

Memorandum



CITY OF DALLAS

DATE May 29, 2015

TO Honorable Mayor and Members of the City Council

SUBJECT **Proposed City / DART Hike and Bike Trail Agreement**

On Wednesday, June 3, 2015, the City Council will be briefed on the Proposed City / DART Hike and Bike Trail Agreement by the Department of Park and Recreation. The briefing materials are attached for your review.

Please let me know if you have any questions or need additional information.

A handwritten signature in black ink, appearing to read 'Mark McDaniel'.

Mark McDaniel
Assistant City Manager

c: 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
Joey Zapata, Assistant City Manager
Jeanne Chipperfield, Chief Financial Officer
Sana Syed, Public Information Officer
Elsa Cantu, Assistant to the City Manager – Mayor & Council

An aerial photograph of Dallas, Texas, showing the city skyline in the background with several tall skyscrapers. The foreground and middle ground feature a mix of urban buildings, parking lots, and green spaces. A river flows through the lower right portion of the image, with a bridge crossing it. The overall scene is bright and clear, suggesting a sunny day.

PROPOSED CITY/DART HIKE AND BIKE TRAIL AGREEMENT

**Dallas City Council
June 3, 2015**

OVERVIEW

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- Hike and Bike Trail Network Update
- Review of 2011 Oncor License Agreement
- Proposed DART Easement Agreement

TRAIL NETWORK MASTER PLAN UPDATE

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- The Dallas Trail Network Master Plan was adopted in 2005
 - Updated in 2008
 - 86 miles existed in 2002
 - 143.6 miles completed as of May 1, 2015
 - 43.6 additional miles funded

Trail Status	Miles
Completed Trails	143.6 Miles
Funded Trails	43.6 Miles
Unfunded Trails	112.8 Miles
Total Trail Network	300 Miles

