

MEMORANDUM

TO: Claire Powell, City Manager

FROM: David Salmon, P.E., City Engineer

VIA: Jim Proce, ICMA-CM Assistant City Manager

DATE: November 3, 2025

SUBJECT: Approval of a Utility Crossing License Agreement Between Dallas Area Rapid Transit (DART) and the City of Lewisville for the North Cowan Avenue Improvements Project; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.

BACKGROUND

The North Cowan Ave. Improvements Project involves replacing the existing asphalt roadway with a two-lane concrete roadway, adding on-street parking, storm sewer improvements, water and sewer line replacements, and installing sidewalks along N Cowan Ave., from Jones Street to the southern terminus just north of the Canadian Pacific Kansas City (CPKC) rail line. Utility and storm improvements will extend further south underneath both the CPKC and DART rail lines to Valley Ridge Blvd. The subject agreement is specifically for the DART rail line. A separate agreement with the CPKC Railroad will need to be executed in the future, prior to construction. Some of the existing utilities will be abandoned in place and some removed. A portion of the old 42-inch water main under the railroad will be used as a casing pipe for the proposed storm drain. The City of Lewisville paid annual fees to DART totaling \$24,626 for 2025 for various utility and drainage crossings underneath the DART rail within the city limits. The \$5,650 fee associated with this agreement would be in addition to that.

ANALYSIS

The City's consultants, Lockwood, Andrews & Newnam have completed 60% plans for the project. The proposed utilities improvements within the DART right-of-way include:

- One (1) underground 12-inch PVC sanitary sewer pipe encased in an 18-inch steel casing pipe;
- One (1) underground 30-inch RCP drainage pipe;
- One (1) underground 18-inch RCP drainage pipe;
- One (1) underground 36-inch ductile iron water pipe encased in a 48-inch steel casing pipe.

The proposed license agreement is necessary to allow the City to construct these new public utility lines crossing the DART right-of-way, approximately 200 feet north of the intersection of N Mill Street and Valley Ridge Boulevard. Under the terms of the agreement, DART will charge the City a license fee of \$5,650 per year, with an annual adjustment of three percent (3%) increase or the Consumer Price Index (CPI), whichever is greater.

CITY STAFF'S RECOMMENDATION

That the City Council approve the agreement and authorize the City Manager, or her designee, to execute the agreement as set forth in the caption above.