

January 25, 2023

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 multimodal accessibility, pedestrians, transit, bicycles and automobiles; and

WHEREAS, on August 31, 2021, the Texas Transportation Commission passed Minute Order Number 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) has entered into a Master Agreement which states the general terms and conditions for the development of transportation projects through Advanced Funding Agreements (AFAs); and

WHEREAS, the City of Dallas is the lead agency to administer the engineering and construction of the project pursuant to the terms of an AFA with the State of Texas acting through TxDOT; and

WHEREAS, the City of Dallas is responsible for project cost overruns in excess of Federal and State funding participation as is required by terms of an AFA; and

WHEREAS, Coronavirus State and Local Fiscal Recovery Funds are eligible within the Qualified Census Tract areas to improve various intersections to promote the safety of all right-of-way users including motorist, cyclists, and pedestrians; and

WHEREAS, on September 28, 2022, City Council authorized the final reading and adoption of the appropriation ordinance for the FY 2022-23 City of Dallas Operating, Capital, and Grant & Trust Budgets, which included the American Rescue Plan Act funds from the U.S. Department of Treasury for the Coronavirus State and Local Fiscal Recovery Fund by Resolution No. 22-1480; 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 a grant from the United States Department of Transportation Federal Highway Administration through the Texas Department of Transportation (TxDOT) for the Congestion Mitigation and Air Quality Improvement Program (Agreement No. CSJ 0918-47-374, CFDA No. 20.205) in the amount of \$2,000,000.00 as federal share in the total project cost of \$2,619,446.00 (Federal share \$2,000,000.00, Indirect

January 25, 2023

SECTION 1. (continued) State \$94,446.00, and City of Dallas participation \$525,000.00 of which \$30,000.00 is to be paid to TxDOT prior to construction) for costs related to the reconstruction and upgrade of signals/equipment and construction of pedestrian improvements at the following seven intersections: Lemmon Avenue and Manor Way; Lemmon Avenue and Haggard Way; Lemmon Avenue and Inwood Road; Lemmon Avenue and Hudnall Street; Lemmon Avenue and Lomo Alto Drive; Lemmon Avenue and Turtle Creek Boulevard; and Lemmon Avenue and N Central Expressway (US 75); provide actual cost overruns from the General Fund; and execute an 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 City Manager is hereby authorized to establish appropriations in the amount of \$2,000,000.00 in the Lemmon Ave from NW Hwy to US75 CMAQ AFA Fund, Fund F8HC, Department TRN, Unit 89HC, Object 4820.

SECTION 3. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$2,000,000.00 in the Lemmon Ave from NW Hwy to US75 CMAQ AFA Fund, Fund F8HC, Department TRN, Unit 89HC, Revenue Code 6506.

SECTION 4. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$2,000,000.00 from the Lemmon Ave from NW Hwy to US75 CMAQ AFA Fund, Fund F8HC, Department TRN, Unit 89HC, Object 4820, Activity INGV, Major Program MJRTRN, and Program TPF8HC23.

SECTION 5. That the Chief Financial Officer is hereby authorized to disburse part of the local match as initial payment prior to construction in the amount of \$30,000.00 in accordance with the terms and conditions of the AFA from the General Fund, Fund 0001, Department TRN, Unit 3049, Object 4820, Activity INGV, Major Program MJRTRN, to TxDOT, 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 \$495,000.00 in accordance with the terms and conditions of the AFA from the Coronavirus State and Local Fiscal Recovery Fund, Fund FC18, Department TRN, Unit AG31, Object 4820.

SECTION 7. 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 8. 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.

January 25, 2023

SECTION 9. That this contract is designated as Contract No. TRN-2023-00021021.

SECTION 10. 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.