

**RESOLUTION NO. 2023-077**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, SUPPORTING THE CITY'S APPLICATION TO THE TEXAS DEPARTMENT OF TRANSPORTATION 2023 TRANSPORTATION ALTERNATIVES SET-ASIDE ("TA") PROGRAM; AND PROVIDING AN EFFECTIVE DATE**

**WHEREAS**, the Texas Department of Transportation ("TxDOT") issued a call for projects in December 2022 for communities to apply for funding assistance through the Transportation Alternatives Set-Aside ("TA") Program; and

**WHEREAS**, the TA Program funds may be used for development of preliminary engineering (plans, specifications, and estimates and environmental documentation) and construction of pedestrian and/or bicycle infrastructure; and

**WHEREAS**, the TA Program funds require a local match, comprised of cash or Transportation Development Credits (TDCs), if eligible; and

**WHEREAS**, the City of Farmers Branch ("City") would be responsible for all non-reimbursable costs and 100% of overruns, if any, for any selected project funded in part with TA Program funds; and

**WHEREAS**, City Administration desires and recommends submitting an application to TxDOT for funds from the TA Program to provide funding for the Valley View Lane/Mercer Parkway Pedestrian Crossing (the "Project"); and

**WHEREAS**, the City Council of the City of Farmers Branch, Texas finds it to be in the public interest to support and approve the recommendation of the City Administration.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The City Council is hereby authorized the City Manager to prepare and submit on behalf of the City a detailed application to TxDOT for the TA Project requesting TA Program funds for the Project; and, furthermore:

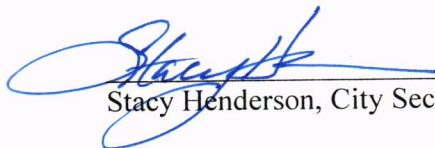
- A.** The City Manager shall be the City's authorized representative to sign all documents and agreements relating to the application to the TA Program and, if awarded, acceptance and use of the TA Program funds received;
- B.** If awarded the TA Program funds, the City Manager is authorized to negotiate and execute an Advanced Funding Agreement with TxDOT setting forth the terms and conditions relating to the receipt and spending of the TA Program funds awarded;

- C. The City represents that it has current funds available and will provide the required local match of funds required for the Project in accordance with the guidelines of the TA Program based on the amount of TA Program funds for which the City is making application; and
- D. The City is committed to developing, implementing, constructing, maintaining, managing, and financing the Project, if and where applicable.

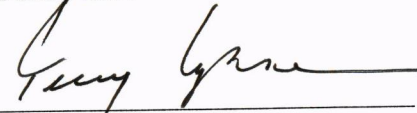
**SECTION 2.** This Resolution shall become effective immediately from and after its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 16<sup>TH</sup> DAY OF MAY 2023.**

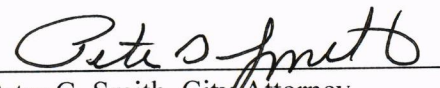
**ATTEST:**

  
\_\_\_\_\_  
Stacy Henderson, City Secretary

**APPROVED:**

  
\_\_\_\_\_  
Terry Lynne, Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
Peter G. Smith, City Attorney  
(kbl:4/28/2023:134764)