



City Council Agenda Item Report

March 5, 2013

Agenda Item No. _____

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SUBJECT: Deliberation and possible action on an Interlocal Agreement with the City of Austin to construct and maintain a City of Buda Monument Sign north of the Main Street exit on IH35 inside the City of Austin and authorizing the City Manager to execute the agreement.

1. BACKGROUND/HISTORY

The City of Buda previously selected three locations for a Monument Sign. The locations selected were north of the Main Street exit on IH-35, Main Street median at Falcon Bank and the Cabela's Drive median at Crestview RV.

The City contracted RVI to prepare the plans and schematics for the signs. The plans for the three locations have been submitted to TxDOT for approval.

The area proposed to locate the sign near the Main Street exit is within City of Austin's ETJ.

Mr. Rob Spillar, Austin Director of Transportation received approval from the Austin City Council on January 31, 2013 to execute an Interlocal Agreement with the City of Buda.

2. FINDINGS/CURRENT ACTIVITY

The City of Austin has provided the Interlocal Agreement for the Monument Sign to be located at the southbound IH35 Main Street exit.

The Interlocal Agreement allows each party to construct and erect Monument(s) within the other's city limits subject to the terms of this Agreement. Prior to installation of a Monument the party requesting placement of the Monument shall comply with the following:

- a. the entity shall identify the location of the Monument and enter into and maintain a valid agreement with TxDOT;

- b. the entity shall comply with all terms of its agreement with TxDOT and not be in violation or default of such agreement;
- c. this Agreement only applies to the placement of a Monument within the IH-35 corridor;
- d. the entity installing the Monument shall provide prior notice of its intent and written documentation of TxDOT approval to place a Monument within the other party's city limits;
- e. the entity installing the Monument shall be solely responsible for the cost of construction and perpetual maintenance of the Monument; and
- f. upon notice from TxDOT or the entity in which the Monument is located in, shall repair, replace or maintain a damaged Monument to its previous condition or make such changes as are needed to ensure the Monument is not a hazard to the public; and
- g. the entity shall also provide prior notice of replacement or relocation of the Monument. Each party may refuse or require additional conditions through an amendment to this Agreement prior to consenting to the replacement or relocation of the Monument.

After final installation of a Monument, the party shall provide as-built or other equivalent plans detailing the exact location of the Monument.

The City is responsible for the cost of installing and maintaining the sign.

The agreement provides an effective date and for termination of contract for either Unavailability of Funds or Breach of Contract.

The Texas Department of Transportation is ready to prepare the final permit application for the Monument Sign once it receives the executed Interlocal Agreement. Once TxDOT has completed the permit application, the application will be forwarded to the City for signature. When TxDOT receives the signed permit from the City, the permit will be forwarded to the District Office for review and approval.

The City Attorney has reviewed the Interlocal Agreement.

3. FINANCIAL IMPACT

City Council earmarked \$50,000 (\$15,000 General Fund and \$35,000 HOT funds) for construction of gateway signage. Mark Smith has indicated the proposed construction cost estimates:

- Main Street exit on IH35 - \$15,000

4. ACTION OPTIONS/RECOMMENDATION

Staff requests the City Council consider approval of an Interlocal Agreement with the City of Austin to construct and maintain a City of Buda Monument Sign north of the Main Street exit on IH35 inside the City of Austin and authorizing the City Manager to execute the agreement.