

Memorandum



CITY OF DALLAS

DATE March 19, 2021

TO Honorable Mayor and Members of the City Council

SUBJECT **March 24, 2021 City Council Agenda Item #62 – D2 Resolution**

On Wednesday, March 24, 2021, the City Council will consider a resolution of support for Dallas Area Rapid Transit's (DART) addition of a second light rail alignment through Downtown Dallas (D2) and application to the Federal Transit Authority (FTA) for a grant to help fund the project. City staff has coordinated with DART and other agencies to affirm that this resolution fulfills DART's need for the purposes of their continual engineering work and grant application, while still allowing for continued discussion with stakeholders regarding the east end of the alignment.

Background

On September 13, 2017, City Council authorized a resolution to endorse DART's Victory/Commerce/Swiss alignment as the locally preferred alternative for the D2 project. Since that time, discussions with City partners including North Central Texas Council of Governments (NCTCOG), Texas Department of Transportation (TxDOT), and other stakeholders have resulted in two main conclusions:

- Strong support for the proposed alignment as shown in Zone A of Attachment 1; and
- Further discussions are needed for the finalization of the alignment in Zone B of Attachment 1, considering the impacts of the D2 alignment tie-in to existing DART Green Line in the Deep Ellum area and aligning with vision for the future of IH- 345 and IH-30.

The City supports the alignment as presented in Zone A of Attachment 1 with no significant changes while continuing discussions with DART, NCTCOG, TxDOT, Deep Ellum Foundation (DEF), and other stakeholders to optimize the project interface at the east end of the project in Zone B of Attachment 1 regarding any necessary modifications, refinements and/or enhancements to the project.

The City supports the addition of the entire D2 alignment as shown in Attachment 1 into the DART Service Plan, with the understanding that additional future Service Plan amendments may be considered specifically for the area in Attachment 1-Zone B pending additional evaluation of project modifications, refinements, and/or enhancements.

DATE March 19, 2021
SUBJECT **March 24, 2021 City Council Agenda Item #62 – D2 Resolution**

Further, the City supports DART in:

- Advancing engineering in Zone A of Attachment 1; and
- Working with the City, NCTCOG, TxDOT, DEF, and other stakeholders on the modifications, refinements, and/or enhancements for a resolution of the alignment interface in Zone B of Attachment 1;
- Coordinating with the City, NCTCOG and TxDOT on the development of an action plan, schedule, scope with monthly reporting to ensure that DART does not advance the engineering beyond the current 30 percent design of the D2 in Zone B of Attachment 1 unless the City agrees to it in writing; and
- Obtaining agreement by and between the City, DART, NCTCOG and TxDOT for all modifications, refinements, and/or enhancements in Zone B of Attachment 1 no later than March 2022 to permit DART to advance required approvals and reflect the final project scope, cost, and schedule in a future FTA grant agreement as required.

Next Steps

If approved by the City Council, DART will submit this resolution with their application to the FTA for a Core Capacity grant and will continue engineering work for the D2 project. Additionally, DART will continue discussions with City staff, NCTCOG, TxDOT and other stakeholders to address all outstanding questions and concerns related to the project.



Majed Al-Ghafry, P.E.
Assistant City Manager

[Attachments]

