

WALTON

PROPOSAL
for a
DOWNTOWN PEOPLE MOVER
DALLAS, TEXAS



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June 25, 1976

Mr. Steven A. Barsony, Director
Applications Division
Urban Mass Transportation
Administration
Department of Transportation
2100 Second Street, S. W.
Room 6104H
Washington, D. C. 20590

Dear Mr. Barsony:

In response to the Department of Transportation's news release on April 5, 1976, the City of Dallas is pleased to submit nine copies of a proposal to install the Urban Mass Transit Administration's Downtown People Mover (DPM) system in the city's Central Business District. As one of the most progressive cities in the nation, Dallas can provide UMTA with an excellent showcase in which to affirm the value of the automated guideway transit principle in an urban setting. At the same time, incorporation of the system can provide the Dallas business district with an effective and attractive solution to its transportation and parking problems and help to revitalize this important area.

A number of important considerations combine to make Dallas a logical candidate for the program. The city is centrally located in the United States and, as a principal business and cultural hub in the Southwest, attracts thousands of visitors from every section of the nation. The Dallas/Fort Worth Airport, largest and most modern in the U. S., incorporates an automated people mover system which already has acquainted Dallas citizens with the advantages of this mode of travel. As a recognized business center, growth complex, convention and recreation attraction, Dallas can offer a large cross-section of America an opportunity to observe this modern transportation system in action.

The proposed system would consist of approximately 2.5 miles of attractively designed, elevated guideway serving seven passenger stations at key locations. A central control and maintenance facility would ensure smooth operation and quick attention to servicing requirements. It is proposed that, in order to have the system fully operational in 1979, a go-ahead be initiated in calendar year 1977.

ROBERT S. FOLSOM
MAYOR



CITY OF DALLAS 75201

One preliminary route of the proposed Dallas system would serve the Dallas Convention Center, the primary hotel complexes of the city, the underground walkway system, and will interface with the Dallas Transit System local bus service, express buses to the regional airport, and with AMTRAK at the new Transportation Terminal. In addition, there would be five passenger stops to serve downtown employees and shoppers. It is projected that this route would serve approximately 31,000 people per day during its first year of operation. Current studies show that the system would support itself through the fare box with a 25¢ one-way trip charge.

This improved Dallas circulation project is designed to assist UMTA in assessing the economic impact on the central city and will provide a test of the economic feasibility of an elevated-type people mover system in a major metropolitan city of the United States. The proposed design has the potential of expansion to interface with the D/FW Airport, with the City of Fort Worth, as well as the cities between Dallas and Fort Worth.

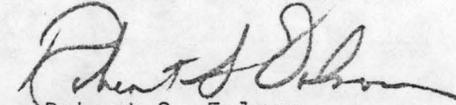
Dallas intends to demonstrate that an urban people mover system can be designed to be sufficiently reliable, and could provide service availability at an affordable cost and be truly a viable urban transit alternative. The social acceptability and environmental impact of automated transit can also be analyzed for the Dallas Urban System.

The City Council voted unanimously to commit the City to pursuit of the Downtown People Mover Program on Monday, June 14, 1976. The program has the support of the Dallas Chamber of Commerce, the Central Business District Association, downtown property owners, and the Metropolitan Planning Organization. Potential local funding sources from the City's 1975 bond program, State Public Transportation Fund, tax increment assessment, private funds, the City's operating budget, and certificates of indebtedness have been identified.

It is the desire of the City of Dallas to offer UMTA an urban setting that will provide excellent visibility and utilization for the Downtown People Mover system and demonstrate convincingly the applicability of the concept.

Dallas, upon selection, will immediately embark on an Environmental Impact Assessment (EIA) Study and request a letter of No Prejudice in order to complete the assessment within the proposed construction schedule. The City of Dallas appreciates the opportunity to be considered for participation in the Downtown People Mover Demonstration Program, and we will be pleased to discuss with UMTA any aspect of this proposal.

Respectfully,



Robert S. Folsom
Mayor

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attachments

Proposal
For A
Downtown People Mover
In
Dallas, Texas

Submitted To
Department of Transportation
Urban Mass Transportation Administration
Application Division

June 30, 1976

By
The City of Dallas, Texas

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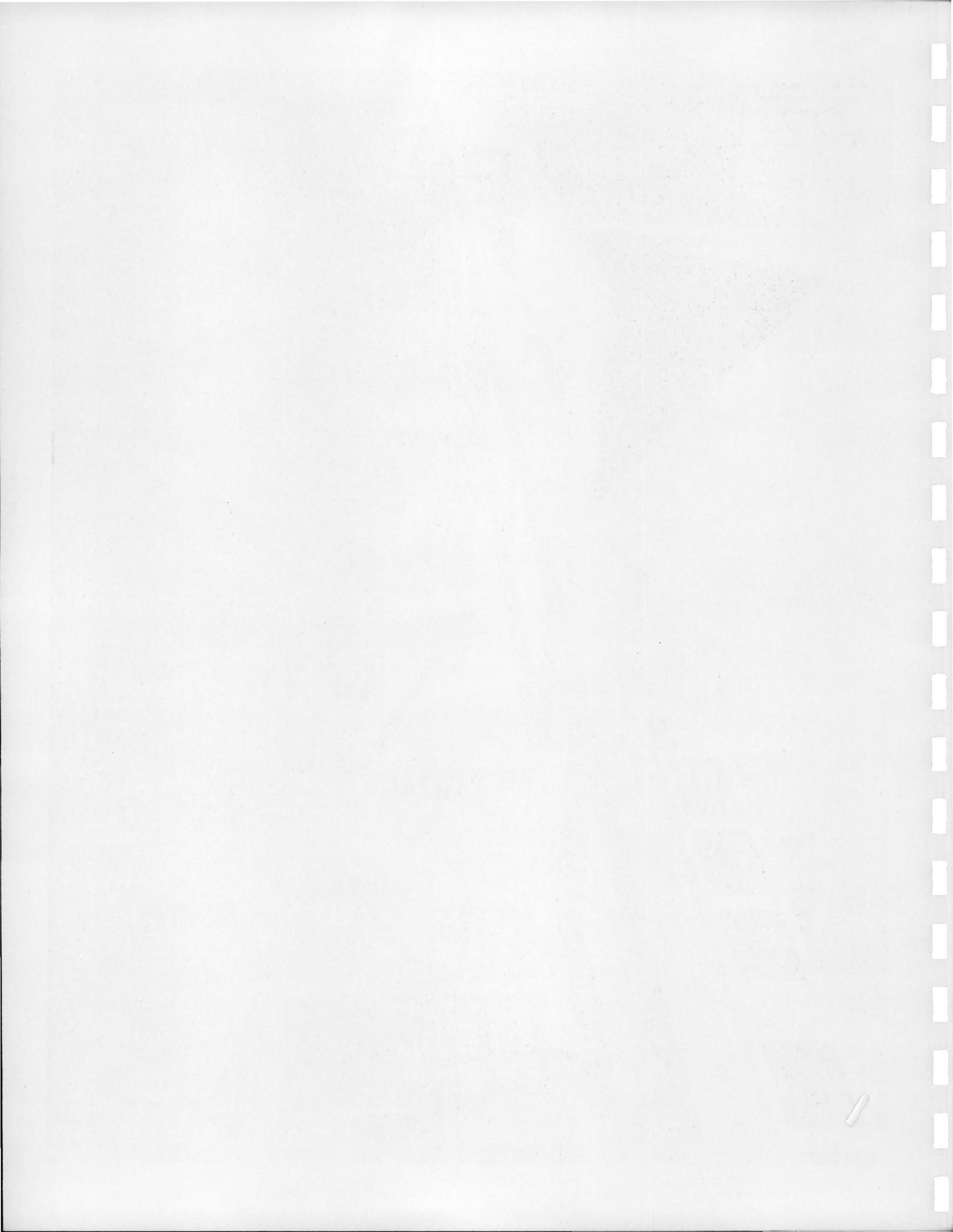
BOOTS
SHOE REPAIR

ALLRIGHT
TO PARK

PARK
LOCK

ICE

DT5



I. Introduction and Background

On April 6, 1976, Robert E. Patricelli, Administrator of the Department of Transportation's Urban Mass Transportation Administration (UMTA) announced a project to demonstrate the benefits of fully automated people mover systems in urban downtown areas.

Up to three cities will be chosen by UMTA in the fall of 1976 for the first public operation of a Downtown People Mover (DPM) system. The DPM project is intended to show whether simple automated systems can provide a reliable and economical solution to the local circulation problems in congested downtown areas. The project has six major objectives:

1. To test the operating cost savings which automated transit systems might deliver.
2. To assess the economic impact of improved downtown circulation systems on the central city.
3. To test the feasibility of surface or elevated people movers both as feeder distributors or as potential substitutes for certain functions now performed by more expensive fixed guideway systems, such as subways.
4. To establish that automated, relatively simple people mover systems can be made sufficiently reliable and maintainable while providing adequate service availability at affordable costs, to be a viable urban transit alternative.
5. To establish the social acceptability of automated unmanned transit vehicle operation and environmental impact of modern guideways in the urban (CBD) environment.
6. To thoroughly document the entire project, including an evaluation of system performance, the social, economic and environmental impacts of the DPM installation, the lessons learned from the project, and the set of guidelines and procedures that could be emulated by other potential candidate cities.

The DPM project is to be partially financed from funds that are available through UMTA's Capital Assistance program, which will provide up to 80% of the capital costs required to implement the project. Local participation for the remaining costs must be provided by or through the sponsoring public agency. In addition UMTA will fund several research, development, and evaluation efforts in direct support of the project.

Even prior to the official program announcement, the enclosed March 9, 1976, "letter of interest" from the Mayor of Dallas was transmitted to the UMTA Administrator. This letter not only indicated that Dallas is interested, but highlighted a number of reasons why Dallas is uniquely suited to be selected as one of the project cities. This letter served as notice to UMTA that the City of Dallas would be conducting a more in depth study to ascertain the feasibility of such a system in the Dallas Central Business District (CBD).

Preliminary studies have indicated that an automated guideway people mover system serving the high activity core of the Dallas Central Business District appears to be technically, economically and environmentally feasible. The City Council concurred unanimously and directed that a proposal be submitted to UMTA in order that the City of Dallas be considered for the project.

II. Project Description - Preliminary System Concept

The City of Dallas proposes an above grade people mover system approximately 2.5 miles in length. One potential route is shown in Figure 1. This alignment serves both the internal midday trips generated by the CBD's major office buildings and trip generators and parking. Eighty-eight percent of the projected 1990 CBD employment and 77% of the 1974 parking spaces are within 1000' of the 7 stations.

Using specifications typical of systems already in operation, 7 two-car trains could initially circulate in a counter-clockwise direction on 81 second headways. Typical vehicles would be able to accommodate approximately 44 persons. It is estimated that 30,900 persons/daily would use such a system in downtown Dallas. As ridership increases, the level of service of the system could be improved with the addition of vehicles and corresponding decreases in headway.

Estimated trip times for the basic route were computed assuming a maximum cruise speed of 30 mph and a dwell time of 20 seconds at each station. In the scheduled mode of operation, vehicles would stop at every station along the route. Average trip time is about 5 minutes and maximum is 8.4 minutes. The round trip time for a complete loop is 10 minutes.

The City of Dallas has estimated that the system described above can be implemented for approximately \$45,000,000. This cost includes: the construction of the guideway, stations, and maintenance area; the vehicle system; right-of-way; engineering and construction supervision; and utility relocation.

III. Proposal Evaluation

On April 6, 1976, when UMTA announced the downtown people mover project (DPM), the criteria on which the candidate cities would be judged was also announced. The Dallas project proposal which directly addresses those criteria is herein presented.

Criteria 1 - Competitive Procurement

The City of Dallas recognizes that there are about 20 automated guideway transportation systems installed and operating daily throughout the year in the United States and Europe. These systems have been developed and constructed by a number of suppliers. The ability of those suppliers to meet the needs of the City of Dallas with minimum modification to the existing system can best be evaluated through a competitive procurement process.

Both the laws of the State of Texas and the City of Dallas Charter mandate that all City contracts calling for or requiring the expenditure or payment of \$2,000 or more must first be submitted for competitive bids. Attachment 1 contains the portions of the above cited documents referring to the competitive procurement process.

In summary, the City of Dallas is willing to select an existing people mover technology for implementation in the Dallas Central Business District. It is understood that the system chosen must be adaptable to Dallas' needs with minimum technological modifications. Further, the City agrees to select its system on the basis of competitive procurement.

Criteria 2 - Operation Assurance

Upon completion of the installation, successful testing and initial public operation, the City of Dallas will assume the responsibility for operating and maintaining the DPM system. (Successful testing includes the establishment of

PRELIMINARY CITY OF DALLAS ROUTE ALIGNMENT

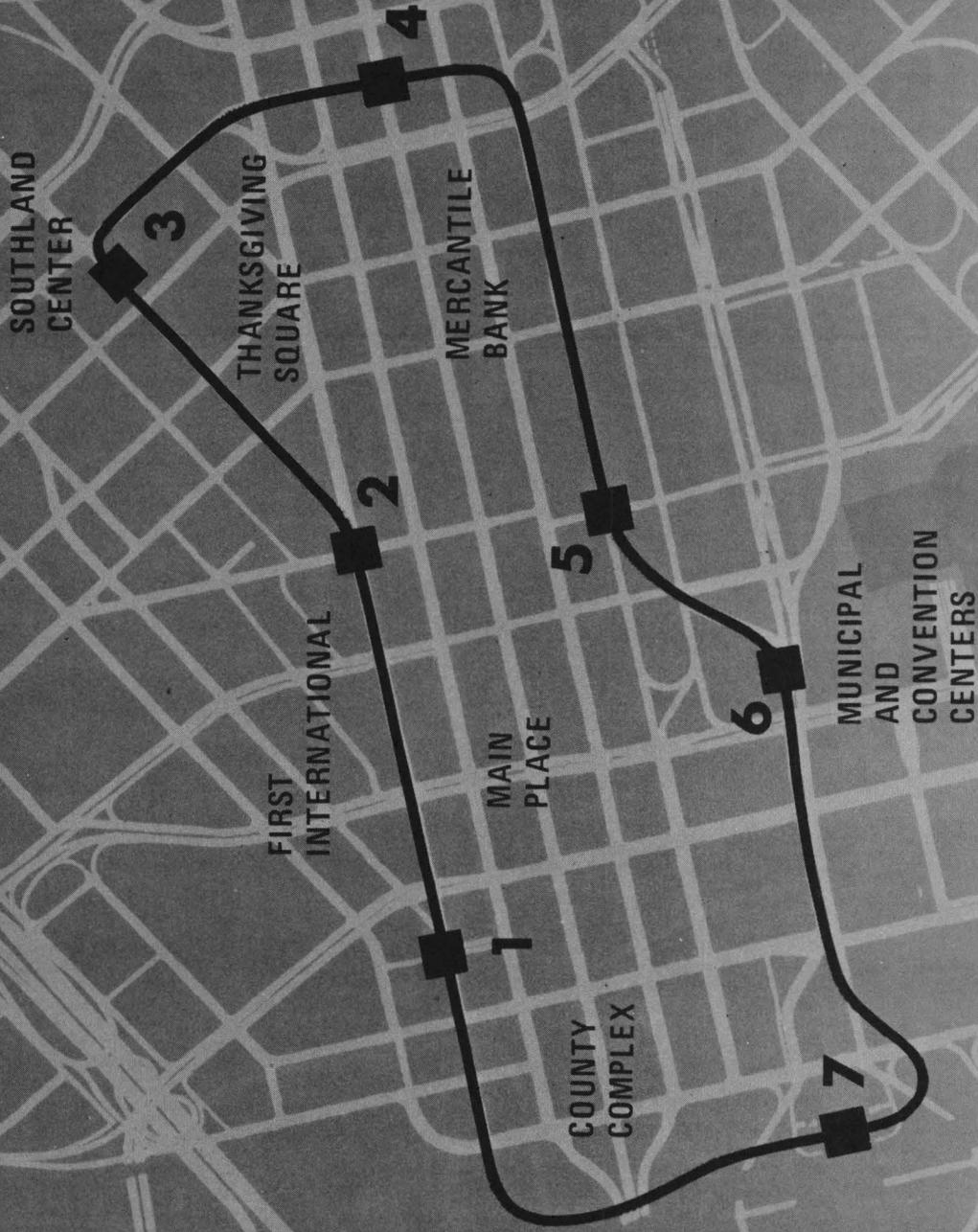


Figure 1

the fact that the system is technically and functionally operable.) The City of Dallas will also cooperate with UMTA in the conduct of research, development and evaluation efforts on a continuing basis after the system is constructed.

Criteria 3 - National Relevance

The City of Dallas is in a unique position to demonstrate that an automated guideway transit system can provide the degree of personal mobility essential to make a major urban activity center function. At the same time, pollution, congestion and vehicle/pedestrian conflicts could be reduced.

+ Major U. S. City

The 1970 Census identified Dallas, Texas, as the 8th largest city in the nation. Consequently, Dallas must be considered typical of the major U. S. urban areas. There are no physical barriers or topographic features which will complicate or make special design necessary.

+ Young City

Even though Dallas is large, it is not an old city. Most of Dallas' growth has occurred in the last 35 years. The City's leadership has demonstrated an ability and willingness to respond quickly and positively with innovative approaches to opportunities to solve the problems. Evidences of this commitment to the future are the Dallas/Fort Worth Regional Airport, the comprehensive lake reservoir water supply system, and the Goals for Dallas project.

+ Regional Market and Goods Distribution Center

Dallas markets attract buyers from ten of twelve states in the south and southwest. In fact, Dallas is one of the 3 or 4 major marketing centers in the country. The significance of this is that these visitors will see and have an opportunity to use the automated guideway system in Dallas.

+ Convention and Tourist Center

The City's major convention and tourist facilities annually attract over 2 1/2 million persons as tourists or conventioners. Within the central business district, approximately 560,000 people attend conventions and consequently contribute over \$60,000,000 to the CBD and area economy annually.

Attendees at large conventions may stay at various hotels and have meetings at either the Convention Center or other CBD meeting places. This creates a travel demand that is often satisfied by taxis or the charter of Dallas Transit System buses to shuttle conventioners. From \$200,000-\$300,000 is spent annually for this type of "convention specific" transportation. Therefore, a DPM system in Dallas would both serve the travel needs of tourists and conventioners and be in a highly visible position to spread the news of success.

+ Compact Downtown Core

Although 900 acres within the freeway loop is called the Central Business District, the high activity center covers approximately 200 acres. More than 100,000 persons are employed here daily and the shoppers and visitors add to the activity in this retail, commercial, financial, and government center. This daytime population provides a basis for estimating the potential demand for the kind of transportation service that would be provided by the DPM.

+ Serves High Activity Centers Within the CBD

The route alignment proposed is preliminary but it has been chosen to serve the hotels, primary office buildings, banks, convention center and government centers. It is essentially a part of the secondary transportation system proposed in the public transportation plan adopted by the Dallas City Council in 1975.

+ Familiarity With Technology

Society traditionally resists the introduction of new technology. However,

this tendency is minimized here because of the AIRTRANS system which operates at the Dallas/Fort Worth Regional Airport. The AIRTRANS system at this important intermodal transfer terminal permits the people in the area to gain experience and familiarity with the automated technology.

+ CBD Commitment

Decisions in both the private and public sectors confirm the long commitment to the maintenance of a viable CBD. Major office towers such as One Main Place, First International Bank, 1200 Main, Bryan Towers and Griffin Square have been constructed in the past 12 years and important public investments in public buildings have been made by Dallas County, the Federal government and the City of Dallas. The City Hall and Convention Center elements are virtually complete with a new library, a Center for the Performing Arts and an addition to the Federal Reserve Bank committed for near term realization in the area that the proposed AGT system would serve.

+ Joint Public-Private Cooperation

A long range pedestrian plan for the CBD, provided in large measure by private development, interfaces with the primary and secondary transportation systems to facilitate mobility and is developing on an evolutionary basis. The combination of an underground goods distribution terminal with the surface open space called ThanksGiving Square is another example that is nearing completion. The cooperation between the City of Dallas and the Woodbine Corporation to redevelop the land around the Dallas Transportation Terminal is now in progress at the west edge of the CBD.

+ Past Planning Activities

In 1958 a report entitled Dallas Central Business District - Its Problems and Its Needs identified several CBD problems and suggested solutions to each. One specific section calls attention to the need to improve pedestrian and

transit movement in the CBD and suggested a people mover system for that purpose.

The report also titled Dallas Central Business District by Ponte-Travers Associates (August 1969) on Pages 170-171 proposes a two line shuttle system but the estimated cost of the underground automated system has prevented its further consideration.

The Dallas Area Transit Plan developed by Barton-Aschman Associates proposes a CBD shuttle system consisting of several loop routes. Buses now operate on one such loop. This plan was officially adopted by the Dallas City Council on April 25, 1975.

+ Auto-Intercept Concept

The Dallas City Council approved, in 1975, an Off-Street Parking Plan which introduced a new approach to transportation called the auto-intercept mode. This concept calls for inbound automobile commuter traffic to be intercepted by parking facilities on the periphery of the Dallas CBD. Commuters could park at these outer ring facilities at the Freeway Loop and transfer to a people mover which would carry them to their place of employment. This auto-intercept approach would need to be developed as a partnership between the private automobile, the bus, and a people mover. It is our understanding that Mr. George Pastor, in his testimony to the Senate on July 7, 1975, advocated an auto-intercept concept as fundamental to the Downtown People Mover Program.

+ Modal Interchange

A people mover system in downtown Dallas presents an opportunity to test a number of modal interchange possibilities as illustrated in Figure 2.

1. Private Autos

Approximately 80% of the automobile parking spaces in the CBD would be

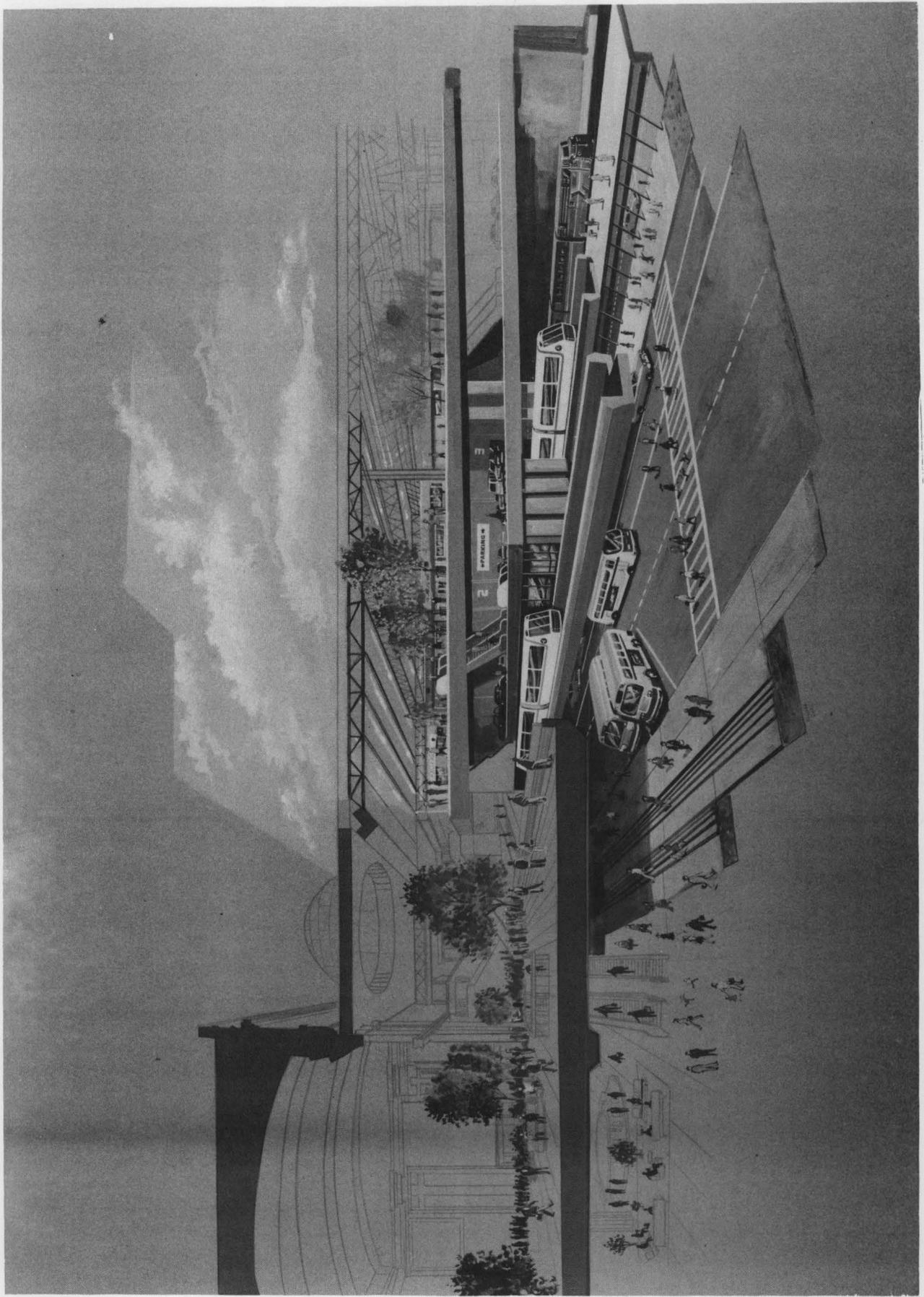


FIGURE 2
INTER-MODAL TRANSFER
TERMINAL

within 1000' of the seven DPM stations.

2. Line Haul Bus

The attractiveness of the line haul transit system should be enhanced by the increased ease of movement at the destination end of the trip to work in the CBD. The shuttle system would offer more travel flexibility and mobility to those without private transportation within the CBD core.

3. SURTRAN

The function of the SURTRAN bus system is to transport people between Dallas and Fort Worth and the D/FW Regional Airport. One terminal is located at Dallas Transportation Terminal in downtown Dallas. The preliminary DPM alignment would serve Dallas Transportation Terminal. People arriving at the D/FW Airport could take SURTRAN to downtown Dallas and then transfer to the people mover system to travel to either their place of business or to one of several hotels.

4. AMTRAK

The AMTRAK terminal serving the Dallas urban area is also located at Dallas Transportation Terminal. AMTRAK passengers would have at their disposal an inexpensive and efficient means of transportation to key destinations throughout the CBD.

5. Pedestrian

The majority of the trips that are expected to be taken on the people mover system are either presently pedestrian trips or unsatisfied pedestrian trips (not taken because of length of walk). A people mover system allows a person to travel further from their origin (within the downtown) in a given amount of time than the existing pedestrian facilities do.

6. Regional Bus Stations

The Continental Bus Station is on the proposed route (Jackson Street) and the Greyhound Bus Station is within two blocks of the route.

+ Additional Factors

All of the previously listed factors emphasized why Dallas is uniquely suited for a DPM project. These are why Dallas stands out from the crowd. However, Dallas has established many of the goals of other applicant cities. These goals include:

A. Revitalizing the CBD by improving

1. shopper access and circulation
2. internal mobility of CBD employees.

B. Attracting more conventions

In addition to the direct impact of more visitors to Dallas, there is an indirect impact on increased service employment, supplier businesses, etc.

C. Increasing CBD land value

It is a well established fact that access is the key to the value of land. Studies in Toronto have shown that the value of real estate near Yonge Street subway stations has increased since the subway has been constructed. It would be expected that the same impact on real estate in downtown would occur. Increased land value would be a benefit to both the public (through taxes) and private (development of vacant properties) sectors.

D. Reducing Auto Congestion by

1. making fringe area parking more attractive
2. encouraging the use of line haul public transit by facilitating the CBD end of the trip.

E. Generating Construction Jobs

It is predicted that there will be a positive impact on the economy associated with the construction of a DPM system in downtown Dallas.

F. Improving Pedestrian Mobility

G. Improving Air Quality and Reducing Fossil Fuel Consumption by offering an alternate transportation mode to the private automobile. Based on very conservative estimates that 10% of the total 30,900 daily DPM trips were

formerly auto trips and that these auto trips were on the average 1/2 mile in length, pollution and energy consumption reductions were calculated. Based on this condition, exhaust, crank case, and evaporations emissions could be reduced 4 tons annually. Gasoline consumption could be reduced 40,000 gallons the first year of operation. It is, of course, hoped that as the DPM facilitates and encourages the use of line haul transit, that even more significant reduction in pollution and energy consumption would occur.

Criteria 4 - System Costs and Benefits

Costs:

Seven alternate route alignments were evaluated on the basis of cost of engineering, planning and construction of an automatic guideway system. All these alternatives serve the same high density - major activity - retail core of the CBD. Identification of the general service areas led to a tentative route alignment and station placement. On the basis of this proposed alignment (Figure 1), the following information was generated.

A. Capital Costs

Construction	\$31,700,000
Vehicle System	4,500,000
Right-of-Way	3,700,000
Engineering and Construction Supervision	<u>5,100,000</u>
Total	\$45,000,000

A local match of 20% of the Capital cost is required. In this case, the City of Dallas would be responsible for \$9,000,000. Several opportunities for obtaining this \$9,000,000 will be explored. The "worst case", however, would be that the City of Dallas would have to supply the entire local share - probably through bonds. Assuming that \$9,000,000 worth of bonds were issued and retrieved at 7% interest over 20 years, the City would incur a debt total of approximately \$15,611,000. The average annualized capital cost would be \$780,550. Tax supported debt service on a \$9 million

bond issue would be \$2.03 on a \$20,000 home in the first year. By the 20th year tax supported debt service would be down to 90¢ on the \$20,000 home.

B. Ridership

Route alignment and station location allowed identification and estimation of the ridership potential that would be expected on the system. A detailed explanation of the assumptions that shaped the ridership estimations is included in the Attachments. Highlights of the results of the analysis follow:

1. 108,000 of the 120,440 persons expected to be employed in the Dallas CBD in 1990 will be within 1000' of one or more transit stations.
2. 40,000 of the 52,000 parking spaces currently located in the Dallas CBD are within 1000' of one or more of the transit stations.
3. With a 25¢ fare, a daily ridership of approximately 30,900 has been estimated for the CBD people mover system that follows the alignment and has stations located as shown in Figure 1. The following figure presents the results of an analysis that considers a range of fares. The analysis indicates that a 25¢ fare would result in the maximum revenue.
4. This level of ridership and fare would generate \$7,725 in revenue daily or \$2,251,500 annually.

C. Operating Cost

It is estimated that 7 typical two-car trains travelling with 81 second headways would be required to handle the predicted ridership. If each car is able to carry about 44 persons, the system would have a peak hour capacity of 4000 passengers. The cost of operating and maintaining such a system is estimated to be approximately \$1,379,200. This cost includes power, maintenance and operating personnel, spares, general and administrative costs, and a 10% contingency cost in 1979 dollars.

D. Total Costs and Revenues

The following Table 1 summarizes the operating, maintenance, debt retirement

Ridership Estimate as Function of Fare Charged

1979

SINGLE TRIP FARE	WEEKDAY		ANNUAL	
	PASSENGERS	REVENUE	PASSENGERS	REVENUE
0	56,800	\$ 0	16,614,000	\$ 0
0.15	40,600	6,090	11,875,500	1,781,000
0.20	35,750	7,150	10,457,000	2,091,400
0.25	30,900	7,725	9,038,000	2,251,500
0.30	24,750	7,425	7,239,000	2,171,700
0.50	11,400	5,700	3,334,500	1,667,250

Table 1.

ESTIMATED ANNUAL COSTS

1979 DOLLARS

ANNUAL OPERATIONS AND MAINTENANCE COSTS

POWER	\$ 140,000
MAINTENANCE PERSONNEL	535,300
OPERATIONS PERSONNEL	124,700
SPARES	138,000
GENERAL AND ADMINISTRATIVE	315,000
CONTINGENCY (10%)	<u>125,400</u>
	\$1,379,200

AVERAGE ANNUALIZED CAPITAL COST - LOCAL ONLY

(20 YEARS AT 7%)	\$ 780,550
AVERAGE TOTAL ANNUAL COST	\$2,159,750
COST PER PASSENGER TRIP	24¢
MAXIMUM REVENUE GENERATING FARE PER TRIP	25¢

costs, and fare revenues that are expected to be generated by a people mover system in downtown Dallas based on all of the preceding assumptions.

Benefits:

One benefit is the realization of land use and community development goals. The following are statements from Task Force reports from the Goals for Dallas process - submitted March 1976. These statements are indicative of the thoughts of responsible, concerned citizens on problems facing this city.

ENERGY

More and Better Mass Transit - The proliferation of automobiles has brought economic and social deprivation to many Dallas residents through an attendant reduction in transit service and through an escalation of the necessity to run and utilize one or more automobiles to attain mobility. Dallas should improve mass transportation to provide for an increasing share of the transportation of the future.

Less Auto/Roadway Use & Pollution - Dallas should provide its citizens with viable alternatives to the auto, considering congestion, pollution, efficiency, comfort, privacy, safety, cost, and flexibility.

Smooth and Efficient Movement of Goods - Dallas could encourage a goods movement system that is efficient, low-pollution, and minimizes conflict with other vehicular traffic and pedestrians.

Improve the Occupancy or Load of the Mode - The City of Dallas could adopt policies which would not only conserve energy but increase the market share of the efficient travel modes by making their cost more attractive relative to the cost of inefficient modes. Generally, this could involve lowering the costs for transit and high occupancy autos and increasing costs for low occupancy autos.

Provide Incentive for Gradual Shift from Less to More Efficient Modes - Suitable substitutes must first be provided.

ENVIRONMENT

The photochemical oxidant problem in Dallas continues to be one of the most severe in the State. It is predicted that levels of these materials will not significantly improve under current control regulations for hydrocarbon emissions. If air quality levels are to be improved, Dallas will have to initiate programs to reduce hydrocarbon emissions from motor vehicles. The public should be informed of the need for these reductions. Activities such as improved traffic flow programs and increased mass transit participation need study as a method of decreasing air pollution.

TRANSPORTATION

What considerations should be given to a multimodal transportation system in the Central Business District?

The Dallas Central Business District (CBD) is the location of some 100,000 jobs and is the hub of the region's business, commercial, and governmental activities.¹ It generates at least 20 percent of all municipal tax revenues and is the focus of the city's energy, wealth and investment.²

On a typical 24-hour weekday, a total of more than 306,000 persons enter the Dallas CBD. Of this total, approximately 235,000 come by automobile or truck and 65,000 by Dallas Transit System buses.³ The remaining trips are made by taxicabs and other miscellaneous vehicular types.

¹ Barton-Aschman Associates, Inc., Dallas Transit Plan. Prepared for Dallas Subregional Public Transportation Study (July, 1973).

² Ponte-Travers Associates, Dallas Central Business District (Dallas, August, 1969).

³ Wilbur Smith and Associates, Immediate-Action Transit Improvements, Volume II Report. Prepared for the Dallas Operational Study (Dallas, 1972).

Orderly growth in the CBD is above all a problem of circulation - of pedestrians, vehicles, goods, and services. To provide the traffic circulation necessary to support the ever-increasing levels of downtown density, a multi-level transportation system is needed to enable each mode to function in its own separate environment. Planning strategies currently underway in Dallas support this thesis.

Since the pedestrian is the most essential ingredient for the continued economic health, growth and vitality of the CBD, greatest priority should be placed on his needs. The pedestrian circulation system is taking the form of a network of sheltered malls, promenades, court yards, and plazas extending through the CBD running from block to block at grade, above grade and below grade.

