

A Resolution

NO. _____

**AUTHORIZING EXECUTION OF AGREEMENTS WITH
THE NORTH CENTRAL TEXAS COUNCIL OF GOVERNMENTS (NCTCOG)
REQUESTING NCTCOG TO PURSUE DEVELOPMENT OF
THE COTTON BELT RAIL PROJECT
UTILIZING SENATE BILL 1048**

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, through passage of Senate Bill 1048, the 82nd Texas Legislature enacted Chapters 2267 and 2268, Texas Government Code, which authorize public-private partnerships by eligible governmental entities in the State of Texas, including Regional Planning Commissions, and establish 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 statutorily authorized to develop passenger rail projects are necessary; and

WHEREAS, the City of Fort Worth supports innovative approaches to infrastructure delivery and desires to contract with 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 CITY OF FORT WORTH, TEXAS:

- Section 1.** The City of Fort Worth 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 or an Assistant City Manager is hereby authorized to execute agreements with NCTCOG to effectuate this Resolution in the name of the City of Fort Worth.
- Section 4.** This Resolution shall take effect immediately upon its adoption.

ADOPTED this 18th day of December 2012.

ATTEST:

By: _____

Mary Kayser, City Secretary

