

November 13, 2024

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, 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 for a U.S. Department of Transportation Federal Highway Administration Congestion Mitigation and Air Quality Improvement Program grant to implement bike lanes along Fair Oaks Avenue from Ridgecrest Road to Walnut Hill Lane; 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 total estimated project cost is \$466,778.00, which includes \$343,000.00 in Federal reimbursement, \$7,000.00 as Federal participation for direct state costs, \$20,528.00 as State participation for indirect state cost, and \$96,250.00 as the City of Dallas' portion for construction activities and direct state costs; and

WHEREAS, the City of Dallas will pay TxDOT an amount of \$10,500.00 for direct state costs prior to construction; and

WHEREAS, the City will be responsible for 100 percent of project cost overruns in excess of Federal and State funding participation as required by the 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 U.S. Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Congestion Mitigation and Air Quality (CMAQ) Improvement Program (Agreement No. CSJ 0918-47-376, Assistance Listing No. 20.205) in the amount of \$350,000.00 as Federal share in the total project cost of \$466,778.00, which includes \$343,000.00 in Federal reimbursement, \$7,000.00 as Federal participation for direct state costs, \$20,528.00 as State participation for indirect state cost, and \$96,250.00 (\$85,750.00 for

SECTION 1. (continued)

construction costs and \$10,500.00 for direct state costs paid to TxDOT prior to construction) plus any cost overruns as local participation for costs to implement bike lanes along Fair Oaks Avenue from Ridgcrest Road to Walnut Hill Lane, which may be terminated under the conditions as stated in the Master Agreement; and execute an Advance 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 \$343,000.00 in the TxDOT CMAQ Fair Oaks Bike Lanes Fund, Fund F774, Department PBW, Unit 680Y, Revenue Code 6506.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in the amount of \$343,000.00 in the TxDOT CMAQ Fair Oaks Bike Lanes Fund, Fund F774, Department PBW, Unit 680Y, Object 4599.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$343,000.00 from the TxDOT CMAQ Fair Oaks Bike Lanes Fund, Fund F774, Department PBW, Unit 680Y, Object 4599, Program TPF77424, Encumbrance/Contract No. TRN-2024-00026124.

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 \$10,500.00, in accordance with the terms and conditions of the AFA, from the Bike Lane Fund, Fund 0791, Department PBW, Unit W660, Object 4599, Activity HIBT, Program BIKELANES, Encumbrance/Contract No. TRN-2024-00026124, 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 \$85,750.00, in accordance with the terms and conditions of the AFA, from the Bike Lane Fund, Fund 0791, Department PBW, Unit W660, Object 4599, Activity HIBT, Program BIKELANES, Encumbrance/Contract No. TRN-2024-00026124.

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 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.