Another vital element of every transportation system is parking. Dallas has more than 52,000 off-street parking spaces.⁴ Although these spaces adequately supply today's demand, their location and relationship to the origins and destinations of parkers, their interface with other transportation modes, their compatibility with land use plans, and their aesthetics are sometimes less than desired. The City of Dallas has adopted a plan which proposes a system of inner circle garages which would be located around the CBD core. They would be located so as to be directly accessible from the primary access thoroughfares leading to the CBD core or pedestrian precinct. This strategy will reduce the need for many automobiles to penetrate the CBD core. A system of outer circle garages is proposed around the perimeter of the CBD freeway ring. These garages make it possible for the core to be accessible to many more persons without adding additional vehicular traffic to

⁴Dallas Central Business District Association and Traffic Control Department, City of Dallas, Off-Street Parking Inventory (April, 1972).

the CBD. These garages or terminals would be connected to the core by some type of people mover.

Initially, the people mover could take the form of a local shuttle bus which would link the terminals to the pedestrian network. As the demand increases, the buses could be replaced with an automated people mover system operating on an exclusive right-of-way. The people mover system could also interface with CBD subway and regional public transportation system. All of the CBD's 900 acres would be within a five-minute walk from a people mover station.

Another important transportation network is the underground goods distribution system. This system would serve to relieve the single greatest contributor to congestion in the downtown area - curbside truck loading and unloading. The Bullington Street truck terminal is the first of several similar facilities which are needed to serve the area.

Criteria 5 - Adequate Planning

A significant amount of CBD planning and analysis within a relatively short time frame has been accomplished. The bulk of this information is contained in the Attachments; however, the following discussion summarizes the planning process that the development of this proposal entailed.

1. Reviewed past and present CBD and transit plans to establish whether or not a Downtown People Mover is compatible with past planning. Almost 20 years of Dallas CBD planning lays the groundwork for an AGT system. This background begins with a 1958 study that identifies a problem with pedestrian and transit movement and suggests a people mover system. Most recently, the Dallas Subregional Public Transportation Study specifically identifies the route alignment and recommends the time phased implementation of a long range transit shuttle system. The need to consider installation of a CBD shuttle system was verified in this latter study.
2. Based on both planning criteria and very preliminary engineering feasibility surveys, a route alignment and station locations were identified (Figure 1).
3. Potential ridership information was generated based on employment and parking within 1000' of stations, pedestrian trip characteristics and other ridership characteristics. The basis for these projections is documented in Attachment VI.
4. If Dallas is selected as a DPM project site, system manufacturers will be surveyed through competitive bidding prior to deciding which technology would be implemented. However, in order to estimate maintenance and operating costs, a prototypical system based on the AIRTRANS technology concept was developed.
5. The system's operational characteristics such as headways and its vehicle person carrying capabilities were determined based on ridership expectations.
6. The system's alignment and stations, ridership, and operational characteristics were used to estimate:

Construction Costs

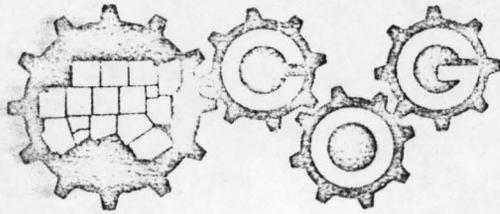
Operating and Maintenance Costs

System Revenue

7. Parallel with the development of quantifiable attributes of the Dallas CBD people mover system, other non-quantifiable attributes of the system were also being identified. A DPM has both positive and negative impacts. Decision makers were made aware of these aspects of the project in order to make decisions that are in the best interest of the City.
8. The above mentioned information was presented at an open meeting with the Dallas City Council (broadcast over public radio). The following points were emphasized.
 - a. That there are a number of negative as well as positive aspects associated with a DPM.
 - b. That the City would be responsible for \$9 million of the total \$45,000,000 cost.
9. The City Council instructed the staff to submit a proposal for a DPM in the Dallas CBD and voted unanimously to commit the City to pursue the possibilities of a "people mover" program if the U. S. Department of Transportation approves the proposal.
10. During the month of July 1976, presentations on the DPM project will be made to various citizen and business groups in order to solicit opinions on the project. As additional community support is generated, documentation of such will be forwarded by the July 31, 1976, deadline.

Criteria 6 - Consistent with Regional Transportation Plan

The following letter from the Metropolitan Planning Organization testifies to the fact that a DPM in Dallas' CBD is consistent with regional public transportation plans. The narrative following the letter explains the regional public transportation development strategy.



June 25, 1976

Mr. George Schrader
City Manager
City of Dallas
210 City Hall
Dallas, Texas 75201

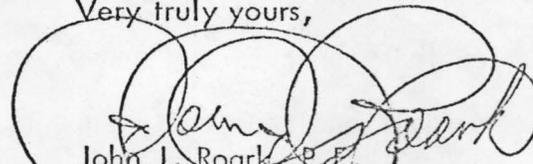
Dear Mr. Schrader:

Reference is made to the proposal of the City of Dallas for a project under the UMTA Downtown People Mover Demonstration Program.

This office has reviewed the proposal in detail and is of the opinion that the downtown people mover system is in accordance with the long-range transportation plan, as reported in the 1990 Total Transportation Plan for the North Central Texas Region. Since the project is under a new demonstration program, it was not included in the 1976 Transportation Improvement Program; however, transit improvements for the central business district, including collection-distribution service, were included in the 1976 Transportation Improvement Program as Project C-9.

With an understanding of the long-range transportation plans and the transportation goals and objectives for the Dallas-Fort Worth area, it is felt that the downtown people mover system for the City of Dallas, if implemented, would be an active viable part of the total transportation system and would provide meaningful evaluation as a demonstration project for similar applications elsewhere.

Very truly yours,



John J. Roark, P.E.
Director of Transportation

JJR:lf

PUBLIC TRANSPORTATION PROGRAM

Transit Development Program

A. Adopted Plan

The Total Transportation Plan for the North Central Texas Region for 1990 and The 1975 Transportation Improvement Program delineating all ground transportation and airport system projects and their priorities over the next five years was adopted by the Regional Policy Advisory Committee on November 15, 1974.

The 1975 Transportation Improvement Program was a staged multi-year Program of Transportation Improvement Projects, some of which were proposed for funding solely from local resources. Included were projects related to acquisition of right-of-way for highways, transit facilities and airports; construction of highways and busways; fringe parking facilities; major street improvements; transit rolling stock and support facility acquisition; programs for transit route revisions; and low capital and non-capital intensive projects to improve transportation service.

The transit element of the 1975 Transportation Improvement Program included a priority listing of transit projects, with supporting cost data and description, as an action program for transit development in the North Central Texas Region for 1975 and the subsequent five-year period. This transit element represented the implementation program of transit projects under The Total Transportation Plan for the North Central Texas Region for 1990. Included in the transit element on a priority basis were those projects which are necessary to achieve a unified and officially coordinated public transportation system and to provide maximum practical service to the North Central Texas Region.

B. Transit Development Program

The long-range Transit Development Program was contained in the Total Transportation Plan for the North Central Texas Region for 1990, copies which are on file with the Urban Mass Transportation Administration. Specific elements of the short-range Transit Development Program were detailed in the 1975 Transportation Improvement Program in the section entitled Transit Improvement Program. Copies of the 1975 Transportation Improvement Program have also been filed with the Urban Mass Transportation Administration. The 1974-75 Transit Development Program as documented in the 1975 Transportation Improvement Program Report specifically listed individual projects, assigns priorities, and provided implementation cost estimates.

C. Modification and Update

A process has been developed and specific responsibility delineated under the 1974-1975 Unified Work Program for updating and modifying the Transit Development Program on an annual basis. Included in this update process is the evaluation of surveillance data and modification of the short-range transportation plan.

D. 1976 Transportation Program

The 1976 Transportation Program reviews and reaffirms the long-range plan, examines the performance of the transportation system, evaluates the progress of improvement projects included in the 1975 Transportation Improvement Program, and describes system management projects now underway. The 1976 Transportation Program also delineates all projects, for all modes, in a Transportation Improvement Program for the year 1976 - 1980. The 1976 Transportation Program was reviewed by the Steering Committee in its

October 21, 1975, meeting and authorization was provided to permit submittal to the Regional Transportation Policy Advisory Committee. The 1976 Transportation Program was officially approved by the Steering Committee on November 18, 1975.

Criteria 7 - Community Support

March 9, 1976

Mr. Robert E. Patricelli
Administrator
Urban Mass Transportation
Administration
U. S. Department of Transportation
400 7th Street, S. W.
Washington, D. C. 20590

Dear Mr. Patricelli:

On behalf of the City of Dallas, I wish to express an interest in the Urban Application Transit Program (UATP) now being considered by UMTA. Deployment of UATP in the Dallas Central Business District could be of mutual benefit to the City of Dallas and the Federal Government. Preliminary indications are that the city could achieve a much needed solution to traffic problems and UMTA could develop a state-of-the-art automatic transit system more successfully and expeditiously. The Dallas system, centrally located in the nation could be conveniently analyzed and evaluated for future implementation in medium sized cities throughout the nation.

The Dallas City Council approved, in 1975, an Off-Street Parking Plan which introduced a new approach to transportation called the auto-intercept mode. This concept calls for inbound automobile commuter traffic to be intercepted by parking facilities on the periphery of the Dallas CBD. Commuters could park at these outer ring facilities at the Freeway Loop and transfer to a people mover which could carry them to their place of employment. This auto-intercept approach would need to be developed as a partnership between the private automobile, the bus and a people mover. It is our understanding that Mr. George Pastor, in his testimony to the Senate on July 7, 1975, advocated an auto-intercept concept as fundamental to the UATP (formerly called Shuttle Loop Transit). The people mover designed to carry commuters to the Dallas inner-core could provide a transit connection between the Dallas Convention Center and the Reunion Project now under construction. Studies on a route alignment joining these high activity centers have found the potential patronage sufficiently high to consider a system of this nature.

ADLENE HARRISON
MAYOR PRO TEM



CITY OF DALLAS 75201

Dallas Convention Center activity is one of the four largest in the nation. An automatic transit system in conjunction with this center could have national relevance because a multitude of conventioners from all corners of the country would have an opportunity to visit and observe it personally. This proposed collection and distribution transit system could also interface with Dallas Transit System local bus service, airport express bus service (SURTRAN) and AMTRAK rail passenger service at the Dallas Union Terminal.

The citizens of our community are attuned to the automatic way of traveling because of the system we have available at the Dallas/Fort Worth Airport. Because of this exposure to automation, this citizenry could well be better adapted to evaluate UATP public acceptability. They should be able to give insight as to whether or not a system such as UATP would attract sufficient ridership in a center city area to pay the operations and maintenance costs and possibly debt retirement through the fare box.

The UATP in Dallas could perform a useful mass transit function since it would make the city core accessible to thousands of additional commuters without adding a single automobile to the CBD street system. In performing this function, it could also decrease parking deficiencies. This proposed project would be compatible with the long-range transportation plans of our community and the metroplex. However, as you know, many questions relating to the long term costs of operations, maintenance and other factors must of course be explored in great detail before UMTA or the City of Dallas could proceed with a demonstration project.

If UMTA would consider Dallas as a site for UATP, certain economies in technology, maintenance and operation between the system in Dallas and the system at the Dallas/Fort Worth Airport could be achieved, particularly with the pending UMTA funded deployment of the urban application of the Airport System.

Mr. Robert E. Patricelli

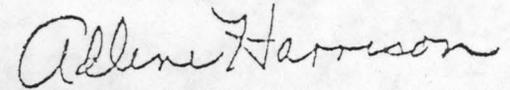
March 9, 1976

Page 3

In conclusion, I firmly believe that the opportunity for a successful UATP program is possible in downtown Dallas because of our central location, climate, the auto-intercept function of transportation and the fact that Dallas already has an automatic system operating in the area.

Your consideration in including Dallas as a candidate city for this new and innovative program will be appreciated.

Sincerely,



Adlene Harrison
Mayor

b

c: Mr. Steven A. Barsony



NUMBER 204-6

DATE June 24, 1976

CITY OF DALLAS

TO Honorable Mayor and Members of the City Council

SUBJECT Downtown People Mover Demonstration Project
(Agenda Item #29, Page 4)

On April 26, 1976 Robert E. Patricelli, Administrator of the Department of Transportation's Urban Mass Transportation (UMTA), announced a project to demonstrate the benefits of fully automated people mover systems in urban downtown areas.

Up to three cities will be chosen by UMTA in the fall of 1976 for the first public operation of a Downtown People Mover (DPM) System. The DPM project is intended to show whether simple automated systems can provide a reliable economical solution to the local circulation problems in congested downtown areas.

The DPM project is to be partially financed from funds available through UMTA's Capital Assistance program, which will provide 80% of the capital costs required to implement the project. Local participation for the remaining costs must be provided by or through the sponsoring public agency.

In response to this announcement, the Mayor of Dallas, along with representatives from over 60 other cities, sent a "letter of interest" to the UMTA Administrator. This letter served as notice to UMTA that the City of Dallas would be conducting a more indepth study to ascertain the feasibility of such a system in the Dallas Central Business District (CBD). The results of this study are herein reported.

FEASIBILITY EXAMINATION

Since 1957 a series of seven major planning reports pertinent to the growth and development of the CBD have been prepared by both private and public agencies. The basis for these plans was and is a recognized need to:

- 1) provide better access to/from various CBD activity nodes;
- 2) reduce auto congestion;
- 3) improve air quality;
- 4) reduce energy consumption;
- 5) attract activity to the CBD;
- 6) reduce vehicle/pedestrian conflicts.

NUMBER 204-6
DATE June 24, 1976
TO Honorable Mayor and Members of the City Council
SUBJECT Downtown People Mover Demonstration Project
Page 2
(Agenda Item #29, Page 4)

Several of these plans, including the Dallas Area Transit Plan adopted by the City Council (April, 1975) advocate a CBD shuttle system. UMTA's announcement of its special downtown people mover demonstration project presents an opportunity to implement such a system immediately rather than awaiting conventional funding availability.

FINANCING

Under the demonstration program, UMTA will furnish 80% or \$36,000,000 of the estimated project capital cost (see attachment). The remaining \$9,000,000 must be provided by the City of Dallas. There are opportunities for the City to obtain support from the State of Texas Public Transportation Fund. However, the State's willingness or ability to furnish its maximum allowable share of \$5,850,000 is questionable. Because of this question, the City of Dallas must explore all avenues for funding the local share of costs. Possibilities include but are not limited to:

- City Bond Revenue
- Private Sector Participation
- Special Benefit Assessment
- State Public Transportation Fund

SUMMARY

A downtown people mover may have both positive and negative ramifications. It has the potential of greatly benefiting not only the Central Business District but the entire City of Dallas. It could help revitalize the CBD, attract conventions, and, in the short term, generate construction jobs. On the other hand, the cost that must be borne by the City is substantial, the system will create problems of both visual and noise intrusion, and there will be significant business disruptions and inconveniences associated with construction.

Council Communication

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NUMBER 204-6
DATE June 24, 1976
TO Honorable Mayor and Members of the City Council
SUBJECT Downtown People Mover Demonstration Project
Page 3
(Agenda Item #29, Page 4)

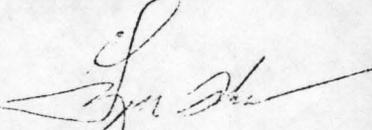
OPTIONS

Taking into account both the above feasibility examination and the opportunity to obtain special UMTA funding, three alternative courses of action are available for consideration by the City Council. These are:

- a. No action at this time.
- b. Submission of a project proposal to UMTA with the intent to develop additional information on feasibility with the option to withdraw or proceed later.
- c. Submission of a project proposal to UMTA with a commitment to implement the project.

RECOMMENDATION

Based upon the endorsement of the concept submittal to the City Council at the June 14, 1976 meeting, approval of the resolution is recommended which will initiate the implementation of option "c".



George R. Schrader
City Manager

b
attachment

OFFICIAL ACTION OF THE CITY COUNCIL

CITY OF DALLAS, TEXAS



33

Meeting of June 14, 1976

Mr. Rodney Kelly, of Transportation Programs, appeared before the City Council and reported in detail on the "Downtown People Mover Project."

It was moved by Councilman Leedom and seconded by Councilwoman Patterson that Recommendation "C" be followed. Motion unanimously carried.

A handwritten signature in cursive script, reading "Harold G. Shank". The signature is written in dark ink and is positioned above the typed name and title.

Harold G. Shank
City Secretary

hg

cc: City Manager
Transportation Programs

WHEREAS, the U. S. Urban Mass Transportation Administration has invited proposals on projects to demonstrate the benefits of fully automated people mover systems in urban downtown areas; and

WHEREAS, the City of Dallas has over the past decade conducted extensive transportation planning studies for improving personal mobility within the Central Business District; and

WHEREAS, the improved personal mobility is a significant factor in creating a more attractive urban environment of the Central Business District; and

WHEREAS, a combination of state and local funding sources have been identified as potentially sufficient to match the federal funds necessary to construct and equip an automated people mover in the Dallas Central Business District; and

WHEREAS, on June 14, 1976, the Dallas City Council took official action to authorize the submission to UMTA a proposal to develop the people mover system;

Now, Therefore,

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

Section 1. That the City Manager be and is hereby authorized to prepare and submit to the Urban Mass Transportation Administration a project proposal for a Downtown People Mover System in Dallas in order to demonstrate the benefits and utility of such a transportation system in a central business district.

Section 2. That the City Manager be and is hereby authorized to explore the sources of non-federal funds necessary to supplement an 80% federal capital grant and to explore funding sources for the operation of the system.

Section 3. That the City Manager will initiate a thorough analysis of the costs, benefits, environmental aspects and implications of such a system for Dallas and report back to the Council at appropriate stages in the application process the results of such analyses.

Section 4. That the City Manager be and is hereby authorized to express to UMTA the City's willingness, following extensive design and feasibility analyses, to select from existing people mover technologies through a competitive process, a system for installation in Dallas.

June 28, 1976

Section 5. That the City Manager be and is hereby authorized to present to the UMTA Administrator assurances that the project would comply with all provisions of the Urban Mass Transportation Act of 1964.

Section 6. That the City Manager be and is hereby authorized to assure the UMTA Administrator of continuing cooperation in the conduct of UMTA funded research and development projects associated with the Dallas People Mover (DPM).

Section 7. 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.

APPROVED BY
CITY COUNCIL

JUN 28 1976

Harold L. Bank
City Secretary

c: City Attorney
City Secretary
R. W. Kelly

APPROVED _____
HEAD OF DEPARTMENT

APPROVED _____
CITY AUDITOR

APPROVED *Dennis Kelly*
CITY MANAGER



Suite 1610, 109 North Akard Street, Dallas, Texas 75201 214/747-8555

June 22, 1976

Honorable Mayor and City Council
City of Dallas
Municipal Building
Dallas, Texas 75201

Dear Mayor and Members of the City Council:

The Central Business District Association has noted with considerable interest your recent authorization for submission of application for a Department of Transportation grant for construction of a "people mover" system in the Dallas Central Business District. This system seems to have the potential for providing the mobility for people in the downtown area which is essential to a strong, busy business community. We wish to assure you of the support of the Central Business District Association in this endeavor, and of our cooperation in whatever way may be helpful.

Although we recognize that more detailed study may prove such a system to be not feasible, we feel, as you have indicated, that such an exciting concept is deserving of serious consideration and more intense study. Should this project prove feasible, the business community of Downtown Dallas looks forward to working closely with all involved to ensure its final success.

Sincerely,

R. T. Gregory
Executive Director

pt

cc: George Schrader

OFFICERS

J. Rawles Fulgham, President
L. S. Turner, Jr., Vice President
Edward S. Marcus, Vice President
Lewis F. Lyne III, Secretary-Treasurer

EXECUTIVE COMMITTEE

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Lloyd S. Bowles
James F. Chambers, Jr.
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Russell H. Perry
William H. Seay
Toddie Lee Wynne, Jr.
R. T. Gregory
Executive Director



Dallas Chamber of Commerce
Convention & Tourism Division

June 16, 1976

OFFICE OF
TRANSPORTATION
JUN 17 1976
PROGRAMS

37

The Honorable Robert S. Folsom
Mayor, City of Dallas
City Hall
2014 Main Street
Dallas, Texas 75201

Dear Mayor Folsom:

I was delighted to hear the City Council has authorized the City staff to proceed with a request for funding a "people mover" in downtown Dallas. This type innovation will keep Dallas in the forefront as the innovator of all major urban cities.

From my point of view in the convention & tourism market, a people mover would become an invaluable asset to bring more visitors to Dallas. I believe several hundred thousand delegates and tourists would ride each year. It would help move people to the convention center and provide exceptional opportunities for private investment to build along the route and close to the stations.

Dallas appears to be a most logical demonstration city for this project. Besides the many business travelers and over 2,000,000 delegates and tourists annually visiting our area, our citizens are already atuned to technological progress. D/FW Airport and its AIRTRANS system are prime examples.

We look forward to the project and offer our help and assistance in every way possible.

Sincerely,

JACK ANDRUS
Vice President/Director

JA/sm

cc: Mr. David Cooley

From:

RWK

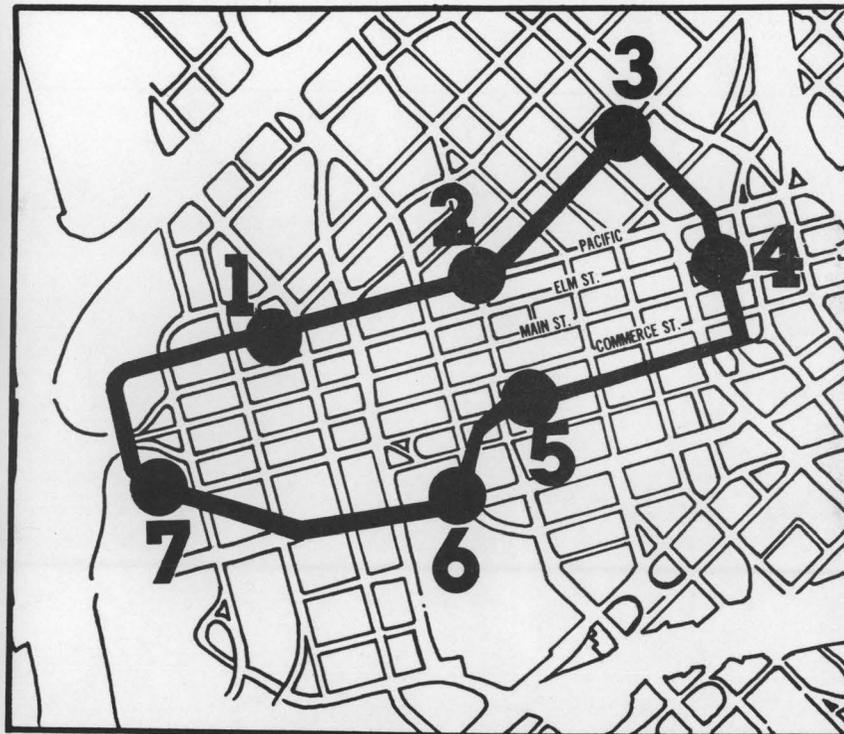
To:

Mr. Kelly	Stallworth
Mr. Miller	Tipton
Mr. Nuckles	
Mr. [unclear]	
Mr. [unclear]	

Review & Comment
Info & File

THE DALLAS TIMES HERALD

Saturday, June 19, 1976



OUR VIEW: New plan has good, bad points

A sketch, left, by an LTV artist, illustrates one possibility for the design of a proposed downtown people-mover, endorsed last week by the Dallas City Council. The city's traffic control department suggests the elevated roadway along a 2.5 mile route in the heart of the city might have seven stations, indicated on the map at right. The stations' general locations would be: 1 — Austin and Pacific, 2 — Akard and Pacific, 3 — Olive and Bryan, 4 — Main and Olive, 5 — Akard and Jackson, 6 — new City Hall, and 7 — Union

Terminal transportation center. (The sketch of the people mover indicates a station at Young and Ervay, not in present plans.) The \$45 million system, including \$9 million in local funds, has both pluses and minuses, officials say. It would help revitalize the downtown area and ease traffic congestion, but it would also create visual and noise problems. Although the City Council has voted to seek federal funding for the plan, further study is needed before final approval.

THE DALLAS TIMES HERALD

Tuesday, June 15, 1976

Dallas people-mover wins council's backing

By KIT BAUMAN
Staff Writer

The city council has given its overwhelming support to a staff recommendation urging the City of Dallas to apply for federal funds creating a Downtown People-Mover (DPM) system in the central business district.

The DPM project, the council was told Monday, is to be financed from about \$100 million in federal funds available through the Urban Mass Transportation Administration (UMTA).

At least three U.S. cities will be selected by UMTA for participation in the program. UMTA will provide 80 per cent of the capital costs to implement the project.

More than 60 cities have expressed official interest for consideration in the UMTA program, but it is not known how many have formally applied, according to Asst. City Manager Dan Petty. Houston, San Antonio and Fort Worth

are among those 60 municipalities.

Dallas could be in an advantageous position for being included in the funding project, however, because it already has completed several plans and studies for downtown transit systems.

The estimated cost of the proposed system is about \$45 million, according to Rod Kelly of the city's Traffic Control Department.

That could be another advantage for Dallas because the UMTA share would be only \$36 million, leaving it with funds which could be used in other cities.

Kelly gave the council a cost breakdown of the proposed Dallas system, noting that the city's share could come from several non-federal sources -- bond revenues, private sector participation, special benefit assessments, and the State of Texas Public Transportation Fund.

Operating costs were estimated at
See PEOPLE-MOVER on Page 5

People-mover would revitalize downtown

Continued From Page 1
about \$1.4 million annually, including power, personnel and maintenance.

The system outlined by Kelly would be an elevated railway loop in the Central Business District. The entire system would be approximately 2.5-miles long and would have seven stations in the downtown area.

Seven two-car trains similar in design and technology to the AIRTRANS system at Dallas-Fort Worth Airport would move along the elevated rail.

Research on the proposed Dallas system shows that about 88 per cent, or 108,000, of the 120,400 persons expected to be employed in the downtown area by 1990 would be within 1,000 feet of the nearest DPM station, Kelly said.

Furthermore, he said, 40,000 of the anticipated 52,000 downtown parking spaces also would be within 1,000 feet of the stations.

Concluding his presentation, Kelly listed several positive ramifications of the plan:

It would help revitalize the downtown area, attract conventions, greatly ease the downtown traffic problem, and in the short term general construction jobs. On the other hand, he added, the cost borne by the city would be substantial, the system would create visual and

noise problems, and there would be "significant business disruptions and inconveniences associated with the construction."

But the council clearly was impressed with the presentation. Councilman John Leedom, who has often criticized federal funding programs, surprised everyone when he moved that the city submit its application to UMTA.

Councilwoman Lucy Patterson added an immediate second and the only comment before the council unanimously adopted Leedom's motion was Mayor Robert Folsom's remark, "It's an exciting idea."

Council members afterwards cited two of Kelly's points as the persuasive ones in support of applying for the UMTA funds:

- Should Dallas be approved by UMTA for funding in the program, construction of a DPM system could be completed as early as 1979, depending upon the city's ability to immediately finance its share.

- UMTA's DPM project presents an opportunity to implement such a system immediately, rather than waiting for increasing hard-to-find conventional funding to become available.

The city's application must be filed with UMTA by June 30.

The Dallas Morning News

Wednesday, June 16, 1976

Downtown Dallas

Vought negotiating 'people mover' system

By HENRY TATUM

The Vought Corp developer of Airtrans at Dallas-Fort Worth Airport, has contacted federal authorities about building the "people mover" system proposed for Downtown Dallas.

Jim Crossland, public information officer for Vought Corp., said the firm has been talking to the Department of Transportation for months about the proposed rail system for large U.S. cities.

"We are one of the few companies that could qualify for the program if the federal government decides to proceed," Crossland explained. "Our Airtrans system already meets all the requirements of UMTA (Urban Mass Transportation Authority)."

The Vought official stressed, however, that the corporation has been in touch with the transportation department only to discuss the overall plans of the massive project.

"WE ARE CERTAINLY not talking about bidding for contracts," Crossland said. "It will still be some time before federal officials decide which cities will be selected to participate in the program."

Dallas City Council members voted unanimously Monday to commit the city to a monorail system for the central business district if Dallas is picked as one of the cities.

Under the program, the city would invest \$9 million in the project and the Department of Transportation would pick up the remaining \$36 million in anticipated costs.

The long range system would call for a circular route through downtown via an elevated monorail that would make stops at all the major centers in the area.

ROD KELLY, CITY traffic control director, said initial installation of the system could begin before 1980 if Dallas is selected this year.

If Vought Corp. is picked to build the system, Crossland said the proposed people mover would not be as sophisticated as Airtrans at the airport.

"There are so many different tasks that Airtrans has to perform," he explained. "This would be a simpler operation."

Although council members were enthusiastic about the new transportation system, they said much discussion is needed about the means of financing the local costs.

MAYOR PRO TEM Adlene Harrison said such an extensive project would require a cooperative effort between the city and private enterprise.

Mrs. Harrison said she believes private business would be willing to share the costs if it is proven the system could revitalize the downtown area.

Russell Perry, chairman of the Dallas Chamber of Commerce Board, joined the council in expressing his enthusiasm, but said he doubts if individual businesses could be convinced to participate.

"I think it is going to take tax money to make it go," Perry said.

The Dallas Morning News

Tuesday, June 15, 1976

Council to seek monorail funds

City Council members decided Monday to seek a \$45 million federal program to construct an elevated monorail system in Downtown Dallas that would stimulate growth and relieve traffic congestion.

Council members voted unanimously to commit the city to the downtown "people-mover" program if the U.S. Department of Transportation approves their grant application.

Under the plan outlined by Traffic Control Director Rod Kelly, the City of Dallas would invest \$9 million in the rail transportation system and federal authorities would pay \$36 million.

Kelly showed the council a tentative circular route for the monorail that would make stops at the Reunion development, the Dallas Convention Center and municipal administration plaza, the Mercantile Bank, Thanks-

Giving Square, the Republic Bank, the First International Bank building, One Main Place and the county government complex.

He said that transportation officials have asked cities from throughout the nation to state whether they would be interested in a people-mover system to solve increasing pollution problems of the central business district.

Although 60 other cities have applied, Kelly said he believes that Dallas is in a good position to be one of the grant recipients.

He said the elevated rail system could attract more activity to downtown, improve air quality, provide better public access and reduce the fuel usage by Dallas motorists.

On the negative side, Kelly admitted that the rail, which would run along

the route of downtown streets, could be a "visual intrusion" to pedestrians.

He also cited the construction inconveniences for such a lengthy project and comparatively high funding costs as other detrimental factors.

But Kelly said surveys taken by his staff indicate that a well-planned monorail could attract at least 7,700 paying passengers a day, which would be sufficient to cover maintenance costs.

He said the route outlined would be within 1,000 feet of some 108,000 downtown office workers or at least 80 per cent of the overall work force.

Kelly said local funding of the project could be handled through a future city bond issuance, contributions from the private business sector or state public transportation funds.

If the City of Dallas wins approval of its grant application this year, Kelly said the early phases of the downtown people-mover system would be open by late 1979.

Although Kelly and Assistant City Mgr. Dan Petty urged a long look at the proposal, City Council members were immediately enthusiastic.

"I think it's an exciting opportunity for the city," Mayor Robert Folsom said.

Councilman L. A. Murr said his discussion with other city officials indicates that the proposed rail system is "what we're going to have to build to meet future needs."

Petty said he will seek supporting letters from downtown business organizations and other groups before submitting the grant application by the July 1 deadline.

Moving ahead by planning

Rod Kelly and the other city planners are to be commended for their ability and foresight as they look ahead into the coming years which hold many uncertainties, particularly in the area of transportation.

First, their concept and development of Dallas Union Terminal into a multi-model transportation center and now their innovative plans for a downtown people-mover to enhance traffic flow in the central business district.

One thought should transcend all else as we support our planners in this pioneer effort. Here, we have a transportation system that will run on electricity. It can be powered by East Texas lignite, burned wastes, future nuclear power or whatever is at hand. When the gasoline fizzles out and other cities come to a stop, Dallas will still be moving ahead.

M. D. MONAGHAN

Southwest Railroad Historical Society
Garland

Downtown Dallas:

Speaking of Renewal

What a spectacular program on downtown Dallas is planned by SMU's Center for Urban and Environmental Studies on June 30 at Gran' Crystal Palace. "What's Up for Downtown Dallas?" is the seminar's title. Who's up for the seminar are people such as merchant Richard Marcus, City Councilman John Leedom, architect Enslie Oglesby, banker Rawles Fulghum, developers Raymond Nasher, John Scovell and Vincent Carrozza, and preservationist Virginia Talkington.

They will be discussing why we need downtown and, needing it, what we must do to keep it. There is no topic of greater urgency to the

community. The preservation of downtown Dallas as a focal point for city life is so essential as to be beyond questioning. These vacant lots, these empty store windows—they will not do; and it is past time that Dallas committed itself to this proposition.

The SMU seminar is surely a step in the right direction. The participants will be hearing not only what problems we have, but how other cities are working on similar problems, and what we ourselves might try and do. These are just the things that we ought to be hearing about. And talking about. And, ultimately, doing something about.

Criteria 8 - Financial Resources - Local Share Capital Costs

Robert Patricelli, Administrator of UMTA, announced in April, 1976, that Federal moneys would be available for allocation to three cities to plan, engineer, and construct a downtown people mover system using developed technology. This money is available on an 80%-20% funding ratio basis. Eighty percent (80%) will be granted through an UMTA Section 3 grant for capital expenditure. Twenty percent (20%) of the funding must come from local sources. The State of Texas Public Transportation Fund is a source of money for part of the local match required. Up to 65% of the local match (or 13% of the total project cost) may be obtained from this fund if money is available. If the Public Transportation Fund is fully utilized, the local government (the City of Dallas) would have to pay only 7% of the cost of the project. The sum of \$15,000,000 is appropriated yearly for use by the SDHPT for public transportation in the State.

It is estimated that the cost of constructing a DPM in Dallas would be \$45,000,000. The contribution from the State Public Transportation Fund could be up to \$5,850,000 and the City of Dallas contribution could be as low as \$3,150,000. On the other hand if no Public Transportation Funds are available, the City of Dallas would be responsible for raising the entire 20% or \$9,000,000.

State of Texas Public Transportation Funds

Formula Program - Sixty percent (60%) of the funds in the Public Transportation Fund are allocated to those urbanized areas with a population of more than 200,000. Based on the Formula Program, \$1,494,690 is available to the City of Dallas for FY 1975-76 to provide 65% of the local match required for receipt of UMTA funds for capital expenditure. A similar amount will be available for FY 1976-77. To date the City of Dallas has requested Public Transportation Funds in the amount of \$750,302 and these requests have been approved by the State Commission on Highways and Public Transportation. This leaves a balance of

Table 2.

FUNDING DALLAS CBD PEOPLE MOVER SYSTEM

TOTAL CONSTRUCTION COST	\$45,000,000
FEDERAL SHARE (80%)	\$36,000,000
LOCAL SHARE (20%)	\$9,000,000

SOURCES: CITY BOND REVENUES
PRIVATE SECTOR PARTICIPATION
STATE PUBLIC TRANSPORTATION FUND
SPECIAL BENEFIT ASSESSMENTS

\$744,388 not yet encumbered. If this money is not used by the City of Dallas by the end of this fiscal year, it will become part of the Discretionary Program one year after the end of FY 1975-76. A tabulation showing the City of Dallas utilization of UMTA and Public Transportation Funds for FY 1975-76 is shown in Table 3.

The City may seek State Public Transportation matching funds for two additional UMTA Section 5 projects as shown in the lower part of Table 3. If those requests are approved, the unencumbered balance in the City's allocation of the Formula Program would be \$691,988. This is the amount which would revert to the Discretionary Program if not encumbered within the specified time.

