

**RESOLUTION NO. 2024-180R**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS APPROVING AN AMENDMENT TO THE ADVANCE FUNDING AGREEMENT (AFA) WITH THE STATE OF TEXAS, ACTING THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE SH-123 DRAINAGE AND LANDSCAPE BETTERMENT PROJECT TO REDUCE THE CITY'S CONTRIBUTION TO COSTS FOR CONSTRUCTION ALONG IH-35 FROM SOUTH OF SH-80 (HOPKINS STREET) TO NORTH OF RM-12 (WONDER WORLD DRIVE) BY \$270,000.00 FROM \$5,822,990.22 TO \$5,552,990.22; AUTHORIZING THE CITY MANAGER, OR HER DESIGNEE, TO EXECUTE SAID AMENDMENT; AND DECLARING AN EFFECTIVE DATE.**

**RECITALS:**

1. On May 26, 2020, the City of San Marcos and the State of Texas, by and through the Texas Department of Transportation (TXDOT) executed a contract to effectuate their agreement in which the City was to contribute funding towards the construction costs for IH-35 from south of SH80 to north of RM12 improvements in the City of San Marcos, Texas.

2. It has become necessary to amend that contract to utilize the 2024 Governor's Community Achievement Awards (GCAA) for outstanding community improvement as relates to CJS#0016-03-114.

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SAN MARCOS, TEXAS:**

**PART 1.** The attached Amendment #1 to the Advance Funding Agreement (AFA) between the City of San Marcos and the State of Texas through the Texas Department of Transportation for the SH-123 Drainage and Landscape Betterment Project to reduce the City's contribution for the construction costs of improvements for IH35 from south of SH80 to north of RM12 (CSJ#0016-03-114) by \$270,000 from \$5,822,990.22 to \$5,552,990.22 because the City was approved to receive the Governor's Community Achievement Awards (GCAA) funds is hereby approved.

**PART 2.** The City Manager, or her designee, is authorized to execute said Amendment on behalf of the City.

**PART 3.** This resolution shall be in full force and effect immediately from and after its passage.

**ADOPTED** on September 17, 2024.

Jane Hughson  
Mayor

Attest:

Elizabeth Trevino  
City Clerk