

March 24, 2021

WHEREAS, on June 3, 2010, the Regional Transportation Council (RTC) approved \$13,779,712.00 in Regional Toll Revenue (RTR) or RTC local funds for nine infrastructure and three planning projects in the City of Dallas; and

WHEREAS, on August 25, 2010, City Council authorized support for projects selected within the City of Dallas for the Regional Transportation Council Sustainable Development Program and authorized the City Manager to negotiate agreements with the North Central Texas Council of Governments (NCTCOG) and private sector partners, where applicable by Resolution No. 10-2152; and

WHEREAS, on February 24, 2011, the Texas Transportation Commission concurred with RTC's selection of projects for the Collective Sustainable Development Infrastructure Project and its funding of \$1,986,250.00; and

WHEREAS, the Sustainable Development Program requires a minimum local match of 20 percent of the total project cost of \$2,482,813.00, or \$496,563.00, which was provided by the Fort Worth Avenue TIF District Fund; and

WHEREAS, on September 17, 2012, the Economic Development Committee was briefed by memorandum to consider agreements with the North Central Texas Council of Governments and the State of Texas for the Collective Sustainable Development Infrastructure Project; and

WHEREAS, on September 26, 2012, City Council authorized an agreement with NCTCOG and TxDOT to obtain funding to reimburse local match 20% cost for the construction of the Collective Sustainable Development Infrastructure Project, in the amount of \$1,986,250.00 from the NCTCOG by Resolution No. 12-2360; and

WHEREAS, on December 12, 2016, the Fort Worth Avenue TIF Board of Directors approved District-wide TIF funding request of up to \$496,562.00 as the required local matching funds for the Collective Sustainable Development Infrastructure Project in the Fort Worth Avenue TIF District in partnership with North Central Texas Council of Governments Regional Transportation Council for its Sustainable Development Program; and

WHEREAS, on September 27, 2017, City Council amended Resolution No. 12-2360 that authorized the Fort Worth Avenue Tax Increment Financing (TIF) Board of Directors to dedicate up to \$496,563.00 in the Fort Worth Avenue TIF District Funds as the required local matching funds for the North Central Texas Council of Governments Sustainable Development Program for the Collective Sustainable Development Infrastructure Project, while increasing appropriations in an amount of \$496,563.00 in the Fort Worth Avenue TIF District Fund by Resolution No. 17-1546; and

March 24, 2021

WHEREAS, on September 27, 2017, City Council amended Resolution No. 12-2361 to rescind the execution of the development agreement with The Park at Kessler, LP, for the Collective Sustainable Development Infrastructure Project and associated reimbursement of project costs, as this developer is no longer associated with this project by Resolution No. 17-1547; and

WHEREAS, on January 9, 2019, City Council authorized an amendment to the Funding Agreement with the North Central Texas Council of Governments and the Texas Department of Transportation (Agreement No. CSJ 0918-47-027) to extend the project schedule timeline through October 31, 2019, revise the project closeout requirements, scope of work, project location map and the project budget for the Collective Sustainable Development Infrastructure Project by Resolution No. 19-0085.

WHEREAS, it is now necessary to authorize **(1)** rescinding Resolution No. 19-0085, previously approved on January 9, 2019, for the execution of Amendment No. 1 to the Funding Agreement with the North Central Texas Council of Governments and the Texas Department of Transportation (Agreement No. CSJ 0918-47-027) for the Collective Sustainable Development Infrastructure Project, as the project schedule timeline has expired; **(2)** Amendment No. 1 to the Funding Agreement with the North Central Texas Council of Governments and the Texas Department of Transportation (Agreement No. CSJ 0918-47-027) to extend the project schedule timeline through December 31, 2022, and revise the project closeout requirements, scope of work, project location map and the project budget; and **(3)** confirmation of the City Council's continued support for the Collective Sustainable Development Infrastructure Project and commitment to the revised project schedule timeline.

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That the City Manager is hereby authorized to rescind Resolution No. 19-0085, previously approved on January 9, 2019, for the execution of Amendment No. 1 to the Funding Agreement with the North Central Texas Council of Governments and the Texas Department of Transportation (Agreement No. CSJ 0918-47-027) for the Collective Sustainable Development Infrastructure Project, as the project schedule timeline has expired.

March 24, 2021

SECTION 2. That the City Manager is hereby authorized to amend the Funding Agreement with the North Central Texas Council of Governments and the Texas Department of Transportation (Agreement No. CSJ 0918-47-027), approved as to form by the City Attorney, to extend the project schedule timeline through December 31, 2022, and revise the project closeout requirements, scope of work, project location map, and the project budget for the Collective Sustainable Development Infrastructure Project.

SECTION 3. That the City Council is hereby confirming its continued support for the Collective Sustainable Development Infrastructure Project and commitment to the revised project schedule timeline.

SECTION 4. That this contract is designated as Contract No. STS-2017-00003114.

SECTION 5. That this resolution shall take effect immediately from and after its passage in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so resolved.