Discretionary Program - Forty percent (40%) of the funds credited to the Public Transportation Fund constitutes the Discretionary Program. Only rural areas and those areas not eligible for Formula funding may receive Discretionary Program funding. The law provides that when funds appropriated for the Discretionary Program have not been spent or encumbered one year after the fiscal year in which the funds were originally allocated, then applicants from urban areas eligible for participation in the Formula Program may apply for and receive Discretionary Program funding.

In FY 1975-76, \$5,460,550 was allocated for the Discretionary Program, but only \$669,883 has been requested. Thus, a Discretionary fund surplus of at least \$4,790,667 could exist in FY 1977-78. This leads to the conclusion that adequate State funds should be available in the Discretionary Program over a 2 or 3 year period to furnish a portion of the State's share (65%) of the local match (20%) for the proposed people mover project, i.e., approximately \$5,850,000.

Attachment 1 contains a copy of the State law that set up the State Public Transportation Fund.

STATUS SUMMARY OF
PROJECTS JOINTLY FINANCED
BY UMTA, THE STATE OF TEXAS, AND THE CITY OF DALLAS

TABLE 3

UMTA AND STATE APPROVED FUNDS FY 1975-76

FEDERAL PROJECT NUMBER	PROJECT DESCRIPTION	FUNDING PROGRAM	TYPE	FUNDING (\$)			
				UMTA	STATE	CITY	TOTAL
TX-05-0003	Bus Priority	Section 5	Capital	\$ 148,800	\$ 24,180	\$ 13,020	\$ 186,000
TX-05-0002	Garland P & R	Section 5	Capital	323,000	57,200	30,800	440,000
TX-03-0022	Bus Replacement	Section 3	Capital	3,113,244	505,902	252,951	3,872,097
TX-03-0018	East Dallas Expansion	Section 3	Capital	763,200	124,020	66,780	954,000
SUBTOTAL - Funds Encumbered				\$4,377,244	\$711,302	\$363,551	\$5,452,000

UMTA APPROVED PROJECTS PROPOSED FOR STATE APPROVAL FY 1975-76

TX-05-0001	Elderly & Handicapped	Section 5	Capital	\$ 320,000	\$ 52,000	\$ 28,000	\$ 400,000
TX-05-0004	Bus Shelters	Section 5	Capital	64,000	10,400	5,600	80,000
SUBTOTAL - Funds Requested				\$ 384,000	\$ 62,400	\$ 33,600	\$ 480,000

PROJECTS TO BE SUBMITTED FOR UMTA AND STATE APPROVAL FY 1975-76

TX-05-0010	Mini-Buses	Section 5	Capital	\$ 107,000	\$ 17,391	\$ 9,364	\$ 133,755
TX-05-0010	Revenue Proc.	Section 5	Capital	1,440,000	243,000	126,000	1,809,000
SUBTOTAL - Funds To Be Requested				\$1,547,000	\$260,391	\$135,364	\$1,942,755
TOTAL - Potentially Encumbered Funds				\$6,308,244	\$1034,093	\$532,515	\$7,874,852

Unencumbered Balance In Discretionary Program FY 1975-76	\$4,790,667
Unencumbered Balance in Formula Program FY 1975-76	460,597
Available Formula Program FY 1976-77	1,494,690
Unencumbered Balance in Formula Program FY 1976-77	1,085,190

PROJECTS EXPECTED TO BE SUBMITTED FY 1976-77
FOR UMTA AND STATE APPROVAL

FEDERAL PROJECT NUMBER	PROJECT DESCRIPTION	FUNDING PROGRAM	TYPE	FUNDING (\$)			
				UMTA	STATE	CITY	TOTAL
	Bus Replacement	Section 3	Capital	\$2,400,000	\$390,000	\$210,000	*\$3,000,000
	Bus Stop Signs		Capital	120,000	19,500	10,500	150,000
TOTAL				\$2,520,000	\$409,500	\$220,500	\$3,150,000

	UMTA	STATE	CITY	TOTAL
* Funds to Be Requested	\$2,520,000	\$409,500	\$220,500	\$3,150,000
SPTF - Formula Program		<u>1,494,690</u>		
Unencumbered Balance (To Date)		\$1,085,190		

* Approximately

Based on its preliminary system proposal, the City will be required to furnish from \$3,150,000 to \$9,000,000 in locally matching funds. The 1975 Capital Bond Program allocated \$2,000,000 to provide matching funds for the purchase of the transitway right-of-way and for transit engineering, Park-and-Ride improvement, and other traffic and transportation improvements. A portion of this could be used as a part of the local match. Money from the City's general revenues could also be used.

Another possibility for financing the downtown people mover system might be through the use of a "special assessment" district. There are almost 40,000,000 square feet in the Dallas Central Business District. A one time assessment of 10¢/square feet would yield \$4,000,000. If this (special assessment district) technique merits attention, other more sophisticated schemes can be investigated. The City's Tax Attorney has reviewed applicable State and City laws and concludes that such a funding scheme is legally possible.

An analysis has indicated that the cost of the transit stations would be approximately 7% of the total project cost. It has been suggested that private interests who would be expected to benefit from the proximity of the transit station could be asked to participate in the cost of constructing the stations.

The project feasibility analysis assumed that, if necessary, the City of Dallas could (with the voters consent) issue \$9 million Capital Bonds retrievable over 20 years at 7% interest. This is the "worst case" condition. However, even in this "worst case" condition, the benefits (in terms of revenue generated) should outweigh the cost (in terms of cost per passenger trip). The cost analysis included operating, maintenance, and debt retirement on bonds under the aforementioned conditions.

It is possible for the City to do much better than the "worst case". Public Transportation Funds, previously approved bond funds, some general city tax

revenues, and private investments should decrease the City's capital bond needs for this project. Also, the most recent City bonds went at an interest rate of 5.113% instead of 7%.

Criteria 9 - Funding Continuing Operations and Maintenance

Preliminary analyses on operation and maintenance costs and debt retirement on a \$9 million bond issue for the local share of capital costs and passenger revenue indicates that the system should break even. As noted before, this is a "worst case". Should, however, things turn out even worse and sufficient passenger revenue is not generated to cover these costs, the City is in a financial position to continue operating the system.

The Dallas Transit System has and is currently receiving both Section 5 Operating Assistance and funds from the City of Dallas to cover operating deficits. The City of Dallas provides the operating subsidy because it feels that it is of public benefit to (at a minimum) maintain both the present fare structure and route structure. It is expected that these funds would also be available for covering deficits incurred by a people mover system. According to the Federal Register, Vol. 40, No. 8, Monday, January 13, 1975, apportionments of UMTA Section 5 money are made available to urbanized areas of greater than 200,000 population. The following projected apportionments for the Dallas urbanized area were computed by the Department of Transportation and are so listed in the above mentioned Federal Register.

	Annual Program Apportionment (In Dallas)
FY 1975	\$ 2,468,850
FY 1976	4,114,750
FY 1977	5,349,174
FY 1978	6,377,861
FY 1979	6,995,074
FY 1980	<u>7,406,550</u>
Total	\$32,712,259

A letter from the City Auditor testifies to the fact that the City of Dallas has a very high bond rating. Further proof of the City's financial stability is in Attachment II containing summaries and tables from the City of Dallas FY 1975-76 Operating Budget.

Although it is currently envisioned that the Dallas Transit System (DTS) would operate the downtown people mover, DTS may choose to contract with some other entity to perform that service. This type of contracting arrangement is already in effect between DTS and Yellow Cab Taxi Company. DTS contracts with Yellow Cab to operate the SURTRAN taxi service. SURTRAN provides transportation for persons utilizing the Dallas/Fort Worth Regional Airport. Yellow Cab was selected on the basis of competitive bidding.

Financial Arrangement Between City of Dallas and Dallas Transit System

The City of Dallas owns and operates its public transit system through a Public Transit Board under authority of a general statute of the State of Texas, enacted in 1975, which is codified as Article 1118 W, Revised Civil Statutes of the State of Texas.

The state law authorizes any city to purchase, own, construct, and operate a street transportation system for the carrying of passengers for hire within such city, its suburbs and adjacent areas.

The State Act empowers cities to issue bonds and notes to provide funds for the purchase, construction, improvement and extension of a public transportation system.

The governing body of the city is required to publish a notice of the proposed passage of an ordinance authorizing the issuance of such bonds and notes.

Unless a petition is filed with the City Secretary, signed by not less than 10 percent of the qualified voters of the City, requesting an election on the



CITY OF DALLAS

OFFICE OF
TRANSPORTATION
JUN 21 1976
PROGRAMS

June 17, 1976

Ms. Mildred Cox
Transportation Programs
Room 308-A
500 So. Ervay
Dallas, Texas 75201

Dear Ms. Cox:

In answer to your telephone request this morning concerning
City of Dallas Bond Ratings, the following is stated:

Rated AAA - Moody's Investors Service Inc.
Rated AA - Standard & Poor's Corp.

Please feel free to call on us if additional information is
needed.

Very truly yours,

James R. Fountain, Jr.
James R. Fountain, Jr.
City Auditor

jd

From

RWK

To:

Stallworth..... Kelly.....
Tipton..... Miller.....
Huckles.....
Lester.....

Review & Comment.....
Info & File.....
See Me.....
Recommendation..... Expedite.....

question of issuing the bonds, the governing body may then proceed to issue them without an election.

To secure payment of bonds or notes, the City is given the power to encumber the physical properties or revenues of the public transportation system.

The Act specifically provides that public transportation system obligations shall not be a debt of the City, but solely a charge upon the property and revenues of the transportation system. The City is not prohibited, however, from making payments on the bonds out of any other funds it may lawfully use for such purpose.

Section 9 of the state law provides that whenever the revenues of a transportation system are encumbered for the purpose of securing the payment of bonds or notes, the expenses of operation and maintenance, including all salaries, labor, materials, interest, repairs, and extensions necessary to render efficient service, shall be a first lien against such revenues.

Until fiscal 1974, Dallas Transit System was able to fulfill obligations from revenues, but during fiscal 1974 and 1975 the City of Dallas was required to use Federal Revenue Sharing Funds and Section 5 funds to subsidize the operation of the System. Additional Subsidy Funds will continue to be required by the System during fiscal 1976.

City Ordinance 10874 and Sections 1 and 2 of Chapter II of the Charter of the City of Dallas will be a part of the legal opinion included in the application. These documents describe the financial obligations of the City of Dallas as pertains to the Dallas Transit System.

Criteria 10 - Technological Resources

System Operation and Maintenance

In order to insure a smooth transition from operation of the DPM by the manufacturer to take over by the City of Dallas, it would be proposed that a requirement for

operation of the system by the vehicle manufacturer contractor for a one year period immediately after system installation will be included in its contract with the City. During this one year period, the contractor could also train employees hired by the City. At the end of the one year period, the City of Dallas could take over complete operation of the system unless the City and contractor mutually agree to an extension of the maintenance and/or operations tasks.

Personnel Training

It is proposed that the system manufacturers train all operating personnel initially. Training should consist of providing the instructions necessary to install, activate, maintain the operations, and maintain the security of the system. The instructions should be presented by personnel experienced in the design and operation of the equipment involved. Instructions should include both classroom and field training.

The City of Dallas would plan to employ personnel with education and/or experience appropriate to the duties that they would be required to perform. After the City has accepted control of the system, the contractor will have consultants available if problems appear at a later date.

Certification of Specification Compliance

Upon completion of all system tests and prior to presenting the system for final acceptance, the contractor should certify to the City that the vehicles, guideway construction, buildings, control system, command system, communication system, and surveillance system meet contract requirements. Compliance with authorized deviations to the basic contract should be included in the certification. It is proposed that payments to the contractor be withheld if contract requirements are not met to the satisfaction of the City of Dallas.

It is proposed that the contractor be paid in full only when he has installed the system, operated and maintained it for a year and trained City personnel to operate the DPM system themselves.

Criteria 11 - Complies With Urban Mass Transportation Act of 1964 Requirements

In FY 1975-76 alone UMTA approved over \$4.6 million in Section 3 and Section 5 funding for the City of Dallas. A requirement for this funding is that the projects comply with all requirements under the Urban Mass Transportation Act of 1964. In the event the City of Dallas is chosen to be the site for a downtown people mover project and subsequently applies for a Section 3 Capital Grant to fund this project, the City would then, as it has always, comply with the Urban Mass Transportation Act of 1964 requirements. These requirements include but are not limited to:

- a. Labor
- b. Public Hearings
- c. Relocation
- d. Social, Environmental, and Economic Impacts
- e. Elderly and Handicapped
- f. Distribution of Transportation Benefits
- g. Fares: Elderly and Handicapped
- h. Assurances including Title VI of the Civil Rights Act of 1964.

Attachment VIII contains part of the documented assurances to the fact that all UMTA requirements will be met. Complete documentation will, of course, be furnished with the Section 3 grant application.

Attachment I - State and Civil Statutes

VERNON'S ANNOTATED CIVIC STATUTES

Art. 2367a COURTS—COMMISSIONERS Title 41

the County Judge or Mayor or governing body of the district, as the case may be, and shall be conducted in the presence of the governing body of the county, city or district, at which time all qualified bidders or their legal representatives may also be present; providing nothing herein shall prohibit the rejection of all bids by the awarding authority; providing that the provisions of this Act shall be applicable

to all counties, cities and districts in the State of Texas where bidding is required, regardless of whether the bids are submitted pursuant to the provisions of a General Law, or a Special Law, or a City Charter, or a City Ordinance; providing for a repealing clause; providing for a severability clause and declaring an emergency. Acts 1959, 56th Leg., p. 204, ch. 116.

Library References

Counties \S 116 et seq.

Municipal Corporations \S 234 et seq.

C.J.S. Counties \S 183.

C.J.S. Municipal Corporations \S 995 et seq.

Art. 2368. Repealed by Acts 1931, 42nd Leg., p. 269, ch. 163,
§ 10

Historical Note

This article, Acts 1917, p. 349; Acts 1923, 28th Leg., ch. 127, p. 262, §§ 1, 2, related to advertising for bids and letting contracts.

This subject matter is now covered by art. 2368a.

Art. 2368a. Requirements governing advertising for bids by
counties and cities

Definitions

Sec. 1. The word "city" as used in this Act shall include all cities and towns incorporated under General or Special Laws, and all cities operating under charter adopted under the provisions of Article 11, Section 5, of the Constitution of Texas, unless especially excepted under the terms of this Act.

The term "governing body" as used in this Act shall include the governing body of every city, whether designated as "Board of Alderman," "City Council," "City Commission," or otherwise.

For the purposes of this Act the term "current funds," shall include money in the treasury, taxes in process of collection during such tax year, and all other revenues which may be anticipated with reasonable certainty during such tax year.

The term "bond funds" shall include money in the treasury already received from the sale of bonds, and the proceeds of bonds theretofore voted but not yet issued and delivered.

The term "time warrant" as used in this Act shall include any warrant issued by a city or county not payable out of current funds.

The short title of this Act shall be "Bond and Warrant Law of 1931."

Nothing in this Act shall be construed as to affect any bonds or warrants legally issued or authorized to be issued and for which a tax has been levied for the payment of interest and principal thereof, prior to the time when this Act shall become effective and under the laws existing at that time, nor as affecting the matters covered by House Bill No. 981, Acts of the 42nd Legislature, Regular Session,¹ provided that after June 1, 1932, the requirements of this Act with respect to notice, competitive bidding, and a referendum election shall also be complied with by all cities then acting under the provisions of said House Bill No. 981.

¹ Article 1115a.

Competitive bidding for contracts for public works; notice to bidders; advertisement; exceptions; conflicting provisions; noncompliance with law

Sec. 2. No county, acting through its Commissioners Court, and no city in this state shall hereafter make any contract calling for or requiring the expenditure of payment of Two Thousand Dollars (\$2,000.00) or more out of any fund or funds of any city or county or subdivision of any county creating or imposing an obligation or liability of any nature or character upon such county or any subdivision of such county, or upon such city, without first submitting such proposed contract to competitive bids. Notice of the time and place when and where such contracts shall be let shall be published in such county (if concerning a county contract or contracts for such subdivision of such county) and in such city, (if concerning a city contract), once a week for two (2) consecutive weeks prior to the time set for letting such contract, the date of the first publication to be at least fourteen (14) days prior to the date set for letting said contract; and said contract shall be let to the lowest responsible bidder. The court and/or governing body shall have the right to reject any and all bids, and if the contract is for the construction of public works, then the successful bidder shall be required to give a good and sufficient bond in the full amount of the contract price, for the faithful performance of such contract, executed by some surety company authorized to do business in this state in accordance with the provisions of Article 5160, Revised Statutes of 1925, and amendments thereto. However, the city or county in making any contract calling for or requiring the expenditure of payment of Two Thousand Dollars (\$2,000.00) or more and less than Fifty Thousand Dollars (\$50,000.00) may, in lieu of the bond requirement, provide in the contract that no money will be paid to the contractor until completion and acceptance of the work by the city or county. If there is no newspaper published in such county, the notice of the letting of such contract by such county shall be given by

Art. 2363a COURTS—COMMISSIONERS

Title 41

causing notice thereof to be posted at the County Court House door for fourteen (14) days prior to the time of letting such contract. If there is no newspaper published in such city, then the notice of letting such contract shall be given by causing notice thereof to be posted at the City Hall for fourteen (14) days prior to the time of letting such contract. Provided, that in case of public calamity, where it becomes necessary to act at once to appropriate money to relieve the necessity of the citizens, or to preserve the property of such county, subdivision, or city, or when it is necessary to preserve or protect the public health of the citizens of such county or city, or in case of unforeseen damage to public property, machinery or equipment, this provision shall not apply; and provided further, as to contracts for personal or professional services; work done by such county or city and paid for by the day, as such work progresses; and the purchase of land and right-of-way for authorized needs and purposes, the provisions hereof requiring competitive bids shall not apply and in such cases the notice herein provided shall be given but only with respect to an intention to issue time warrants with right of referendum as contemplated in Sections 3 and 4 hereof¹ respectively.

Provisions in reference to notice to bidders, advertisement thereof, requirements as to the taking of sealed bids based upon specifications for public improvements or purchases, the furnishing of surety bonds by contractors and the manner of letting of contracts, as contained in the charter of a city, if in conflict with the provisions of this Act, shall be followed in such city notwithstanding any other provisions of this Act.

Any and all such contracts or agreements hereafter made by any county or city in this state, without complying with the terms of this Section; shall be void and shall not be enforceable in any court of this state and the performance of same and the payment of any money thereunder may be enjoined by any property taxpaying citizen of such county or city. Provided, however, that the provisions of this Act shall not apply to counties having a population of more than three hundred fifty thousand (350,000) inhabitants according to the last preceding or any future Federal Census.

¹ See article 2368a-10, §§ 2 and 3.

Lump sum basis; unit price basis; changes in plans and specifications

Sec. 2a. Contracts for the construction of public works or the purchase of materials, equipment and supplies may be let under the provisions of Section 2 on a lump sum basis or on a unit price basis, as the governing body or Commissioners Court shall determine. In the event a contract is to be let on a unit price basis, the information furnished bidders shall specify the approximate quantities estimated

Art. 2368a. Requirements governing advertising for bids by counties and cities

* * * * *
 Competitive bidding for contracts for public works; notice to bidders; advertisement; exceptions; conflicting provisions; noncompliance with law

Sec. 2. No county, acting through its Commissioners Court, and no city in this state shall hereafter make any contract calling for or requiring the expenditure of payment of Three Thousand Dollars (\$3,000.00) or more out of any fund or funds of any city or county or subdivision of any county creating or imposing an obligation or liability of any nature or character upon such county or any subdivision of such county, or upon such city, without first submitting such proposed contract to competitive bids. Notice of the time and place when and where such contracts shall be let shall be published in such county (if concerning a county contract or contracts for such subdivision of such county) and in such city, (if concerning a city contract), once a week for two (2) consecutive weeks prior to the time set for letting such contract, the date of the first publication to be at least fourteen (14) days prior to the date set for letting said contract; and said contract shall be let to the lowest responsible bidder. The court and/or governing body shall have the right to reject any and all bids, and if the contract is for the construction of public works, then the successful bidder shall be required to give a good and sufficient bond in the full amount of the contract price, for the faithful performance of such contract, executed by some surety company authorized to do business in this state in accordance with the provisions of Article 5160, Revised Statutes of 1925, and the amendments thereto. However, the city or county in making any contract calling for or requiring the expenditure of payment of Three Thousand Dollars (\$3,000.00) or more and less than Fifty Thousand Dollars (\$50,000.00) may, in lieu of the bond requirement, provide in the contract that no money will be paid to the contractor until completion and acceptance of the work by the city or county. If there is no newspaper published in such county, the notice of the letting of such contract by such county shall be given by causing notice thereof to be posted at the County Court House door for fourteen (14) days prior to the time of letting such contract. If there is no newspaper published in such city, then the notice of letting such contract shall be given by causing notice thereof to be posted at the City Hall for fourteen (14) days prior to the time of letting such contract. Provided, that in case of public calamity, where it becomes necessary to act at once to appropriate money to relieve the necessity of the citizens, or to preserve the property of such county, subdivision, or city, or when it is necessary to preserve or protect the public health of the citizens of such county or city, or in case of unforeseen damage to public property, machinery or equipment, this provision shall not apply; and provided further, as to contracts for personal or professional services; work done by such county or city and paid for by the day, as such work progresses; and the purchase of land and right-of-way for authorized needs and purposes, the provisions hereof requiring competitive bids shall not apply and in such cases the notice herein provided shall be given but only with respect to an intention to issue time warrants with right of referendum as contemplated in Sections 3 and 4 hereof respectively.

Provisions in reference to notice to bidders, advertisement thereof, requirements as to the taking of sealed bids based upon specifications for public improvements or purchases, the furnishing of surety bonds by contractors and the manner of letting of contracts, as contained in the

charter of a city, if in conflict with the provisions of this Act, shall be followed in such city notwithstanding any other provisions of this Act.

Any and all such contracts or agreements hereafter made by any county or city in this state, without complying with the terms of this Section, shall be void and shall not be enforceable in any court of this state, and the performance of same and the payment of any money thereunder may be enjoined by any property taxpaying citizen of such county or city. Provided, however, that the provisions of this Act shall not apply to counties having a population of more than three hundred fifty thousand (350,000) inhabitants according to the last preceding or any future Federal Census.

Sec. 2 amended by Acts 1973, 63rd Leg., p. 635, ch. 269, § 1, eff. June 11, 1973.

Lump sum basis; unit price basis; changes in plans and specifications

Sec. 2a. Contracts for the construction of public works or the purchase of materials, equipment and supplies may be let under the provisions of Section 2 on a lump sum basis or on a unit price basis, as the governing body or Commissioners Court shall determine. In the event a contract is to be let on a unit price basis, the information furnished bidders shall specify the approximate quantities estimated upon the best available information, but the compensation paid the contractor shall be based upon the actual quantities constructed or supplied.

In the event it becomes necessary to make changes in the plans or specifications after performance of a contract has been commenced, or it becomes necessary to decrease or increase the quantity of work to be performed or materials, equipment or supplies to be furnished, the Commissioners Court or governing body shall be authorized to approve change orders effecting such changes but the total contract price shall not be increased thereby unless due provision has been made to provide for the payment of such added cost either by appropriating available funds for that purpose or by authorizing the issuance of time warrants as provided in the Act amended hereby.

Where any change order involves a decrease or increase in cost of five thousand dollars or less, the Commissioner's Court or governing body may grant general authority to one of its administrative officials to approve such change orders.

Provided, however, that the original contract price may not be increased under the provisions of this Section 2a by more than twenty-five (25%) per cent or decreased more than twenty-five (25%) per cent without the consent of the contractor to such decrease.

Sec. 2a amended by Acts 1973, 63rd Leg., p. 1342, ch. 507, § 1, eff. June 14, 1973.

* * * * *

Saved From Repeal

Acts 1971, 62nd Leg., p. 2824, ch. 923, enacting the Certificate of Obligation Act (Article 2368a.1), provided in section 10 that nothing herein shall be construed as repealing the Bond and Warrant Law of 1931. See article 2368a.1, § 10.

Cross References

Clean air financing act, bids on construction projects, inapplicability of this article, see art. 4477-5a, § 11.

Development of employment, industrial and health resources, contracts to be advertised in manner provided by this article, see art. 5190.1, § 13.

Disaster Act of 1975, acquisition and construction of equipment or improvements, applicability of this article, see art. 6589-7, § 5(d).

Metropolitan rapid transit authorities, competitive bids, see art. 1113x, § 14.

Natural or man-made disaster, authority of local governing body to remove bidding requirements under this article, see art. 5800e, § 7(g).

Professional services procurement act, see art. 661-4.

Rural industrial development act, contracts to be advertised in manner provided by this article, see art. 5190.2, § 6.

Law Review Commentaries

Financing of capital improvements by counties and cities. Herbert M. Morrow, 25 Southwestern L.J. 373 (1971).

1. Construction and application

Bids for road machinery costing \$2,000 or more are required even if it will be paid for out of county funds on hand. Op. Atty. Gen. 1973, No. H-103.

Assuming compliance with all laws dealing with the bidding for the purchase of supplies by a county, a contract to buy fuel for a county made with a corporation in which a commissioner's brother owns the majority of the stock, is not void solely because of the familial relationship when the commissioner has no interest in the fruits

of the contract, either direct or indirect. Op. Atty. Gen. 1971, No. H-351.

5. Competitive bidding--in general

Ambiguous invitations and instructions for competitive bids which leave bidding requirements to conjecture prevent competitive bidding. Bids submitted in response thereto should not be accepted. Op. Atty. Gen. 1973, No. H-24.

11. --- Protecting public health, exception to requirement of competitive bidding

Pursuant to the public health exception of section 2 of this article, a county is not required to follow competitive bidding procedures in establishing a county ambulance service. Op. Atty. Gen. 1971, No. M-896.

Art. 2368a.1 Certificate of Obligation Act**Citation of Act**

Section 1. This Act shall be known and may be cited as "The Certificate of Obligation Act of 1971."

Definitions

Sec. 2. When used in this Act, unless otherwise apparent from the context:

(a) "Bond funds" shall mean money received from the sale of bonds by the issuer.

(b) "Certificate" means a certificate of obligation authorized to be issued under the terms of this Act.

(c) "City" means any incorporated municipality of this State incorporated under the provisions of (i) any general or special law provided the municipality has the power to levy an ad valorem tax of not less than \$1.50 on each \$100 valuation of taxable property therein, or (ii) the home rule amendment to the Constitution.

(d) "Contractual obligation" shall mean any contract entered by an issuer through its governing body executed pursuant to Section 6 or Section 7 of this Act. No such contract shall be required to be in writing where (i) work is to be done by the regular salaried employees of an issuer, (ii) the work is to be paid for as the work progresses, and (iii) legal services.

(e) "County" means a political subdivision of the State of Texas created and established under Article IX, Section 1, of the Constitution of Texas which, according to the Federal Census then preceding has a population of less than 350,000.

(f) "Current funds" shall mean money in the treasury, taxes in the process of collection during the then current budget year of the issuer, and all other revenues which may be anticipated with reasonable certainty during such budget year.

(g) "Governing body" shall mean the board, council, commission, court or other body or group which is authorized to issue bonds for or on behalf of an issuer.

(h) "Issuer" means a city or county.

Certificates authorized; amount, public works construction

Sec. 3. (a) The governing body of an issuer may authorize certificates for the purpose of paying any contractual obligation to be incurred for the construction of any public work or for the purchase of materials, supplies, equipment, machinery, the purchase of land and rights-of-way for authorized needs and purposes, or for the payment of contractual obligations for professional services (including tax appraisal engineers, engineering, architectural, attorneys, mapping, auditing, financial advisors, fiscal agent) or for any one or more of such purposes.

upon the best available information, but the compensation paid the contractor shall be based upon the actual quantities constructed or supplied.

In the event it becomes necessary to make changes in the plans or specifications after performance of a contract has been commenced, or it becomes necessary to decrease or increase the quantity of work to be performed or materials, equipment or supplies to be furnished, the Commissioners Court or governing body shall be authorized to approve change orders effecting such changes but the total contract price shall not be increased thereby unless due provision has been made to provide for the payment of such added cost either by appropriating available funds for that purpose or by authorizing the issuance of time warrants as provided in the Act amended hereby.

Provided, however, that the original contract price may not be increased under the provisions of this Section 2a by more than twenty-five (25%) per cent or decreased more than twenty-five (25%) per cent without the consent of the contractor to such decrease.

Contracts for purchase of machinery

Sec. 2b. Contracts for the purchase of machinery for the construction and/or maintenance of roads and/or streets, may be made by the governing bodies of all counties and cities within the State in accordance with the provisions of this Section. The order for purchase and notice for bids shall provide full specification of the machinery desired and contracts for the purchase thereof shall be let to the lowest and best bidder.

Issuance of time warrants

Sec. 3. When it shall be the intention of the Commissioners' Court, or of the governing body, to issue time warrants for the payment of all or any part of the proposed contract, the notice to bidders required under Section 2 of this Act shall recite that fact, setting out the maximum amount of the proposed time warrant indebtedness, the rate of interest such time warrants are to bear, and the maximum maturity date thereof.

Referendum on bond issues

Sec. 4. If, by the time set for the letting of the contract, as many as ten per cent (10%) in number of the qualified voters of said county, or city, as the case may be, whose names appear on the last approved tax rolls as property taxpayers, petition the Commissioners' Court, or governing body, in writing to submit to a referendum vote the question as to the issuance of bonds for such purpose, then such

CHARTER - CITY OF DALLAS

Ch. XXI, § 11

CHARTER

Ch. XXII, § 2

Sec. 11. Misapplication of bond funds.

Any officer of the city who shall willfully or knowingly divert or use any funds arising from the issuance of any bonds or any sinking fund for any other purpose except that for which the fund is created or are herein otherwise authorized, shall be deemed guilty of a misapplication of public funds and subject to prosecution as provided under the laws of the State of Texas for the diversion and conversion of funds belonging to any of the municipalities of the state.

Sec. 12. Bidding; sale.

When the sale of bonds is in response to a request for bids, the bids may be opened and the bonds sold on the same day, whether at a regular or special meeting of the city council.

CHAPTER XXII. PUBLIC CONTRACTS

(Rebd. by Amend. of 6-12-73, Prop. No. 43)

Sec. 1. Signatures and appropriations.

No contract shall be binding upon the city unless it has first been signed by the city manager, countersigned by the city auditor, approved by the city attorney, and attested by the city secretary. The expense thereof shall be charged to the proper appropriation. Whenever the contract charged to any appropriation equals the amount of said appropriation, no further contracts shall be signed. (Amend. of 6-12-73, Prop. No. 36)

Sec. 2. Contract letting.

All city contracts calling for or requiring the expenditure or payment of two thousand dollars (\$2,000.00) or more, creating or imposing an obligation or liability of any nature or character upon the city, must first be submitted for com-

Ch. XXII, § 2

CHARTER

Ch. XXII, § 4

petitive bids. Such bids shall be based upon plans and specifications prepared for that purpose. Notice of the time and place when and where such contract shall be let shall be published in a newspaper of general circulation in the City of Dallas once a week for two (2) consecutive weeks prior to the time set for letting such contract, the date of the first publication to be at least fourteen (14) days prior to the date set for letting said contract. Such contract shall be let to the lowest responsible bidder. A contract for ten thousand dollars (\$10,000.00) or less may be let to the lowest bidder without city council approval under rules established by the city council. A contract let to other than the lowest bidder or a contract for more than ten thousand dollars (\$10,000.00) shall be first approved by the city council. The city council shall have the right to reject any and all bids. The city in the first instance may elect to perform the work involved by its own forces or by day labor, or if such contract is let for bids and all are rejected, the city may either readvertise for competitive bidding or may thereafter perform such work with its own forces or by day labor. (Amend. of 6-12-73, Prop. No. 37)

Sec. 3. Public inspection of bids.

All bids submitted shall be sealed and shall be opened in a public place as directed by the city council, and in the presence of persons that may be designated by the city council, and shall remain on file in the office of the city secretary open to public inspection for at least forty-eight (48) hours before any award of said work is made to any competitive bidder. The provisions of this section regarding the retaining of bids forty-eight (48) hours before awarding the work shall not apply to bids for the purchase of bonds.

Sec. 4. Emergency spending, etc.

The provisions regarding competitive bidding shall not apply in the following instances:

- (1) In case of a public calamity where it becomes necessary to act at once to relieve the necessity of the citizens or to preserve the property of the city; or

I.C. - State Statute - Public Transportation Fund

Ch. 678 64th LEGISLATURE—REGULAR SESSION

MASS TRANSPORTATION—CHANGE OF NAMES

CHAPTER 678

S. B. No. 761

An Act relating to mass transportation; changing the names of the State Highway Department, the State Highway Commission, and the State Highway Engineer to the State Department of Highways and Public Transportation, the State Highway and Public Transportation Commission, and the State Engineer-Director for Highways and Public Transportation, respectively, and providing their powers and duties; placing certain limitations on the powers of the department; providing for the transfer of programs, contracts, assets, and personnel from the Texas Mass Transportation Commission and making other transition provisions; amending Articles 6563 and 6669, Revised Civil Statutes of Texas, 1925, as amended; repealing Chapter 615, Acts of the 61st Legislature, Regular Session, 1959 (Article 4412(34), Vernon's Texas Civil Statutes); and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1.¹ (a) The State Department of Highways and Public Transportation:

- (1) may purchase, construct, lease, and contract for public transportation systems in the state;
- (2) shall encourage, foster, and assist in the development of public and mass transportation, both intracity and intercity, in this state;
- (3) shall encourage the establishment of rapid transit and other transportation media;
- (4) shall develop and maintain a comprehensive master plan for public and mass transportation development in this state;
- (5) shall assist any political subdivision of the state in procuring aid offered by the federal government for the purpose of establishing or maintaining public and mass transportation systems;
- (6) shall conduct hearings and make investigations it considers necessary to determine the location, type of construction, and cost to the state or its political subdivisions of public mass transportation systems owned, operated, or directly financed in whole or in part by the state;
- (7) may enter into any contracts necessary to exercise any functions under this Act;
- (8) may apply for and receive gifts and grants from governmental and private sources to be used in carrying out its function under this Act;
- (9) may represent the state in public and mass transportation matters before federal and state agencies;
- (10) may recommend necessary legislation to advance the interests of the state in public and mass transportation;
- (11) may not issue certification of convenience and necessity;
- (12) may utilize the expertise of recognized authorities and consultants in the private sector, both for the planning and design of public and mass transportation systems.

(b) In the exercise of the power of eminent domain under the provisions of this Act which relate to public and mass transportation, the department shall be prohibited from any action which would unduly interfere with interstate commerce or which would establish any right to

1. Vernon's Ann.Civ.St. art. 6663b, § 1.

operate any vehicle on railroad tracks used to transport freight or other property.

Sec. 2.² On the effective date of this Act, all programs, contracts, assets, and personnel of the Texas Mass Transportation Commission are transferred to the State Department of Highways and Public Transportation. The comptroller of public accounts and the State Board of Control shall assist in the orderly implementation of this transfer.

Sec. 3. Article 6663, Revised Civil Statutes of Texas, 1925, is amended³ to read as follows:

Art. 6663. Department

(a) The name of the State Highway Department is changed to the State Department of Highways and Public Transportation. The name of the State Highway Commission is changed to the State Highway and Public Transportation Commission. The name of the State Highway Engineer is changed to the State Engineer-Director for Highways and Public Transportation. Any reference in law to the State Highway Department or Texas Highway Department shall be construed as meaning the State Department of Highways and Public Transportation. A reference in law to the State Highway Commission shall be construed as meaning the State Highway and Public Transportation Commission. A reference in law to the State Highway Engineer shall be construed as meaning the State Engineer-Director for Highways and Public Transportation.

