

RESOLUTION NO. R-2008-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, RATIFYING EXECUTION OF AN AGREEMENT FOR ISSUANCE OF TRANSPORTATION DEVELOPMENT CREDITS ON PUBLIC TRANSPORTATION PROJECTS AMENDMENT #2 BETWEEN THE TEXAS DEPARTMENT OF TRANSPORTATION AND THE CITY OF TYLER.

WHEREAS, on May 9, 1995, FTA published notice in the Federal Register describing innovative financing techniques that could be utilized to enhance the effectiveness of capital investment programs; and,

WHEREAS, Title 23 U.S.C. §120 (j), as amended by the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A legacy for Users (SAFETEA-LU), and Public Law 109-59 (2005), permits states to use certain toll revenue expenditures generated and used by public, quasi-public and private agencies, to build, improve or maintain highways, bridges, or tunnels that serve the public purpose of interstate commerce, provides that the agencies have built, improved or maintained those facilities without federal funds, as credit toward the non-federal matching share of programs authorized by Title 23 (except for the Federal Highway Administration's emergency relief program funds) and for transit programs authorized by Chapter 53 of Title 49; and,

WHEREAS, Transportation Code, Chapter 456, authorizes the State to assist agencies in procuring aid for the purpose of establishing and maintaining public and mass transportation projects as defined under Transportation Code Chapter 456; and,

WHEREAS, the State and The City of Tyler executed a grant on January 30, 2007 which provided for the expenditure of Transportation Development Credits pursuant to the provisions of the Transportation Code, Chapter 455, which authorizes the State to assist the recipient in procuring aid for the purpose of establishing and maintaining public and mass transportation projects and to administer funds appropriated for public transportation under Transportation Code, Chapter 456; and,

WHEREAS, it has become necessary to amend said grant agreement;

WHEREAS, it is considered to be in the public interest to extend the term of the grant.


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

PART 1: The amendment No. 2 to the Grant for Transportation Development Credits pursuant to the provisions of the Transportation Code, Chapter 455 submitted to the Texas Department of Transportation to extend the expiration date from October 31, 2008 to August 31, 2009, is hereby ratified and approved.

PART 2: That the City Manager's filing of the grant amendment No. 2, and all actions taken in connection therewith, is hereby affirmed.

PART 3: That this Resolution shall take effect immediately upon its adoption.

PASSED AND APPROVED on this the 22nd day of October, 2008.



BARBARA BASS, MAYOR OF
THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK

APPROVED:



GARY C. LANDERS CITY ATTORNEY

