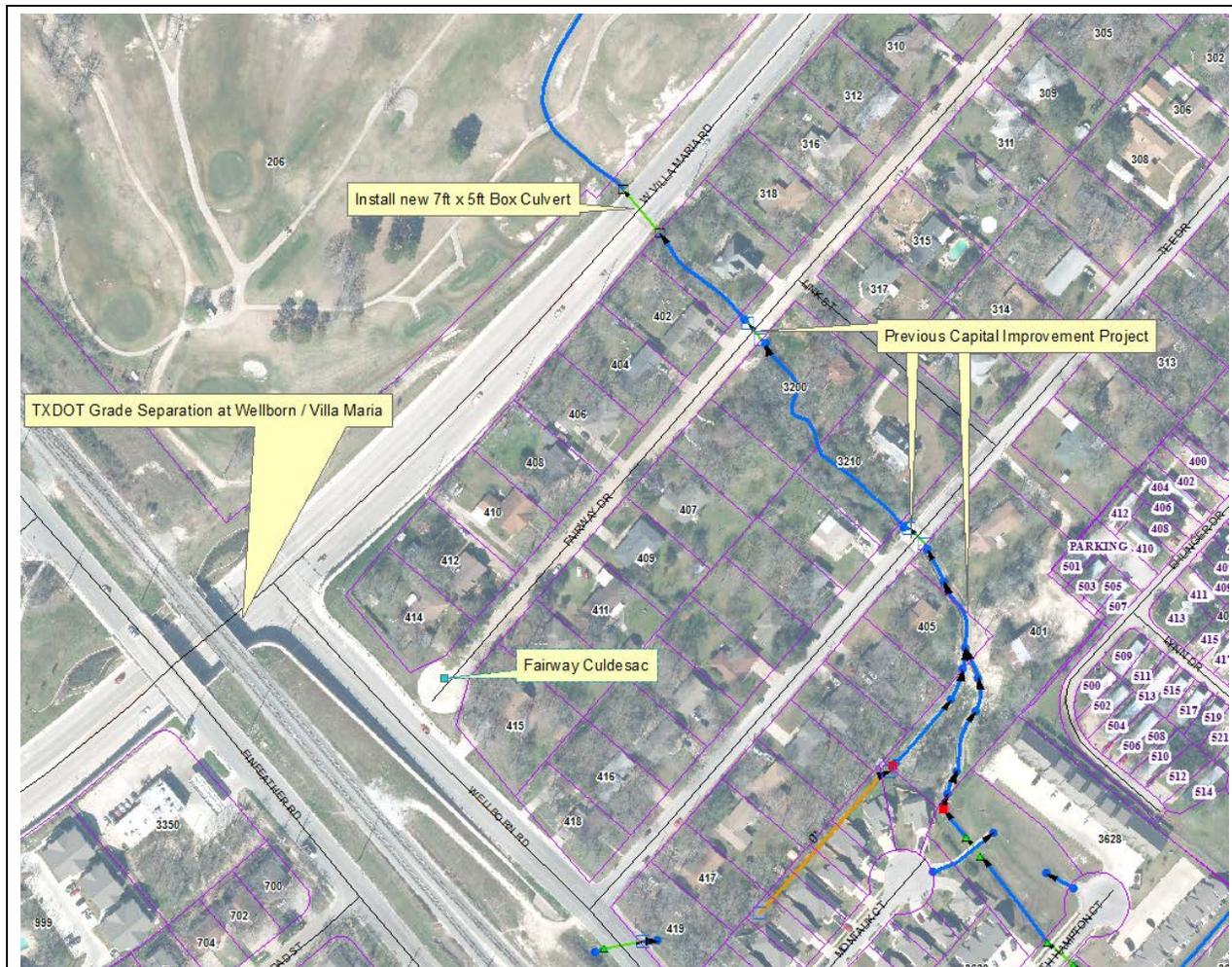


## ACTION FORM BRYAN CITY COUNCIL

<b>DATE OF COUNCIL MEETING:</b> January 13, 2015		<b>DATE SUBMITTED:</b> December 15, 2014	
<b>DEPARTMENT OF ORIGIN:</b> Public Works - Engineering		<b>SUBMITTED BY:</b> W. Paul Kaspar	
<b>MEETING TYPE:</b>	<b>CLASSIFICATION:</b>	<b>ORDINANCE:</b>	<b>STRATEGIC INITIATIVE:</b>
<input type="checkbox"/> BCD	<input type="checkbox"/> PUBLIC HEARING	<input type="checkbox"/> 1ST READING	<input checked="" type="checkbox"/> PUBLIC SAFETY
<input type="checkbox"/> SPECIAL	<input type="checkbox"/> CONSENT	<input type="checkbox"/> 2ND READING	<input type="checkbox"/> SERVICE
<input checked="" type="checkbox"/> REGULAR	<input checked="" type="checkbox"/> STATUTORY		<input type="checkbox"/> ECONOMIC DEVELOP.
<input type="checkbox"/> WORKSHOP	<input type="checkbox"/> REGULAR		<input checked="" type="checkbox"/> INFRASTRUCTURE
			<input checked="" type="checkbox"/> QUALITY OF LIFE
<b>AGENDA ITEM DESCRIPTION:</b> Consideration of a Resolution to approve the Advance Funding Agreement (AFA) with the State of Texas (through the Texas Department of Transportation) for drainage improvements on FM 1179 (Villa Maria). The agreement states the City will pay for the construction and the State will pay for their direct costs so money is not actually being transferred with this agreement.			
<b>SUMMARY STATEMENT:</b> Earlier this year the Texas Department of Transportation (TXDOT) announced they were planning street maintenance work on FM1179 (Villa Maria and Briarcrest) from Kent Street to FM2818 (Harvey Mitchell Parkway). Staff recognized an opportunity to install needed drainage improvements across FM1179 prior to TXDOT performing the maintenance work, which will include asphalt overlays and reconstruction of various sidewalk segments through the corridor. This proposed drainage improvement adds a 7 foot by 5 foot concrete box culvert under FM 1179 (Villa Maria) adjacent to existing box culverts to increase flow capacity. This improvement was identified in the drainage analysis performed in 2007 to mitigate flooding problems upstream of this culvert in the Country Club Estates Subdivision. The results of that study led to a capital improvement project in the upstream neighborhood that was completed in 2013, which partially addressed the flooding concerns.			
<p>The previously completed capital improvement project replaced the culvert under Fairway and Tee Drives and included some channel improvements. TXDOT's construction of the Villa Maria underpass at Wellborn Rd required that Fairway Dr. be converted into a cul-de-sac due to the grade changes involved. Flooding occurred at the culvert under Fairway which precluded access to and from the homes in the cul-de-sac during peak rain events. Those improvements are not fully effective without the additional drainage capacity under FM1179 (Villa Maria) provided by this additional box culvert and will require some additional channel modification upstream and downstream of the box culverts to achieve the full benefit. Those channel improvements upstream will require acquisition of additional easement, so they are not being proposed at this time as time is of the essence to meet the available window in TXDOT's schedule for the street improvements.</p>			



