

RESOLUTION NO. 3992

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KELLER, TEXAS, APPROVING AN ADVANCE FUNDING AGREEMENT (AFA) WITH THE TEXAS DEPARTMENT OF TRANSPORTATION (TxDOT), FOR THE TRANSPORTATION ALTERNATIVES SET-ASIDE (TASA) PROGRAM, RELATING TO THE DESIGN AND CONSTRUCTION OF THE WHITLEY ROAD SAFE ROUTE TO SCHOOL PROJECT; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF KELLER, TEXAS.

WHEREAS, the City Council of the City of Keller, Texas has deemed it necessary and in the best interest of the citizens of the City of Keller and the region to move forward with the Transportation Alternatives Set-Aside Program; and

WHEREAS, an Advance Funding Agreement between the Local Government and the State is being adopted, and it establishes the general terms and conditions for transportation projects developed through the Transportation Alternatives Set-Aside Program; and

WHEREAS, said project will enhance bicycle and pedestrian safety of school age children in and around the existing elementary school; and

WHEREAS, the Local Project Advance Funding Agreement outlines each party's responsibilities in said project, including costs; and

WHEREAS, the total project estimated cost is \$1,172,066.00 with the federal project share being \$775,039.00, the state project share being \$55,171, and the local government share for construction being estimated at \$193,760.00, which is a 20% minimum, and \$148,096.00 for design and engineering (a total of \$341,856.00). Any cost overruns are 100% the responsibility of the local government; and

WHEREAS, the 2017 Trail System Expansion project in the Parks Capital Improvement Project fund will be

used to fund the City's share of \$193,760.00 and the Keller Development Corporation provided the Trail System Expansion project funds in FY 2016-17; and

WHEREAS, the City of Keller is willing to share the cost of the Transportation Alternatives Set-Aside Program, in accordance with the Advance Funding Agreement, attached hereto as Exhibit "A".

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

Section 1: THAT, the above findings are hereby found to be true and correct and are incorporated herein in their entirety.

Section 2: THAT, the City Council of the City of Keller, Texas hereby approves an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT), for the Transportation Alternatives Set-Aside Program (TASA), relating to the design and construction of the Whitley Road Safe Route to School Project, attached hereto as Exhibit "A"; and further authorizes the City Manager to execute said agreement on behalf of the City of Keller, Texas.

Section 3: THAT, the total project estimated cost is \$1,172,066.00 with the federal project share being \$775,039.00, , the state project share being \$55,171, and the local government share for construction being estimated at \$193,760.00 which is a 20% minimum, and \$148,096.00 for design and engineering (a total of \$341,856.00). Any cost overruns are 100% the responsibility of the local government.

AND IT IS SO RESOLVED.

Passed by a vote of 7 to 0 on this the 3rd day of April,  
2018.

CITY OF KELLER, TEXAS

BY: \_\_\_\_\_  
P.H. McGrail, Mayor

ATTEST:

\_\_\_\_\_  
Kelly Ballard, City Secretary

Approved as to Form and Legality:

\_\_\_\_\_  
L. Stanton Lowry, City Attorney