



AGENDA MEMORANDUM

Future Agenda Item for the City Council Meeting of June 11, 2013
Action Agenda Item for the City Council Meeting of June 25, 2013

DATE: May 29, 2013

TO: Ronald L. Olson, City Manager

FROM: Daniel Biles, P. E., Director of Engineering Services
danb@cctexas.com
(361) 826-3729

**RESOLUTION AUTHORIZING AGREEMENT TO
CONTRIBUTE RIGHT OF WAY FUNDS WITH TXDOT**
FM 43 (Weber Road)
from SH 286 (Chapman Ranch Road) to Yorktown Boulevard

AGENDA CAPTION:

Resolution authorizing the City Manager, or designee, to execute an Agreement to Contribute Right of Way Funds with the Texas Department of Transportation (TXDOT) for the acquisition of certain rights of way and the relocating and adjusting of utilities within the project's scope of FM 43 (Weber Road) from SH 286 (Chapman Ranch Road) to Yorktown Boulevard, with the City's participation in the amount of \$5,500.

PURPOSE:

TXDOT has deemed it necessary to make certain highway improvements on FM 43 (Weber Road) from SH 286 (Chapman Ranch Road) to Yorktown Boulevard, which will necessitate the acquisition of certain right-of-way and the relocating and adjusting of utilities. The City of Corpus Christi is required to contribute 10% of the cost of right-of-way acquisition, reimbursable utility adjustments and joint bid reimbursable utility adjustments.

BACKGROUND AND FINDINGS:

The proposed project is a TXDOT project to acquire right-of-way for the FM 43 (Weber Road) from SH 286 (Chapman Ranch Road) to Yorktown Boulevard. This agreement also includes the City's share for reimbursement of relocating and adjusting utilities in conflict with the newly acquired right-of-way. This will include City and non-city utilities which are currently outside the existing right-of-way but will be within the newly acquired right-of-way. The cost for relocating city utilities within the newly acquired project right-of-way, will be fully reimbursed by TXDOT after work is complete and costs are known.

The City of Corpus Christi will contribute \$5,500 for right-of-way acquisition and reimbursement of eligible utility adjustments. The City of Corpus Christi contribution includes the cost of acquiring the right-of-way and relocating or adjusting utilities for the proper improvement of the State Highway System, due upon full execution of the Agreement to Contribute Right-of-Way.

ALTERNATIVES:

1. Approve the Resolution for the Agreement to Contribute Right of Way Funds which will allow TXDOT to continue with right-of-way acquisition.
2. Do not approve the Resolution for the Agreement to Contribute Right of Way Funds.

OTHER CONSIDERATIONS:

This project is subject to Title 43 of the Texas Administrative Code, Part 1, Chapter 15, Sub-chapter E, Rule 15.55.

CONFORMITY TO CITY POLICY:

This Resolution conforms to the City’s Charter.

EMERGENCY / NON-EMERGENCY:

Not applicable.

DEPARTMENTAL CLEARANCES:

Not applicable.

FINANCIAL IMPACT: CIP Street 12

Fiscal Year 2012-2013	Project to Date Expenditures (CIP only)	Current Year	Future Years	TOTALS
Line Item Budget		\$1,150,000.00		\$1,150,000.00
Encumbered / Expended Amount		\$951,639.90		\$951,639.90
This item		\$5,500.00		\$5,500.00
BALANCE		\$192,860.10		\$192,860.10

Fund(s): Bond Issue 2012, Proposition No. 1 Streets, Streets CIP Project No. 21 Future TXDOT Participation

Comments: This project will be funded by Bond Issue 2012 Future TXDOT Participation. TXDOT will refund any excess amount paid by the City. The estimated total payment to the State from the City is \$5,500. This is an estimate; and the final amount of the City’s participation will be based on actual costs.

RECOMMENDATION:

It is recommended to execute the Agreement to Contribute Right-of-Way Funds with the Texas Department of Transportation (TXDOT) for the project’s scope of TXDOT’s FM 43 (Weber Road) from SH 286 (Chapman Ranch Road) to Yorktown Boulevard, with the City’s participation in the amount of \$5,500.

LIST OF SUPPORTING DOCUMENTS:

Location Map

Resolution

Agreement