

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MANSFIELD, TEXAS, APPROVING A PROFESSIONAL SERVICES AGREEMENT BETWEEN THE CITY OF MANSFIELD AND DUNAWAY ASSOCIATES, L.L.C., FOR LANDSCAPE ARCHITECTURAL AND DESIGN SERVICES IN AN AMOUNT NOT TO EXCEED \$347,750; EXPRESSING THE INTENT TO FINANCE EXPENDITURES TO BE INCURRED FOR ARCHITECTURAL AND DESIGN SERVICES WITH DUNAWAY ASSOCIATES, L.L.C., FOR GEYER COMMONS; AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE ANY DOCUMENTS NECESSARY TO IMPLEMENT THIS RESOLUTION; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; AND DECLARING AN EFFECTIVE DATE. (GENERAL FUND RESERVE)

WHEREAS, The City of Mansfield (City) is a home rule municipality operating under and governed by the laws and Constitution of the State of Texas; and,

WHEREAS, the City of Mansfield (the “City”) is a municipal corporation and political subdivision of the State of Texas authorized to finance its activities by issuing obligations; and,

WHEREAS, the City is currently developing a project for the development of Geyer Commons (the “Project”); and,

WHEREAS, City staff has reviewed and considered a proposal from Dunaway Associates, L.L.C. for the landscape architectural and design services necessary for the Project and recommends approval of a Professional Services Agreement with Dunaway Associates, L.L.C. for said services; and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the landscape architectural and design work for the Project; and,

WHEREAS, the City has concluded that it does not currently desire to issue obligations to finance the architectural and design costs associated with the Project; and,

WHEREAS, the City desires to reimburse itself for the costs associated with the landscape architectural and design costs of the Project from the proceeds of obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue obligations to reimburse itself for the landscape architectural and design costs associated with the Project; and,

WHEREAS, all constitutional and statutory prerequisites for the approval of this resolution have been met, including but not limited to the Open Meetings Act; and,

WHEREAS, the City Council deems the adoption of this resolution to be in the best interest of public health, safety and welfare.

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

SECTION 1.

The findings and recitations set out in the preamble are found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes.

SECTION 2.

A Professional Services Contract with Dunaway Associates, L.L.C., for landscape architectural and design costs associated with the Project, in an amount not to exceed \$347,750, or approximately 6.96% of the total construction cost, which has been initially estimated to be \$5,000,000, in substantially the same form as Exhibit "A" attached hereto is hereby approved.

SECTION 3.

The City reasonably expects to reimburse itself for costs that have been or will be paid subsequent to the date that is 60 days prior to the date hereof and that are to be paid to Dunaway Associates, L.L.C. in connection with the landscape architectural and design costs of the Project from the proceeds of obligations to be issued subsequent to the date hereof.

SECTION 4.

The City Manager, or his designee, is authorized to execute any documents necessary and take such actions as are necessary to implement this Resolution.

SECTION 5.

It is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

SECTION 6.

This Resolution shall be effective from and after its passage.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MANSFIELD THIS 4TH DAY OF MARCH, 2024.

Michael Evans, Mayor

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ATTEST:

Susana Marin, City Secretary