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ORDINANCE NO.

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 20221208-050 AUTHORIZING NEGOTIATION AND EXECUTION OF AN ADVANCED FUNDING AGREEMENT BETWEEN THE CITY OF AUSTIN AND THE TEXAS DEPARTMENT OF TRANSPORTATION; ACCEPTING GRANT FUNDS; AND AMENDING THE FISCAL YEAR 2022-2023 PUBLIC WORKS DEPARTMENT OPERATING BUDGET SPECIAL REVENUE FUND (ORDINANCE NO. 20220817-004) AND THE PUBLIC WORKS DEPARTMENT CAPITAL BUDGET (ORDINANCE NO. 20220817-004) TO TRANSFER AND APPROPRIATE FUNDS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. Council repeals Ordinance No. 20221208-050 and replaces it with this ordinance.

PART 2. Council authorizes negotiation and execution of an advanced funding agreement between the City of Austin (City) and the Texas Department of Transportation (TxDOT) to support the design and construction of transportation and mobility improvements along the proposed Mogan Trail from North Pleasant Valley Road to Springdale Road (Project).

PART 3. Council authorizes acceptance of \$1,000,000 in funds from TxDOT as approved in Division L-Transportation, Housing and Urban Development, and Related Agencies Appropriations Act, 2022 under the Community Project Funding/Congressionally Directed Spending to support the Project.

PART 4. Council amends Fiscal Year 2022-2023 Public Works Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$1,000,000 in grant funds to support the Project. Funding will be allocated based on eighty percent federal funding and twenty percent local government funding until the federal funding reaches the maximum obligated amount. The City is responsible for all cost overruns.

PART 5. Council amends Fiscal Year 2022-2023 Public Works Department Capital Budget (Ordinance No. 20220817-004) to transfer in and appropriate \$1,000,000 from the Public Works Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to support the Project.

PART 6. The City Manager or its designee is authorized to execute all documents necessary to complete this transaction.

PART 7. This ordinance takes effect on _____, 2023.

PASSED AND APPROVED

_____, 2023 § _____
 § _____
 § _____

Kirk Watson
Mayor

APPROVED: _____ **ATTEST:** _____

Anne L. Morgan
City Attorney

Myrna Rios
City Clerk