CITY COUNCIL AGENDA ITEM COVER MEMO

Agenda Item Number: _____

Meeting Type: Regular

Meeting Date: Sep 11, 2014

Action Requested By: Engineering

Agenda Type: Resolution

Subject Matter:

Agreement with Alabama Department of Transportation

Exact Wording for the Agenda:

Resolution authorizing the Mayor to enter into an agreement with the Alabama Department of Transportation for Church Street (Phase I) Clearing and Grubbing, Project No. STPHV-4500(200) & COH Project No. 65-01-RD05

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.

Approval of this Municipal Resolution agreement between the Alabama Department of Transportation (ALDOT) and the City of Huntsville is necessary for meeting Federal Highway Administration's funding requirements. Authorizes ALDOT to access and use roadway to construct Church Street, Phase I, per approved ALDOT plans. Also requires maintenance of new infrastructure by the City upon completion. Agreement is at no cost to the City.

Associated Cost: _____

Budgeted Item: _____

MAYOR RECOMMENDS OR CONCURS: _____

Department Head: Kathy Martin

Date: 9/8/14

ROUTING SLIP
CONTRACTS AND AGREEMENTS

Originating Department: **Engineering** Council Meeting Date: **9/11/2014**

Department Contact: **Lynn Majors** Phone # **256-427-5201**

Contract or Agreement: **Municipal Agreement**

Document Name: **ALDOT-Church St PH I Municipal Agmt Project Nos.** 65-01-RD05 & STPHV-4500(200)

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	Kathy Martin	9/8/14
2) Legal	Mary C Gates	9/9/14
3) Finance	[illegible]	9/9/14
4) Originating		
5) Copy Distribution		
a. Mayor's office (1 copies)		
b. Clerk-Treasurer (Original & 2 copies)		

RESOLUTION NO. 14-_____

WHEREAS, the City of Huntsville (hereinafter at times referred to as City) is desirous of having certain improvements made on Church Street within the City Limits of City of Huntsville, in accordance with plans prepared by the Alabama Department of Transportation and designated as Project STPHV-4500(200) & COH Project No. 65-01-RD05 and described as Clearing and Grubbing Church Street (Phase I) from Monroe St. to East of Pratt Ave. and Realignment of Pratt Ave. in the City of Huntsville.

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 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: STPHV-4500(200) [Sheets 4-8A. Please refer to: Traffic Control Notes [Sheet 2B] Please refer to: Traffic Control Plans [Sheets 27-37]

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 11th day of September, 2014.

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

APPROVED on this the 11th day of September, 2014.

_____
Mayor of the City of Huntsville,
Alabama

I, the undersigned City Clerk of the City of Huntsville, Alabama, do hereby certify that the above and foregoing is a true copy of a resolution duly adopted by the City Council of the City of Huntsville, Alabama at its regular meeting held on the 11th day of September, 2014, which resolution is on file in the office of the City Clerk.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the official seal of the City on this the 11th day of September, 2014.

_____
City Clerk-Treasurer
City of Huntsville, Alabama