

RESOLUTION NO. R-2019-62

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AUTHORIZING THE CITY MANAGER TO SIGN THE AGREEMENT FOR A LOCAL ON-SYSTEM IMPROVEMENT PROJECT WITH TEXAS DEPARTMENT OF TRANSPORTATION FOR THE COMPLETION OF A HIGHWAY IMPROVEMENT GENERALLY DESCRIBED AS THE DESIGN AND CONSTRUCTION OF A SIGNALIZED INTERSECTION AND RIGHT-TURN LANE AT US 69 AND ROSE PLAZA SHOPPING CENTER (PROJECT); CONDITIONING SAID AUTHORIZATION ON THE RECEIPT OF ALL NECESSARY DOCUMENTS IN A FORM ACCEPTABLE TO THE CITY ATTORNEY; FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS RESOLUTION WAS PASSED WAS IN ACCORDANCE WITH THE REQUIREMENTS OF THE TEXAS OPEN MEETINGS ACT; MAKING OTHER FINDINGS AND PROVISIONS RELATED TO THE SUBJECT; EXPRESSING THE CITY COUNCIL'S SUPPORT OF THE PROJECT; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, Government Code, Chapter 791, and Transportation Code, §201.209 and Chapter 221, authorize the State of Texas, acting by and through the Texas Department of Transportation called the "State," to contract with municipalities and political subdivisions; and

WHEREAS, the Texas Transportation Commission passed Minute Order Number 115550 authorizing the State to undertake and complete a highway improvement generally described as the design and construction of a signalized intersection and right-turn lane at US 69, also known as S. Broadway, and Rose Plaza Shopping Center (the "Project"); and

WHEREAS, the State has approved the participation of the City of Tyler, Texas (the "City") through a private public partnership between the City and developer, Noble RE, LLC to fund the Project; and

WHEREAS, the State has determined that such participation is in the best interest of the citizens of the state; and

WHEREAS, the City is striving to ensure the safety of motorists and its citizens on public streets and roadways; and

WHEREAS, it is in the best interest of the public for the City Council to officially state its support for the Project; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS AS FOLLOWS:

PART 1. That the findings set out in the preamble to this resolution are hereby in all things approved and adopted.

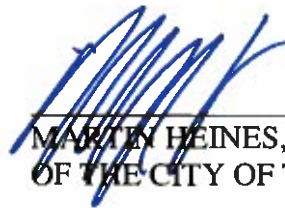
PART 2. That the City Manager is hereby authorized to sign the Agreement For A Local On-System Improvement Project with the Texas Department of Transportation and any and all documents or agreements, as approved by the City Attorney's Office, incident to support the Project.

PART 3. That the City Council, hereby expresses its support of the Project.

PART 4. That the meeting at which this resolution was approved was in all things conducted in strict compliance with the Texas Open Meetings Act, Texas Government Code Chapter 551.

PART 5. That this resolution shall become effective immediately from and after its passage and approval by the City Council.

PASSED AND APPROVED, this the 13th day of November, 2019.



MARTY HEINES, MAYOR
OF THE CITY OF TYLER, TEXAS


ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY