

# Mayor and Council Communication

**DATE:** 05/18/21

**M&C FILE NUMBER:** M&C 21-0337

**LOG NAME:** 06NORTHSTARMUD2NDAMEND

**SUBJECT**

(ETJ Adjacent to CD 7) Authorize Execution of Second Amendment to Utility and Infrastructure Agreement for Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties

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**RECOMMENDATION:**

It is recommended that the City Council authorize the City Manager or a designee to execute the Second Amendment to Utility Agreement for the Northstar development in the Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties and to take any actions to carry out such agreement.

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**DISCUSSION:**

Far North Fort Worth Municipal Utility District No. 1 of Tarrant and Wise Counties (the District) encompasses approximately 733 acres of land in Fort Worth's extraterritorial jurisdiction located east of U.S. Highway 81/ 287 and west of Sendera Ranch Boulevard (the Property).

On August 15, 2017, the City Council authorized execution of a Utility and Infrastructure Agreement and other agreements with the District and the then-current owner of the Property, Northstar Ranch, LLC (M&C L-16059, City Secretary Contract No. 49784). The Utility and Infrastructure Agreement provides for design and construction of water and wastewater infrastructure to serve the Property. On August 7, 2018, the City Council authorized execution of the First Amendment to the Utility and Infrastructure Agreement with respect to phasing of water and wastewater infrastructure and roads to serve the Property (M & C L-16133, City Secretary Contract No. 49784-A1).

Northstar Ranch, LLC has conveyed approximately 402 acres of the Property and has assigned all rights and obligations pursuant to the Utility and Infrastructure Agreement, as amended, to 170 Northstar Ranch Developer, Inc., which is developing the Property.

The District and 170 Northstar Ranch Developer, Inc. have requested that the City Council authorize execution of the Second Amendment to the Utility and Infrastructure Agreement to coordinate the schedule for construction of a north bound on-ramp to U.S. Highway 81/287 from Northstar Parkway with Texas Department of Transportation improvements to U.S. Highway 81/287. The Second Amendment requires 170 Northstar Ranch Developer, Inc. and the District to construct the north bound on-ramp to U.S. Highway 81/287 upon construction by TxDOT of a proposed grade separated interchange with Ramhorn Hill Road, if TxDOT has not constructed the north bound on-ramp in connection with construction of the proposed grade separated interchange with Northstar Parkway. Such phasing of the construction of the north bound on-ramp is for safety purposes, in order to avoid large numbers of vehicles entering onto U.S. Highway 81/287 before the TxDOT improvements are made. The Second Amendment also provides that the District is authorized to finance construction of roads required by the City, whether within or outside the District boundaries, including without limitation the northbound on-ramp to U.S. Highway 81/287.

The Property is located in FUTURE COUNCIL DISTRICT 7.

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**FISCAL INFORMATION / CERTIFICATION:**

The Finance Director certifies that approval of this Agreement will have no immediate material effect on City funds. Any effect on expenditures and revenues will be budgeted in future fiscal years.

**Submitted for City Manager's Office by:** Dana Burghdoff 8018

**Originating Business Unit Head:** D.J. Harrell 8032

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