

MUNICIPAL MAINTENANCE ORDINANCE No. 74

AN ORDINANCE PROVIDING FOR THE MAINTENANCE OF CERTAIN STATE HIGHWAYS AND/OR PORTIONS OF STATE HIGHWAYS IN THE CITY OF Wallis, COUNTY OF Austin, TEXAS, HEREBY REFERRED TO AS MUNICIPAL MAINTENANCE PROJECT AND AUTHORIZING THE MAYOR OF THE CITY OR OTHER AUTHORIZED CITY OFFICIAL, TO EXECUTE AND AFFIX THE CORPORATE SEAL AND ATTEST SAME. A CERTAIN AGREEMENT BETWEEN THE CITY AND THE STATE OF TEXAS, PROVIDING FOR THE MAINTENANCE AND USE OF THE SAID MAINTENANCE PROJECT: AND DECLARING AN EMERGENCY AND PROVIDING THAT THIS ORDINANCE SHOULD BE EFFECTIVE FROM AND AFTER ITS PASSAGE.

WHEREAS, the Public convenience, safety and necessity of the City, and the people of the City require that State Highway routes within the City be adequately maintained; and

WHEREAS, the City has requested that the State of Texas, enter upon and contribute financially to the maintenance of said project; and

WHEREAS, the State of Texas has made it known to the City that it will, with its own forces and equipment and at its sole cost and expense, enter upon and maintain said project, conditioned upon the provisions concerning liabilities and responsibilities for maintenance, control, supervision, and regulation which are set out in the form attached hereto, made a part hereof, and marked "MUNICIPAL MAINTENANCE AGREEMENT"; and

WHEREAS, said project consists of those State Highways and/or portions thereof which are described and included in the form attached hereto and marked "MUNICIPAL MAINTENANCE AGREEMENT."

NOW, THEREFORE, BE IT ORDAINED by the City Council of Wallis

SECTION 1. That the public convenience, safety and necessity of the City and the people of the City require said project be adequately maintained.

SECTION 2. That the State of Texas be and is hereby authorized to enter upon and maintain said maintenance project.

SECTION 3. That the Mayor, or proper City official, of the City, be and is hereby authorized to execute for and on behalf of the City an agreement with the State of Texas, in accordance with and for the purpose of carrying out the terms and provisions of this order, in the form attached hereto, made a part hereto, and marked "MUNICIPAL MAINTENANCE AGREEMENT." The City Secretary is hereby directed to attest the agreement and to affix the proper seal of the City thereto.

SECTION 4. The Mayor of the City, having requested in writing that this ordinance take effect forthwith and there being in fact an emergency and imperative necessity that the work herein provided for be begun and carried out promptly and with expedition and that the agreement aforesaid shall be immediately made, executed and delivered to the end that such work herein provided for may be begun and carried out promptly and with expedition. The reading of the ordinance on three several days is hereby dispensed with and the same shall be in full force and effect from and after its passage.

MUNICIPAL MAINTENANCE AGREEMENT

STATE OF TEXAS X
COUNTY OF TRAVIS X

THIS AGREEMENT made this 14th day of September, 19 82,
by and between the State of Texas, hereinafter referred to as the
"State", party of the first part, and the City of Wallis,
Austin County, Texas (population 1,138, 19 80,
Federal Census) acting by and through its duly authorized officers,
hereinafter called the "City", party of the second part.

W I T N E S S E T H

WHEREAS, the City has requested the State to assist in the maintenance of State Highway routes within such city; and

WHEREAS, the Engineer-Director, acting for and in behalf of the State Highway and Public Transportation Commission, has made it known to the City that the State will assist the City in the maintenance, control, supervision, and regulation of State Highway routes within such city, conditioned that the City will enter into agreements with the State for the purpose of determining the responsibilities of the parties thereto:

A G R E E M E N T

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements of the parties hereto to be by them respectively kept and performed, it is agreed as follows:

Coverage

1. This agreement is intended to cover and provide for State participation in the maintenance of the following classification of State Highway routes within the City:

