



Legislation Details (With Text)

**File #:** 21-95      **Version:** 1      **Name:**

**Type:** CONSENT AGENDA      **Status:** Approved

**File created:** 1/19/2021      **In control:** Department of Transportation

**On agenda:** 2/24/2021      **Final action:**

**Title:** Authorize an amendment No. 1 to the Advance Funding Agreement with the Texas Department of Transportation to allocate Surface Transportation Block Grant funding for the Southern Gateway Public Green Project - Financing: No cost consideration to the City

**Sponsors:**

**Indexes:** 1, 4

**Code sections:**

**Attachments:** 1. Map, 2. Resolution

Date	Ver.	Action By	Action	Result
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**STRATEGIC PRIORITY:** Mobility Solutions, Infrastructure, and Sustainability

**AGENDA DATE:** February 24, 2021

**COUNCIL DISTRICT(S):** 1, 4

**DEPARTMENT:** Department of Transportation

**EXECUTIVE:** Majed Al-Ghafry

**SUBJECT**

Authorize an amendment No. 1 to the Advance Funding Agreement with the Texas Department of Transportation to allocate Surface Transportation Block Grant funding for the Southern Gateway Public Green Project - Financing: No cost consideration to the City

**BACKGROUND**

On October 31, 2017, the City of Dallas entered into an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) to construct a deck structure over Interstate 35E. This deck structure would ultimately extend over the freeway between Marsalis Avenue and Ewing Street Bridges. Currently, the deck construction agreement includes the first phase and will cover approximately half of that total length. However, the agreement also includes constructing foundations and design work that will facilitate the second phase to cover the full length.

This project is often referred to by TxDOT as the Southern Gateway Public Green (SGPG). Others often refer to it as the Deck Park. As these names imply, construction of the deck structure by TxDOT is intended to support the development of a public park. The park is being designed under the direction of the SGPG Foundation (Foundation). The Foundation is also engaged in an extensive

fund-raising effort to cover the cost of the park development.

The Deck Park is intended to help reunite the two communities that were separated years ago by the construction of the original freeway. The reunited communities will include the Dallas Zoo, the 10th Street Historic District, the DART Zoo Station, and several other residential and commercial areas.

The fire and life safety requirements for the second phase of the Deck Park requires additional design and construction work by TxDOT and their design-build contractor. Cost associated with this additional work requires amending the AFA to increase the funding for the SGPG by \$12,987,805.00 from \$35,388,000.00 to \$48,375,805.00. The funding source for the additional work is provided entirely through the North Central Texas Council of Governments (NCTCOG) by a Surface Transportation Block Grant (STBG).

This STBG funding will be provided by NCTCOG directly to TxDOT and will not pass through the City. There is no cost impact to the City for the additional work or for this amendment.

Approval of this item will allow the SGPG project to receive the available Surface Transportation Block Grant funds for the additional design and construction work, better comply with current state and federal regulations, and allow the project to remain on schedule.

**PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)**

On June 28, 2017, City Council authorized the (1) a Local Project Advance Funding Agreement with the Texas Department of Transportation (TxDot) to establish responsibilities for the design-build of the Southern Gateway Public Green for the deck structure for Phase 1 and foundations for Phase I and Phase 2; (2) an Operation and Maintenance Agreement with TxDot for Southern Gateway Public Green; (3) an Airspace Lease Agreement with TxDot for the use of surface area and airspace over Interstate Highway 35E corridor from Marsalis Avenue to Ewing Avenue for the Southern Gateway Public Green; and (4) a Memorandum of Understanding with the Regional Transportation Council (RTC) regarding the use of Transportation Development Credits (TDCs) to cover -the local match commitment for the Southern Gateway Public Green by Resolution No. 17-1053.

On January 24, 2018, City Council authorized payment to the Texas Department of Transportation for the City's local match for construction of the Southern Gateway Public Green's infrastructure over Interstate Highway 35E, by Resolution No. 18-0195.

**FISCAL INFORMATION**

This item has no cost consideration to the City. STBG funds are provided from NCTCOG directly to TxDOT and do not pass through City accounts.

	<u>STBG Funds (NCTCOG)</u>	<u>City 2017 Bond Funds</u>	<u>Total Cost</u>
Original AFA	\$28,310,400.00	\$7,077,600.00	\$35,388,000.00
Proposed Amendment No. 1	<u>\$12,987,805.00</u>	<u>\$ 0.00</u>	<u>\$12,987,805.00</u>
Total Cost	\$41,298,205.00	\$7,077,600.00	\$48,375,805.00

**MAP**

Attached