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Committees:

HEALTH AND HUMAN SERVICES, CHAIR
 TEXAS LEGISLATIVE COUNCIL
 GOVERNMENT ORGANIZATION
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 FINANCE

The Senate of the State of Texas

Jane Nelson
 Senate District 12

RQ-0901-GA
 FILE # MI-46526-10
 I.D. # 46526

RECEIVED

JUL 19 2010

OPINION COMMITTEE

July 14, 2010

The Honorable Greg Abbott
 Attorney General
 Office of the Attorney General
 P.O. Box 12548
 Austin, Texas 78711-2548

Attention: Stacey Napier

RE: The authority of the Regional Transportation Council over transit related projects located in Richland Hills

Dear General Abbott:

At the request of the Richland Hills City Council, I respectfully seek your opinion regarding questions that have arisen surrounding the city's potential withdraw from the Fort Worth Transportation Authority, commonly known as The T.

Specifically, if Richland Hills voters decide to opt out of The T:

- 1) Does the Regional Transportation Council have the authority to close the Trinity Railway Express train station which is inside the city limits of the City of Richland Hills?
- 2) Does the Regional Transportation Council have the authority to collect repayment by the City of Richland Hills for federal and local air quality funds spent on improvements to roads and sidewalks in the City of Richland Hills related to the transit station?

I appreciate your attention to this request, and please do not hesitate to contact my office if I can be of any assistance in this matter.

Very truly yours,

Senator Jane Nelson

STATE of TEXAS
HOUSE of REPRESENTATIVES

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OPINION COMMITTEE

TODD SMITH
DISTRICT 92

RQ-0901-GA
FILE # ML-46527-10
I.D. # 46527
(combined w/ 46526)

July 15, 2010

The Honorable Greg Abbott
Attorney General
Office of the Attorney General
P.O. Box 12548
Austin, Texas 78711-2548

Attention: Opinions Committee

RE: (1) Does the Regional Transportation Council have the authority to close the Trinity Railway Express train station which is inside the city limits of the City of Richland Hills?
(2) Does the Regional Transportation Council have the authority to demand repayment by the City of Richland Hills for Federal and Local Air Quality funds spent on improvements to roads and sidewalks in the City of Richland Hills?

Dear General Abbott

Please accept this letter as a request for an opinion from your office regarding (1) whether the Regional Transportation Council has the authority to close the Trinity Railway Express train station which is inside the city limits of the City of Richland Hills. And (2) whether the Regional Transportation Council has the authority to demand repayment by the City of Richland Hills for Federal and Local Air Quality funds spent on improvements to roads and sidewalks in the City of Richland Hills?

In 1992, the citizens of the City of Richland Hills voted to join the Fort Worth Transportation Authority (The T) to establish public transportation in the City of Richland Hills. A one half cent sales tax has been collected every year since 1992 by the State of Texas and passed on to The T. In October 2009, the Richland Hills City Council called for an election to be held in November of 2010 to allow the citizens of the city to choose whether to remain in the agreement with The T or not.

The Honorable Greg Abbott
July 15, 2010
RE: City of Richland Hills
Page 2

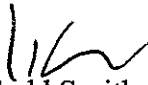
Because it is the desire of the City Council of Richland Hills to get a clear understanding of the rights, privileges and responsibilities of all the parties involved with public transportation within the City of Richland Hills, both surface streets and rail.

On behalf of the City of Richland Hills and State Representative Kelly Hancock, I respectfully request your office to answer the following questions:

- (1) Does the Regional Transportation Council have the authority to close the Trinity Railway Express train station which is inside the city limits of the City of Richland Hills?
- (2) Does the Regional Transportation Council have the authority to demand repayment by the City of Richland Hills for Federal and Local Air Quality funds spent on improvements to roads and sidewalks in the City of Richland Hills?

The election for the citizens of Richland Hills is less than four months away, so I thank you for your timely attention to this matter. Please do not hesitate to contact my office should you have any questions or need further information.

Sincerely,



Todd Smith
TS:mm

CC: The Honorable Kelly Hancock
City of Richland Hills, City Council
Mr. Robert Parmelee, Chairperson for the Fort Worth Transportation Authority
Mr. Michael Morris, Transportation Director for the North Central Texas Council of Governments