

June 10, 2020

WHEREAS, the routine sounding of the locomotive train horn approaching roadway-rail grade crossings has a negative effect on the quality of life for those persons living near a rail line; and

WHEREAS, on August 2006, the Federal Railroad Administration (FRA) issued revised rules and regulations (49 Code Federal Regulation Parts 222 and 229) known as the “Train Horn Final Rule” governing the Use of Locomotive Horns at Highway-Rail Grade Crossings; and

WHEREAS, the FRA rules and regulations include provisions that allow communities to silence train horns and establish “Quiet Zones” at roadway-rail grade crossings by implementing certain qualifying safety measures; and

WHEREAS, on August 2004, the North Central Texas Council of Governments (NCTCOG) Regional Transportation Commission (RTC) approved the 2004 Railroad Reliability Partnership program that included roadway-rail grade crossing improvements along a section of the Kansas City Southern (KCS) Railway in East Dallas between Interstate Highway 30 and Loop 635 (Lyndon B. Johnson (LBJ) Freeway); and

WHEREAS, on November 2004, the proposed roadway-rail grade crossing improvements in East Dallas were included in the North Central Texas Council of Governments Transportation Improvement Program (TIP); and

WHEREAS, on May 2018, the RTC approved the 2019-2022 TIP that identified \$1,828,070.00 federal funding, representing 80% participation, for the roadway-rail grade crossings project in East Dallas; and

WHEREAS, in 2017 the City of Dallas Bond Program appropriated \$543,000.00 for 20% local match portion of the Quiet Zone Project funding; and

WHEREAS, on June 12, 2019, City Council authorized the execution of a Local Project Advanced Funding Agreement with the Texas Department of Transportation to accept \$1,791,508.00 in Surface Transportation Block Grant funds for the KCS Quiet Zone East Dallas Project by Resolution No. 19-0881; and

WHEREAS, KCS is willing to enter into an agreement to upgrade rail crossings on their rail line at Santa Anna Avenue (Department of Transportation (DOT) No. 021598L), Barnes Bridge Road (DOT No. 021596X), Centerville Road (DOT No. 022056F), Gus Thomasson Road (DOT No. 022055Y), Peavy Road (DOT No. 022053K), Mariposa Drive (DOT No. 022052D), Lakeland Drive (022050P), St. Francis Avenue (DOT No. 022049V), and Highland Drive (DOT No. 022049V).

June 10, 2020

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 agreement with Kansas City Southern Railway (KCS), approved as to form by the City Attorney, to implement quiet zone improvements at nine rail crossings in East Dallas along the KCS railroad corridor, in an amount not to exceed \$1,880,722.00.

SECTION 2. That the Chief Financial Officer is hereby authorized to disburse funds not to exceed \$1,880,722.00 to KCS in accordance with the terms and conditions of the contract, as follows:

Surface Transportation Block Grant Project Fund Fund F576, Department TRN, Unit 3882, Activity RRQZ Object 4599, Program TPF57620 Encumbrance/Contract No. CX-TRN-2020-00013149 Vendor 335796	\$1,504,577.60
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Street and Transportation (A) Fund Fund 1V22, Department TRN, Unit V142, Activity RRQZ Object 4599, Program PB17V142 Encumbrance/Contract No. CX-TRN-2020-00013149 Vendor 335796	<u>\$ 376,144.40</u>
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Total amount not to exceed	\$1,880,722.00
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SECTION 3. 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.