

RESOLUTION NO. R-2023-2

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF TYLER, TEXAS, ALSO REFERRED TO AS "APPLICANT", AUTHORIZING SUBMISSION OF AN APPLICATION FOR TEXAS PARKS AND WILDLIFE LOCAL PARK GRANT PROGRAM FUNDS TO BE USED FOR DIRECT COSTS FOR LOCAL PARK PROGRAMS; DESIGNATING THE CITY MANAGER OR DESIGNEE AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE APPLICANT IN DEALING WITH THE TEXAS PARKS AND WILDLIFE DEPARTMENT, ALSO REFERRED TO "DEPARTMENT", FOR THE PURPOSE OF PARTICIPATING IN THE LOCAL PARK GRANT PROGRAM; AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS AND ANY INCREASES IN FUNDING LEVELS, AND TO TAKE ALL NECESSARY ACTIONS TO OBTAIN AND USE THE GRANT FUNDS; CERTIFYING THAT THE APPLICANT'S MATCHING SHARE IS READILY AVAILABLE AND APPROVING THE CITY'S LOCAL MATCH; DEDICATING THE PROPOSED SITE FOR PERMANENT (OR FOR THE TERM OF THE LEASE FOR LEASED PROPERTY) FOR PUBLIC PARK AND RECREATIONAL USES; 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 recreational trails 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 ("City") is fully eligible to receive assistance under the Recreational Trails Grant Program ("Program"); and

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

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

WHEREAS, the City of Tyler Parks and Recreation Department will be applying for approximately \$300,000.00 to allow for enhancements to W.E. Winters Park trail; and

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

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

PART 2: That the City certifies that the matching share for this application is readily available at this time. The City's match in the amount of \$300,000 is hereby approved.

PART 3: That the City hereby certifies 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: That the City hereby specifically authorizes the City Manager or designee to make application to the Department concerning the site to be known as W.E. Winters Park in the City of Tyler or use as park site and is hereby dedicated (or will be dedicated upon completion of the proposed acquisition) for public park and recreation purposes in perpetuity (or for the lease term, if legal control is through a 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 purposes, as well any grant amendments to increase the funding levels.

PART 7: That the City Manager or designee is hereby authorize and directed to execute any documents and take all actions necessary in order to accept and use the grant to fulfill the public 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 9: That this Resolution shall take effect immediately upon its adoption by the City Council.

PASSED AND APPROVED this 11th day of January, A. D. 2023.



DONALD P. WARREN, MAYOR
OF THE CITY OF TYLER, TEXAS

ATTEST:



CASSANDRA BRAGER, CITY CLERK



APPROVED:



DEBORAH G. PULLUM,
CITY ATTORNEY