

A RESOLUTION

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FAIR OAKS RANCH, TEXAS
AUTHORIZING THE EXECUTION OF A WORK AUTHORIZATION WITH PAPE-DAWSON
ENGINEERS, INC. FOR ENGINEERING SERVICES FOR THE DIETZ ELKHORN (EAST)
RECONSTRUCTION PROJECT, EXPENDITURE OF THE REQUIRED FUNDS, AND EXECUTION
OF ALL APPLICABLE DOCUMENTS BY THE CITY MANAGER.**

WHEREAS, the City Council identified the Dietz Elkhorn (East) Reconstruction project as a high priority in the adopted Roadway Capital Improvements Plan; and,

WHEREAS, the project includes the complete replacement of the roadway from Fair Oaks Parkway to FM 3351 (Ralph Fair Road), drainage improvements, utility and driveway adjustments; and,

WHEREAS, in July 2023, the City executed a work authorization with Pape-Dawson Engineers, Inc. for surveying, geotechnical investigation, preliminary engineering and schematic design services for various roadway and multimodal transportation options; and,

WHEREAS, in March 2024, the City Council selected Option 1 (Reconstruction with Wider Shoulders); and,

WHEREAS, voters of the City of Fair Oaks Ranch approved the issuance of general obligation bonds in the May 2024 election for construction of this project; and,

WHEREAS, the City Council deems it necessary to advance the schematic design to final design, including the preparation of construction documents, in order to bid the project next fiscal year.

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

Section 1 The City Council hereby authorizes the City Manager to execute an agreement with Pape-Dawson Engineers, Inc. for final design, bid and construction phase services for the Dietz Elkhorn (East) Reconstruction project, to expend required funds up to \$299,481.00, and to execute any and all applicable documents to effectuate this resolution.

Section 2. That the recitals contained in the preamble hereto are hereby found to be true and such recitals are hereby made a part of this resolution for all purposes and are adopted as a part of the judgment and findings of the Council.

Section3. If any provision of this resolution or the application thereof to any person or circumstance shall be held to be invalid, the remainder of this resolution and the application of such provision to other persons and circumstances shall nevertheless be valid, and the City Council hereby declares that this resolution would have been enacted without such invalid provision.

Section 4. That it is officially found, determined, and declared that the meeting at which this resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this

resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

- Section 5.** All resolutions or parts thereof, which are in conflict or inconsistent with any provision of this resolution are hereby repealed to the extent of such conflict, and the provision of this resolution shall be and remain controlling as to the matters resolved herein.
- Section 6.** This resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
- Section 7.** This resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED, APPROVED, and ADOPTED on this 18th day of July 2024.

Gregory C. Maxton, Mayor

ATTEST:

APPROVED AS TO FORM:

Christina Picioccio, TRMC
City Secretary

Denton Navarro Rodriguez Bernal Santee & Zech
P.C., City Attorney