

**RESOLUTION NO. R-2020-1**

**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

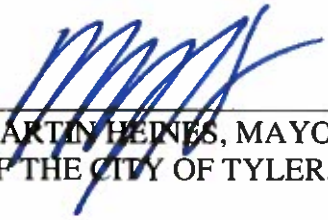
documents or agreements, as approved by the City Attorney's Office, incident to support the Project.

**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 12th day of February, A.D., 2020.

  
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MARTIN HEINES, MAYOR  
OF THE CITY OF TYLER, TEXAS

ATTEST:

APPROVED:

  
\_\_\_\_\_  
CASSANDRA BRAGER, CITY CLERK



The seal is circular with a double-line border. The outer ring contains the text 'CITY OF TYLER' at the top and 'TEXAS' at the bottom. The center of the seal features the word 'SEAL' in a bold, serif font, with a decorative flourish above and below it.

  
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DEBORAH G. PULLUM,  
CITY ATTORNEY