

CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number _____

Meeting Type: Regular

Meeting Date: 4/10/14

Action Requested By:
Engineering

Agenda Item Type
Resolution

Subject Matter:

Municipal Resolution

Exact Wording for the Agenda:

Resolution authorizing the Mayor to enter into an agreement with the Alabama Department of Transportation for Grade, Drain, Base, Pave, Signals, and Signing for U. S. Highway 72 from Shields Road to Maysville Road, Project Nos. NH-0002(564) & COH Project No. 65-14-RD03

Note: If amendment, please state title and number of the original

Item to be considered for: Action

Unanimous Consent Required: No

Briefly state why the action is required; why it is recommended; what Council action will provide, allow and accomplish and; any other information that might be helpful.

This Municipal Resolution with Alabama Department of Transportation granting them access to City Roads during construction of additional westbound lane on U. S. Highway 72 and intersection improvements from Shields Road to Maysville Road. No City Funds Involved.

Associated Cost:

Budgeted Item: Select...

MAYOR RECOMMENDS OR CONCURS: Select...

Department Head: 

Date: 3/26/14

ROUTING SLIP CONTRACTS AND AGREEMENTS

Originating Department: **Engineering**

Council Meeting Date: 4/10/14 .

Department Contact: **Lynn Majors**

Phone # **256-427-5201**

Contract or Agreement: **ALDOT Agreement**

Document Name: **Municipal Agmt US 72/Shields Project Nos. 65-14-RD03 & NH-0002(564)**

City Obligation Amount: **0**

Total Project Budget: **0**

Uncommitted Account Balance: **0**

Account Number: **N/A**

Procurement Agreements

Not Applicable	Not Applicable
-----------------------	-----------------------

Grant-Funded Agreements

Not Applicable	Grant Name:
-----------------------	--------------------

Department	Signature	Date
1) Originating		3/26/14
2) Legal		3/30/14
3) Finance		4/3/14
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 14-_____

WHEREAS, the City Council of the City of Huntsville (hereinafter at times referred to as Government Body) is desirous of having certain improvements made on SR-2 (U. S. Highway 72) within the City Limits of City of Huntsville, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project NH-002(564) & COH Project No. 65-14-RD03 and described as Additional Westbound Lane on SR-2 (U. S. Highway 72/Corridoe V) from Shields Road to Maysville Road (Grade, Drain, Base, Pave, Signals, and Signing).

WHEREAS, the Alabama Department of Transportation of Alabama is now or may later be desirous of receiving Federal Aid for improvement of said highway; and

WHEREAS, the Federal Highway Administration, an agency of the United States of America, will not participate in any funding for the construction of said project until and unless the City will agree to certain requirements of the Federal Highway Administration. The City for the purpose of complying with requirements of the Federal Highway Administration in regard to its funding of improvements to the type and kind in this agreement provided for, does hereby pass and adopt the following resolution:

BE IT RESOLVED by the City Council of the City of Huntsville, that the plans of said project including alignment, profile, grades, typical sections and paving layouts as submitted to this City Council and which are now on file in the office of the City Clerk are hereby approved and that the location of said project as staked out by the Alabama Department of Transportation and as shown by said plans referred to are hereby approved and the Alabama Department of Transportation, in cooperation with the Federal Highway Administration, is hereby authorized to proceed with the grading, drainage, paving, and otherwise improving and construction of said project in accordance with said plans.

The City by and through its City Council hereby grants to the Alabama Department of Transportation the full use of and access to the dedicated widths of any existing streets for the construction of said project and hereby agrees to permit and allow the Alabama Department of Transportation to close and barricade the said project and intersecting streets for as long as necessary while the said project is being graded, drained, paved, and otherwise improved, and hereby agrees that the use of any street or highway for parking within an interchange area will not at any time be permitted.

The City hereby further agrees to adopt or pass such legally effective ordinances and/or laws as will permanently barricade and/or relocate certain intersecting streets as required by the State and to permanently deny or limit access at certain locations as required by the State along said improvements, all of which are most specifically stated as follows: See Plans: NH-0002(564) [Sheets 4-13 and 40-49]. Please refer to: Project Notes [Sheet 2T] - Traffic Signal & TCP Notes [Sheets 2U & 2V]. Please refer to: Traffic Control Plans [Sheets 97-138]

BE IT FURTHER RESOLVED by the City Council, that for and in consideration of the Alabama Department of Transportation in cooperation with the Federal Highway Administration, constructing said highway and routing traffic along the same through the City over said project, such City hereby agrees with the Alabama Department of Transportation and for the benefit of the Federal Highway Administration, that on the above mentioned project the City will not in the future permit encroachments upon the right of way; nor will it pass any ordinances or laws fixing a speed limit contrary to those limits provided for in Title 32, Chapter 5, Code of Alabama 1975, as amended, and other laws of Alabama; nor will it permit other than parallel parking in areas where parking is permitted; nor will it allow the placing of any informational, regulatory, or warning signs, signals, median crossover, curb and pavement or other markings, and traffic signals without written approval of the Alabama Department of Transportation and the Federal Highway Administration, of the location, form and character of such installations. The traffic control devices and signs installed during construction, and those installed after completion of this project, shall be in accordance with the latest edition of the Manual on Uniform Traffic Control Devices and accepted standards adopted by the Alabama Department of Transportation of the State of Alabama and by the Federal Highway Administration. The City further agrees that subsequent traffic control devices deemed necessary by it in keeping with applicable statutes, rules and regulations to promote the safe and efficient utilization of the highway under the authority of Title 32, Chapter 5, Code of Alabama 1975, and all other applicable laws of Alabama, shall be subject to and must have the approval of the Alabama Department of Transportation of the State of Alabama and the Federal Highway Administration, prior to installation and the City further agrees that it will enforce traffic and control the same under the provisions of Title 32, Chapter 5, Code of Alabama 1975, and other applicable laws of Alabama.

BE IT FURTHER RESOLVED by this City Council:

1. That the City agrees to perform all maintenance on crossroads, service or frontage roads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City of Huntsville.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the N/A agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the N/A agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the cause.

It is understood and agreed that no changes in this Resolution of Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

ADOPTED on this the 27th day of March, 2014.

President of the City Council
of the City of Huntsville,
Alabama

APPROVED on this the 27th day of March, 2014.

Mayor of the City of Huntsville,
Alabama

BE IT FURTHER RESOLVED by this City Council:

1. That the City agrees to perform all maintenance on crossroads, service or frontage roads, service drives, or relocated roads that are not designated Federal or State highways that are in the jurisdiction of the City of Huntsville.
2. That the City agrees to perform all maintenance on any existing road which has been replaced by a new road; or, if the existing road is not used, the City has the option of vacating same.
3. That the N/A agrees to perform all maintenance on interchanges to the theoretical crossing of the denied access line.
4. That the N/A agrees to perform all maintenance on grade separations along the roadway to the end of the bridge, or the denied access fence, whichever the cause.

It is understood and agreed that no changes in this Resolution of Agreement shall in the future be made without having obtained the prior approval of the Federal Highway Administration.

ADOPTED on this the 10th day of April, 2014.

President of the City Council
of the City of Huntsville,
Alabama

APPROVED on this the 10th day of April, 2014.

Mayor of the City of Huntsville,
Alabama

The plans for Alabama Department of Transportation project U. S. Highway 72 from Shields Road to Maysville Road, Project No. 65-14-RD03 & NH-0002(564) were too voluminous to copy; plans are available in a complete copy for inspection at the office of the Director of City Engineering, 320 Fountain Circle, Huntsville, Alabama.