

Legislation Details (With Text)

| | | | |
|----------------------|---|----------------------|-----------------------|
| File #: | 19-446 | Name: | |
| Type: | Report | Status: | Individual Item Ready |
| File created: | 6/13/2019 | In control: | City Council |
| On agenda: | 6/24/2019 | Final action: | |
| Title: | Discuss and consider approval to authorize the City Manager to enter into a license agreement between the City of New Braunfels and Angel Brothers Enterprises, Ltd for encroachments in the public right-of-way on Krueger Canyon. | | |

Sponsors:

Indexes:

Code sections:

Attachments: 1. 20190613162758208, 2. 20190613162349931

| Date | Ver. | Action By | Action | Result |
|-----------|------|--------------|--------|--------|
| 6/24/2019 | 1 | City Council | | |

Presenter/Contact
Garry Ford, City Engineer
 (830) 221-4020 - gford@nbtexas.org

SUBJECT:

Discuss and consider approval to authorize the City Manager to enter into a license agreement between the City of New Braunfels and Angel Brothers Enterprises, Ltd for encroachments in the public right-of-way on Krueger Canyon.

BACKGROUND / RATIONALE:

City of New Braunfels Code of Ordinances Section 114-7 establishes the regulations for improvements on or under public property and public easements within the public right-of-way. The City may grant a license and permission to occupy public property and shall be evidenced by a license agreement executed by the City and the licensee.

The applicant, Angel Brothers Enterprises (ABE), is a general highway contractor that owns an office facility at 723 Krueger Canyon Road, New Braunfels. The facility currently has 50 employees at this location and is served by an existing water line from New Braunfels Utility (NBU) and an on-site sewage facility (OSSF). ABE intends to upgrade the current water line to accommodate future building expansion for an additional 25 employees and to install two truck wash bays. ABE also intends to install a private lift station and force main to replace the existing OSSF. The force main will connect to an existing NBU wastewater line. Upon completion of the proposed water line extension, it will be owned, operated and maintained by NBU and will not require a license agreement.

ABE intends to install approximately 1,700 L.F. of 2" force main within Krueger Canyon right-of-way. The proposed private force main will be installed along Krueger Canyon Road and connect to NBU's existing 12" gravity wastewater line. The existing 12" gravity wastewater main is on the south side of the Union Pacific Railroad (UPRR) track. ABE will own and be responsible for operating and

maintaining the force main and will require a license agreement.

Section 114-7(e) specifies that the licensee shall pay an annual fee of five percent of the value of the area to be licensed for underground licensing and that the minimum annual fee for such licenses shall be \$100. Based on the value and size of the area proposed for underground utility use, the proposed annual fee for the agreement would be \$455.

ADDRESSES A NEED/ISSUE IN A CITY PLAN OR COUNCIL PRIORITY:

| | | |
|--|--|--|
| | | |
|--|--|--|

FISCAL IMPACT:

The recommended license fee to be collected on an annual basis is \$455.

COMMITTEE RECOMMENDATION:

N/A

STAFF RECOMMENDATION:

Staff recommends approval of the authorization for the City Manager to enter into a license agreement between the City of New Braunfels and Angel Brothers Enterprises, Ltd for an encroachment in the public right-of-way on Krueger Canyon with an annual fee of \$455.