

Mayor and Council Communication

DATE: 06/22/21

M&C FILE NUMBER: M&C 21-0440

LOG NAME: 06CFA-HEMPHILL STR MULTIFAMILY PAVING

SUBJECT

(CD 9) Adopt Attached Appropriation Ordinance in the Amount of \$43,221.00 Adjusting Receipts and Appropriations in the Specially Funded Projects Fund by Decreasing Appropriations in the FY17 - CD 9 Street Repair Project and Increasing Appropriations in the CFA-Hemphill Str Multifamily Project to Fund Paving Construction Costs

RECOMMENDATION:

It is recommended that the City Council adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Specially Funded Projects Fund by increasing estimated receipts and appropriations in the CFA Bucket project (City Project No. P00001) in the amount of \$43,221.00 and by decreasing estimated receipts and appropriations in the Fiscal Year 17 - CD 9 Street Repair Project (City Project No. C02388) by the same amount to fund the Community Facilities Agreement - Hemphill Str Multifamily (City Project No. 102088).

DISCUSSION:

On August 5, 2014, (M&C C-26906) the City Council adopted Resolution No. 4342-08-2014 authorizing a funding agreement with Fort Worth South, Inc., in the amount of \$10,000,000.00 for Council District 9 Near Southside Medical District Street Repair and Reconstruction Program (City Secretary Contract No. 45858). The program leveraged funding in an amount up to \$5,000,000.00 from the Tax Increment Reinvestment Zone No. 4 (Southside TIF) over several years. The program included the rehabilitation of Broadway Avenue and Petersmith Street under Group C (FY17) project schedule.

KFH-CRG (TEXAS) L.P. (Developer) executed a Community Facilities Agreement (CFA) with the City for the Hemphill Multifamily Project (City Secretary Contract Number 54552) located at 401 Hemphill Street. Due to conflicts between the Near Southside Medical District Street Repair and Reconstruction Program and the Developer's project, the Developer has agreed to take over the rehabilitation of Broadway Avenue and Petersmith Street as part of the CFA.

In accordance with Chapter 212, Subchapter C of the Texas Local Government Code, the City's participation in the contract is exempt from competitive bidding requirements because the contract is for oversizing public improvements being constructed by the developer, the developer will execute a performance bond to cover the total project cost, including all of the City's cost participation, and the City's cost participation will be determined in accordance with the City's Community Facilities Agreement (CFA) Unit Price Ordinance. The City's cost participation in the rehabilitation of Broadway Avenue and Petersmith Street are estimated to be in an amount not to exceed \$43,221.00.

The additional appropriations in this M&C will fund costs associated with paving constructions costs.

Fund	Existing Appropriations	Additional Appropriations	Project Total*
30111 Govt Community Facilities Agmt	\$18,893.34	\$0.00	\$18,893.34
56005 Water/Sewer Bond 2016	\$16,000.00	\$0.00	\$16,000.00
56008 W&S Community Facilities Agmt	\$2,056.20	\$0.00	\$2,056.20
56011 Water & Sewer Bond 2017A	\$18,900.00	\$0.00	\$18,900.00
56014 W&S Capital Proj 2018	\$17,750.00	\$0.00	\$17,750.00
30109 TPW Community Facility Agreemt	\$25,000.00	\$0.00	\$25,000.00

39007 Specially Funded Projects	\$0.00	\$43,221.00	\$43,221.00
Project Total*	\$98,599.54	\$43,221.00	\$141,820.54

*Numbers rounded for presentation purposes.

This project is in COUNCIL DISTRICT 9.

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 FY17-CD 9 Street Repair project within the Specially Funded Projects Fund and upon approval of the above recommendation and adoption of the attached appropriation ordinance, funds will be available in the Specially Funded Projects Fund for the CFA Bucket project. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility of verifying the availability of funds.

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Expedited