

DRAFT

KEY FOCUS AREA: Economic Vibrancy
AGENDA DATE: April 8, 2015
COUNCIL DISTRICT(S): 14
DEPARTMENT: Planning and Neighborhood Vitality
CMO: A. C. Gonzalez, 670-3297
MAPSCO: 35 X Y; 45 B C F K L

SUBJECT

Authorize **(1)** an ordinance renewing a private license to the McKinney Avenue Transit Authority, Inc. for the purpose of operating an electric streetcar system; and **(2)** a Second amendment to the McKinney Avenue Transit Authority Construction and Operation Agreement - Financing: No cost consideration to the City

BACKGROUND

On June 14, 1989, the City of Dallas executed an ordinance granting a license to the McKinney Avenue Transit Authority (MATA) for the operation of an electric streetcar system on certain public right-of-ways. The joint DART and City of Dallas Urban Circulator Grant streetcar project began construction in October 2013 and will extend the existing M-Line alignment creating a loop through the Arts District in downtown Dallas. The updated second amendment to the Construction and Operation Agreement will detail the new streets added to the MATA system since the adoption of the initial streetcar alignment from 1989. The license granting MATA authority to operate an electric streetcar system fulfills the requirements of Chapter XIV of the City Charter, in conferring the right to use public property for a public service.

The Urban Circulator Grant is a Federal Transit Administration grant which requires the MATA system to establish and implement a Safety and Security Management Plan (SSMP) for not only the new construction but the entire system. The federally mandated State Safety Oversight Program requires the Texas Department of Transportation (TxDOT) to administer the program for transit systems in their jurisdiction. TxDOT requires the City of Dallas, as owner of the right-of-way, rail and the overhead contact system to ensure that the plans in the State Safety Oversight programs are developed and implemented. The SSMP includes several plans that address safety and security for all aspects of the project and rail operations. MATA with City of Dallas oversight will prepare and implement a Safety and Security Certification Plan (SSCP), System Safety Program Plan (SSPP), Systems Safety and Emergency Preparedness Plan (SSEPP), and System Security Plan (SSP). The roles and responsibilities for implementation of these plans are detailed in the updated license ordinance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On January 22, 1986, a resolution authorized the City Manager to execute a Construction and Operating Agreement with the McKinney Avenue Transit Authority.

On April 10, 1986, an ordinance was established to execute a Construction and Operating Agreement with the McKinney Avenue Transit Authority.

On June 14, 1989, an ordinance was established granting a license to the McKinney Avenue Transit Authority to operate on certain City of Dallas right-of-ways.

