

RESOLUTION NO. 2024-09-____ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, IN SUPPORT OF AND AUTHORIZING THE CITY MANAGER, OR DESIGNEE, TO APPLY FOR THE FY 2023-2024 RAILROAD CROSSING ELIMINATION GRANT FOR A PROJECT PLANNING AND DEVELOPMENT GRANT FOR A NEW BRIDGE ON MCINTYRE ROAD EAST OF STATE HIGHWAY 5 (FUTURE WILMETH ROAD) OVER THE DART RAIL LINES TO ELIMINATE AN EXISTING AT-GRADE CROSSING, AND ACCEPT FUNDING IF AWARDED

WHEREAS, A Notice of Funding Opportunity (NOFO) has been solicited by the Federal Railroad Administration (FRA) for project applications to be funded by the Infrastructure Investment and Jobs Act (IIJA). The opportunity described in this notice is made available under Assistance Listings Number 20.327, "Railroad Crossing Elimination." Total funding available for awards under this NOFO is up to \$1,148,809,580; and

WHEREAS, the City Council of the City of McKinney, Texas, understands that the Railroad Crossing Elimination Grants are for planning and capital railroad crossing improvement projects that focus on improving the safety and mobility of people and goods. Such projects will improve American rail infrastructure to enhance rail safety, improve the health and safety of communities, eliminate highway-rail and pathway-rail grade crossings that are frequently blocked by trains, and reduce the impacts that freight movement and railroad operations may have on underserved communities.

WHEREAS, the City Council of the City of McKinney, Texas, supports and agrees it is in the best interest of the citizens of the City of McKinney, Texas, to submit a grant application to assist with funding the completion of the first two required project phases as outlined in the NOFO's project lifecycle stages, which are project planning and project development. The project planning phase will include identifying the purpose and need, finalizing the conceptual engineering design and stakeholder engagement. The project development phase will include the environmental review process, finalizing construction cost estimate and schedule, outlining the procurement strategy and coordinating stakeholder agreements.

WHEREAS, the City Council of the City of McKinney, Texas, authorizes the City Manager, or designee, as the City's authorized official. The authorized official is given the power to apply for, accept, reject, alter or terminate the agreement on behalf of the applicant agency.

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

- Section 1. The City Council of the City of McKinney, Texas, hereby supports the FY 2023-2024 Railroad Crossing Elimination Grant Program submittal for a new bridge on McIntyre Road east of State Highway 5 (future Wilmeth Road) over the DART rail lines to eliminate an existing at-grade crossing.
- Section 2. The City Council of the City of McKinney, Texas, hereby authorizes an execution of all necessary documents for a submittal for the FY 2023-2024 Railroad Crossing Elimination Grant Program.
- Section 3. The City Council of the City of McKinney, Texas, hereby authorizes the City of McKinney, Texas to serve as the public sponsor and lead project contact on this project and as such will designate a point of contact for the project.

- Section 4. The City Council of the City of McKinney, Texas, hereby authorizes acceptance of the FY 2023-2024 Railroad Crossing Elimination Grant Program funds, if awarded.
- Section 5. The City Council of the City of McKinney, Texas, understands the City of McKinney, Texas will be responsible for at least a 20% local match as well as any cost overruns above the awarded federal grant amount that will be included in the FY25-29 Capital Improvement Program through voter-authorized general obligation bonds, and all funding awarded under the FY 2023-2024 Railroad Crossing Elimination Grant Program is provided on a reimbursement basis.
- Section 6. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, ON THE 17th DAY OF SEPTEMBER, 2024.

CITY OF MCKINNEY, TEXAS

GEORGE C. FULLER, Mayor
GERÉ FELTUS, Mayor Pro Tem

ATTEST:

EMPRESS DRANE, City Secretary
TENITRUS BETHEL, Deputy City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER, City Attorney
ALAN LATHROM, Assistant City Attorney