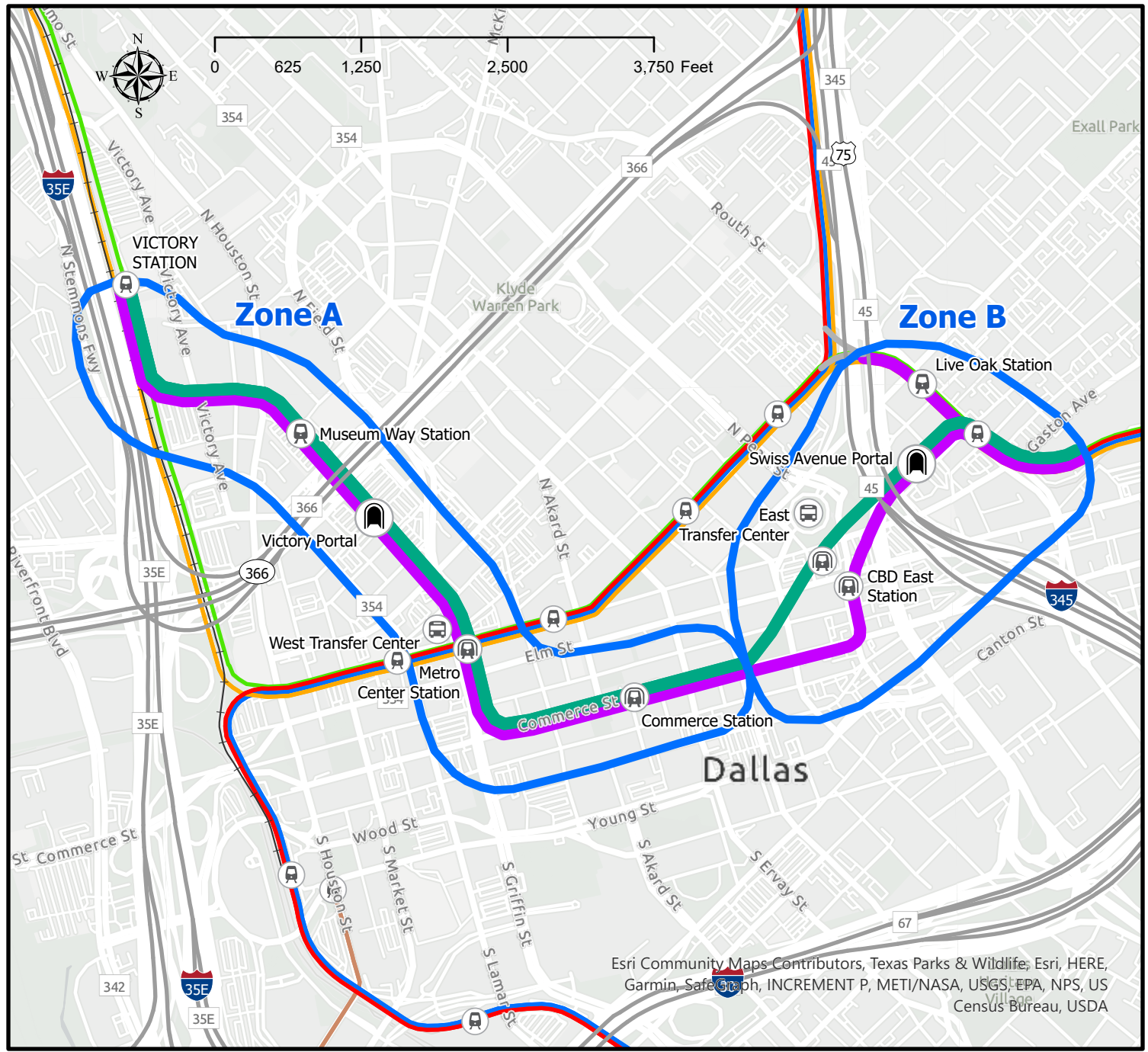
c: T.C. Broadnax, City Manager
Chris Caso, City Attorney
Mark Swann, City Auditor
Biliera Johnson, City Secretary
Preston Robinson, Administrative Judge
Kimberly Bizzor Tolbert, Chief of Staff to the City Manager

Jon Fortune, Assistant City Manager
Joey Zapata, Assistant City Manager
Dr. Eric A. Johnson, Chief of Economic Development and Neighborhood Services
M. Elizabeth Reich, Chief Financial Officer
M. Elizabeth (Liz) Cedillo-Pereira, Chief of Equity and Inclusion
Directors and Assistant Directors

Attachment 1 DART D2 Project Council District 2, 14

- █ Locally Preferred Alternative - City Council Resolution September 2017
 - █ DART's Current Proposed Alternative

 - █ BLUE LINE
 - █ GREEN LINE
 - █ ORANGE LINE
 - █ RED LINE
 - █ MCKINNEY AVENUE TROLLEY
 - █ DALLAS STREETCAR
- + TRINITY RAILWAY



Esri Community Maps Contributors, Texas Parks & Wildlife, Esri, HERE, Garmin, SafeGraph, INCREMENT P, METI/NASA, USGS, EPA, NPS, US Census Bureau, USDA

