

A Resolution

NO. _____

AUTHORIZING THE CONVEYANCE OF APPROXIMATELY 41 ACRES OF LAND IN PERPETUAL EASEMENT TO THE FORT WORTH TRANSPORTATION AUTHORITY FOR PUBLIC MASS TRANSIT IMPROVEMENTS AT DALLAS- FORT WORTH INTERNATIONAL AIRPORT

WHEREAS, the Dallas-Fort Worth International Airport (“the Airport”) serves the aviation needs of the cities of Fort Worth and Dallas; and

WHEREAS, the City of Fort Worth, jointly with the City of Dallas, owns certain land in Dallas and Tarrant Counties, Texas, said parcels being deeded to the City of Fort Worth and the City of Dallas and which are used for the benefit of the Airport; and

WHEREAS, the Fort Worth Transportation Authority (“the FWTA”) has requested a perpetual easement containing a total of approximately 41 acres of land, for the construction and operation of an extension of its TEX Rail commuter project, onto property within the boundaries of the Airport, which will include public rail transit facilities, including without limitation, associated utilities, train station, track and guide way, a parking lot, drainage improvements, bridge structures, spans, and any other related facilities or structures that facilitate, support or promote public rail transit to the Airport; and

WHEREAS, on August 4, 2016, the Dallas-Fort Worth International Airport Board (“the DFW Board”) recommended that the City Councils of Dallas and Fort Worth convey approximately 41 acres in perpetual easement to the FWTA for public mass transit improvements.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FORT WORTH, TEXAS:

Section 1. The City Manager is authorized to execute and deliver to the Fort Worth Transportation Authority (FWTA) any documents necessary for the conveyance of a perpetual easement as recommended by the Dallas-Fort Worth International Airport Board in its Resolution 2016-08-195, attached as Exhibit “A.”

Section 2. That this resolution shall take effect immediately upon its passage.

Adopted this _____ day of _____ 2016.

ATTEST:

By: _____

Mary Kayser, City Secretary





August 4, 2016

STATE OF TEXAS §

COUNTY OF DALLAS §

COUNTY OF TARRANT §

I, Traci Henderson, Board Secretary for the Dallas-Fort Worth International Airport Board, do hereby certify that the attached is a true and correct copy of Resolution No. 2016-08-195, approved by the Dallas-Fort Worth International Airport Board of Directors at its Board Meeting held on August 4, 2016.

WITNESS MY HAND AND SEAL OF THE DALLAS-FORT WORTH INTERNATIONAL AIRPORT BOARD, THIS 4th DAY OF AUGUST, 2016.



A handwritten signature in black ink that reads "Traci Henderson". The signature is written in a cursive style with a horizontal line underneath.

Traci Henderson
Board Secretary

**DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD
OFFICIAL BOARD ACTION/RESOLUTION**

Date 08/04/2016	Committee Concessions/Commercial Development	Subject Easement Conveyance to the FWTA Related to Public Mass Transit	Resolution # 2016-08-195
---------------------------	-----------------------------------------------------------	-------------------------------------------------------------------------------------	------------------------------------

Action

That the Chief Executive Officer or designee be authorized to recommend that the City Councils of Dallas and Fort Worth convey 41 +/- acres in perpetual easement to the Fort Worth Transportation Authority for public mass transit improvements.

Description

- DFW Airport is partnering with the Fort Worth Transportation Authority (FWTA) to bring commuter rail service to the Airport.
- TEX Rail is a 27-mile commuter rail project being developed by FWTA, which will extend from downtown Fort Worth to DFW Airport, and include two on-Airport stations - DFW North Station and DFW Airport Station near Terminal B.
- For the TEX Rail extension on-Airport, FWTA requires 41 +/- acres of Airport land, in perpetual easement, off the Cotton Belt rail line in the northwest portion of the Airport, south over SH 121/114, under Airfield Drive and future north perimeter taxi area, and working its way to running roughly parallel along International Pkwy. to the DFW Airport Station just east of Terminal B.
- FWTA public mass transit improvements on this land will include track and guide way, a parking lot, utilities, and drainage improvements.
- Approval for the DFW Airport Station near Terminal B will be requested through a separate authority. DFW's current cost estimate of the scope-of-work is \$40+/- million that will be paid for and constructed by DFW Airport.

