECORDED ON THE AS-BUILT DRAWING.
2. LOCATE QUICK-COUPLING VALVES IN SEPARATE BOXES FROM SECTION VALVES.
3. LOCATION SHOWN FOR NEW TAPS AND METERS ARE APPROXIMATE AND MAY BE ADJUSTED AT THE SITE BY THE ENGINEER.
4. THERE ARE UNDERGROUND UTILITIES IN THE AREA. VERIFY LOCATIONS OF ALL UTILITIES WITH THE CONTROLLING AUTHORITIES PRIOR TO ANY EXCAVATION.
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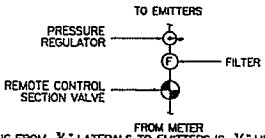
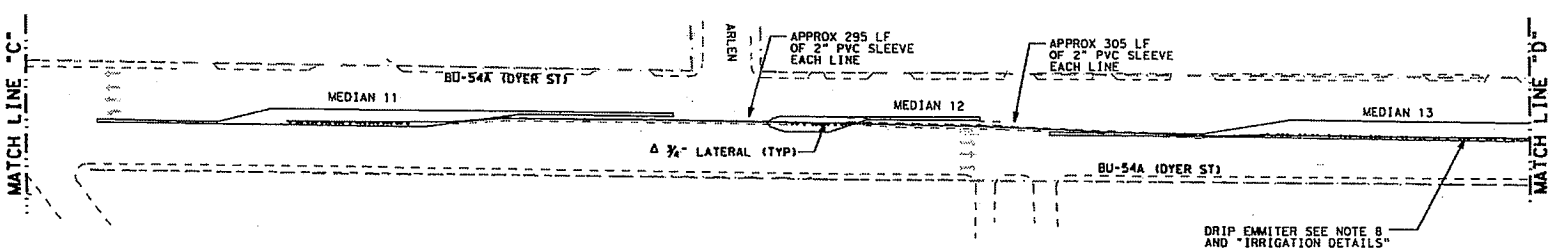


7. Δ PIPING FROM ¾" LATERALS TO EMITTERS IS ⅜" UNLESS OTHERWISE NOTED.
8. THE IRRIGATION SYSTEM SHALL BE OPERABLE TO THE QUICK-COUPLING VALVES BEFORE ANY PLANTS MAY BE DELIVERED TO THE SITE. EACH DRIP EMITTER DOT IS NOT REPRESENTATIVE OF PROPOSED PLANTS. DOT IS FOR ILLUSTRATION PURPOSE ONLY.
   - EMITTERS TO BE EQUALLY SPACED AROUND PLANT/TREE. THE NUMBER OF EMITTERS PER PLANT SHOULD BE AS FOLLOWS:

     1 AND 5 GAL = 2 EMMITERS — 15 - GAL = 4 EMMITERS
     3 - FT HEIGHT = 6 EMMITERS — 1" CAL TREE = 8 EMMITERS
9. TRENCHING AND/OR BORING REQUIRED FOR THE INSTALLATION OF THE IRRIGATION SYSTEM IS SUBSIDIARY TO ITEM 170.

LEGEND

A	CONTROLER		QUICK COUPLING VALVE
M	WATER METER		MAINLINE
	REMOTE CONTROL VALVE		LATERALS
F	FILTER		SLEEVE UNDER ROADWAY OR SIDEWALK
	PRESSURE REGULATOR	•	EMITTER



Δ CHANGE ORDER NO. ____
REVISED: 1/18/2013

STATE OF TEXAS — ARLENE FRESQUEZ — 106510 — LICENSED — PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
1/18/2013

BU-54A
(DYER ST)
LANDSCAPE

IRRIGATION LAYOUT

SHEET 2 OF 3 — SCALE: 1" = 100' (HORIZ)

Texas Department of Transportation
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FED. RD. DIV. NO.			SHEET NO.
6			32A
STATE	DIST.	COUNTY	
TEXAS	ELP	EL PASO	
CONTROL	SECTION	JOB	HIGHWAY NO.
0924	06	426	VARIOUS

