

Mayor and Council Communication

DATE: 09/26/23

M&C FILE NUMBER: M&C 23-0839

LOG NAME: 80INFRASTRUCTURE CONSTRUCTION AGREEMENTS WITH FWZA

SUBJECT

(CD 9) Authorize Execution of Two Infrastructure Construction Agreements with the Fort Worth Zoological Association to Fulfill the City of Fort Worth's Initial Obligation to Construct, Maintain, and Repair Certain Public Infrastructure within the Fort Worth Zoo; Adopt Appropriation Ordinances; and Amend Fiscal Years 2023-2027 Capital Improvement Program (2022 Bond Program)

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize execution of two Infrastructure Construction Agreements with the Fort Worth Zoological Association to fulfill the City of Fort Worth's initial obligation to construct, maintain, and repair certain public infrastructure within the Fort Worth Zoo;
2. Adopt the attached appropriation ordinance adjusting estimated receipts and appropriations in the Tax Note 2021 C Fund by increasing estimated receipts and appropriations in the Zoo Predator Ridge project (City Project No. 104926) in the amount of \$340,072.72 and decreasing estimated receipts and appropriations in the Fort Worth Zoo Utility Infrastructure Programmable project (City Project No. PB0012) by the same amount;
3. Adopt the attached appropriation ordinance adjusting appropriations in the 2022 Bond Program Fund by increasing appropriations in the Zoo Predator Ridge project (City Project No. 104926) in the amount of \$612,357.17 and decreasing appropriations in the Fort Worth Zoo Utility Infrastructure Programmable project (City Project No. PB0012) by the same amount; and
4. Amend the Fiscal Years 2023-2027 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize two Infrastructure Construction Agreements (ICA) with the Fort Worth Zoological Association (FWZA): The Infrastructure Improvements ICA with American Rescue Plan Act (ARPA) funds and The Predator Ridge ICA. These ICAs will fulfill the City's obligation to construct, maintain, and repair certain public infrastructure within the Fort Worth Zoo (Zoo) pursuant to the Management Services Agreement (MSA) with FWZA (City Secretary Contract No. 58824) (M&C 22-1062, December 13, 2022) collectively defined as "Capital Improvements". The MSA with FWZA contains a list of identified Capital Improvements - deferred facility maintenance projects or other capital expenditures.

Due to FWZA's management presence on-site, it was determined that the most efficient way to accomplish the City's obligation is to provide funding to the FWZA through two ICAs so that FWZA can obtain its own contractors and oversee the work.

Infrastructure Improvements ICA with ARPA Funds: The City will reimburse FWZA for an amount up to \$1,500,000.00 from the American Rescue Plan Act (ARPA) Funds. On June 22, 2021 (M&C 21-0445), City Council adopted a framework of the City's priorities for ARPA funds for which \$1,500,000.00 is designated to fund four (4) Capital Improvements project at the Zoo. Infrastructure Improvements ICA with ARPA Funds project list is shown below:

project Number	Project	ARPA
104478	Broadband Upgrade	\$ 50,000.00
104478	Parking Lot Repair and Maintenance	\$ 195,000.00
104478	Bridge Repair and Maintenance	\$ 160,000.00
104478	Zoo Creek Erosion Control	\$ 1,095,000.00
TOTALS		\$1,500,000.00

FWZA will be responsible for submitting detailed expenditure reports quarterly for the ARPA funded projects: Broadband Upgrade, Parking Lot Repair and Maintenance, Bridge Repair and Maintenance and Zoo Creek Erosion Control, and the City Project Manager will be responsible for coordinating the receipt of those reports from FWZA. The quarterly expenditure reports are required to be submitted to the City Financial Management Services grants financial reporting coordinator no later than the 15th of January, April, July and October for the prior quarter's