Justification

- The valuation of the easement has been determined to be \$8,855,773 as supported by appraisals commissioned by both parties. The appraisal components include the value of land and certain damages.
- As a result of the rail line construction, approximately +/- 50 acre tract of land will be severed to the east of DFW North Station and access will be denied. As a cost to cure the damages to the +/- 50 acre parcel, the parties have agreed to the following: When DFW decides to construct a roadway crossing along Dallas Road's extension, it shall cause a traffic study to be conducted. The study will assess the safety and traffic impacts associated with an at-grade crossing for the projected traffic volumes. If a grade-separated crossing is advised, then TEX Rail will be responsible for 50% of the actual program cost to construct the 4-lane grade separated crossing (less program cost to construct a typical surface roadway). If it is determined through the traffic study that an at-grade crossing is acceptable to DFW, then TEX Rail will be responsible for 100% of the program cost to construct the crossing (less cost to construct a typical surface roadway).
- FWTA's DFW North Station was designed to allow DFW to maximize land use on Airport land impacted by the TEX Rail line.
- DFW Airport Station will allow the travelling public to take advantage of the rail service from Fort Worth to connect to the Airport's Central Terminal Area.
- The public mass transit improvements will be constructed and maintained at FWTA's sole cost and expense.
- TEX Rail is projected to have 18,000 daily riders by 2035. Source: TEX Rail Final Environmental Impact Statement, January 2014.
- This Official Board Action supports the Airport's FY 2016 organizational goals.

D/S/M/WBE Information

- N/A - Not subject to the Board's D/S/M/WBE Program policies. (Conveyance of Board Property).
- Program application and the applicable goals will be determined as each method of procurement is selected and issued for design and construction of the Rail Facilities.

Contract #	Agreement #	Purchase Order #	Action Amount	Revised Amount
			\$0	\$0
For Information contact	Fund	Project #	External Funding Source	Amount
John Terrell 3-4655				\$0

Perpetual easement to be conveyed to FWTA subject to:

- 1. Approval by Owner Cities
- 2. Completion of a Compensation Agreement between FWTA and DFW Airport to include the following:

- ◇ Easement consideration shall be \$8,855,773 less the following deductions:
 - . Approximately \$305,000 for FWTA's construction of a data communication utility sleeve along the rail line across SH121/114, which will be used by DFW Airport to serve communication needs in the northwest quadrant of the Airport;
 - . Approximately \$322,170 for upsizing water line near DFW North Station to serve DFW future developments adjacent to that line. If DFW begins using the water utility line within ten years after its construction, DFW will pay FWTA 50% of the cost of construction of such water lines less the upcharge cost previously paid (Not-to-exceed \$515,000).
 - . Total amounts paid by FWTA to DFW Airport as fees for a Temporary Right-of-Way License, without interest;
- ◇ Payment by FWTA to DFW in the amount of approximately \$98,700 for 1W Parking lot gate mitigation.
- ◇ Payment by DFW to FWTA in the not-to-exceed amount of \$2,200,000 for certain agreed upon improvements associated with DFW Airport Station that FWTA will construct on behalf of DFW.

- 3. A Construction, Operation and Maintenance Agreement between FWTA and DFW Airport.
- 4. Requisite Approval by Federal Aviation Administration (FAA)

To keep the TEX Rail project on schedule, FWTA's contractor will commence construction efforts, at its own risk, under a short-term construction license. Revenue generation from this license is approximately \$87,496 per month. This amount includes \$72,794 towards Temporary Right-of-Way License Fee and \$14,702 towards Temporary Construction License Fee. The Temporary Right-of-Way License Fee previously paid will be credited against FWTA's easement consideration.

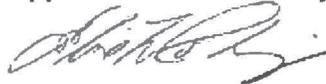
The conveyances to FWTA will reserve all mineral interests in the land and an avigation easement as required for aviation purposes.

Additional Attachments: Y

BE IT RESOLVED BY THE DALLAS FORT WORTH INTERNATIONAL AIRPORT BOARD

That the Chief Executive Officer or designee be authorized to recommend that the City Councils of Dallas and Fort Worth convey 41 +/- acres in perpetual easement to the Fort Worth Transportation Authority for public mass transit improvements.

