

Agenda Item #23: Authorize negotiation and execution of an encroachment agreement with SKYHOUSE AUSTIN, LLC, for the aerial encroachment of right-of-way by balconies at 51 Rainey Street, in Austin, Travis County, Texas (District 9).

Question: How much vertical clearance is there between the ground and the bottom of the balconies? The survey which describes the encroachment provided an elevational boundary for the bottom of the balconies, but it did not identify the elevation of existing grade. COUNCIL MEMBER KITCHEN'S OFFICE

Answer: There is 21' of clearance. Please note that the existing grade elevation is 449.96', and the bottom of the balcony is 471'.

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Question: Where does the encroachment agreement fee go? What fund does it go into or does it go into the general fund? COUNCIL MEMBER RENTERIA'S OFFICE

Answer: The appraised value (fee) for an Encroachment Agreement typically goes to the Support Services Fund. The only exception to this would be if the fee was being assessed in an area which required that the fee be allocated to another specific fund.

This encroachment does lie within the boundaries of the Rainey Street District Fund, however that fund does not require the capture of Encroachment Agreement fees.