

April 26, 2023

WHEREAS, the Texas Transportation Commission passed Minute Order No. 116292 and 116073 authorizing the State to undertake and complete a highway improvement or other transportation project generally described as bicycle and pedestrian improvements, which included this project; 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 Advanced Funding Agreements (AFA); and

WHEREAS, the City of Dallas desires to enter into an AFA with TxDOT to accept federal funding through the Surface Transportation Block Grant Program for cost related to the preparation of preliminary engineering (design schematic, right-of-way, environmental documents, and public involvement), plans, specifications and estimates, and the construction of pedestrian connections to include crosswalks, Americans with Disabilities Act ramps and associated improvements, and pedestrian lighting on South Lancaster Road from East Kiest Boulevard to East Ledbetter Drive in the City of Dallas ("Project"); and

WHEREAS, the total estimated project cost is \$2,092,708.00 which includes \$1,960,000.00 in Federal reimbursement, \$40,000.00 in Direct State Costs, \$92,708.00 in Indirect State Costs, and the City of Dallas' portion covered by the use of 400,000 Transportation Development Credits ("TDCs") in lieu of a local cash match; and

WHEREAS, TDCs are non-cash credits approved by the Federal Highway Administration that allow for the use of federal funding without the requirement of a cash match; and

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

WHEREAS, the City is responsible for project cost overruns in excess of Federal and State funding participation as required by terms of the AFA; 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 the Surface Transportation Block Grant Program (Agreement No. CSJ 0918-47-422, CFDA No. 20.205) in the amount of \$2,000,000.00 as federal share in the total project cost of

SECTION 1. (continued)

\$2,092,708.00 (includes \$1,960,000.00 in Federal reimbursement, \$40,000.00 in Direct State Cost, \$92,708.00 in Indirect State Cost, and the City of Dallas' portion covered by the use of 400,000 Transportation Development Credits in lieu of a local cash match) for cost related to the preparation of preliminary engineering (design schematic, right-of-way, environmental documents, and public involvement), plans, specifications and estimates, and the construction of pedestrian connections to include crosswalks, Americans with Disabilities Act ramps and associated improvements, and pedestrian lighting on South Lancaster Road from East Kiest Boulevard to East Ledbetter Drive in the City of Dallas; provide actual cost overruns from the General Fund; and execute an Advanced Funding Agreement 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.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$1,960,000.00 in the S Lancaster Kiest Blvd to E Ledbetter – STB Grant Fund, Fund F732, Department TRN, Unit 338C, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in the amount of \$1,960,000.00 in the S Lancaster Kiest Blvd to E Ledbetter – STB Grant Fund, Fund F732, Department TRN, Unit 338C, Object 4510.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$1,960,000.00 in the S Lancaster Kiest Blvd to E Ledbetter – STB Grant Fund, Fund F732, Department TRN, Unit 338C, Object 4510, Activity INGV, Program TPF73223, Encumbrance/ Contract No. TRN-2023-00021631.

SECTION 5. 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 6. That this contract is designated as Contract No. TRN-2023-00021631.

SECTION 7. 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.