

RESOLUTION NO. 23-R-81

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF SCHERTZ, TEXAS AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE ALAMO AREA MPO FOR TRANSPORTATION ALTERNATIVES FUNDING, AND ENTER INTO AN ADVANCED FUNDING AGREEMENT WITH TXDOT IF THE PROJECT IS SELECTED, FOR THE DIETZ CREEK TRAIL PROJECT AND OTHER MATTERS IN CONNECTION THEREWITH

WHEREAS, the City staff of the City of Schertz (the “City”) has recommended that the City submit an application to the Alamo Area Metropolitan Planning Organization for Transportation Alternatives funding for the West Dietz Creek Trail Project; and

WHEREAS, the City’s local match is 20% or \$250,000 and will be funded with specifically allocated trail development funds in the Parks & Recreation General Fund budget, and the reimbursable federal funding is 80% or \$1,000,000; and

WHEREAS, City Council has determined that it is in the best interest of the City to submit an application for Transportation Alternatives Funding for future trail development;

WHEREAS, City Council authorizes the City Manager to enter into an Advanced Funding Agreement (AFA) with TXDOT if the project is selected.

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

Section 1. The City Council hereby authorizes city staff to submit an application to the Alamo Area MPO for Transportation Alternatives funding for the West Dietz Creek Trail Project in the amount of \$1,250,000.00 and enter into an Advance Funding Agreement (AFA) with TXDOT if the project is selected.

Section 2. 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 3. 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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 4. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

Section 5. 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 6. 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 7. 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 _____, 2023.

CITY OF SCHERTZ, TEXAS

Ralph Gutierrez, Mayor

ATTEST:

Sheila Edmondson, City Secretary