

# Mayor and Council Communication

DATE: 06/27/23

M&C FILE NUMBER: M&C 23-0518

LOG NAME: 60WSTAMUS ILA

## **SUBJECT**

(CD 9) Approve Allocation from the American Rescue Plan Act State and Local Fiscal Recovery Funds in the Amount of \$50,000.00, Authorize Execution of an Interlocal Agreement with the Texas A&M University System Regarding Reimbursement of Public Water and Sewer Infrastructure Design Costs Associated with the Texas A&M Fort Worth Campus Project in an Amount not to Exceed \$115,000.00, Waive Temporary Encroachment Fees for Long Term Street and Sidewalk Closure and Adopt Appropriation Ordinances

---

## **RECOMMENDATION:**

It is recommended the City Council:

1. Approve the allocation of \$50,000.00 from the American Rescue Plan Act State and Local Fiscal Recovery Funds for the reimbursement of public water and sewer infrastructure design costs associated with the Texas A&M Fort Worth Campus Project;
2. Authorize the execution of an Interlocal Agreement with the Texas A&M University System regarding reimbursement of public water and sewer infrastructure design costs associated with the Texas A&M Fort Worth Campus project in an amount not to exceed \$115,000;
3. Authorize the waiver of temporary encroachment fees for long term street and sidewalk closure required for the construction Texas A&M Law and Education Building;
4. Adopt the attached Appropriation Ordinance adjusting estimated receipts and appropriations by decreasing estimated receipts and appropriations in the Grants Operating Federal Fund in the amount of \$50,000.00 and increasing estimated receipts and appropriations in the Grants Cap Projects Federal Fund by the same amount, for the purpose of the reimbursement of public water and sewer infrastructure design costs associated with the Texas A&M Fort Worth Campus Project (City Project No. 104855); and
5. Adopt the attached Appropriation Ordinance increasing estimated receipts and appropriations in the Water and Sewer Capital Projects Fund in the amount of \$65,000.00, from available funds, for the W/SS A&M Fort Worth Campus (City Project No. 104855) to effect a portion of Water's contribution to Fiscal Years 2023-2027 Capital Improvement Program.

---

## **DISCUSSION:**

The purpose of this Mayor & Council Communication (M&C) is to authorize execution of an Interlocal Agreement (Agreement) with Texas A&M University System (TAMUS) to reimburse TAMUS for design costs associated with planned public water and sewer improvements, and waive the collection of temporary encroachment fees for long term street and sidewalk closures associated with construction of the new Law and Education building.

In January of this year, TAMUS announced the selection of the design team and contractor for the construction of the new Law and Education building as part of the Texas A&M Fort Worth Campus with the intent on breaking ground on the project in June of this year. A component of the project includes the replacement of older existing undersized public water and sewer lines needed to support their development and surrounding area. To help expedite the construction of the public water and sewer infrastructure, TAMUS's engineering design firm for their project, Stantec, will add the design costs for the public infrastructure to their engineering services contract with TAMUS. Under the Agreement, the City will reimburse TAMUS for the engineering design costs in an amount not-to-exceed \$115,000.00. Funds for the reimbursement will come from ARPA revenue recovery funds set aside for the Texas A&M Fort Worth campus project and Water & Sanitary Sewer utility funds.

The ILA agrees to waive temporary encroachment fees for long term street and sidewalk closures associated with construction of the Law and Education building.

### **Allocation of ARPA Subtitle M Funding**

Under the previously approved M&C 22-1076, it was indicated that both the City and Tarrant County would be utilizing American Rescue Plan Act (ARPA) dollars under Section 603(c)(1)(C) of Title VI of the Social Security Act (added by ARPA) to fund their respective participation in the Innovation Hub.

The provision of government services impacted is a specifically identified use of ARPA dollars under Section 603(c)(1)(C) of Title VI of the Social Security Act (added by ARPA). Treasury Department guidance specifically notes that these State and Local Fiscal Recovery Funds can be deployed for the provision of government services in support of the economic recovery of the City and community.