The Villa Maria Culvert improvement project along with future channel improvements will reduce the impact to the upstream neighborhood during large rain events. The work is planned to occur slightly ahead of the planned TXDOT maintenance project. The attached resolution will allow for the City to proceed with the drainage project during TXDOT's project window. The resolution states the City will pay for the engineering and construction of the new box culvert and the State will pay for their direct costs so funds are not being passed between the two entities. The construction contract for these improvements is on the same City Council Agenda as this AFA. It is hoped that the box culvert construction can be accomplished prior to April 2015 to not impact the TXDOT construction contract.

**STAFF ANALYSIS AND RECOMMENDATION:** Staff recommends approval of the Resolution to approve the Advance Funding Agreement with the State of Texas (through the Texas Department of Transportation) in order to construct the Villa Maria Culvert Improvements in cooperation with TXDOT.

**OPTIONS (In Suggested Order of Staff Preference):**

1. Approve the Resolution
2. Do not approve the Resolution and provide direction to staff.

**ATTACHMENTS:** (resolution in MS Word, remaining items are in a single pdf file)

1. Resolution
2. Advanced Funding agreement

<b>FUNDING SOURCE:</b> NA
<b>APPROVALS:</b> Jayson E. Barfknecht 12/15/2014; Hugh R. Walker, 12/29/2014
<b>APPROVED FOR SUBMITTAL: CITY MANAGER</b> Kean Register, 12-30-2014
<b>APPROVED FOR SUBMITTAL: CITY ATTORNEY</b> Janis K. Hampton, 01-05-2015

Revised 05/2013

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH THE STATE OF TEXAS, ACTING BY AND THROUGH THE TEXAS DEPARTMENT OF TRANSPORTATION, FOR THE CITY TO PAY FOR THE CONSTRUCTION OF A CULVERT IMPROVEMENT PROJECT UNDER FM 1179; AND PROVIDING AN EFFECTIVE DATE.**

**WHEREAS**, the City of Bryan (City) is planning to improve drainage with the addition of a 7 foot by 5 foot box culvert under FM 1179 (Villa Maria) including modifications to existing headwall structures; and

**WHEREAS**, the State has a planned maintenance construction project on the roadway and sidewalk that the City's construction project would need to be completed prior to; and

**WHEREAS**, the City will bid the Project to contract and administer and inspect the construction; and

**WHEREAS**, the City wishes to pay for all engineering, bidding and construction costs associated with the drainage improvement to FM 1179 which will enhance access and safety in the adjacent neighborhood; and

**WHEREAS**, the Texas Department of Transportation wishes to pay all of their direct oversight costs associated with the construction; and

**WHEREAS**, the Texas Department of Transportation requires a resolution from a participating municipality to accompany an Advanced Funding Agreement; and

**WHEREAS**, the City is required to seek approval from the State to perform those responsibilities as set forth above;

**NOW, THEREFORE, BE IT RESOLVED** by the City Council of the City of Bryan, Texas that:

1.

The matters set forth in the preamble are true and correct and incorporated as if fully set forth herein.

2.

The City of Bryan agrees to execute an Advanced Funding Agreement with the Texas Department of Transportation, which will permit the City to construct the above mentioned project and to perform work within the State right-of-way as necessary. The City also agrees to accept the responsibilities set forth in this agreement with regard to project design, environmental clearances, right of way and utility issues, construction funding and inspection and construction management. This agreement will be mutually agreed upon by staffs of both entities.

3.

The City Manager is hereby authorized to execute said Advance Funding Agreement on behalf of the City of Bryan, Texas, and to transmit the same to the State for appropriate action.

4.

This Resolution shall be effective immediately upon its adoption.

**APPROVED AND ADOPTED** by the City Council of the City of Bryan, Texas, this 13<sup>th</sup> day of January, 2015.

ATTEST:

CITY OF BRYAN:

\_\_\_\_\_  
Mary Lynne Stratta, City Secretary

\_\_\_\_\_  
Jason P. Bienski, Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Janis K. Hampton, City Attorney