Approved as to Form by



Rodriguez, Elaine
Legal Counsel
Jul 26, 2016 11:08 am

Approved as to Funding by



Underwood, Max
Vice President Finance
Finance
Jul 26, 2016 12:25 pm

Approved as to M/WBE by



Lee, Tamela
Vice President Business Diversity
and Development
Business Diversity and
Development
Jul 26, 2016 11:01 am

SIGNATURE REQUIRED FOR APPROVAL

Approved by



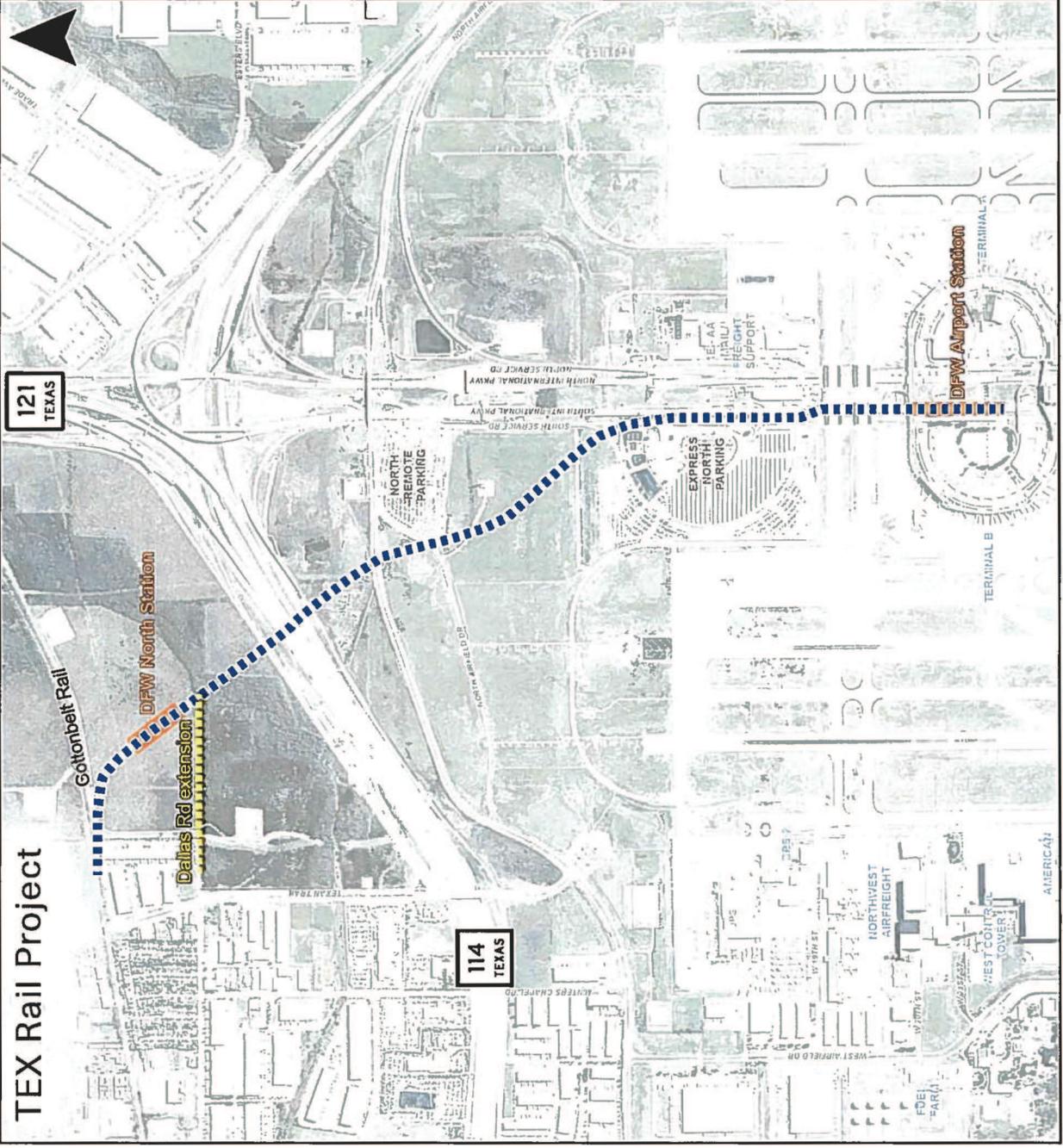
Department Head
Commercial Development
Jul 26, 2016 10:17 am



