


MEMORANDUM

March 15, 2010

TO: Board of Mayor and Aldermen

FROM: Mark Hilty, Water Management Director  
Eric J. Gardner, P.E., Director of Engineering  
David Parker, P.E., CIP Project Executive  
Eric S. Stuckey, City Administrator 

SUBJECT: Fieldstone Farms Pedestrian Tunnel and Stormwater Pump Station Operation and Maintenance Agreement Discussion

**Purpose**

The purpose of this memorandum is to present to the Board of Mayor and Aldermen (BOMA) information pertaining to operation and maintenance resources required for the stormwater pump station located near the pedestrian tunnels.

**Background**

The Fieldstone Farms Development, as a part of their overall pedestrian pathway system, installed pedestrian tunnels under Hillsboro Road between the KinderCare Learning Center and the Walgreens located on the corner of Hillsboro Road and Fieldstone Parkway and under Fieldstone Parkway approximately one hundred (100) feet west of Hillsboro Road. To remove stormwater from the low area between the two pedestrian tunnels, a stormwater pump station was constructed on the west of the Hillsboro Road pedestrian tunnel.

The Development has approached the City requesting transfer of the ownership and maintenance responsibilities of the two (2) pedestrian tunnels and the stormwater pump station to the City. This request was discussed by the CIP committee in March 2009 and again in March 2010.

**Financial Impact**

The Water Management Department has evaluated costs associated with operations and maintenance of the stormwater pump station. The table below presents the proposed maintenance frequency and an estimate of the associated costs.

Labor and Equipment	Frequency per	
	Year	Opinion of Cost
Preventative Maintenance Inspection/Maintenance	12	\$1,320
Wet Weather Inspection/Maintenance	8	\$1,760
Cleaning	2	\$660



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Service Truck Deployment (Inspection/Maintenance)	20	\$1,000
Service Truck Deployment (Cleaning)	2	\$ 156
Sewer Vacuum Truck Deployment (Cleaning)*	2	\$450
Electrical Consumption (Annual Estimate)	NA	\$1,750
<b>OPINION OF ANNUAL MAINTENANCE COSTS</b>		<b>\$7,096</b>

### **Recommendation**

At the March 2010 CIP meeting, the Committee recommended that the City assumes ownership and maintenance of the pedestrian tunnels and stormwater pump station. The Fieldstone Farms Homeowners Association has agreed to contribute a one-time payment of \$10,000 to go towards the City's expenses of the stormwater pump station. Future costs of the pedestrian tunnels would be paid for from the General Fund while costs for the pump station would be paid out of the Stormwater Fund.

**OWNERSHIP AND MAINTENANCE AGREEMENT FOR THE  
PEDESTRIAN TUNNELS IN FIELDSTONE FARMS SUBDIVISION**

**COF Contract No. 2009-0076**

This contract between the **City of Franklin, Tennessee** ("City") and **Fieldstone Farms Homeowners Association** ("Development"), entered into on this the \_\_\_\_<sup>th</sup> day of \_\_\_\_\_ **2010**.

**WHEREAS**, the Development as a part of their overall pedestrian pathway system installed pedestrian tunnels under Hillsboro Road between the KinderCare Learning Center and the Walgreens located on the corner of Hillsboro Road and Fieldstone Parkway and under Fieldstone Parkway approximately one hundred (100) feet west of Hillsboro Road; and

**WHEREAS**, the Development installed a stormwater pump station located west of the Hillsboro Road pedestrian tunnel in order to remove stormwater from the low area between the two pedestrian tunnels; and

**WHEREAS**, the Development approached the City requesting transfer of the ownership and maintenance responsibilities of the two (2) pedestrian tunnels and the stormwater pump station to the City; and

**WHEREAS**, the Capital Investment Committee (CIC) discussed the maintenance responsibilities and ownership of the pedestrian tunnels and stormwater pump station at the March 2009 and May 2009 CIC meetings; and

**WHEREAS**, the CIC recommended to the Board of Mayor and Aldermen (BOMA) to accept the ownership and maintenance responsibilities of the two (2) pedestrian tunnels; and

**WHEREAS**, the CIC recommended to BOMA that the City accept the maintenance responsibilities of the stormwater pump station with the Development to reimburse the City for the maintenance costs of the pump station; and

**WHEREAS**, BOMA approved Consideration Of Transferring Ownership And Maintenance Of The Two (2) Pedestrian Tunnels In The Fieldstone Farms Subdivision From The Fieldstone Farms HOA To The City Of Franklin at the May 26, 2009 BOMA meeting.

