

**RESOLUTION NO. R-2019-65**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, AUTHORIZING SUBMISSION OF AN APPLICATION FOR TEXAS PARKS AND WILDLIFE LOCAL PARK GRANT PROGRAM FUNDS TO BE USED FOR DIRECT COSTS FOR LOCAL PARKS PROGRAMS; AUTHORIZING ACCEPTANCE OF TEXAS PARKS AND WILDLIFE GRANT FUNDS FOR SUCH PURPOSES ALONG WITH ANY GRANT AMENDMENTS TO INCREASE THE GRANT FUNDING LEVELS; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ANY AGREEMENTS ASSOCIATED WITH SUCH GRANT FUNDING; AND ESTABLISHING AN EFFECTIVE DATE.**

**WHEREAS**, it is the intent of the City Council to promote the public welfare; and

**WHEREAS**, the Texas Parks and Wildlife Department (“Department”) has made available and offered state financial aid monies for proposed funding to be used for direct program costs for local parks programs; and

**WHEREAS**, the City of Tyler Parks and Recreation Department wishes to participate in the aforementioned state financial aid grant; and

**WHEREAS**, the City of Tyler, Texas (“City”) is fully eligible to receive assistance under the Local Park Grant Program (“Program”); and

**WHEREAS**, the City is desirous of authorizing an official to represent and act for the City in dealing with the Department concerning the Program; and

**WHEREAS**, the City of Tyler Parks and Recreation Department will be applying for approximately \$750,000 to allow for renovation of the Fun Forest Park Pool and Sprayground project; and

**WHEREAS**, the proposed enhancements shall include the renovation of the pool, construction on new sprayground, creation of ADA accessible amenities, installation of sustainable water recycling pump; and

**WHEREAS**, it is considered to be in the public interest to obtain and use grant funds for the above public purposes;

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

**PART 1:** The City hereby certifies that it is eligible to receive assistance under the Program, and that notice of the application has been posted according to local public hearing requirements.

**PART 2:** The City hereby certifies that the matching share for this application is readily available at this time.

**PART 3:** The City hereby authorizes and directs the City Manager or designee to act for the City in Dealing with the Department for the purposes of the Program, and that the City Manager or designee is hereby officially designated as the representative in this regard.

**PART 4:** The City hereby specifically authorizes the City Manager to make application to the Department concerning the site to be known as Fun Forest Park Pool and Sprayground in the City of Tyler, Texas or use as a park site and is hereby dedicated (or will be dedicated upon the completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through lease). Projects with federal monies may have differing requirements.

**PART 5:** That the City Council hereby resolves and affirms to the Texas Parks and Wildlife Department the City of Tyler's intent to comply with all of the assurances set forth in the grant agreement and all laws and regulations incorporated by reference in the grant agreement.


**PART 6:** That the City Manager or designee is hereby authorized and directed to accept the grant for the described Program and public purpose, as well as any grant amendments to increase the funding levels.

**PART 7:** That the City Manager or designee is hereby authorized and directed to execute any documents and take all actions necessary in order to accept and use the grant to fulfill the purposes described above.

**PART 8:** That the City Manager or designee is hereby authorized and directed to provide such additional information as may be required by the Texas Parks and Wildlife Department.

**PART 7:** That this Resolution shall take effect immediately upon its adoption.

**PASSED AND APPROVED** on this the 13<sup>th</sup> day of November, 2019.

  
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MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

  
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CASSANDRA BRAGER, CITY CLERK



  
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DEBORAH G. PULLUM,  
CITY ATTORNEY