

Mayor and Council Communication

DATE: 06/11/24

M&C FILE NUMBER: M&C 24-0482

LOG NAME: 20JPS PARKING ILA AMENDMENT

SUBJECT

(CD 9) Authorize Execution of Amendment No. 1 to City Secretary Contract Number 61144, an Interlocal Agreement for the Construction of Community Facilities with Tarrant County Hospital District dba JPS Health Network, Adding City Participation in the Amount of \$200,000.00 for the CFA-JPS Parking Garage Project, Adopt Appropriation Ordinances, Authorize a Waiver of the CFA Amendment Fee in the Amount of \$2,230.00, and Amend the Fiscal Years 2024-2028 Capital Improvement Program

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the execution of Amendment Number 1 to City Secretary Contract Number 61144, an Interlocal Agreement for the Construction of Community Facilities with the Tarrant County Hospital District dba JPS Health Network, adding City participation in the amount of \$200,000.00 for the relocation of a public storm drain;
 2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Stormwater Capital Projects Fund by increasing estimated receipts and appropriations in the CFA-JPS Parking Garage project (City Project No. 105038) in an amount of \$200,000.00 and decreasing estimated receipts and appropriations in the Storm Drain Pipe Rehabilitation programmable project (City Project No. P00114) by the same amount;
 3. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the CFA Developer Fund by increasing estimated receipts and appropriations for the CFA-JPS Parking Garage (City Project No. 105038) in the amount of \$37,170.00 and decreasing estimated receipts and appropriations in the CFA Bucket programmable project (City Project No. P00001) by the same amount;
 4. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Government Community Facilities Agreement Fund in the amount of \$50,000.00 from available Developer Cash Contributions within the Unspecified-All Funds project (City Project No. UNSPEC) for the purpose of funding the CFA-JPS Parking Garage project (City Project No. 105038);
 5. Authorize a Waiver of the Community Facilities Agreement Amendment Fee in the amount of \$2,230.00; and
 6. Amend the Fiscal Years 2024-2028 Capital Improvement Program.
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DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize the execution of an amendment to an Interlocal Agreement (ILA) with Tarrant County Hospital District (TCHD) to address a section of failing public storm drain infrastructure.

The City identified that the existing storm drain system located within an easement on TCHD's property is in need of rehabilitation. During the course of the investigation of the storm drain line and rehabilitation methods, TCHD informed City staff of an upcoming project to construct a parking garage on the same property. As a means of repairing the storm drain and improving maintenance access, City staff desire to participate in the cost of relocating the storm drain line for an amount less than the estimated rehabilitation costs. Amendment Number 1 to the ILA will add \$200,000.00 in City Participation to the project to relocate the storm drain line. TCHD will bear any additional costs for the storm drain line relocation above \$200,000.00.

In addition to the ILA Amendment, staff recommends adoption of 3 budget amendment ordinances for the following purposes.

- Approval of the budget amendment ordinance listed as recommendation 2 will adjust appropriations in the Stormwater Capital Projects Fund by shifting the \$200,000.00 for the ILA Amendment into the CFA-JPS Parking Garage project from the Storm Drain Pipe Rehabilitation programmable project.
- Approval of the budget amendment ordinance listed as recommendation 3 will adjust appropriations between a programmable project and convert the CFA-JPS Parking Garage project (City Project No. 105038) into a static capital project. This action is needed as future funding for CFA-JPS Parking Garage project (City Project No. 105038) is anticipated from other sources and the scope of this project differs from that of current programmable project.
- Approval of the budget amendment ordinance listed as recommendation 4 will adjust appropriations in the Government Community Facilities Agreement Fund by adding \$50,000.00 to this project and reducing the Unspecified project by the same amount to provide interim funding for certain developer costs associated with the CFA-JPS Parking Garage project. This funding aims to cover inspection services expenses and ensure that the project does not face a shortage of funds. The appropriation ordinance is a temporary measure to provide interim funding for inspection costs until the project is complete. The developer is contractually obligated to pay these costs to the City once the project is completed and closed out.

In order to avoid delaying TCHD's project and causing TCHD to incur additional costs, City staff agreed to allow TCHD to proceed to construction on the project while City staff sought approval from City Council for the City participation in the project. Therefore, City staff recommends that the City Council authorize a waiver of the Community Facilities Agreement Amendment Fee in the Amount of \$2,230.00. By approval of this M&C, City Council finds that a waiver of the fee serves a public purpose because it avoids an increase expenditure of public funds that TCHD has allocated

for the project and that sufficient contractual controls are in place to ensure that the public purpose is met.

Funding for this project was not included in the Fiscal Years 2024-2028 Capital Improvement Program. The action in the M&C will amend the Fiscal Years 2024-2028 Capital Improvement Program as approved in connection with Ordinance 26453-09-2023. Funding is budgeted in the Stormwater Capital Projects and the Govt Community Facilities Funds for the TPW Dept Highway & Streets Department for the purpose of funding the CFA-JPS Parking Garage project.

This project is located 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 Stormwater Pipe Rehab project within the Stormwater Capital Projects Fund and in the Unspecified-All Funds project within the Govt Community Facilities Agmt Fund and upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the Stormwater Capital Projects Fund and in the Govt Community Facilities Agmt Fund for the CFA-JPS Parking Garage project to support the above recommendations. Prior to an expenditure being incurred, the Transportation & Public Works has the responsibility of verifying the availability of funds.

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