

A RESOLUTION OF THE TOWN OF PROSPER, TEXAS, APPROVING AN ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR THE GREEN RIBBON PROGRAM PROJECT LANDSCAPE IMPROVEMENTS ALONG THE FOLLOWING PORTIONS OF STATE HIGHWAYS: US 380 FROM WEST OF SH 289 (PRESTON ROAD) TO SOUTH OF LOVERS LANE; US 380 EAST OF TEEL PARKWAY TO THE COLLIN COUNTY LINE; AND US 380 DENTON COUNTY LINE TO EAST OF SH 289 (PRESTON ROAD); AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Texas Department of Transportation ("TxDOT") has established the Green Ribbon Program to allocate funds for landscaping activities including planting and establishment of trees and plants on the state highway system; and

WHEREAS, TxDOT requires recipients of Green Ribbon Program funds to enter into an Advance Funding Agreement ("AFA") prior to distribution of funds; and

WHEREAS, the Town of Prosper ("Town") has been awarded Green Ribbon Program Project funds for landscaping improvements on US 380 from west of SH 289 (Preston Road) to south of Lovers Lane, US 380 east of Teel Pkwy to Collin County Line, and US 380 Denton County Line to east of SH 289 (Preston Road); and

WHEREAS, the Town is authorized to enter into an AFA with TxDOT for the Green Ribbon Program; and

WHEREAS, the Town Council believes it to be in the best interests of the citizens of Prosper to approve an AFA with TxDOT for Green Ribbon Project funding for the landscaping improvements described above; and

WHEREAS, Chapter 11 of Title 43 of the Texas Administrative Code addresses the Green Ribbon Program and allows local governments, by the execution of written agreements, to provide money, property or services for aesthetic improvements on the state highway system; and

WHEREAS, certain legislative enactments from the 86th Legislative Session provide the Green Ribbon Project as a public-private partnership initiative to enhance the appearance of public highways by incorporating in the design and improvement of public highways the planting of trees and shrubs emphasizing natural beauty and greenspace, integrating public art, and highlighting cultural uniqueness of neighborhoods, to other areas of the state; and

WHEREAS, all legal and statutory prerequisites for the adoption of this Resolution have been met, including but not limited to the Open Meetings Act; and

WHEREAS, the Town Council of the Town of Prosper deems the adoption of this Resolution to be in the best interests of the health, safety, and welfare of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS:

SECTION 1

All matters stated hereinabove are found to be true and correct and are incorporated herein by reference.

SECTION 2

The Town Council approves and authorizes entering in the Advance Funding Agreement (AFA) with TxDOT.

SECTION 3

The Town Manager or Mayor of the Town of Prosper, Texas is hereby authorized to execute the Advance Funding Agreement, which is attached hereto and incorporated by reference, and to exercise the rights and duties of the Town thereunder in order to receive funding through the Green Ribbon Program for landscaping improvements on US 380 from West of SH 289 (Preston Road) to south of Lovers Lane, US 380 east of Teel Pkwy to the Collin County Line, and US 380 Denton County Line to east of SH 289 (Preston Road).

SECTION 4

This Resolution shall take effect immediately upon and after its passage.

DULY PASSED AND APPROVED BY THE TOWN COUNCIL OF THE TOWN OF PROSPER, TEXAS, THIS THE 26TH DAY OF JULY, 2022.

David F. Bristol, Mayor

ATTEST:

Michelle Lewis Sirianni, Town Secretary

APPROVED AS TO FORM AND LEGALITY:

Terrence S. Welch, Town Attorney