

TOWN OF ADDISON, TEXAS

RESOLUTION NO. R12-025

A RESOLUTION OF THE TOWN OF ADDISON, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG) REQUESTING NCTCOG TO PURSUE DEVELOPMENT OF THE COTTON BELT RAIL PROJECT UTILIZING SENTATE BILL 1048 ("PUBLIC AND PRIVATE FACILITIES AND INFRASTRUCTURE ACT"); PROVIDING AN EFFECTIVE DATE.

WHEREAS, the North Central Texas Council of Governments (NCTCOG) is a Regional Planning Commission operating under Local Government Code Chapter 391; and

WHEREAS, NCTCOG has been approached by a private-sector developer which has formally communicated interest in developing the Cotton Belt Passenger Rail Project; and,

WHEREAS, Senate Bill 1048 ("Public and Private Facilities and Infrastructure Act"), adopted during the regular session of the 82nd Texas Legislature, authorizes public-private partnerships by eligible governmental entities in the State of Texas, including Regional Planning Commissions, and establishes the framework and processes required to enter into such arrangements; and,

WHEREAS, Senate Bill 1048 enables a Responsible Governmental Entity to receive solicited or unsolicited proposals, encourages competition by requiring posting of and acceptance of competing proposals for a qualifying project, calls for collaboration with affected jurisdictions in which all or part of a project is located, and permits award of interim and/or comprehensive project development agreements; and,

WHEREAS, in order for NCTCOG to qualify as the Responsible Governmental Entity and assist the region in advancing development of the Cotton Belt Passenger Rail Project, agreements with member governments along the corridor that are statutorily authorized to develop passenger rail projects is necessary; and,

WHEREAS, the Town of Addison, Texas (Town) supports innovative approaches to infrastructure delivery and desires to contract NCTCOG to utilize Senate Bill 1048 to procure a public-private partnership to develop the Cotton Belt Passenger Rail Project, in whole or in part, on its behalf; and,

WHEREAS, this innovative public-private partnership approach to develop the Cotton Belt Passenger Rail Project, if proven successful, could provide a model for development of future high-priority passenger rail corridors in the region; and,

WHEREAS, NCTCOG, Dallas Area Rapid Transit (DART), Fort Worth Transportation Authority (The T), and Denton County Transportation Authority (DCTA) have developed a joint procurement process under Senate Bill 1048 and Texas Transportation Code Chapter 452 to develop the Cotton Belt Passenger Rail Project which involves city representation in the evaluation process.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE TOWN OF ADDISON, TEXAS:

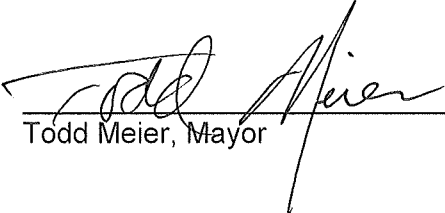
Section 1. The Town of Addison, Texas (Town) requests and authorizes NCTCOG to develop the Cotton Belt Passenger Rail Project on its behalf as the Responsible Governmental Entity utilizing Senate Bill 1048 to procure a public-private partnership jointly with DART, The T and DCTA.

Section 2. This Resolution shall be transmitted to NCTCOG and all affected jurisdictions along the corridor.

Section 3. The City Manager of the Town or designee is authorized to execute agreements to effectuate this Resolution in the name of the Town of Addison.

Section 4. This Resolution shall be in effect immediately upon its passage and approval.

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this the 13th day of November, 2013.



Todd Meier, Mayor

ATTEST:

By: 

Chris Terry, City Secretary

APPROVED AS TO FORM:

By: 

John Hill, City Attorney