



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER 144887

PAGE 1 OF 7

DATE: 3/11/2025

SUBJECT: CONSIDERATION OF AMENDMENT NO. 1 TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF ARLINGTON RELATED TO THE CENTER STREET EXTENSION PROJECT – 2021 TRANSPORTATION BOND PROGRAM - PRECINCT 2

***** CONSENT AGENDA *****

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider Amendment No. 1 to the Interlocal Agreement (ILA) between Tarrant County and the City of Fort Worth related to the Center Street Extension Project – 2021 Transportation Bond Program (TBP), located in Precinct 2.

BACKGROUND

On April 18, 2023, the Commissioners Court, through Court Order #140755, approved an ILA with the City of Arlington for financial support of up to \$6,505,000.00 related to the Center Street Extension from Bardin Street to Southeast Green Oaks Boulevard as described in the 2021 Tarrant County Bond Program. The 2021 TBP funding for this project will be provided through the Call for Projects funding category.

The project is in the final design phase, requiring that the agreement expiration term be extended.

With approval, the original ILA will be amended to extend the expiration date to September 30, 2026, to continue providing 2021 TBP funding for this project, and Articles III, IV, and V, are repealed and replaced, and Attachment A is repealed in its entirety.

This ILA has been approved as to form by the Criminal District Attorney’s Office and reviewed by the Auditor’s Office.

FISCAL IMPACT

The fiscal impact for the 2021 TBP for FY 2025 will be \$2,485,000.00 and is available in account 47800-2025 2021 Transportation Bond Election / 6840100000 Transportation / 579061 County Projects.

SUBMITTED BY	Transportation Services	PREPARED BY:	Sarah VanTassel
		APPROVED BY:	Scott Hall

STATE OF TEXAS §
 § **Amendment of Interlocal Agreement**
 § **for Center Street Extension**
COUNTY OF TARRANT §

BACKGROUND

Tarrant County (“COUNTY”) and the City of Arlington (“CITY”) entered into an Interlocal Agreement approved by Tarrant County Commissioners Court Order No. 140755, for financial support of up to \$6,505,000.00, for the cooperative funding of the Center Street extension from Bardin Street to SE Green Oaks Boulevard (“Project”) as described in the 2021 Tarrant County Bond Program.

Therefore, the COUNTY and CITY agree to the following revisions. Paragraphs III, IV, and V from the original Interlocal Agreement are repealed and replaced with the following language:

III.
TERM

This ILA shall become effective upon the approval of both parties and shall terminate on September 30, 2026, unless terminated as described in Section XIII in the original ILA or extended in writing and approved by both parties.

IV.
FISCAL FUNDING ACKNOWLEDGEMENT

Tarrant County bond funds will be encumbered on a fiscal year basis in accordance with the Certification of Available Funds shown herein. In the event no funds or insufficient funds are appropriated and budgeted or are otherwise unavailable by any means whatsoever in any fiscal period for payments due under this ILA Amendment, then the affected party will immediately notify the other party of such occurrence and this Amendment may be terminated on the last day of the fiscal period for which appropriations were received without penalty or expense to the affected party of any kind whatsoever, except to the portions of annual payments herein agreed upon for which funds shall have been appropriated.

V.
REIMBURSEMENT PROCESS

The COUNTY agrees to reimburse the CITY for 50% of the actual eligible PROJECT costs in an amount not to exceed \$6,505,000.00. Any reimbursement request from the CITY should include: 1) a copy of the invoice or billing for design services, right-of-way acquisition purchase, and construction; and 2) a copy of the check, a certification letter, or other documentation to verify the CITY’s proof of payment. The final reimbursement payment to the CITY will be contingent upon the City Manager or Mayor providing written notification to the COUNTY that the project is complete along with identification of final project costs. COUNTY bond funds for the Project are allocated as follows:

County Payment by Phase*

Design:	\$680,000.00
ROW Acquisition:	\$125,000.00
Construction:	<u>\$5,700,000.00</u>
TOTAL:	\$6,505,000.00

TBP Funding Category: 2021 Call for Projects

* *Reimbursement payments will be issued by the COUNTY for eligible expenses incurred during the Fiscal Year for which bond funds are certified by the Tarrant County Auditor.*

The CITY understands that the CITY will be responsible for cost overruns and any other expenses incurred by the CITY in performing the services described herein. The CITY agrees that the COUNTY retains control over when reimbursement payments will be disbursed to the CITY.

In addition to the foregoing replacement language, Attachment A is removed and deleted from the original Interlocal Agreement in full. All other paragraphs, terms and language outside of paragraphs III, IV, and V as well as Attachment A remain unchanged and in effect.

This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this agreement, and all of which, when taken together, shall be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by electronic transmission shall constitute effective execution and delivery of this Agreement as to the parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted or executed electronically shall be deemed to be their original signatures for any purpose whatsoever.

APPROVED on this day the ____ day of _____, 2025, by Tarrant County.

Commissioners Court Order No. _____.

TARRANT COUNTY, TEXAS

CITY OF ARLINGTON

Tim O'Hare, County Judge



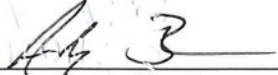
Keith Brooks, Public Works Director

APPROVED AS TO FORM:

Criminal District Attorney's Office*



City Attorney



Alex Busken, City Secretary

* By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.

CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF:

\$ _____ *as follows:*

Fiscal year ending September 30, 2025: \$2,485,000.00 2021 TBP Call for Projects – Pct 2

Auditor's Office

Resolution No. 25-018

A resolution authorizing the execution of an Amendment of Interlocal Agreement for Center Street Extension with Tarrant County, Texas, relative to construction of the Center Street Project (Dr. Martin Luther King, Jr. Drive Extension) from Bardin Road to Southeast Green Oaks Boulevard

WHEREAS, on February 28, 2023, City Council approved Resolution No. 23-057, authorizing the execution of an Interlocal Agreement with Tarrant County, Texas, relative to construction of the Center Street Project (Dr. Martin Luther King, Jr. Drive) from Bardin Road to Southeast Green Oaks Boulevard; and

WHEREAS, on January 09, 2024, City Council approved Resolution No. 24-006, authorizing the execution of a Renewal No. 1 of Interlocal Agreement for Center Street Extension with Tarrant County, Texas, relative to construction of the Center Street Project (Dr. Martin Luther King, Jr. Drive) from Bardin Road to Southeast Green Oaks Boulevard; and

WHEREAS, on September 17, 2024, City Council approved Resolution No. 24-263, authorizing the execution of an Amendment of Interlocal Agreement for Center Street Extension with Tarrant County, Texas, relative to construction of the Center Street Project (Dr. Martin Luther King, Jr. Drive) from Bardin Road to Southeast Green Oaks Boulevard; and

WHEREAS, the City and Tarrant County desire to further amend the Interlocal Agreement; NOW THEREFORE

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ARLINGTON, TEXAS:

I.

That the City Manager or his designee is hereby authorized to execute an Amendment of Interlocal Agreement for Center Street Extension with Tarrant County, Texas, relative to construction of the Center Street Project (Dr. Martin Luther King, Jr. Drive) from Bardin Road to Southeast Green Oaks Boulevard. The amendment extends the term of the agreement until September 30, 2026, and includes clearer language regarding fiscal funding acknowledgement and reimbursement process. Tarrant County will reimburse the City for up to 50 percent of the actual eligible project costs in an amount not to exceed \$6,505,000. City funding for the Center Street Project (Dr. Martin Luther King, Jr. Drive) was included in the 2018 Bond Election and included in the 2021 Tarrant County Transportation Bond Program.

II.

A substantial copy of the Amendment of Interlocal Agreement for Center Street Extension is attached hereto and incorporated herein for all intents and purposes.

PRESENTED AND PASSED on this the 28th day of January, 2025, by a vote of 8 ayes and 0 nays at a regular meeting of the City Council of the City of Arlington, Texas.



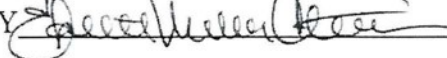
JIM R. ROSS, Mayor

ATTEST:



ALEX BUSKEN, City Secretary

APPROVED AS TO FORM:
MOLLY SHORTALL, City Attorney

BY 



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SUBMITTED BY	Transportation Services	PREPARED BY:	Sarah VanTassel
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This Agreement may be executed in one or more counterparts, each of which will be deemed to be an original copy of this agreement, and all of which, when taken together, shall be deemed to constitute one and the same agreement. The exchange of copies of this Agreement and of signature pages by electronic transmission shall constitute effective execution and delivery of this Agreement as to the parties and may be used in lieu of the original Agreement for all purposes. Signatures of the parties transmitted or executed electronically shall be deemed to be their original signatures for any purpose whatsoever.

APPROVED on this day the 11th day of March, 2025, by Tarrant County.

Commissioners Court Order No. 144887.

TARRANT COUNTY, TEXAS

CITY OF ARLINGTON

Tim O'Hare, County Judge

Keith Brooks, Public Works Director

APPROVED AS TO FORM:

Criminal District Attorney's Office*

City Attorney

Alex Busken, City Secretary

* By law, the Criminal District Attorney's Office may only approve contracts for its clients. We reviewed this document as to form from our client's legal perspective. Other parties may not rely on this approval. Instead, those parties should seek contract review from independent counsel.

CERTIFICATION OF AVAILABLE FUNDS IN THE AMOUNT OF:

\$ 2,485,000.00 ^{Sub} as follows:

Fiscal year ending September 30, 2025: \$2,485,000.00 2021 TBP Call for Projects – Pct 2

Kimberly M. Buchanan
Auditor's Office

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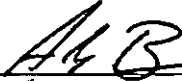
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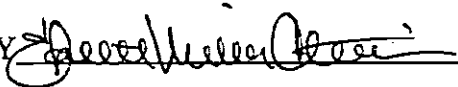
JIM R. ROSS, Mayor

ATTEST:



ALEX BUSKEN, City Secretary

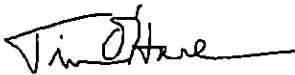
APPROVED AS TO FORM:
MOLLY SHORTALL, City Attorney

BY 

Consideration of Amendment No. 1 to the Interlocal Agreement between Tarrant County and the City of Arlington Related to the Center Street Extension Project – 2021 Transportation Bond Program - Precinct 2

SIGNED AND EXECUTED this 11 day of March, 2025.

**COUNTY OF TARRANT
STATE OF TEXAS**

A handwritten signature in black ink that reads "Tim O'Hare". The signature is written in a cursive style with a long horizontal line extending to the right.

Tim O'Hare
County Judge
3/17/2025