

RESOLUTION NO. 2023-033

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS APPROVING AN ADVANCE FUNDING AGREEMENT (AFA) RELATING TO THE SMITHFIELD TRANSIT-ORIENTED DEVELOPMENT PROJECT CSJ 0902-90-154; AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT ON BEHALF OF THE CITY OF NORTH RICHLAND HILLS, EFFECTIVE APRIL 24, 2023.

WHEREAS, the City Council of the City of North Richland Hills, Texas has deemed it necessary and in the best interest of the citizens of the City of North Richland Hills to improve roadway and pedestrian infrastructure in the Smithfield Transit-Oriented Development zoning district near the Smithfield railroad station; and

WHEREAS, in Minute Order 110727, dated October 26, 2006, the Texas Transportation Commission (the “Commission”) approved a memorandum of understanding (MOU) with the Regional Transportation Council (RTC), which is the transportation policy council of the North Central Texas Council of Governments (NCTCOG) and a federally designated MPO, concerning in part the administration, sharing, and use of surplus toll revenue in the region; under the MOU the RTC shall select projects to be financed using surplus revenue from a toll project, subject to Commission concurrence; and

WHEREAS, the City has requested money from the SH 121 Subaccount for: the reconstruction of Main Street, Snider Street, Center Street, and construction of a sidewalk along Davis Blvd, known collectively as the Smithfield Transit-Oriented Development Project (the “Project”); the RTC has selected the Project to be funded from the SH 121 Subaccount; and the Commission concurred in the selection and authorized the expenditure of money with Minute Order 116272, dated June 23, 2022; and

WHEREAS, said Project will enhance vehicular and pedestrian safety in the Smithfield Transit-Oriented Development district; and

WHEREAS, the Advance Funding Agreement outlines each party’s responsibilities in said Project including costs; and

WHEREAS, the total estimated cost to be paid by the City is \$555,775 with the State project share being \$2,223,100; and

WHEREAS, the North Richland Hills Street, Sidewalk, and General Capital Project Funds will provide \$555,774 for use in paying the City of North Richland Hills’ twenty percent of the engineering, right-of-way and construction cost for the said Project; and

WHEREAS, the City of North Richland Hills is willing to share in the cost of the Smithfield Transit-Oriented Development Project, in accordance with the Advance Funding Agreement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RICHLAND HILLS, TEXAS, THAT:

SECTION 1. The City Council hereby finds that the recitals set forth above are true and correct and are incorporated into this Resolution as if written herein.

SECTION 2. The City Council of the City of North Richland Hills, Texas hereby approves an Advance Funding Agreement (AFA) with the Texas Department of Transportation (TxDOT) for the Project as described herein.

SECTION 3. The City Council of the City of North Richland Hills, Texas hereby authorizes the City Manager to execute said AFA on behalf of the City of North Richland Hills, Texas.

SECTION 4. Costs of \$555,774 associated with the Smithfield Transit-Oriented Development Project from the Street, Sidewalk, and General Capital Project Funds are hereby approved.

SECTION 5. That this Resolution shall take effect and be in full force and effect from and after the date of its adoption, and it is so resolved; and all Resolutions of the City Council of the City in conflict herewith are hereby amended or repealed to the extent of such conflict.

PASSED AND APPROVED this the 24th day of April, 2023.

CITY OF NORTH RICHLAND HILLS

By: _____
Oscar Trevino, Mayor

ATTEST:

Alicia Richardson
City Secretary/Chief Governance Officer

APPROVED AS TO FORM AND LEGALITY:

Maleshia B. McGinnis, City Attorney

APPROVED AS TO CONTENT:

Caroline Waggoner
Director of Public Works