



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 16, 2024

SUBJECT

Consider adoption of an ordinance of the City of Denton authorizing the City Manager to execute a license agreement for highway overpass by and between the City of Denton (“City”) 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 \$10.00 and other good and valuable consideration for the license agreement for highway overpass; 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 License Agreement for Highway Overpass with Kansas City Southern Railroad is to request a license for the construction, operation, maintenance, and removal of a highway overpass. This agreement is necessary for the construction of the project and is also a railroad requirement to address existing railroad right of way property requirements.

RECOMMENDATION

Staff recommends approval of the ordinance.

PRIOR ACTION/REVIEW (COUNCIL, BOARDS, COMMISSIONS)

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

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 it will be processed.

FISCAL INFORMATION

The License Agreement for Highway Overpass will be funded from the 2019 Bond Funds account 250120473.1365.40100

EXHIBITS

Exhibit 1 - Agenda Information Sheet

Exhibit 2 – Ordinance and Agreement

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.