Approval of this M&C will allocate \$50,000.00 for Fiscal Year 2023 in the American Rescue Plan Act project in the Grants Operating Federal Fund budget for transfer to the TXAMU Innovation Project. Necessary reporting and documentation requirements will be followed to ensure the City can comply with all reporting requirements of the ARPA legislation.

The following chart reflects the current status for allocation of the City's ARPA funding under Subtitle M and incorporates each ARPA M&C on the June 27, 2023 Council Agenda:

		M&C's
Total CFW ARPA Subtitle M Funding	\$173,745,090.00	21-0445 362021 AMERICAN RESCUE PLAN
Allocations Approved To-Date	6,000,000.00	21-0794 25ARPA-VFW-TDG
Allocations Approved To-Date	1,000,000.00	21-0805 13ARPA-ADMINISTRATION
Allocations Approved To-Date	4,245,533.42	21-0810 17ARPA ALLOCATIONS EVANS & ROSEDALE REDEVELOPMENT
Allocations Approved To-Date	2,400,000.00	21-0811 17ARPA ALLOCATIONS UNTHSC TECHSTARS
Allocations Approved To-Date	10,100,000.00	21-0814 19ARPA ALLOCATIONS TO HOUSING AND HUMAN SERVICES PROJECTS
Allocations Approved To-Date	3,000,000.00	21-0809 19ARPA ALLOCATION CDFI FRIENDLY AMERICA
Allocations Approved To-Date	300,000.00	21-0820 25ARPA-WRMC MURAL PLAQUES
Allocations Approved To-Date	6,400,000.00	21-0935 21ARPA-PEG FUNDING-FUTURE CITY HALL
Allocations Approved To-Date	8,000,000.00	21-0908 23ARPA-VACCINATIONS AND TESTING
Allocations Approved To-Date	4,560,000.00	21-0913 25ARPA-PED\\_CAPITAL\\_RESTORE
Allocations Approved To-Date	52,000,000.00	21-0934 21ARPA-FWCC EXPANSION FUNDING & PROJECT MANAGEMENT
Allocations Approved To-Date	3,000,000.00	22-0268 17ARPA CENTER FOR TRANSFORMING LIVES

Allocations Approved to-Date	5,000,000.00	22-0270 19ARPA ALLOCATION FOR PERMANENT SUPPORTIVE HOUSING
Allocations Approved to-Date	7,091,047.00	22-0368 04ARPA NEIGHBORHOOD WIFI CARES RATIFICATION/ARPA ALLOCATION
Allocations Approved to-Date	3,595,000.00	22-0366 04ARPA INFRASTRUCTURE PROGRAM
Allocations Approved to-Date	3,675,000.00	22-0367 04ARPA CYBERSECURITY PROGRAM
Allocations Approved to-Date	16,000,000.00	22-0789 MMA INFRASTRUCTURE – STREETLIGHTS & PEDESTRIAN SAFETY
Allocations Approved to-Date	2,500,000.00	22-0789 MMA INFRASTRUCTURE – COBB & HIGHLAND HILLS PARKS
Allocations Approved to-Date	3,200,000.00	22-0789 TARRANT AREA FOOD BANK FACILITY
Allocations Approved to-Date	2,000,000.00	22-0789 POLICE AND FIRE COVID WORKER'S COMPENSATION CLAIMS
Allocations Approved to-Date	1,458,372.00	22-0789 POLICE COVID HEALTH EXPENDITURES
Allocations Approved to-Date	750,000.00	22-0789 VISIT FORT WORTH SPECIAL EVENT FUNDING
Allocations Approved to-Date	4,411,080.00	22-0789 UNITED WAY ONE SECOND COLLABORATIVE
Allocations Approved to-Date	8,000,000.00	22-0789 DEEPLY AFFORDABLE HOUSING INFRASTRUCTURE & DRAINAGE
Allocations Approved to-Date	1,500,000.00	22-0789 FORT WORTH ZOO ROAD REPAIR, EROSION CONTROL, BROADBAND
Allocations Approved to-Date	200,000.00	22-0789 TX WESLEYAN ON-CAMPUS PUBLIC UTILITY RELOCATION

