

## Legislation Details (With Text)

**File #:** 18-615 **Name:**  
**Type:** Report **Status:** Consent Item Ready  
**File created:** 10/9/2018 **In control:** City Council  
**On agenda:** 10/22/2018 **Final action:**  
**Title:** Approval of a License Agreement with the Union Pacific Railroad to construct storm drain improvements within the Union Pacific Right of Way for the Live Oak/Katy Street Drainage Improvements Project as part of the 2013 Bond Program.

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 3020-02 New Braunfels with CROE-10-9-18

Date	Ver.	Action By	Action	Result
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Presenter/Contact

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**SUBJECT:**

Approval of a License Agreement with the Union Pacific Railroad to construct storm drain improvements within the Union Pacific Right of Way for the Live Oak/Katy Street Drainage Improvements Project as part of the 2013 Bond Program.

**BACKGROUND / RATIONALE:**

On May 11, 2013, the City of New Braunfels voters approved the Live Oak Ave/Katy Street Improvements Bond Project under Proposition 2 of the 2013 Bond Program. The purpose of the Live Oak Ave/Katy Street Improvements Bond Project is to reconstruct a section of N. Live Oak to improve drainage at the intersection of Katy St. as well as to improve the low water crossing at the Dry Comal improving access to neighborhoods during and after storm events. August 28, 2017 the City Council approved a Memorandum of Understanding with New Braunfels Utilities (NBU) for the issuance of joint solicitations and administration of roadway and utilities projects.

City Council approved a contract with Capital Excavation on September 10, 2018 for the construction of the roadway and drainage improvements in the project. The NBU board approved the contract with Capital Excavation to perform water & wastewater improvements in this project on September 27, 2018.

The drainage improvements near Katy Street require additional storm drain pipes to be placed under the railroad tracks within the Union Pacific's Right of Way (UPROW). This License Agreement is required to perform work in the railroad UPROW. The cost of the agreement is \$12,300.

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

X	Yes	City Plan/Council Priority:	Strategic Priorities: Continue an ongoing program of infrastructure construction and maintenance.
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**FISCAL IMPACT:**

The cost of the agreement will be paid out of the Owner's contingency approved with the Capital Excavation contract on September 10, 2018. There are sufficient funds available in the proposition 2 of the 2013 Bond Program for these project expenditures.

**COMMITTEE RECOMMENDATION:**

N/A

**STAFF RECOMMENDATION:**

Staff recommends approval of a License Agreement with the Union Pacific Railroad for the construction of storm drain improvements as part of the Live Oak/Katy Street Drainage Improvements Project.