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WHEREAS, the 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, City Council authorized a contract to construct a vehicular bridge on Linfield Road over the UPRR tracks while maintaining the at-grade crossing by Resolution No. 00-2914; 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 the current Americans with Disabilities Act Accessibility Guidelines; and

WHEREAS, the North Central Texas Council of Governments' (NCTCOG) Regional Transportation Council approved \$8,550,000.00 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) have 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 and construction of the project pursuant to the terms of an AFA with the State of Texas acting through TxDOT; and

WHEREAS, on January 13, 2021, City Council authorized the acceptance of a grant for the preparation of preliminary engineering (design schematic, right-of-way, environmental documents/public involvement, plans, specifications and estimates) to allow for the construction of a bicycle and pedestrian bridge on Linfield Road over Union Pacific Railroad Rail Yard in the City of Dallas, including landscaping in the project area and along Carbondale Street, by Resolution No. 21-0133; and

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WHEREAS, it is now necessary to authorize **(1)** rescinding Resolution No. 21-0133, previously approved on January 13, 2021, for the purpose of revising the scope of work and increasing the grant amount being awarded for this project from \$1,225,000.00 to \$3,430,000.00 and increasing the total project budget from \$1,305,370.00 to \$3,655,036.00; **(2)** the acceptance of 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 0918-47-310, CFDA No. 20.205) in the amount of \$3,430,000.00 as federal share in the total project cost of \$3,655,036.00 (includes Federal \$3,430,000.00, Direct State \$70,000.00 and Indirect State \$155,036.00 participation) for costs related to the preparation of preliminary engineering (design schematic, right-of-way, environmental documents/public involvement, plans, specifications and estimates) and for the construction of a bicycle and pedestrian bridge on Linfield Road over Union Pacific Railroad Rail Yard in the City of Dallas, including landscaping in the project area and along Carbondale Street; **(3)** the establishment of appropriations in the amount of \$3,430,000.00 in the Linfield Project Grant Fund; **(4)** receipt and deposit of funds in the amount of \$3,430,000.00 in the Linfield Project Grant Fund; and **(5)** execution of the Local Project Advance Funding Agreement with TxDOT in a total approximate amount of \$3,655,036.00.

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 as part of the AFA.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That Resolution No. 21-0133, previously approved on January 13, 2021, for costs related to the preparation of preliminary engineering (design schematic, right-of-way, environmental documents/public involvement, plans, specifications and estimates) and for the construction of a bicycle and pedestrian bridge on Linfield Road over Union Pacific Railroad Rail Yard in the City of Dallas, including landscaping in the project area and along Carbondale Street, is hereby rescinded for the purpose of revising the scope of work and increasing the grant amount being awarded for this project from \$1,225,000.00 to \$3,430,000.00 and increasing the total project budget from \$1,305,370.00 to \$3,655,036.00.

SECTION 2. That the City Manager is hereby authorized to accept a grant from the United States Department of Transportation, Federal Highway Administration through Texas Department of Transportation for a Congestion Mitigation and Air Quality Improvement

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SECTION 2. (continued) Program Grant (Agreement No. CSJ 0918-47-310, CFDA No. 20.205), approved as to form by the City Attorney, in the amount of \$3,430,000.00 as federal share in the total project cost of \$3,655,036.00 (includes Federal \$3,430,000.00, Direct State \$70,000.00 and Indirect State \$155,036.00 participation) for costs related to the preparation of preliminary engineering (design schematic, right-of-way, environmental documents/public involvement, plans, specifications and estimates) and for the construction of a bicycle and pedestrian bridge on Linfield Road over Union Pacific Railroad Rail Yard in the City of Dallas, including landscaping in the project area and along Carbondale Street; provide actual cost overruns, from the General Fund; and execute an AFA, with TxDOT in a total approximate amount of \$3,655,036.00, and all terms, conditions, and documents required by the AFA.

SECTION 3. That the City Manager is hereby authorized to establish appropriations in the amount of \$3,430,000.00 in the Linfield Project Grant Fund, Fund F661, Department TRN, Unit 173C, Object 4599.

SECTION 4. That the Chief Financial Officer is hereby authorized to receive and deposit funds in the amount of \$3,430,000.00 into the Linfield Project Grant Fund, Fund F661, Department TRN, Unit 173C, Revenue Code 6506.

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.

SECTION 6. That this contract is designated as Contract No. TRN-2021-00015426.

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.