(b) The administrative control of the State Department of Highways and Public Transportation, hereinafter called the Department, shall be vested in the State Highway and Public Transportation Commission, hereinafter called the Commission, and the State Engineer-Director for Highways and Public Transportation. Said Department shall have its office at Austin where all its records shall be kept.

Sec. 4. Article 6669, Revised Civil Statutes of Texas, 1925, as amended, is amended⁴ to read as follows:

Art. 6669. Engineer-Director

The Commission shall elect a State Engineer-Director for Highways and Public Transportation who shall be a Registered Professional Engineer in the State of Texas and a competent civil engineer, experienced and skilled in highway construction and maintenance and in public and mass transportation planning or development. He shall hold his position until removed by the Commission. He shall first execute a bond payable to the state in such sum as the Commission may deem necessary, to be approved by the Commission, and conditioned upon the faithful performance of his duties. He shall act with the Commission in an advisory capacity, without vote, and shall quarterly, annually and biennially submit to it detailed reports of the progress of public road construction, public and mass transportation development, and statement of expenditures. He shall be allowed all actual traveling and other expenses therefor, under the direction of the Department, while absent from Austin in the performance of duty under the direction of the Commission.

Sec. 5. Chapter 615, Acts of the 61st Legislature, Regular Session, 1969 (Article 4413(34), Vernon's Texas Civil Statutes), is repealed.⁵

Sec. 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on

2. Vernon's Ann.Civ.St. art. 6663b, § 2.

3. Vernon's Ann.Civ.St. art. 6663.

4. Vernon's Ann.Civ.St. art. 6669.

5. Vernon's Ann.Civ.St. art. 4413(34), repealed.

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three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the senate on April 3, 1975: Yeas 28, Nays 2; May 26, 1975, senate refused to concur in house amendments and requested appointment of Conference Committee; May 27, 1975, house granted request of the senate; May 31, 1975, senate adopted Conference Report: Yeas 28, Nays 3; passed the house, with amendments, on May 22, 1975: Yeas 104, Nays 31; May 27, 1975, house granted request of the senate for appointment of Conference Committee; June 2, 1975, house adopted Conference Report: Yeas 117, Nays 26.
Approved June 20, 1975.
Effective June 20, 1975.

MASS TRANSPORTATION—ADMINISTRATION—FUNDING

CHAPTER 679⁶

S. B. No. 762

An Act relating to public mass transportation; providing for certain programs to be administered by the State Highway and Public Transportation Commission; defining the areas and governmental entities eligible to participate in the programs; providing for funding of the programs by federal, state, and local areas or governments; establishing the Public Transportation Fund to be used by the State Department of Highways and Public Transportation in carrying out the responsibilities and duties of the commission and the department; providing for deposit of public and private grants in the fund and making appropriations to the fund; and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Findings and purpose

Section 1. (a) The legislature finds that:

- (1) transportation is the lifeblood of an urbanized society, and the health and welfare of that society depend on the provision of efficient, economical, and convenient transportation within and between urban areas;
- (2) public transportation is an essential component of the state's transportation system;
- (3) energy consumption and economic growth are vitally influenced by the availability of public transportation;
- (4) providing public transportation has become so financially burdensome that private industry can no longer provide service in many areas in the state and that the continuation of this essential service on a private or proprietary basis is threatened; and
- (5) providing public transportation is a public, governmental responsibility and a matter of direct concern to state government and to all the citizens of the state.

6. Vernon's Ann.Civ.St. art. 6693c, §§ 1 to

(b) The purposes of this Act are to provide:

- (1) improved public transportation for the state through local governments acting as agents and instrumentalities of the state;
- (2) state assistance to local governments and their instrumentalities in financing public transportation systems to be operated by local governments as determined by local needs; and
- (3) coordinated direction by a single state agency of both highway development and public transportation improvement.

Definitions

Sec. 2. In this Act:

(1) "Capital improvement" means the acquisition, construction, reconstruction, or improvement of facilities, equipment, or land for use by operation, lease, or otherwise in public transportation service in urbanized areas, and all expenses incidental to the acquisition, construction, reconstruction, or improvement including designing, engineering, supervising, inspecting, surveying, mapping, relocation assistance, acquisition of rights-of-way, and replacement of housing sites.

(2) "Commission" means the State Highway and Public Transportation Commission.

(3) "Department" means the State Department of Highways and Public Transportation.

(4) "Federally funded project" means a public transportation project proposed for funding under this Act which is being funded in part under the provisions of the Urban Mass Transportation Act of 1964, as amended, the Federal-Aid Highway Act of 1973, as amended, or other federal program for funding public transportation.

(5) "Local share requirement" means the amount of funds which are required and are eligible to match federally funded projects for the improvement of public transportation in this state.

(6) "Public transportation" means transportation by bus, rail, watercraft, or other means which provides general or specialized service to the public on a regular or continuing basis.

(7) "Urbanized area" means an area so designated by the United States Bureau of the Census or by general state law.

Formula program

Sec. 3. (a) The commission shall administer the formula program and allocate 60 percent of the funds in the public transportation fund to that program.

(b) Only an urbanized area with a population in excess of 200,000 according to the last preceding federal census is eligible for participation in the formula program. A municipality, regional authority, or other local governmental entity designated as a recipient of federal funds by the governor with the concurrence of the Secretary of the United States Department of Transportation is a designated recipient of funds under the formula program.

(c) The funds allocated to the formula program shall be apportioned annually on the basis of a formula under which the designated recipients of an eligible urbanized area are entitled to receive an amount equal to the sum of:

- (1) one-half of the total amount apportioned to the formula program for the year multiplied by the ratio by which the population of the eligible

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urbanized area bears to the total population of all eligible urbanized areas that are eligible for the formula program; and

(2) one-half of the total amount apportioned to the formula program for the year multiplied by the ratio by which the number of inhabitants per square mile of the eligible urbanized area bears to the combined number of inhabitants per square mile of all eligible urbanized areas.

(d) Designated recipients may only use formula program funds to provide 65 percent of the local share requirement of federally funded projects for capital improvements.

(e) Within 30 days after an application for funds under the formula program is received, if there are unallocated formula funds for the applicant, the commission shall certify to the federal government that the state share of the local share requirement is available. The application must contain a certification by the designated recipient that:

(1) funds are available to provide 35 percent of the local share requirement of federally assisted programs; and

(2) the proposed public transportation project is consistent with ongoing, continuing, cooperative, and comprehensive regional transportation planning being carried out in accordance with the provisions of the Urban Mass Transportation Act of 1964, as amended, and the Federal-Aid Highway Act of 1973, as amended.

(f) If the commission has previously certified that the state share is available for a project, the commission shall direct that payment of the state share be made to the designated recipient within 30 days after federal approval of a proposed transportation project proposal.

(g) Funds allocated by the department for use in the formula program which are unencumbered and unexpended one year after the close of the fiscal year for which the funds were originally allocated shall be transferred at that time by the commission for use in the discretionary program.

Discretionary program

Sec. 4. (a) The commission shall allocate 40 percent of the funds annually credited to the public transportation fund to the discretionary program, which shall be administered by the commission.

(b) Except as provided in Subsection (e) of this section, only rural and urban areas of the state other than urbanized areas eligible for participation in the formula program are eligible for participation in the discretionary program. Any local government having the power to operate or maintain a public transportation system may be a designated recipient of funds from the discretionary program.

(c) Designated recipients under the discretionary program may use discretionary program funds only to provide 65 percent of the local share requirement of federally funded projects for capital improvements, except that if a designated recipient certifies that federal funds are unavailable for a proposed project and the commission finds that the project is vitally important to the development of public transportation in this state, the commission may supply 50 percent of the total cost of that public transportation project to the designated recipient.

(d) In considering any project under this section, the commission shall take into consideration the need for fast, safe, efficient, and economical public transportation.

(e) Designated recipients in urbanized areas eligible for participation in the formula program and any local government having the power to

operate or maintain a public transportation system within an urbanized area are also eligible to apply for and receive funds allocated by the commission for use in the discretionary program which are unexpended and unencumbered one year after the close of the fiscal year for which the funds were originally allocated and all unexpended and unencumbered funds transferred from the formula program to the discretionary program. The commission shall make grants out of the discretionary fund to designated recipients under the provisions of this section.

Public transportation fund

Sec. 5. The Public Transportation Fund is established as a special fund in the State Treasury. The Public Transportation Fund may only be used by the State Department of Highways and Public Transportation in carrying out the responsibilities and duties of the commission and the department for public transportation purposes as established under this state law. Grants of money to the state from public and private sources for public transportation shall be deposited in the Public Transportation Fund. On the effective date of this Act, the comptroller of public accounts shall transfer the sum of \$1,000,000 from the General Revenue Fund to the Public Transportation Fund. There is hereby appropriated from the Public Transportation Fund the sum of \$1,000,000 for use by the department for the period from the effective date of this Act through August 31, 1975, and thereafter. On September 1, 1975, and on September 1, 1976, the comptroller of public accounts shall transfer the sum of \$15,000,000 each year from the General Revenue Fund to the Public Transportation Fund. There is hereby appropriated from the Public Transportation Fund the sum of \$15,000,000 for each year of the biennium beginning September 1, 1975, for use by the department for public transportation in the state.

Emergency

Sec. 6. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the senate on May 21, 1975: Yeas 28, Nays 2; May 30, 1975, senate refused to concur in house amendments and requested appointment of Conference Committee; May 30, 1975, house granted request of the senate; May 31, 1975, senate adopted Conference Report: Yeas 26, Nays 5; passed subject to Article III, Section 49a of the constitution; passed the house, with amendments, on May 30, 1975, by a non-record vote; May 30, 1975, house granted request of the senate for appointment of Conference Committee; June 2, 1975, house adopted Conference Report: Yeas 119, Nays 25; passed subject to Article III, Section 49a of the constitution.

Approved June 20, 1975.

Effective June 20, 1975.

Attachment II - City Budget Summary

CITY OF DALLAS
TEXAS
OPERATING BUDGET
FOR THE FISCAL YEAR 1975-76
OCTOBER 1, 1975 - SEPTEMBER 30, 1976

AS SUBMITTED TO
THE MAYOR AND CITY COUNCIL
BY THE CITY MANAGER
AUGUST 14, 1975
GEORGE R. SCHRADER, CITY MANAGER

OPERATING BUDGET SUMMARY
For the Fiscal Year 1975-76

<u>RESOURCES</u>	<u>ESTIMATED 1974-75</u>	<u>BUDGET PROPOSALS</u>
1. General Fund		
Ad Valorem Tax	\$ 66,670,000	\$ 86,443,929
Sales Tax	31,300,000	34,000,000
Liquor by Drink Tax	890,328	1,000,000
Non Tax Sources	39,037,026	41,581,057
Cash on Hand	6,256,416	2,730,532
Total Resources	<u>\$144,153,770</u>	<u>\$165,755,518</u>
Less Cash Balance-September 30	2,730,532	1,934,668
Total Resources Appropriated	<u>\$141,423,238</u>	<u>\$163,820,850</u>
Less Transfers to Operating Funds	2,152,563	15,072,888
Total Proposed Expenditures	<u>\$139,260,675</u>	<u>\$148,747,962</u>
2. Interest and Sinking Fund (Tax Sources)	\$ 25,001,964	\$ 28,046,579
3. Convention Center Fund		
Room Tax	\$ 1,725,000	\$ 1,800,000
Non Tax Sources	1,644,182	2,063,750
Transfer from General Fund	1,141,709	764,458
Total Resources Appropriated	<u>\$ 4,510,891</u>	<u>\$ 4,628,208</u>
4. Park Fund		
Non Tax Sources	\$ 1,290,000	\$ 1,940,000
Transfer from General Fund	10,811,780	11,789,430
Other Transfers	30,000	30,000
Cash on Hand	332,771	50,000
Total Resources	<u>\$ 12,464,551</u>	<u>\$ 13,809,430</u>
Less Cash Balance-September 30	50,000	0
Total Resources Appropriated	<u>\$ 12,414,551</u>	<u>\$ 13,809,430</u>
5. Water Utilities Fund		
Sale of Water	\$ 45,680,810	\$ 49,339,500
Miscellaneous	13,034,961	12,894,830
Cash on Hand	3,367,182	2,397,739
Total Resources	<u>\$ 62,082,953</u>	<u>\$ 64,632,069</u>
Less Cash Balance-September 30	2,397,739	1,279,627
Total Resources Appropriated	<u>\$ 59,685,214</u>	<u>\$ 63,352,442</u>
Less Transfer to General Fund	4,707,472	6,000,000
Total Proposed Expenditures	<u>\$ 54,977,742</u>	<u>\$ 57,352,442</u>
6. Aviation Revenue Fund		
Non Tax Sources	\$ 2,159,826	\$ 2,669,130
Cash on Hand	3,030,760	2,282,906
Total Resources	<u>\$ 5,190,586</u>	<u>\$ 4,952,036</u>
Less Cash Balance-September 30	2,282,906	2,123,415
Total Resources Appropriated	<u>\$ 2,907,680</u>	<u>\$ 2,828,621</u>

OPERATING BUDGET SUMMARY
For the Fiscal Year 1975-76

<u>RESOURCES</u>	<u>ESTIMATED 1974-75</u>	<u>BUDGET PROPOSALS</u>
7. Transportation Terminals Fund		
Non Tax Sources	\$ 374,988	\$ 290,642
Transfers	64,260	70,841
Cash on Hand	60,477	0
Total Resources	<u>\$ 499,725</u>	<u>\$ 361,483</u>
Less Cash Balance-September 30	0	0
Total Resources Appropriated	<u>\$ 499,725</u>	<u>\$ 361,483</u>
8. Municipal Radio Fund		
Non Tax Sources	\$ 570,669	\$ 600,320
Cash on Hand	25,821	(110,723)
Total Resources	<u>\$ 596,490</u>	<u>\$ 489,597</u>
Less Cash Balance-September 30	(110,723)	(119,113)
Total Resources Appropriated	<u>\$ 707,213</u>	<u>\$ 602,710</u>
9. Public Transit Fund		
Non Tax Sources	\$ 11,550,500	\$ 11,333,263
Assistance Funds	4,188,820	4,279,000
Cash on Hand	49,280	38,600
Total Resources	<u>\$ 15,788,600</u>	<u>\$ 15,650,863</u>
Less Cash Balance-September 30	38,600	5,600
Total Resources Appropriated	<u>\$ 15,750,000</u>	<u>\$ 15,645,263</u>
10. Surtran Operating Fund		
Non Tax Sources	\$ 4,527,712	\$ 3,439,641
Assistance Funds	245,478	0
Cash on Hand	258,771	0
Total Resources	<u>\$ 5,031,961</u>	<u>\$ 3,439,641</u>
Less Cash Balance-September 30	0	16,267
Total Resources Appropriated	<u>\$ 5,031,961</u>	<u>\$ 3,423,374</u>
 GRAND TOTAL BUDGET	 \$261,062,402	 \$275,452,072 28,046,579 <u>247,405,493</u>

ESTIMATED INCOME FROM TAXES
CURRENT ROLL AND PRIOR ROLLS, TO ALL FUNDS
ON A TOTAL TAX RATE OF \$1.415
1975-76

Assessed Valuation - 1974	\$ 5,610,679,183
Adjusted to 75%	7,793,233,385
Assessor's Tentative Valuation - 1975	8,206,000,000
Total 1975 Tax Roll at \$1.415 per \$100	116,000,000
Estimated Income during 1975-76 from 1975 roll assuming 98% of roll collected by September 30, 1976	113,390,508
<u>ADD</u> for collection from the rolls of 1974 and prior rolls.	700,000
Estimated Total Income 1975-76 from Ad Valorem Taxes, current and prior rolls distributable to all funds	114,090,508
<u>Additional income 1975-76 from penalties and interest, distributable to <u>General Fund</u> only, estimated at</u>	400,000

CITY TAX DISTRIBUTION - 1975 LEVY

General Fund	\$ 1.0655
Debt Service Funds	<u>\$.3495</u>
TOTAL CITY TAX	\$ 1.4150

DISTRIBUTION OF ESTIMATED TAX INCOME,
FROM CURRENT AND PRIOR ROLLS TO ALL FUNDS

FUND	ACTUAL TOTAL 1973-74	ESTIMATED TOTAL 1974-75	PROPOSED 1975-76		
			CURRENT ROLL	PRIOR ROLLS	TOTAL
Bond Int. & Sinking	\$29,413,015	\$ 25,001,964	\$ 27,866,900	\$179,679	\$ 28,046,579
Parks	9,549,108	10,470,338	0	0	0
General	58,428,576	66,250,000	85,523,608	520,321	86,043,929
TOTAL	\$97,390,699	\$101,722,302	\$113,390,508	\$700,000	\$114,090,508

PROPOSED DISTRIBUTION OF TAX RATE AND INCOME FROM 1975 ROLL ONLY
TO ALL FUNDS, DURING 1975-76

FUND	ACTUAL 1973-74		ESTIMATED 1974-75		PROPOSED 1975-76	
	Rate	Income	Rate	Income	Rate	Income
Bond Int. & Sinking	\$.5647	\$29,175,849	\$.4580	\$ 24,945,682	\$.3495	\$ 27,866,900
Parks	.1834	9,472,632	.1915	10,446,805	0	0
General	1.1219	57,958,660	1.2205	66,100,000	1.0655	85,523,608
TOTAL	\$1.8700	\$96,607,141	\$1.8700	\$101,492,487	\$1.4150	\$113,390,508

	1973-74	1974-75	1975-76
Each one cent of rate to produce	\$516,615	\$542,741	\$804,188

ESTIMATED DISTRIBUTION, TAX INCOME FROM 1974, AND ALL PRIOR ROLLS
TO ALL FUNDS, DURING 1975-76

FUND	ACTUAL 1973-74		ESTIMATED 1974-75		PROPOSED 1975-76	
	% of Total	Amount	% of Total	Amount	% of Total	Amount
Bond Int. & Sinking	30.20	\$236,634	24.49	\$ 56,282	25.0	\$179,679
Parks	9.81	77,013	10.24	23,533	0	0
General	59.99	469,911	65.27	150,000	75.0	520,321
TOTAL	100.00	\$783,558	100.00	\$229,815	100.0	\$700,000

ANALYSIS OF TAX COLLECTIONS
FOR YEARS SHOWN
WITH ESTIMATE FOR FISCAL YEARS
1974-75 AND 1975-76

COLLECTIONS CURRENT YEARS' ROLLS

<u>Tax Roll Year*</u>	<u>Total Tax Roll</u>	<u>Total Amount Collected</u>	<u>Percentage Collected</u>
<u>Actual Figures are Shown for Rolls of 1964 through 1973</u>			
1964	\$ 45,136,795	\$ 44,731,302	99.1
1965	50,366,880	49,908,721	99.1
1966	55,843,688	55,306,180	99.0
1967	59,207,395	58,565,172	98.9
1968	61,402,177	60,646,341	98.8
1969	68,871,422	67,853,925	98.5
1970	80,154,656	78,891,619	98.4
1971	88,606,766	87,310,379	98.5
1972	93,401,923	91,607,375	98.1
1973	97,943,046	96,607,141	98.6
<u>Estimated Figures are Shown for Rolls of 1974 and 1975</u>			
1974	\$ 103,553,369	\$ 101,492,487	98.0
1975	116,000,000	113,390,508	98.0

*The 1964 tax roll was "Current" for Fiscal Year 1964-65, the original 1965 roll for 1965-66, etc.

ANALYSIS OF TAX COLLECTIONS
FOR YEARS SHOWN
WITH ESTIMATE FOR FISCAL YEARS
1974-75 AND 1975-76

COLLECTIONS PRIOR YEARS' DELINQUENT ROLLS

<u>Tax Roll Year¹</u>	<u>Taxes (To All Funds)</u>	<u>Penalties & Interest (To General Fund)</u>	<u>Total Collections</u>
<u>Actual Figures are Shown for Rolls of 1964 through 1973</u>			
1964	\$ 229,293	\$ 161,574	\$ 390,867
1965	260,419	180,262	440,662
1966	297,339	218,359	515,698
1967	324,599	212,730	537,319
1968	334,953	191,587	526,540
1969	451,553	254,629	706,182
1970	386,553	284,897	671,430
1971	621,836	307,875	929,702
1972	637,867	305,436	943,303
1973	783,558	420,819	1,204,377
<u>Estimated Figures are Shown for Rolls of 1974 and 1975</u>			
1974	\$ 229,815 ²	\$ 420,000	\$ 649,815
1975	700,000	400,000	1,100,000

¹The 1964 tax roll was "Current" for Fiscal Year 1964-75, the original 1965 roll was 1965-66, etc.

²Amount reduced by one-time reallocation to Dallas Independent School District.

ESTIMATED GENERAL FUND RESOURCES
ALL SOURCES 1975-76

CLASSIFICATION AND ITEM	ACTUAL 1973-74	ESTIMATED 1974-75	ESTIMATED 1975-76
<u>TAXES</u>			
Ad Valorem-Current Roll	57,958,660	66,100,000	85,523,609*
Prior Rolls	469,911	150,000	520,321
Penalty & Interest	420,819	420,000	400,000
Sales	29,619,282	31,300,000	34,000,000
Utilities Gross Receipts-			
Dallas Power & Light	6,437,759	6,910,000	8,531,000
Southwestern Bell	4,151,483	4,483,027	4,953,000
Lone Star Gas	1,265,847	1,900,000	2,794,000
Other	0	200,000	250,000
Alcoholic Beverages	807,120	890,328	1,000,000
Total	101,130,881	112,353,355	137,971,929
<u>LICENSES & PERMITS</u>			
Construction-			
Building	580,538	940,000	1,028,000
Electrical	150,138	323,000	361,000
Plumbing	103,025	207,000	231,000
Heating & Air Conditioning	109,567	230,000	250,000
Milk Inspections	364,789	380,000	420,000
Motor Vehicle Repair	78,498	78,500	78,500
Dog Licenses	67,276	75,000	75,000
Security Guards	51,660	52,000	52,000
Liquor Licenses	85,128	75,000	75,000
Beer Licenses	37,180	30,000	30,000
Other	237,112	238,100	247,100
Total	1,864,911	2,628,600	2,847,600
<u>INTEREST ON CITY MONEY</u>	1,761,373	1,760,000	1,760,000
<u>INTERGOVERNMENTAL REVENUE</u>			
County of Dallas - TB Control	112,617	140,000	140,000
Air Pollution Grant	92,430	120,000	120,000
County of Dallas - VD Control	98,640	100,000	100,000
Payment in lieu of Taxes	0	75,000	75,000
Civil Defense Grant	69,346	65,000	65,000
County of Dallas - Health Bldg.	18,571	21,000	21,000
Total	391,604	521,000	521,000
<u>CHARGES FOR SERVICES</u>			
Sanitation Fees	5,892,206	5,400,000	7,200,000
School Tax Service	1,739,272	1,900,000	1,850,000
Data Services	563,330	750,000	750,000
Parking Meters	599,789	600,000	600,000

*Includes \$11,789,430 for the Park and Recreation Department not previously received in the General Fund.

ESTIMATED GENERAL FUND RESOURCES
ALL SOURCES 1975-76

CLASSIFICATION AND ITEM	ACTUAL 1973-74	ESTIMATED 1974-75	ESTIMATED 1975-76
<u>CHARGES FOR SERVICES Cont.</u>			
Emergency Ambulance	301,765	300,000	300,000
Street Lights	124,399	200,000	200,000
Vital Statistics	165,864	160,000	160,000
Accident Reports	116,673	120,000	120,000
Animal Shelter	35,356	60,000	60,000
City Attorney-D/FW Airport	54,508	60,000	60,000
Publication Fees	61,400	60,000	60,000
Miscellaneous Charges	183,177	184,250	169,250
Total	9,837,739	9,794,250	11,529,250
<u>FINES & FORFEITURES</u>			
Traffic	3,381,967	3,500,000	3,500,000
Court	632,062	500,000	500,000
Jail	539,093	500,000	500,000
Wrecker Fee	350,520	350,000	450,000
Auto Pound	28,653	28,000	28,000
Consumer Affairs-Misc.	1,942	2,000	2,000
Total	4,934,237	4,880,000	4,980,000
<u>MISCELLANEOUS REVENUES</u>			
Revenue from Other Funds	1,103,977	2,150,000	0
Engineering Costs - D/FW	0	1,217,635	0
Miscellaneous	1,042,574	1,000,000	1,300,000
Water Department - Reimbursement	0	0	850,000
Public Market	145,463	142,550	166,000
Water Dept. Debt Service	355,063	83,514	64,207
Love Field Debt Service	0	480,000	200,000
Library	240,188	250,000	270,000
Refund Sundry Charges	33,246	40,000	40,000
Various Property-Rental	5,744	13,000	13,000
City Council Filing Fees	0	1,450	0
Total	2,926,255	5,378,149	2,903,207
<u>OTHER COLLECTIONS</u>			
State Court Costs	525,350	500,000	500,000
Transfer from Other Funds	0	70,000	0
Paving Notes	4,697	12,000	12,000
Total	530,047	582,000	512,000
TOTAL REVENUE - GENERAL FUND	123,377,047	137,897,354	163,024,986
Cash Balance, October 1	3,563,153	6,256,416	2,730,532
Total General Fund Resources	126,940,200	144,153,770	165,755,518
Cash Balance September 30	6,256,416	2,730,532	1,934,668
TOTAL GENERAL FUND RESOURCES BUDGETED	120,683,784	141,423,238	163,820,850

GENERAL FUND

SUMMARY OF EXPENDITURES

<u>ACTIVITY TITLE</u>	<u>ACTUAL 1973-74</u>	<u>ESTIMATED 1974-75</u>	<u>PROPOSED 1975-76</u>
Personal Services	82,100,130	95,955,565	94,118,051
Supplies	2,951,534	3,429,111	3,578,849
Maintenance-Structures	1,310,110	1,094,669	1,223,948
Maintenance-Equipment	871,062	947,584	707,318
Miscellaneous Services	17,006,665	21,038,250	22,698,019
Sundry Charges	14,269,929	17,034,354	30,650,677
Capital Outlay-Structures	537,656	474,974	14,715
Capital Outlay-Equipment	1,636,698	1,448,731	1,147,273
Operating Reserve	-	-	2,500,000
Reserve for Salary Adjustment	-	-	7,182,000
TOTAL GENERAL FUND	120,683,784	141,423,238	163,820,850

Attachment III - Related Planning Activities

III.A. Relationship to Past CBD Plans

Background of CBD Planning

Since 1957 a series of plans pertinent to the downtown area has led to dynamic redevelopment of the Central Business District. These planning reports have been prepared by both private civically interested groups and the City of Dallas planning staff. Each plan contains ideas from previous plans and presents a sense of continuity. These efforts were followed by the Ponte-Travers Report for the Central District, which is now generally accepted as the CBD planning guide. A brief summary of each of the previous plans follows.

1957 Thoroughfares

The need for making the CBD the focus of high accessibility was noted. Some concepts still being implemented include:

- a. A CBD freeway loop.
- b. A loop within the interior of the CBD.
- c. A radial freeway network to converge at the CBD.
- d. Improvement of CBD circulation.
- e. Control of CBD access from the freeway loop via feeder streets.

1958 Dallas Central Business District, Its Problems and Its Needs

This was a report of key importance to future CBD plans in that it identified nearly all CBD problems and proposed solutions to each. The major projects this report initiated include Griffin Street, Pearl Street, and Woodall Rogers Freeway (the last link of the freeway loop). Briefly, the CBD problems were identified as:

- a. Street Pattern - the existing short blocks restrict size of building sites.
- b. Parking Terminals - most automobile trips should be terminated before penetrating the inner loop.

- c. People Movers - pedestrian and transit movement should be improved.
- d. Truck Tunnels - goods delivery from on street should be separated from pedestrian movement.
- e. Design Standards - both private investment and traffic can be diverted towards actions that contribute to overall CBD problem solutions.
- f. Green Spaces - the aesthetics of the CBD can be improved by increasing the amount of green space.
- g. CBD Freeway Loop - divert non-essential traffic.
- h. Visual Blight - eliminate unsightly buildings.
- i. Land Use - coordinate balanced land use through zoning controls.

1960 Cottonbelt Expressway

This was the first of a series of reports by the CBDA that resulted in construction of the Dallas North Tollway. This facility now carries 50,000 vehicles per day to and from the CBD and North Dallas.

1961 Dallas Central District

This is basically an expansion of the 1958 report. It specifically proposes multi-level parking, grade separated pedestrianways, Main Street busway, and parking terminals to be located close to freeway feeder streets.

1964 Thoroughfares, A Guide Plan for Streets

This revision of the 1957 Thoroughfares plan was adopted as the official planning guide for streets in March, 1965.

1965 Long Range Transportation Plan for the Central Business District

This plan devised methods for achieving solutions to the problems identified in the earlier reports. Among the solutions are:

- a. A bi-level street system
- b. Pedestrian network including separate pedestrian ways
- c. Street adjustments
- d. Bus shuttle system
- e. Specific parking terminal locations.

1969 Dallas Central Business District

The report, Dallas Central Business District¹, presents the most recent (1969) development plan for the CBD. Many of the planning objectives and principles enumerated previously were considered in this plan. In essence, the report recommended a CBD transportation plan which proposed integrated systems for vehicle circulation, pedestrians, goods movement, parking, and open space.

The main elements of the concept are vehicle and pedestrian circulation networks and parking facilities. They consist of two major street loops located around the development core. Inside the inner loop, a series of underground and overhead pedestrianways would link land use areas, creating a pedestrian-oriented precinct. The latter would also be penetrated by line-haul and distributor forms of transit.

The parking concept requires that the location of space be controlled so that more facilities are distributed at the edge of the CBD. This pertains particularly to long-term or employee parking. The larger concentration would occur at Union Terminal, Akard-Ervey at south and north edges of the CBD, and near Main Street at the North Central Expressway. These major facilities would "intercept" CBD-destined vehicles and thus reduce traffic circulating on CBD streets. Patron

¹ Ponte-Travers Associates, 1969.

parking facilities would be provided at the edge of the core, completing the concept. The ultimate goal would be to limit or even eliminate major parking facilities within the core itself.

The 1969 plan did not recommend or include a land use or development plan; therefore, it is assumed that the transportation elements were related to an implied development concept based upon existing development trends. Further, the transit schemes did not have the benefit of an in-depth regional and subregional public transportation planning effort. For these reasons, the 1969 plan was reevaluated rather than accepted, carte-blanche, for the Dallas Subregional Public Transportation Study.*

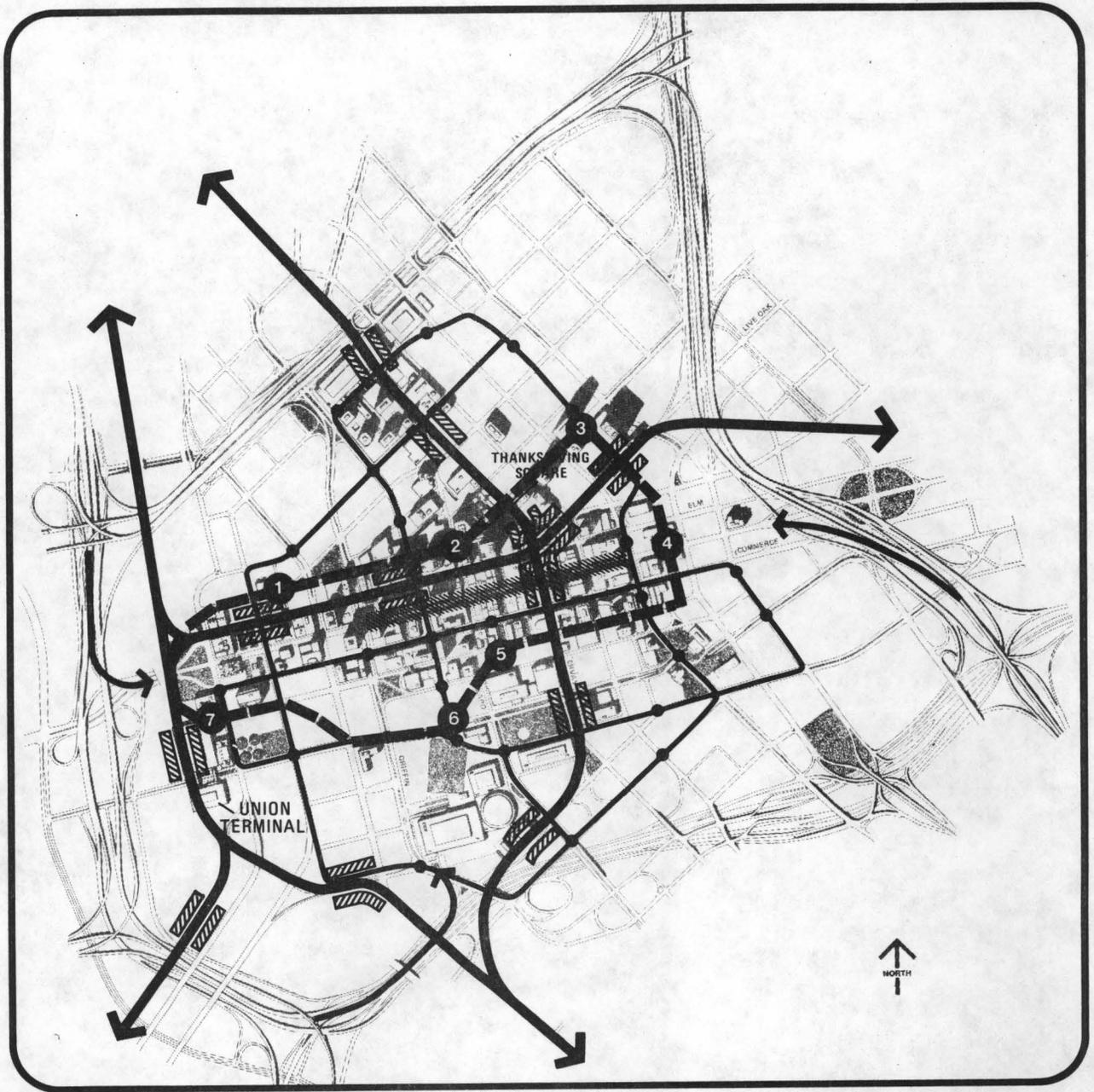
The Dallas Subregional Public Transportation Study (DSPTS) CBD transit plan is composed of two elements:

- a. The line haul - rapid transit element
- b. The internal shuttle distribution element.

The shuttle system consists of two loops to serve the entire CBD. If these two loops were compressed into a single looping configuration, the one proposed for the DPM system would come nearest to maximizing service to the greatest number of people while only implementing a portion of the system.

When and if an additional loop in a subsequent phase is added, it would be providing the same service to the same total area that would be provided if the alignment proposed by the DSPTS were implemented.

*Dallas CBD Transit Plan, Barton-Aschman Associates



- | | | | |
|-----------------------------|---------------------|----------------------------------|------------------------|
| PRIMARY ROUTE (TRANSITWAY) | CBD SHUTTLE | TRANSITWAY STATION | STATIONS |
| PRIMARY ROUTE (PREMIUM BUS) | CBD SHUTTLE STATION | MAIN STREET TRANSIT IMPROVEMENTS | PROPOSED DPM ALIGNMENT |

Relationship of Proposed DPM Alignment to Dallas Area Transit Plan Proposal

EXHIBIT IIIA

III.B. Planning Structure

I. Organizational Structure

An organizational structure for transportation planning has been in existence since 1964 with the creation of a Coordinating Committee, made up of representatives of the eight cities with populations over 50,000 and the two counties in the intensive study area, plus representatives from the State Department of Highways and Public Transportation. An organizational structure for regional public transportation planning has been in existence since 1971 with the creation of the Regional Transportation Policy Development Committee.

