

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING AN AGREEMENT FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT WITH THE STATE OF TEXAS FOR THE CONSTRUCTION OF A SIX- TO 16-FOOT-WIDE CONCRETE SHARED-USE PATH TO IMPROVE PEDESTRIAN SAFETY ON SOUTHBOUND SPUR 290 (3RD STREET) FROM AVENUE A TO AVENUE F AND TO INSTALL CONCRETE BARRIER RAIL AND RAILROAD SAFETY FENCING ON THE BRIDGE SPAN OVER THE BURLINGTON NORTHERN SANTA FE RAIL LINES IN THE CITY OF TEMPLE, BELL COUNTY, TEXAS, FOR A TOTAL ESTIMATED COST OF \$5,520,000, WITH THE CITY RESPONSIBLE FOR ALL COSTS ASSOCIATED WITH THE PROJECT; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, this resolution will authorize the City Manager, or her designee, to enter into an agreement with the State of Texas to allow the City to install pedestrian safety improvements along 3rd Street and on the overpass;

Whereas, the roadway and bridge are both owned by the State, making this agreement necessary prior to proceeding with the work - the project is estimated to cost \$5,520,000 and the City will be responsible for all costs related to the project;

Whereas, the Tax Increment Financing Reinvestment Zone No. 1 Board of Directors has worked with Kasberg, Patrick & Associates, LP to develop the engineering designs and landscaping plans and has approved funding for this project - the project will create an attractive gateway and will improve safety for people traveling to Downtown Temple from the adjacent neighborhoods;

Whereas, Staff recommends Council authorize an Agreement for a Local On-System Improvement Project with the State of Texas for the construction of a six- to 16-foot-wide concrete shared-use path to improve pedestrian safety on southbound Spur 290 (3rd Street) from Avenue A to Avenue F and to install concrete barrier rail and railroad safety fencing on the bridge span over the BNSF rail lines in the City of Temple, Bell County, Texas, for a total estimated cost of \$5,520,000, with the City responsible for all costs associated with the project;

Whereas, there is no fiscal impact related to this Local On-System Agreement with the Texas Department of Transportation - funding for this project in the total amount of \$5,520,000 is available in the Reinvestment Zone No. 1 Financing Plan, Line 413, Project No. 102365; and

Whereas, the City Council has considered the matter and deems it in the public interest to authorize this action.

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

Part 1: Findings. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Temple, Texas, and they are hereby approved and incorporated into the body of this Resolution as if copied in their entirety.

Part 2: The City Council authorizes an Agreement for a Local On-System Improvement Project with the State of Texas for the construction of a six- to 16-foot-wide concrete shared-use path to improve pedestrian safety on southbound Spur 290 (3rd Street) from Avenue A to Avenue F and to install concrete barrier rail and railroad safety fencing on the bridge span over the Burlington Northern Santa Fe rail lines in the City of Temple, Bell County, Texas, for a total estimated cost of \$5,520,000, with the City responsible for all costs associated with the project, and authorizes the City Manager, or her designee, after approval as to form by the City Attorney's Office, to execute any necessary documents.

Part 3: It is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public as required and that public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act.

PASSED AND APPROVED this the 6th day of **March, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney