

## Legislation Text

---

**File #:** 21-535, **Version:** 1

---

**PRESENTER:**

Garry Ford, Assistant Public Works Director/City Engineer

**SUBJECT:**

Approval of a resolution recommended by the New Braunfels Economic Development Corporation approving a project expenditure of up to \$375,000 to the City of New Braunfels for a professional services agreement with Bain Medina Bain, Inc. for final design of a portion of the Dry Comal Creek Hike and Bike Trail, an eligible project expenditure related to recreational or community facilities in accordance with Local Government Code Section 505.152; and approval for the City Manager to enter into a Reimbursement Agreement with Union Pacific Railroad for preliminary design approval of a pedestrian underpass at an estimated cost of \$15,000 as part of the Dry Comal Trail Project.

**DEPARTMENT:** Public Works

**COUNCIL DISTRICTS IMPACTED:** 1,3,5

**BACKGROUND INFORMATION:**

Staff recommends Bain Medina Bain to complete all plans, specifications and estimates for a 1 mile section of Dry Comal Trail following the creek beginning at the Walnut Ave bridge to the Knights of Columbus, then under the Landa Street bridge then onto Landa Park Drive ending at Elizabeth Street. The EDC Board held a public hearing and approved funding of the final design documents at its May 20, 2021 meeting.

Regarding the UPRR reimbursement agreement, a portion of this trail alignment is proposed to be installed under an existing UPRR bridge. Part of Bain Medina Bain's scope will be to design a structure to be set under the bridge to protect pedestrians from falling debris. UPRR will require the City to enter into this agreement for the reimbursement of UPRR and/or its agents for 100% of all design review and expenses associated with the protective structure per their bridge standard guidelines. The agreement does not guarantee that the protective structure will be approved, only that UPRR will review the preliminary design and will then decide to approve or deny at any time during the preliminary process.

UPRR will submit monthly expenses to the City for reimbursement up to \$15,000, plus any overages if needed. If the protective structure is approved, staff expects this cost to increase for additional review expenses.

**ISSUE:**

None

**FISCAL IMPACT:**

\$375,000 from the EDC, which has adequate funds for this project expense and up to \$15,000 from the City of

New Braunfels, which will be supported by the General Fund.

**RECOMMENDATION:**

Staff recommends approval of a resolution for a project expenditure of up to \$375,000 to the City of New Braunfels for a professional services agreement with Bain Medina Bain, Inc. for final design of a portion of the Dry Comal Creek Hike and Bike Trail, an eligible project expenditure related to recreational or community facilities in accordance with Local Government Code Section 505.152; and approval for the City Manager to enter into a Reimbursement Agreement with Union Pacific Railroad for preliminary design approval of a proposed pedestrian underpass at an estimated total of \$15,000 as part of the Dry Comal Trail Project.