



**COMMISSIONERS COURT
COMMUNICATION**

COURT ORDER NUMBER _____

PAGE 1 OF 8

DATE: 12/3/2024

SUBJECT: CONSIDERATION OF FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF FORT WORTH FOR THE NORTHWEST RADIO TOWER PROJECT

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

COMMISSIONERS COURT ACTION REQUESTED

It is requested that the Commissioners Court consider First Amendment to the Interlocal Agreement (ILA) between Tarrant County and the City of Fort Worth for the Northwest Radio Tower Project as part of the Tarrant County Fiscal Recovery Funds program.

BACKGROUND

On August 2, 2022, the Commissioners Court, through Court Order #138699, approved an ILA with the City of Fort Worth to provide funding for equipment for a new radio tower in Northwest Tarrant County.

The City of Fort Worth has experienced a delay in project completion due to delays in equipment delivery and has requested the County extend the term of the Agreement to allow sufficient time for project completion and expenditure of all awarded funds within Treasury guidelines.

With approval, the term of the ILA will be extended from December 31, 2024 to December 31, 2025. All other agreement terms will remain unchanged.

The Criminal District Attorney's Office has reviewed this ILA as to form.

FISCAL IMPACT

There is no fiscal impact associated with this action.

SUBMITTED BY	Administrator	PREPARED BY:	Kristen Camareno
		APPROVED BY:	Kristen Camareno

FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT COUNTY AND THE CITY OF FORT WORTH FOR THE NORTHWEST RADIO TOWER PROJECT

Tarrant County (the “County”) and the City of Fort Worth (the “Subrecipient”), each a “Party” and collectively the “Parties” to a Subrecipient Agreement related to the use of State and Local Fiscal Recovery Funds (“FRF Funds”) August 2, 2022 (the “Agreement”), now wish to amend the Agreement. This amendment is effective upon the signature of the Parties:

WHEREAS, on August 2, 2022, through Court Order No. 138699, the County approved the Agreement with Subrecipient; and

WHEREAS, the Subrecipient has experienced a delay in project completion due to delays in equipment delivery; and

WHEREAS, the Subrecipient has requested the County extend the term of the Agreement to allow sufficient time for project completion and full award expenditure; and

WHEREAS, the County wishes to amend the Agreement with the Subrecipient to extend the term of the Agreement to ensure project completion and expenditure of all awarded funds within the guidelines provided by the U.S. Treasury.

NOW, THEREFORE, the Parties agree as follows:


1. The term of the Agreement contained in paragraph VI is modified and extended from the original termination date of December 31, 2024, to the new termination date of December 31, 2025.
2. The amount County shall reimburse Subrecipient in paragraph I of the Agreement has not been modified and remains an amount not to **exceed \$2,000,000.00 (TWO MILLION DOLLARS AND NO CENTS)** in FRF Funds for expenses outlined in Appendix B.
3. Paragraph III shall be modified to include the following language as the last sentence of the first paragraph therein: Should Subrecipient not expend the full \$2,000,000 sum identified herein by December 31, 2025, Subrecipient shall repay County an amount equal to the unspent portion. Further, Subrecipient recognizes County’s obligation to return any unspent FRF Funds to U.S. Treasury and agrees to reimburse County any cost associated with the return of FRF Funds including but not limited to the sum of FRF Funds returned to U.S. Treasury.
4. Except as modified by this Amendment, all terms and conditions of the Agreement shall remain in effect.

SIGNED AND EXECUTED this ____ day of _____, 2024.

**COUNTY OF TARRANT
STATE OF TEXAS**

THE CITY OF FORT WORTH

Tim O'Hare
County Judge



Mark McDaniel
Deputy City Manager

APPROVED AS TO FORM:

CERTIFICATION OF
AVAILABLE FUNDS:



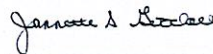
(Criminal District Attorney)

Tarrant County Auditor

*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.

[Executed effective as of the date signed by the Deputy City Manager above.] / [ACCEPTED AND AGREED:]

CITY OF FORT WORTH INTERNAL ROUTING PROCESS:

<p>Approval Recommended:</p> <p>By: <u></u> Name: Kevin Gunn Title: Director, IT Solutions</p> <p>Approved as to Form and Legality:</p> <p>By: <u>M. Kevin Anders, II</u> Name: M. Kevin Anders, II Title: Assistant City Attorney</p> <p>Contract Authorization: M&C: 22-0472 Approved: 6/28/22 1295:na</p>	<p>Contract Compliance Manager: By signing I acknowledge that I am the person responsible for the monitoring and administration of this contract, including ensuring all performance and reporting requirements.</p> <p>By: <u></u> Name: Lawrence Crockett Title: Senior Manager, IT Solutions</p> <p>City Secretary:</p> <p>By: <u></u> Name: Jannette Goodall Title: City Secretary</p>
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APPENDIX B
PROGRAM BUDGET/ELIGIBLE EXPENDITURES

Category	Program Budget
Personnel	\$
Fringe	\$
Travel	\$
Equipment/Capital	\$2,000,000.00
Supplies	\$
Contractual	\$
Other	\$
Indirect	\$
Total	\$2,000,000.00



CITY COUNCIL AGENDA

Create New From This M&C

DATE:	6/28/2022	REFERENCE NO.:	**M&C 22-0472	LOG NAME:	04TARRANT COUNTY RADIO TOWER FUNDING AGREEMENT ARPA
CODE:	C	TYPE:	CONSENT	PUBLIC HEARING:	NO
SUBJECT:	(ALL) Authorize Execution of an Interlocal Agreement with Tarrant County for the City's Implementation of a Radio Transmitter Site to Expand Coverage in North Fort Worth and Tarrant County, Authorize Acceptance of American Rescue Plan Act, Subtitle M (State and Local Fiscal Recovery Funds) Funds from Tarrant County in the Amount of \$2,000,000.00, Adopt Attached Appropriation Ordinance, and Amend the Fiscal Years 2022-2026 Capital Improvement Program (This use of ARPA funding was previously discussed and approved by Mayor and Council)				

