



## Recommendation for Action

**File #:** 18-3582, **Agenda Item #:** 30.

1/31/2019

### Posting Language

Approve a resolution authorizing negotiation and execution of two "Agreements to Contribute Right of Way Funds" with the Texas Department of Transportation in a total amount not to exceed \$3,301,401 for the Oak Hill Parkway project. Related to items #31 and #32.

### Lead Department

Austin Transportation Department

### Fiscal Note

Funding is available in the 2018-19 Austin Transportation Capital Budget.

### Prior Council Action:

Resolution No. 20140828-091 - Council directed the City Manager to recommend to CTRMA, TXDOT, and the Federal Highway Administration that a non-elevated and non-tolled "parkway" design with minimal frontage roads be advanced as an option for full and fair consideration under the Environmental Impact Statement in the final design phases for the US 290/SH71 Oak Hill Parkway project.

### For More Information:

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### Additional Backup Information:

The purpose of this action is to authorize funding of \$3,301,401 to supplement right of way acquisition and utility adjustment funds provided by Texas Department of Transportation (TxDOT) to reconstruct controlled access highways and frontage road on US 290 from west of RM 1826 to SL 1 and on SH 71 from US 290 West to Silvermine Drive, also known as the Oak Hill Parkway project, from four-lanes to six-lanes. The City's required 10% local participation is \$3,301,401 and the State's contribution is estimated at \$29,712,609. The project will be managed by TxDOT and the construction letting year anticipated FY 2020. The State will be responsible for 100% of the costs in excess of the City's \$3,301,401 participation.

The City's funding is from the 2016 Mobility Bond funds approved by the voters. This action is consistent with the contract with the voters as set forth in Resolution No. 20160818-074. This resolution identified \$8.0 million for the Regional Mobility project to make improvements to the Old Bee Caves Road Bridge. The City Manager was directed in the Resolution to seek out additional funding sources for these projects. TxDOT is making the improvements to the bridge. Consistent with the contract with the voters, this action is authorizing the use of a portion of those bond funds for the additional improvements on the corridor on which the Old Bee Cave Road Bridge is located. The remainder of the bond funds for Old Bee Cave Road may be used on additional improvements for a regional mobility project at a later date.

Payment to the State is anticipated to be made on the following payment schedule, pending environmental approvals and construction letting year:

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FY 2019 - \$3,301,401.

This action is related to the resolution authorizing the City to enter into the agreement with TxDOT for these improvements and is also related to the reimbursement resolution that Council is required to approve for the City to issue tax-exempt debt.

Furthermore, this resolution is related to a separate request to approve an inter-local agreement between TxDOT and the City of Austin establishing a common understanding for coordination and partnership between the State and City in deploying new transportation infrastructure on the State highway system within the jurisdiction of Austin related to environmental protection and local government participation. In accordance with the anticipated inter-local agreement, existing water quality ponds that treat MoPac/Loop 360/Ben White Blvd/US 290/Lamar Blvd are under consideration for potential future regional interagency collaboration, either as part of a future transportation project or as a stand-alone retrofit agreement/contract between the City and TxDOT. These retrofit opportunities are still in the preliminary phase and under analysis.

**Prior Council Action:** On August 28, 2014, the Austin City Council directed the City Manager to recommend to CTRMA, TxDOT and the Federal Highway Administration that a non-elevated and non-tolled “parkway” design with minimal frontage roads be advanced as an option for full and fair consideration under the Environmental Impact Statement in the final design phases for the US 290/SH71 Oak Hill Parkway project.

**City Staff Actions:** Austin Transportation Department conveyed Council’s Oak Hill resolution to TxDOT and CTRMA in September 2014. Subsequently, Austin Watershed and Austin Transportation Departments have been working with TxDOT and CTRMA to ensure the highest level of environmental and storm water controls are implemented for the Oak Hill Parkway during the discovery phase of the Draft Environmental Impact Statement (DEIS) process.

After the DEIS was published on May 4, 2018, City staff responded with **formal comments** on the DEIS in June 2018. (See attached Exhibit A)

City staff expects to continue with TxDOT during the design and construction phases of the project. We feel it is important to engage collaboratively to achieve a shared goal of avoiding, minimizing, and mitigating potential adverse flooding and environmental impacts.

**Draft Environmental Impact Statement:** TxDOT and the Mobility Authority, as co-lead agencies, published the Draft Environmental Impact Statement (DEIS) on May 4, 2018 (<http://www.oakhillparkway.com/environmental/deis.php>). In addition to a No-Build Alternative, the DEIS evaluated a range of build alternatives, including several alternatives meeting the recommendations made by the City of Austin ([http://www.oakhillparkway.com/DEIS/06\\_OHP-DEIS-AltsAnalysis.pdf](http://www.oakhillparkway.com/DEIS/06_OHP-DEIS-AltsAnalysis.pdf)):

- Concept E-1: Improvements at William Cannon Drive and SH 71 (with minimum improvements focusing on providing grade separations at William Cannon Drive and improvement for SH 71 and no other improvements within the project corridor).
- Concept E-2: Grade Separation at William Cannon Drive Only (with minimum improvements focusing on providing US 290 grade separations at William Cannon Drive only and not involving any other improvements within the project corridor).
- Concept F: Parkway Concept (a parkway concept developed through a series of meetings during 2013 -14 with collaboration from the Fix290 community group, including a parkway concept with non-continuous frontage roads and an at-grade SH 71 interchange).
- Transportation System Management (TSM) Alternative

- Transportation Demand Management (TDM) Alternative

Concepts E-1 and E-2 were found to not meet the Purpose and Need of the project and were screened out during the phase 1 screening process employed by the project. Concept F was carried forward into a secondary screening and evaluation process. It was found to not adequately satisfy the safety and mobility aspects of the Purpose and Need for the project and did not advance beyond the phase 2 screening process. Neither the TSM nor the TDM alternatives were found to meet the Purpose and Need of the project and were screened out of the process during the phase 1 screening. Two build concepts were carried into detailed analysis along with the No-Build Alternative.

**Final Environmental Impact Statement** : TxDOT published the Final Environmental Impact Statement (FEIS) for the proposed Oak Hill Parkway project in early December 2018, including a Record of Decision (ROD) signed on December 21, 2018. The ROD establishes the intent of TxDOT to construct Alternative A:

[http://www.oakhillparkway.com/files/impact/OHP%20Final%20EIS\\_12.21.2018%20signed%20ROD%20cmpsd.pdf](http://www.oakhillparkway.com/files/impact/OHP%20Final%20EIS_12.21.2018%20signed%20ROD%20cmpsd.pdf)).

According to the ROD, Alternative A consists of:

- Conventional controlled-access highway with frontage roads
- Westbound US 290 frontage road west of William Cannon Drive on the North Side of Williamson Creek
- Depressed US 290 main lanes under SH 71
- Direct connector ramps at the “Y”
- Single-point flying-T intersection for the frontage roads at the “Y”.

Alternative A was selected by TxDOT over the remaining build alternatives documented in the final Environmental Impact Statement because it demonstrates the following attributes:

- Adds fewer at-grade crossings of shared-use path and streets, and therefore minimizes conflicts between pedestrians/bicyclists and motor vehicles
- Proposes fewer linear feet of access points in/out, and therefore minimizes impacts to community cohesion/access
- Proposes fewer linear feet of elevated structures, and therefore minimizes aesthetic and visual impacts
- Affects fewer streams and water bodies within the right-of-way.