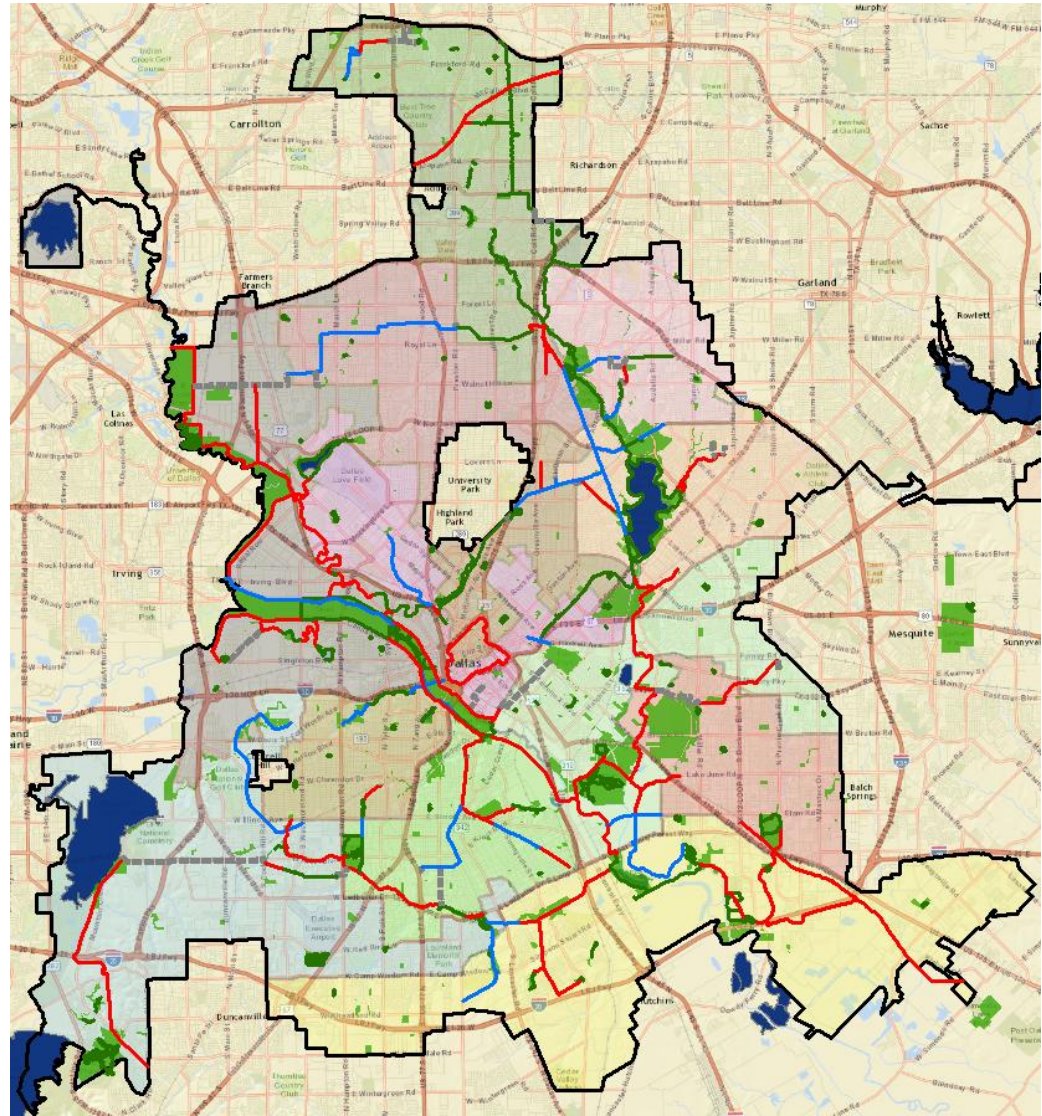


TRAIL NETWORK STATUS: COMPLETED & FUNDED TRAILS

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- Completed Trails
 - 143.6 Miles
- Funded Trails
 - 43.6 Miles
 - Trails Under Construction
5.7 miles
 - Trails in Design
37.9 miles

— Completed Trails
— Trails Under Construction/
Remaining to be built
— Proposed Trails



TRAIL NETWORK STATUS: FUTURE TRAILS

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- Per the Trail Network Master Plan, the Dallas trail system is proposed to be located across:
 - Private property (acquire right-of-way)
 - Abandoned railroad rights-of-way (acquire right-of-way)
 - City park land and other City-owned land (DWU, TWM, Streets)
 - **Oncor property– approximately 60.7 miles / 22.4% of total network**
 - **DART property – approximately 27.9 miles / 9.7% of total Network**
 - Others (School district, County property, etc)

ONCOR LICENSE AGREEMENT

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- Approved in 2011
- Established agreement to be used on 60.7 miles (22.4%) of the trail system