RECOMMENDATION:

It is recommended that the City Council:

1. Authorize the execution of an interlocal agreement with Tarrant County for the transfer of funds for the City's implementation of a radio transmitter site to expand coverage in north Fort Worth and northwest Tarrant County;
2. Authorize the acceptance of American Rescue Plan Act, Subtitle M (State and Local Fiscal Recovery Funds) funds from Tarrant County in the amount of \$2,000,000.00;
3. Adopt the attached appropriation ordinance increasing estimated receipts and appropriations in the Grants Cap Projects Federal Fund in the amount of \$2,000,000.00 from available funds, for the purpose of funding the ITS Radio Transmit Site ARPA project (City Project No. 104155); and
4. Amend the Fiscal Years 2022-2026 Capital Improvement Program

DISCUSSION:

The Fort Worth Public Safety Radio System was implemented in 2013 to provide reliable radio communications for the City of Fort Worth's (City) public safety and public works departments. The system was designed to provide coverage primarily for use inside the Fort Worth city limits with provisions made to accommodate growth for the next few years.

During the last nine years, considerable City development and expansion has occurred, particularly in north Fort Worth and northwest Tarrant County. To accommodate this growth and to support the expanded City services that have resulted, radio coverage must be extended by the implementation of an additional radio transmission site and tower. Total cost of this site is estimated at just over seven million dollars (\$7,000,000.00).

In addition to expanding coverage for the City, the new tower site will also increase coverage in unincorporated areas of Tarrant County. As a result, the Tarrant County Commissioners Court in February 2022 approved the allocation of two million dollars (\$2,000,000.00) from its American Rescue Plan Act (ARPA) funds to be reimbursed to the City against expenses incurred for the acquisition and construction of the new radio site.

The interlocal agreement provides for the contribution of funds by the County to the City, and commits the City to utilizing the funds prior to December 31, 2026, as required by ARPA. Ownership of any components or services acquired by these funds will be retained by the City.

The purpose of this Mayor & Council Communication is to accept the Tarrant County appropriation and initiate the acquisition phase of the project. Funding for the future phases will be determined at a later date.

Funding for this project was not included in the Fiscal Years 2022-2026 Capital Improvement Program. The action in this M&C will amend the Fiscal Years 2022-2026 Capital Improvement Program as approved in connection with Ordinance 25073-09-2021.

FISCAL INFORMATION/CERTIFICATION:

The Director of Finance certifies that upon approval of the above recommendations, and adoption of the attached appropriation ordinance, funds will be available in the current operating budget, as appropriated, in the Grants Cap Projects Federal Fund. The Information Technology Solutions Department (and Financial Management Services) will be responsible for the collection and deposit of funds due to the City. Prior to an expenditure being incurred, the Information Technology Solutions Department has the responsibility to validate the availability of funds. This is a reimbursement grant.

TO

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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FROM

Fund	Department ID	Account	Project ID	Program	Activity	Budget Year	Reference # (Chartfield 2)	Amount
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Submitted for City Manager's Office by: Valerie Washington (6192)

Originating Department Head: Kevin Gunn (2015)

Additional Information Contact: Kevin Gunn (2015)

ATTACHMENTS

[04TARRANT COUNTY RADIO TOWER FUNDING AGREEMENT ARPA 31001 AO22\(r3\).docx](#) (Public)

[CFW-Tarrant Co ILA - Northwest Radio Tower Final 050922.docx](#) (Public)

[FID Table Tarrant County ARPA V2.xlsx](#) (CFW Internal)

CO# 144347



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The Criminal District Attorney's Office has reviewed this ILA as to form.

FISCAL IMPACT

There is no fiscal impact associated with this action.

SUBMITTED BY	Administrator	PREPARED BY:	Kristen Camareno
		APPROVED BY:	Kristen Camareno

**FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT BETWEEN TARRANT
COUNTY AND THE CITY OF FORT WORTH FOR THE NORTHWEST RADIO
TOWER PROJECT**

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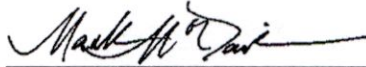
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STATE OF TEXAS

THE CITY OF FORT WORTH

Tim O'Hare
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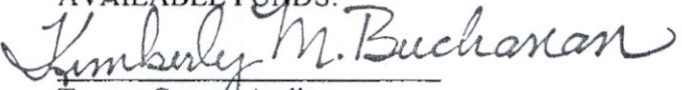
Mark McDaniel
Deputy City Manager

APPROVED AS TO FORM:



(Criminal District Attorney)

CERTIFICATION OF AVAILABLE FUNDS: \$0.00

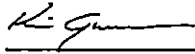

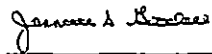


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Submitted for City Manager's Office by: Valerie Washington (6192)

Originating Department Head: Kevin Gunn (2015)

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- [FID_Table Tarrant County ARPA V2.xlsx](#) (CFW Internal)

Consideration of First Amendment to the Interlocal Agreement between Tarrant County and the City of Fort Worth for the Northwest Radio Tower Project

SIGNED AND EXECUTED this 3 day of December, 2024.

**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 stroke at the end.

Tim O'Hare
County Judge
12/6/2024