March 24, 2021

WHEREAS, on February 28, 1990, a Master Interlocal Agreement was executed between Dallas Area Rapid Transit (DART) and the City of Dallas (City) including language stating that a subway remains the City's preferred solution for light rail transit passing through the Dallas Central Business District (CBD) and requiring DART to begin planning for a subway within the CBD when certain ridership and headway thresholds are met; and

WHEREAS, DART has subsequently proposed that a second light rail transit line (D2), be constructed as a reliever route to the existing Bryan/Pacific CBD Transit Mall to ensure long term light rail transit service reliability, operational flexibility, and system capacity, as well as to provide opportunities for enhanced downtown circulation and economic development; and

WHEREAS, between 2007 and 2015, DART engaged with the community in a comprehensive planning process to develop a Locally Preferred Alternative (LPA) for a D2 alignment; and

WHEREAS, on August 24, 2015, the Dallas City Council Transportation and Trinity River Committee took action to support the D2 alignment; and

WHEREAS, on September 9, 2015, City Council authorized an LPA for the second light rail alignment, which included a combination of subway and at-grade segments, and specifically followed a Young/Jackson Street alignment in the southeastern part of downtown by Resolution No. 15-1657; and

WHEREAS, during 2016, while DART conducted project development for the Young/Jackson alignment, there was significant community and stakeholder concern with the at-grade alignment and a desire to pursue a subway alignment; and

WHEREAS, on October 11, 2016, City Council directed DART to develop a subway between Woodall Rodgers Freeway and Interstate Highway 345 (IH-345) by Resolution No. 16-1692; and

WHEREAS, in 2017, DART conducted a comprehensive review of subway alternatives in coordination with a technical and stakeholder work group and received broad-based support for a subway alignment along Commerce Street; and

WHEREAS, on September 13, 2017, City Council authorized a new LPA generally referred to as the D2 Subway using Commerce via Victory/Swiss by Resolution No. 17-1426; and

WHEREAS, the D2 alignment may include four new stations and the relocation of one station, which enhances the opportunity for transit-oriented development (TOD) and economic development; and

March 24, 2021

WHEREAS, the Federal Transit Administration (FTA), in cooperation with DART, issued a Supplemental Draft Environmental Impact Statement (SDEIS) for a 45-day public and agency review period from May 15 to June 29, 2020, and held three public hearings in accordance with federal guidelines for the D2; and

WHEREAS, environmental impacts associated with the project will be mitigated and are documented in the Final Environmental Impact Statement and Record of Decision (FEIS/ROD) to be issued by the Federal Transit Administration (FTA); and

WHEREAS, the D2 alignment from the western end of the project and through the majority of downtown is supported by the affected stakeholders (Attachment 1-Zone A); and

WHEREAS, the City is closely working with the North Central Texas Council of Governments (NCTCOG), Texas Department of Transportation (TxDOT), DART, and stakeholders to integrate all major projects in and around downtown Dallas and to reconfigure the street grids and re-knit communities that are separated by existing freeways; and

WHEREAS, the City, NCTCOG, TxDOT, and DART are working together to optimize interface of the D2 with future design options for IH-345 and to address stakeholders concerns on the east end of the alignment, including the potential for refinements, enhancements, and/or modifications along this part of the corridor (Attachment 1-Zone B); and

WHEREAS, the D2 is well-positioned to qualify for a significant federal grant under the FTA Capital Investment Grant Program as a Core Capacity project; and

WHEREAS, a Dallas City Council resolution supporting the D2 as presented above would significantly strengthen DART's application for the FTA Core Capacity grant and allow the project to proceed into the next phase of the FTA process; and

WHEREAS, a Dallas City Council resolution supporting the addition of the D2 alignment to the DART Service Plan is required under DART's enabling legislation.

Now, Therefore,

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

SECTION 1. That the D2, as shown in Attachment 1, is generally consistent with the LPA per the City Council's direction provided in Resolution No. 17-1426, and pending any proposed refinements, enhancements, and/or modifications regarding the alignment in Zone B of Attachment 1.

March 24, 2021

SECTION 2. That the City's support of the D2 is subject to all provisions of this resolution and DART continuing its efforts to work collaboratively with the City, NCTCOG and TxDOT and stakeholders to address and mitigate the technical, environmental, and alignment concerns at the eastern end of the D2, as shown in Attachment 1-Zone B.

