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**WHEREAS**, Union Pacific Railroad (UPRR) housed an intermodal operation known as Miller Yard located on the west side of Linfield Road near the Joppa community in Dallas, Texas; and

**WHEREAS**, on September 27, 2000, the City of Dallas City Council awarded a contract to construct a vehicular bridge on Linfield Road over the UPRR tracks while maintaining the at-grade crossing; and

**WHEREAS**, the demand for UPRR's Miller Yard's operations grew with it resulting in the need to add a bypass track through the Miller Yard at Linfield Road; and

**WHEREAS**, the addition of faster moving trains, along with slower moving trains within the Miller Yard, would pose an increased safety risk to pedestrians and vehicular traffic using the existing at-grade crossing; and

**WHEREAS**, since 2015 UPRR in collaboration with the City of Dallas, the North Central Council of Governments (NCTCOG), and the Joppa community have engaged in numerous community meetings; and

**WHEREAS**, the community meetings culminated in a vote whereby the community agreed to permanently close the at-grade crossing in exchange for the construction of a pedestrian bridge parallel to the existing vehicular bridge that meets current Americans with Disabilities Act Accessibility Guidelines (ADAAG); and

**WHEREAS**, on June 13, 2019, the North Central Texas Council of Governments' (NCTCOG) Regional Transportation Council approved \$8,092,310 to fund a pedestrian bridge project parallel to the existing Linfield Road vehicular bridge over the UPRR tracks; and

**WHEREAS**, the City of Dallas and the 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 preliminary engineering of the project pursuant to the terms of an AFA with the State of Texas acting through TxDOT; and

**WHEREAS**, revisions to the funding strategies for the construction component of this contract necessitate modifications to the Transportation Improvement Plan (TIP); and

**WHEREAS**, after the TIP modifications are approved for the construction component of this project, TxDOT will issue a separate AFA for the construction of this project; and

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**WHEREAS**, after receiving the AFA for the construction component of this project from TxDOT, City staff will place a separate item on the City Council agenda for consideration; 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**, 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 is hereby authorized to accept a grant from the United States Department of Transportation, Federal Highway Administration through TxDOT for a CMAQ Grant (Agreement No. CSJ 0918-47-310, CFDA No. 20.205) in the amount of \$1,225,000.00 as federal share in the total project cost of \$1,305,370.00 (includes Federal \$1,225,000.00, Direct State \$25,000.00 and Indirect State \$55,370.00 participation) and no City participation (covered by a total TDC value of \$250,000.00) for costs related to the preparation of preliminary engineering (design schematic, environmental documents/public involvement), plans, specifications and estimates to allow for the construction of shared use path on Linfield Road over Union Pacific Railroad Rail Yard in the City of Dallas; provide actual cost overruns, from the General Fund; and execute an AFA, approved as to form by the City Attorney, with TxDOT in a total approximate amount of \$1,305,370.00, and all terms, conditions, and documents required by the AFA.

**SECTION 2.** That the City Manager is hereby authorized to establish appropriations in the amount of \$1,225,000.00 in the Linfield Project Grant Fund, Fund F661, Department TRN, Unit 173C, Object 4599.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$1,225,000.00 into the Linfield Project Grant Fund, Fund F661, Department TRN, Unit 173C, Revenue Code 6506.

**SECTION 4.** That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$1,225,000.00 to the Texas Department of Transportation in the Linfield Project Grant Fund, Fund F661, Department TRN, Unit 173C, Object 4599, Program TXDOT, Encumbrance/Contract No. TRN-2021-00015426, Vendor 020318.

**SECTION 5.** 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.

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**SECTION 6.** 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 7.** 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.