

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AUTHORIZING THE MAYOR TO APPROVE AND EXECUTE A MUNICIPAL MAINTENANCE AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION.

WHEREAS, the City of Mesquite ("City") is a home rule municipality; and

WHEREAS, the City and the Texas Department of Transportation ("TxDOT") previously entered into a Municipal Maintenance Agreement (MMA) on July 21, 1994; and

WHEREAS, the Texas Transportation Code, §221.002, authorizes TxDOT and home rule municipalities to enter into agreement to establish respective liabilities and responsibilities with respect to designated state highways within the municipality; and

WHEREAS, the Texas Transportation Code, §311.001(a), grants home rule municipalities exclusive control over and under the public highways within the municipality; and

WHEREAS, TxDOT requested the existing MMA be replaced with a new version on March 13, 2008, as a condition of approval for installing photographic traffic signal enforcement equipment within state rights-of-way; and

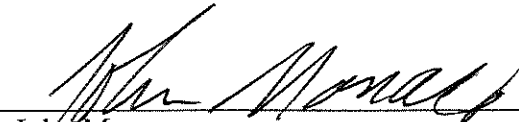
WHEREAS, the MMA clearly delineates operational and maintenance responsibilities for state highways within the City between TxDOT and the City; and

WHEREAS, the City Council has determined that it is in the best interest of its citizens and the motoring public to enter into the MMA with TxDOT.

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

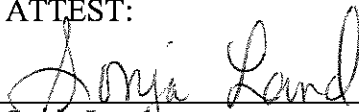
SECTION 1. That the City Council of the City of Mesquite authorizes the Mayor to approve and execute a Municipal Maintenance Agreement between the Texas Department of Transportation ("TxDOT") and the City of Mesquite ("City") as a condition of approval for installing photographic traffic signal enforcement equipment within state rights-of-way and clearly delineating operational and maintenance responsibilities for state highways within the City between TxDOT and the City.

DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 20th day of April, 2009.



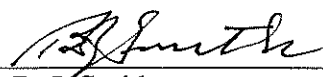
John Monaco
Mayor

ATTEST:



Sonja Land
City Secretary

APPROVED:



B. J. Smith
City Attorney