

February 12, 2025

WHEREAS, the City of Dallas was awarded Congestion Mitigation and Air Quality Improvement Program funding in the amount of \$16,101,316.00, from the North Central Texas Council of Governments for the design and construction of the Five Mile Creek Trail; and

WHEREAS, the City of Dallas desires to enter into an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for a Congestion Mitigation and Air Quality Improvement Program Project (Agreement No. CSJ 0918-47-474) for the design and construction of the Five Mile Creek Trail; and

WHEREAS, the Federal portion is \$15,400,000.00 (including \$154,000.00 in State Direct costs), the State's portion is \$701,316.00, and the local match is \$3,080,000.00 provided through the use of Federal Transportation Development Credits; and

WHEREAS, the City of Dallas will be responsible for any change orders or bid overruns.

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 Advance Funding Agreement with the Federal Highway Administration through the Texas Department of Transportation (TxDOT) (Agreement No. CSJ 0918-47-474, Assistance Listing No. 20.205) for the Congestion Mitigation and Air Quality (CMAQ) Program for design and construction of the Five Mile Creek Trail in the amount of \$16,101,316.00 of which the Federal portion is \$15,400,000.00 (includes \$154,000.00 in State Direct Costs), the State's portion is \$701,316.00, and the local match portion is \$3,080,000.00 to be provided through the use of Transportation Development Credits; and execution of the agreement with TxDOT and all terms, conditions, and documents required by the agreement, approved as to form by the City Attorney.

SECTION 2. That the City Manager is hereby authorized to establish appropriations in the amount of \$15,246,000.00 in the TxDOT CMAQ Five Mile Creek Westmoreland DART Grant Fund, Fund F782, Department PKR, Unit 681T, Object 4599.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$15,246,000.00 to the TxDOT CMAQ Five Mile Creek Westmoreland DART Grant Fund, Fund F782, Department PKR, Unit 681T, Revenue Code 6506.

February 12, 2025

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$15,246,000.00 in accordance with the terms and conditions of the agreement from the TxDOT CMAQ Five Mile Creek Westmoreland DART Grant Fund, Fund F782, Department PKR, Unit 681T, Object 4599, Activity HIBT, Program PF782681T, Encumbrance/Contract No. PKR-2024-00025697.

SECTION 5. That the City Manager is hereby authorized to execute all terms, conditions, and documents required by the grant agreement which may be terminated under the conditions as stated in the Agreement. This Advance Funding Agreement may be terminated by the State of Texas if the project is inactive for thirty-six months or longer and no expenditures have been charged against Federal funds.

SECTION 6. 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 7. That the City Manager shall keep the appropriate City Council Committee informed of all final granting agency monitoring reports not later than 30 days after the receipt of the report.

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.