

RESOLUTION NO. xxxx-xx-2019 (R)

A RESOLUTION IN SUPPORT OF PROPOSED AMENDMENTS TO CHAPTER 460 OF THE TEXAS TRANSPORTATION CODE RELATED TO GOVERNANCE OF DENTON COUNTY TRANSPORTATION AUTHORITY (DCTA); SUPPORTING LEGISLATION ADOPTING SAID AMENDMENTS; AUTHORIZING THE MAYOR, CITY MANAGER AND THE CITY MANAGER’S DESIGNEE TO REPRESENT AND COMMUNICATE THE CITY’S POSITION; AND AUTHORIZING THE MAYOR AND CITY MANAGER TO SIGN ALL LETTERS, PETITIONS, AND/OR OTHER DOCUMENTS ON BEHALF OF THE CITY TO PROMOTE THE CITY’S POSITION.

WHEREAS the Denton County Transportation Authority (“DCTA”) is a countywide transportation authority created by House Bill 3323, under Chapter 460 of the Texas Transportation Code, approved by the 77th Texas Legislature and signed into law by the Governor in 2001; and

WHEREAS, on November 5, 2002, the voters of Denton County approved the confirmation of DCTA by 73%; and

WHEREAS, on September 13, 2003, voters in Lewisville, Denton, and Highland Village approved a half-cent sales tax to fund DCTA; and

WHEREAS, DCTA provides important transit services, including fixed-route buses and commuter rail, in the cities of Lewisville, Denton, and Highland Village; and

WHEREAS, the current structure of the DCTA Board of Directors results in a governing body in which the three cities providing sales tax support to DCTA represent a minority of the voting members, creating a form of “representation without taxation” in which the budget and operation plan are determined by representatives with no direct financial stake in DCTA; and

RESOLUTION NO. xxxx-xx-2019 (R)

WHEREAS, the cities of Lewisville, Denton, and Highland Village wish to alter the DCTA governance structure in order to more fairly focus decision-making authority on those communities that provide sales tax support for DCTA; and

WHEREAS, representatives of Lewisville, Denton, Highland Village, Denton County, and DCTA have met to discuss appropriate amendments to Chapter 460 of the Texas Transportation Code that would apply to DCTA only; and

WHEREAS, the City Council has reviewed the proposed amendments to Chapter 460 of the Texas Transportation Code set forth in the draft legislation attached hereto as Exhibit “A” and finds the proposed amendments would apply only to DCTA and are in the best interest of DCTA, Lewisville, Denton, Highland Village, Denton County, and those whom DCTA serves.

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

SECTION 1. The City Council hereby approves the proposed amendments to Chapter 460 of the Texas Transportation Code set forth in the draft legislation attached hereto as Exhibit “A”, or as it may be amended.

SECTION 2. The Mayor, the City Manager, and/or the City Manager’s designee are authorized to communicate the City’s support of said change to Texas law to the members of the Texas legislature, in general, and/or to the appropriate legislative committees, committee members, and other persons or groups.

SECTION 3. The Mayor and the City Manager are specifically authorized to sign any and all letters, petitions, and/or other documents on behalf of the City in order to promote the City’s support of changing Texas law as set forth in Exhibit “A”.

RESOLUTION NO. xxxx-xx-2019 (R)

SECTION 4. This Resolution shall become effective from and after its passage.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF
LEWISVILLE, TEXAS, ON THIS THE 4TH DAY OF FEBRUARY, 2019.**

APPROVED:

Rudy Durham, MAYOR

ATTEST:

Julie Heinze, CITY SECRETARY

APPROVED AS TO FORM:

Lizbeth Plaster, CITY ATTORNEY