

February 9, 2022

WHEREAS, on February 28, 1990, a Master Interlocal Agreement was entered into between DART and the City of Dallas which stated that a subway remains the City of Dallas's preferred solution for light rail transit passing through the Dallas Central Business District (CBD) and required 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, be constructed as a reliever route to the existing Bryan/Pacific CBD Transit Mall (D2) 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 recommended support of the D2 alignment; and

WHEREAS, on September 9, 2015, the Dallas 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, the Dallas 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, Dallas 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 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

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

WHEREAS, on March 24, 2021, the Dallas City Council offered conditional support to the D2 alignment and directed staff to work with DART, NCTCOG, and TxDOT to optimize the interface of D2 with future design options under consideration as a result of the IH-345 Feasibility Study, including the potential for refinements, enhancements, and/or modifications along part of the alignment, and to address stakeholder concerns on the east end of the D2 alignment by Resolution No. 21-0535, attached hereto as **Exhibit 1** (Resolution); and

WHEREAS, the Resolution conditioned the City's support of D2 on the City, DART, NCTCOG, and TxDOT entering into a mutually binding interlocal agreement (ILA) prior to, or no later than March 2022 that addresses selected D2 project refinements, enhancements, and/or modifications and interface with existing or future transportation facilities or systems in conjunction with the development of the 30 percent engineering design; and

WHEREAS, DART and the FTA issued the Final Environmental Impact Statement and Record of Decision (FEIS/ROD) on April 9, 2021, including the 30 percent D2 design; and

WHEREAS, since April 2021 and pursuant to further conditions of the Resolution, the City, DART, NCTCOG, and TxDOT have worked closely with the public and area stakeholders to conduct the D2 subway east end evaluation, during which a range of options were evaluated in the context of other major projects being planned or advanced by the City, DART, NCTCOG, and TxDOT in and around the CBD and at the east end (also known as the Deep Ellum area) of the D2 project in Zone B; and

WHEREAS, based on the evaluation and input from the public and stakeholders, the City, DART, NCTCOG, and TxDOT have reached a consensus that Option 3-7a, attached hereto as **Exhibit 2**, performed best in terms of addressing concerns of area stakeholders and provides the most flexibility for future IH-345 design options; and

WHEREAS, on October 18, 2021, the Transportation and Infrastructure Committee was briefed on the final 3-7a locally preferred D2 alignment and was supportive of moving it forward; and

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WHEREAS, the City of Dallas supports DART in moving forward with additional design work to bring Option 3-7a up to 30 percent design, to explore opportunities to enhance Light Rail Transit (LRT) operational flexibility, update and confirm capital costs, and obtain environmental clearance before the project can re-enter the FTA grant process; and

WHEREAS, while TxDOT anticipates completion of the IH-345 Feasibility Study and selection of a technically preferred alternative in 2022, schedule and funding have not yet been identified for the project and the selected alternative will need to undergo a multi-year feasibility and environmental review process prior to the beginning of construction; and

WHEREAS, the City, DART, NCTCOG, and TxDOT have been working together for several years to coordinate the interface of the D2, with IH-345 and city street grid projects and acknowledge that they will continue to collaborate to advance both projects in a coordinated and supportive manner.

Now, Therefore,

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

SECTION 1. That the revised D2 alignment, attached hereto as **Exhibit 3**, is consistent with the Locally Preferred Alternative as required by Dallas City Council Resolution No. 17-1426, and as determined through collaboration between the City of Dallas, DART, NCTCOG, TxDOT, stakeholders, and the public.

SECTION 2. That the City supports DART in: (1) the addition of the revised D2 alignment as shown in **Exhibit 3** into the DART service plan; (2) the development of the 30 percent engineering design and securing environmental clearance and an amended Record of Decision (ROD) for the revised D2 alignment; (3) preservation and/or acquisition of the necessary right-of-way; and (4) implementing project planning and development activities for approval of the revised D2 alignment beyond the 30 percent design milestone.

SECTION 3. That if at the 30 percent design milestone of the revised D2 alignment, or by the end of calendar year 2024, whichever is earlier, the City Council determines that the construction of the D2 project will be deferred, there will be discussions with the City and DART regarding their future potential increased contributions to the Dallas Streetcar program, other DART transportations programs, and other transit services improvements, that may result in future interlocal agreement(s).

