

RESOLUTION NO. 26-R-036

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ADVANCE FUNDING AGREEMENT WITH THE STATE OF TEXAS FOR RAIL HIGHWAY SAFETY PROGRAM OFF-SYSTEM

WHEREAS, Schertz City Council approved Resolution 25-R-142 on October 14, 2025, authorizing an Advanced Funding Agreement with Texas Department of Transportation (TxDOT); and

WHEREAS, this Resolution will repeal and replace Resolution 25-R-142; and

WHEREAS, the TxDOT is undertaking a project to improve the railroad crossing on Schertz Parkway near FM 78; and

WHEREAS, the Union Pacific Railroad (UPRR) has indicted that current sidewalks in their property are not licensed; and

WHEREAS, TxDOT has requested that the City participate in the project by funding proposed sidewalk improvements; and

WHEREAS, City Staff has recommended that the City enter into an Advance Funding Agreement (AFA) with the State of Texas for the railroad crossing improvements.

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

Section 1. The City Council hereby authorizes the City Manager to execute the TxDOT Advance Funding Agreement.

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resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict, and the provisions of this Resolution shall be and remain controlling as to the matters resolved herein.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 _____, 2026.

CITY OF SCHERTZ, TEXAS

Ralph Rodriguez, Mayor

ATTEST:

Sheila Edmondson, City Secretary

(city seal)