

November 10, 2021

WHEREAS, on October 9, 2002, City Council authorized an amendment to the Thoroughfare Plan to change the dimensional classification of Motor Street from Interstate Highway (IH) 35E to Harry Hines Boulevard from a four-lane undivided (M-4-U) to a six-lane divided (M-6-D(A)), by Resolution No. 02-2971; and

WHEREAS, on August 27, 2003, City Council authorized submission of the list of candidate projects to Dallas County's Major Capital Improvement Fund Thoroughfare Program's Call for Projects and authorized acceptance and implementation of the projects selected by Dallas County for this program, by Resolution No. 03-2345; and

WHEREAS, on October 26, 2005, City Council authorized submission of the list of candidate projects to the North Central Texas Council of Governments for the Regional Transportation Council Partnership Program 3 Call for Projects; and authorized acceptance and implementation of the projects selected by the North Central Texas Council of Governments' Regional Transportation Council for the Partnership Program 3, funding by Resolution No. 05-3032; and

WHEREAS, Medical District Drive from IH 35E (Stemmons Freeway) to Harry Hines Boulevard was submitted and subsequently selected for Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) funding; and

WHEREAS, in 2005, Congresswoman Eddie Bernice Johnson secured additional congressional earmark funds to cover estimated project funding shortfalls; and

WHEREAS, the Texas Department of Transportation (TxDOT) is responsible for engineering review and construction oversight to ensure federal guidelines are followed; and

WHEREAS, on April 13, 2011, City Council authorized a new ten-year Master Agreement with Dallas County governing major transportation capital improvement projects by Resolution No. 11-0927; and

WHEREAS, on August 24, 2011, City Council authorized a Project Supplemental Agreement to the Master Interlocal Agreement with Dallas County for the preliminary design of paving and drainage improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue, and payment of the City's share of preliminary design costs, in an amount not to exceed \$720,000.00 by Resolution No. 11-2193; and

WHEREAS, on August 24, 2011, City Council authorized a Local Project Advance Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Medical District Drive from IH 35E to Harry Hines Boulevard, in an amount not to exceed \$235,484.00 by Resolution No. 11-2194; and

November 10, 2021

WHEREAS, on June 25, 2014, City Council authorized an ordinance amending Chapter 51A, "Dallas Development Code: Ordinance No. 19455, as amended," of the Dallas City Code by adding a new Division 51A-7.2300; creating the Southwestern Medical District Sign District by Resolution No. 14-1070; Ordinance No. 29392; and

WHEREAS, on August 13, 2014, City Council authorized termination of the existing Local Project Advance Funding Agreement with the Texas Department of Transportation for the design, right-of-way acquisition, and construction of paving and drainage improvements on Medical District Drive from IH 35E to Harry Hines Boulevard by Resolution No. 14-1241; and

WHEREAS, on August 13, 2014, City Council authorized the First Amendment to the Project Supplemental Agreement with Dallas County, for the design, right-of-way acquisition, construction of paving, drainage, water main and wastewater main improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue and payment to Dallas County for the City's share of design, right-of-way acquisition and construction costs for Medical District Drive from IH 35E to Southwestern Medical Avenue, in an amount not to exceed \$1,292,322.00 by Resolution No. 14-1242; and

WHEREAS, on August 13, 2014, City Council authorized an agreement with Dallas Area Rapid Transit for construction, maintenance and use of the Trinity Railway Express underpass structure on Medical District Drive within the railroad right-of-way by Resolution No. 14-1243; and

WHEREAS, on September 28, 2016, City Council authorized a professional services contract with Urban Engineers Group, Inc. for the design of additional drainage improvements for Medical District Drive from IH 35E to Southwestern Medical Avenue, in an amount not to exceed \$92,784.00 by Resolution No. 16-1576; and

WHEREAS, on September 28, 2016, City Council authorized a maintenance agreement with the Southwestern Medical District for maintenance of the District's signs as defined in section 51A-7-2300 of the Dallas City Code, bridge façade and landscape within the Southwestern Medical District by Resolution No. 16-1577; and

WHEREAS, on June 28, 2017, City Council authorized the Second Amendment to the Project Supplemental Agreement with Dallas County, for the design, right-of-way acquisition, construction of paving, drainage, water main and wastewater main improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue and payment to Dallas County for the City's share of additional drainage construction costs for Medical District Drive from IH 35E to Southwestern Medical Avenue, in an amount not to exceed \$300,000.00 by Resolution No. 17-1057; and

November 10, 2021

WHEREAS, on June 28, 2017, City Council authorized an amendment to the License Agreement with Dallas Area Rapid Transit to allow for the installation of an additional 12-inch water main within the Trinity Railway Express right-of-way and to clarify the maintenance responsibilities during and after construction by Resolution No. 17-1058; and

WHEREAS, on November 16, 2017, Dallas County received construction bids for the Medical District Drive from IH 35E to Southwestern Medical Avenue Project, which the lowest bid was \$14,368,982.20 that will require an additional \$189,663.00 from Dallas Water Utilities for the water main improvements; and

WHEREAS, on February 28, 2018, City Council authorized the Third Amendment to the Project Supplemental Agreement with Dallas County to provide the City's share of additional construction costs for water main improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue, in an amount not to exceed \$189,663.00 by Resolution No. 18-0330; and

WHEREAS, Dallas County is the lead agency for the project and is responsible for administering the design, right-of-way acquisition, utility relocations, and construction; and

WHEREAS, the total estimated project cost has increased by \$1,000,000.00 from \$27,222,129.00 to \$28,222,129.00; and

WHEREAS, it is now necessary to authorize the Fourth Amendment to the Project Supplemental Agreement with Dallas County for additional paving and drainage improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue and payment to Dallas County for the City's share of additional project costs, in an amount not to exceed \$500,000.00.

Now, Therefore,

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

SECTION 1. That the City Manager is hereby authorized to execute the Fourth Amendment to the Project Supplemental Agreement with Dallas County, approved as to form by the City Attorney, for additional paving and drainage improvements on Medical District Drive from IH 35E to Southwestern Medical Avenue and for payment to Dallas County for the City's share of additional project costs, in an amount not to exceed \$500,000.00.

November 10, 2021

SECTION 2. That in order to reimburse and finance the authorized disbursements described herein, the City intends to issue one or more commercial paper notes as part of its General Obligation Commercial Paper Notes Series A, and Series B, and use the proceeds thereof to reimburse the disbursements described herein.

SECTION 3. That the Chief Financial Officer is hereby authorized to disburse funds in an amount not to exceed \$500,000.00 to Dallas County in accordance with the terms and conditions of the agreement from Street and Transportation (A) Fund, Fund 1V22, Department PBW, Unit U222, Activity INGV, Object 4111, Program PB06U222, Encumbrance CT-PBW06U222K1, Vendor 014003.

SECTION 4. That the Chief Financial Officer is hereby authorized to deposit any unused Bond Funds advanced to Dallas County pertaining to this project in the Street and Transportation Improvements Fund, Fund 2T22, Department PBW, Unit U222, Balance Sheet Account 032B.

SECTION 5. That this contract is designated as Contract No. STS-2017-00001986.

SECTION 6. That this resolution shall take effect immediately from and after its passage in accordance with provisions of the Charter of the City of Dallas, and it is accordingly so resolved.