5. It is understood and agreed that this agreement is for the purpose of defining the authority and responsibility of both parties for maintenance of highway routes through the City and shall in no way be considered to cover any present or past obligation either real or anticipated concerning such State Highway routes through the City.
6. The City shall prohibit the movement of loads over State maintained streets which exceed the legal limits for either weight, length, height or width, as prescribed by State law for public highways outside corporate limits of cities, except those having proper permits from the State for such movements. The City shall also, by ordinance and enforcement, prescribe and enforce lower weight limits when mutually agreed by the City and the State that such restrictions are needed to avoid damage to the street and/or for traffic safety.
7. The City shall prevent future encroachments within the right of way of the highway routes and assist in removal of any present encroachments when requested by the State except where specifically authorized by separate agreement; and prohibit the planting of trees or shrubbery or the creation or construction of any other obstruction within the right of way without prior agreement with the State.
8. The City agrees that traffic control devices, such as signs, traffic signals and pavement markings, in respect to type of device, points of installation, and necessity will be fixed by agreement with the State after traffic and engineering surveys have been made. The City agrees that it will not install or maintain or permit the installation or maintenance of any type of traffic control device which will affect or influence the utility of the State Highway routes without having obtained in writing the prior approval of the State. Traffic control devices installed prior to the date of this agreement are hereby made subject to the terms of this agreement and the City agrees to the removal of such devices which affect or influence the utility of the State Highway routes unless their continued use is approved in writing by the State. It is understood that future traffic control devices installed as a joint project by the City and State will be the subject of a separate agreement outlining the responsibilities for installation and maintenance.
9. The City agrees to assure the grantee's conformance, for proper construction and maintenance of access driveway facilities, in accordance with "Regulations for Access Driveways to State Highways" adopted by the State Department of Highways and Public Transportation or in accordance with other standards and specifications for the design, construction and maintenance details subject to approval by the State Department of Highways and Public Transportation. The City further agrees to comply with the safety provisions of Administrative Circular No. 8-79, dated March 6, 1979, pertaining to safety requirements for all access driveways.

intersecting city streets to State Highway routes will be the full responsibility of the City.

3. Require installations, repairs, removals or adjustments of publicly or privately owned utilities or services to be performed in accordance with State Department of Highways and Public Transportation specifications and subject to approval of the State.
4. Retain all functions and responsibilities for maintenance, control, supervision, and regulation which are not specifically described as the responsibility of the State. The assistance by the State in maintenance of roadway ditches does not relieve the City of its responsibility for drainage of the highway facility within its corporate limits except where participation by the State other than above is specifically covered in a separate agreement between the City and the State.

EXHIBIT "A"

NON CONTROLLED ACCESS HIGHWAYS

I. STATE MAINTAINED

A. STATE HIGHWAY 36:

From northwest city limit along Commerce Street to the southeast city limit
(Maintain base, surface, and shoulders; assist in mowing, sweeping, litter clean-up, and in maintenance of roadway ditches)

B. STATE HIGHWAY 60:

From intersection of SH 60 and Commerce Street along SH 60 to the southwest city limit
(Maintain base, surface, and shoulders; assist in mowing, sweeping, litter clean-up, and in maintenance of roadway ditches)

C. FARM TO MARKET ROAD 1093:

From intersection of First Street and Commerce Street along First Street to the northeast city limit
(Maintain base, surface, and shoulders; assist in mowing, sweeping, litter clean-up, and in maintenance of roadway ditches)

D. FARM TO MARKET ROAD 1952:

From intersection of Tenth Street and Commerce Street along Tenth Street to the south city limit
(Maintain base, surface, and shoulders; assist in mowing, sweeping, litter clean-up, and in maintenance of roadway ditches)

ADMINISTRATIVE CIRCULAR NO. 8-79

To: DISTRICT ENGINEERS, DIVISION HEADS, AND
ENGINEER-MANAGER

Date: ~~January 26, 1979~~

Subject: Improving Safety of Drainage Facilities

Expires:

Reference:

File: D-8, D-5

Gentlemen:

Departmental design policy has emphasized for several years the desirability and need for providing a roadside area free of fixed objects to reduce the severity of run-off-the-road accidents. As evidence of this emphasis, designs include obstruction clearance zones with width depending on traffic volume. Fixed objects which are impractical to remove or relocate from the clear zone are neutralized with breakaway or crash cushioning devices, shielded with barriers, or otherwise designed so as to be traversable by an errant vehicle. For drainage structures, Administrative Circular No. 51-70, dated May 12, 1970, was issued to provide guidelines for drainage structure design for improved safety.

Field reviews of recently constructed projects indicate that high roadway design standards are being used, and that safety devices and the clear recovery area concept are being applied in the Department's designs. There were instances, however, where minor adjustments in the treatment or location of an appurtenance would provide an even safer roadside. Drainage facilities are common appurtenances which frequently were found improvable in that fine tuning of design would improve safety.

In designing drainage systems, the primary objective, of course, is to properly accommodate surface run-off along and across highway right-of-way through the application of sound hydraulic principles. More consideration must be given to a second, important goal of incorporating safety into the design of drainage appurtenances. The best design would efficiently accommodate drainage and be traversable by an out-of-control vehicle without rollover or abrupt change in speed. The attached guidelines are intended to improve roadside safety with respect to drainage facilities, and generally supplement and expand previously issued material. Where there are conflicts (specifically, Item 4, A.C. No. 51-70), the attached guidelines supersede and replace previously issued guidelines.

All guidelines contained in this Circular are appropriate for immediate design implementation. P.S. & E. should be prepared, or revised where applicable, to reflect these criteria. These guidelines apply to all rural, high speed facilities and other facilities where posted speed limit will be 40 mph or more.

