

MEMORANDUM

TO: Claire Powell, City Manager

FROM: David Salmon, P.E., City Engineer

VIA: Eric Ferris, Deputy City Manager

DATE: October 27, 2022

SUBJECT: **Tabled Item: Approval of a Local Project Advance Funding Agreement With the Texas Department of Transportation in the Amount of \$3,201,472.96 Related to Construction and Funding for Aesthetic Improvements for the FM 1171 Interchange at I-35; and Authorization for the City Manager, or Her Designee, to Execute the Agreement.**

BACKGROUND

TxDOT is finalizing the construction plans for the subject interchange and construction is set to begin in early 2023. The final aesthetic plans for the interchange prepared by WSP Inc. and approved by staff have been provided to TxDOT for inclusion in the construction plans for the interchange. TxDOT has reviewed the aesthetic plans. Staff as well as the City's consultant are working through a few minor revisions. The agreement defines state and local responsibilities regarding construction and funding of aesthetic improvements on I-35E at the FM 1171 Interchange as per approved plans designed by WSP Inc. This agreement must be executed before TxDOT lets the project.

ANNALYSIS

Proposed aesthetic improvements to be incorporated into the design and construction of the subject interchange include texturized colored sidewalks, specialized light poles and signposts, pedestrian lighting and banner poles, raised planters and landscape irrigation. The subject improvements will be constructed per approved plans previously prepared by WSP Inc. for the City. Since the Council reviewed the proposed aesthetic improvements at a workshop in May 2021, TxDOT has indicated they will not construct the full irrigation system and landscape, just the water taps, main lines and electrical. It will be up to the City once the interchange construction is completed to add the final irrigation heads, soil/mulch and plantings.

In a late review of the aesthetic plans, TxDOT indicated the words "Fighting Farmers" would not be allowed on the wall graphics. According to TXDOT Guidelines, text is not allowed on artwork within the State right of way unless it is associated with a public entity's logo. In that vein, TxDOT is allowing the word "Lewisville" to remain on the water tower depicted in the mural. Staff is still negotiating with TxDOT in hopes of allowing the text "Fighting Farmers." Approval of the funding agreement will not affect the continued negotiations. The Fighting Farmers wall graphics have been revised to delete the proposed wording for the time being, however, the previous graphics can be inserted in the plans if the text is ultimately approved. The City of Lewisville's estimated cost to

construct aesthetic improvements at the Main Street interchange including construction items and direct and indirect costs is \$3,201,472.96 per the subject agreement. Cost overruns related to the aesthetic items are the responsibility of the City. Funding is available in Capital Project # G1107. Denton County has included funding for the I-35 Aesthetics in Lewisville in the Trip-22 Bond Program. The City will enter an interlocal agreement with Denton County to participate in the funding once the bond funds become available. Once completed, the City will be responsible for maintenance of the aesthetic features.

CITY STAFF'S RECOMMENDATION

That the City Council approve the agreement as set forth in the caption above and authorize the City Manager, or her designee, to execute the agreement as set forth in the caption above.