ONCOR LICENSE AGREEMENT

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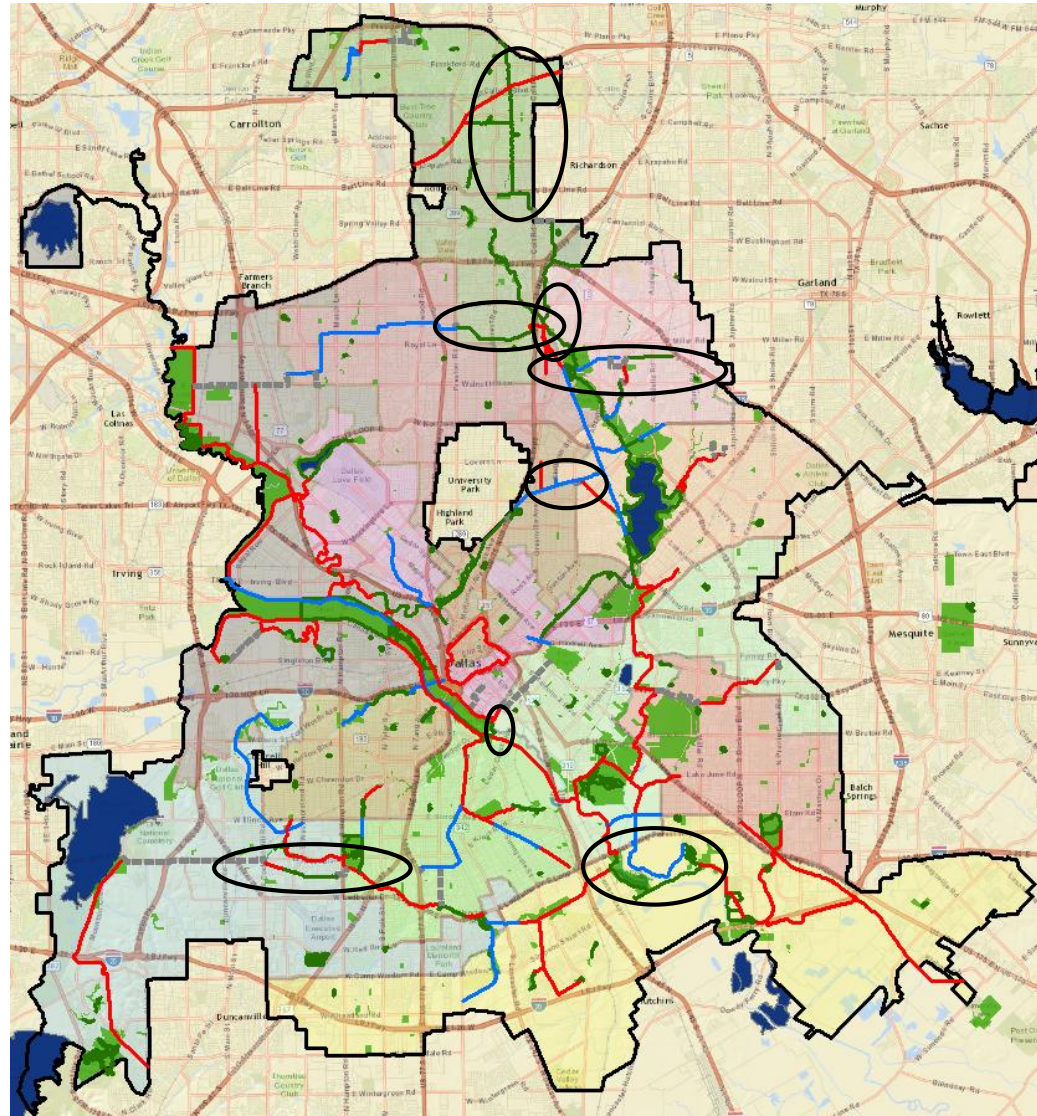
- Key provisions of Oncor License Agreement
 - Perpetual
 - No up-front cost considerations
 - City of Dallas maintains full width of corridor
- Approved by City Council on April 13, 2011



