

May 10, 2023

WHEREAS, the State of Texas received Regional Toll Revenue (RTR) Funds from the North Texas Tollway Authority as surplus revenue from the State Highway (SH) 121 toll project; and

WHEREAS, pursuant to the Transportation Code, 228.006, the State of Texas shall authorize the use of surplus revenue from a toll project for transportation projects, highway projects, or air quality projects within the Texas Department of Transportation (TxDOT) district in which any part of the toll project is located; and

WHEREAS, the Regional Transportation Council (RTC), which is the transportation policy body of the North Central Texas Council of Governments and the federally designated metropolitan planning organization for the Dallas-Fort Worth Metropolitan Area, was designated by the Texas Transportation Commission on October 26, 2006, to select and oversee projects to be financed using RTR Funds; and

WHEREAS, the City of Dallas desires to enter into an Advanced Funding Agreement (AFA) with the State of Texas, acting by and through TxDOT, to accept RTR Funds for engineering to reroute the truck traffic and create a context sensitive design/road diet on Martin Luther King Jr. Boulevard from State Highway 352 to Botham Jean Boulevard (“Project”); and

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

WHEREAS, the RTC selected the Project to be funded from the SH 121 Subaccount, and the Texas Transportation Commission provided concurrence and authorization for the expenditure by Minute Order 116195, dated January 27, 2022; and

WHEREAS, the estimated cost for engineering of the Project is \$500,000.00 which is covered by 100 percent State participation and does not require a local match from the City; 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 authorized designee, is hereby authorized to accept RTR Funds from the State of Texas, acting by and through TxDOT, for engineering to reroute the truck traffic and create a context sensitive design/road diet on Martin Luther King Jr. (MLK) Boulevard (Blvd) from State Highway 352 to Botham Jean Boulevard (Agreement No. CSJ 0918-47-375) in the amount of \$500,000.00 as State participation from the State Highway 121 Subaccount for 100

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SECTION 1. (continued) percent of the project costs (no local participation required); and execute the 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.

SECTION 2. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$500,000.00 in the MLK Blvd TREC Project from SH352 - RTR Fund, Fund S396, Department TRN, Unit ER61, Revenue Code 6516.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in the amount of \$500,000.00 in the MLK Blvd TREC Project from SH352 - RTR Fund, Fund S396, Department TRN, Unit ER61, Object 4111.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$500,000.00 in the MLK Blvd TREC Project from SH352 - RTR Fund, Fund S396, Department TRN, Unit ER61, Object 4111, Activity INGV, Program TPS39623, Encumbrance/Contract No. TRN-2023-00021791.

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 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.