

Introduced by: Mayor David Pruhs
Introduced: February 26, 2024

RESOLUTION NO. 5102

**A RESOLUTION APPROVING A MAINTENANCE AGREEMENT
WITH THE STATE OF ALASKA DEPARTMENT OF
TRANSPORTATION AND PUBLIC FACILITIES FOR THE MORRIS
THOMPSON CULTURAL AND VISITOR CENTER ENHANCEMENTS**

WHEREAS, the State of Alaska Department of Transportation and Public Facilities (DOT&PF) is moving forward the Morris Thompson Cultural & Visitor Center and Lavery Transportation Center Enhancements Project (the Project); and

WHEREAS, the Project will install a new Rectangular Rapid Flashing Beacon (RRFB), including roadside hardware, within the existing pedestrian crosswalk located in the City maintained right of way of the Wendell Avenue / Dunkel Street intersection; and

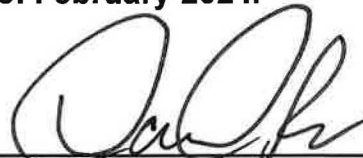
WHEREAS, under the proposed maintenance agreement between the City and DOT&PF (Exhibit A), the City would manage and maintain all improvements made on City property, including cross walk striping, signs, ADA curb ramps, curb and gutter, and management and maintenance responsibilities for the rapid flashing beacon located at the Wendell Avenue / Dunkel Street intersection; and

WHEREAS, the Rectangular Rapid Flashing Beacon installation portion of the Project will greatly improve pedestrian safety; and

WHEREAS, the estimated cost of this maintenance agreement is \$1,070 annually.

NOW, THEREFORE, BE IT RESOLVED that the Fairbanks City Council authorizes the Mayor to execute the attached maintenance agreement with the State of Alaska Department of Transportation and Public Facilities regarding the Morris Thompson Cultural & Visitor Center and Lavery Transportation Center Enhancements Project.

PASSED and APPROVED this 26th day of February 2024.



David Pruhs, Mayor

AYES: Cleworth, Marney, Ringstad, Rogers, Sprinkle, Tidwell
NAYS: None
ABSENT: None
APPROVED: February 26, 2024

ATTEST:

APPROVED AS TO FORM:



for D. Danyielle Snider, MMC, City Clerk
Colt Chase, Deputy City Clerk



Thomas A. Chard II, City Attorney

**CITY OF FAIRBANKS
FISCAL NOTE**

I. REQUEST:

Ordinance or Resolution No: 5102

Abbreviated Title: MORRIS THOMPSON CENTER ENHANCEMENTS MAINTENANCE AGREEMENT

Department(s): ENGINEERING

Does the adoption of this ordinance or resolution authorize:

1) additional costs beyond the current adopted budget? Yes _____ No x

2) additional support or maintenance costs? Yes _____ No x

If yes, what is the estimate? see below

3) additional positions beyond the current adopted budget? Yes _____ No x

If yes, how many positions? _____

If yes, type of positions? _____ (F - Full Time, P - Part Time, T - Temporary)

II. FINANCIAL DETAIL:

PROJECTS:				Annual
RAPID FLASHING BEACON MAINTENANCE				\$1,070
TOTAL				\$1,070

FUNDING SOURCE:				Annual
GENERAL FUND				\$1,070
TOTAL				\$1,070

The operations and maintenance costs associated with the new flashing beacon will be managed by the Engineering Department and incorporated in the annual general fund budget. The department estimates the annual electric cost to be \$350 and equipment maintenance cost to be \$720 for a total annual cost of \$1,070.

Reviewed by Finance Department:

Initial mb

Date 2/15/2024

**ASSIGNMENT OF MAINTENANCE AGREEMENT
FOR
MORRIS THOMPSON CULTURAL AND VISITOR CENTER
ENHANCEMENTS**

The City of Fairbanks, a Municipal Corporation of the State of Alaska, with an address of 800 Cushman Street, Fairbanks, Alaska 99701 (the City), and Morris Thompson Cultural & Visitors Center., with an address of 101 Dunkel St., Fairbanks, Alaska 99701 (Morris Thompson Center), recite and declare:

RECITALS

1. The City is the obligated party under that certain Maintenance Agreement between the City and the Alaska Department of Transportation, to wit:

Maintenance Agreement Between the State of Alaska Department of Transportation & Public Facilities ((ADOT & PF) and the City of Fairbanks for the Morris Thompson Cultural & Visitor Center and Lavery Transportation Center Enhancements Project, attached hereto as "Exhibit A" (the "Agreement").

2. Under this Agreement, the City assumed maintenance of those Project Enhancements lying north of and within the Wendell Avenue right of way and east of and within the Dunkel Street right of way, Fairbanks, Alaska, as shown on the attachments as "Exhibit A."

