

CITY OF WILLOW PARK

RESOLUTION NO. 15-12

A RESOLUTION PROVIDING AUTHORIZATION FOR THE EXECUTION OF AN ADVANCE FUNDING AGREEMENT FOR AN ON SYSTEM PROJECT AND RELATED ESCROW RECAPITULATION (AGREEMENT) BY AND BETWEEN THE CITY OF WILLOW PARK, TEXAS, AND THE STATE OF TEXAS THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR A CERTAIN TRANSPORTATION IMPROVEMENT PROJECT; TO WIT: THE RELOCATION OF THE EXIT RAMP ON IH-20 AT THE WESTBOUND EXIT TO FM 5 (PROJECT); AND, PROVIDING FOR AND 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 governmental entity for certain governmental services; and

WHEREAS, both the City and TxDOT agree that the relocation further to the east of the exit ramp from Interstate Highway 20 (IH-20) at the westbound exit to Farm to Market Road 5 (FM 5) addresses safety and congestion problems ; and

WHEREAS, the Federal Highway Administration and the Texas Transportation Commission, through adoption of Minute Order Number 113073 approved the Project (CSJ 0008-03-102; District No. 2- Fort Worth); and

WHEREAS, TxDOT will contract for and have constructed the project, which will be "on system", but the City will be responsible for those Project costs, established by the qualified low bid and contract award for the Project.

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. AGREEMENT.

The Mayor, or City Administrator, is hereby authorized to enter into and execute an Agreement, with concurrence of counsel, with TxDOT for the relocation of the exit ramp on IH-20 at the westbound exit to FM 5 consistent with the draft Agreement attached hereto as Exhibit A.

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 5. 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 6. 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 7. EFFECTIVE DATE.

This Resolution shall take effect from and after its adoption.

PASSED AND APPROVED this 14th day of August, 2012

/s/ R. C. Neverdousky

Mayor

ATTEST:

/s/ Ted Hoffman

City Secretary/Clerk

APPROVED AS TO FORM:

/s/ [Signature]

City Attorney

The Willow Park City Council in acting on Resolution No. 15-12, did on the 14th day of August, 2012 vote as follows:

	<u>FOR</u>	<u>AGAINST</u>
Richard Neverdousky, Mayor	_____	_____
<i>BRIAN THORNBURG</i> , Place 1	_____✓	_____
Gene Martin, Place 2	_____✓	_____
Amy Podany, Place 3	_____	_____✓
Dan Stalling, Place 4	_____✓	_____
Bernard Suchocki, Place 5	_____✓	_____