ONCOR LICENSE AGREEMENT

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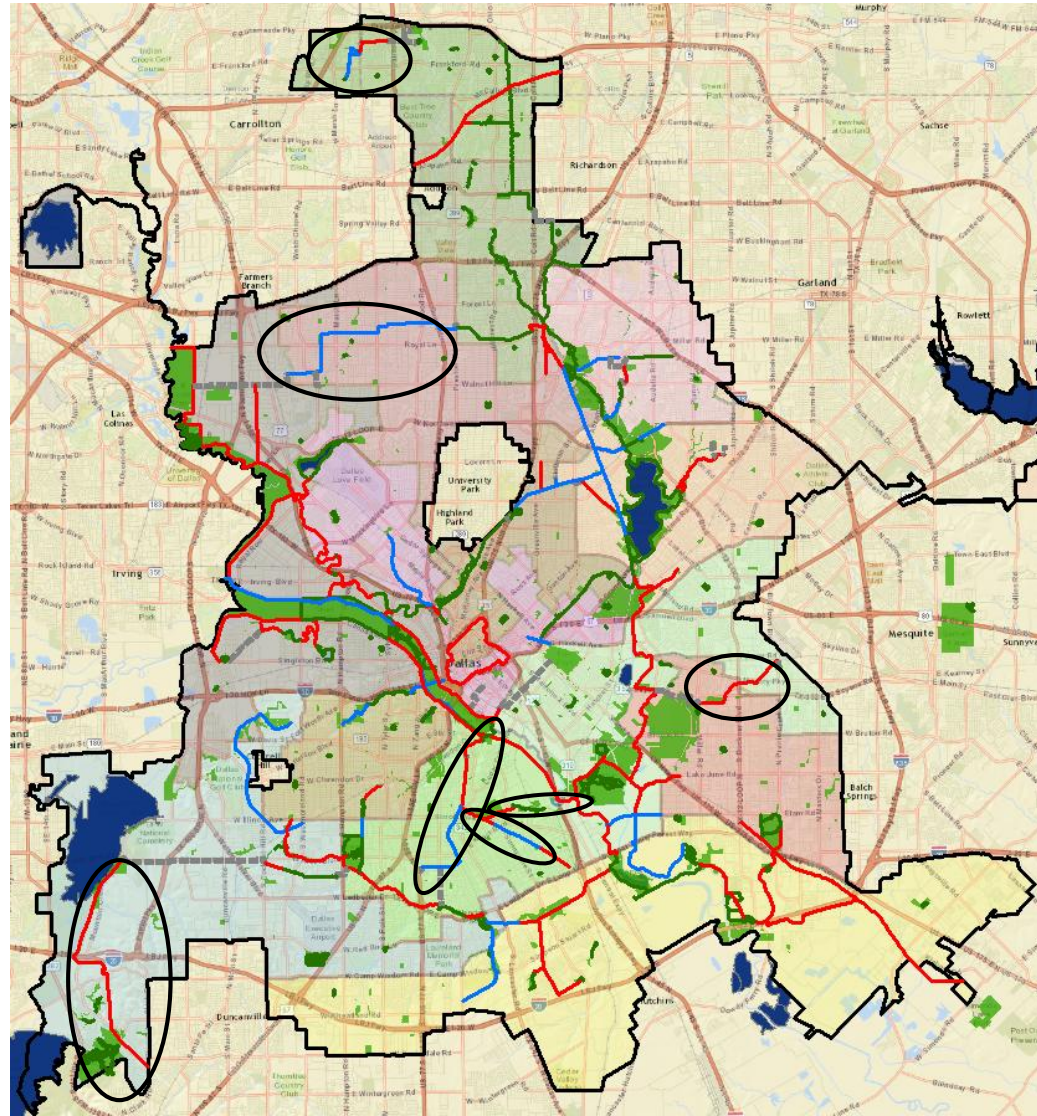
- Existing trails on Oncor property:
 - Most of Preston Ridge Trail
 - Portions of Cottonwood Creek Trail
 - Most of Lake Highlands Trail
 - Portions of Katy Trail extension to White Rock Lake
 - Most of Kiestwood Trail
 - Portions of Santa Fe Trestle Trail
 - Portions of Trinity Forest Trail/AT&T Trail
 - Northaven Trail (Phase I)



ONCOR LICENSE AGREEMENT

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- **Proposed future trails on Oncor property:**
 - Cedar Crest Trail
 - Northaven Trail (Phases II & III)
 - Timberglen Trail
 - Interurban Trail
 - John C. Phelps Trail
 - Scyene Trail
 - Mountain Creek Trail



DART Easement Agreement

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- Park and Recreation Department has been working with DART on a possible agreement since 2012
- Working to create agreement similar to City of Dallas and Oncor License Agreement



DART Easement Agreement

Key Provisions

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- Type of Agreement
 - A non-exclusive perpetual easement for trails (both existing and proposed) to use identified DART property (the “Property”) for hike and bike trail recreational purposes
- Subordinate
 - DART rail corridor is the paramount use
- Plan Approvals
 - Trails shown on City’s Trail Network Master Plan are proposed trails and not necessarily approved. All trail projects are subject to DART review on a project-by-project basis, which is not to be unreasonably withheld.
- Construction Guidelines
 - Establishes certain construction procedures and safeguards (no boom-type equipment near lines, etc.)
- Use Guidelines
 - Allows for trail improvements on trail, including benches, trash bins, drainage improvements, and water fountains