SECTION 4. That the City Manager is hereby authorized to execute an interlocal contract between the City of Dallas, DART, NCTCOG, and TxDOT for the respective parties' roles and responsibilities related to advancing of the 30 percent design and environmental clearance for the revised D2 alignment as shown in **Exhibit 3**, approved as to form by the City Attorney.

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SECTION 5. That this interlocal contract is designated as Contract No. TRN-2022-00018333.

SECTION 6. 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.



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

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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.

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 while minimizing impacts and maximizing benefits for downtown residents, businesses, and visitors.

SECTION 5. That the City supports the addition of the portion of the D2 alignment as shown in Attachment 1-Zone A into the DART Service Plan, subject to required subsequent mutual binding written interlocal agreement(s) and Dallas City Council resolution(s), as stated in this resolution. The City's support of the addition of the portion of the D2 alignment as shown on Attachment 1-Zone B into the DART Service Plan is subject to additional future evaluation 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 mutual binding written interlocal agreement(s) and Dallas City Council resolution(s), 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

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SECTION 6. (continued)

assumed budget of \$1.7 billion (in 2021 dollars) will be funded by other non-DART sources.

- 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 binding written interlocal agreement(s) 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.

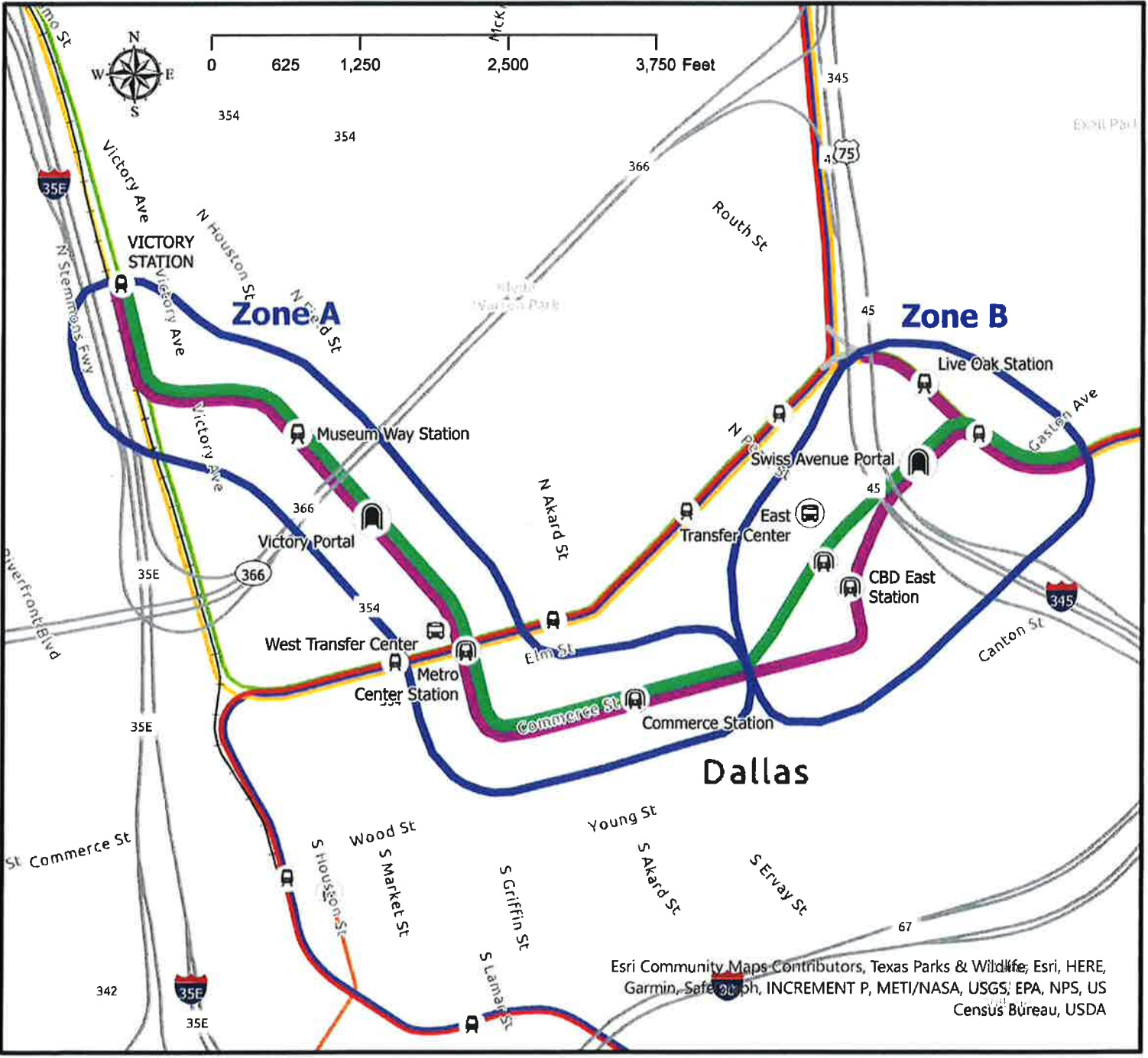
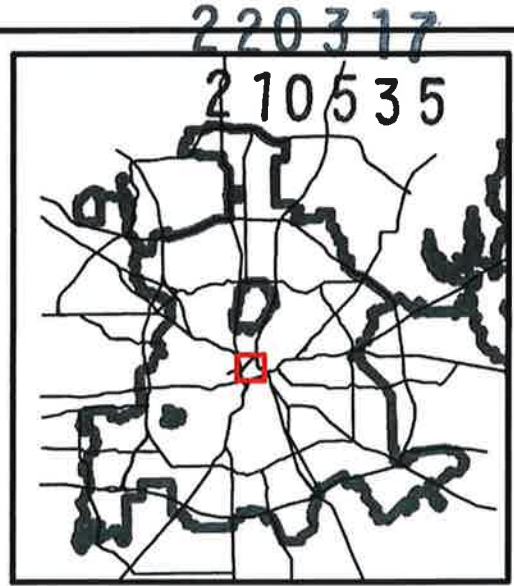


