

RESOLUTION NO. 22-R-116

**A RESOLUTION BY THE CITY OF SCHERTZ CITY COUNCIL
AUTHORIZING AN INTERLOCAL AGREEMENT BETWEEN THE CITY
OF SCHERTZ, TEXAS AND THE CITY OF SELMA, TEXAS REGARDING
FUNDING OF DESIGN AND CONSTRUCTION OF SIGNALIZATION OF
THE INTERSECTION OF LOOKOUT RD. AND SCHERTZ PARKWAY;
AND OTHER MATTERS IN CONNECTION THEREWITH**

WHEREAS, Chapter 791 of the Texas Government Code, as amended, titled Interlocal Cooperation Contracts, authorizes contracts between political subdivisions for the performance of governmental functions and services; and,

WHEREAS, the cities of Schertz and Selma have identified the intersection of Lookout Road and Schertz Parkway as an opportunity to share in the funding of design and construction costs associated with signalization of the intersection; and,

WHEREAS, such signalization would represent a traffic safety improvement that would be beneficial to both cities, as well as an improvement beneficial to existing and future business enterprise within the sector; and,

WHEREAS, Schertz has created the Schertz Economic Development Corporation, a Texas non-profit economic development corporation pursuant to Chapters 501, 502 and 505 of the Texas Local Government Code (“SEDC”); and,

WHEREAS, SEDC has allocated funding for redevelopment of Lookout Rd. in the FY 2023 Budget adopted by City Council on September 13, 2022: and,

WHEREAS, the City of Schertz, the City of Selma and the SEDC wish to expedite the design and construction of the signalization of the intersection of Schertz Parkway and Lookout Road to facilitate the safe and orderly flow of traffic through the (“Project”); and,

WHEREAS, Selma has requested Schertz act as the entity responsible for the design and construction of the Project.

WHEREAS, Schertz has worked with the SEDC to budget from the SEDC Reserve Fund additional dollars to the Lookout Rd. reconstruction project slated for FY2023; and,

WHEREAS, Selma seeks to expedite the development of signalization through sharing of up to one-third (1/3) of the cost of the Project.

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

Section 1. The City Council hereby approves the Interlocal Agreement between the City of Schertz, Texas and the City of Selma, Texas for the funding of design and construction costs associated with signalization of the intersection of Lookout Road and Schertz Parkway attached hereto as Exhibit A.

Section 2. The City Council hereby authorizes the City Manager to execute the Interlocal Agreement.

Section 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.

Section 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.

Section 5. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 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.

Section 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.

Section 8. This Resolution shall be in force and effect from and after its final passage, and it is so resolved.

PASSED AND ADOPTED, this ____ day of _____, 2022.

CITY OF SCHERTZ

Ralph Gutierrez, Mayor

ATTEST:

Brenda Dennis, City Secretary