

February 10, 2021

WHEREAS, the City Charter provides for the Park and Recreation Board to grant contracts and agreements within park facilities with such terms and conditions as it shall deem proper; and

WHEREAS, the University Crossing Public Improvement District (UCPID) desires to provide funds, design, and other support as required for the design and construction of the University Crossing Trail Lighting Project (Project) in accordance with the terms of the Advance Funding Agreement (AFA) for a Transportation Alternatives Set-Aside Project grant awarded to the City at the June 8, 2017 Regional Transportation Council meeting, such agreement to be approved by separate Council action; and

WHEREAS, a funding agreement between the City of Dallas and UCPID is necessary to provide such funds to the City to meet the requirements of the AFA; and

WHEREAS, UCPID shall pay an amount not to exceed \$795,395.00 for funding of the Project.

Now, Therefore,

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

SECTION 1. That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute an AFA with UCPID, approved as to form by the City Attorney.

SECTION 2. That the City shall have no financial obligations to the Project.

SECTION 3. That UCPID shall provide payment to the City in an amount not to exceed \$795,395.00 for anticipated Project costs.

SECTION 4. That the UCPID shall meet all financial obligations prior to the City executing a contract for AFA funds, and, furthermore, UCPID shall be responsible for any and all cost overruns of the Project; however, UCPID shall have the right to terminate the agreement, with thirty-days' notice, should the City's cost-share of the Project exceed, or be estimated to exceed, \$795,395.00. The City has the right to terminate the agreement with ten-days' notice for cause or for convenience.

SECTION 5. That the duration of the agreement shall be from execution of the agreement to completion and acceptance of the Project by the City. After acceptance of the Project by the City, City shall take ownership, operation, and maintenance responsibilities of all improvements.

February 10, 2021

SECTION 6. That the Chief Financial Officer is hereby authorized to receive and deposit funds in an amount not to exceed \$795,395.00 from UCPID in the University Crossing PID Trail Fund, Fund 0830, Department PKR, Unit W699, Revenue Code 6512.

SECTION 7. That the City Manager is hereby authorized to establish appropriations in an amount not to exceed \$795,395.00 in the University Crossing PID Trail Fund, Fund 0830, Department PKR, Unit W699, Object 4599.

SECTION 8. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$795,395.00 from the University Crossing PID Trail Fund, Fund 0830, Department PKR, Unit W699, Object 4599, Program PKF633, Encumbrance/Contract No. PKR-2020-00013545, in accordance with the terms and conditions of the Advanced Funding Agreement, authorized by separate City Council action.

SECTION 9. That the City Manager is hereby authorized to reimburse the granting agency any expenditures identified as ineligible and notify the appropriate City Council Committee of expenditures identified as ineligible not later than 30 days after the reimbursement.

SECTION 10. That this resolution shall take effect immediately from and after its passage in accordance with the provision of the Charter of the City of Dallas, and it is accordingly so resolved.