



RESOLUTION NO. 2019-188

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, APPROVING THE TERMS AND CONDITIONS OF A PROJECT SPECIFIC AGREEMENT (HEREINAFTER “AGREEMENT”) TO THE MASTER AGREEMENT GOVERNING MAJOR CAPITAL TRANSPORTATION IMPROVEMENT PROJECTS FOR THE PURPOSE OF CONSTRUCTING TRANSPORTATION IMPROVEMENTS TO THE WESTSIDE TRAIL MCIP PROJECT 20501, FROM THE DART FARMERS BRANCH STATION NEAR DOWNTOWN FARMERS BRANCH TO THE WEST CITY LIMIT WHERE IT WILL CONNECT WITH THE CAMPION TRAIL, JOHN F. BURKE NATURE PRESERVE, HEREINAFTER (“PROJECT”) BY AND BETWEEN DALLAS COUNTY, TEXAS (HEREINAFTER “COUNTY”), AND THE CITY OF FARMERS BRANCH, TEXAS (HEREINAFTER “CITY”); AUTHORIZING ITS EXECUTION BY THE CITY MANAGER; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City and County entered into a Master Agreement Governing Transportation Major Capital Improvement Projects, hereinafter (“Master Agreement”) on July 05, 2011 by Commissioners Court Order 2011-1203 for the purpose of transportation improvements on roads inside Dallas County;

WHEREAS, pursuant to Dallas County Commissioners Court Order No. 2016-0769 dated June 21, 2016 County and City entered into a Program Funding Agreement for the implementation of the Westside Trail MCIP Project 20501; and

WHEREAS, pursuant to Dallas County Commissioners Court Order No. 2017-1073 dated August 15, 2017 County and City entered into a First Amendment to Program Funding Agreement for the implementation of the Westside Trail MCIP Project 20501; and

WHEREAS, the City has or intends to enter into a Local Project Advance Funding Agreement, hereinafter (“LPAFA”) with the State of Texas by and through the Texas Department of Transportation, hereinafter (“TxDOT”) to provide funding in the amount of \$4,545,725.00 for the construction of Westside Trail MCIP 20501 Project; and

WHEREAS, the City has requested that it be designated as the Lead Agency for the Project and will provide the Project Manager;

WHEREAS, upon full review and consideration of the Agreement, and all matters related thereto, the City Council is of the opinion and finds that the terms and conditions thereof should be approved, and that the City Manager should be authorized to execute the Agreement on behalf of the City of Farmers Branch, Texas;

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

SECTION 1. That the terms, provisions, and conditions of the Project Specific Agreement to the Master Agreement Governing Major Capital Transportation Improvement Projects for the purpose of constructing transportation improvements to the Westside Trail MCIP Project 20501, from the DART Farmers Branch Station near downtown to the west City limit where it will connect with the Campion Trail, John F. Burke Nature Preserve (the “Project”), by and between Dallas County, Texas, and the City of Farmers Branch, Texas, is hereby approved.

SECTION 2. That the City Manager is hereby authorized to execute the Project Specific Agreement to the Master Agreement Governing Major Capital Transportation Improvement Projects for the purpose of constructing transportation improvements to the Westside Trail MCIP Project 20501, from the DART Farmers Branch Station near downtown to the west City limit where it will connect with the Campion Trail, John F. Burke Nature Preserve on behalf of the City, and any amendments or other instruments related thereto, contingent upon the execution of the LPAFA between the City of Farmers Branch, Texas and TxDOT.

SECTION 3. This Resolution shall take effect immediately upon its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS 10TH DAY OF DECEMBER, 2019.

ATTEST:

APPROVED:

Amy Piukana, City Secretary

Robert C. Dye, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(11-20-2019:TM 112290)