The Department of Transportation requires that multimodal transportation planning and its proper implementation be accomplished under a single policy direction for all modes of travel. This single policy direction must be recognized by the State and local Governments. Single policy direction in the North Central Region is provided by the Regional Transportation Advisory Committee, composed of elected officials; its Steering Committee; a Citizens Advisory Committee; and Technical Advisory Committees for various modes of travel.

The organizational meeting of the Steering Committee of the Regional Transportation Policy Advisory Committee was held on December 9, 1973. The Regional Transportation Policy Advisory Committee held its organizational meeting on February 26, 1974. The Steering Committee meets monthly to provide the day-to-day supervision of the transportation planning process. The Regional Transportation Policy Advisory Committee meets on a semi-annual basis.

A. Agency Roles

The following agencies in the North Central Texas Region are responsible for that aspect of transportation planning and plan implementation noted.

1. North Central Texas Council of Governments. NCTCOG is the area-wide planning agency for the North Central Texas Region and, as such, is responsible for public transportation planning and airport system planning, as part of a unified operations plan and unified work program for transportation planning. NCTCOG has been certified by the Department of Housing and Urban Development for conducting regional planning and has been designated by HUD as the Section 701 planning agency and the Section 204 review agency for the North Central Texas Region. NCTCOG is also responsible for the project notification and review system activities required under OMB Circular A-95 for review and comment on applications for Federal Funds within the region. In addition, NCTCOG has been designated by the Governor as the Metropolitan Planning Organization (MPO) for transportation planning in the Dallas-Fort Worth organized area. The address is:

North Central Texas Council of Governments
P. O. Drawer COG
Arlington, Texas 76011
Telephone: (817) 640-3300

2. State Department of Highways and Public Transportation. The State Department of Highways and Public Transportation is responsible for highway transportation planning activities under the unified operations plan and the unified work program and for the joint development of these documents.

3. Cities of Dallas, Fort Worth, Arlington, Garland, Grand Prairie, Irving, Mesquite, and Richardson. These cities are part of the transportation planning process, through a Continuing Phase Agreement with the State Department of Highways and Public Transportation, and provide the major portion of local review, comment, and guidance for public transportation planning activities. Guidance and input is provided for multimodal transportation planning and for transit planning and programming.
4. Dallas Transit System and CITRAN of Fort Worth. These transit operating agencies are responsible for transit program implementation as publicly owned transit system.
5. Dallas and Tarrant Counties. These local governmental entities are part of the local planning structures, as signatory to the Continuing Phase Agreement with the Texas Department of Highways and Public Transportation for transportation planning activities.

All of the above agencies, with the exception of the Dallas Transit System and CITRAN of Fort Worth, are signatories of the Continuing Phase Agreement with the Texas Department of Highways and Public Transportation for the Continuing Phase of the transportation planning process. With the development of the single policy direction for multimodal transportation planning beginning July 1, 1973, and the expansion of transportation planning to a multimodal concept, an increased role of the Dallas Transit System and CITRAN of Fort Worth was accomplished. The responsibilities of the local agencies were identified in the 1973 Unified Operations Plan and the 1973-74 Unified Work Program. The roles of all the above agencies in the multimodal transportation planning process have been defined in a

letter of agreement to NCTCOG. NCTCOG, as the area-wide planning agency, has the capability and responsibility to administer and coordinate all transit planning funds as part of the 1974 Unified Operations Plan and 1974-75 Unified Work Program.

B. Mechanism for Planning Coordination

Regional multimodal transportation planning requires a single policy coordination as well as a single policy direction for all modes of travel. In accordance with U. S. Department of Transportation guidelines, a committee structure has been developed to provide policy direction as well as coordination between all local governments and transportation elements. This organizational structure consists of a Regional Transportation Policy Advisory Committee of elected officials and its Steering Committee, and Technical Committees for the various modes of travel.

A graphic portrayal of this organization is included as Exhibit III.B.1., Attachment 3. A review of the structure of the Policy Advisory Committee and its membership (1) represents local civic jurisdictions through elected officials; (2) represents transit operating agencies; (3) incorporates technical advisory committee for all modes; and (4) provides for citizen review and comments in the planning process.

Community involvement and citizen participation is accomplished through an active community involvement and public information program, as described in Report Number 4, "Community Involvement and Public Information Program", as part of the continuing Public Transportation Planning Program. This report was prepared in February, 1973, and was submitted as a part of Technical Studies

Grant TX-09-0012. It should be noted that the Community Involvement Program attempts to cultivate the input of common-interest groups, minority groups and various other special citizen groups.

C. Program Development

Transportation planning activities are articulated and defined in the 1974 Unified Operations Plan and the 1974-75 Unified Work Program. Reference should be made to these documents for specific information on responsibilities for each work program element in the transportation planning program.

The 1974-75 Unified Work Program will provide the mechanism for annual reporting of progress, measured against the objectives of the previous work program.

II. Comprehensive Planning

A. Adopted Plan

A regional land use plan was officially adopted by the Executive Board of North Central Texas Council of Governments on January 17, 1973. This regional land use plan reflects the master plans developed by the individual municipalities and provides the basis for multimodal transportation planning activities.

B. Updating Plan

Modifications of the regional land use plan will continue to be necessary. Some of these modifications have been accomplished with the completion of the Level II review of the 1967 Dallas-Fort Worth Regional Transportation Study and the Regional Public Transportation Study. Desirable changes in the regional land use plan will be discussed and reviewed with the local governments and officially

approved, as modifications to the individual master plans. These individual changes will be aggregated in the regional land use plan through NCTCOG which will be responsible for updating the regional land use plan.

C. Plan Content

The regional land use plan provides the basis for development and testing of alternative transportation plans. Regional goals and objectives and regional transportation goals and objectives have been developed as part of the transportation planning process and have been formally submitted as Report No. 3, "Goals, Objectives, and Transportation System Evaluation Criteria". The regional land use plan is consistent with these goals and objectives and all modifications to the regional land use plan will be consistent with the goals and objectives.

III. Current Status of Transportation Planning

On November 15, 1974, the Regional Transportation Policy Advisory Committee adopted The Total Transportation Plan for the North Central Texas Region for 1990 and the 1975 Transportation Improvement Program delineating all ground transportation and airport system projects and their priorities over the next five years. This single action by the Committee culminated an intensive nine-month effort of testing and evaluating alternative transportation systems. The formulation of this integrated transportation plan would not be possible, however, without the work accomplished under several supporting efforts.

Considerable analysis has been conducted on long-range highway system alternatives under the Level II Review being conducted by the Texas Department of Highways and Public Transportation. This work is reported

in the Status Report of Level II Review published by the Texas Department of Highways and Public Transportation, November, 1973.

In February of 1974, the Final Report of the Regional Public Transportation Study was published, which evaluated several public transit alternatives for the region. This was the first regional public transit plan for the North Central Texas Region and was accomplished concurrently with three subregional public transportation studies, one for each of the major subregions, i.e., Dallas, Fort Worth, and the Mid-Cities area. In addition, a special study program was conducted to investigate the feasibility of an Urban Tracked Air Cushion Vehicle to serve the corridor connecting the Central Business Districts of Dallas and Fort Worth and the new Regional Airport.

An Airport System Plan for the North Central Texas and Texoma State Planning Regions which investigated four alternative airport system concepts was developed to meet the needs of general aviation activity expected by the year 1990.

Short-range planning activities have also been a part of the transportation program in the North Central Texas Region. As part of the Regional Public Transportation Study, bus operational studies for immediate action transit improvements were conducted by the Dallas Transit System in Dallas and CITRAN in Fort Worth. These studies were completed in 1972. A bus operational study underway in the 1974-75 Unified Work Program covers the six major suburban cities of over 50,000 population and is expected to result in detailed proposals for public transportation in each of these cities.

A Dial-a-Bus Feasibility Study was completed under the 1974-75 Unified Work Program which investigated the economic feasibility of a manually

controlled dial-a-bus system operating in selected areas in both the urbanized area of the region as well as small rural cities in the outlying counties. This study serves as a benchmark in the current suburban cities' bus operational study as well as providing meaningful input into the ongoing transportation development program within Dallas and Fort Worth.

While, in many instances, the Dial-a-Bus Feasibility Study has been the sole consideration of public transportation in the small rural cities, this situation is improving. In particular, a bus operational study is being conducted in the City of Denton in which a public transportation system is being proposed to serve the city of Denton as well as two major centers of higher education in the area, Texas Women's University and North Texas State University.

A metropolitan thoroughfare study was included in the 1974-75 Unified Work Program. While thoroughfare studies have been conducted in the past by counties and cities within the area in cooperation with the State Department of Highways and Public Transportation, this coordinated thoroughfare planning effort for the entire metropolitan area will focus on the implementation of the adopted 1990 transportation plan as well as improve upon the capability to analyze transportation alternatives on a subarea basis.

Recent planning activities have not been limited to specific planning programs, however. For example, analytical capabilities have recently been greatly improved. The Urban Growth Simulation Model has been refined to the extent that forecasts of the location of population and employment changes resulting from various transportation system alternatives were an important consideration in the development of the total

transportation plan for 1990. A comprehensive review of the regional travel models has been completed as well as needed modification to the models identified in this review. Methods have been developed during the formulation of the total transportation plan which permit evaluations of the social, economic, environmental, and natural resource impacts of alternative transportation systems. Within the past year, supporting computer software has been developed for the rapid storage, retrieval, and plotting (both on printer and on plotter) of socio-economic and transportation data. In addition, research on transit technology and low-capital alternatives is being conducted by the University of Texas at Arlington under the 1974-75 Unified Work Program.

A systematic approach to the monitoring of growth conditions in the area is under development. This capability should greatly improve the reliability of forecasts and also provide an "early warning system" to alert planners and policy makers to any condition which might require a rethinking of existing transportation plans.

Perhaps the most important recent development in transportation planning in the North Central Texas Region has been the formation of the Regional Transportation Policy Advisory Committee and its associated Steering Committee. This represents the first time that a group of local elected officials has reviewed and adopted a regional transportation plan involving all modes of transportation, taking into consideration the economic, social, environmental, natural resource, and transportation aspects of the plan. Prerequisite to the recent development of the 1990 Total Transportation Plan was the adoption by the Steering Committee of a set of goals and objectives for transportation planning for the region. This action represents the first time that a set of transportation planning goals and objectives has been adopted by a group of local elected

officials and represent the establishment of a single policy direction for transportation development in the North Central Texas Region.

POLICY ADVISORY COMMITTEE

Local elected officials representing Cities and Counties in the 14-county North Central Texas Region	102
U. S. House of Representatives	7
Texas Senators	9
Texas State Representatives	36
	<u>154</u>

STEERING COMMITTEE

Dallas County	2
Tarrant County	2
City of Arlington	1
City of Dallas	4
City of Fort Worth	2
City of Garland	1
City of Grand Prairie	1
City of Irving	1
City of Mesquite	1
City of Richardson	1
Dist. Engr., Dist. 2, Texas Hwy. Dept.	1
Dist. Engr., Dist. 18, Texas Hwy. Dept.	1
Chr., Public Trans. Tech. Com.	1
Chr., Air Trans. Tech. Adv. Com.	1
	<u>20</u>

Public Transportation
Technical Committee

Air Transportation
Technical
Advisory Committee

Highway Transportation
Technical Committee

Comprehensive Planning
Technical Committee

Attachment IV. Project Description

IV.A. Project Description

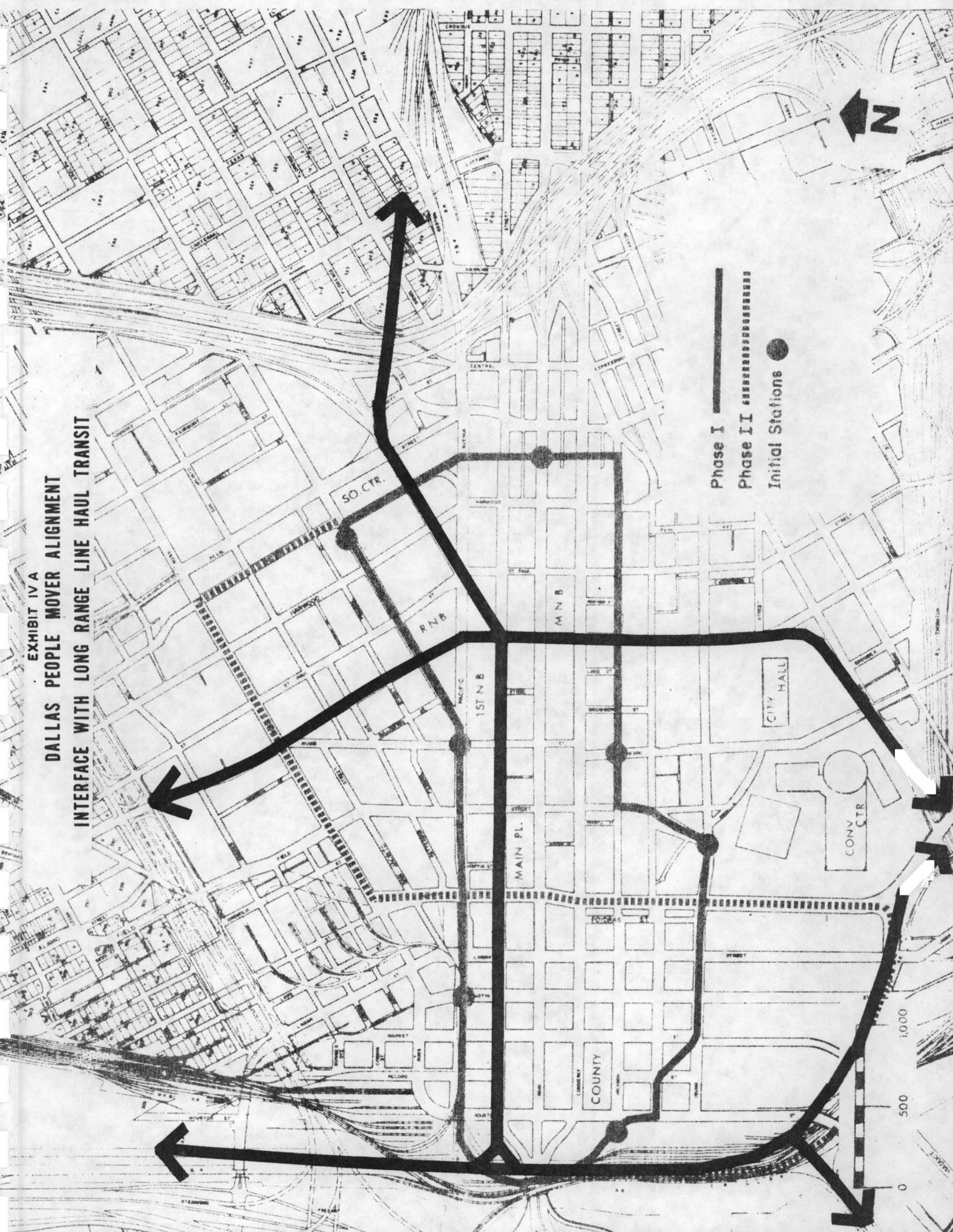
Route

Based on the following criteria several possible alignments for an automated guideway transit system were evaluated.

1. Initially the system must serve the maximum portion of existing developments.
2. It must maximize access to existing parking facility.
3. It must maximize service to major land use nodes.
4. It must respect the character of adjoining structures (City Hall, New City Hall, ThanksGiving Square, Union Terminal, and the Warehouse District).
5. It must serve the pedestrian precinct and its system components (Main Street, Akard Mall, underground and elevated pedestrianways).
6. The frequency of stops must not be limited so as to restrict easy use as a horizontal elevator.
7. It must interface with the proposed line haul system but should not duplicate alignments.
8. It must be an incremental system that can exist independently at any stage of completion.
9. It should allow easy expansion to serve the two mile radius when feasible.

The alignment shown in Figure 1 is that which seems to meet those criteria. Phase I of the system is approximately 13,080 feet long. It is anticipated that Phase I could be constructed with the DPM grant. Although Exhibit IV.A. shows Phase II, the following discussions are only relevant to Phase I.

EXHIBIT IV A
DALLAS PEOPLE MOVER ALIGNMENT
INTERFACE WITH LONG RANGE LINE HAUL TRANSIT



Phase I —————
Phase II - - - - -
Initial Stations ●

0 500 1,000



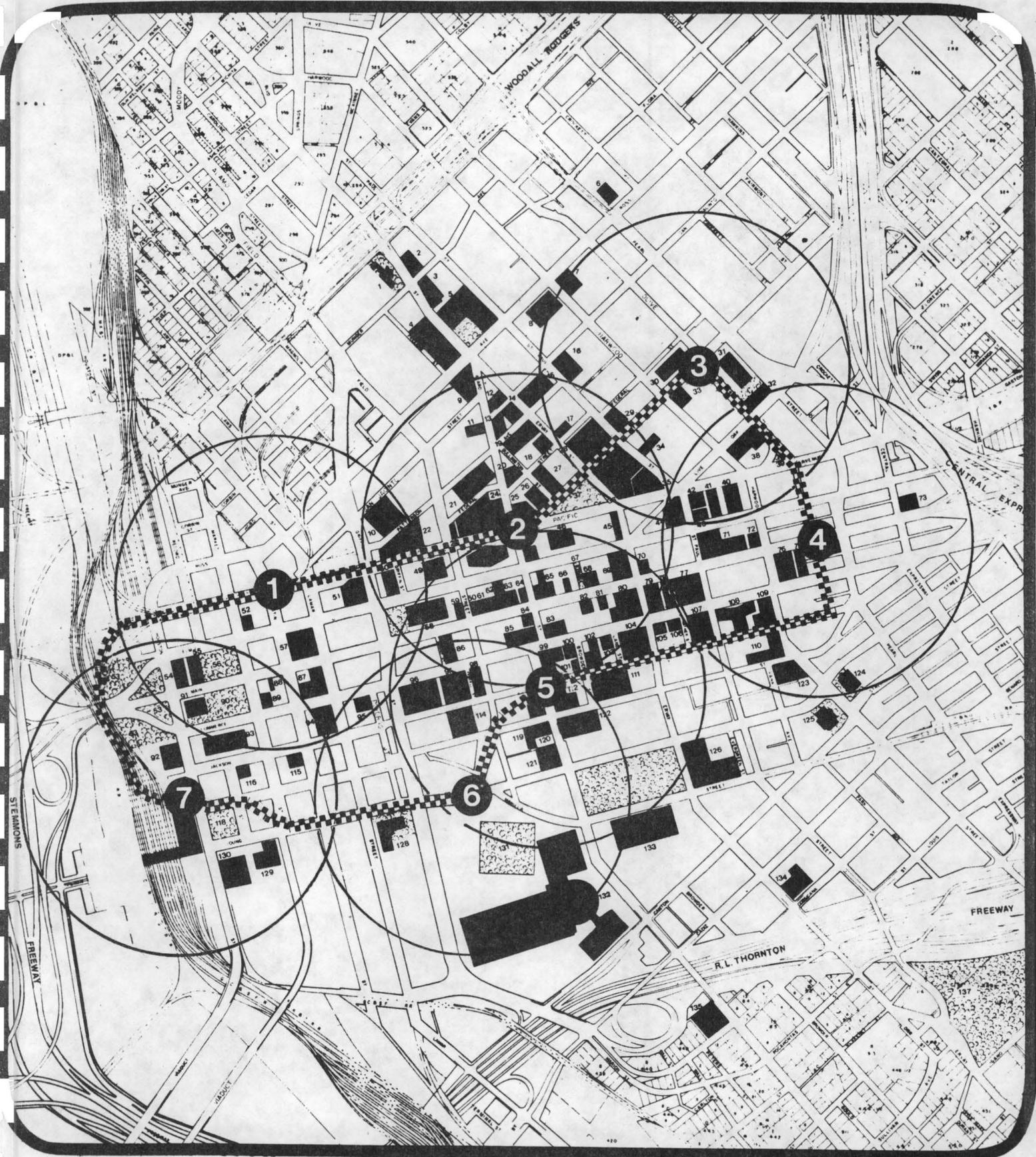
IV.B. Employment and Facilities Served

Route alignment was selected based on careful consideration of location of employment and facilities served. Most of the high employment densities are concentrated about the Elm and Ervay Street intersection.

Also important in determining the route alignment is the type of facilities served. Exhibit IV.B.1. shows major employment centers, hotels, department stores, and government centers. The location of these facilities is important to the employee as well as the CBD visitor and shopper. An overlay of the suggested basic route on the projected employment shows the people mover system will serve Reunion, the Convention Center, the new City Hall, and major employment in the center of the CBD.

Normally, most people do not object to walking 1,000 feet to their place of employment after they have parked their cars. An analysis of the location of current CBD employees and those predicted for 1990 was conducted. In 1990 more than 108,000 will be within 1000 feet of a station using the basic route (Exhibit IV.B.2.). This represents more than 88% of the employment predicted for 1990. Average walking distance from the station to their place of employment would be about 650 feet. As would be expected, station 2 at the intersection of Akard and Pacific would serve the greatest number of employees.

Table IV.B. shows the number of employees within 1000 feet of each transit station in 1990.



**Dallas CBD
Major Buildings and Public Spaces**

EXHIBIT IV B 1

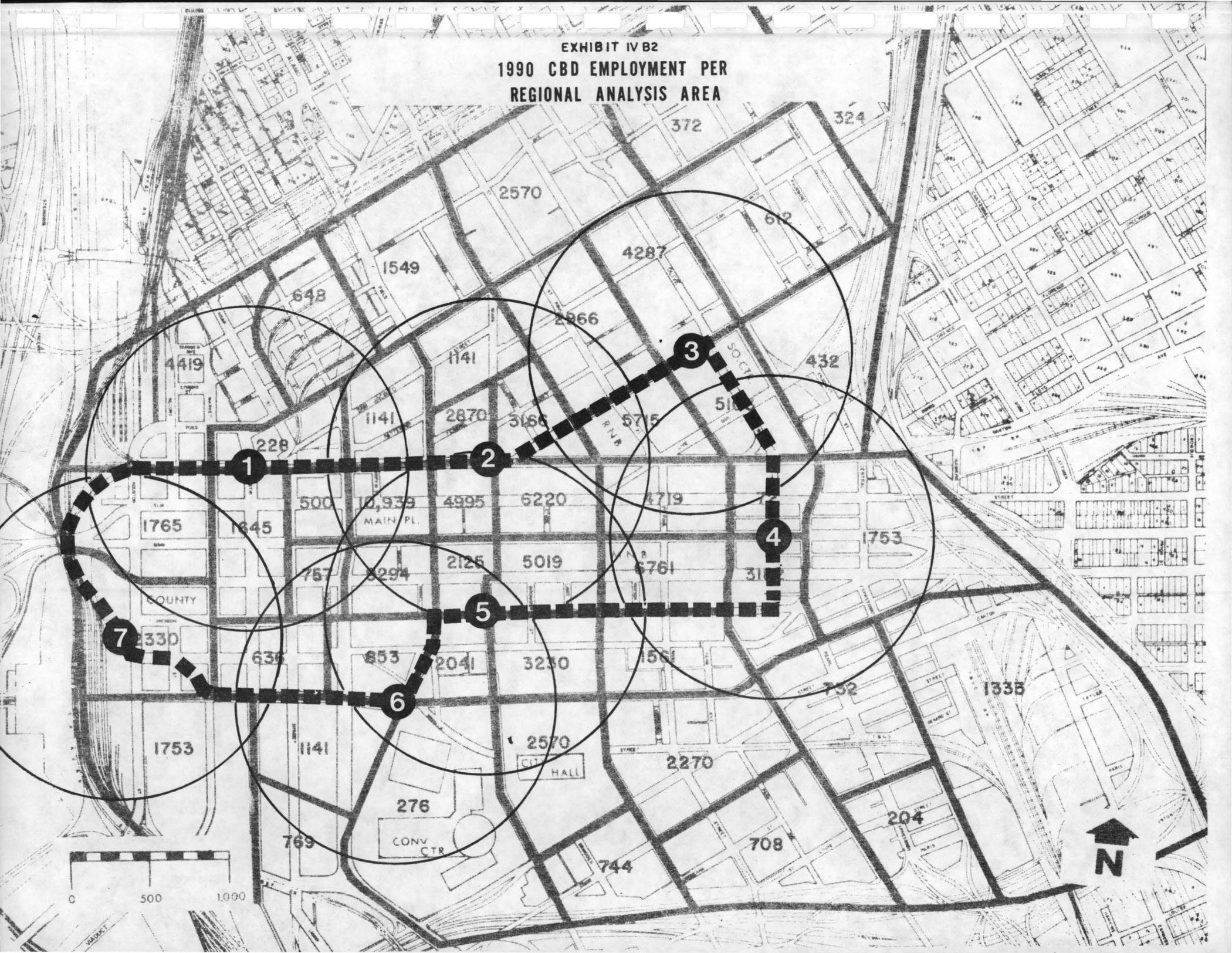
Table IV.A.

Employment Within 1000' of Transit Station

Station	Current	1990
1	17,330	19,692
2	44,925	51,051
3	17,833	20,265
4	20,035	22,767
5	41,970	47,693
6	17,625	20,028
7	5,610	6,377

The total for 1990 is 67,433 more than there will be persons employed in the Dallas CBD in 1990. This is indicative of the number of people who will have a choice between 2 or even 3 transit stations within 1000 feet.

EXHIBIT IV B2
 1990 CBD EMPLOYMENT PER
 REGIONAL ANALYSIS AREA



IV.C. Parking

One very important portion of a person's trip from one place to another is his vehicular mode and his origin and destination. This is especially important in CBDs where the traveler may not be able to park his car or ride the bus within a short walking distance of his destination. A study conducted in 1971 as part of the Dallas Regional Public Transportation Study showed that 37% of the trips to downtown were for purposes of work.

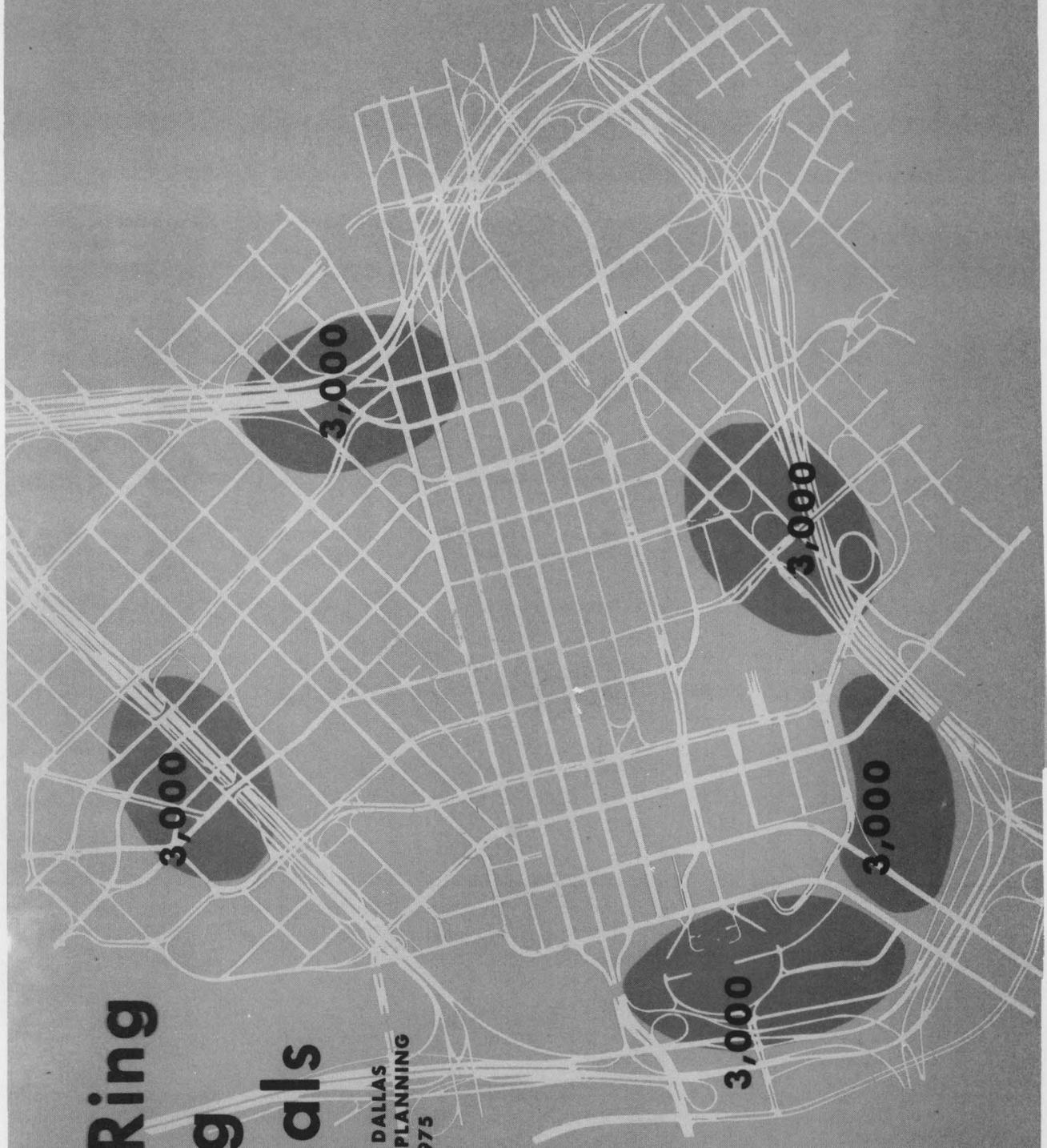
The city selected for a DPM system must be committed to the "auto intercept" concept which seeks to minimize vehicle entry to the CBD by providing peripheral parking terminals and an internal transportation system to move people within the high activity center. The "auto intercept" concept was first proposed by the Dallas Off-Street Parking Plan and was later adopted by the DPM program. This concept would make the inner core accessible to thousands of additional commuters without adding a single auto to the core itself.

The Dallas Off-Street Parking Plan and the Streets and Vehicular Circulation Plan calls for major internal circulation streets (ring roads) to provide access between sections of the CBD. Major concentrations of parking space are proposed to be located at each end of an east-west transitway. Very soon 1500 parking spaces will be installed at the Dallas Transportation Terminal parking facilities. Three other major CBD parking areas are still to be developed (Exhibit IV.C.1.).

Even now, before the Parking Plan has been officially adopted, there are reservations. Planners are beginning to lean toward the satellite parking concept of locating the parking lot facilities closer to the residential areas and further out from the core in order to "capture" the motorist before he even approaches the center city. This concept has the following advantages.

Outer Ring Parking Terminals

SOURCE: CITY OF DALLAS
URBAN PLANNING
DEPT., 1975



1. Reduce the amount of private vehicular travel.
2. Leave central area property available for redevelopment.

In any case, both satellite parking or auto-intercept parking are geared toward long-term employee parking and additional short-term space would still be required within the CBD. Even today employees accustomed to parking in the same lots day after day do not seem to have the same problems of finding parking space as does the person who only occasionally comes downtown.

The point of this discussion is that it is conceded that another alignment could better serve a strictly auto-intercept concept. However, when and if satellite parking reaches its maturity, the internal circulation system must do more than service large parking garages within the CBD. So it is with the system Dallas proposed. This system is primarily designed to facilitate the movement of people between major activity centers. Still, though, it does service over 40,000 of the 52,000 parking stalls (within 1000 feet of a station) currently within the CBD freeway loop.

The 1973 Bus Operational Study found that 77% of the persons entering the CBD did so by auto or taxi and that 23% did so by bus. Assuming that by 1990 30% of the people enter the CBD by bus and that auto occupancy is 1.4 persons/car and that 120,440 persons are employed in the Dallas CBD, 62,250 parking spaces will be required. This may be a very conservative estimate, but it is felt in the Department of Urban Planning that the number of parking spaces provided at the initiative of private industry should be sufficient for 1990 needs. In any case, the issue is the spatial distribution of those spaces within the CBD. That is, however, another question.

The alignment proposed will function in an auto-intercept mode, but not as well as another alignment could. It does serve the internal circulation

between major activity centers better than strictly auto-intercept alignment would. The most appropriate function in Dallas' circumstances is the latter.

Exhibit IV.C.2. shows the number of parking spaces currently within 1000' of each station. Table IV.C presents this same information, but as in the case of employment, many will have a choice of 2 or even 3 stations within 1000'.

Table IV.C.

Current Number of Parking Spaces
Within 1000' of Transit Stations

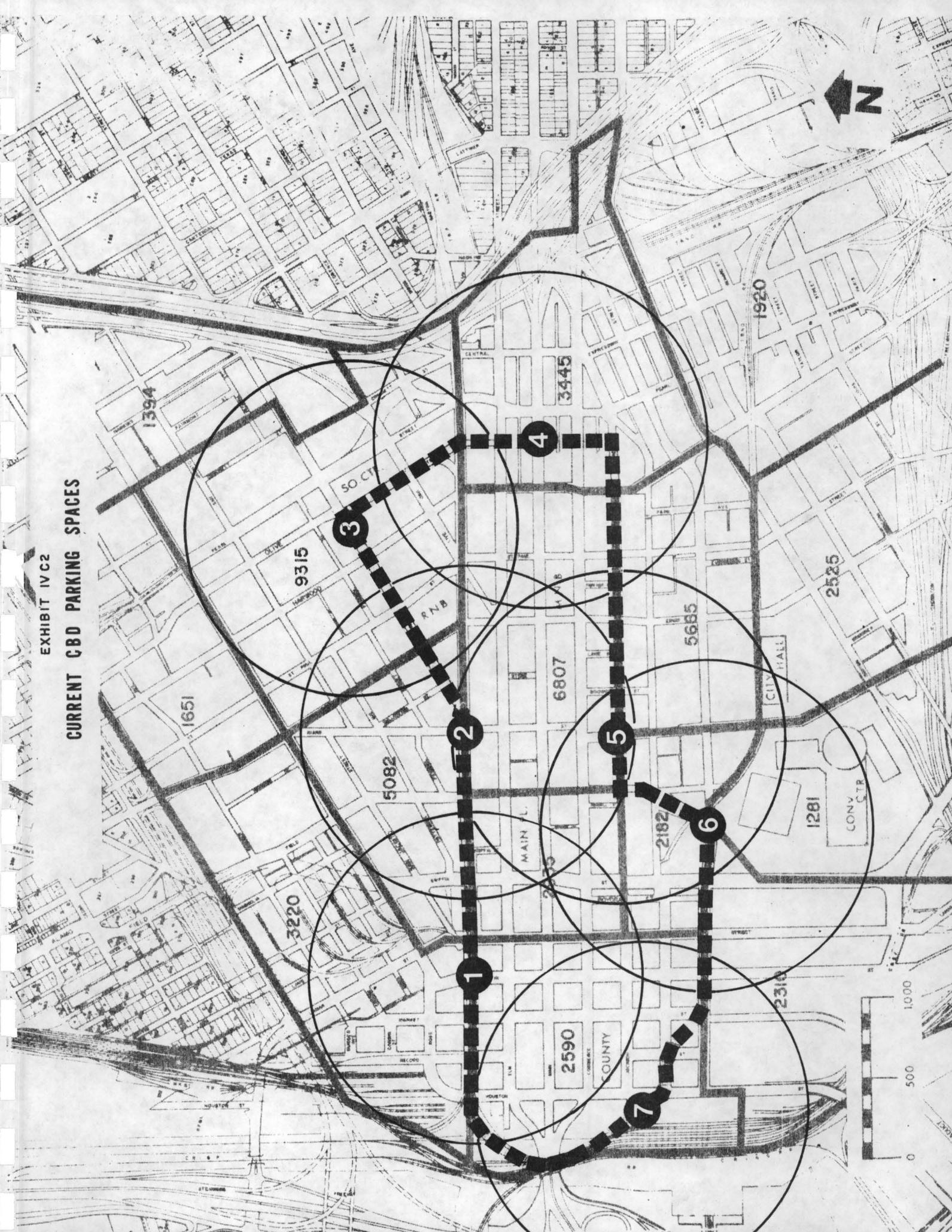
Station	Spaces
1	25,990
2	12,756
3	10,315
4	9,395
5	11,707
6	6,898
7	3,037

Phase I implementation

Key points of this alignment are as follows:

1. The system will serve (within 1000' of a station) approximately 560 of the 900 acres in the Dallas CBD. The entire system runs through developed land and provides service to virtually every existing major office building. Exhibit IV.B.1. illustrates this point.
2. The system will serve approximately 21,000 garage parking stalls and 40,000 total parking stalls (Exhibit IV.C.2.).

