

WHEREAS, the Regional Transportation Council (RTC) is the regional transportation policy board of the North Central Texas Council of Governments (NCTCOG), and is a regional forum for cooperative decisions on transportation; and

WHEREAS, pursuant to Chapter 228 of the Texas Transportation Code, the State of Texas provided surplus revenue from a SH 121 toll project to RTC for its Sustainable Development Program; and

WHEREAS, the RTC approved \$41.0 million for the 2009-2010 Sustainable Development Program call for projects; and

WHEREAS, the City of Dallas issued a request for proposals to private developers and other organizations to solicit projects to submit to the RTC's Sustainable Development call for projects; and

WHEREAS, the City of Dallas submitted sixteen infrastructure, including the Atmos Lofts Infrastructure Project, and seven planning projects to the RTC's Sustainable Development Call for Projects; and

WHEREAS, on June 3, 2010, the RTC approved \$13,779,712 in Regional Toll Revenue (RTR) or Regional Transportation Council (RTC) local funds for nine infrastructure and three planning projects in the City of Dallas; and

WHEREAS, the RTC awarded funding included \$462,686 in RTR funds for the Atmos Lofts Sustainable Development Infrastructure Project; and

WHEREAS, the Sustainable Development Program requires a minimum local match of 20% of the total project cost of \$578,357, or \$115,671, which will be provided by Hamilton Atmos, LP; and

WHEREAS, on August 25, 2010, the City Council authorized support for the Atmos Lofts Sustainable Development Infrastructure Project and authorized the City Manager to negotiate agreements with NCTCOG and private sector partners by Resolution No. 10-2152; and

WHEREAS, on June 18, 2012, a memo was submitted to the Economic Development Committee to consider agreements with the North Central Texas Council of Governments, the State of Texas, and Hamilton Atmos, LP for the Atmos Lofts Sustainable Development Infrastructure Project.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to form by the City Attorneys Office, is hereby authorized to execute an agreement with NCTCOG and the State of Texas to obtain funding to reimburse a private developer, Hamilton Atmos, LP, for the costs of construction of the Atmos Lofts Sustainable Development Infrastructure Project in an amount not to exceed \$462,686.

Section 2. That the City Controller is hereby authorized to receive and deposit funds from the North Central Texas Council of Governments in Fund S248, Department ECO, Unit P733, Activity ECSD, Revenue Source 6516, in an amount not to exceed \$462,686.

Section 3. That either the Director of the Office of Economic Development may authorize minor modifications to the Project including project boundaries and scope of improvements and execute any amendments to the agreement that are related to such modifications.

Section 4. 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 27 2012


City Secretary