DART Easement Agreement

Key Provisions

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□ Terms

■ Maintenance

- All landscaping and improvements must be reviewed and approved by DART
- City will maintain, at its cost, the Property and improvements installed by City (but not DART's lines and facilities)
- Covers entire width of Property where there is no DART facility, not just areas next to trails (but contemplates varying levels of attention consistent with other similar City properties)
 - DART facilities are responsibility of DART

COMPARISON

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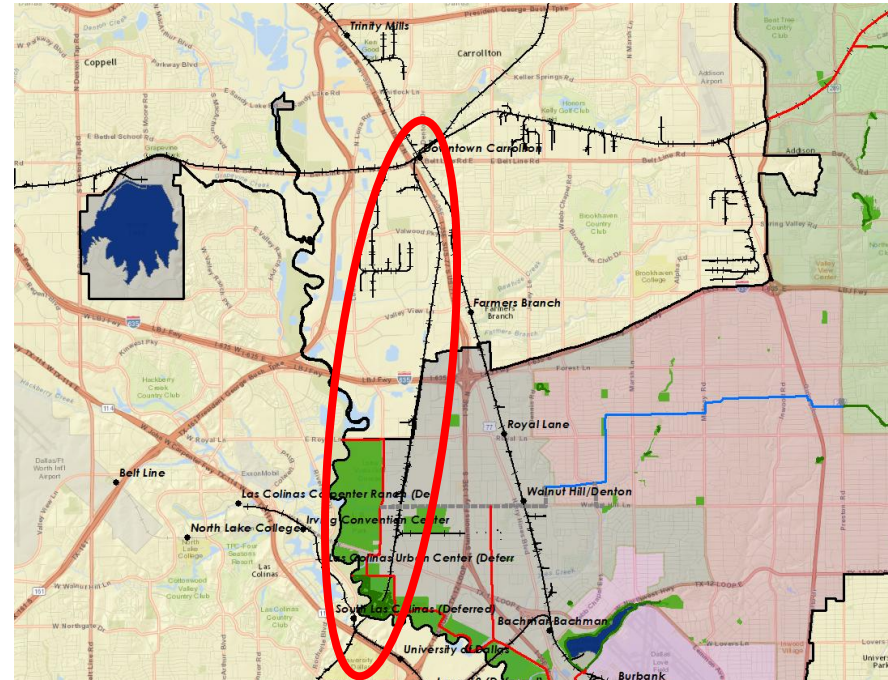
- DART easement and Oncor license agreements have similarities and differences
 - Same effect
 - License (Oncor)
 - Easement (DART)
 - More protection
 - Consideration
 - DART requires compensation for the easements (Madill Corridor)
 - Oncor license consideration is maintenance of utility corridor only

DART Easement Agreement

Key Provisions

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- Consideration
 - DART receives Madill Corridor
 - Dallas Water Utilities (DWU) retains 30' easement for proposed **72-inch water line**
 - **City to retain easement for future trail uses**
- In return for Madill Corridor through an amended Interlocal Agreement, DART will provide the City easements on **all existing and proposed hike and bike trails located on DART property**
- City Attorney has determined that the Park and Recreation Department is required to reimburse DWU for the value of the original purchase less the easement

