



# City of Killeen

## Legislation Text

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Consider a memorandum/resolution to authorize the City Manager to execute a landscape maintenance agreement for the Gateway Monument project with the Texas Department of Transportation.

### **AGENDA ITEM**

**Consider a memorandum/resolution to authorize the City Manager to execute a landscape maintenance agreement for the Gateway Monument project with the Texas Department of Transportation**

### **ORIGINATING DEPARTMENT**

**Public Works - Transportation Division**

### **BACKGROUND INFORMATION**

On April 25, 2014, the City of Killeen (City) and the Texas Department of Transportation (TxDOT) entered into a municipal maintenance agreement, wherein the City agreed to retain all functions and responsibilities for maintenance and operations which are not specifically described as the responsibility of TxDOT. On April 20, 2015, the City received a letter from TxDOT requesting the City enter into a landscape maintenance agreement associated with the proposed gateway and landscaping to be located near the Killeen city limits on SH 195.

### **DISCUSSION/CONCLUSION**

As part of the Gateway Monument project, the overpass includes aesthetic elements where watering and maintenance are required. These elements include, but are not limited to, trees, shrubs, grasses, sidewalks, irrigation systems, and hardscape features. Section 221.002 of the Transportation Code authorizes the State, at its discretion, to enter into agreements with cities to fix responsibilities for maintenance, control, supervision, and regulation of State highways within and through the corporate limits of such cities.

By entering into this landscape maintenance agreement, the City accepts responsibility for the maintenance of all landscape elements within the limits of the right of way including all median and island areas, but excluding paved areas intended for vehicular travel; landscape maintenance shall include, but not be limited to, plant maintenance, plant replacement, mowing and trimming, hardscape element maintenance, and irrigation system operation and maintenance.

The Gateway Monument landscape maintenance will be funded by the PTF 195/201 Construction Fund through the closing of the project. Upon completion, the landscape maintenance should convert to City standard procedures. The timeframe for the project completion is unknown at this time. The construction management, including bidding, will be performed by TxDOT.

## **FISCAL IMPACT**

There is no cost involved with this agreement at this time. Upon completion of the project, the landscape maintenance should convert to City standard procedures.

## **RECOMMENDATION**

Staff recommends that the City enter into the landscape maintenance agreement for the Gateway Monument project with the Texas Department of Transportation and that the City Manager is authorized to execute any and all change orders within the amounts set by state and local law.