3. The Project is scheduled for construction in 2024.

4. It is the desire and intent of Morris Thompson Center to maintain 4 of the 5 proposed project enhancements including: (2) Electrical Vehicle (EV) Charging Stations, (2) new Pedestrian Connections, (1) new LED Electronic Messaging Sign, (21) new LED Bollard Parking Lot / Landscaping Lights and (5) new Secure Bike Lockers with an upgraded Bike Repair Station. Morris Thompson Center shall perform and bear the cost of maintaining the above-listed project enhancements.

5. The City will maintain the new Rectangular Rapid Flashing Beacon (RRFB) Project Enhancement within the City maintained right of way of the Wendell Avenue / Dunkel Street intersection per City Council Approved Resolution No. 5102.

THEREFORE, in consideration of these recitals and for other good and valuable consideration in hand paid, the City and Morris Thompson Center agree to the following:

1. Assumption of Maintenance Agreement: Morris Thompson Center agrees to assume and does assume all rights and obligations of the City described under "RECITALS" above and agrees and promises to faithfully perform all obligations of the City, specifically including maintenance of ADOT project enhancements and upgrades as attached to Exhibit "A".

2. Duration: This agreement shall be of indefinite duration, unless terminated as shown below.

3. Termination: This agreement may be terminated by Morris Thompson Center without cause or by the City with cause, and as approved by ADOT, either party providing sixty days written notice to the other.

DATED this ____ day of _____ 2024 at Fairbanks, Alaska.

CITY OF FAIRBANKS:

MORRIS THOMPSON CENTER:

David Pruhs
Mayor

Audrey George
President / CEO

APPROVED AS TO FORM:

APPROVED AS TO CONTENT:

Thomas A. Chard
City Attorney

Robert H. Pristash, P.E.
City Engineer

ACKNOWLEDGMENT - CITY OF FAIRBANKS

State of Alaska)
)
Fourth Judicial District)

Subscribed and sworn to before me this _____ day of _____ 2024.

NOTARY PUBLIC:
Commission Expires: _____

ACKNOWLEDGMENT – MORRIS THOMPSON CENTER

State of Alaska)
)
Fourth Judicial District)

Subscribed and sworn to before me this _____ day of _____ 2024.

NOTARY PUBLIC:
Commission Expires: _____

Return To:
Robert Pristash
City of Fairbanks
800 Cushman Street
Fairbanks, Alaska 99701

EXHIBIT A

**Memorandum of Agreement
for the**

**Maintenance
of the**

**Fairbanks Morris Thompson Cultural & Visitors Center and Lavery
Transportation Center Enhancements
#TBD**

Between

**The State of Alaska Department of Transportation and Public Facilities (DOT&PF)
and**

The City of Fairbanks (COF)

1. PURPOSE:

- The purpose of this Memorandum of Agreement for Maintenance (MOA) is to provide for the future maintenance of the improvements constructed by the Fairbanks Morris Thompson Cultural & Visitors Center and Lavery Transportation Center Enhancements project.
- This project will construct improvements to the above locations and will include utilities, roadside hardware, and ADA improvements.

2. THE DOT&PF AGREES TO THE FOLLOWING:

- To coordinate funding received from the Federal Highway Administration (FHWA) for the design and construction of the Fairbanks Morris Thompson Cultural & Visitors Center and Lavery Transportation Center Enhancements using Congestion Mitigation and Air Quality and Carbon Reduction funding.

3. THE COF AGREES TO THE FOLLOWING:

- To accept management and maintenance responsibilities for all improvements for this project.
- Maintenance responsibility include, but are not limited to providing electrical services, maintaining power to the displays, repairing, and replacing signs, lockers, and beacons as needed.

4. IT IS MUTUALLY AGREED THAT:

- The above parties will coordinate and participate in the design process and the review of the final design plans prior to construction.
- The above parties will coordinate and participate in the final inspection of the construction project.
- This agreement may be revised with the mutual consent of both agencies, by issuance of a written amendment, signed and dated by both agencies.

- Each agency agrees that it will be responsible for its own acts and results thereof, and each agency shall not be responsible for the acts of the other agency.
- Each agency will comply with all applicable laws, regulations, and executive orders.

Joseph P. Kemp, P.E., Acting Regional Director
Department of Transportation & Public Facilities

Date

David Pruhs, Mayor
City of Fairbanks

Date

CMAQ + CRP

Morris Thompson Cultural & Visitor's Center Enhancements

Project Site Overview + Scope

- A - (2) EV Charging Stations
- B - Add Pedestrian Connections
- C - Install LED Electronic Messaging Sign
- D - Install Rectangular Rapid Flashing Beacon

- E - Replace 21 Bollard Lights with LED
- F - Add (5) Secure Bike Lockers and Upgrade Bike Repair Station