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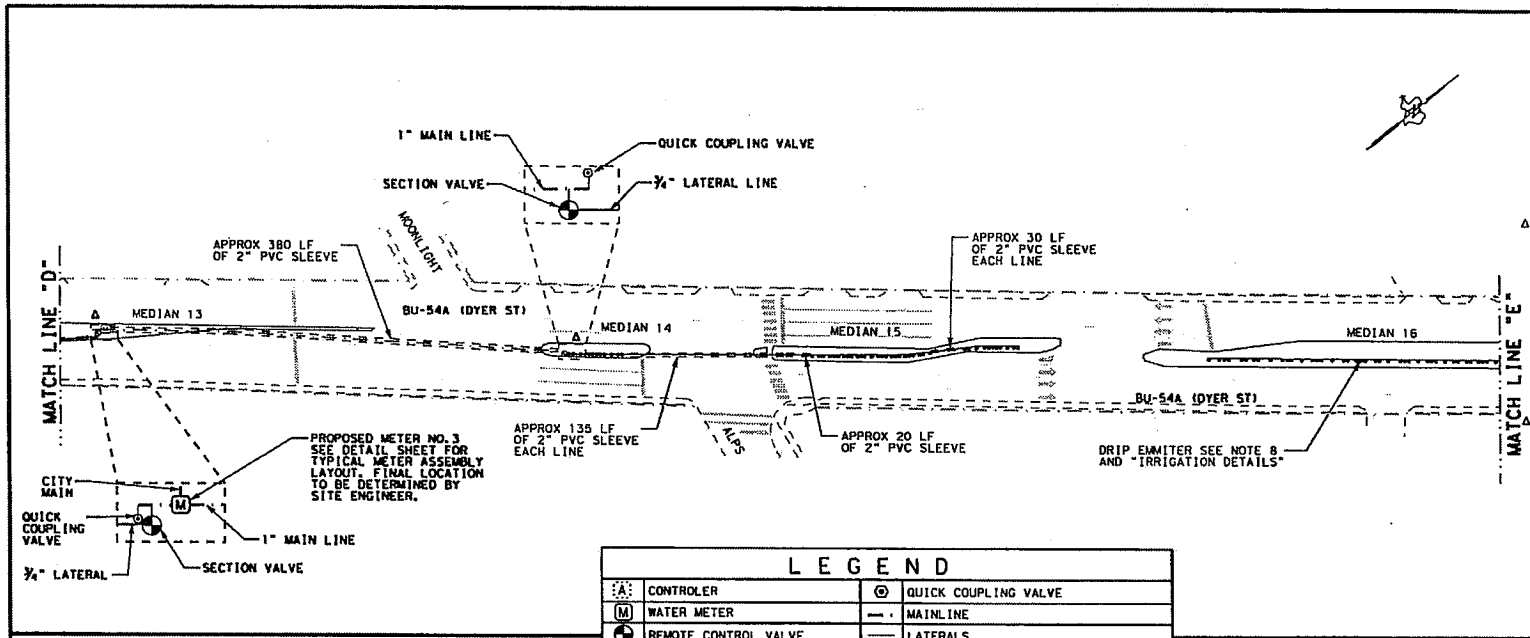
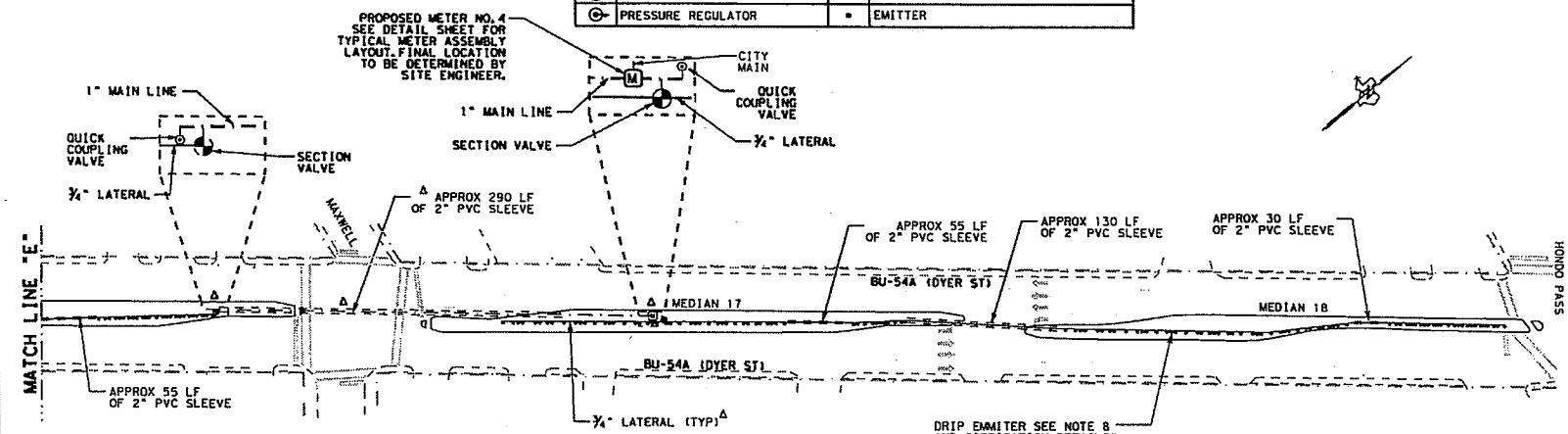


