



## **RESOLUTION NO. 2024-190**

### **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, AUTHORIZING THE REALLOCATION OF AMERICAN RESCUE PLAN ACT GRANT FUNDS; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, on August 23, 2021, the City received its first tranche of American Rescue Plan Act (“ARPA”) Coronavirus State and Local Fiscal Recovery Funds totaling \$5,966,437.87; and

**WHEREAS**, on September 7, 2021, City Council approved the allocation of American Rescue Plan Act (“ARPA”) Coronavirus State and Local Fiscal Recovery Funds for up to eight projects, totaling \$11,920,000 for Fiscal Years 2022 and 2023 for items related to the categories of Negative Economic Impact, Administrative Costs, and Public Health (supporting public safety or promoting healthier living and socialization to mitigate the spread of COVID-19), of which four projects have not yet been completed as of December 2023, which include the Justice Center, Branch Connection, Joya Park, and Mercer Park; however, all but Mercer Park are anticipated to be completed by the grant deadlines; and

**WHEREAS**, on March 11, 2022, the City received a second tranche of American Rescue Plan Act (“ARPA”) Coronavirus State and Local Fiscal Recovery Funds totaling \$11,971.58; and

**WHEREAS**, on September 26, 2022, the City received its third tranche of American Rescue Plan Act (“ARPA”) Coronavirus State and Local Fiscal Recovery Funds totaling \$5,978,229.43; and

**WHEREAS**, U.S. Department of Treasury, ARPA grant recipients may only use funds to cover costs incurred (contracted) by December 31, 2024, with all obligations to be liquidated no later than December 31, 2026; and

**WHEREAS**, on May 7, 2024, based on delays with development at Mercer Crossing which prevented Mercer Park construction costs to be contracted and completed by the December 2024 and 2026 deadlines, City Council approved the reallocation of \$1,000,000 from the Mercer Park project to the Justice Center Renovation Project and an additional \$27,500 of already incurred design costs for Mercer Park to an Administrative category via Resolution 2024-071; and

**WHEREAS**, the Justice Center Renovation Project has experienced contract bid delays rendering certain project items unable to be contracted for and incurred by the required December 2024 deadline, totaling \$400,000 in remaining funds that need reallocation; and

**WHEREAS**, City Staff proposes reallocating the remaining \$400,000 from the Justice Center Renovation Project to the Branch Connection Renovation Project which is currently an eligible project and can be completed within the grant timelines, and would be a budget swap from the Justice Center Renovation Project budget to the Branch Connection Renovation Project budget that is supported by the General Fund; and

**WHEREAS,** City Administration recommends amendments to the current adopted ARPA grant fund allocation to decrease \$400,000 from the Justice Center Renovation Project and increase \$400,000 to the Branch Connection Renovation Project as set forth above.

**WHEREAS,** the Signature Park Phase 1 (Joya) Project has remaining funds from cost savings, totaling \$104,000 in remaining funds that need reallocation; and

**WHEREAS,** City Staff proposes reallocating the remaining \$104,000 from the Signature Park Phase 1 (Joya) Project to the Branch Connection Renovation Project which is currently an eligible project and can be completed within the grant timelines, and would be a budget swap from the Signature Park Phase 1 (Joya) Project budget to the Branch Connection Renovation Project budget that is supported by the General Fund; and

**WHEREAS,** City Administration recommends amendments to the current adopted ARPA grant fund allocation to decrease \$104,000 from the Signature Park Phase 1 (Joya) Project and increase \$104,000 to the Branch Connection Renovation Project as set forth above.

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THAT:**

**SECTION 1.** The City Council for the City Branch, Texas, approves the recommendations of the City Staff set forth in the recitals to this Resolution and the City Manager is hereby authorized to take such actions as necessary to implement the reallocation of funds and to report allocation changes on quarterly Project and Expenditure Reports submitted to the Coronavirus State and Local Fiscal Recovery Funds program.

**SECTION 2.** This Resolution shall take effect immediately upon its passage.

**PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF FARMERS BRANCH, TEXAS, THIS THE \_\_\_\_\_ DAY OF \_\_\_\_\_, 2024.**

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Stacy Henderson, City Secretary

\_\_\_\_\_  
Terry Lynne, Mayor

**APPROVED AS TO FORM:**

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Whitt Wyatt, City Attorney