

RESOLUTION NO. 19-R-72

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, REQUESTING ASSISTANCE FROM THE TEXAS DEPARTMENT OF TRANSPORTATION IN THE FORM OF A PLANNING STUDY FOR INTERSECTION IMPROVEMENTS INCLUDING AN OVERPASS STRUCTURE ON FM 3009 ACROSS THE UNION PACIFIC RAILROAD TRACKS AND FM 78 IN SCHERTZ AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City Council of Schertz has determined the need for a future extension of FM 3009 from FM 78 to IH 10 as evidenced by its inclusion in the City's Master Thoroughfare Plan; and

WHEREAS, the extension of FM 3009 to the south will include a grade separation over the railroad tracks for which right of way needs must be accurately determined; and

WHEREAS, the City Council of Schertz wishes to request that the Texas Department of Transportation (TxDOT) provide assistance with determination of those right of way needs; and

WHEREAS, the extension of FM 3009 to the south will improve mobility within Schertz and in the greater Schertz region; and

WHEREAS, the City Council of Schertz further wishes to request that TxDOT provide input with respect to the inclusion of the FM 3009 overpass and ultimate extension to IH 10 in TxDOT and AAMPO long range plans for future funding eligibility; and

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS, THAT:

1. The City Council of Schertz requests that TxDOT provide assistance to the City in the form of a planning study at the intersection of FM 3009 and FM 78, including a railroad grade separation of FM 3009 and the right of way needs for a feasible interchange at the intersection.
2. The City Council of Schertz further requests that TxDOT consider and assist the City with the steps necessary to have the extension of FM 3009 from FM 78 to IH 10 added to the long range plan of the Alamo Area Metropolitan Planning Organization (AAMPO).
3. The recitals contained in the preamble hereof 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 City Council.
4. 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resolutions or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and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 provisions of this Resolution shall be and remain controlling as to the matters resolved herein.

5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.
6. 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.
7. 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, Texas Government Code, as amended.
8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this 25th day of June, 2019

CITY OF SCHERTZ, TEXAS

Michael Carpenter, Mayor

ATTEST:

Brenda Dennis, City Secretary

(CITY SEAL)