



## REQUEST FOR COUNCIL ACTION

### City of Greenville, South Carolina

Agenda Item No.

16a

**TO:** Honorable Mayor and Members of City Council  
**FROM:** John F. McDonough, City Manager

Ordinance/First Reading
  Ordinance/Second & Final Reading
  Resolution/First & Final Reading
  Information Only

**AGENDA DATE REQUESTED:** April 27, 2020

**ORDINANCE/RESOLUTION CAPTION:**

RESOLUTION TO APPROVE A MUNICIPAL STATE HIGHWAY AGREEMENT BETWEEN SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF GREENVILLE FOR THE WOODRUFF ROAD CORRIDOR SAFETY IMPROVEMENTS PROJECT

**SUMMARY BACKGROUND:**

The South Carolina Department of Transportation (the "SCDOT") is proposing corridor safety improvements along Woodruff Road (SC 146). The project entails various safety improvements consisting of signal equipment upgrades, installation of pedestrian signals and crosswalks, ADA ramps, the construction of concrete medians and access management modifications along Woodruff Road between Roper Mountain Road and Bagwell Road. A portion of the project is located within the municipal limits of the city of Greenville. Consequently, a Municipal State Highway Project Agreement is necessary before SCDOT can construct the project. Preliminary plans have been developed for the project and SCDOT is in the process of scheduling a public information meeting, with project construction expected to take place in 2021.

**IMPACT IF DENIED:**

The Municipal Agreement will not be signed and its anticipated that SCDOT would adjust the limits of the project to exclude the proposed improvements within the City limits.

**FINANCIAL IMPACT**

None

**REQUIRED SIGNATURES**

**Department Director** *Mike Murphy*  
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**City Attorney** *Michael Pitts*  
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**OMB Director** \_\_\_\_\_

**City Manager** *John McDonough*  
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A R E S O L U T I O N

TO APPROVE A MUNICIPAL STATE HIGHWAY AGREEMENT BETWEEN SOUTH CAROLINA DEPARTMENT OF TRANSPORTATION AND THE CITY OF GREENVILLE FOR THE WOODRUFF ROAD CORRIDOR SAFETY IMPROVEMENTS PROJECT

WHEREAS the South Carolina Department of Transportation (the “SCDOT”) proposes to construct, reconstruct, alter or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the city of Greenville (the “City”); and

WHEREAS, S.C. Code § 57-5-820 and §57-5-830 require the approval of a city council when major improvements are made to state roads within the municipality, except in those cases where urgent action is needed for bridge safety; and

WHEREAS, Greenville City Council has reviewed proposed plans for the Woodruff Road Corridor Safety Improvements (the “Project”) and the Council is prepared to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by the SCDOT and shown to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF GREENVILLE, SOUTH CAROLINA, there is approved the Municipal State Highway Project Agreement between South Carolina Department of Transportation and the City of Greenville identified more particularly in Exhibit A, which is incorporated herein by reference. The City Manager is herewith authorized to execute the Agreement in substantially the same form as provided in Exhibit A, and he shall have authority to permit the final document to have technical variances from the attached Exhibit, when such variances are compatible with the purpose of the Resolution and not adverse in a significant way to the interests of the City or the public. This Resolution shall take effect upon passage.

RESOLVED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 2020.

\_\_\_\_\_  
MAYOR

Attest:

\_\_\_\_\_  
CITY CLERK

EXHIBIT A

SCDOT R/W Form 807 (10-04)

MUNICIPAL STATE HIGHWAY PROJECT AGREEMENT

STATE OF SOUTH CAROLINA )  
 ) RESOLUTION  
COUNTY OF GREENVILLE )

Road/Route **SC 146**  
Project ID **P037191**  
Project **Section / Corridor Safety Improvement along SC 146 from Roper Mountain Rd to Bagwell Rd**

WHEREAS, the South Carolina Department of Transportation (the “SCDOT”) proposes to construct, reconstruct, alter, or improve the certain segments of the highway(s) in the State Highway System referenced above which are located within the corporate limits of the city of Greenville (the “City”)

WHEREAS, the City wishes to authorize the construction and improvements of the aforesaid highway(s) in accordance with plans to be prepared by or for SCDOT (the “Project Plans”).

NOW THEREFORE, BE IT RESOLVED that, pursuant to S.C. Code Ann. §57-5-820 (1991), the City does hereby consent to the construction or improvements of the aforesaid highway(s) within its corporate limits in accordance with the Project Plans. The foregoing consent shall be the sole approval necessary from the City to complete the project under the Project Plans and constitutes a waiver of any and all other requirements with regard to construction within the City’s limits. The foregoing waiver and consent shall also extend to the benefit of utility companies engaged in relocating utility lines on account of the project. Further, the City shall exempt all existing and new right-of-way and all other properties purchased in connection with right-of-way for the highway(s) from any general or special assessment against real property for municipal services.

BE IT FURTHER RESOLVED that the City will assist in causing all water, sewer and gas pipes, manholes, or fire hydrants, and all power or telephone lines or poles located within the existing right-of-way to be relocated at the utility company’s expense, except where the utility can demonstrate a prior right of occupancy. To the extent that City-owned utilities are to be relocated, those utility lines and/or appurtenances may be replaced upon the new highway right-of-way at such locations as may be approved by SCDOT. SCDOT shall bear no liability for damages to property or injuries to persons as a consequence of the placing, maintenance, or removal of any utilities by the City or its contractors. Future utility installations by the City within the limits of the new right-of-way after project completion shall be pursuant to a standard utility encroachment permit obtained in the normal course and issued pursuant to SCDOT’s “A Policy for Accommodating Utilities on Highway Rights-of-Way.”

BE IT FURTHER RESOLVED, that the City hereby signifies its intention to faithfully observe the provisions of Chapter 5, Title 56, Code of Laws of South Carolina, 1976, and all amendments thereto relating to the regulation of traffic on the street, or streets, to be constructed, reconstructed, altered or improved as hereinabove identified and further agrees to refrain from placing or maintaining any traffic control devices upon any section of said street, or streets, without having first obtained written approval of the South Carolina Department of Transportation as required in S.C. Code §56-5-930 (1976, as amended), nor enacting any traffic regulation ordinances inconsistent therewith.

IN WITNESS WHEREOF, this Resolution is adopted and made a part of the Municipal records this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and the original of this Resolution will be filed with the South Carolina Department of Transportation at Columbia.

Dated:

City of Greenville, South Carolina  
Municipality

ATTEST:

By: \_\_\_\_\_  
City Manager

\_\_\_\_\_  
Clerk

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