




## MEMORANDUM

**TO:** Mayor and Council Members

**CC:** Spencer Cronk, City Manager  
Jim Smith, Interim Assistant City Manager  
Rodney Gonzales, Assistant City Manager  
Joe Pantalion, Watershed Protection Department Director

**FROM:** Robert Spillar, P.E.,  
Director, Austin Transportation Department 

**DATE:** January 25, 2019

**SUBJECT: MMAC: Clarification on Agenda Item 30 (1/31/2019 Council Agenda)**

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The intent of this memorandum is to provide clarification and additional information related to Item 30, requesting authorization to negotiate and execute two “Agreements to Contribute Right-of-Way Funds” with the Texas Department of Transportation (TxDOT) to enable completion of the Oak Hill Parkway Project, also known as the Y at Oak Hill. The TxDOT project spans the interchange of two separate State highways (US 290 and SH 71), thus requiring individual agreements for each State highway (one for US 290 from west of RM 1826 to SL 1; and one for SH 71 from US 290 West to Silvermine Drive).

The requested authorization approves a City contribution of \$3,301,401 to the project as local participation, representing a 10 percent local participation for right-of-way purchase and the relocation of reimbursable utilities. This participation is required by state law (43 TAC §15.55). TxDOT is responsible for 100 percent of any costs beyond the \$3,301,401 as it relates to right-of-way or reimbursable utility relocation costs. Non-reimbursable utility relocation costs – costs for relocating utilities typically using TxDOT right-of-way by permit, are not covered under this agreement. Costs for non-reimbursable utility relocation, once quantified, are negotiated directly with the affected utility provider under separate agreement. City of Austin utilities such as Austin Water may have costs for relocation that are not reimbursable and therefore are not included in this current agreement.

Related agenda items include Items 31 and 32, declaring the intent of the City to reimburse itself from proceeds of general obligation bonds and to appropriate the funds from the 2016 Mobility Bond respectively. Again, these related agenda items only cover the identified 10 percent participation of the City in the purchase of right-of-way and reimbursable utility relocation costs.

Also related to this agenda item is Agenda Item 34, requesting Council Authorization for the City to enter into a collaborative stormwater management and environmental protection agreement with TxDOT related to state highway projects within the city limits or extraterritorial jurisdiction.

Should you have further questions related to Agenda Item 30 or the related transportation agenda items (items 31 or 32) please contact Robert Spillar, Director, Austin Transportation Department at 512-974-2488. Should you have questions related to Agenda Item 34 related to the collaborative stormwater management and environmental protection agreement, please contact Mike Kelly, Managing Engineer, Watershed Development Department at 512-974-6591.