SECTION 3. That the City supports DART in its efforts to seek and maximize all federal funding opportunities for the D2 through issuance of the FEIS/ROD and submittal of the D2 for federal review and funding in a timely manner.

SECTION 4. That the City will continue to support NCTCOG, TxDOT, DART, and stakeholders in efforts to ensure the D2 is well integrated into the City's downtown area while minimizing impacts and maximizing benefits for downtown residents, businesses, and visitors.

SECTION 5. That the City supports the addition of the entire D2 alignment as shown in Attachment 1 into the DART Service Plan, subject to additional future evaluations and review of D2 project refinements, enhancements, and/or modifications by the City, DART, NCTCOG, and TxDOT for the area in Attachment 1-Zone B, and subject to required subsequent Dallas City Council action as stated in this resolution.

SECTION 6. That the City's support provided for in this resolution is further subject to DART continuing to work collaboratively with the City, NCTCOG, TxDOT, and stakeholders to explore potential refinements, enhancements and/or modifications to address community concerns and optimize interface with IH-345 in the area of Attachment 1-Zone B under the following parameters:

- a. The scope of D2 project refinements, enhancements, and/or modifications will only apply to the area shown in Attachment 1-Zone B. No significant changes will be considered for Attachment 1-Zone A.
- b. The current D2 project budget assumption is \$1.7 billion (in 2021 dollars) with a local share of approximately 50% and the remainder from external sources including, but not limited to, a proposed FTA core capacity grant. Any project scope changes recommended by and advanced solely by DART within Attachment 1-Zone A or Zone B will be DART's financial responsibility. Also, any incremental costs for scope changes associated with D2 project refinements, enhancements, and/or modifications within Attachment 1-Zone B that are recommended by others and that fall within the \$1.7 billion budget (in 2021 dollars), will be DART's financial responsibility. Any D2 project refinements, enhancements, and/or modifications recommended by other parties within Attachment 1-Zone B that extend beyond the assumed budget of \$1.7 billion (in 2021 dollars) will be funded by other non-DART sources.

March 24, 2021

SECTION 6. (continued)

- c. The City, DART, NCTCOG, and TxDOT will mutually agree to a set of D2 project refinements, enhancements, and/or modifications that are financially and technically feasible and that are supported by additional conceptual engineering and environmental efforts.
- d. Elected and appointed officials of the City, DART, NCTCOG, and TxDOT will be briefed on a regular basis to document progress and stakeholder feedback.
- e. DART will seek FTA feedback on whether any proposed D2 project refinements, enhancements and/or modifications would be considered significant enough to fall outside of the core capacity grant schedule requirements. DART will provide any feedback received from FTA to the City, NCTCOG, and TxDOT.

SECTION 7. That the City, DART, NCTCOG, and TxDOT staff will continue to work together to brief the City Council on a regular basis on the potential D2 project refinements and/or enhancements developed to the D2 alignment in the area of Attachment 1-Zone B and will continue to confirm and obtain City Council approval to continue to advance the D2 project through the FTA funding process.

SECTION 8. That the City's support of the D2 is further subject to mutual written agreement prior to, or no later than March 2022, by and between the City, DART, NCTCOG, and TxDOT on selected D2 project refinements, enhancements, and/or modifications; or, in the alternative, advancement of the current 30% design of the D2 to full design, in either case, subject to the following provisions:

- a) DART will coordinate with the City, NCTCOG, and TxDOT to develop and submit to the City a work plan and schedule relating to key milestones and briefings on the D2 to elected officials within four weeks of the date of this resolution.
- b) DART will work with the City, NCTCOG, and TxDOT to submit monthly progress updates to City, inclusive of all pertinent information requested by the City.
- c) DART and the City will promptly resolve any D2-related conflicts in accordance with established procedures as outlined in the current Master Interlocal Agreement between the City and DART, dated February 28, 1990, as amended.
- d) Obtain a City Council resolution in support of any proposed refinements, enhancements and/or modifications to the D2 alignment in the area of Attachment 1-Zone B before advancing the design beyond the 30% level.

SECTION 9. 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.