EXHIBIT IV C2
CURRENT CBD PARKING SPACES



3. The system will serve all existing activity nodes except the Fairmont Hotel and SEDCO Inc. area.
4. The system will be constructed so as to connect major mid-day activity centers, but not along major pedestrian routes.
5. The route passes by or through the historic district, Dallas Transportation Terminal, the new and old City Hall, and Thanksgiving Square.
6. The route runs along the perimeter of the pedestrian precinct on 3 sides.
7. Less than 700' of the DPM system would share the right-of-way of the proposed line haul system, yet the system interfaces with every line haul route.
8. The first phase of this system is adequate to serve the CBD core; however, additional routes may be added when development and the market warrant expansion.
9. The system can be expanded to a multiplicity of loops reaching out to the two mile radius with each loop connecting directly to the core loop.

V.A. Technology

Cities selected for participation in the DPM project must agree to implement one of the existing people mover technologies with minimum modifications to make it suitable to the urban environment. On this premise a prototypical system concept was developed. Though the City of Dallas is free to utilize any existing technology, the following is presented as an example.

On July 7, 1975, in Senate Testimony, George Pastor (UMTA Research and Development) outlined some of the DPM requirements. They are:

1. Simple AGT
2. Few (or no) switches
3. Vehicles coupled in trains
4. Normally on-line stations
5. High trip demand
6. Single shuttle loop
7. Feeder for line-haul transit
8. Auto intercept - simple collection and distribution

The proposed Dallas people mover would be designed to meet all the above requirements. The basic route would travel clockwise about 2.5 miles around the perimeter of the high density core. Commuters and visitors could travel to their destinations in the city core expending an average travel time of five minutes. The frequency of the circulator would be approximately every one and one third minutes (initially). The system would serve employees, the CBD shoppers and visitors equally as well. Onsite parking on the CBD streets would be discouraged except the minimum required to satisfy basic shopping and business needs. This would reduce the conflict between automobiles and pedestrians within the inner city. Stations could be designed off-line to accommodate express routes and also to provide sidings for disabled vehicles.

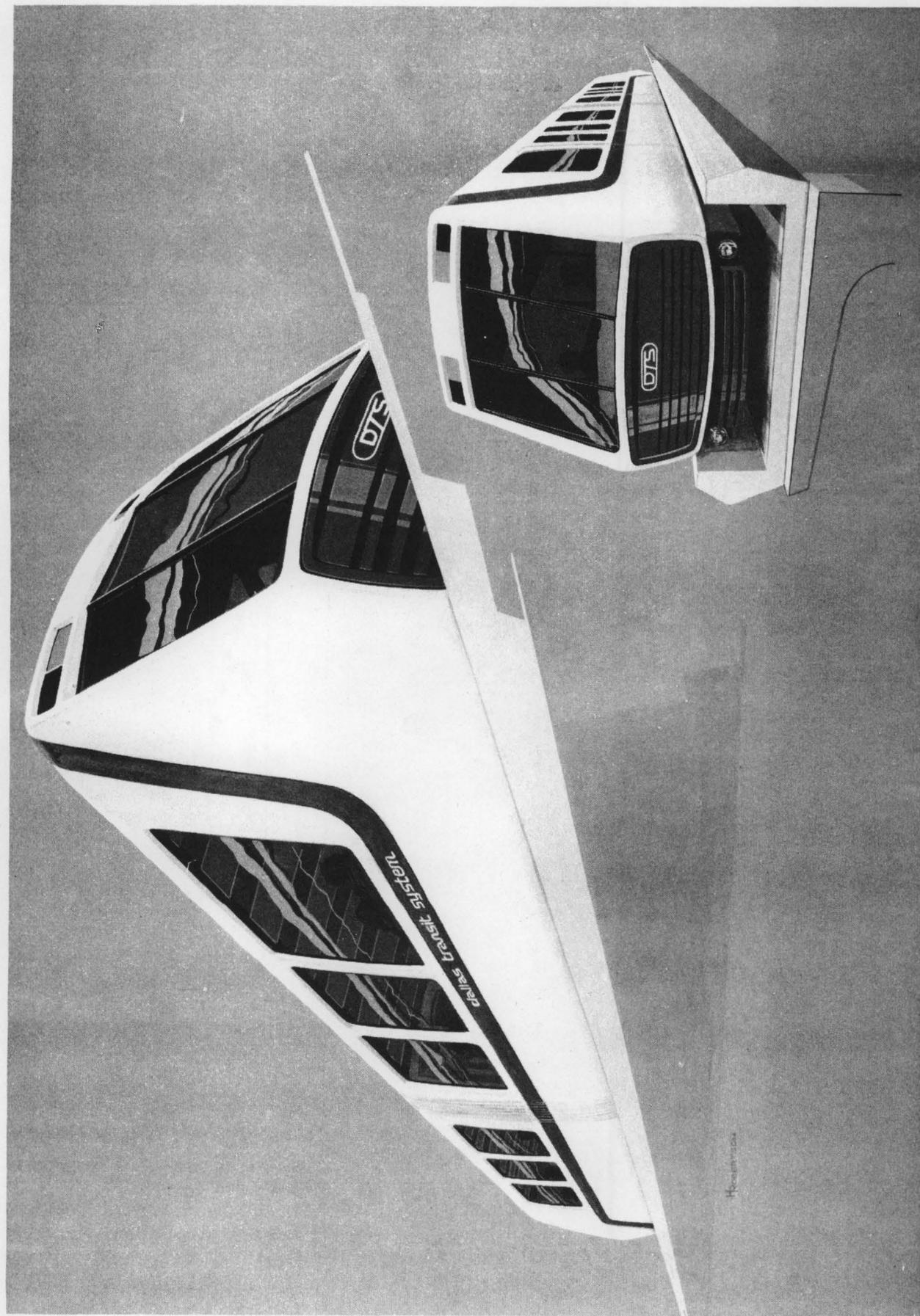


EXHIBIT V.A.1.
SYSTEM VEHICLE
(Possible)

Houston

The system could be able to operate in the scheduled mode initially and later in the demand mode, if desired. The scheduled mode would usually operate with stops at every station; however, express routes could be utilized between pairs of stations with high travel demands.

The estimated trip times for the route were computed assuming a maximum cruise speed of 30 mph and a dwell time of 20 seconds at each of the seven stations. Average trip time is about 5 minutes and maximum is 8.4 minutes. The round trip time for the complete loop is about 10 minutes.

It is proposed that the vehicles be designed to be attractive, comfortable and safe. An artist's concept of the vehicle exterior is shown in Exhibit V.A.1.

It is proposed that stations be constructed in locations which are accessible to the general public and occupy a minimum amount of usable real state. Each station would contain an elevator, escalator, TV monitors, PA system, fare collection equipment, and graphics. Provisions would be made for riders who are aged or handicapped.

It is proposed that the guideway be elevated. Electronic wireways, associated equipment, and street lights and signals could be mounted on the guideway and designed to have an architecturally pleasing effect. During construction, congestion to existing traffic lanes will be held to a minimum. With a few exceptions, turning radii would have to be fitted into the existing public right-of-way.

A centralized automatic control system for the Dallas PM would be an important part of the overall concept. Vehicle movement would be controlled by wayside electronics which sends commands to the vehicle. Onboard electronics would respond to these commands and controls the performance of onboard sub-systems.

For cost estimating purposes it was assumed that electrification would consist of three 480 volt AC power rails, a ground rail and a signal rail. In addition, eight traction substations and eight station substations would be provided. A maintenance facility was also included in the cost estimate.

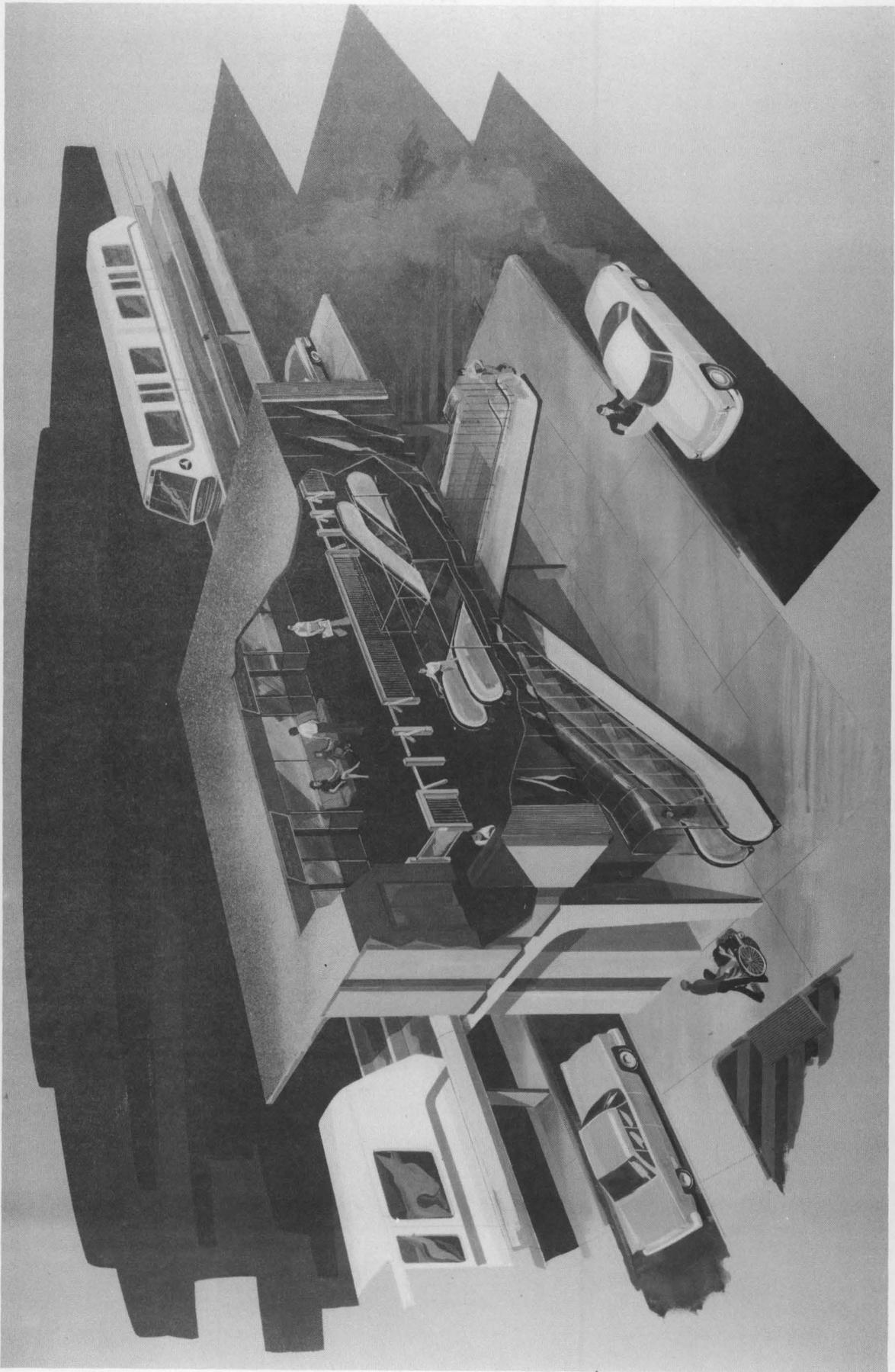


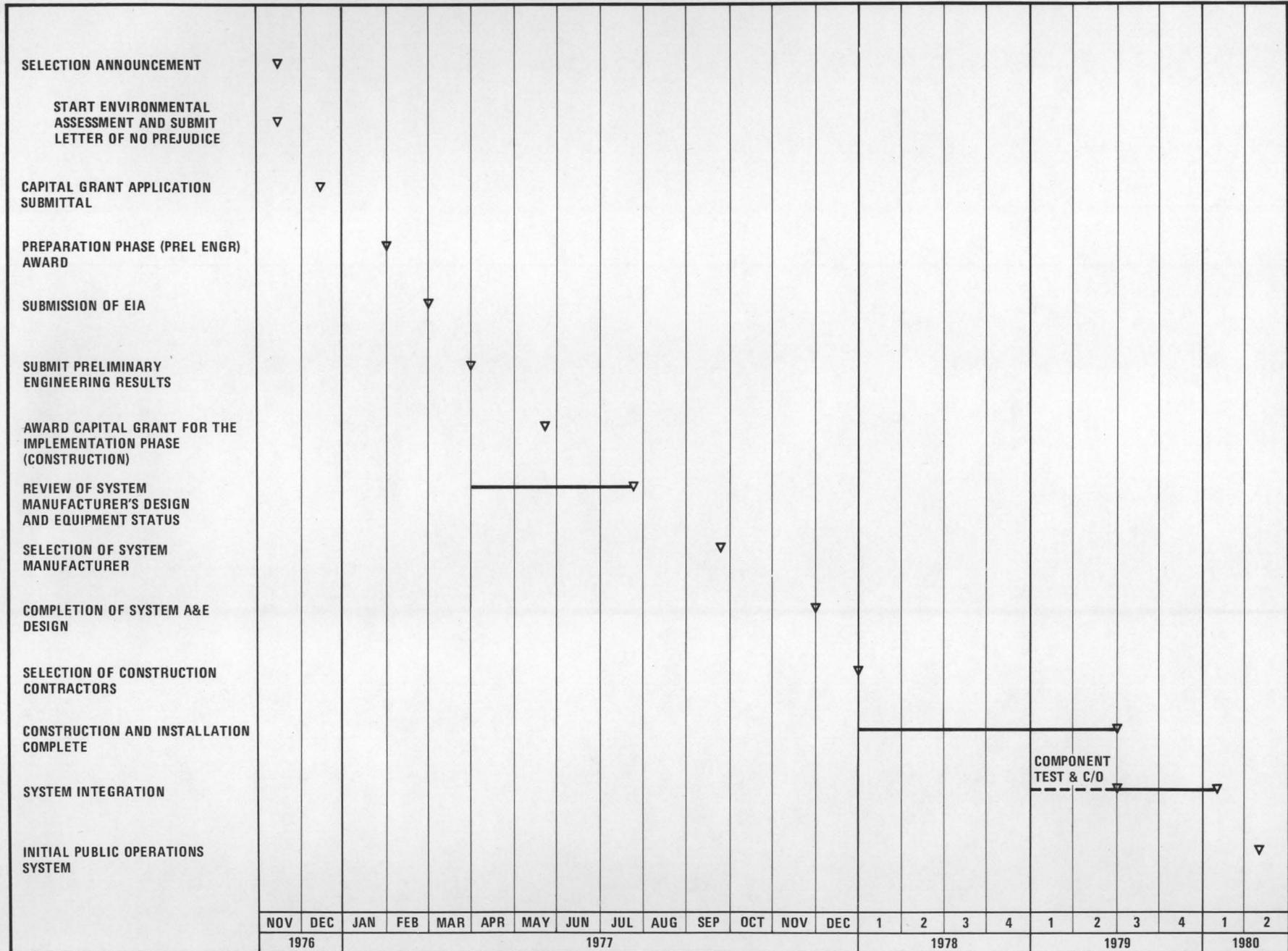
EXHIBIT V.A.2.
TRANSIT STATION

V.B. MINOR IMPROVEMENTS

Minor improvements and/or changes may be required to adapt current AGT systems to the downtown environment. These would include:

1. Improvements to increase the maintainability and reliability of the system,
2. Component improvements required by revisions to building, operational and safety codes and regulations made since the AGT system design was established and,
3. Improvements required to satisfy special needs of the downtown application.

DALLAS DOWNTOWN PEOPLE MOVER DEPLOYMENT PROGRAM SCHEDULE (PRELIMINARY)



Attachment VI. Cost Estimates

VI.A.1. Ridership Estimation

The projected ridership and service for the Dallas DPM System were estimated for the years 1979 to 2000. If an opening date in 1979 is assumed, seven two-car trains operating at average headways (waiting time between trains) of 81 seconds would be capable of carrying 4,000 passengers per hour in a single direction or nearly 31,000 passengers on an average weekday. By the year 2000, it is projected that average weekday ridership would increase to approximately 51,000 while using nine-car trains operating at 63 second headways.

The ridership projections are based on a series of assumptions such as:

1. 32% of secondary trips (shoppers, diners, etc.) occur during the noon hour (the peak hour):
2. 50% of secondary trips are beyond 1000 ft. - thus the DPM would benefit many of these people.
3. An average of more than 2,000 conventioners and 2,800 tourists visit the CBD on weekdays. 30% of these would make at least one trip on the DPM.
4. Commuters would play an important part in the makeup of ridership. Commuters could park in less expensive parking lots on the outskirts of the city and use the DPM to get to their final destination.
5. The rate of increase of ridership is expected to increase 2% a year. Additional riders were added in 1995 and beyond to account for interfacing with new rapid transit lines.
6. Pedestrian movements during the noon hour (from a 1971 CBD study) range from 4,400 to 8,400 at intersections in the vicinity of the proposed route. Up to one-half of these pedestrians might benefit from the DPM.
7. 37% of the commuter traffic occurs both in morning and afternoon peak hours with an average automobile occupancy of 1.4 passengers.

Ridership Estimation (Cont'd)

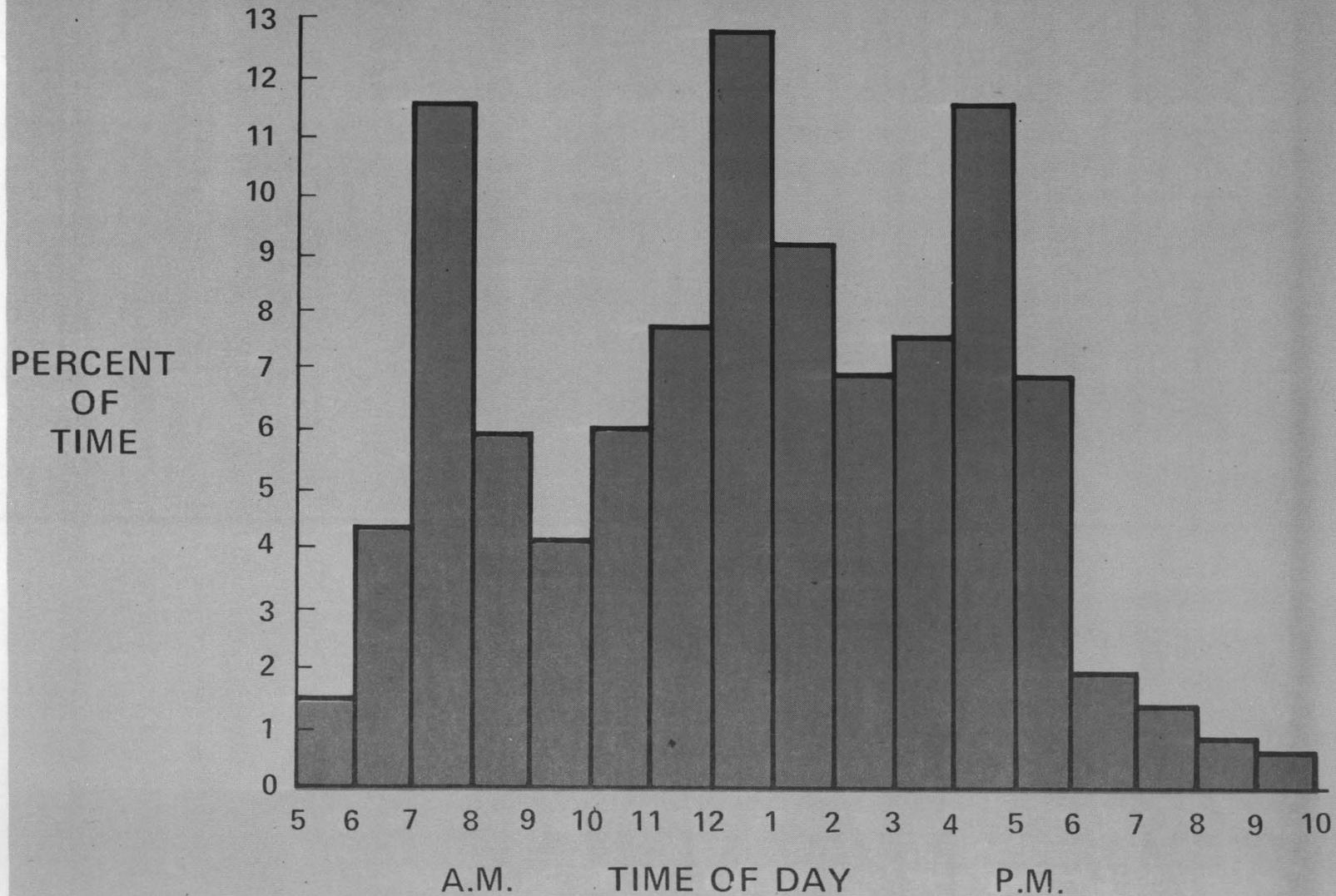
8. A study (The Dallas CBD Transit Plan by Barton-Aschman Associates, 1975) indicates that in 1990 4,000 to 6,000 passengers per hour (two-way) would be carried by shuttles in the Dallas CBD. In addition, other passengers would be carried by the rapid rail line down Elm and Ervay Streets.

Using the above assumptions, it was found that approximately 4,500 trips would be made in the noon hour. Of these trips, approximately 4,000 would be made in the peak link between stations 2 and 3.

The number of vehicles required varies directly with the peak hour flow rate, the round trip time and inversely with the vehicle capacity. The headway is calculated by dividing the round trip time by the number of trains.

Distribution of Passenger Trips

PERCENT OF TRIPS STARTING AT HOURLY INTERVALS



P6-10-22

EXHIBIT VI.A.1.

Number of Employees Within 1,000 Ft. of Station

1990

<u>STATION</u>	<u>NUMBER OF EMPLOYEES</u>
1	19,692
2	51,051
3	20,265
4	22,767
5	47,693
6	20,028
7	6,377
	<u>187,873</u>

SOURCE: 1990 CBD Employment Project —
City of Dallas Urban Planning Department

August 12, 1975

Exhibit VI.A.3.

ESTIMATED RIDERSHIP WITHIN THE FREEBUS ZONE

HOUR BEGINNING	STREET AND DIRECTION									TOTAL		
	Elm Westbound	Main Eastbound	Main Westbound	Commerce Eastbound	Pacific Eastbound	Field Northbound	Akard Southbound	Ervay Northbound	St. Paul Southbound	Number	Perce	
Before 7:00 A.M.	70	105	100	85	5	5	5	15	10	400	5.	
7:00	145	115	245	270	5	30	5	25	40	880	11.	
8:00	40	50	100	120	5	5	5	15	30	370	4.	
9:00	85	90	105	90	5	0	15	15	5	410	5.	
10:00	45	95	170	125	10	5	0	25	45	520	6.	
11:00	60	365	155	200	10	5	0	20	15	830	10.	
12:00	120	155	240	135	5	5	30	35	15	740	9.	
1:00 P.M.	200	240	85	75	15	5	5	30	5	660	8.	
2:00	140	125	110	105	5	55	0	25	5	570	7.	
3:00	80	235	85	60	5	5	5	5	20	500	6.	
4:00	140	110	175	255	10	5	0	40	25	760	10.	
5:00	95	50	170	85	30	0	25	25	0	480	6.	
6:00	50	85	35	0	15	0	0	15	0	200	2.	
After 7:00	<u>50</u>	<u>70</u>	<u>65</u>	<u>60</u>	<u>5</u>	<u>5</u>	<u>5</u>	<u>10</u>	<u>10</u>	<u>280</u>	<u>3.</u>	
TOTAL	Number	1,320	1,890	1,840	1,665	130	130	100	300	225	7,600	100.
	Percent	17.4	24.9	24.2	21.9	1.7	1.7	1.3	3.9	3.0	100.0	

June 4, 1976

Exhibit VI.A.4.

HCP-A-BUS

Passengers by Time of Day

<u>EASTBOUND</u>		<u>WESTBOUND</u>	
<u>Time</u>	<u>Passengers</u>	<u>Time</u>	<u>Passengers</u>
9:01 a.m. - 9:30 a.m.	35	9:01 a.m. - 9:30 a.m.	32
9:31 a.m. - 10:00 a.m.	41	9:31 a.m. - 10:00 a.m.	25
10:01 a.m. - 10:30 a.m.	47	10:01 a.m. - 10:30 a.m.	40
10:31 a.m. - 11:00 a.m.	54	10:31 a.m. - 11:00 a.m.	59
11:01 a.m. - 11:30 a.m.	48	11:01 a.m. - 11:30 a.m.	45
11:31 a.m. - 12:00 noon	69	11:31 a.m. - 12:00 noon	78
12:01 p.m. - 12:30 p.m.	97	12:01 p.m. - 12:30 p.m.	62
12:31 p.m. - 1:00 p.m.	62	12:31 p.m. - 1:00 p.m.	93
1:01 p.m. - 1:30 p.m.	64	1:01 p.m. - 1:30 p.m.	57
1:31 p.m. - 2:00 p.m.	55	1:31 p.m. - 2:00 p.m.	69
2:01 p.m. - 2:30 p.m.	38	2:01 p.m. - 2:30 p.m.	40
2:31 p.m. - 3:00 p.m.	37	2:31 p.m. - 3:00 p.m.	36
3:01 p.m. - 3:30 p.m.	<u>14</u>		<u> </u>
Total	661	Total	636

GRAND TOTAL - 1,297

June 4, 1976

Exhibit VI.A.5.

HOP-A-BUS

Boarding Passengers

EASTBOUND		WESTBOUND	
<u>Location</u>	<u>Passengers Boarding</u>	<u>Location</u>	<u>Passengers Boarding</u>
Young & Houston	88	Bryan & Pearl	109
Market	17	Pearl & Live Oak	5
Market & Wood	12	Main & Harwood	88
Jackson	34	St. Paul	114
Commerce	39	Ervay	119
Main	77	Akard	90
Main & Austin	32	Field	50
Lamar	99	Griffin	24
Griffin	43	Lamar	22
Field	65	Austin	0
Akard	41	Market	0
Ervay	38	Record	13
St. Paul	27	Houston & Commerce	1
Harwood & Elm	6	Jackson	1
Pacific	1	Wood	0
Olive & Live Oak	3		
Bryan	<u>39</u>		
Total	661		<u>636</u>

GRAND TOTAL - 1,297

Projected Ridership and Service

1979-2000

<u>YEAR</u>	<u>WEEKDAY PASSENGERS</u>	<u>SYSTEM PEAK HOUR PASSENGER CAPACITY</u>	<u>NUMBER 2-CAR TRAINS</u>	<u>HEADWAY (SEC)</u>
1979	30,900	4,000	7	81
1985	34,800	4,650	8	71
1990	38,300	4,650	8	71
1995	44,000	5,200	9	63
2000	51,000	5,200	9	63

VI.A.2. Fare vs Ridership

A short study was conducted to determine the optimum fare to be charged for a single trip on the DPM system. Results show that maximum revenues are collected when a 25¢ fare is charged. (See Figure 3).

The DPM system must compete with commuters and visitors who drive to the CBD and park their cars in a garage or parking lot at an average cost of \$1.00 per day. If a commuter or visitor finds that he can save money and wear and tear on his automobile by parking at outer ring parking facilities and ride the DPM system, then he would probably use it on a regular basis.

In 1979, it is estimated that a 25¢ fare would generate a total revenue of \$2,259,500 with a ridership of approximately 31,000 per day.

I. Construction

A. Guideway and Switches - This cost category includes all foundations and supports, running surfaces and guidance mechanisms, railings, walkways, power grounds and other equipment necessary for the entire guideway, including that located in the maintenance building; and that portion of the switching system integral with, attached to or adjacent to the guideway proper. This category does not include any switching equipment located on board vehicles. The pre-cast, post-tensioned concrete guideway assumed for all elevated sections of the transit route except one span at the intersection of Jackson Street and Akard Street is of simple design and is readily available from concrete fabricators. A price of \$451 per linear foot of single guideway in place was assumed for the approximately 18,000 feet of guideway (mainline and by-pass) with an average span of 85 feet, taking into account the increased labor costs of installing a system in the downtown business core where construction activity is always difficult and constrained. The 120-140 foot span at Akard Street will require special construction to minimize interference with the Akard Street Mall. A 50% increase in cost per linear foot is anticipated for a price of \$675.00 per foot of special design guideway. Five types of supporting piers are used to reduce the impact of the system structure on pedestrian and vehicular movement below, and to allow flexibility in avoiding conflict with underground utilities and basements. Full bents spanning the entire street are required at approximately 34 locations to support either single or double guideway at an estimated cost of \$19,000 each. Centrally loaded piers carrying one guideway at \$6,000 each will be needed at approximately 61 locations.

Twenty-two centrally loaded piers carrying double guideway at \$9,000 each will be required for 21 spans. 41 single guideway eccentrically loaded piers at \$9,000 each and 8 eccentrically loaded piers for double guideway at \$15,000 each was estimated in difficult areas. The eight by-pass sidings (seven stations and maintenance center) will require a total of 16 switches at a cost of \$19,000 each including all necessary motive power equipment, heaters and associated controls.

- B. Stations - The station cost category includes all masonry construction, doors and gates, fare collection equipment, elevators and escalators and electrical and mechanical equipment necessary for a complete station. There must be room in the station for the traction power transformers and station power transformers as well as space for the anticipated passenger load. The average floor space at each elevated station will be approximately 4,000 square feet. A price of \$100/S.F. gives an average station cost of \$400,000. Two stations are proposed above street intersections. Two more might be elevated on adjacent property with the possibility of parking beneath. Three stations anticipate the renovation and use of existing structures adjacent to the route. The station located at Jackson Street and Akard Street must interface with the Akard Street Mall and the special guideway span at this location. A station cost of \$750,000 has been allowed to make this station fit into the streetscape of the Akard Mall.
- C. Electrification - The power distribution system includes all required transformers, circuit breakers, switching relays, controls and control panels, meters and instruments, wiring, conduit and batteries to run the vehicle traction motors, station power and lighting to operate the system in normal and emergency conditions. The guideway power rail system and all associated hardware costs are also in this category. Costs for power distribution are very consistent in all types of people mover systems.

Taking construction costs for systems currently operating, such as at the Dallas/Fort Worth Airport, and adjusting them to 1976 dollars, a figure of \$226/L.F. of single guideway was used. The main power station would be located in the maintenance center.

- D. Command and Control - An automatic train control system would be provided. This cost category includes wayside control equipment (sensors, logic devices, wiring and junction boxes), station related vehicle controls (detection, speed control and precise stopping controls), the central control complex (display boards, computers and interface equipment) and all signal equipment. The above items do not include any control devices located on board vehicles. The signal system for any vehicle on a fixed guideway is again very consistent among different designs. The similar sensors, logic relays, coded circuit blocks and computers are required no matter what the vehicle design. Using the Association of American Railroads Table of Signal and Interlocking Units and a unit value of \$3,000 (1976), a cost per linear foot of single guideway of \$210 was used. Thus, a figure of \$1.1 million per mile results, which is in line with current costs of other transit systems with sophisticated signalization.
- E. Communications - Audio and Video - A complete duplex voice communication system between stations and central control and between vehicles and central control was envisioned. In addition, all stations and vehicles would be monitored by closed circuit television for monitoring system performance, adjusting to unusual situations and for security. This cost category includes all voice communication equipment (cables and installation) and all television monitoring equipment (cameras, monitors, cables and installation), except that which is on board vehicles. Recent installations of systems of this type have encountered costs in the range of \$25 to \$30 per linear foot. Assuming system refinements and

more efficient design, it should be possible to keep system costs for the downtown people mover in the area of \$33 per linear foot of guideway.

- F. Maintenance Center - Because the entire system is elevated, the most efficient maintenance will be achieved by constructing a maintenance center with the main service bays on an elevated floor at the same level as the main guideway. The site proposed for preliminary study has an old two-story warehouse building in one of the City's newly designated historical districts. This building could be renovated maintaining the architecture of its period, and used to house the central control complex and the main power distribution station. The maintenance building could be built around it with the main level at guideway height and employee parking beneath. An elevator capable of handling the transit vehicles would be constructed at one end to insert and remove vehicles from the system for repairs that cannot be made at the center. This cost category includes the building and all left equipment, tools, furniture, vehicle washing bay, test equipment and non-expendable spare equipment. This item includes \$1 million for renovation of the existing structure and \$2 million for construction of the maintenance level with all necessary equipment, which will have 16,000 square feet at approximately \$125/S.F.
- G. Utility Adjustments - Because of the size of the necessary piers and bents, numerous utility and basement conflicts must be expected. The most difficult conflicts to resolve will be those where piers must be located in existing basements.

Many basements along the route are as much as 35 feet deep and quite old. Considerable reconstruction of the roof slabs, walls, and floors would be required. In addition, many contain power supply transformers and switching gear for their respective buildings, and some have boilers and other equipment on the basement floor. Relocation of this equipment and

reconstruction of basements are estimated to cost \$1,000,000. From past experience in the downtown area, utility conflicts can be expected in approximately one-third of the pier and foundation locations requiring adjustment or relocation of the utility. In other cases it is normally possible to adjust span lengths or alignment slightly in order to place piers. The total construction cost for items which may conflict with existing installations is \$16,000,000. Past experience has also shown that construction costs will be increased by the utility adjustment costs by approximately the same percentage as the incidence of conflict. Therefore, \$5,500,000, approximately one-third of the construction cost for "hard" items, has been allowed for utility adjustments.

II. Vehicle System

This cost category includes the 16 cars required for seven two-car trains and two spare vehicles. One vehicle includes all motive power devices and controls, environmental control equipment, communications means, switching equipment and graphics displays attached to or located on board the vehicle. The vehicle design is similar to that at the Dallas/Ft. Worth Airport, and other systems available from several manufacturers. With added refinements included for this system, such as greater power and more efficient and reliable sub-systems, each vehicle is projected to cost approximately \$281,000.

III. Right-Of-Way

- A. Guideway - Except for the eastern leg of the proposed route, all of the guideway is located in existing right-of-way or on City owned property. Additional right-of-way required including aerial easements amounts to 45,000 square feet at approximately \$33/S.F.
- B. Stations - Only three proposed stations are located on property which is not owned by the City. Two of these sites have existing structures which can be renovated and used as a large portion of the station. The other site is currently a parking lot. The parking lot site is approximately

10,000 square feet at \$40/S.F. The two sites with structures are estimated at \$400,000 for one on a 5,000 S.F. lot and \$600,000 for one on an 8,000 S. F. lot.

- C. Maintenance Center - The site proposed for the Maintenance Center was estimated at \$800,000 for a semi-triangular lot of approximately 18,000 S. F. with an old warehouse building of approximately 5,000 S.F.

IV. Engineering and Construction Management

- A. System Engineering and Construction Supervision - This cost category includes an estimated fee of \$1,800,000 based on 5% of the \$36.2 million construction cost for system design, preparation of plans and subcontractor design approval. Soil analysis engineering fees are estimated at \$150,000 since a complete investigation must be made at each pier location. Construction supervision and materials testing is estimated to cost \$650,000; \$450,000 of which (25% of basic engineering fee) is for supervision and \$200,000 for materials testing.
- B. Training and Documentation - The training of Dallas Transit System personnel to assume operation of the system after final acceptance and the preparation of as-built operational drawings, operation manuals and repair and workshop manuals are included in this cost category.
- C. Test and Demonstration - Because this grant must be used to adapt an existing technology to a downtown environment, considerable model testing, computer modeling and actual demonstration of the entire system prior to acceptance will be required. This cost category has been estimated at \$2,000,000 to cover costs for testing and adaptation for qualification for the grant which are in addition to the ordinary testing required for acceptance of construction items.