Sincerely yours,


B. L. DeBerry
Engineer-Director

Attachments

DISTRIBUTION:

District Engineers

Engineer-Manager

Division Heads

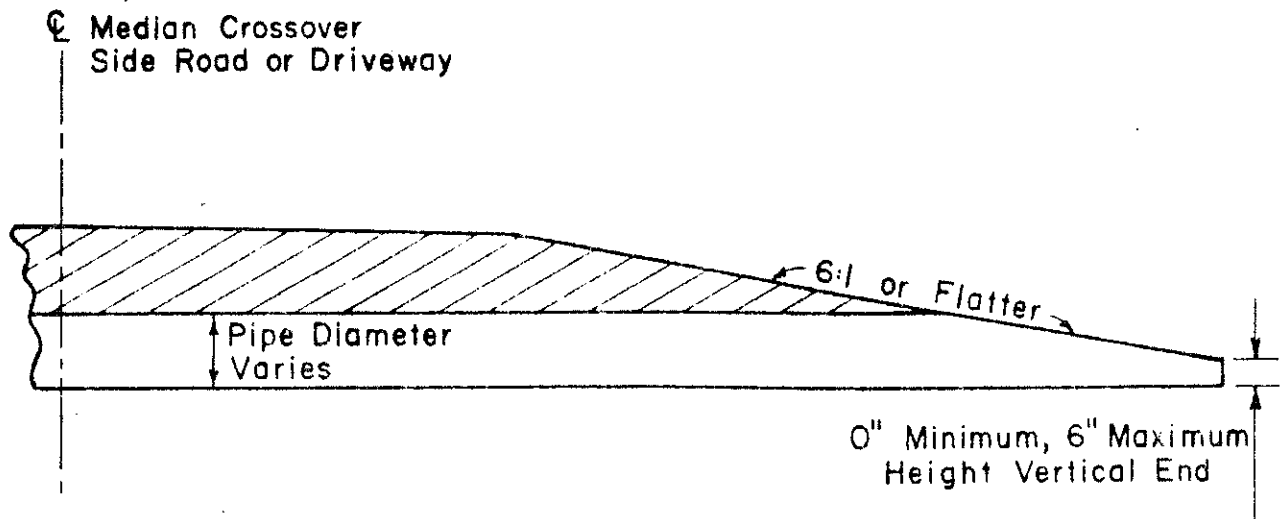
Resident Engineers

1. There should be no culvert headwalls or vertical ends (except as described in Item 2 below) on pipes.
2. Pipe ends should be sloped at 6:1 or flatter with riprap added where required to prevent erosion and/or to protect the end of pipe. The sloping end may be terminated and a vertical end introduced when the partial pipe section height is six inches or less (see attached sketch).
3. Median crossover, side road, or driveway embankment slope should be 6:1 maximum, with 8:1 preferred, within the clear zone.
4. Where large (greater than 30 inches in diameter) pipe ends are located within the clear zone, grates should be provided with maximum slope of 6:1 or a preferred slope of 8:1. Grates are not required on single, small (30 inches or less diameter) pipes regardless of end location with respect to clear zone requirements; however, the ends of small pipes should be sloped and rip-rapped as described in Item 2 above.
5. The use of paved dips, instead of pipes, is encouraged, particularly at infrequently used driveways such as those to fields.
6. For unusual situations, such as where driveways are on high fills or where box culverts or multiple pipes are necessary to accommodate side or median ditch drainage, the designer should consider the alternatives available and select an appropriate design.

Cross Drainage Culverts

For culverts handling drainage under the travel lanes, potential hazard lies at or near the inlet-outlet points. For cross drainage structures, design recommendations are as follow:

1. No protruding headwalls should be used.
2. Guard fence protection may be appropriate for large drainage structures, particularly those which are bridge class (length 20 feet or more). For smaller than bridge class drainage structures, guard fence protection is not a desirable method of treatment, and other treatments are preferred where practical.
3. Locating culvert ends to meet clear zone requirements is an acceptable safety treatment for a range of culvert sizes. Desirable, rather than minimum, values for clear zone width should be used where feasible.
4. Clear zone requirements do not apply to single, small (24-inch diameter or less) cross drainage pipes. In such instances, pipe ends may be located inside the clear zone at the side slope-pipe intercept. Riprap should be added to the sloped pipe end to prevent erosion. Pipe end slope should be 3:1 or flatter and typically would match side slope rate.
5. The use of grates as a solution for treating unsafe culvert ends is discouraged for cross-drainage structures. However, special grates as shown on the attached drawing will be allowed under the following guidelines:
 - a. A design consideration for the use of grates on cross drainage structures shall include an evaluation of the proposed grate in a completely clogged



TYPICAL CROSS SECTION

MEDIAN CROSSOVER,
SIDE ROAD, OR DRIVEWAY PIPES