Allocations Approved to-Date	1,925,000.00	22-0789 WILL ROGERS MC AIR HANDLER REPLACEMENT
Allocations Approved to-Date	5,950,000.00	22-0789 WILL ROGERS MC CONCOURSE, LOBBY AND RESTROOM UPDATES
Allocations Approved to-Date	2,000,000.00	23-0284 ARPA FWTC INNOVATION PARTNERSHIP
Pending Allocation	100,000.00	13ARPA_CENTRAL_MULTIMODAL_MOBILITY_HUB
Reclaimed Funds	(4,216,902.00)	13ARPA_CENTRAL_MULTIMODAL_MOBILITY_HUB
Pending Allocation	50,000.00	60WSTAMUS ILA (This M&C)
Remaining Unallocated Balance	\$7,550,960.58	

A breakdown of the Remaining Unallocated Balance of ARPA SLFRF funding is detailed below:

Amount	Project
\$2,950,000.00	Revenue Recovery Funds - Held for Texas A&M University System Research and Innovation Hub
65,682.00	Revenue Recovery Funds - Held in contingency for project shortfalls
\$4,535,278.58	Non-Revenue Recovery Funds - Held for City-wide Broadband Infrastructure
<b>\$7,550,960.58</b>	<b>Total - Remaining Unallocated Balance</b>

It is the practice of the Water Department to appropriate its CIP plan throughout the fiscal year, instead of within the annual budget ordinance, as projects commence, additional funding needs are identified, and to comply with bond covenants. The actions in the M&C will appropriate funds in support of the Water's portion of the City of Fort Worth's Fiscal Years 2023-2027 Capital Improvement Program, as follows:

**60WSTAMUS ILA:**

Capital Fund Name	Project Name	FY2023 CIP Appropriations	Authority	Budget Change (Increase/Decrease)	Revised FY2023 Budget
W&S Capital Projects - Fund 56002	104855 - W/SS A&M Fort Worth Campus	\$0.00	This M&C	\$65,000.00	\$65,000.00

Funding is budgeted in the Unspecified-All Funds Project with in the Water & Sewer Capital Project Fund for the purpose of funding the W/SS A&M Fort Worth Campus project within the Water & Sewer Capital Projects Fund.

Appropriations for Water and Sanitary Sewer A&M Fort Worth Campus project, are as depicted below:

Fund	Existing Appropriations	Additional Appropriations (This M&C)	Project Total*

W&S Capital Projects - Fund 56002	\$0.00	\$65,000.00	\$65,000.00
Grants Cap Projects Federal Fund - 31001	0.00	50,000.00	50,000.00
<b>Project Total</b>	<b>\$0.00</b>	<b>\$115,000.00</b>	<b>\$115,000.00</b>

\*Numbers rounded for presentation purposes.

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

**FISCAL INFORMATION / CERTIFICATION:**

The Director of Finance certifies that funds are currently available in the Unspecified-All Funds project within the Water & Sewer Capital Projects Fund and in the Grants Operating Federal Fund, and upon approval of the above recommendations and adoption of the attached appropriation ordinance, funds will be available in the W&S Capital Projects Fund and Grants Cap Projects Federal Fund for the W/SS A&M Fort Worth Campus project to support the approval of the above recommendations and execution of the engineering agreement. Prior to any expenditure being incurred, the Water Department has the responsibility of verifying the availability of funds.

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

**Originating Business Unit Head:** Christopher Harder 5020

**Additional Information Contact:** Roger Venables 6334