

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AMENDED AND RESTATED SUBRECIPIENT AGREEMENT WITH DALLAS AREA RAPID TRANSIT; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, on January 31, 2008, Dallas Area Rapid Transit (“DART” or a “Party”) and the City of Carrollton, Texas (the “City” or a “Party”) entered into a Subrecipient Agreement (the “2007 Agreement”) designating DART to act as the City’s authorized grant recipient for Federal Transit Administration (“FTA”) funds, which were authorized by Congress on November 30, 2005, for the construction of the Downtown Regional Multimodal Transit Hub in Carrollton, Texas (the “Project”); and

WHEREAS, the City has operated in compliance with the 2007 Agreement; and

WHEREAS, DART desires to amend and restate the 2007 Agreement, in accordance with Federal requirements; and

WHEREAS, any new terms, conditions, or requirements set forth in this Amended and Restated Subrecipient Agreement (this “2022 Agreement”) shall solely operate prospectively and will only apply to the City after the execution of this 2022 Agreement; and

WHEREAS, DART has and will continue to pass through certain funding it has and will continue to receive from the Federal Transit Administration (“FTA”), pursuant to the 2011 funding agreement (“Funding Agreement”) between DART as Grantee and FTA as Grantor, on behalf of the City, a Texas home-rule municipality; and,

WHEREAS, DART and the City (collectively, the "Parties") wish to enter into this 2022 Agreement to set forth the obligations of each Party regarding the funds received and to be received from the Funding Agreement.

NOW, THEREFORE, BE IT HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF CARROLLTON, TEXAS THAT:

SECTION 1.

All of the above premises are found to be true and correct legislative and factual findings of the City Council of the City of Carrollton, and they are hereby approved, ratified, and incorporated into the body of this Resolution as if copied in their entirety.

SECTION 2.

The City Council of the City of Carrollton hereby authorizes the City Manager to execute the amended, restated Subrecipient Agreement – the 2022 Agreement for the prospective compliance with Federal regulations.

SECTION 3.

The City Manager, or designee, is authorized to take those steps reasonable and necessary to comply with the intent of this Resolution.

SECTION 4.

That any other prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 5.

Should any part of this Resolution be held to be invalid for any reason, the remainder shall not be affected thereby, and such remaining portions are hereby declared to be severable.

SECTION 6.

This Resolution shall take effect immediately from and after its passage.

PASSED AND APPROVED on this 6th day of December 2022.

CITY OF CARROLLTON, TEXAS

Steve Babick, Mayor

ATTEST:

Chloe Sawatzky, City Secretary

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Meredith Ladd, City Attorney

Jonathan Wheat, P.E.,
Director of Engineering