

# Mayor and Council Communication

DATE: 05/10/22

M&amp;C FILE NUMBER: M&amp;C 22-0334

LOG NAME: 2022 2018 RAILROAD TRINITY RAILWAY EXPRESS (TRE) AT N BEACH

**SUBJECT**

(CD 4 and CD 8) Adopt Attached Resolution Authorizing Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$715,067.00, of Which \$412,885.00 is State Participation, and \$302,182.00 is the Required City of Fort Worth Participation for the 2018 Railroad Trinity Railway Express at North Beach Street Project, and Adopt Attached Appropriation Ordinances (2018 Bond Program)

**RECOMMENDATION:**

It is recommended that the City Council:

1. Adopt the attached resolution authorizing the execution of an advanced funding agreement (CSJ #0902-00-315) with the Texas Department of Transportation in the amount of \$715,067.00, of which \$412,885.00 is State Participation, and \$302,182.00 is the required City participation for the 2018 Railroad Trinity Railway Express DART at North Beach Street (City Project No. 101865);
2. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Capital Project State Fund, subject to receipt of the grant, in the amount of \$477,784.00, of which \$382,227.00 is State funding and \$95,557.00 is City funding transferred from the 2018 Bond Program Fund; and
3. Adopt the attached appropriation ordinance adjusting appropriations in the 2018 Bond Program Fund, by increasing appropriations in the 2018 Bond Railroad Trinity Railway Express DART project (City Project No. 101865) in the amount of \$445,000.00 and by decreasing appropriations in the Railroad Crossings programmable project (City Project No. PB0004) by the same amount.

**DISCUSSION:**

The purpose of this Mayor and Council Communication (M&C) is to accept of State funds in the amount of \$412,885.00, through the Texas Department of Transportation for the 2018 Railroad TRE DART at N. Beach Street Project (City Project No. 101865), and to adopt a resolution authorizing execution of an Advanced Funding Agreement (AFA) to implement the project.

The Railway-Highway Crossing Section 130 program provides funding for the elimination of hazards at railway-highway crossings. City Project No. 101865 meets the eligibility requirement for funding-eligible activities. The Transportation and Public Works (TPW) Department applied to the Rail Highway Section Director of the Texas Department of Transportation on April 13, 2020, for Section 130 funds for the improvement of the railroad crossing of above mentioned project. The Rail Highway Section Director of Texas Department of Transportation affirmed that the crossing mentioned above is eligible for funding of a portion of the construction cost through the Section 130 funds. The project is not required to be entered into the Transportation Improvement Program (TIP).

The Texas Transportation Commission passed Minute Order Number 116073, authorizing the State to undertake and complete a highway improvement or other transportation projects generally described as Railroad Crossing Improvements.

The following table summarizes the cost for the project:

| Project Costs for the 2018 Railway TRE at N. Beach Street (City Project No. 101865) |         |               |               |              |
|---|---------|---------------|---------------|--------------|
| Fund  | Federal | State         | Local         | Total        |
| 2018 Bond Program Fund  | \$      | \$            | \$ 445,000.00 | \$445,000.00 |
| Unappropriated Indirect State Cost  | \$      | \$ 30,658.00  | \$            | \$30,658.00  |
| 31002- Grant Capital Projects State   | \$      | \$ 382,227.00 | \$            | \$382,227.00 |
| Grand Total   | \$      | \$412,885.00  | \$445,000.00  | \$857,885.00 |

This project is included in the 2018 Bond Program Fund. Available resources within the General Fund will be used to provide interim financing until debt is issued. Once debt associated with the project is sold, bond proceeds will reimburse the General Fund in accordance with the statement expressing official Intent to Reimburse that was adopted as part of the ordinance canvassing the bond election (Ordinance No. 23209-05-2018) and subsequent actions taken by the Mayor and Council.

Approval of Recommendation 3 would adjust appropriations between a programmable project and convert the 2018 Bond Railway TRE DART project (City Project No. 101865) into a static capital project. This action is needed as future funding for the 2018 Bond Railway TRE DART project is anticipated from other funding sources and the scope of this project differs from that of the current programmable project.

The project is located in COUNCIL DISTRICT 4 and 8.

A Form 1295 is not required because: This contract will be with a governmental entity, state agency or public institution of higher education: State & TXDOT

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**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that upon approval of the above recommendations and adoption of the attached appropriation ordinances, funds will be available in the current operating and capital budgets, as appropriated, in the Grants Capital Project State and 2018 Bond Program Funds. The Transportation and Public Works Department (and Financial Management Services) will be responsible for the collection and deposit of funds due to the City. Prior to an expenditure being incurred, the Transportation and Public Works Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

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

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