

Mayor and Council Communication

DATE: 01/26/21

M&C FILE NUMBER: M&C 21-0076

LOG NAME: 20FIAUTILIZATION

SUBJECT

(ALL) Adopt Appropriation Ordinance in the Developer Contribution Fund for the Amount of \$9,792,676.93 to Support Pre-Construction Activities Anticipated to be in the 2022 Bond Program and Amend the FY2021-2025 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Adopt the attached appropriation ordinance increasing receipts and appropriations in the Developer Contribution Fund for the Jumpstart - Transportation and Public Works and Property Management Departments' programmable project (City Project No. P00099) from available funds in the amount of \$9,792,676.93 for the purpose of funding pre-construction activities for the 2022 Bond Program Transportation projects; and
2. Amend the FY2021-2025 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is appropriate funds from completed Future Improvement Agreements (FIA) within the Developer Contribution Fund in support of Pre-Construction Activities for the 2022 Bond Program Transportation projects.

During the development permitting process, the City of Fort Worth (CFW) assesses the impact of development upon the City's infrastructure to determine a developer's fair share requirements. If the infrastructure required due to the development cannot be constructed separately at the time of the development, the City allows the developer to pay their proportionate share of the cost for the improvements. The City applies those funds for design and/or construction generally when the improvements are incorporated into a larger project by the Transportation and Public Works (TPW) Department.

The Transportation and Public Works Department (TPW) recently reviewed a cache of FIAs dating back to 1998 and determined that the City has completed a significant number of these projects as presented in the table summary .

Completed and Fund Only Analysis Categories	Value
Complete FIAs (Under \$100K)	\$5,675,505.00
Complete FIAs (Over \$100K)	\$3,871,897.00
Funds Only (Interest Earnings)	\$245,275.00
Total	\$9,792,677.00

The results indicate that while TPW completed improvements, the department was likely unaware of the FIAs. Thus, these funds are being applied retroactively to the projects allowing equivalent funding in the amount of \$9,792,677.00 to be reallocated toward future TPW transportation infrastructure projects to perform activities such as design and right of way acquisition for high-priority anticipated 2022 Bond program projects.

Funding for this project was not included in the FY2021-2025 Capital Improvement Program due to the funding was still under review for potential usage. The action in this M&C will amend the FY2021-2025 Capital Improvement Program as approved in connection with Ordinance 24446-09-2020.

This project is in ALL COUNCIL DISTRICTS.

A Form 1295 is not required because: This M&C does not request approval of a contract with a business entity.

FISCAL INFORMATION / CERTIFICATION:

The Director of Finance certifies that funds are currently available in the UNSPEC project within the Developer Contribution Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available to use within the Developer Contribution Fund for the Jumpstart (TPW and PMD) programmable project. Prior to an expenditure being incurred, the Transportation & Public Works Department has the responsibility of verifying the availability of funds.

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Expedited