

RESOLUTION NO. 32 OF 2014

BY THE CADDO PARISH COMMISSION

A RESOLUTION AUTHORIZING THE ORGANIZATION OF THE NORTHWEST LOUISIANA COUNCIL OF GOVERNMENTS AS A LOUISIANA NONPROFIT CORPORATION AND FILING ARTICLES OF INCORPORATION WITH THE OFFICE OF THE SECRETARY OF STATE FOR LOUISIANA

WHEREAS, by joint action of the City Council of Bossier City, the City Council of Shreveport, the Caddo Parish Commission and the Police Jury of Bossier Parish in October of 1966 the Caddo-Bossier Council of Local Governments ("Council") was established and has continuously provided services to local units of government of this metropolitan region since its formation; and

WHEREAS, in 1974, the service area of the Council was extended to include Webster Parish and the name of the Council was changed to the Shreve Area Council of Governments; and

WHEREAS, in 1993, the name of the Council was again changed to the Northwest Louisiana Council of Governments; and

WHEREAS, in 1998 the member units of government found it desirable to change the membership of the Council in order to reflect the active participation and state and federal legislation; and

WHEREAS, Section 134 of Title 23 of the United States Code as reaffirmed in the Intermodal Surface Transportation Efficiency Act of 1991 ("ISTEA") requires that plans and programs for Federal-Aid Highway projects approved after December 18, 1991, in urban areas with a population of more than 50,000, must be developed by metropolitan planning organizations ("MPO") in cooperation with the State and that the process for developing such plans and programs shall provide for consideration of all modes of transportation and shall be continuing, cooperative and comprehensive to the degree appropriate, based on the complexity of the transportation problems; and

WHEREAS, Section 310, 23 CFR, Part 450 requires that the responsibility for cooperatively carrying out transportation planning and programming shall be clearly defined in an agreement or memorandum of understanding between the State and the MPO; and

WHEREAS, Section 310, 23 CFR, Part 450 requires that, to the greatest extent possible there shall be one cooperative agreement among the State, MPO and public owned operators of mass transportation services; and

WHEREAS, in 1964 and in 1973, the State of Louisiana through the Department of Highways, now the Department of Transportation and Development, entered into a written formal agreement with the local political jurisdictions whereby the responsibility of each agency regarding the continuing phase of the planning processes were outlined; and

WHEREAS, the Council has been designated by the State as the agency responsible for carrying out the transportation planning process for the Shreveport-Bossier City Urbanized Area and is a recipient of funds under the Intermodal Surface Transportation Efficiency Act of 1991 and the Federal Transit Act of 1991; and

WHEREAS, Sections 104 and 134 of Title 23 of the United States Code as reaffirmed in the Moving Ahead for Progress in the 21st Century of 2012 ("Map 21") required modifications to the metropolitan planning process that includes the implementation of a performance-based approach to transportation decision making and developing transportation plans that contain performance targets to be coordinated with public transportation providers, the development of a long range transportation plan to be used in assessing the performance of the transportation system and the use of a transportation improvement plan to link investment priorities to performance targets; and

WHEREAS, the Shreveport-Bossier City Urbanized Area has been designated as a Transportation Management Area, and as such must comply with the special requirements applicable to such areas regarding congestion management systems, project selection and certification; and

WHEREAS, the member units of government within this metropolitan region continue to be cognizant of the need for, and their responsibility to provide the region's citizens with efficient, economical, and purposeful governmental cooperation and cooperation and coordination; and

WHEREAS, this metropolitan region has many related and common problems and interest in the fields of land use, transportation, housing, economic development, population trends, community facilities and the general improvement of living environments for a population of over 350,00 people over 22 units of local government; and

WHEREAS, there continues to exist many opportunities for joint consultation and planning to improve the types and quality of facilities and services provided for the people of this metropolitan region and there continues to be a need for close cooperation among the local governments to insure that growth and development of this entire metropolitan region will be well planned and coordinated as to provide a more desirable living environment for all the region's citizens; and

WHEREAS, the local units of government in the metropolitan region acting under the authority of Section 1321 through 1332 of Title 33 of the Louisiana Revised Statutes of 1950, as amended, and any and all other authority they may possess desire to incorporate the Council as a Louisiana nonprofit corporation to continue addressing the common problems and interests in the fields of land use, transportation, housing, economic development, population trends, community facilities, the general improvement of living environments and cooperatively carrying out transportation planning and programming as the metropolitan planning organization for this transportation management area; and

NOW, THEREFORE, BE IT RESOLVED, by the CADDO PARISH COMMISSION, in due and legal session convened, that this Parish, by the passage of this Resolution, does hereby, acting jointly with other units of local government in Caddo and Bossier Parishes, authorize the incorporation of the Council as a Louisiana non-profit corporation with the filing of articles of incorporation with the Louisiana Secretary of State in accordance with the Articles of Incorporation and Bylaws, attached hereto or substantially similar thereto, as may from time to time be amended in accordance with said Articles of Incorporation and Bylaws;

BE IT FURTHER RESOLVED that the nonprofit corporation, Northwest Louisiana Council of Governments, may adopt Bylaws designating the selection of directors and the officers of the corporation, provide for the conduct of business, the manner and method of securing local funds that may be necessary, the method and manner By which voting on the projects of the corporation shall be determined, the appointment of advisory committees to assist the corporation in the conduct and its purpose and goals and the employment of such staff and consultants as it may deem necessary, as contained in the Article of Incorporation and Bylaws attached hereto or substantially similar thereto, as may from time to time be amended in accordance with said Articles of Incorporation and Bylaws;

BE IT FURTHER RESOLVED that the nonprofit corporation, Northwest Louisiana Council of Governments, may accept and expend funds, grants, and services from the State of Louisiana, its departments, agencies or instrumentalities and from the government of the United States or its agencies, or from other governmental units, political subdivisions and from private and civic sources.

BE IT FURTHER RESOLVED that Dr. Woodrow Wilson, Jr., CEO and Administrator, is duly authorized to execute any contract, agreement or memorandum on behalf of the Parish to organize and form the Northwest Louisiana Council of Governments as a Louisiana nonprofit corporation.

BE IT FURTHER RESOLVED that Dr. Woodrow Wilson, Jr., CEO and Administrator, is authorized to serve, participate and take any action required to carry out this Resolution or the purpose of Northwest Louisiana Council of Governments.

BE IT FURTHER RESOLVED that if any provision or item of this Resolution or the application thereof is held invalid, such invalidity shall not affect other provision, items or applications of the Resolution which can be given effect without the invalid provisions, items or applications and to this end the provisions of this resolution are hereby declared severable.

BE IT FURTHER RESOLVED that all resolutions or parts thereof in conflict herewith are hereby repealed.

Approved as to legal form:

Office of the Parish Attorney

Date