

MEMORANDUM

TO: Donna Barron, City Manager

FROM: Stacie Anaya, Director of Parks and Recreation

DATE: February 14, 2020

SUBJECT: **Approval of an Amendment to the Municipal Maintenance Agreement with the Texas Department of Transportation; and the Authorization for the City Manager to Execute the Amendment.**

BACKGROUND

The current Municipal Maintenance Agreement (MMA) with the Texas Department of Transportation was executed in 1995. The agreement establishes the roles the state and the city participate in the maintenance of state highway routes including non-controlled access and controlled access highways within Lewisville. Activities included care of traveled surfaces and foundations, mowing and litter pick-up, snow and debris removal, drainage, parking control and maintenance of traffic markings, signs and signals. A copy of this agreement is attached.

Currently, the state is responsible for mowing and litter clean up within the outermost curbs of the frontage roads or the entire right-of-way width where no frontage roads exist, and assisting in performance of these operations between the right-of-way line and the outermost curb or crown line of the frontage roads in undeveloped areas along controlled access points. However, since the agreement was originally executed TXDOT has reduced the frequency of mowing and litter removal cycles resulting in unkempt landscaped areas along IH-35.

During the FY 2019-2020 budget process City Council included increased funding in the Parks & Recreation Department's operating budget to expand the city's landscape and mowing contract to include care of the mowing and litter removal along IH-35 Controlled Access Highways. TXDOT provided estimated figures of 177 acres of maintain within the City of Lewisville at \$78,221 per year. The action step was for \$104,295 including \$26,074 of additional funding to increase the number of maintenance cycles.

ANALYSIS

With the approval of funding, the City Manager directed Innovative Transportation Solutions to negotiate an amendment to the 1995 MMA to shift responsibility of mowing and litter control along IH-35 Controlled Access Highways in Lewisville from the state to the city. During negotiations, TXDOT realized that there were only 66 acres of right-of-way along the controlled access highways and reduced its original estimated cost burden provided during the budget process. The amendment includes provisions for TXDOT to reimburse the city for three mowing

cycles at \$55 per acre and 14 litter cycles at \$15.15 per acre or \$24,888.60 annually. This is a three year agreement; prices for both tasks will be evaluated at the end of the term and a new agreement will be drafted for consideration.

New mowing contracts for maintenance of parks, medians, public property and right-of-ways will be brought to City Council for approval on March 16, 2020. A contract with Good Earth Corporation for mowing and litter control along IH-35 Controlled Access Highways includes 4 scheduled cycles of mowing and 16 scheduled cycles of litter debris for \$45,236 annually with provisions for adding additional cycles, if necessary. Funding is available in the FY19-20 Parks & Recreation Department budget to cover the difference between TXDOT reimbursements and the cost of the annual contract for this zone.

RECOMMENDATION

That the City Council approve the agreement as set forth in the caption above; and authorize the City Manager to execute the agreement.