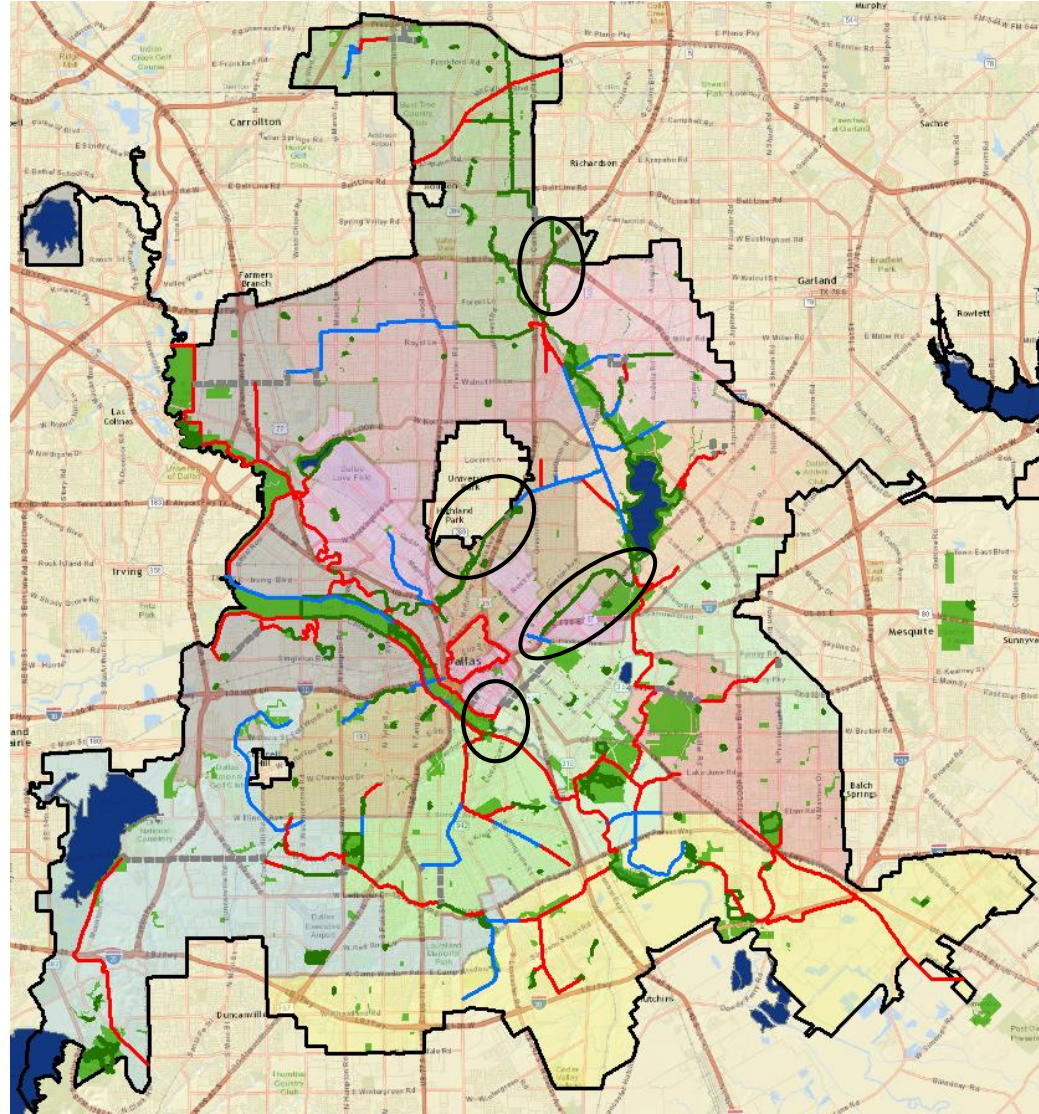


Madill Corridor

DART: Existing Licenses

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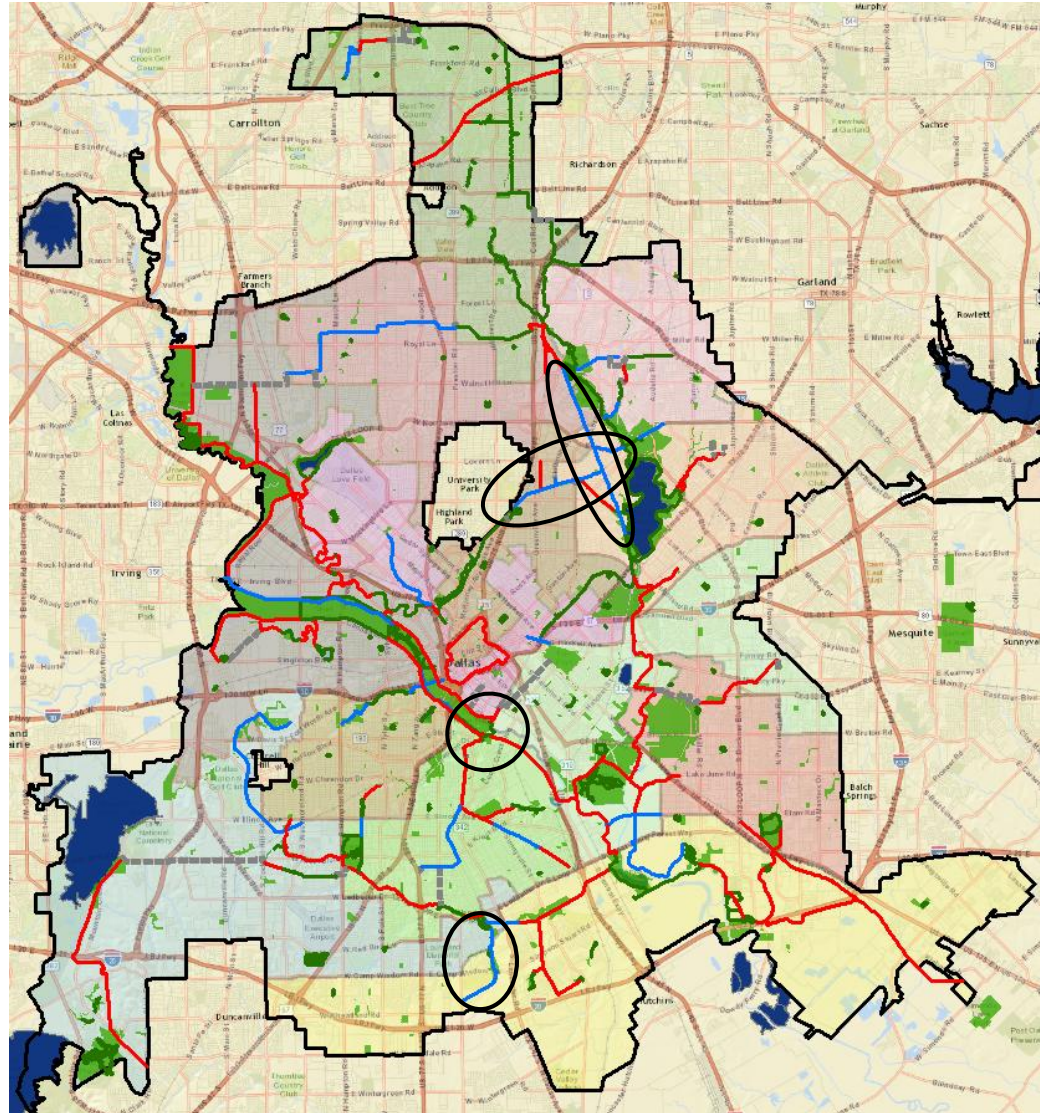
- City has existing license agreements with DART covering 7.25 miles of existing trails
 - Portion of the Katy Trail
 - Santa Fe Trail
 - Santa Fe Trestle Trail
 - Portion of Cottonwood Trail
 - Santa Fe Trail Extension
- These agreements are currently terminable
- All these licenses become easements under Amended ILA



DART: Pending Licenses

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- The City of Dallas is working on pending easements for 7.65 miles of trails with DART
 - Katy Trail Extension
 - SOPAC Trail (Phase 3 and 4)
 - Runyun Creek Greenbelt Trail
 - Santa Fe Trestle Trail/Moore Park Trailhead



