



City of Denton

City Hall
215 E. McKinney Street
Denton, Texas
www.cityofdenton.com

AGENDA INFORMATION SHEET

DEPARTMENT: Capital Projects/Engineering/Public Works

ACM: Cassandra Ogden

DATE: April 2, 2024

SUBJECT

Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a temporary utility service contract by and between the City of Denton and the Kansas City Southern Railroad Company D/B/A CPKC ("KCSRR") relating to the construction of Hickory Creek Road within the railroad right-of-way located at KCSRR Milepost MM99.54, within the County and City of Denton, Texas; providing for the expenditure of funds not to exceed the amount of \$22,470.86 for the temporary utility service line installation (the City will receive a final invoice upon completion of the work); and providing an effective date.

BACKGROUND

On May 5, 2020, the City Manager approved an agreement with Kansas City Southern Railroad, for a preliminary engineering agreement for the Hickory Creek Road Phase 3 project; which involves the realignment of the Hickory Creek Road from Riverpass Drive to FM 1830. The KCSRR track crosses Hickory Creek Road approximately 1,400 feet west of the Riverpass Drive intersection. As part of the Hickory Creek Road Phase 3 Project, the at-grade crossing will be eliminated and replaced with a grade-separated roadway segment, roadway bridge over the railroad.

The proposed Temporary Utility Service Contract Agreement with Kansas City Southern Railroad is to install temporary electric utility service to the railroad crossing devices while the project is being constructed. This agreement is necessary for the construction of the project since the current electrical service conflicts with the construction of the bridge. It is also a railroad requirement that if the current railroad crossing is to be utilized during the construction, the devices remain active. Without the crossing remaining viable for use during construction, the project would lose the ability to cross the tracks, hindering the project greatly.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

On May 5, 2020, City Council approved the original agreement with KCSRR - Ordinance No. 20-882.

RECOMMENDATION

Staff recommends approval of the ordinance.

PRINCIPAL PLACE OF BUSINESS

Kansas City Southern Railway Company D/B/A CPKC
Kansas City, Missouri

ESTIMATED SCHEDULE OF PROJECT

This project is currently under construction and upon approval of the agreement the utility installation will begin within a week.

FISCAL INFORMATION

The Temporary Utility Service Contract Agreement will be funded from the 2019 Bond Funds account 250120473.1365.40100

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 - Ordinance

Exhibit 3 - Contract

Respectfully submitted:
Trevor Crain, PMP
Director of Capital Projects

For information concerning this agreement contact: Dustin Draper, PMP, at 940-349-7104.

Legal point of contact: Benjamin Samples, at 940-349-8312.