COST ESTIMATES (1976 DOLLARS)

<u>CONSTRUCTION</u>	\$31,700,000
GUIDEWAY AND SWITCHES STATIONS (7) ELECTRIFICATION COMMANDED CONTROL MAINTENANCE COMMUNICATIONS UTILITY RELOCATION	
<u>VEHICLE SYSTEM</u>	\$ 4,500,000
<u>RIGHT-OF-WAY</u>	\$ 3,700,000
GUIDEWAY STATIONS MAINTENANCE AREA	
<u>ENGINEERING AND CONSTRUCTION SUPERVISION</u>	\$ 5,100,000
TESTING AND DEMONSTRATION TRAINING AND DOCUMENTATION SYSTEMS ENGINEERING AND MANAGEMENT	
 TOTAL	 <hr/> \$45,000,000

VI.C.1. Operations and Maintenance Costs

The operations and maintenance costs are based on a system installed in 1979 using 7 -car trains. Approximately 40 operations and maintenance personnel will be required to operate and maintain the entire system. In addition, a few people will be required to manage the system and account for revenue and expenses. The general and administrative expenses include the management and accounting personnel as well as insurance, office expenses, and other miscellaneous expenses. The power costs include all vehicle tractive power costs, maintenance center power, and all station lighting. The annualized capital cost is computed by assuming the city owes 20% of the \$45 million capital cost. The money is assumed to be borrowed by selling municipal bonds for 20 years at 7% interest. Of course, if this money were available from other sources, this expense might not be as much as shown.

The cost per passenger trip was computed by dividing the projected expense* (\$12,159,750) by the projected number of trips (9,038,000) giving an average of 24¢ compared to an average fare of 25¢. This cost is in contrast to the average cost of a passenger trip in 1975 on a Dallas bus of 46¢ (the average fare is only 36¢). The DTS buses carry an average of 2.45 passengers per mile while the DPM vehicles are projected to average 12.9 passengers per mile and make approximately 6% of the 500,000 trips made in the CBD every weekday.

* Expense includes

1. Average yearly debt retirement on capital bond
2. Operating cost
3. Maintenance cost

VI.C.2. OPERATIONS AND MAINTENANCE PERSONNEL

For the proposed system an estimate was made of the operations and maintenance costs. The following table shows the number of employees by job title and their estimated salaries in 1976 dollars.

<u>CLASSIFICATION</u>	<u>NO.</u>	<u>JOB TITLE</u>	<u>SALARIES</u>
Maintenance	1	Maintenance Chief	\$18,000
	1	Typist	6,500
	1	Maintenance Clerk	9,000
Skills and Crafts	3	Foreman	49,930
	5	Mechanics	68,604
	5	Electrical Technicians	71,928
	5	Electronic Technicians	73,048
	3	Maintenance Rovers	42,724
	2	Supply Clerks	26,958
	6	Janitors	48,000
Operations	1	Operations Chief	17,000
	1	Operations Clerk	7,000
	5	Operators	<u>75,000</u>
TOTAL OPERATIONS AND MAINTENANCE SALARIES			\$513,692

The maintenance facility is assumed to operate 7 days a week, 24 hours a day. Most of the maintenance work would be done at night when the system is not in operation.

Attachment VII. Assurances of Compliance with
Urban Mass Transportation Act of 1964

EXHIBIT M. ELDERLY AND HANDICAPPED

Approximately 66,000 persons residing within the City of Dallas are age 65 or older. Of the population of the Dallas urban area, approximately 88,000 persons are age 65 and over. The Social Security Administration estimates that approximately 8,000 persons under the age of 65 can be classified as permanently disabled. In order to be responsive to the special transportation needs of the elderly and handicapped, the Dallas Transit System has initiated the following programs.

Senior Citizen Fares

Upon proof of age, any senior citizen may purchase for \$1.00 a permanent photo identification card from the Dallas Transit System which enables him to utilize the special fare scale. A senior citizen, by presenting this identification card to the operator, may ride any system route for a flat fare of 10 cents, with a 5 cent transfer charge and no zone charge. For those senior citizens who travel frequently, a monthly prepaid pass for unlimited riding is available for \$5.00.

Park Manor Dial-A-Trip

Park Manor is a high-rise apartment building for senior citizens located near the Hardwood bus line. Residents of Park Manor may call the Dallas Transit System dispatcher to request inbound service and the next scheduled inbound bus will be

diverted to the building. Passengers boarding outbound simply request the operator to take them to Park Manor.

Omnibus

This special service for senior citizens was initiated in March, 1973. Each Thursday, Dallas Transit buses travel by senior citizen residences, recreation centers and other gathering points to take the elderly on a trip to a predetermined location or on a specific tour of the local area. Trips arranged under this program have provided tours of the City of Dallas and of the D/FW Airport. Shopping excursions to major mall-type shopping centers such as Northpark and Town East are also included in this program. Similar trips are planned for the future. A fare of approximately \$1.00 per person, depending on the extent of the trip, is charged for these excursions which normally last four hours.

Cerebral Palsied Citizens

A special trip is operated each weekday during both morning and evening hours to transport cerebral palsied citizens from downtown Dallas to a special work center.

Handicapped Citizens Fare

A program is currently being implemented to provide a reduced fare to handicapped persons residing within the Dallas Transit System service area. Upon presentation of Certification from a physician or from an appropriate State or Federal Agency,

handicapped persons may obtain a photo identification card for a one-time fee of \$1.00. Presentation of this identification card will permit these persons to ride any route of the System for a flat fare of 15 cents during non-peak hours.

Aids to the Elderly and Handicapped

Grab rails and stanchions, non-skid treads on steps and in the aisles, and two-way radios are standard equipment on all Dallas Transit System buses. Additional grab rails are being installed at the front door of each bus to further assist the elderly and handicapped. The radio equipment provides rapid communication to the police, fire department, and ambulance service in the event that an emergency situation develops on board a bus.

Future plans of the Dallas Transit System to further aid the elderly and handicapped include:

Special Transportation System

Funds have been requested and approved for the purchase of seven specially equipped small buses to be used to provide demand-responsive service for the aged and disabled in the Dallas Transit System service area. These buses will be equipped with two-way radios, fareboxes, wheelchair lifts and tie-downs, low steps and special graphics. The total cost of this project is expected to be \$400,000. The Federal share of funds requested by this application is \$320,000.

Passenger Shelters

Design features are being incorporated into the bus passenger shelters and Park & Ride facilities being planned by the System to ensure that the elderly and handicapped will be able to use them. Factors being considered include horizontal and vertical clearances for wheelchair access, vertical movement problems, fatigue factors and visual problems. Also, care will be exercised to locate passenger shelters and/or benches near senior citizen centers, hospitals, clinics, and other social service agencies whenever possible.

EXHIBIT N. - DISTRIBUTION OF TRANSPORTATION BENEFITS

Maps depicting the Dallas Transit System service area, minority neighborhoods, concentrations of elderly citizens, and suburban bus routes are attached to this exhibit. Figure 3 depicts the service area and generalized routing patterns. Figure 4 identifies by 1970 census tract that portion of the Dallas Transit System service area which is inhabited primarily by minority groups and/or concentrations of elderly citizens. Figure 5 depicts the routes of the suburban carriers operating within the Dallas Transit System service area.

All existing and proposed service of the Dallas Transit System is available to all persons. Furthermore, no person shall be excluded from participation in, denied the benefits of, or otherwise subjected to discrimination in the use or benefits of the transit system to be assisted under the receipt of this grant on the grounds of race, color, sex, or national origin.

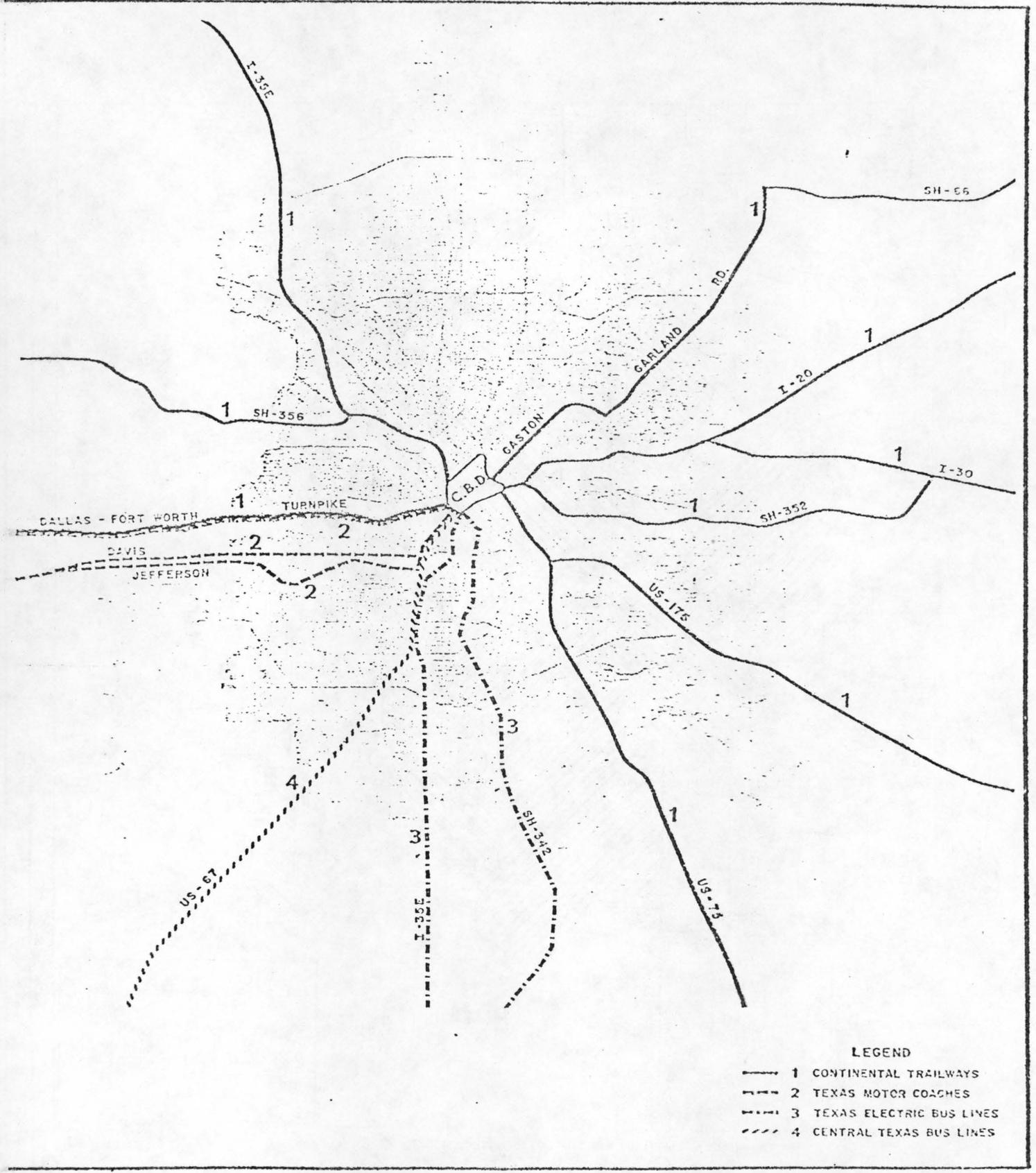


Figure 5.
SUBURBAN BUS ROUTES

EXHIBIT P. FARES: ELDERLY AND HANDICAPPED

In accordance with the Department of Transportation, Urban Mass Transportation Administration guidelines, fares for elderly and handicapped persons have been reduced to no more than one-half of the adult base fare during non-peak hours.

Senior Citizen Fares

A permanent photo identification card is issued by the Dallas Transit System, upon proof of age and payment of a \$1.00 service charge, to any senior citizen wishing to utilize the special fare scale. Acceptable proof of age documentation includes a birth certificate, valid driver's license, medicare card or similar recognized documents. By presenting the identification card to the operator, a senior citizen may ride any system route for a flat fare of 10 cents. No zone charges apply, although a 5 cent transfer charge does apply. For those senior citizens who travel frequently, a monthly prepaid pass, good for unlimited riding, is available for \$5.00. These special fare rates which became effective in December, 1973 are regularly advertised at senior citizen residences and activity centers (Figure 6.).

Handicapped Citizen Fares

Effective Sunday, July 6, 1975, all Dallas residents who qualify as handicapped, in accordance with guidelines established by the U. S. Government, will be eligible to ride a bus at a reduced rate. Upon presentation of a physician's certification or certification from an appropriate State or Federal agency, a handicapped person may obtain a photo identification card, similar to the senior citizen identification

THE NEW 10c BUS FARE FOR SENIOR CITIZENS

What is the new 10c bus fare plan and how does it work?

Beginning December 1, 1973, anyone 65 years of age or over, who obtains a Dallas Transit Senior Citizen Identification Card, can ride any regularly scheduled Dallas Transit Bus at any time for only 10c. There will be an additional 5c charge for transfers. But no zone fares will be charged.

Transfers must be purchased as you board the bus.

What is a DTS Senior Citizen I.D. Card?

The Dallas Transit Senior Citizen Identification Card is a permanent, picture-type, laminated identification card. It identifies you as Dallas area senior citizen and verifies that you live within the Dallas transit service area.

In order for you to take advantage of either the new 10c fare plan, or the monthly pass plan, you must present this card to the bus driver each time you board a DTS bus.

Who is eligible for a DTS Senior Citizen I.D. Card?

Anyone who is 65 years of age or over and lives within the Dallas Transit service area is eligible.

How can you get a DTS Senior Citizen I.D. Card?

Simple. If you are 65 years of age or over, just register for your Dallas Transit Senior Citizen I.D. Card at one of the conveniently located registration centers listed on the back of this brochure.

When you come to register, be sure to bring proof of age (Medicare Card, driver's license, birth certificate, etc.) and proof that you reside within the Dallas Transit service area (driver's license, voter's registration, etc.).

How much does the DTS Senior Citizen I.D. Card cost?

The Dallas Transit Senior Citizen I.D. Card costs only \$1.00. Since this is a permanent card, it is a one-time-only charge.

The \$1.00 fee covers the cost of producing the picture-type card.

In the event you lose your I.D. card, you would be required to register for another. And there would be another charge of \$1.00 to cover production costs.

NOTE: If you have already registered for a monthly pass, you need not register again. Your existing identification card is good for purchasing monthly passes and the new 10c fare.

What is the DTS Monthly Pass and how does it work?

The Senior Citizen Transit Card is what we have been referring to as a "monthly pass". It's designed especially for those senior citizens who ride the bus frequently. It costs only \$5.00. And it's good for one month.

This pass allows you to ride any regularly scheduled Dallas Transit Bus, at any time you wish, with no limit on the number of times you can ride during the month.

Furthermore, there's no hour restrictions. No transfer fees. And no zone fares to pay.

Under this reduced-fare plan, you must present both your Senior Citizen Transit Card and your Dallas Transit Senior Citizen Identification Card to the bus driver each time you board a DTS bus.

Who is eligible for a Monthly Pass?

Anyone 65 years of age or over, who obtains a Dallas Transit Senior Citizen Identification Card, is eligible.

**INTRODUCING
THE 10c BUS FARE
FOR ANYONE
65 AND OVER.**

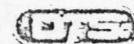


Figure 6.

PERMANENT REGISTRATION CENTER

Dallas Transit System
101 N. Peak

8 a.m.-4:45 p.m. Mon-Fri

REGISTER MON-FRI, NOV. 12-30

Downtown Central Library

1954 Commerce

9-12 a.m., 1-4 p.m.

South Dallas Crossroads Center

2922 Forest Avenue

9-12 a.m., 1-4 p.m.

or at the places & times below:

MONDAY, NOVEMBER 12

Hospitality House, 5111 Capitol (9-12, 1-4)

Park Manor, 3333 Edgewood (9-12, 1-4)

TUESDAY, NOVEMBER 13

E. Dallas Christian Church, Peak & Junius (1-4)

Elmwood Methodist Church, 1317 Berkley (1-4)

Pythian Manor, 2719 E. Illinois (9-12)

Tyler Street Manor (9-12)

WEDNESDAY, NOVEMBER 14

Brooks Manor, 630 S. Llewellyn (9-12, 1-4)

Polk-Wisdom Library, 7151 Library Ln. (10-12, 1-5)

THURSDAY, NOVEMBER 15

Marillac Social Center, 2827 Lapsley (9-12)

Pleasant Grove Library, 1125 S. Buckner (10-12, 1-5)

St. Augustine Episcopal Mission, 3940 N. Hampton (1-4)

FRIDAY, NOVEMBER 16

Hampton-Illinois Library, 2210 W. Illinois (10-12, 1-5)

Retired Teachers Assn., 3700 Ross Ave. (8:30-12, 1-4)

MON-WED, NOVEMBER 19-21

Lakewood Branch Library, 6121 Worth (10-5)

West Branch Library, 212 Dallas W. Shopping Ctr. (10-5)

FRIDAY, NOVEMBER 23

Dickenson Place, 911 St. Joseph (9-12)

Forestdale Apt., 11851 High Dale (9-12)

MONDAY, NOVEMBER 26

Casa View Library, 10355 Ferguson (10-5)

Walnut Hill Library, 9495 Marsh Lane (10-5)

TUESDAY, NOVEMBER 27

Oak Lawn Library, 3721 Lemmon (12-6)

Pleasant Grove Library, 1125 S. Buckner (12-6)

WEDNESDAY, NOVEMBER 28

Audelia Road Library, 10045 Audelia (12-6)

Polk-Wisdom Library, 7151 Library Ln. (10-5)

THURSDAY, NOVEMBER 29

Lancaster-Kiest Library, 3039 S. Lancaster (12-6)

West Branch Library, 212 Dallas W. Shopping Center (10-5)

FRIDAY, NOVEMBER 30

Hampton-Illinois Library, 2210 W. Illinois (10-5)

Preston-Royal Library, 526 Royal Lane (10-5)

For more information call 826-2222 or write

Dallas Transit, 101 N. Peak, Dallas, Texas 75226.



65+

card, for a one-time fee of \$1.00. Presentation of this identification card will permit these persons to ride any system route for a fare not to exceed fifteen cents. Zone charges will not apply, however, the five cent transfer charge will apply. The reduced fare for handicapped persons will be in effect on a twenty-four hour basis Monday through Sundays. This proposed fare scale will be advertised throughout the service area of the Dallas Transit System (Figure 7.). Social service and rehabilitation agencies will also be asked to cooperate in this effort. A special registration of handicapped citizens, at various locations throughout the service area, will be conducted to make the identification cards readily available to all qualified persons.

A copy of the resolution adopted by the Dallas Public Transit Board and the City Council of the City of Dallas approving the reduced fare for handicapped citizens are included in Pages _____ of this exhibit.

Comparison of Fares

The special fare consideration for the elderly and handicapped is compared with regular system fares in a tabulation entitled "Fare Comparison - Regular, Elderly, Handicapped". This tabulation is included as Table 5. in this exhibit.

INTRODUCING THE 15¢ BUS FARE FOR THE HANDICAPPED



What is the 15¢ fare?

Beginning July 6, 1975, Dallas Transit System, will reduce bus fares to 15¢ for handicapped persons who are certified to be eligible by any one of several designated social service agencies and who secure a Photo-Identification Card from Dallas Transit System. The lower rate will be good on all regularly scheduled buses, 24 hours a day, 7 days a week. No zone fares will be charged handicapped persons with DTS I.D. cards, but transfers will cost 5¢.

Who is eligible?

A handicapped person eligible to ride DTS buses for 15¢ is an individual who, by reason of illness, injury, age or congenital malfunction is:

- * certified legally blind;
- * certified deaf and profoundly hard of hearing;
- * certified to be non-ambulatory without assistance of mechanical aids (a six-month pre-existing condition will be placed on persons qualifying under this category);
- * certified to qualify for at least 80 per cent disability allowance through the

U.S. Veterans Administration;
* certified eligible for Social Security income (SSDI) payments or other U.S. Government programs designed to aid the handicapped funded through general funds of the U.S. Treasury administered by the Social Security Administration.

How do eligible persons become certified and how do they obtain the required photo-identification card?

The individual must go to one of the designated agencies and complete a "Registration Form for Handicapped I.D. Card", which is to be signed by an authorized official from that agency. The individual must then bring the signed certified registration form to Dallas Transit System, 101 N. Peak St., where the photo-ID card will be issued.

Is there a charge for the photo-identification card?

There is a charge of \$1.00 for the card, which is levied to cover the cost of photo and lamination. Since this is a permanent card, it is a one-time only charge. In the event you lose your I.D. card, you would be required to re-register for another at Dallas Transit System.

When may I obtain my photo-identification card?

After securing your certification from the agency, you may obtain your photo-ID card at DTS, 101 N. Peak St., any weekday between the hours of 8:30 a.m. and 4:30 p.m.

What do I do with the photo-identification card?

Beginning July 6, in order for you to take advantage of the reduced fare for handicapped, you must present your card to the bus driver each time you board a regularly

Figure 7.

scheduled DTS bus. With your ID card, your base fare will be only 15 cents (exact change please, drivers carry no money). No zone fares will be charged, but transfers will cost 5 cents.

Will the reduced fare be good at all times?

The 15-cent fare for handicapped will be applicable 24 hours a day, 7 days a week on all regularly scheduled DTS buses, including Park&Ride buses (will not apply, however, to sightseeing buses, or football flyer coaches).

Which agencies are authorized to certify?

Dallas County Department of Public Welfare
4917 Harry Hines Blvd.

Dallas Veterans Service Center
100 Criminal Courts Bldg.

Veterans Administration Hospital
4500 S. Lancaster

Arthritis Foundation
3300 Mockingbird Ln.

Callier Center for Communication Disorders
1966 Inwood Road

Dallas County Association for the Blind
3940 Capitol

Dallas Rehabilitation Institute
7850 Brook Hollow Road

Dallas Services for Visually Impaired Children
3802 Cole Ave.

Dal-WORC, Inc.
1645 Stemmons Fwy.

Goodwill Industries of Dallas, Inc.
2800 N. Hampton Rd.

Muscular Dystrophy Associations of America, Inc.
12011 Coit Rd.

National Hemophilia Foundation
4306 N. Central Expwy.

National Multiple Sclerosis Society, Dallas Chapter
5602 Mockingbird Ln.

Texas Scottish Rite Hospital for Crippled Children
2201 Welborn

United Cerebral Palsy Association of Dallas
7505 Parwelk

Visiting Nurses Association of Dallas
4606 Greenville Ave.

State Commission for the Blind
712 N. Washington

Social Security Administration
3716 Rawlins
3015 S. Oakland
Lancaster-Kiest Shopping Center
2545 Fort Worth Ave.

Texas Rehabilitation Commission
Dallas Central District Office
4333 N. Central Expressway

Dallas North District Office
5510 Abrams Road, Suite 115

Dallas Oak Cliff District Office
414 South R. L. Thornton Frwy.

Dallas West District Office
5353 Maple Avenue, Suite 300

Dallas East District Office
8225 Bruton Road, Suite 108

Goodwill Industries
2800 N. Hampton Road

Dallas County Adult Parole Office
400-A Suite 5, Lancaster-Kiest Center



DALLAS TRANSIT SYSTEM

826-2222

TABLE 5.

FARE COMPARISON
Regular, Elderly, Handicapped

	REGULAR		ELDERLY		HANDICAPPED (1)	
	Peak (Cents)	Non-Peak (Cents)	Peak (Cents)	Non-Peak (Cents)	Peak (Cents)	Non-Peak (Cents)
Adult Base Fare	35	35	10	10	15	15
Zone Charge	5	5	N/A	N/A	N/A	N/A
Transfer Charge	5	5	5	5	5	5
Maximum Charge ⁽²⁾	60	60	15	15	20	20
Average Fare ⁽³⁾	38	38	10	10	17	17

NOTE: Peak Hours: 6:00 A.M. - 9:00 A.M.; 3:00 P.M. - 6:00 P.M.
Non-Peak Hours: All other hours of service.

(1) Proposed

(2) Maximum Fare Assumes trip through five fare zones plus transfer

(3) Average Fare is for adult passengers only

WHEREAS, the National Mass Transportation Assistance Act of 1974 requires that applicants for capital and operating assistance projects must provide for charging no more than one-half of the peak hour fare to handicapped persons during non-peak hours; and

WHEREAS, the National Mass Transportation Assistance Act of 1974 defines a "handicapped person" as any individual who, by reason of illness, injury, age, congenital malfunction or other permanent or temporary incapacity or disability, is unable without special facilities or special planning or design to utilize mass transportation facilities and services as effectively as persons who are not so affected; and

WHEREAS, it is the desire of the Dallas Public Transit Board to reduce the basic fare for handicapped persons as defined in the National Mass Transportation Assistance Act of 1974.

Now, Therefore,

BE IT RESOLVED BY THE DALLAS PUBLIC TRANSIT BOARD OF THE CITY OF DALLAS:

SECTION 1. That the Dallas Public Transit Board of the City of Dallas approves and adopts the recommendation of the General Manager of the Dallas Transit System that an ordinance be passed by the City Council of the City of Dallas, effective July 1, 1975, authorizing a basic cash fare not to exceed fifteen cents (15¢) for handicapped persons who qualify under the provisions of the National Mass Transportation Assistance Act of 1974. Zone charges will not apply, however, the five cent (5¢) transfer charge will apply. The reduced fare for handicapped persons will be in effect on weekdays from 9:00 a.m. to 3:00 p.m. and after 6:00 p.m., and all day on Saturdays and Sundays.

SECTION 2. That the City Attorney be and he is hereby authorized to prepare an ordinance amending Ordinance 13166 to provide for basic cash fare not to exceed fifteen cents (15¢) for handicapped persons and to present the amending ordinance to the City Council as attachment to this resolution.

SECTION 3. That this resolution, with the proposed amending Ordinance attached, be forwarded to the City Manager upon its adoption by the Dallas Public Transit Board for presentation to the City Council of the City of Dallas for such action as they may deem proper.

SECTION 4. That a copy of this resolution shall be filed with the City Auditor.

SECTION 5. 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.

APPROVED AS TO FORM
N. ALEX BICKLEY, City Attorney

By: *Galen M. Sparks*
Assistant City Attorney

Approved By APR 23 1975
DALLAS PUBLIC TRANSIT BOARD

Katherine M. Baker
Board Secretary

OFFICIAL ACTION OF THE CITY COUNCIL

CITY OF DALLAS, TEXAS

Meeting of May 12, 1975

75-1579 - continued

It was moved by Councilwoman Renfroe and seconded by Councilwoman Patterson that the limitation of hours be deleted and that the reduced fare for handicapped persons be on a 24-hour basis, and that the resolution be approved with that amendment. Motion unanimously carried.

Harold G. Shank
For Harold G. Shank
City Secretary

HGS:hg

cc: City Attorney
City Manager
Dallas Transit

ORDINANCE NO. 14901

An Ordinance amending Section 2 of Ordinance 13166, as amended, establishing a schedule of rates and fares to be charged by the City of Dallas through its Dallas Public Transit Board by adding thereto a new Subsection E, providing for reduced fares for handicapped persons; providing that Ordinance No. 13166, as amended save and except as amended herein, shall remain in full force and effect; and providing for an effective date:

000000

WHEREAS, the National Mass Transportation Assistance Act of 1974 requires that applicants for assistance projects must provide for charging no more than 1/2 of the peak hour fare to handicapped persons during non-peak hours; and

WHEREAS, it is the desire of the Dallas Public Transit Board to reduce the public fare for handicapped persons in accordance with the provisions of the National Mass Transportation Assistance Act of 1974;

Now, Therefore,

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

SECTION 1. That Section 2 of Ordinance No. 13166, as amended, be and it is hereby amended by adding thereto a new Subsection E which shall read as follows:

E. Reduced fares for handicapped persons

The Dallas Public Transit Board is authorized to charge a reduced basic cash fare not to exceed fifteen cents (15¢) to handicapped persons who qualify under the definitions, terms and provisions of the National Mass Transportation Assistance Act of 1974. Zone charges will not be applied to handicapped riders. The five cent (5¢) transfer charge will be applied to handicapped riders. The rules and regulations for the determination and definition of "handicapped persons" in accordance with the definitions and provisions contained in the National Mass Transportation Assistance Act of 1974 and the regulations, if any, promulgated thereunder."

SECTION 2. That Ordinance No. 13166, as amended, save and except as amended herein, shall remain in full force and effect.

SECTION 3. That this Ordinance shall take effect from and after its passage in accordance with the provisions of the Charter of the City of Dallas and it is accordingly so ordained.

APPROVED AS TO FORM:
N. ALEX BICKLEY

BY: Calen H. Sparks
CALEN H. SPARKS
Assistant City Attorney

MAY 27 1975
PAGE NO. _____
CONSENTED APPROVED MAY 27 1975
N. Alex Bickley
City Attorney
ESTERL
Esterl & Frank
City Secretary

ASSURANCES

ASSURANCES FOR SECTION 5 OPERATING ASSISTANCE PROJECTS

The Dallas Transit System hereby assures and certifies that it will comply with the regulations, policies, guidelines, and requirements, including Federal Management Circular No. 74-7, as it relates to the application, acceptance, and use of Federal funds for this Federally-assisted project. Also, the applicant gives assurance and certifies with respect to the grant that:

1. It possesses legal authority to apply for the grant and to finance and construct the proposed facilities; that a resolution, motion, or similar action has been duly adopted or passed as an official act of the applicant's governing body, authorizing the filing of the application, including all understandings and assurances contained therein, and directing and authorizing the person identified as the official representative of the applicant to act in connection with the application (Authorizing Resolution and Opinion of Counsel are attached).
2. It will comply with Title VI of the Civil Rights Act of 1964 (P.L. 83-352) and in accordance with Title VI of that Act. No person in the United States shall on the grounds of race, color, sex or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the applicant receives Federal financial assistance and will immediately take any measures necessary to effectuate this agreement. If any real property or structure thereon is provided or improved with the aid of Federal financial assistance extended to the Applicant, this assurance shall obligate the Applicant or, in case of any transfer of such property, any transferee for the period during which the real property or structure is used for a purpose for which the Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits (DOT Civil Rights Assurance is attached).
3. It will comply with Title VI of the Civil Rights Act of 1964 (42 USC 2000d) prohibiting employment discrimination where (1) the primary purpose of a grant is to provide employment, or (2) discriminatory employment practices will result in unequal treatment of persons who are or should be benefiting from the grant-aided activity.
4. Not applicable
5. It will have sufficient funds available to meet the non-Federal share of the operating assistance project.
6. Not applicable

7. Not applicable
8. It will operate and maintain the facility in accordance with the minimum standards as may be required or prescribed by the applicable Federal, State, and local agencies for the maintenance and operation of such facilities.
9. It will give the grantor agency and the Comptroller General, through any authorized representative, access to and the right to examine all records, books, papers, or documents related to the grant.
10. It will cause work on the project to be commenced within a reasonable time after receipt of notification from the approving Federal agency that funds have been approved and that the project will be prosecuted to completion with reasonable diligence.
11. Not applicable
12. It will establish safeguards to prohibit employees from using their positions for a purpose that is or gives the appearance of being motivated by a desire for private gain for themselves or others, particularly those with whom they have family, business or other ties.
13. It will comply with the requirements of Title II and Title III of the Uniform Relocation Assistance and Real Property Acquisitions Act of 1970 (P.L. 91-646) which provides for fair and equitable treatment of persons displaced as a result of Federal and Federally-assisted programs.
14. It will comply with all requirements imposed by the Federal grantor agency concerning special requirements of law, program requirements, and other administrative requirements approved in accordance with Federal Management Circular 74-7.
15. It will comply with the provisions of the Hatch Act which limits the political activity of employees.
16. It will make the certification required by Section 5(i) and Section 3 (d) of the Urban Mass Transportation Act of 1964, as amended.
17. Applicant agrees not to provide charter bus service outside of the area within which the applicant or its lessee provides regularly scheduled mass transportation service. However, an applicant may provide charter bus service outside of the area within which it provides regularly scheduled mass transportation service if such applicant enters into an agreement with the Administrator, UMTA, which provides for fair and equitable arrangements, appropriate in the judgement of the Administrator and pursuant to any

regulations with respect to this matter issued by the Department of Transportation, to assure that the financial assistance granted for the purchase of buses will not enable grantees, or publicly and privately-owned operators for grantees, to foreclose private operators from the intercity charter bus industry where private operators are willing and able to provide such service.

This limitation applies to the entire operation of the applicant; if the equipment is leased or otherwise made available to others, the limitation continues to apply to such other operators. Moreover, the limitation discussed above applies with respect to all of the applicant's equipment, not simply to the UMTA-funded equipment. In short, any operator who henceforth receives UMTA financial assistance to acquire or operate buses may not engage in charter service outside of the area in which regularly scheduled service is provided, unless it enters into the type of agreement discussed above.

This restriction is set forth in Section 3(f) of the Act, and applies to all applicants seeking Federal assistance for the purchase or operation of buses under that Act or the Title 23 Federal-Aid Highway Program.

Violations of Section 3(f) agreements will be corrected pursuant to the terms and conditions of such agreements and the grant contract. Where there has been a continuing pattern of violations of any Section 164(a) or Section 3(f) agreement a designated recipient or operator may be barred from the receipt of further financial assistance for mass transportation facilities and equipment.

18. Applicant must enter into an agreement that such applicant will not engage in school bus operations, exclusively for the transportation of students and school personnel, in competition with private school bus operators. This restriction is set forth in Section 164(b) of the Federal-Aid Highway Act of 1973 and Section 3(g) of the Urban Mass Transportation Act of 1964, as amended. Any violation of such an agreement may bar an applicant from the receipt of further UMTA financial assistance.

The school bus restriction applies to all applicants seeking Federal assistance for the purchase or operation of buses except under the following circumstances:

- (1) Where an applicant operates a school system and engages in school bus operations exclusive using its own buses and personnel.
- (2) Where the private school operators are unable to provide adequate transportation, at reasonable rates, and in conformance with applicable safety standards.

- (3) Where any State or local Public Body or agency thereof (or a direct predecessor in interest from which it acquired the function of so transporting school children and personnel along with the facilities to be used therefore) was so engaged in school bus operations anytime during the twelve-month period immediately prior to the date of the enactment of Section 164(b).
19. The operators of mass transportation services shall use the Federal operating or capital assistance to improve or continue such services. However, improvement and continuation does not preclude selected reductions and reallocations of services where the changes can be shown to improve the overall mobility within the urbanized area.
 20. The financial statements submitted fairly present the actual or projected sources and application of funds and results of operations for all local fiscal years reported in conformity with generally accepted accounting principles will be permitted only so long as they are consistent with UMTA guidelines as to the calculation of maintenance of effort and as to the eligibility of operating expenses and are adequately documented to that effect.
 21. The average amount of state and local government funds and non-fare box transit revenues expended on the operation of mass transportation service during the two years immediately preceding the local fiscal years, for which assistance is sought has been or will be maintained in order to qualify for UMTA financial assistance.
 22. The project has been included in an annual program of projects for the urbanized area which has been endorsed by the Metropolitan Planning Organization and has been approved by UMTA and the project will be carried out consistent with the approved program of projects.
 23. The rates charged elderly and handicapped persons during non-peak hours for transportation utilizing or involving the facilities and equipment financed under the project will not exceed one-half of the rates generally applicable to other persons at peak hours.
 24. Federal funds and matching local funds will be applied to eligible operating expenses incurred in providing mass transportation services.

