

201022

June 24, 2020

**WHEREAS**, Chapter 791 of the Texas Government Code and Texas Transportation Code Article 251 provides authorization for local governments to contract with each other for the performance of governmental functions and services, and joint funding of transportation projects; and

**WHEREAS**, the Texas Department of Transportation (TxDOT), Dallas County and the City of Dallas (City) desire to be partners on the development of the Northaven Trail Phase 1B Project from Northaven Drive to White Rock Creek Trail; and

**WHEREAS**, TxDOT has estimated the total cost of the project, including design, construction, and other costs to be nearly \$24,839,284.00, not including \$1,861,555.00 for right-of-way acquisition costs and

**WHEREAS**, TxDOT has almost completed design of the project and determined that additional funds are needed for the City's cost-share of the project which is estimated to be \$5,600,000.00; and

**WHEREAS**, Dallas County's funding obligated to the project under separate agreement with the City by Amendment No. 2 to the Project Specific Agreement is \$4,246,267.00; and

**WHEREAS**, the City of Dallas share consists of \$5,600,000.00 of funds and the County's portion of \$4,246,267.00 for a total amount of \$9,846,267.00; and

**WHEREAS**, the City of Dallas will issue a warrant check to the State, for review, inspection, and oversight of construction activities, in the estimated amount of \$109,538.00; and

**WHEREAS**, the City of Dallas will be responsible for any change orders or bid overruns; and

**WHEREAS**, the City of Dallas desires to reprogram funds in the amount of \$5,139,061.00 from Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Funds) originally allocated for Council District 11 park land acquisition and development to the Northaven Trail Phase 1B Project; and if said funds are not required or if new funding sources are identified the City will amend the AFAs to revise the funding sources for the Northaven Trail Phase 1B Project and Park and Recreation Facilities (B) Fund (2017 General Obligation Bond Funds) in the amount of \$5,139,061.00 can be returned for their original purpose; and

**WHEREAS**, this action will authorize three Advanced Funding Agreements (AFAs) with TxDOT (Agreement Nos. CSJ 047-07-228 and CSJ 0918-47-242) for the development, construction, and maintenance of the Northaven Trail Phase 1B Project from Northaven Drive to White Rock Creek Trail and provide for assignment to TXDOT for project lead for the design and construction of the Northaven Trail Phase 1B Project from Northaven Drive to White Rock Creek Trail.

**Now, Therefore,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:**

**SECTION 1.** That the City Manager is hereby authorized to reprogram funds in the amount of \$5,139,061.00 from Park and Recreation Facilities (B) Fund originally allocated for Council District 11 park land acquisition and development to the Northaven Trail Phase 1B Project, as more specifically set out in Section 5 below.

**SECTION 2.** That the President of the Park and Recreation Board and the City Manager are hereby authorized to execute three AFAs with TxDOT (i) on-system; (ii) on-system maintenance; and (iii) off-system (TxDOT Agreement Nos. CSJ 047-07-228 and CSJ 0918-47-242), approved as to form by the City Attorney, provide for assignment to TXDOT as project lead for the AFAs on and off-system agreements and to provide for design, construction, and maintenance responsibilities for the Northaven Trail Phase 1B Project from Northaven Drive to White Rock Creek Trail, in the amount of \$9,846,267.00.

**SECTION 3.** That the Chief Financial Officer is hereby authorized to issue a warrant check to TxDOT (239588), in the estimated amount of \$109,538.00 from Park and Recreation Facilities (B) Fund, Fund 1V00, Department PKR, Unit VK56, Object 4599, Activity HIBT, Program PK17VK56, Encumbrance/Contract No. PKR-2020-00013738 Commodity 91200, Vendor 239588.

**SECTION 4.** That the project, on and off-system, will be led by TxDOT.

**SECTION 5.** That \$1,472,000.00 in 2017 Bond Funds (B) in Unit VK55 and \$3,667,061.00 in Park and Recreation Facilities (B) Fund, Unit VK54 for Council District 11 will be reprogrammed to the Northaven Trail Phase 1 Project, Unit VK56. If said reprogrammed funds are not required or if new funding sources are identified, the City will (i) amend the applicable AFAs to revise the funding sources for the Northaven Trail Phase 1B project and (ii) return the 2017 reprogrammed funds in the amount of \$5,139,061.00 to its original purpose.

**SECTION 6.** That the Chief Financial Officer is hereby authorized to disburse funds received from Dallas County in the amount of \$4,246,267.00 to TxDOT in accordance with the terms and conditions of the AFAs from Northaven Trail Ph1B Fund, Fund F626, Department PKR, Unit 111C, Object 4599, Activity HIBT, Program PK17VK56, Encumbrance/Contract No. PKR-2020-00013738, Commodity 91200, Vendor 239588.

**SECTION 7.** That the Chief Financial Officer is hereby authorized to disburse funds in the amount of \$5,600,000.00 to TxDOT, in accordance with the terms and conditions of the AFAs, as follows:

June 24, 2020**SECTION 7.** (continued)

Park and Recreation Facilities (B) Fund  
Fund 1V00, Department PKR, Unit VK56  
Object 4599, Activity HIBT, Program PK17VK56  
Encumbrance/Contract No. PKR-2020-00013738  
Commodity 91200, Vendor 239588 \$4,600,000.00

Park and Recreation Facilities (B) Fund  
Fund 1V00, Department PKR, Unit VB06  
Object 4599, Activity HIBT, Program PK17VB06  
Encumbrance/Contract No. PKR-2020-00013738  
Commodity 91200, Vendor 239588 \$1,000,000.00

Total amount \$5,600,000.00

**SECTION 8.** That upon completion of the project the City will manage, operate, and maintain the trail, on-system and off-system, as part of its Dallas Hike and Bike Trail Network.

**SECTION 9.** That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.

