

MEMORANDUM

TO: Donna Barron, City Manager

FROM: David Salmon, P.E., City Engineer & Lizbeth Plaster, City Attorney

VIA: Eric Ferris, Assistant City Manager

DATE: July 2, 2019

SUBJECT: **Approval of a License Agreement Between the Upper Trinity Regional Water District and The City of Lewisville for Use of Certain Public Rights of Way for Installation and Maintenance of a Proposed 72-inch Water Main and an Existing 48-inch Water Main; and Authorization for the City Manager to Execute the Agreement.**

BACKGROUND

The Upper Trinity Regional Water District proposes to build a 72-inch water transmission main generally parallel to an existing 48-inch transmission main and the KCS Railroad line running from the Taylor Plant on Kealy Avenue to Stone Hill Pump Station in Flower Mound. The new main is to address existing and future capacity requirements to provide adequate service to the UTRWD member cities. The existing 48-inch main is within a 20-foot wide easement and UTRWD is obtaining an additional 30 feet of easement to place the 72-inch line. On April 1, 2019 the City Council approved a resolution in support of the UTRWD using eminent domain to acquire easements for the 72-inch line if necessary. Both the existing 48-inch line and the proposed 72-inch line cross several City rights of way and City owned property. The proposed license agreement provides for UTRWD's non-exclusive use of those City rights of way and property as shown on exhibit A of the license agreement. The proposed license agreement was approved by the UTRWD Board on July 11, 2019.

ANALYSIS

Staff has met with the UTRWD staff on several occasions to review the project and discuss specific issues regarding the alignment. It should be noted one of the required easements is within a City park on Daffodil Lane where the water main will be installed by open cut. This easement is necessary to avoid a direct impact to several existing single-family homes on Crutchfield Lane. The construction area will be restored to existing or better condition once construction is completed. The UTRWD have also reached out to the Huffines Communities to discuss specifics on the property immediately west of Summit Avenue on which they have a contract. The UTRWD and Huffines Communities has come to an agreement regarding the location and dimensions of the easements as well as construction timing to minimize disruption of the proposed development.

Subject: UTRWD Right-of-Way and Easement Acquisition
July 24, 2019

The UTRWD has and will continue meeting with and negotiating with property owners to acquire the easements through donation or friendly purchase. As negotiations continue, easement locations and dimensions may be adjusted somewhat based on property owner requests. Resolution Attachment A shows a worst-case scenario.

Construction is expected to begin in early 2020 with completion in summer of 2021, however select segments of the line may be constructed earlier to accommodate property owner needs.

RECOMMENDATION

It is City staff's recommendation that the City Council approve the agreement as set forth in the caption above; and authorize the City Manager to execute the agreement.