WHEREAS, in July 2017, the City of Dallas was awarded Transportation Alternatives Set-Aside Program funding from the North Central Texas Council of Governments, in the amount of $5,676,494.00, for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension; and

WHEREAS, on August 28, 2019, City Council authorized, an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205) to accept funding for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension, in the amount of $8,263,490.00, by Resolution No. 19-1278; and

WHEREAS, TxDOT did not execute the AFA and has now determined the Local Government Participation should be increased by $135,194.00 for additional funding for review, inspection and oversight of construction activities to a total warrant check of $270,388.00; and

WHEREAS, the total cost of the project is now $8,340,335.00 which reflects a reduction in the indirect state cost and an increase in City's additional funding share for City review, inspection and oversight of construction activities; and

WHEREAS, this action will rescind Resolution No. 19-1278, previously approved on August 28, 2019, for the AFA with TxDOT and the City of Dallas now desires to enter into a new AFA with TxDOT for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205) for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension; and

WHEREAS, the Federal portion of the project is $5,676,494.00, TxDOT's indirect costs is $325,601.00 and the City of Dallas' local match is $2,338,240.00, for a total project amount of $8,340,335.00; and

WHEREAS, the City of Dallas will issue a warrant check to the State at the beginning of the project, in the amount of $270,388.00; 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 **(1)** rescind Resolution No. 19-1278, previously approved on August 28, 2019, for the Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for a Transportation Alternatives Set-Aside Program Project (Agreement No. CSJ 0918-47-206) to accept funding for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension in the amount of $8,263,490.00; and **(2)** execute a new Advance Funding Agreement with the Texas Department of Transportation for a Transportation Alternatives Set-Aside (TASA) Program Project (Agreement No. CSJ 0918-47-206, CFDA No. 20.205), approved as to form by the City Attorney, to accept funding in the amount of $5,676,494.00 for construction of the Lake Highlands Trail - Phase II-A, II-B, and Lake Highlands Northern Extension, which may be terminated under the conditions as stated in the Agreement. This Advance Funding Agreement may be terminated by the State if the project is inactive for thirty-six months or longer and no expenditures have been charged against federal funds.

SECTION 2. That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT (239588), in the amount of $270,388.00 from Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VB18, Object 4599, Activity HIBT, Program PK17VB18.

SECTION 3. That the Chief Financial Officer is hereby authorized to deposit any unused Current Funds advanced to TxDOT pertaining to this project into Fund 1V00, Department PKR, Program PK17VB18, Balance Sheet Account 032A.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program, Fund F580, Department PKR, Unit 3899, Revenue Code 6506.

SECTION 5. That the City Manager is hereby authorized to establish appropriations in the amount of $5,676,494.00 in the Lake Highlands Trail PH2 TASA Program, Fund F580, Department PKR, Unit 3899, Object Code 4599.

SECTION 6. That the Chief Financial Officer is hereby authorized to disburse funds in the amount of $8,014,734.00 ($2,338,240.00 is the City portion and $5,676,494.00 is the Federal portion) in accordance with the terms and conditions of the agreement as follows:

Lake Highlands Trail PH2 TASA Program
Fund F580, Department PKR, Unit 3899, Object 4599
Activity HIBT, Program PB12S617 $5,676,494.00

SECTION 6. (continued)

2006 Bond Funds
Street and Transportation Improvements Fund
Fund 1T22, Department PBW, Unit S617, Object 4599
Activity HIBT, Program PB12S617 $ 84.57

2012 Bond Funds
Street and Transportation Improvements Fund
Fund 2U22, Department PBW, Unit S617, Object 4599
Activity HIBT, Program PB12S617 $ 89,548.25

Street and Transportation Improvements Fund
Fund 4U22, Department PBW, Unit S617, Object 4599
Activity HIBT, Program PB12S617 $ 516,901.00

2017 Bond Funds
Park and Recreation Facilities (B) Fund
Fund 1V00, Department PKR, Unit VB18, Object 4599
Activity HIBT, Program PK17VB18 $1,731,706.18

Total ~~amount not to exceed~~ $8,014,734.00

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.

SECTION 9. That this contract is designated as Contract No. PKR-2019-00010730.

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.