

January 22, 2020

WHEREAS, Dallas Area Rapid Transit (“DART”) is currently designing and planning the construction and operation of a 26-mile rail line between Dallas Fort Worth International Airport and the City of Plano known as the Cotton Belt Project (the “Project”); and

WHEREAS, the Project alignment follows the existing Cotton Belt rail line that passes through the cities of Plano, Richardson, Dallas, Addison, Coppell, and Carrollton; and

WHEREAS, the portion of the Project alignment that passes through the northern part of the city of Dallas is a three-mile section that is in close proximity to schools, parks, and mixed-use development, and has several at-grade street crossings; and

WHEREAS, on January 22, 2010, the Surface Transportation Board, issued a decision approving the freight service abandonment of 5.34 miles of existing Cotton Belt rail line, including the portion of the rail line that includes the Project alignment that passes through the northern part of the City (the “Abandonment”); and

WHEREAS, on March 28, 2018, the City Council adopted Resolution No. 18-0488 (the “Resolution”) that provided, among other things, that the City Council would support the Project if DART agreed to enter into an Agreement with the City assuring that freight service would never be allowed on the Project between Waterview Parkway and the Dallas North Tollway; and

WHEREAS, on November 8, 2018, DART obtained a Record of Decision (“ROD”) and Final Environmental Impact Statement (“FEIS”) from the U.S. Department of Transportation, Federal Transit Administration (“FTA”), Federal Aviation Administration (“FAA”) and the Federal Railroad Administration (“FRA”), as a cooperating agency, for the Project; and

WHEREAS, the ROD/FEIS references the Abandonment and was issued based on such Abandonment; and

WHEREAS, the Parties are each a “local government” as defined in the Interlocal Cooperation Act, as amended (Chapter 791, Texas Government Code, as amended, or “the Act”), whose governmental functions include the authority to provide for public transportation within their respective jurisdictions.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute an Interlocal Agreement between the City of Dallas and DART, approved as to form by the City Attorney, for the prohibition of freight services on DART’s Cotton Belt Line of approximately a three-mile section from the Dallas City Limit at the Dallas North Tollway to the Dallas City Limit west of Waterview Parkway without the express written consent of the Dallas City Council and all applicable federal agencies.

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SECTION 2. That this Interlocal Agreement will renew annually without any action from the Parties.

SECTION 3. That this Interlocal Agreement is designated as Contract No. TRN-2020-00012610

SECTION 4. 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.