



Agenda Information Sheet

File #: 19-139

Item #: 38.

STRATEGIC PRIORITY: Quality of Life
AGENDA DATE: February 27, 2019
COUNCIL DISTRICT(S): 2, 4, 5, 6, 7, 9
DEPARTMENT: Park & Recreation Department
EXECUTIVE: Willis C. Winters

SUBJECT

Authorize **(1)** a development and funding agreement with the Circuit Trail Conservancy (CTC), a Texas non-profit organization, for the purpose of assisting with the funding, land acquisition, design and construction of hike and bike trails on the remaining undeveloped 10 miles of The Loop, comprised of the Circuit Trail Connection, Trinity Forest Spine Trail, the Trinity Gateway and Trinity Skyline Trail Links (collectively hereinafter referred to as "Project"); **(2)** the receipt and deposit of funds in an amount not to exceed \$10,000,000.00 from the CTC in the Circuit Trail Conservancy Fund; **(3)** establishment of appropriations in an amount not to exceed \$10,000,000.00 in the Circuit Trail Conservancy Fund; **(4)** a match in the amount of \$10,000,000.00 from the Park and Recreation Facilities (B) Fund (2017 Bond Funds); **(5)** execution of the development and funding agreement and all terms, conditions and documents required by the agreement; and **(6)** the disbursement of funds to the U.S. Army Corps of Engineers for work on the Trinity Forest Spine Trail South in an amount not to exceed \$3,500,000.00 from the Circuit Trail Conservancy Fund and in an amount not to exceed \$3,500,000.00 from the Park and Recreation Facilities (B) Fund (2017 Bond Funds) - Total not to exceed \$20,000,000.00 - Financing: Park and Recreation Facilities (B) Fund (2017 Bond Funds) (\$10,000,000.00) and Circuit Trail Conservancy Fund (\$10,000,000.00)

BACKGROUND

The 2017 Bond Program included an allocation of \$20,000,000.00 for the Project. The CTC offered to match \$10,000,000.00 of the City funds with \$10,000,000.00 in private funds. Additionally, Dallas County (County) will fund \$5,000,000.00 towards the Trinity Forest Spine Trail portion of the Project, and North Central Texas Council of Governments (NCTCOG) will fund \$8,000,000.00 for the Circuit Trail Connection portion of the Project. The total matching funds for the Project from non-City sources are \$23,000,000.00, for a total project cost of \$43,000,000.00.

Following are the proposed deal points:

General

- The agreement sets forth the terms for the funding, land acquisition, design and construction of the Project, including the trail and improvements that include park furnishings, signage, trailheads and landscaping
- The term of the agreement commences on execution and terminates one year after completion of the Project, subject to approval and acceptance by the City (by and through the Park and Recreation Department Director) of the project
- CTC, in consideration for their private funding contributions, shall have the right to name elements of the Project, subject to the approval of the Park and Recreation Department Director

Funding

- Total estimated cost of the Project is \$43,000,000.00
 - City’s contribution is \$20,000,000.00 from the 2017 Bond Program
 - \$10,000,000.00 match to CTC’s funding
 - \$10,000,000.00 match to other governmental funding
 - City’s funds will be utilized for construction, public art, and owner’s costs
- CTC’s contribution from private funding is \$10,000,000.00
 - Required match funding from non-City sources must be in place prior to City bond funds being expended for the Project
 - CTC will match \$10,000,000.00 with funds provided to the City or spent directly on eligible project expenses.
 - City funds can match non-City source funds on an incremental basis as non-City funds are utilized and/or provided to the City
 - If CTC raises more than \$10,000,000.00 in private funds, after project costs have been met, then CTC may use remaining funds for a future maintenance endowment
- NCTCOG’s contribution is \$8,000,000.00 for the Circuit Trail Connection
 - Future agreement will be needed
- Dallas County’s contribution is \$5,000,000.00 for the Trinity Forest Spine Trail
 - Future agreement will be needed

A summary of the funding is as follows:

	NCTCOG	City	County	CTC/Other	Totals
Trinity Forest Spine Trail North	\$0	\$3.5M	\$5M	\$2.5M	\$11M
Trinity Forest Spine Trail South	\$0	\$3.5M	\$0	\$3.5M	\$ 7M
Circuit Trail Connection	\$8M	\$8M	\$0	\$800K	\$16.8M
Trinity Gateway Trail	\$0	\$5M	\$0	\$3.2M	\$ 8.2M
Totals	\$8M	\$20M	\$5M	\$10M	\$43M

Funding for the Trinity Skyline Trail Link is to be determined.

Design Phase

City

- Shall have the ability to review each phase of the CTC's design plans and approve prior to proceeding to the next phase

CTC

- CTC shall fund and manage the design process for the trail segments
 - Alternatively, design of the Trinity Forest Spine Trail from the Lawnview DART Station to Elam Road and AT&T Trail may be transferred to the U.S. Army Corps of Engineers (USACE)

Land Acquisition

City

- Shall be responsible for land acquisition needed for the trail corridor, including acquiring any easements from Oncor or other entities

CTC

- Can acquire land on the City's behalf, if it is more advantageous to the Project in terms of time and/or costs
- CTC can elect to donate or sell the property it acquires to the City
 - City may purchase the property from CTC, for a price not to exceed CTC's acquisition price
 - If the City purchases the property from CTC, CTC will receive credit towards their match funding only for the related closing costs associated with the City's purchase
 - If CTC donates the property to the City, CTC will receive credit towards their match funding for the acquisition price and the closing costs associated with the transfer to the City

Construction Phase

City

- Shall be responsible for procuring and overseeing the construction of the trails
 - Alternatively, construction of the Trinity Forest Spine Trail from the Lawnview DART Station to Elam Road and AT&T Trail may be transferred to the USACE
 - City will have the right to inspect construction performed by CTC's contractors

CTC

- CTC has an option to raise additional non-City funding for additional improvement/amenities to the trails
 - CTC may contract directly for the design and construction of the added improvements/amenities with City's review and approval

Operations/Maintenance Phase

City

- Shall provide the standard trail maintenance, subject to appropriations
- Shall be responsible for major maintenance, subject to appropriations

CTC

- May fund a maintenance endowment subject to availability of funds

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On April 21, 2016, the Park and Recreation Board was briefed regarding this matter.

On November 15, 2016, the City Council was briefed on The Loop Circuit Trail Conservancy.

On January 10, 2019, the Park and Recreation Board authorized a development and funding agreement with the Circuit Trail Conservancy.

Information about this item will be provided to the Quality of Life, Arts and Culture Committee on February 25, 2019.

FISCAL INFORMATION

The total project cost of this funding agreement is \$20,000,000.00 with the following components:

Park and Recreation Facilities (B) Fund (2017 Bond Funds) - \$10,000,000.00
FY 2018-19: \$3,500,000.00 (this action)

Estimated Future Cost:
FY 2018-19: \$3,600,000.00 (Land Acquisition and Construction Design)
FY 2019-20: \$12,900,000.00 (Construction)

Circuit Trail Conservancy Funds - \$10,000,000.00
FY 2018-19: \$3,500,000.00 (this action)

Project Summary

Trinity Forest Spine Trail South (this action)	\$ 7,000,000.00
Circuit Trail Connection	\$16,800,000.00
Trinity Forest Spine Trail North	\$11,000,000.00
Trinity Gateway Trail	<u>\$ 8,200,000.00</u>
 Project Total	 \$43,000,000.00

MAP

Attached