Attachment 1 DART D2 Project

Council District 2, 14

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










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

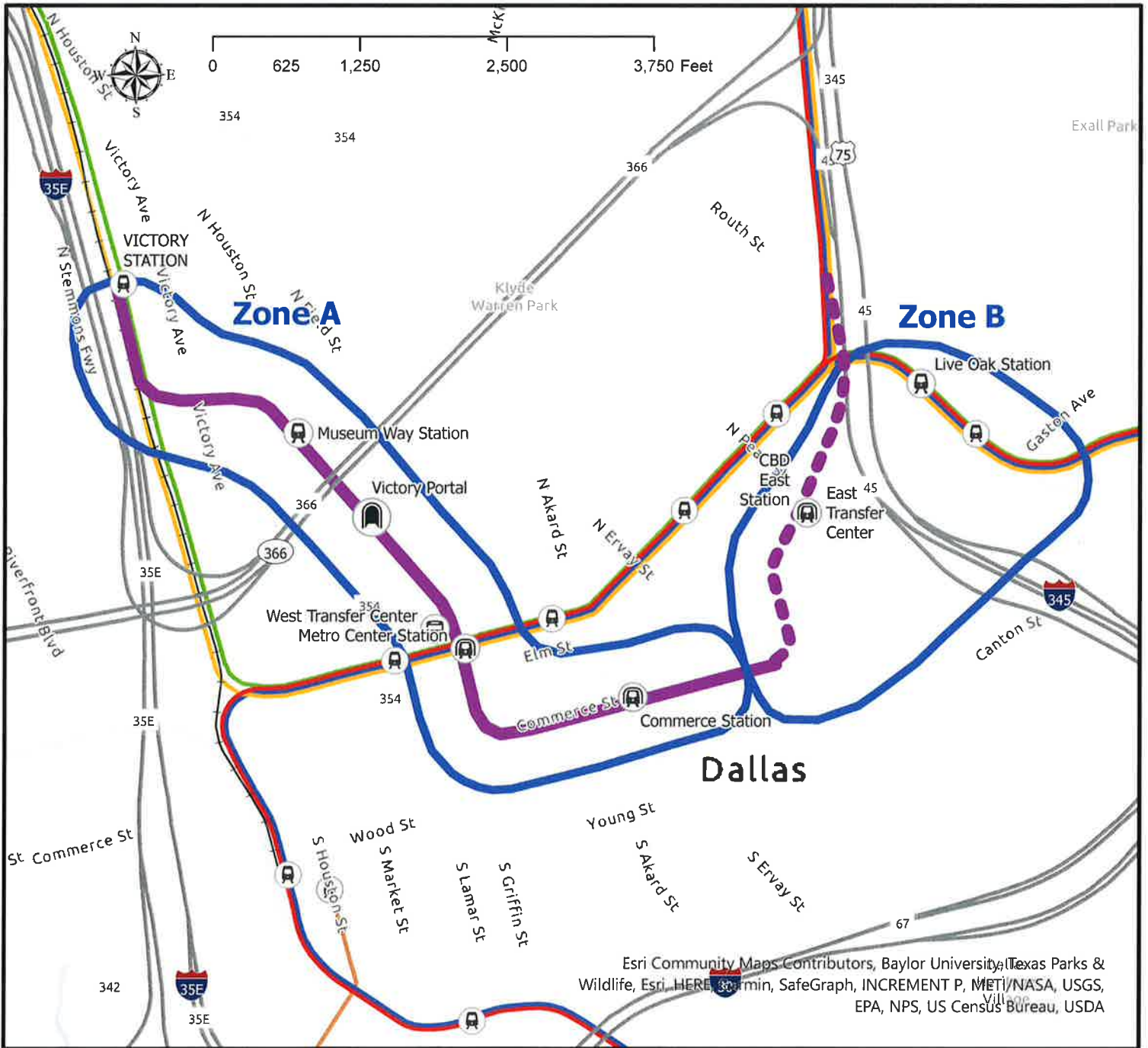
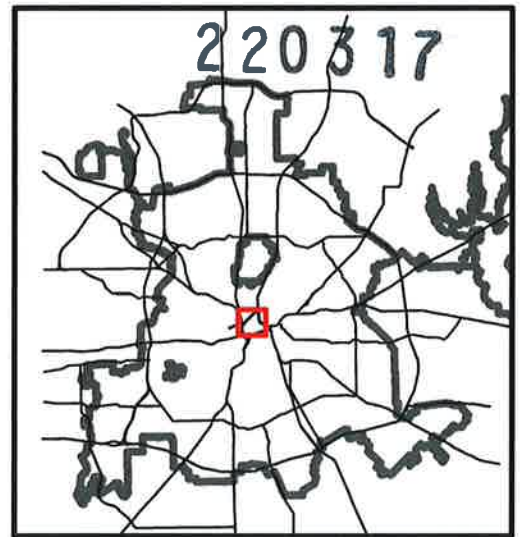


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EXHIBIT 2 DART D2 Project

Council District 2, 14

-  DART's Current Proposed Alternative
-  Option 3-7a
-  BLUE LINE
-  GREEN LINE
-  ORANGE LINE
-  RED LINE
-  MCKINNEY AVENUE TROLLEY
-  DALLAS STREETCAR
-  TRINITY RAILWAY