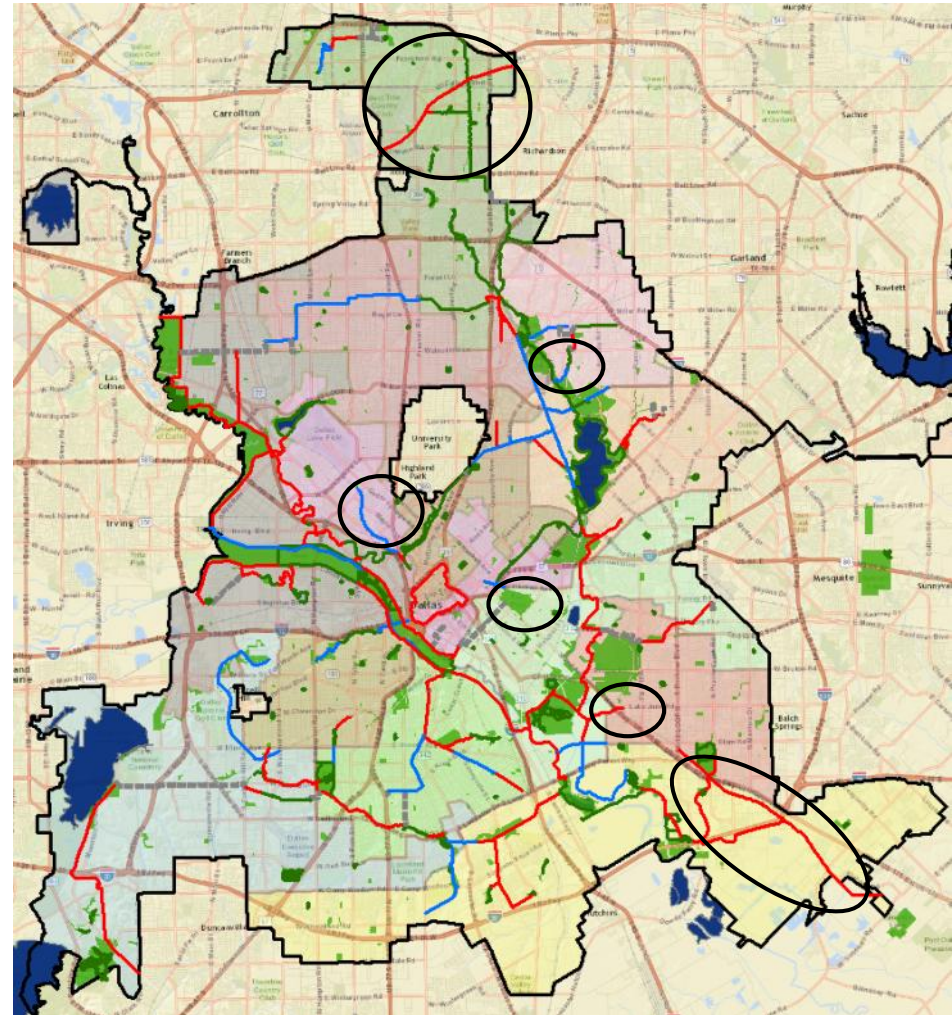
DART: Future Easements

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□ The proposed amended ILA and easement will cover 13.07 miles of future trails including:

- Fair Park – Fair Park Boulevard/Trail connector
- Trinity Forest Spine Trail approaches and connection at Lawnview DART Station Cedar Crest Trail
- Kleberg Trail
- Cottonbelt Trail
- Trinity Strand Trail Phase 2
- Lake Highlands Trail Phase 3

□ Also future connections between other trails and DART Light Rail Stations



Next Steps

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- City Attorney and Property Management to develop amendment to the DART Interlocal Agreement to accept the Hike and Bike Trail Easement from DART and to convey the Madill property to DART
 - May 21, 2015: Park and Recreation Board briefing
 - June 3: City Council briefing
 - June 10: City Council consideration

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