WHEREAS, Section 5 of the National Mass Transportation Assistance Act of 1974 provides Federal funds for transit capital improvements and operating costs to urbanized areas through designated recipients; and,

WHEREAS, The City of Dallas has been appointed as the Designated Recipient of Section 5 funds for the Dallas Urbanized Area by the Governor and responsible local officials; and,

WHEREAS, the City of Dallas, as the designated recipient for the Dallas urbanized area, has developed with the Metropolitan Planning Organization and the local governments in the urbanized areas, the FY-1976 Program of Projects for expenditure of Section 5 funds; and,

WHEREAS, the FY-1976 Program of Projects is to be submitted to the Steering Committee of the Regional Transportation Policy Advisory Committee as the single policy group for the Metropolitan Planning Organization, for review and approval; and,

WHEREAS, the FY-1976 Program of Projects delineates projects of transit operating costs and capital improvements projects to the extent of available Section 5 funds; Now, Therefore,

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

Section 1. That the City Council of the City of Dallas approve the FY-1976 Program of Projects as prepared by the City Manager's Office in cooperation with the Dallas Transit System, local governments in the urbanized area represented on the Steering Committee of the Regional Transportation Policy Advisory Committee and the Metropolitan Planning Organization.

Section 2. That the City Manager be authorized to submit the recommended FY-1976 Program of Projects and this resolution to the Steering Committee of the Regional Transportation Policy Advisory Committee for approval.

Section 3. That the City Manager be authorized to assure, upon approval by the Steering Committee, that the Program of Projects is submitted to the Governor of the State of Texas and the Administrator of the Urban Mass Transportation Administration for appropriate processing.

Section 4. That the City Manager in cooperation with the Dallas Transit System, the local governments in the urbanized area, and the Metropolitan Planning Organization, be authorized to begin preparation of the required applications and hold the necessary public hearings on projects for which Section 5 funds are being sought.

Section 5. That the City Manager be authorized to enter into the necessary contracts with UMTA required to receive funds and dispense said funds to the appropriate implementing entity.

Section 6. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas and it is accordingly so resolved.

ADOPTED-CONSENT AGENDA

APPROVED BY CITY COUNCIL

Dave Petty
HEAD OF DEPARTMENT

Sharon Scaller
CITY AUDITOR

[Signature]
CITY MANAGER

C.M.

[Signature]
CITY SECRETARY



CITY OF DALLAS

January 31, 1975

Hon. Frank Herringer
Administrator, UMTA
Massif Building
400 - 7th Street, S. W.
Washington, D. C. 20590

Dear Mr. Herringer:

The City of Dallas has made application to be the Designated Recipient for the Dallas Urbanized Area Section 5 Funds pursuant to the Urban Mass Transportation Act of 1964, as amended (49 U.S.C. _____).

As we understand it, in order for the City of Dallas to be designated, Section 5 of the Act requires that the recipient must have the legal capacity to assume all of the following specific responsibilities:

- (1) Receive and dispense Federal Funds for transit purposes;
- (2) Submit a program of projects to UMTA and the Governor through the Metropolitan Planning Organization;
- (3) Submit project applications to UMTA;
- (4) Enter into formal project agreements with UMTA; and
- (5) Certify that a public hearing has been conducted.

Further, the recipient must have the legal capacity to enter into a formal project agreement (contract) with UMTA.

You are advised that the City of Dallas has ample authority to assume all of the above and foregoing specific responsibilities.

The City of Dallas is a home-rule, municipal corporation organized and existing under the provisions of Article 11, Section 5, of the Constitution of the State of Texas. The City of Dallas also has all of the powers enumerated in Article 1175, Vernon's Texas Civil Statutes, as well as all other powers conferred upon cities having a population over 5,000 inhabitants and all home-rule cities that have been conferred upon such cities by the Constitution and laws of the State of Texas, "or which may hereafter be passed by the Legislature of the State of Texas in relation to such matters". (Section 2, Chapter II, of the Charter of the City of Dallas).

Hon. Frank Herringer

January 31, 1975

Page 2

With respect to the planning and programming of projects, the City of Dallas has certain specific powers, which, among others, are enumerated in Section 1 of Chapter II of the City Charter and which include the following:

- (a) The power to acquire and manage property. Section 1(6), Chapter II.
- (b) To regulate and control the use of streets and all other public places. Section 1(29), Chapter II.
- (c) To extend, widen or alter any street, alley, sidewalk, or parkway. Section 1(32), Chapter II.
- (d) To expend public funds for advertising and public information. Section 1(33), Chapter II.
- (e) To contract with public, private and common carriers and transportation authorities for furnishing transportation facilities, within the city limits of Dallas and connecting the adjoining areas; including the joint use of publicly owned and privately owned or joint publicly owned facilities to provide an inter-regional transportation network, both within and without the city limits of Dallas. Section 1(41), Chapter II.
- (f) To exercise all powers and provide for the financing thereof in cooperation with the State of Texas, any county thereof, any civil agency with municipal powers, or the United States or any agency thereof. Section 1(44), Chapter II.

Article 4413(32c), V.T.C.S., the Interlocal Cooperation Act, authorized the City of Dallas to contract with one or more local governments to perform local governmental functions and services.

Attention is also directed to the provisions of Section 1a of Article 1118w, Vernon's Texas Civil Statutes, wherein the Legislature provided as follows:

"Sec. 1a. Any such city or town shall be authorized to accept grants and loans from the United States of America to finance all or a portion of the cost of the acquisition, construction, reconstruction, and improvement of facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in such city, its suburbs and adjacent areas and in coordinating such service with highway and other transportation in such areas. Any such city or town shall be authorized, either individually or in cooperation with agencies of the United States of America, to undertake research, development and demonstration projects for mass transportation

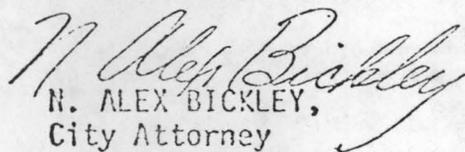
systems in such areas and to acquire, construct and reconstruct and improve facilities and equipment for use, by operation or lease or otherwise, in mass transportation service in such areas, on, under, over, along or across public streets and highways and on lands, easements and rights-of-way acquired for such purpose. Any such city or town shall be authorized to issue revenue bonds for such purpose and all of the provisions of the Act amended hereby shall apply to the additional powers and functions herein authorized. Sec. 1a added by Acts 1969, 61st Leg., p. 1876, ch. 630, § 1, emerg. eff. June 11, 1969."

Sec. 1a of Article 1118w hereinabove set out authorizes the City of Dallas to receive and dispense Federal funds for transit purposes, as well as to be the Designated Redipient for Dallas Urbanized Area Section 5 Funds. Section 13, 14 and 15 of Article 1175, V.T.C.S., are sufficient general authorization to the City of Dallas to buy, own, construct within or without the city limits, and to maintain and operate a system or systems of street railways, municipal railway terminals, "or any other public service or public utility," and to demand and receive compensation for service furnished for private purpose or otherwise. These sections also authorize the City to manufacture its own electricity, gas or anything else that may be needed or used by the public; and further they provide that the City can acquire the necessary properties for such purposes.

There is no pending, anticipated or threatened litigation which might in any way adversely affect the City of Dallas being the Designated Recipient.

It is the opinion of the City Attorney that the City of Dallas has ample power and authority to apply for, engage in and perform the activities in connection with its application that it be the Designated Recipient for Dallas Urbanized Area Section 5 Funds pursuant to the Urban Mass Transportation Act of 1964, as amended.

Very truly yours,


N. ALEX BICKLEY,
City Attorney

NAB:GMS:js

CHAPTER II
POWERS OF THE CITY

Section 1. POWERS OF THE CITY -- The City of Dallas, as such body politic and corporate, shall have perpetual succession and shall have the following powers:

- (1) To use a corporate seal;
- (2) To sue and be sued;
- (3) To implead and be impleaded in all courts;
- (4) To institute and prosecute suits without giving security therefor, and to appeal from judgments of the courts without giving supersedeas or cost bonds, other bonds or security whatever;
- (5) To contract and be contracted with;
- (6) To acquire property within or without its boundaries or within the boundaries of other municipalities for any public purpose, in fee simple or lesser interest or estate, by purchase, gift, devise, lease or condemnation, and may sell, rent, lease, hold, manage and control any property now owned by it or which it hereafter may acquire; construct, own, lease, operate and regulate public utilities;
- (7) To assess, levy and collect taxes for general and special purposes on all lawful subjects of taxation;
- (8) To borrow money on the faith and credit of the City by the issue or sale of bonds, warrants or notes of the City;
- (9) To appropriate the money of the City for all lawful purposes;
- (10) To create, provide for, construct, regulate and maintain public works and public improvements of any nature;
- (11) To levy and collect assessments for local improvements;
- (12) To levy an occupation tax on any person, occupation, calling or business where permitted under the laws of this State;
- (13) To license and regulate vehicles operated for hire and fix and regulate the rates to be charged therefor;
- (14) To license and regulate persons, corporations, and associations engaged in any business, occupation, profession or trade;
- (15) To license and regulate all places of public amusement;
- (16) To define nuisances and prohibit the maintenance of any nuisance within the corporate limits of the City to within five thousand feet (5,000') of the corporate lines, outside of the city limits, and abate such nuisances by summary proceedings and provide for the punishment of the authors thereof;
- (17) To regulate the use of automobiles, motorcycles and other motor-driven vehicles, and the speed thereof and prescribe the proper lighting of the same when used at night;
- (18) To provide for the inspection of buildings and all works of construction and prescribe and enforce proper regulations in regard thereto;

(19) To regulate and locate or prohibit the erection of all poles in the City and cause the same to be removed or changed at any time;

(20) To provide for the inspection of weights and measures and fix standards of weights and measures;

(21) To provide for the regulation of bakeries and prescribe the weight and quality of bread manufactured or sold in the City;

(22) To provide for the inspection and regulation of dairies located inside the City limits or at any other place from which milk or other products are sold within the City, and for the inspection of all cows and facilities from which milk is sold in the City, and prescribe fees to be charged in connection with such inspection, and establish and maintain a standard of quality of all dairy products sold in the City;

(23) To regulate, restrain or prohibit the running at large of all animals in the City, and to license same;

(24) To adopt any ordinance or regulation having for its purpose the prevention of fires or the removal of fire hazards;

(25) To regulate burial grounds, cemeteries and crematories and condemn and close same in the thickly settled portions of the City when public interest and public health may demand, and regulate the burial of the dead;

(26) To provide for a system of vital statistics;

(27) To define, prohibit, abate, suppress and prevent all things detrimental to the health, morals, comfort, safety, convenience and welfare of the inhabitants of the City;

(28) To regulate the construction and height of, and materials used in, all buildings and structures, and the maintenance and occupancy thereof;

(29) To regulate and control the use, for whatever purpose, of the streets and all other public places;

(30) To create, establish, abolish and organize offices and fix the salaries, working conditions, and compensation of all officers and employees, except those set out in the Charter;

(31) To make and enforce all police, health, sanitary and other regulations, and pass such ordinances as may be expedient for maintaining and promoting the peace, good government and welfare of the City, for the performance of the functions thereof, for the order and security of its inhabitants and to protect the peace, lives, health and property of such inhabitants, and to provide suitable penalties for the violation of any ordinance enacted by the City;

(32) To open, extend, straighten, widen or alter any street, alley, avenue, boulevard, sidewalk, parkway or public way, and to close or vacate and abandon the same;

(33) To expend public funds for purposes of advertising and public information;

(34) To have the exclusive right to erect, own, maintain and operate a waterworks and sanitary sewer system, or any part thereof, for the use of said City and its inhabitants, and to regulate the same, but shall not have the power or right to sell said waterworks system; to prescribe rates for water and sanitary sewer services furnished to the inhabitants, and to make such rules and regulations as the Council may deem expedient, including the power to extend water and sanitary sewer lines and assess a portion or all of the cost therefor and affix a lien against the property and the owner thereof; to do anything whatsoever necessary to operate and maintain said waterworks, and to compel the owners of all property and the agents of such owners to pay all charges for water and sanitary sewer services furnished upon such property; excess property in the waterworks system may be sold as other property;

(35) To make provision for care and sustenance of Policemen, Firemen and Fire Alarm Operators who have been disabled while in the service of the City, or who, after long and continued service, shall become by reason of old age and infirmities incapacitated to discharge their duties, or because of longevity of service alone, and to make provision for the aid and relief of the widows, minor children and dependents of deceased policemen, firemen and fire alarm operators and may provide for the creation of a fund or funds for such purposes, from the general revenue of the City or from such other sources as may be prescribed by the Council under such rules and regulations as the Council may adopt, and said City may exercise all of the powers as may be conferred upon the City Council by Acts of the Legislature of the State of Texas;

(36) To make provision for the care and sustenance of all of the officers and employees of the City who have been disabled while in the service of the City, or who after long and continued service, shall become by reason of old age and infirmities incapacitated to discharge their duties, or because of longevity of service alone, to provide for the aid and relief of the widows, minor children and dependents of deceased officers and employees; to provide for the creation of a fund or funds for such purposes, from the general revenue of the City or from such other sources as may be prescribed by the Council under such rules and regulations as the Council may adopt;

(37) By ordinance or resolution, to provide for and construct a general storm sewer and drainage system in the City which may be divided into public and private sewers and drains and be built, maintained and conducted in such manner, as the City Council may provide. For the purpose of establishing a general storm sewer and drainage system, the City Council shall have full power to change any river, creek, bayou or other drain, or any part thereof, so as to divert the drainage thereof in accordance with a general drainage plan or any special plan providing therefor;

(38) To adopt rules and regulations for the Civil Service System;

(39) To fix and regulate the rates of gas, water, electricity and other utilities, and to regulate and fix the fares, tolls and charges of local telephones and exchanges; of public carriers and motor vehicles, where they are transporting passengers, freight or baggage, and generally to fix and regulate the rates, tolls or charges and the kind of service of all public utilities of every kind;

(40) To regulate the speed of engines, locomotives, electric railways, or other power-driven equipment operating upon tracks, rails, or defined routes, either at ground level, overhead or underground within the limits of the City, and to regulate the operation of the same so as to prohibit the blocking of intersections, streets, alleys, avenues or impeding the free flow of vehicular traffic or pedestrians;

(41) To contract with public service carriers, common carriers, or private carriers or with transportation authorities for the furnishing of transportation facilities within the City limits of Dallas and connecting the adjoining areas; including the joint use of publicly owned and privately owned or joint publicly owned facilities to provide an interregional transportation network, both within and without the City limits of Dallas;

(42) To require any and all railroad companies operating any track upon or across any public street of the City, to reduce any such track below the level of the streets intersected or occupied by any such track, or to elevate any such track above the level of the streets intersected or occupied by any such track, and to require the company or companies owning or operating any such track to provide necessary and proper crossing for the public travel at intersecting streets; all such work to be done in the manner required by the City;

(43) To require any holder of a franchise from the City to allow the use of its tracks, poles, underground conduits and wires by any other holder to which the City shall grant a franchise upon payment of a reasonable rental therefor to be fixed by the City Council;

(44) To exercise any of its powers or perform any of its functions and may participate in the financing thereof, jointly or in cooperation, by contract or otherwise, with the State of Texas, any County of this State or any of the civil agencies thereof which have any of the municipal powers, or the United States of any agency thereof;

(45) To acquire, construct, or own, within or without the City, either wholly or in cooperation with any other city, county or political subdivision of the State, an airport or airports, either by purchase, donation, bequest, eminent domain or otherwise; to provide for the operation, maintenance, control and financing thereof, the same as though wholly owned by the City within its City limits;

(46) To acquire, by purchase, gift or devise, or by the exercise of the right of eminent domain by and through condemnation proceedings, and own, in fee simple or otherwise, either public or private property located inside or outside of the corporate limits of the City or within any county in the State, for the extension, improvement and enlargement

of its waterworks system, including riparian rights, water supply reservoirs, standpipes, watersheds, dams, the laying, building, maintenance and construction of water mains, rights-of-way in connection therewith, and the laying, erection, establishment or maintenance of any necessary appurtenances or facilities which will furnish to the inhabitants of the City an abundant supply of wholesome water; for sewerage plants and systems; rights-of-way for water and sewer lines; parks, playgrounds, fire stations, police stations, airports and landing fields, burial grounds and cemeteries, incinerators or other garbage disposal plants, electric light and power plants and rights-of-way for lines in connection therewith, gas plants and rights-of-way for gas lines in connection therewith; streets, boulevards and alleys or other public ways; city jails, prison farms, city halls and other municipal buildings, municipal garages, and parking facilities, or any rights-of-way needed in connection with any property used for any purpose hereinabove named; for the straightening or improving of the channel of any stream, branch or drain and for any other municipal purpose. The procedure to be followed in any condemnation proceedings hereunder and authorized herein shall be in accordance with the provisions of the State law with reference to eminent domain. The provisions of Title 52 of the Revised Civil Statutes of Texas (1925), as amended, or as may hereafter be amended, shall apply to such proceedings, or such proceedings may be under any other State law now in existence or that hereafter may be passed governing and relating to the condemnation of land for public purposes by a city;

(47) To exercise all the powers conferred upon water improvement districts or water control and preservation districts under the State law as the same now exists or may hereafter be amended, providing for the exercise of the rights of eminent domain by and through condemnation proceedings. It shall also have all the powers authorized by Article 78 126, Revised Civil Statutes of the State of Texas, as the same presently exists or may hereafter be amended, and all other powers conferred upon cities and towns in the State of Texas acting individually or jointly, in the furnishing of an adequate supply of wholesome water. It shall have authority to sell any surplus water not needed by the City of Dallas;

(48) To erect and establish work houses, houses of correction, or rehabilitation facilities within or without the city limits; to make all necessary rules and regulations therefor; to employ personnel necessary to manage and control the same; to assign persons confined to the city jail to any such facility so established;

(49) To provide a code of ethics by ordinance which shall be binding on all officers, employees, and elective and appointive officials as provided herein, setting out the acts, conduct and financial interest which shall be considered to be in conflict with the position they hold and providing the procedure for enforcing the same. This may be either in addition to, or incorporated into personnel rules and regulations as pertain to various employees.

Sec. 2. GENERAL POWERS ADOPTED -- The enumeration of particular powers in the Charter shall not be held or deemed to be exclusive, but in addition to the powers enumerated herein, implied thereby or appropriate to the exercise thereof, the City shall have and may exercise all other powers which, under the Constitution and laws of the State of Texas, it would be competent for the Charter specifically to enumerate. The City shall have and exercise all the powers conferred upon cities by what is known as the Home Rule Amendment to the Constitution of the State of Texas and the Enabling Act relative thereto, passed by the Thirty-Third Legislature of the State of Texas, found in the published laws of said Legislature, Regular Session, Pages 307 to 317, and effective July 7, 1913, and all other laws passed by the Legislature of the State of Texas, relating thereto, or which may hereafter be passed by said Legislature in relation to such matters.

ASSURANCE OF COMPLIANCE WITH
TITLE VI OF THE CIVIL RIGHTS ACT OF 1964
(DEPARTMENT OF TRANSPORTATION)

The City of Dallas (hereinafter referred to as the "Recipient") HEREBY AGREES THAT as a condition to receiving any Federal financial assistance from the Department of Transportation it will comply with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d-42 U.S.C. 2000d-4 (hereinafter referred to as the Act) and all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964 (hereinafter referred to as the Regulations) and other pertinent directives, to the end that in accordance with the Act, Regulations, and other pertinent directives, no person in the United States shall, on the grounds of race, color, sex or national origin be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program or activity for which the Recipient receives Federal financial assistance from the Department of Transportation, including the Urban Mass Transportation Administration (UMTA), and HEREBY GIVES ASSURANCE THAT it will promptly take any measures necessary to effectuate this agreement. This assurance is required by subsection 21.7 (a) (1) of the Regulations.

More specifically and without limiting the above general assurance, the Recipient hereby gives the following specific assurances with respect to the project:

1. That the Recipient agrees that each "program" and each "facility" as defined in subsections 21.23 (e) and 21.23 (b) of the Regulations, will be (with regard to a "program") conducted, or will be (with regard to a "facility") operated in compliance with all requirements imposed by, or pursuant to, the Regulations.
2. That the Recipient shall insert the following notification in all solicitations for bids for work or material subject to the Regulations and made in connection with a project under the Urban Mass Transportation Act of 1964, as amended (the UMTA Act) and, in adapted form in all proposals for negotiated agreements:

The Recipient, in accordance with Title VI of the Civil Rights Act of 1964, 78 Stat. 252, 42 U.S.C. 2000d to 2000d-4 and Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-Assisted Programs of the Department of Transportation issued pursuant to such Act, hereby notifies all bidders that it will affirmatively insure that in regard to any contract entered into pursuant to this advertisement, minority business enterprises will be afforded full opportunity to submit bids in consideration for an award.

3. That the Recipient shall insert the clauses of Appendix A of this assurance in every contract subject to the Act and the Regulations.
4. That the Recipient shall insert the clauses of Appendix B of this assurance, as a covenant running with the land, in any deed from the United States effecting a transfer of real property, structures, or improvements thereon, or interest therein.
5. That where the Recipient received Federal financial assistance to construct a facility, or part of a facility, the assurance shall extend to the entire facility and facilities operated in connection therewith.
6. That where the Recipient receives Federal financial assistance in the form, or for the acquisition of real property or an interest in real property, the assurance shall extend to rights space on, over, or under such property.
7. That where the Recipient receives Federal financial assistance to carry out a program of managerial training under section 10 (a) of the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to make selection of the trainee or fellow without regard to race, color, sex, or national origin.
8. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, the assurance shall obligate the recipient to assign transit operators and to furnish transit operators for charter purposes without regard to race, color, sex, or national origin.
9. That where the Recipient receives Federal financial assistance to carry out a program under the Urban Mass Transportation Act of 1964, as amended, routing, scheduling, quality of service, frequency of service, age and quality of vehicles assigned to routes, quality of stations serving different routes, and location of routes may not be determined on the basis of race, color, sex, or national origin.
10. That the Recipient shall include the appropriate clauses set forth in Appendix C of this assurance, as a covenant running with the land, in any future deeds, leases, permits, licenses, and similar agreements entered into by the Recipient with other parties: (a) for the subsequent transfer of real property acquired or improved under this project, and (b) for the construction or use of access to space on, over, or under real property acquired, or improved under this project.

11. That this assurance obligates the Recipient for the period during which Federal financial assistance is extended to the project, except where the Federal financial assistance is to provide, or is in the form of, personal property, or real property or interest therein or structures or improvements thereon, in which case the assurance obligates the Recipient or any transferee for the longer of the following periods: (a) the period during which the property is used for a purpose for which the Federal financial assistance is extended, or for another purpose involving the provision of similar services or benefits; or (b) the period during which the Recipient retains ownership or possession of the property.
12. The Recipient shall provide for such methods of Administration for the program as are found by the Secretary of Transportation or the official to whom he delegates specific authority to give reasonable guarantee that it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest, and other participants of Federal financial assistance under such program will comply with all requirements imposed or pursuant to the Act, the Regulations and this assurance.
13. The Recipient agrees that the United States has a right to seek judicial enforcement with regard to any matter arising under the Act, and Regulations, and this assurance.

THIS ASSURANCE is given in consideration of and for the purpose of obtaining any and all Federal grants, loans, contracts, property discounts or other Federal financial assistance extended after the date hereof to the Recipient by the Department of Transportation under Federal Urban Mass Transportation Programs and is binding on it, other recipients, subgrantees, contractors, subcontractors, transferees, successors in interest and other participants in the Federal Urban Mass Transportation Program. The person or persons whose signatures appear below are authorized to sign this assurance on behalf of the Recipient.

DATE _____

City of Dallas

By _____

GEORGE R. SCHRADER
City Manager

Attachments A, B, and C
Department of Transportation

ATTACHMENT A

During the performance of this contract, the contractor, for itself, its assignees and successors in interest (hereinafter referred to as the "contractor") agrees as follows:

1. Compliance with Regulations: The contractor shall comply with the Regulations relative to nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter, "DOT") Title 49, Code of Federal Regulations, Part 21, as they may be amended from time to time (hereinafter referred to as the Regulations), which are herein incorporated by reference and made a part of this contract.
2. Nondiscrimination: The contractor, with regard to the work performed by it during the contract, shall not discriminate on the grounds of race, color, sex or national origin in the selection and retention of subcontractors, including procurements of materials and leases of equipment. The contractor shall not participate either directly or indirectly in the discrimination prohibited by section 21.5 of the Regulations, including employment practices when the contract covers a program set forth in Appendix B of the Regulations.
3. Solicitations for Subcontracts, Including Procurements of Materials and Equipment: In all solicitations either by competitive bidding or negotiation made by the contractor for work to be performed under a subcontract, including procurements of materials or leases of equipment, each potential subcontractor or supplier shall be notified by the contractor of the contractor's obligations under this contract and the Regulations relative to nondiscrimination on the grounds of race, color, sex or national origin.
4. Information and Reports: The contractor shall provide all information and reports required by the Regulations or directives issued pursuant thereto, and shall permit access to its books, records, accounts, other sources of information, and its facilities as may be determined by the Recipient or the Urban Mass Transportation Administration (UMTA) to be pertinent to ascertain compliance with such Regulations, orders and instructions. Where any information is required or a contractor is in the exclusive possession of another who fails or refuses to furnish this information, the contractor shall so certify to the Recipient, or the Urban Mass Transportation Administration, as appropriate, and shall set forth what efforts it has made to obtain the information.

5. Sanctions for Noncompliance: In the event of the contractor's noncompliance with the nondiscrimination provisions of this contract, the Recipient shall impose such contract sanctions as it or the Urban Mass Transportation Administration may determine to be appropriate, including, but not limited to:
 - a. Withholding of payments to the contractor under the contract until the contractor complies, and/or
 - b. Cancellation, termination or suspension of the contract, in whole or in part.

6. Incorporation of Provisions: The contractor shall include the provisions of paragraph (1) through (6) in every subcontract, including procurements of materials and leases of equipment, unless exempt by the Regulations, or directives issued pursuant thereto. The contractor shall take such action with respect to any subcontract or procurement as the Recipient or the Urban Mass Transportation Administration may direct as a means of enforcing such provisions including sanctions for noncompliance: Provided, however, that, in the event a contractor becomes involved in, or is threatened with, litigation with a subcontractor or supplier as a result of such direction, the contractor may request the Recipient to enter into such litigation to protect the interests of the Recipient, and, in addition, the contractor may request the United States to enter into such litigation to protect the interests of the United States.

ATTACHMENT B

- A. The following clauses shall be included in any and all deeds effecting or recording the transfer of real property, structures or improvements thereon, or interest therein from the United States.

(GRANTING CLAUSE)

NOW, THEREFORE, the Department of Transportation, as authorized by law, and upon the condition that the Recipient will accept title to the lands and maintain the project constructed thereon, in accordance with the Urban Mass Transportation Act of 1964, as amended, the Regulations for the Administration of Federal Urban Mass Transportation Programs and the policies and procedures prescribed by the Urban Mass Transportation Administration of the Department of Transportation and, also in accordance with and in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation (hereinafter referred to as the Regulations) pertaining to and effectuating the provisions of Title VI of the Civil Rights Act of 1964 (78 Stat. 252; 42 U.S.C. 2000d to 2000d-4), does hereby remise, release, quitclaim and convey unto the City of Dallas all the right, title, and interest of the Department of Transportation in and to said lands described in Exhibit "A" attached hereto and made a part hereof.

(HEBENDUM CLAUSE)

TO HAVE AND TO HOLD said lands and interests therein unto the City of Dallas and its successors forever, subject, however, to the covenants, conditions, restrictions and reservations herein contained as follows, which will remain in effect for the period during which the real property or structures are used for a purpose for which Federal financial assistance is extended or for another purpose involving the provision of similar services or benefits and shall be binding on the City of Dallas, its successors and assigns.

The City of Dallas, in consideration of the conveyance of said lands and interests in lands, does hereby covenant and agree as a covenant running with the land for itself, its successors and assigns, that (1) no person shall on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination with regard to any facility located wholly or in part on, over or under such land hereby conveyed (,) and (2) that the City of Dallas shall use the lands and interests in lands so conveyed, in compliance with all requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of

1964, and as said Regulations may be amended (,) and (3) that in the event of breach of any of the above-mentioned nondiscrimination conditions, the Department shall have a right to re-enter said lands and facilities on said land, and the above described land and facilities shall thereon revert to and vest in and become the absolute property of the Department of Transportation and its assigns as such interest existed prior to this instruction.

ATTACHMENT C

The following clauses shall be included in all deeds, licenses, leases, permits, or similar instruments entered into by the Recipient pursuant to the provisions of Assurance 10 (a).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his heirs, personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds and leases add "as a covenant running with the land") that in the event facilities are constructed, maintained, or otherwise operated on the said property described in this (deed, license, lease, permit, etc.) for a purpose for which a Department of Transportation program or activity is extended or for another purpose involving the provision of similar services or benefits, the (grantee, licensee, lessee, permittee, etc.) shall maintain and operate such facilities and services in compliance with all other requirements imposed pursuant to Title 49, Code of Federal Regulations, Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964; and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)

That in the event of breach of any of the above nondiscrimination covenants, the City of Dallas shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)

That in the event of breach of any of the above nondiscrimination covenants, the City of Dallas shall have the right to re-enter said lands and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Dallas and its assigns.

The following shall be included in all deeds, licenses, leases, permits, or similar agreements entered into by the City of Dallas pursuant to the provisions of Assurance 10 (b).

The (grantee, licensee, lessee, permittee, etc., as appropriate) for himself, his personal representatives, successors in interest, and assigns, as a part of the consideration hereof, does hereby covenant and agree (in the case of deeds, and leases, add "as a covenant running with the land") that (1) no person on the ground of race, color, or national origin shall be excluded from participation in, denied the benefits of, or be otherwise subjected to discrimination in the use of said facilities, (2) that in the construction of any improvements on, over, or under such land and the furnishing of services thereon, no person on the ground of race, color, or national origin shall be

excluded from participation in, denied the benefits of, or otherwise be subjected to discrimination, (3) that the (grantee, licensee, lessee, permittee, etc.) shall use the premises in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, Department of Transportation, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in federally-assisted programs of the Department of Transportation - Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.

(Include in licenses, leases, permits, etc.)

That in the event of breach of any of the above nondiscrimination covenants, the City of Dallas shall have the right to terminate the (license, lease, permit, etc.) and to re-enter and repossess said land and the facilities thereon, and to hold the same as if said (license, lease, permit, etc.) had never been made or issued.

(Include in deeds)

That in the event of breach of any of the above nondiscrimination covenants, the City of Dallas shall have the right to re-enter said land and facilities thereon, and the above described lands and facilities shall thereupon revert to and vest in and become the absolute property of the City of Dallas and its assigns.

Attachment VIII. Additional Supporting Material

The following Exhibit VIII.A. shows the spatial distribution of the residents of Dallas County who worked in the Dallas CBD in 1970 according to the 1970 Census data. The November, 1975 Dallas Subregional Public Transportation Study indicates that 99,000 persons were employed in the CBD in 1970. The Census data indicates that 61,516 of those were Dallas County residents.

The tables that follow the map picturing the spatial distribution of CBD employees sets forth the characteristics of the downtown worker. These two pieces of evidence establish the fact that an automated guideway transit system in downtown Dallas would benefit and serve the City as a whole and a true cross-section of its population.



Exhibit VIII.A.

NUMBER OF PERSONS PER
DALLAS COUNTY COMMUNITY
WORKING IN CBD

TOTAL: 61,516

SOURCE: 1970 Census

CHANGING POPULATION CHARACTERISTICS OF ADULTS
IN DALLAS COUNTY

	ADULT POPULATION		
	1960	1970	1975
TOTAL ADULTS (000)	604	850	924
Total Males	285	398	429
18 - 24	38	70	77
25 - 34	70	101	109
35 - 49	95	117	106
50 - 64	57	76	83
65 & over	25	34	53
Total Females	319	451	495
18 - 24	47	87	74
25 - 34	75	103	134
35 - 49	99	122	120
50 - 64	63	85	93
65 & over	36	54	73

The adult population of Dallas County increased 8.7% from 1970 to 1975, an increase of 1.7% per year. The adult female population has increased at a faster rate than either the total adult population or the adult male population. From 1970 to 1975 the adult female population increased 9.8% as compared to the adult male population increase of 7.8%. The percent of the total population 18 years old and older was 63.4% in 1960, 64% in 1970 and an estimated 61.2% in 1975.

CHARACTERISTICS OF THE DOWNTOWN WORKER

BY AGE AND SEX

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
18 - 24	152	20	13	7
25 - 34	242	31	18	13
35 - 49	227	29	21	8
50 - 64	176	21	13	8
65 & over	126	3	2	1

BY RACE

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
NEGRO	166	16	8	8
LATIN	57	9	6	3
OTHER	694	76	51	25

CHARACTERISTICS OF THE DOWNTOWN WORKER

BY EDUCATIONAL ATTAINMENT

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
Post Graduate Work	55	10	8	2
College Graduate	107	17	13	4
Some College	197	24	14	10
High School Graduate	272	31	16	15
Some High School	176	15	10	5
No High School	107	5	3	2

BY OCCUPATION

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
Professional/Executive	180	42	33	9
Clerical/Sales	134	30	10	20
Craftsman/Foreman/Skilled Trds	123	16	13	3
Service Operator	99	16	11	5
Other	14	1	1	--

BY INCOME

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
\$25,000 or more	111	20	15	5
\$15,000 - \$24,999	170	25	20	5
\$12,500 - \$14,999	100	10	6	4
\$10,000 - \$12,499	113	12	7	5
\$ 8,000 - \$ 9,999	112	13	7	6
\$ 5,000 - \$ 7,999	130	12	4	8
Under \$5,000	177	11	7	4

CHARACTERISTICS OF THE DOWNTOWN WORKER

BY OWNERSHIP AND TYPE OF DWELLING

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
OWNERSHIP				
Own Residence	553	62	43	19
Rent Residence	363	41	23	18
TYPE OF DWELLING				
Single Family	624	67	46	21
Multiple Family	295	37	21	16

BY LENGTH OF RESIDENCE

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
IN DALLAS COUNTY				
Less than 1 Year	79	8	5	3
1 - 5 Years	130	17	11	6
5 Years of more	712	78	50	28
AT THIS RESIDENCE				
Less than 1 Year	271	35	21	14
1 - 5 Years	275	31	19	12
5 Years or more	376	37	26	11

CHARACTERISTICS OF THE DOWNTOWN WORKER

BY NUMBER IN HOUSEHOLD AND PRESENCE OF CHILDREN

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
NUMBER IN HOUSEHOLD				
1 or 2	435	49	28	21
3 or 4	330	40	28	12
5 or more	157	15	11	4
PRESENCE OF CHILDREN				
None at Home	458	53	33	20
Under 6 Years	240	26	17	9
6 - 11 Years	216	21	13	8
12 - 17 Years	204	23	16	7

BY GEOGRAPHIC LOCATION

	NOVEMBER, 1975			
	TOTAL ADULTS	WORK DOWNTOWN		
		TOTAL	MALES	FEMALES
TOTAL ADULTS (000)	924	104	67	37
Irving	53	6	5	1
Grand Prairie	27	2	1	1
Park Cities	53	5	3	2
North Dallas	83	8	5	3
Carrollton	37	4	3	1
Richardson	51	5	3	2
White Rock	63	12	8	4
Garland	75	8	6	2
Pleasant Grove	59	8	6	2
Mesquite	32	4	3	1
Central City	139	18	10	8
East Oak Cliff	66	5	1	4
Lancaster	9	1	1	--
West Oak Cliff	147	18	12	6
Duncanville	30	3	1	2