

# CITY OF WILLOW PARK

## RESOLUTION NO. 12-10

### **A RESOLUTION PROVIDING AUTHORIZATION FOR EXECUTION OF THE FIRST AMENDMENT TO THE CONSTRUCTION AGREEMENT ENTERED INTO BY LAUGHLEY BRIDGE AND CONSTRUCTION, INC. AND THE CITY OF WILLOW PARK, TEXAS; AND, PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, the City of Willow Park, Texas (City) is a general law municipality located in Parker County, created in accordance with the Laws of the State of Texas; and

**WHEREAS**, it is intent of the City of Willow Park to protect the health, safety and welfare and well being of its citizens; and

**WHEREAS**, the municipal offices of the City perform certain functions related to the preservation of health, safety and general welfare of its citizens; and

**WHEREAS**, the City has the authority to enter into a contract or agreement with another entity for certain governmental services; and

**WHEREAS**, the repair or improvement of roads and streets or paving services related thereto are "governmental functions and services", pursuant to §51.014 TEX. LOCAL GOV'T CODE; and

**WHEREAS**, the City and the Contractor entered into a Construction Agreement for the reconstruction of Stagecoach Trail on or about July 6, 2010; and

**WHEREAS**, the Parties to the Construction Agreement have mutually agreed to certain changes to the work and scope of the original Agreement that have been formalized in a Change Order.

**NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WILLOW PARK THAT:**

#### **SECTION 1. AUTHORIZATION.**

The Mayor, or the Mayor's designee, is hereby authorized and directed to implement the applicable provisions of this Resolution.

#### **SECTION 2. CONSTRUCTION AGREEMENT.**

The Mayor, or City Administrator, is hereby authorized to execute the First Amendment to Construction Agreement which is attached hereto as Exhibit "A" and incorporated herein for all purposes.

#### **SECTION 3. SEVERABILITY.**

If for any reason any section, paragraph, subdivision, clause, phrase or provision of this Resolution shall be held invalid, it shall not affect any valid provisions of this or any other Resolution or Ordinance of the City of Willow Park to which these rules and regulations relate.

#### **SECTION 4. REPEALER.**

To the extent any other ordinance or resolution is inconsistent with the provisions herein it is hereby repealed and superseded by the provisions herein.

#### **SECTION 5. RECITALS.**

The City Council hereby finds and declares all precatory language herein to be true and correct and approves and adopts the same herein as part of this Resolution.

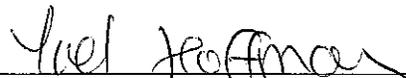
#### **SECTION 6. EFFECTIVE DATE.**

This Resolution shall take effect from and after its adoption.

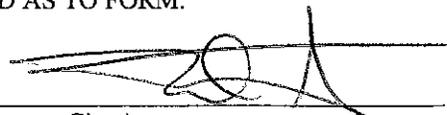
PASSED AND APPROVED this 20<sup>th</sup> day of December, 2010.

/s/   
Mayor

ATTEST:

/s/   
City Secretary/Clerk

APPROVED AS TO FORM:

/s/   
City Attorney

The Willow Park City Council in acting on Resolution No. 12-10, did on the 20<sup>th</sup> day of December, 2010 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Kenneth Hawkins, Mayor	_____	_____
Barry K. Tatum, Place 1	_____✓_____	_____
Gene Martin, Place 2	_____	_____✓_____
Barry Brown, Place 3	_____✓_____	_____
Mark Hickerson, Place 4	_____✓_____	_____
Hale Alderman, Mayor Pro Tem, Place 5	_____	_____