

**CITY OF EL PASO, TEXAS
AGENDA ITEM
DEPARTMENT HEAD'S SUMMARY FORM**

DEPARTMENT:

AGENDA DATE:

PUBLIC HEARING DATE:

CONTACT PERSON NAME:

PHONE NUMBER:

DISTRICT(S) AFFECTED:

STRATEGIC GOAL:

SUBGOAL:

SUBJECT:

BACKGROUND / DISCUSSION:

COMMUNITY AND STAKEHOLDER OUTREACH:

PRIOR COUNCIL ACTION:

AMOUNT AND SOURCE OF FUNDING:

REPORTING OF CONTRIBUTION OR DONATION TO CITY COUNCIL:

NAME	AMOUNT (\$)

*****REQUIRED AUTHORIZATION*****

DEPARTMENT HEAD: Gvette Hernandez

(If Department Head Summary Form is initiated by Purchasing, client department should sign also)

RESOLUTION

WHEREAS, there are existing City of El Paso (“City”) bus stops and bus shelters along roadways and rights of way within the control of the Texas Department of Transportation (“TxDOT”); and

WHEREAS, on April 26, 2011, the City Council authorized the City Manager to sign a Multiple Use Agreement with the Texas Department of Transportation, for the purpose of allowing the City access to TxDOT roadways and rights-of-way for installation of new City bus shelter located along and within TxDOT right-of way and this Multiple Use Agreement was approved by TxDOT on behalf of the State of Texas on May 25, 2011 (“2011 Multiple Use Agreement”); and

WHEREAS, TxDOT has approved supplements to the 2011 Multiple Use Agreement throughout the years, to allow for enhancement of bus pads located along and within TxDOT rights-of-way; and

WHEREAS, the City desires to expand on the authority provided under the 2011 Multiple Use Agreement, to allow the installation of new bus stops, including all actions necessary for the operation, construction, and maintenance of bus shelters, bus pads and bus signage at various locations along and within the rights-of way under the control of TxDOT; and

WHEREAS, the City and TXDOT desire to amend the Multiple Use Agreement allowing the City access to TxDOT roadways and right- of way for the installation of the new city bus stops.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the City Council of the City of El Paso finds the above recitals to be true and correct.

That the City Manager or designee, be authorized to sign an Amendment to Multiple Use Agreement with the Texas Department of Transportation (TxDOT), in a form substantially similar to the attached, for the purpose of allowing the City access to TxDOT roadways and right-of-way for the installation, operation and maintenance of new City bus stops located along and within TxDOT right-of way.

That the City Manager or designee, be authorized to sign, after review and approval by the City Attorney’s office, any related documents, agreements, and amendments to such agreements for the City to take all actions necessary for the installation, maintenance and operation of bus stops located along and within TxDOT rights-of-way, to include but not limited to actions related to construction, enhancements, maintenance and operation of the bus stops.

That the City Manager or designee, be authorized to sign any future documents, agreements and amendments to such agreements, after review and approval by the City attorney’s office,

between the City and TXDOT related to adding new bus stops as well as enhancing or updating existing bus stops, located along and within TxDOT right-of-way.

That the City Manager or designee, be authorized to take actions necessary and effectuate any budget transfers, sign all related agreements, amendments to such agreements and related documents after review and approval by the City Attorney's office, necessary to carry out the intent of this resolution.

APPROVED this _____ day of _____, 20____.

CITY OF EL PASO:

Renard U. Johnson
Mayor

ATTEST:

Laura Prine
City Clerk

APPROVED AS TO FORM:



Roberta Brito
Senior Assistant City Attorney

APPROVED AS TO CONTENT:



Yvette Hernandez, P.E.
City Engineer

APPROVED AS TO FORM:



Joyce Garcia
Assistant City Attorney

APPROVED AS TO CONTENT:



Anthony R. Dekeyzer, Director
Mass Transit Department/ Sun Metro



AMENDMENT TO MULTIPLE USE AGREEMENT

Form 2722
(11/18)
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STATE OF TEXAS §

COUNTY OF TRAVIS §

WHEREAS, on the _____, the Texas Department of Transportation, the “State”, and the City of _____, the “City”, entered into a Multiple Use Agreement to allow the City use of state highway right of way; and

WHEREAS, the State, under the aforementioned Agreement, authorized the City the use of right of way on _____ Control Section No. _____ for the purpose of a _____; and

WHEREAS, the City desires to _____ in the right way not authorized under the Multiple Use Agreement; and

WHEREAS, the City and the State agree to amend the existing Multiple Use Agreement;

AGREEMENT

NOW, THEREFORE, in consideration of the premises and mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, as hereinafter set forth, the City and State do mutually agree to the amendment as follows:

In all other respects, the Agreement shall remain in force and effect without change.

IN TESTIMONY WHEREOF, the parties hereto have caused this amendment to be executed in duplicate. The Amendment becomes effective when last executed.

THE CITY of _____

By: _____
City Manager

Printed Name

Date: _____

THE STATE OF TEXAS

Executed and approved for the
Texas Transportation Commission
for the purpose and effect of
activating and/or carrying out the
orders, and established policies or
work programs heretofore approved
and authorized by the Texas
Transportation Commission.

By: _____

Printed name

Date: _____

Approval Recommended:

By: _____
District Engineer

Printed Name

Date: _____