**NOW, THEREFORE**, the City and the Developer, their successors and assigns, do hereby agree as follows:

1. The foregoing recitals are incorporated into this Agreement and made a part thereof.
2. The Development will dedicate the pedestrian tunnels located under Hillsboro Road and Fieldstone Parkway to the City.
3. The City will own and maintain the pedestrian tunnels and incur all costs associated with such maintenance.
4. The City will own and maintain the stormwater pump station located west of the Hillsboro Road pedestrian tunnel upon receipt of \$10,000 from the Development.
5. The pedestrian tunnels will become part of the City's bicycle and pedestrian facilities.



corporation, and that as such Mayor and City Administrator/Recorder executed the foregoing instrument for the purposes therein contained, by signing the name of the corporation by themselves as Mayor and City Administrator/Recorder.

WITNESS, my hand and seal on this the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Notary Public**  
**My Commission expires:**

**STATE OF TENNESSEE**

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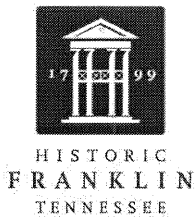
**COUNTY OF WILLIAMSON**

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Before me, the undersigned Notary Public of said County and State, personally appeared \_\_\_\_\_ with whom I am personally acquainted (or proved to me on the basis of satisfactory evidence), and who, upon oath, acknowledged himself to be the \_\_\_\_\_ of Fieldstone Farms Homeowners Association and that as such \_\_\_\_\_ being authorized so to do, executed the foregoing instrument for the purposes therein contained.

WITNESS, my hand and seal on this the \_\_\_\_ day of \_\_\_\_\_, 2010.

\_\_\_\_\_  
**Notary Public**  
**My Commission expires**



## MEMORANDUM

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March 4, 2010

TO: Board of Mayor and Aldermen

FROM: Mark Hilty, Water Management Director  
Eric J. Gardner, P.E., Director of Engineering  
David Parker, P.E., CIP Project Executive  
Eric S. Stuckey, City Administrator

SUBJECT: Fieldstone Farms Pedestrian Tunnel and Stormwater Pump Station Operation and Maintenance Agreement Discussion

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### **Background**

The Fieldstone Farms Development, as a part of their overall pedestrian pathway system, installed pedestrian tunnels under Hillsboro Road between the KinderCare Learning Center and the Walgreens located on the corner of Hillsboro Road and Fieldstone Parkway and under Fieldstone Parkway approximately one hundred (100) feet west of Hillsboro Road. To remove stormwater from the low area between the two pedestrian tunnels, a stormwater pump station was constructed on the west of the Hillsboro Road pedestrian tunnel.

The Development has approached the City requesting transfer of the ownership and maintenance responsibilities of the two (2) pedestrian tunnels and the stormwater pump station to the City. This request was discussed by the CIP committee in March 2009.

Staff recommends that the level of service of the pedestrian tunnels be evaluated relative to access during wet weather events. The pump station historically has not always prevented stormwater from entering the tunnels due to either pump failure or storm events beyond the pump station capacity. Operation of the tunnels should be carefully considered to address concerns of public safety for when this occurs in the future.

### **Financial Impact**

The Water Management Department has evaluated costs associated with operations and maintenance of the stormwater pump station. The table below presents the proposed maintenance frequency and an estimate of the associated costs.



<b>Labor and Equipment</b>	<b>Frequency per Year</b>	<b>Opinion of Cost</b>
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<b>OPINION OF ANNUAL MAINTENANCE COSTS</b>		<b>\$7,096</b>

**Recommendation**

Staff recommends that for the City to assume operation and maintenance of the stormwater pump station along with the tunnels, the level of service of the pedestrian tunnels be evaluated relative to access during wet weather events. The pump station historically has not always prevented stormwater from entering the tunnels due to either pump failure or storm events beyond the pump station capacity. Operation of the tunnels should be carefully considered to address concerns of public safety for when this occurs in the future.

Options that staff will present after evaluating the tunnels during a wet weather event will likely include requiring the Fieldstone Farms HOA to pay the City a one-time cost (to be determined) or an annual cost for a period of at least three years to cover the operations and maintenance of the pump station. Board input is requested regarding the expected level of service and the level of cost recovery to be obtained from the Fieldstone Farms HOA.