FISCAL INFORMATION

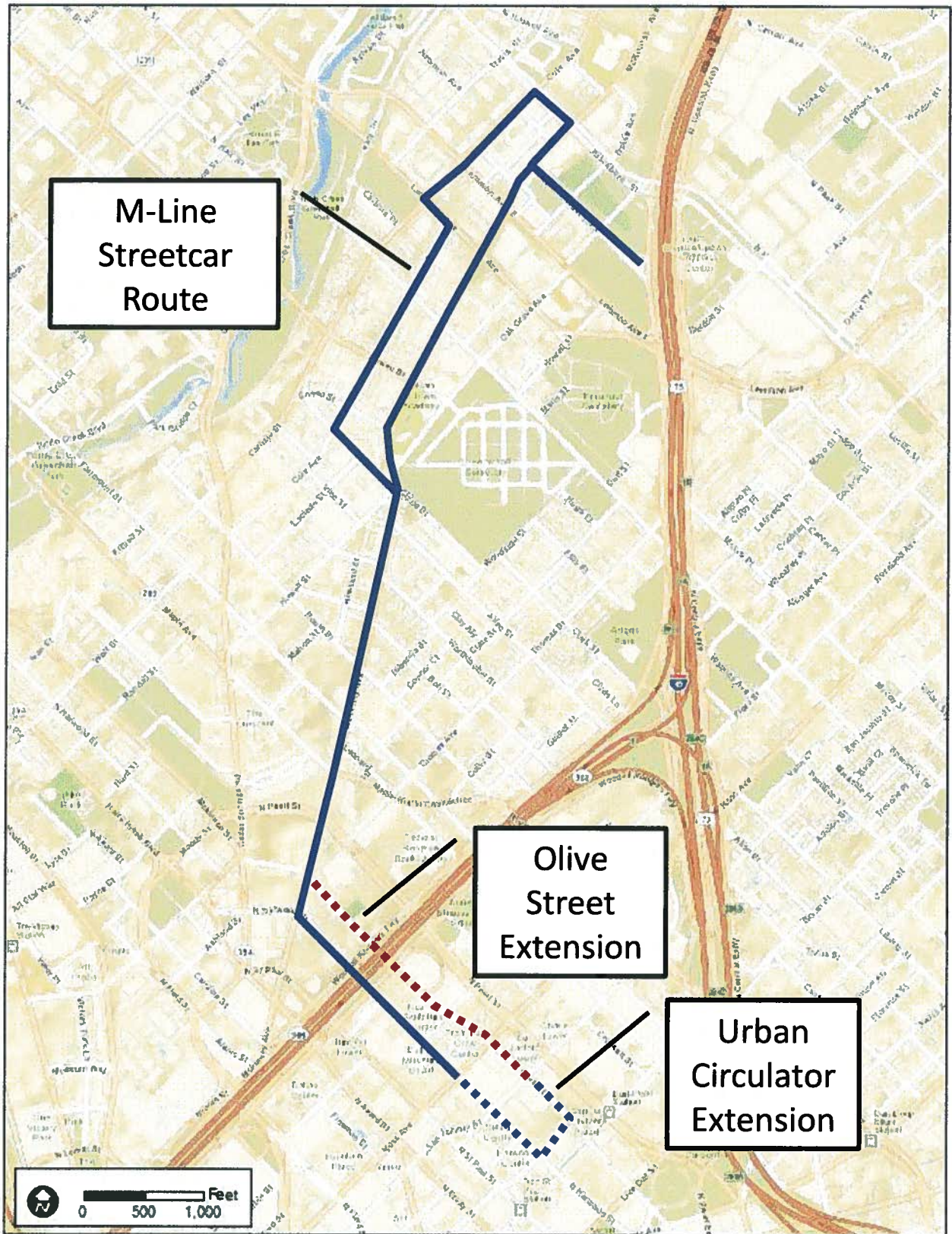
No cost consideration to the City.

MAP

Attached

M-Line Streetcar Route

Council District: 14



MAPSCO: 35X,Y 45B,C,F,K,L

WHEREAS, on June 14, 1989, the Dallas City Council approved Ordinance No. 29544 granting a license to the McKinney Avenue Transit Authority (MATA) for the operation of an electric streetcar system on certain public right-of-ways in the City of Dallas; and

WHEREAS, MATA, pursuant to a Construction and Operation Agreement executed on April 10, 1986 with the City of Dallas has successfully operated vintage streetcars through Uptown for over twenty-five (25) years reaching an annual ridership of approximately 500,000 passengers in 2014; and

WHEREAS, the City of Dallas desires to continue providing streetcar service to downtown Dallas and Uptown with MATA as the system operator by: (1) renewing and updating the license; and (2) amending and restating the Construction and Operation Agreement to, among other things, include MATA's use of additional public right-of-way in an expanded vintage streetcar system; and

WHEREAS, the renewed and updated license and the amended and restated Construction and Operation Agreement further details the roles and responsibilities of City of Dallas and MATA for the State Safety Oversight Program ensuring the operation of a safe and secure system; and

Now, Therefore,

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

SECTION 1. That, concurrent with and contingent upon the City Council approving the license allowing the expansion of the vintage streetcar system, the City Manager; subject to the review and approval as to form by the City Attorney, is authorized to execute a Second Amended and Restated Construction and Operation Agreement with the McKinney Avenue Transit Authority, Inc., setting forth each party's responsibilities for implementation of streetcar service in Uptown and Downtown Dallas on streets as described in the agreement.

SECTION 2. 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.