

Mayor and Council Communication

DATE: 09/13/22

M&C FILE NUMBER: M&C 22-0688

LOG NAME: 2022 NW LOOP820 & MARINE CREEK PKWY AFA

SUBJECT

(CD 2) Adopt Resolution Authorizing Execution of an Advance Funding Agreement with the Texas Department of Transportation in the Amount of \$4,819,471.00, of Which \$2,720,000.00 is Federal Participation, \$493,471.00 is State Participation, and \$1,606,000.00 Plus any Cost Overruns is City Participation for the Intersection Improvements at Northwest Loop 820 and Marine Creek Parkway – Phase 2 Project (City Project No. 101585), Adopt Appropriation Ordinances, and Amend the Fiscal Year 2022-2026 Capital Improvement Program (2018 Bond Program)

RECOMMENDATION:

1. Adopt the attached resolution authorizing the execution of an advanced funding agreement (CSJ# 0902-90-220) with the Texas Department of Transportation for Intersection Improvements at Northwest Loop 820 and Marine Creek Parkway-Phase 2 (City Project No. 101585) in the amount of \$4,819,471.00 of which \$2,720,000.00 is Federal Participation, \$493,471.00 is State Participation, and \$1,606,000.00 plus any cost overruns is City participation;
2. Authorize the City Manager to accept, if awarded, the grant funds;
3. Adopt the attached appropriation ordinance adjusting appropriations in the 2018 Bond Program Fund, in the amount of \$280,000.00 by increasing appropriations in the NW Loop 820 and Marine Creek Parkway-Phase 2 (City Project No. 101585), and decreasing appropriations in the Authorized, Not Appropriated Project (City Project No. U34018) by the same amount;
4. Adopt the attached appropriation ordinance, increasing estimated receipts and appropriations in the Grants Capital Project Federal Fund, (1) by \$2,720,000.00 subject to receipt of the grant, and (2) \$680,000.00 as a transfer from the 2018 Bond Program Fund to satisfy the City's match requirement, for a total of \$3,400,000.00, for the purpose of funding the NW Loop 820 and Marine Creek Parkway-Phase 2 Project (City Project No. 101585);
5. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the General Capital Projects Fund in the amount of \$1,000,000.00 from available funds for the NW Loop 820 & Marine Creek Parkway project (City Project No. 101585) for the purpose of funding construction costs; and
6. Amend the Fiscal Years 2022-2026 Capital Improvement Program.

DISCUSSION:

The purpose of this Mayor and Council Communication (M&C) is to authorize acceptance of Federal funds in the amount of \$2,720,000.00 through the Texas Department of Transportation for the Intersection Improvements at Northwest Loop 820 and Marine Creek Parkway – Phase 2 Project (City Project No. 101585), to adopt a resolution authorizing execution of the associated advanced funding agreement (AFA), and authorize the appropriation of an additional \$1,000,000.00 for the construction cost, project management costs, and City staff costs associated with the Intersection Improvements at Northwest Loop 820 and Marine Creek Parkway – Phase 2 Project (City Project No. 101585).

Texas Transportation Commission passed Minute Order Number 116073, authorizing the State to undertake and complete a highway improvement or other transportation project generally described as Intersection Improvements with Right And/or Left Turn Lanes.

The Intersection Improvements at Northwest Loop 820 and Marine Creek Parkway – Phase 2 Project includes installing the displaced left-turn lane and reconfiguring the intersection to improve safety and the flow of traffic, pavement markings and signage, and adding ADA-compliant crosswalks. The additional funds will come from the Street Improvements Fund.

The table below summarizes the total cost for Phase 2 of the Project:

Total Project Costs for the Intersection Improvements at NW Loop 820 and Marine Creek Parkway – Phase 2 Project (City Project No. 101585)				
Fund	Federal	State	Local	Total
2018 Bond Program Fund			\$606,000.00	\$606,000.00
Unappropriated State Cost		\$493,471.00		\$493,471.00
31001-Grants	\$2,720,000.00			\$2,720,000.00

Capital Projects Federal				
General Capital Projects Fund-30100			\$1,000,000.00	\$1,000,000.00
Grand Total	\$2,720,000.00	\$493,471.00	\$1,606,000.00	\$4,819,471.00

The table below summarizes past appropriations, sources, the additional funding, and the estimated total cost of the project at completion:

Intersection Improvements at NW Loop 820 and Marine Creek Parkway – Phase 1 & Phase 2 Project (CPN 101585)			
Fund	Existing Funding	Additional Funding	Project Funding Total
2007 Critical Capital Projects - 39001	\$1,196,851.90		\$7,676,851.90
2018 Bond Program - 34018	\$1,800,000.00	\$280,000.00	
General Capital Projects Fund-30100		\$1,000,000.00	
31001-Grants Capital Projects Federal		\$3,400,000.00	

Funding for this project was not included in the Fiscal Years (FY) 2022-2026 Capital Improvement Program due to charges being incurred after the CIP was adopted. The action in this M&C will amend the FY2022-2026 Capital Improvement Program as approved in connection with Ordinance 25073-09-2021.

This project is included in the 2018 Bond Program. Available resources within the General Fund will be used to provide interim financing until the 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.

The above-mentioned project is located in COUNCIL DISTRICT 2.

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

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 capital budget, as appropriated, in the Grants Cap Projects Federal Fund and the General Capital Projects Fund. 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 an advanced grant.

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