

RESOLUTION NO. {{item.sequential_number}}

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TEMPLE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION RELATED TO THE CONSTRUCTION OF THE VETERANS MEMORIAL BOULEVARD PROJECT, FROM UNIVERSITY COURTYARD APARTMENTS TO AVENUE U, IN ORDER RECEIVE APPROPRIATED FUNDS UNDER THE COMMUNITY PROJECT FUNDING PROGRAM; AND PROVIDING AN OPEN MEETINGS CLAUSE.

Whereas, on March 15, 2022, the 117th Congress authorized \$5,000,000 in Community Project Funding to construct the Veterans Memorial Boulevard Project, and for the Texas Department of Transportation (TxDOT) to exercise oversight - on October 7, 2024, the City of Temple, Texas executed an Advanced Funding Agreement (AFA) with TxDOT to receive this funding;

Whereas, TxDOT Waco District staff has determined that the City should manage the bidding and construction of this project; therefore, the current AFA should be amended to revise this project from State Let to Local Let - the City commits to provide the local cash match and is responsible for all non-reimbursable costs and 100 percent of overruns, if any;

Whereas, the City Council may authorize the City Manager to execute the amended agreement with TxDOT - a copy of the draft agreement, attached hereto and incorporated herein as Exhibit A, includes an updated budget page to reflect the change from state costs to local costs;

Whereas, Staff recommends Council authorize the City Manager to execute this amendment to the AFA with the TxDOT related to the construction of the Veterans Memorial Boulevard Project, from University Courtyard Apartments to Avenue U, in order receive appropriated funds under the Community Project Funding Program;

Whereas, the latest opinion of probable cost of construction is approximately \$8,370,000 - funding in the amount of \$9,015,000, to include \$5,000,000 in Community Project Funding, is included in the Financing Plan, Line 468, to include ROW, construction administration services, and construction; 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 the City Manager to execute an amendment to the Advanced Funding Agreement with the Texas Department of Transportation related to the construction of the Veterans Memorial Boulevard Project, from University Courtyard Apartments to Avenue U, in order receive appropriated funds under the Community Project Funding Program.

Part 3: The City Council affirms its support and approval of the Veterans Memorial Boulevard Project.

Part 4: 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 **February, 2025**.

THE CITY OF TEMPLE, TEXAS

TIMOTHY A. DAVIS, Mayor

ATTEST:

APPROVED AS TO FORM:

Jana Lewellen
City Secretary

Kathryn H. Davis
City Attorney