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WHEREAS, the City of Dallas recognizes the emerging evolution of transportation infrastructure within the City as well as the importance of providing an integrated transportation system that balances the needs of pedestrians, transit, bicycles and automobiles; and

WHEREAS, on November 7, 2017, City voters approved the 2017 General Obligation Bond Program, which allocated \$7,500,000.00 to construct multimodal transportation improvements on Harry Hines Boulevard, identified as the Southwestern Medical District Streetscape Plan/Harry Hines Boulevard Improvements (Market Center DART Station to Mockingbird Lane) project; and

WHEREAS, on March 28, 2018, the City Council authorized a Memorandum of Understanding with the North Central Texas Council of Governments Regional Transportation Council (RTC) stating the RTC will provide federal funding for six City of Dallas 2017 Bond Program projects that included this project by Resolution No. 18-0440; and

WHEREAS, on August 10, 2022, the City Council authorized a Development Participation Contract with the Texas Trees Foundation for the donation of privately funded design plans for this project by Resolution No. 22-1090; and

WHEREAS, on April 12, 2023, the City Council authorized a Funding Agreement with Dallas County in the amount of \$7,500,000.00, reduced by \$300,000.00 for County in-house project delivery costs for a total of \$7,200,000.00, for the purpose of constructing bicycle and pedestrian related improvements for this project by Resolution No. 23-0458; and

WHEREAS, the current total project cost estimate is \$43,696,322.00 and includes \$7,500,000.00 from the City of Dallas, \$19,696,322.00 from the Texas Trees Foundation, \$9,000,000.00 from NCTCOG, and \$7,500,000.00 from Dallas County (\$7,200,000.00 for construction and \$300,000.00 for County in-house project delivery cost); and

WHEREAS, the City of Dallas and Texas Department of Transportation (TxDOT) have entered into a Master Agreement which states the general terms and conditions for the development of transportation projects through Advance Funding Agreements (AFAs); and

WHEREAS, the City of Dallas desires to enter into an AFA with TxDOT to accept a grant from the United States Department of Transportation Federal Highway Administration for a Congestion Mitigation and Air Quality Improvement Program and Surface Transportation Block Grant Program project for costs related to the reconstruction of a six-lane roadway, intersection improvements, installation of new traffic signals and re-timing, development of a new bike facility, construction and reconstruction of sidewalks, installation of lighting, and minor landscaping enhancements on Harry Hines Boulevard from Southeast of Medical District Drive to Southeast of Inwood Road in the City of Dallas; and

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WHEREAS, the estimated project cost includes \$8,910,000.00 in federal reimbursement, \$90,000.00 as federal participation for direct state costs, \$589,174.00 as state participation for indirect state cost, and \$2,362,500.00 as the City of Dallas's portion for construction activities and direct state cost, for a total estimated cost of \$11,951,674.00; and

WHEREAS, the City of Dallas is the lead agency to administer the construction of the project pursuant to the terms of the AFA; and

WHEREAS, the City of Dallas will pay TxDOT an amount of \$135,000.00 for direct state costs prior to construction; and

WHEREAS, the City will be responsible for 100 percent of project cost overruns that exceed the federal funding maximum obligated amount; and

WHEREAS, TxDOT requires that a City resolution or ordinance be made part of the AFA.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager, or the City Manager's designee, is hereby authorized to accept a grant from the United States Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for a Congestion Mitigation and Air Quality Improvement Program and Surface Transportation Block Grant Program project (Agreement No. CSJ 0918-47-278, Assistance Listing No. 20.205) in the amount of \$8,910,000.00 as federal share in the total project cost of \$11,951,674.00, which includes \$8,910,000.00 in federal reimbursement, \$90,000.00 as federal participation for direct state cost, \$589,174.00 as state participation for indirect state cost, and \$2,362,500.00 (\$2,227,500.00 for construction and \$135,000.00 for direct state cost paid to TxDOT prior to construction plus any cost overruns) as local participation for costs related to the reconstruction of a six-lane roadway, intersection improvements, installation of new traffic signals and re-timing, development of a new bike facility, construction and reconstruction of sidewalks, installation of lighting, and minor landscaping enhancements on Harry Hines Boulevard from Southeast of Medical District Drive to Southeast of Inwood Road in the city of Dallas; and execute an Advance Funding Agreement (AFA) with TxDOT, and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney, or the City Attorney's authorized designee.

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SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of \$8,910,000.00 in the TxDOT AFA-CMAQ Harry Hines-Medical District Fund, Fund F790, Department PBW, Unit 682V, Object 4599.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$8,910,000.00 in the TxDOT AFA-CMAQ Harry Hines-Medical District Fund, Fund F790, Department PBW, Unit 682V, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$8,910,000.00 from the TxDOT AFA-CMAQ Harry Hines-Medical District Fund, Fund F790, Department PBW, Unit 682V, Object 4599, Activity INGV, Program TPF79025.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse part of the local match as initial payment to TxDOT prior to construction in the amount of \$135,000.00 in accordance with the terms and conditions of the AFA from the Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit VA40, Object 4599, Program TP17VA40, Encumbrance/Contract No. TRN-2024-00025915, Vendor 020318.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse the remaining amount of the local match in the amount of \$2,227,500.00 in accordance with the terms and conditions of the AFA from the Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit VA40, Object 4599, Program TP17VA40.

SECTION 7. That the City Manager is hereby authorized to reimburse the granting agency for any funds paid under the agreement that are not expended in accordance with the requirements of the agreement.

SECTION 8. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

SECTION 9. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.