Chief Executive Officer

Aug 4, 2016 2:35 pm

Date



TEX Rail Project

**121
TEXAS**

**114
TEXAS**

Gottonbelt Rail

DFW North Station

Dallas Rd extension

NORTH REMOTE PARKING

EXPRESS NORTH PARKING

DFW Airport Station

TERMINAL B

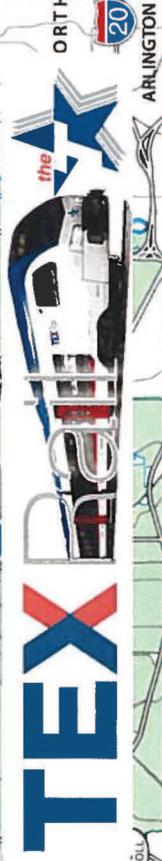
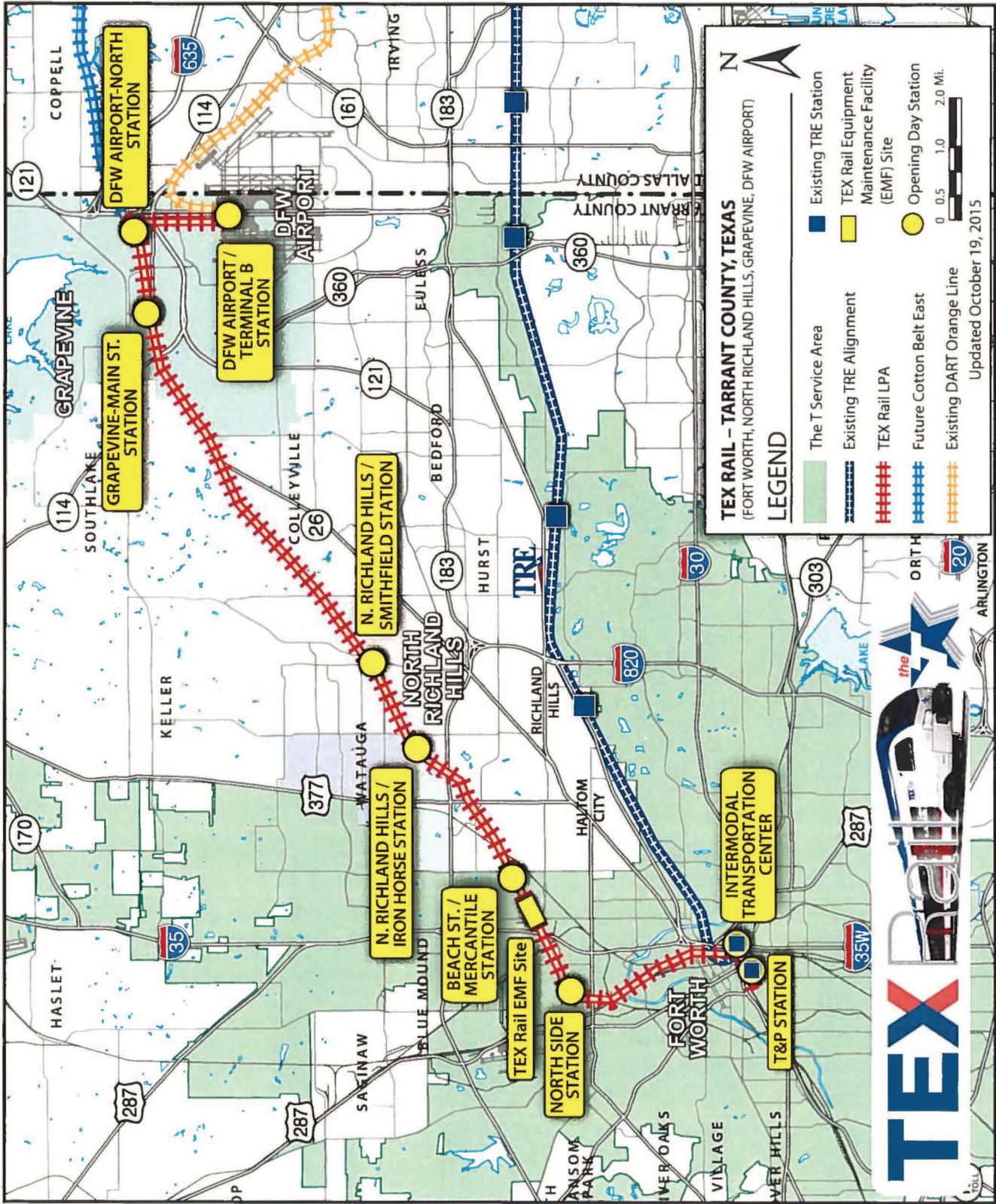
TERMINAL A

NORTHWEST AIRFREIGHT

WEST CONTROL TOWER

AMERICAN





© 2015