

ORDINANCE NO. _____

AN ORDINANCE APPROVING A STANDARD UTILITY AGREEMENT U14818 AND AN ADVANCE FUNDING AGREEMENT FOR VOLUNTARY UTILITY RELOCATION FOR IH-35E, BETWEEN MAYHILL RD. AND LOOP 288 (CSJ NO. 0196-01-106), BETWEEN THE CITY OF DENTON AND THE TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT), FOR THE RELOCATION AND BETTERMENT OF A CITY WATER LINE ALONG THE I-35E RIGHT-OF-WAY NEAR BRINKER RD.; AUTHORIZING THE CITY MANAGER TO EXECUTE THE AGREEMENTS AND RELATED DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, TxDOT is in the process of constructing grade separation improvements along I-35E at Mayhill (new U-turn on west side of overpass), Brinker Rd. (new overpass to connect Brinker to the south frontage road), and Loop 288 (complete reconstruction of the Loop 288 overpass to provide 4 lanes in each direction). These improvements require the relocation of approximately 2,600 ft. of the City's existing 14 in. water main along the I-35E south frontage road in the vicinity of the planned Buc-ee's development. Since this water main is along an interstate highway, TxDOT is responsible for the total costs of relocating the water main in the same size that currently exists; and

WHEREAS, TxDOT has agreed to include the water main relocation and upgrade "betterment" in its roadway construction contract, with the City responsible for only the added costs of the "betterment" (increased size) of the water main. This "betterment" cost has been estimated to be \$160,900, which City staff has reviewed and found to be appropriate; NOW THEREFORE

THE COUNCIL OF THE CITY OF DENTON HEREBY ORDAINS:

SECTION 1 The City Manager is hereby authorized to execute the said Standard Utility Agreement and is further authorized by the City Council to expend all funds and to make such payments as are necessary under the Standard Utility Agreement that is attached hereto and incorporated herein by reference.

SECTION 2. This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED this the ____ day of _____, 2016

CHRIS WATTS, MAYOR

ATTEST:
JENNIFER WALTERS, CITY SECRETARY

BY: _____

APPROVED AS TO LEGAL FORM:
ANITA BURGESS, CITY ATTORNEY

BY: _____