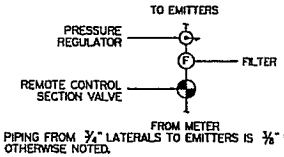
LEGEND

A	CONTROLER		QUICK COUPLING VALVE
M	WATER METER		MAINLINE
	REMOTE CONTROL VALVE		LATERALS
F	FILTER		SLEEVE UNDER ROADWAY OR SIDEWALK
	PRESSURE REGULATOR		EMITTER



NOTES:

1. LOCATION SHOWN FOR CONTROLLERS ARE APPROXIMATE AND MAY BE ADJUSTED AT THE SITE WITH APPROVAL OF THE ENGINEER AND RECORDED ON THE AS-BUILT DRAWING.
2. LOCATE QUICK-COUPLING VALVES IN SEPARATE BOXES FROM SECTION VALVES.
3. LOCATION SHOWN FOR NEW TAPS AND METERS ARE APPROXIMATE AND MAY BE ADJUSTED AT THE SITE BY THE ENGINEER.
4. THERE ARE UNDERGROUND UTILITIES IN THE AREA. VERIFY LOCATIONS OF ALL UTILITIES WITH THE CONTROLLING AUTHORITIES PRIOR TO ANY EXCAVATION.
5. ALL MAIN LINES WILL BE 1" PIPE SIZE. ALL LATERAL LINES WILL BE ¾" PIPE SIZE.
6. EACH SECTION SHALL INCLUDE THE FOLLOWING DRIP ASSEMBLY:



7. PIPING FROM ¾" LATERALS TO EMITTERS IS ⅜" UNLESS OTHERWISE NOTED.
8. THE IRRIGATION SYSTEM SHALL BE OPERABLE TO THE QUICK-COUPLING VALVES BEFORE ANY PLANTS MAY BE DELIVERED TO THE SITE. EACH DRIP EMITTER DOT IS NOT REPRESENTATIVE OF PROPOSED PLANTS. DOT IS FOR ILLUSTRATION PURPOSE ONLY.
   - EMITTERS TO BE EQUALLY SPACED AROUND PLANT/TREE. THE NUMBER OF EMITTERS PER PLANT SHOULD BE AS FOLLOWS:

   1 AND 5 GAL = 2 EMMITERS — 15 - GAL = 4 EMMITERS
   3 - FT HEIGHT = 6 EMMITERS — 1" CAL TREE = 8 EMMITERS
9. TRENCHING AND/OR BORING REQUIRED FOR THE INSTALLATION OF THE IRRIGATION SYSTEM IS SUBSIDIARY TO ITEM 170.

STATE OF TEXAS
ARLENE FRESQUEZ
106510
LICENSED PROFESSIONAL ENGINEER

Arlene Fresquez, P.E.
1/18/2013

BU-54A
(DYER ST)
LANDSCAPE

IRRIGATION LAYOUT

SHEET 3 OF 3 SCALE: 1" = 100' (HORIZ)

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