

RESOLUTION NO. 02-2010

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS, AMENDING RESOLUTION NO. 41-2009 BY ADDING FUNDING VERBIAGE REGARDING A LOCAL PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A STATEWIDE TRANSPORTATION ENHANCEMENT PROGRAM 2009 FOR A HIKE AND BIKE TRAIL IN THE RIGHT OF WAYS OF MILITARY PARKWAY AND HICKORY TREE ROAD.

WHEREAS, on June 12, 2002, pursuant to Resolution No. 27-2002, the City Council approved a Master Advance Funding Agreement with the Texas Department of Transportation (TxDOT); and

WHEREAS, the City of Mesquite (City) has identified a project to construct a Hike and Bike Trail along and within the right of way of Military Parkway from Gibson Street west to the southbound service road of Interstate 635 and south along the right of way of Hickory Tree Road to Rodeo Drive (Project) to be funded through the Surface Transportation Program, administered by TxDOT for the Federal Highway Administration of the U. S. Department of Transportation Program Call for Projects; and

WHEREAS, on October 9, 2009, TxDOT initiated a project call; and

WHEREAS, the Project is identified in the City of Mesquite Trails Master Plan approved in July 2008; and

WHEREAS, the City has determined that constructing the Hike and Bike Trail in the right of ways of Military Parkway and Hickory Tree Road is in the best interest of the citizens of Mesquite; and

WHEREAS, with the passage of this resolution the City accepts the additional terms and conditions to fund 100 percent of any cost overruns over the federal amounts awarded for the Project; and

WHEREAS, with the passage of this resolution the City commits to the funding of the local match, development, maintenance, operations and all overruns on the Project.

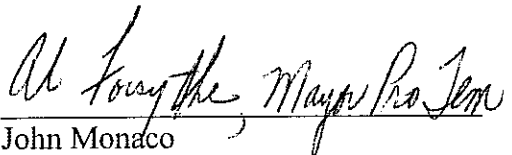
NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MESQUITE, TEXAS:

SECTION 1. That the City Council with the passage of Resolution No. 41-2009 on November 2, 2009, authorized the City Manager to submit a project to the Texas Department of Transportation for the construction of the Hike and Bike Trail along and within the right of way of Military Parkway from Gibson Street west to the southbound service road of Interstate 635 and south along the right of way of Hickory Tree Road to Rodeo Drive (Project).

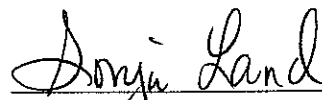
SECTION 2. That with the passage of Resolution No. 41-2009 the City Council committed funds equal to a 20-percent match of total project funds if the Project was approved.

SECTION 3. That with the passage of this resolution the City Council hereby amends Resolution No. 41-2009 by adding funding verbiage that commits the City to paying 100 percent of any cost overruns over the federal amounts awarded for the Project and commits the City to the funding of the local match, development, maintenance, operations and all overruns on the Project.

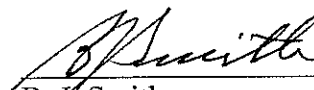
DULY RESOLVED by the City Council of the City of Mesquite, Texas, on the 4th day of January, 2010.

  
for John Monaco  
Mayor

ATTEST:

  
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Sonja Land  
City Secretary

APPROVED:

  
\_\_\_\_\_  
B. J. Smith  
City Attorney