

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF COPPELL, TEXAS IN SUPPORT OF THE DALLAS AREA RAPID TRANSIT RESOLUTION NO. 220011 RELATED TO THE ADOPTION OF THE SILVER LINE LIGHT RAIL ALIGNMENT; PROVIDING FOR AUTHORIZATION TO EXERCISE EMINENT DOMAIN TO ACQUIRE RIGHT-OF-WAY WITHIN THE CORPORATE LIMITS; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR A REPEALING CLAUSE AND PROVIDING WITH AN EFFECTIVE DATE.

WHEREAS, Dallas Area Rapid Transit (DART) was created to provide a regional public transportation system, and the acquisition of real property and the planning, design, engineering, and construction of improvements thereon are functions fundamental to the provision of a public transportation system; and,

WHEREAS, the City of Coppel, in coordination with DART and other stakeholders, identified a mutually advantageous alignment for the Silver Line to include the Cypress Waters station in the City of Dallas; and,

WHEREAS, on August 14, 2018 the City of Coppel City Council approved an Interlocal Agreement with DART; and,

WHEREAS, all property acquisition activities related to the Silver Line are conducted by DART; and

WHEREAS, after careful review of impacted parcels, the DART Board desires to declare the acquisition of parcels a public necessity, to approve the offer of just compensation for these parcels, and to authorize the President/Executive Director or his designee to proceed with the negotiation and purchase of these parcels, and if necessary, the acquisition of these parcels through eminent domain; and

WHEREAS, the property/properties are necessary and proper for construction of the Silver Line Regional Rail Corridor project and for any other use authorized by Chapter 452 of the Texas Transportation Code, and such use is hereby declared to be a public use for a public purpose; and

WHEREAS, on January 26, 2021, the Board of Directors of DART approved Resolutions declaring a public necessity, established just compensation, and authorizing the acquisition of property within the City of Coppel for the Silver Line Regional Rail Project through eminent domain proceedings, if necessary; and

WHEREAS, in order for DART to exercise its power of eminent domain, the Coppel City Council must authorize such within the Coppel city limits.

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

SECTION 1. The City of Coppel supports DART Board of Directors, Resolution No. 210011, attached hereto as Exhibit 1, related to the adoption of the Silver Line alignment for light rail service.

SECTION 2. The City of Coppell authorizes DART to exercise eminent domain within the corporate limits of the City of Coppell, Dallas County, Texas for the sole purpose of acquisition of right-of-way for the approved alignment of the Silver Line as set forth in Exhibit 1.

SECTION 3. That any other prior resolution of the City Council in conflict with the provisions contained in this Resolution are hereby repealed and revoked.

SECTION 4. 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 5. This resolution shall take effect immediately from and after its passage as provided by law.

DULY PASSED and approved by the City Council of the City of Coppell, Texas, on this the 23rd day of February 2021.

APPROVED:

Karen Selbo Hunt, Mayor

ATTEST:

Ashley Owens, City Secretary

APPROVED AS TO FORM:

Robert E. Hager, City Attorney