

**2020-006 Resolution**  
**IN THE COMMISSIONERS COURT**  
**OF**  
**TYLER COUNTY, TEXAS**

**RESOLUTION AND ORDER APPROVING THE COUNTY TRANSPORTATION  
INFRASTRUCTURE FUND GRANT PROGRAM AGREEMENT**

**WHEREAS**, Tyler County has received a Notice of Eligible Grant Award Allocation from the Texas Department of Transportation (“TxDOT”) in the amount of \$210,985; and

**WHEREAS** the Commissioners Court of Tyler County has determined that it is in the best interests of the citizens of Tyler County to enter into an Agreement with TxDOT concerning the County Transportation Infrastructure Fund Grant Program; and

**THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** that the TxDOT Grant Agreement standard form, hereby attached as County Transportation Infrastructure Fund Grant Program Agreement (“Agreement”), has been reviewed, and is approved by way of this Resolution and made a part thereof as Attachment A, is hereby accepted and approved as to form and further that the Tyler County Commissioners Court hereby authorizes the County Judge to execute the Agreement on behalf of the County.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** that Tyler County designates each of the following Tyler officials as a County Authorized Representative with the authority to sign all Grant and project-related documents on behalf of the County, including any required certifications:

1. County Judge
2. County Auditor
3. County Commissioner Pct. 3
4. Any other official or employee who may be given such authority by the County Judge

**IT IS FURTHER ORDERED ADJUDGED AND DECREED** that the Commissioners Court of Tyler County makes the following findings in the exercise of discretion and authority extended to said Commissioners Court by Texas Law, and such findings are made upon due inquiry and satisfactory proof that such findings are factual and based upon commonly accepted practices and standards by Texas Counties:

**IT IS THE FINDING OF THIS COMMISSIONERS COURT** that the county has experience in the construction and maintenance of all county roads currently in the County road maintenance inventory, that the county has suitable equipment, experience and personnel to properly repair such roads without the utilization of outside contractors, or, if such contractors are required, the lowest and best bidders shall be selected, after following all applicable requirements for competitive bidding, as required. In this regard, the County has suitable design standards, specifications and quality assurance procedures in place to assure that resulting road maintenance projects are properly constructed with suitable materials and that appropriate safety and environmental procedures will be utilized.

**IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT** that all road right-of-way involved in projects identified for funding under this grant is presently within the county road maintenance inventory, and no new right of way is required.

**IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT** that Tyler County will notify all public utilities, water supply corporations, and common carriers of record of their plans to repair, renovate or construct the project roads identified in the Grant application, and will cooperate with the said utilities and common carriers for protection of such infrastructure. It is not anticipated that any relocation of utilities will be required, but notification will none-the-less be provided. The County Authorized Representative is hereby expressly authorized to certify to such.

**IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT** pursuant to 40 C.F.R. §1500, and specifically §1508.4 et seq, 23 CFR 771.117 and 33 U.S.C. §1344, (f)(1)(B) and (C), and 43 TAC 2.81 that county road maintenance projects are generally entitled to a Categorical Exclusion, and are not prohibited by the National Environmental Protection Act (NEPA), nor the Water Pollution Prevention and Control Act, and that as a categorical exclusion, such projects pose no significant effect on the human or natural environment, and which this Court finds to have no such adverse impact, and therefore do not require an environmental impact assessment of the projects contemplated in this grant, in that no federal funds are being used by the County in meeting the grant requirements. The County shall comply with applicable state environmental standards, as applicable, such as 30 TAC §111.147, and as such, this finding further authorizes the County Authorized Representative to make certifications regarding compliance with

environmental requirements of the Grant, which is expressly approved by this Commissioners Court.

**IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT** that as a public roadway, open to all residents for use as a public road designed for vehicular traffic, as defined by statute and other applicable law, that the road projects subject to this grant are in full compliance with the Texas Accessibility Standards and the Americans with Disabilities access standards, as the same may apply, and the County Authorized Representative is hereby expressly authorized to certify to such.

**FINALLY, IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT** that where necessary, any materials required for the completion of this project shall be solicited by a standard that is known to be suitable for use in road construction and repair projects, that the County will comply with HUB Program Requirements, as applicable, and the County will require such testing as may be deemed appropriate to determine that such materials meet any applicable standards, either by specification or by direct inquiry with the provider or vendor of such materials. The County Authorized Representative is hereby expressly authorized to certify to such.

Read and Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2020, by a vote of \_\_\_\_\_ ayes and \_\_\_\_\_ nays.

\_\_\_\_\_  
County Judge

\_\_\_\_\_  
Commissioner, Precinct 1

\_\_\_\_\_  
Commissioner, Precinct 2

\_\_\_\_\_  
Commissioner, Precinct 3

\_\_\_\_\_  
Commissioner, Precinct 4

ATTEST:

\_\_\_\_\_  
County Clerk