

IN THE COMMISSIONERS COURT OF
POLK COUNTY, TEXAS

RESOLUTION AND ORDER
APPROVING THE COUNTY TRANSPORTATION INFRASTRUCTURE
FUND GRANT AGREEMENT, DESIGNATING AUTHORIZED
REPRESENTATIVE AND MAKING SPECIFIC FINDINGS REQUIRED
BY THE TEXAS DEPARTMENT OF TRANSPORTATION

WHEREAS, Polk County has received a Notice of Eligible Grant Award from the Texas Department of Transportation ("TxDOT") in the amount of \$416,422.00; and

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

WHEREAS, TxDOT has created the County Transportation Infrastructure Fund Grant Program Implementation Procedures that Polk County is required to follow to receive the grant funding; and

THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that Polk County designates 4 County Commissioners as listed on page 4 of Order as its County Representative and authorizes the County Representative to sign all project-related documents on behalf of the County, including any certifications required by the Grant Program; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Polk County Commissioners Court hereby approves the attached County Transportation Infrastructure Fund Grant Agreement ("the Agreement") and authorizes the County Representative to execute the Agreement between Polk County and the Texas Department of Transportation.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that Polk County Commissioners Court hereby approves the attached revised Prioritized List of road projects to be funded with the County Transportation Infrastructure Grant Fund.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the Commissioners Court of Polk 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 and 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 in the prudent expenditure of county and grant funds, that such contractors will be selected upon demonstrated competence and the lowest and most suitable bid, if competitive bidding is require. 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. The County Representative is hereby expressly authorized to certify to such.

IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT that Polk County will utilize generally accepted cost accounting practices in the financial aspects of this grant administration, and that proper documentation of all expenditures will be maintained by the appropriate County officials responsible for financial aspects of the grant administration. The County Representative is hereby expressly authorized to certify to such.

IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT that with the following exceptions, 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 except as noted, is required:

(If the new right-of-way is required, please describe here, i.e. the width of the right-of-way to be acquired, and a legal description of the new right-of-way. Please note that acquisition of right-of-way may require legal and environmental assessment, along with care to insure that all acquisition procedures required by law are followed.)

IT IS THE RUTHER FINDING OF THIS COMMISSIONERS COURT that Polk 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. The County Representative is hereby expressly authorized to certify to such.

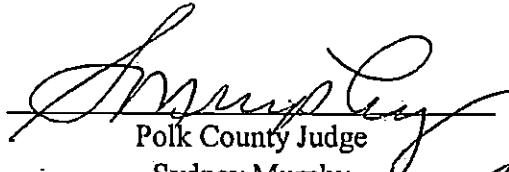
IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT pursuant to 40 C.F.R. § 1500, and specifically §1508.4 et seq., and 33 U.S.C. §1344, (f)(1)(B) and (C), county road maintenance projects are not prohibited by the National Environmental Protection Act (NEPA), not the Water Pollution Prevention and 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, 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 Representative to make certifications regarding compliance with environmental requirements of the Grant, which is expressly approved by this Commissioners Court.

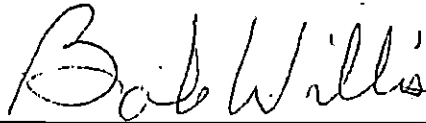
IT IS THE FURTHER FINDING OF THIS COMMISSIONERS COURT that as a public roadway, open to all residents for use as a public road designed for vehicular traffic, as defined by statute and other applicable law, that the road projects subject to this grant are in full compliance with the Texas Accessibility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


IT IS THE FURTHER FINDING OF THE 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 require projects, 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 Representative is hereby expressly authorized to certify to such.

BE IT RESOLVED BY THE COUNTY COMMISSIONER'S COURT OF THE COUNTY OF POLK, TEXAS: That the County Commissioner's Court approves entering into the County Transportation Infrastructure Fund Grant Agreement (Agreement) with the Texas Department of Transportation (TxDOT) with the County Judge being authorized to sign the agreement and is designated as the County Authorized Representative to coordinate efforts with TxDOT and is authorized to sign and file all necessary documents to ensure compliance with the Agreement.


Read and Adopted this 27 day of Oct. 2020, by a vote of 3 yes and 0 nays.


Polk County Judge
Sydney Murphy

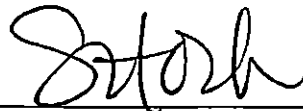

Polk County Commissioner, Precinct 1
Robert C. "Bob" Willis


Polk County Commissioner, Precinct 2
Ronnie Vincent

Absent
Polk County Commissioner, Precinct 3
Milton Purvis


Polk County Commissioner, Precinct 4
Tommy Overstreet

ATTEST:


Polk County County Clerk
Schelana Hock

