

A RESOLUTION

A RESOLUTION OF THE CITY OF FAIR OAKS RANCH, TEXAS AUTHORIZING EXECUTION OF AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR AN OFF-SYSTEM HIGHWAY SAFETY IMPROVEMENT PROGRAM (HSIP) PROJECT AND AUTHORIZING THE CITY MANAGER TO EXECUTE APPLICABLE DOCUMENTS.

WHEREAS, the Highway Safety Improvement Program (HSIP) aims to eliminate or reduce the number and severity of traffic crashes; and,

WHEREAS, the HSIP includes funds for construction and operational improvements of qualifying projects that are located off the state highway system; and,

WHEREAS, the Post Oak Trail Widening project (the "Project") was selected to receive HSIP funds for project construction and oversight by Texas Department of Transportation ("TxDOT" or the "State"); and,

WHEREAS, TxDOT and City of Fair Oaks Ranch entered into a Master Agreement Governing Local Transportation Project Advance Funding Agreements on July 5, 2014; and,

WHEREAS, TxDOT requires the Governing Body of the Local Government to approve entering into an AFA for each HSIP Project by resolution or ordinance which will be made a part of the agreement; and,

WHEREAS, the AFA for HSIP Project requires local government funding to cover the cost of engineering, environmental assessment and mitigation, direct state costs and 10% of the construction cost up to the maximum federal funding obligated amount. The local funding may be comprised of cash or in-kind contributions; and,

WHEREAS, the estimated total project cost, inclusive of federal, state and local funding, is \$3,278,762; and,

WHEREAS, the City of Fair Oaks Ranch is responsible for all non-reimbursable costs and 100% of overruns, if any; and,

WHEREAS, the Governing Body of the City of Fair Oaks Ranch desires to reaffirm its support of the Project and authorize the execution of an AFA with TxDOT for the Project.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS THAT:

SECTION 1. The City Council hereby reaffirms its support of the Project and authorizes the execution of an AFA with TxDOT for the Project.

SECTION 2. The City Council hereby authorizes the City Manager to execute any and all applicable documents to effectuate this Resolution.

SECTION 3. That it is hereby officially found and determined that the meeting at which this resolution is passed is open to the public and that public notice of the time, place and purpose of said meeting was given as required by law.

PASSED, APPROVED, AND ADOPTED on this 1st day of September, 2022.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC, City Secretary

Denton Navarro Rocha Bernal & Zech, P.C.,
City Attorney