



RESOLUTION NO. 2024-071

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 completed as of December 2023, and they are 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 an additional 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 second 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, based on delays with development at Mercer Crossing, Staff does not believe Mercer Park construction costs will be contracted and completed by the December 2024 and the 2026 deadlines and, therefore, City Staff proposes reallocating funding to the Justice Center Renovation project and administrative costs; and

WHEREAS, the budget allocation for Mercer Park is \$1,000,000 with design costs of \$27,500 which has already been incurred and, thus, the proposed reallocation of funds would place \$1,000,000 to Justice Center Renovation project, and the \$27,500 already spent to an Administrative category; and

WHEREAS, the Justice Center renovation project is currently an eligible project and can be completed within the grant timelines and, thus, the \$1,000,000 reallocation would be a budget swap from Justice Center Renovation Project (CIP) budget that is supported by the General Fund to Mercer Park; and

WHEREAS, the reallocated funds of \$27,500 expended for Mercer Park design would be added to Administrative category; and

WHEREAS, City Staff also recommends adding \$8,959 to the Administrative funding allocation (for costs of implementing program objectives, such as contract support, audit and legal expenses, and materials and supplies for a project) for a total of \$36,459 (\$11,956,459 ARPA received less \$11,920,000 allocated by previous Council); and

WHEREAS, City Administration recommends amendments to the current adopted ARPA grant fund allocations to decrease \$1,000,000 to Mercer Park and increase \$1,000,000 to Justice Center Renovation project and increase \$36,459 to Administrative costs 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 7th DAY OF APRIL 2024.

ATTEST:

APPROVED:

Stacy Henderson, City Secretary

Terry Lynne, Mayor

APPROVED AS TO FORM:

Peter G. Smith, City Attorney
(PGS 1-3-24)