Legislation Text

File #: 23-217, **Version:** 1

STRATEGIC PRIORITY: Transportation & Infrastructure

AGENDA DATE: February 8, 2023

COUNCIL DISTRICT(S): 2, 14

DEPARTMENT: Department of Transportation

EXECUTIVE: Dr. Robert Perez

SUBJECT

Authorize the **(1)** acceptance of a grant from the United States Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Congestion Mitigation and Air Quality Improvement Program (Agreement No. CSJ 0918-47-362, CFDA No. 20.205) in the amount of $5,500,000.00 as federal share in the total project cost of $5,518,541.60, which includes $5,390,000.00 in Federal reimbursement, $110,000.00 in Direct State Cost, $18,541.60 in Indirect State Cost, and the City of Dallas' portion covered by the use of 1,100,000 Transportation Development Credits in lieu of a local cash match, for cost related to the construction of new sidewalks, Americans with Disabilities Act ramps, curb extensions, pedestrian lighting, and upgrades to traffic signals from Live Oak Street to the North to Hall Street to the East, Interstate Highway 30 to the South and Cesar Chavez Boulevard to the West in the City of Dallas; **(2)** establishment of appropriations in the amount of $5,390,000.00 in the Deep Ellum Area PEDS & Traffic Signal Fund; **(3)** receipt and deposit of funds in the amount of $5,390,000.00 in the Deep Ellum Area PEDS & Traffic Signal Fund; **(4)** disbursement of funds in the amount of $5,390,000.00 from the Deep Ellum Area PEDS & Traffic Signal Fund; and **(5)** execution of the Advance Funding Agreement with TxDOT and all terms, conditions, and documents required by the grant agreement - Total amount of $5,390,000.00 - Financing: Texas Department of Transportation Grant Funds

BACKGROUND

On August 14, 2019, City Council authorized a business personal property tax abatement agreement and economic development grant agreements associated with job creation and fee reimbursement funding with Uber Technologies, Inc. ("Uber") to support the proposed expansion and relocation of select corporate functions of Uber within the City of Dallas by Resolution No. 19-1166. The expansion and relocation of Uber was designated as an Enterprise Zone Project under the Texas Enterprise Zone Act in connection with a two phase, two office tower development in the Deep Ellum Area.

The Regional Transportation Council (RTC) approved a mobility partnership program with Uber on September 12, 2019, that included five transportation elements: transit planning to maintain good accessibility to Dallas Area Rapid Transit light rail stations; improving sidewalks and bicycle connections to and from Uber Headquarters; improving the quality of signalized intersections in the area; implementing next generation electric battery technology for a transit shuttle aiding the circulation of Deep Ellum to Downtown; and better use of the land under Interstate Highway 345 adjacent to Uber's Headquarters for recreational activities and potential parking. The RTC also allocated an additional $10,000,000.00 to the $5,000,000.00 already approved and available for related efforts with potential options for using federal Congestion Mitigation and Air Quality Improvement (CMAQ) Program funds or RTC Local funds.

On July 18, 2021, the RTC approved the Deep Ellum Area Pedestrian and Traffic Signal Improvements Project in connection with the mobility partnership program with Uber and awarded the City of Dallas $5,000,000.00 in federal funding for the Project. The scope of the Project includes constructing new sidewalks, Americans with Disabilities Act (ADA) ramps, curb extensions, pedestrian lighting, and upgrades to traffic signals from Live Oak Street to the North to Hall Street to the East, Interstate Highway 30 to the South and Cesar Chavez Boulevard to the West in the City of Dallas.

The City of Dallas desires to enter into an Advanced Funding Agreement (AFA) with TxDOT to accept federal funding through the CMAQ Program to complete the Project.

The Project is funded 100% with federal sources, and the use of 1,100,000 Transportation Development Credits ("TDCs") will serve as the City's participation in lieu of a local cash match.

TDCs are a financial accounting tool approved by the Federal Highway Administration permitting the use of federal funding without the requirement of a cash match. These credits are non-cash credits allocated to States as a representative value to account for toll road and tolled managed lanes that benefit the federal system.

This action will authorize an AFA with TxDOT for the construction of the Project utilizing a combination of federal funding and TDCs.

ESTIMATED SCHEDULE OF PROJECT

Begin Design	July 2023
Complete Design	December 2024
Begin Construction	June 2025
Complete Construction	June 2027

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On August 14, 2019, City Council authorized execution of the following: (1) a business personal property tax abatement agreement for a five-year period; (2) a Chapter 380 economic development grant agreement in an amount not to exceed $3,500,000.00 over a period of ten-years; (3) a Chapter 380 economic development grant agreement in an amount not to exceed $5,000,000.00 associated with job creation; (4) a Chapter 380 economic grant agreement in an amount not to exceed $100,000.00 associated with fee reimbursement funding; and (5) the nomination to receive

designation as an Enterprise Zone Project; all with Uber in connection with the proposed project which will be comprised of a two phase, two office tower development located at 2550 Pacific Avenue by Resolution No. 19-1166.

FISCAL INFORMATION

Fund	FY 2023	FY 2024	Future Years
Texas Department of Transportation Grant Funds	$100,000.00	$290,000.00	$5,000,000.00

Federal Participation (CMAQ Grant)	$5,390,000.00
Federal Participation (Direct State Cost)	$ 110,000.00
Indirect State Participation	$ 18,541.60
Total Project Cost	$5,518,541.60

Council District	Amount
2	$2,156,000.00
14	$3,234,000.00
Total	$5,390,000.00

MAP

Attached

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