

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 Edison/Hi Line 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 \$1,151,063 in RTR funds for the Edison/Hi Line Sustainable Development Infrastructure Project; and

WHEREAS, the Sustainable Development Program required a minimum local match of 20% of the total project cost of \$1,438,829, or \$287,766, which was provided by Lower Oak Lawn Investment, LP (LOL); and

WHEREAS, on August 25, 2010, the City Council authorized support for the Edison/Hi Line 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 January 25, 2012, City Council authorized agreements with the North Central Texas Council of Governments, the State of Texas, and Lower Oak Lawn Investment, LP (LOL) for the Edison/Hi Line Sustainable Development Infrastructure Project by Resolution Nos. 12-0272 and 12-0273; and

WHEREAS, pursuant to Resolution No. 12-0273, the City is entering into an operations and maintenance agreement with LOL for these enhanced improvements; and

WHEREAS, it is necessary to authorize a Multiple Use Agreement with the Texas Department of Transportation (TXDOT) in order to build and delegate maintenance responsibilities for the Edison/Hi Line Sustainable Development Streetscape Enhancement project, which crosses underneath TXDOT right-of-way at IH-35E.

NOW, THEREFORE,

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

Section 1. That the City Manager, upon approval as to the form by the City Attorneys Office, is hereby authorized to execute the Multiple Use Agreement with the Texas Department of Transportation (TXDOT) for the right to cross TXDOT right-of-way at IH-35E for the Edison/Hi Line Sustainable Development Infrastructure project and delegate maintenance responsibilities.

Section 2. 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.