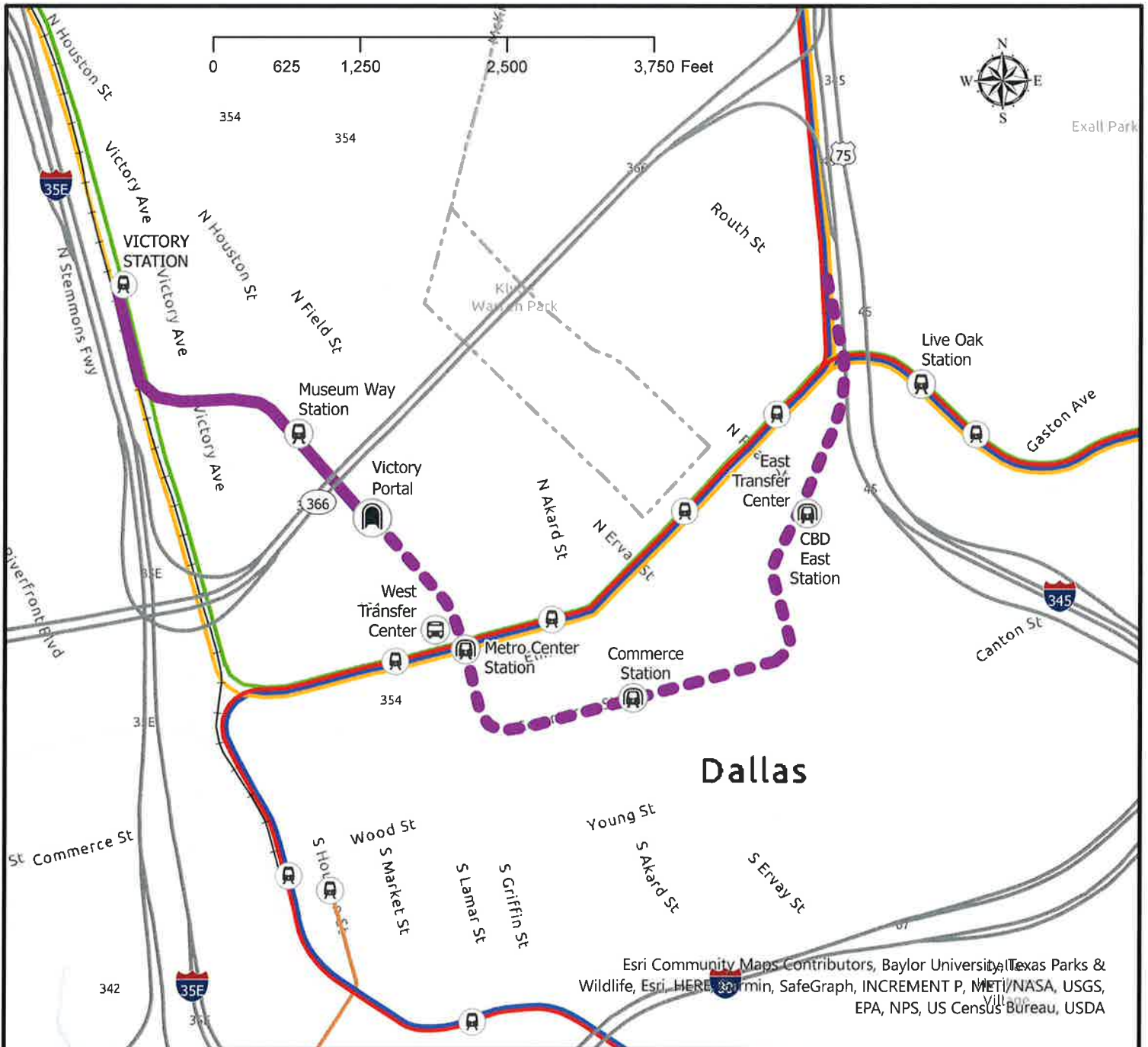
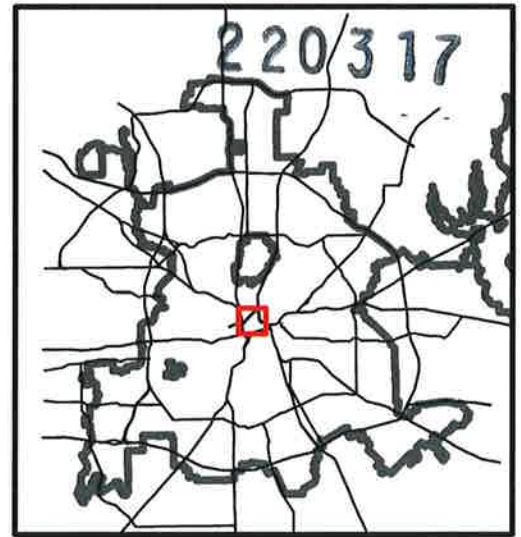
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EXHIBIT 3

D2 Locally Preferred Alternative Alignment

Council District 2, 14

- | | | |
|---|--|---|
| Existing LRT System | --- McKinney Avenue Trolley | D2 Subway |
|  Blue Line |  Dallas Streetcar |  At Grade |
|  Green Line |  Trinity Railway |  Below Grade |
|  Orange Line | | |
|  Red Line | | |



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