



Recommendation for Action

File #: 23-3019, **Agenda Item #:** 39.

10/19/2023

Posting Language

Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the Non-Radioactive Hazardous Materials Routing Designations project, for a total estimated cost of \$521,003, with the City's share of the costs estimated to be \$454,112 plus any cost overruns.

Lead Department

Transportation and Public Works.

Fiscal Note

Funding is available in the Fiscal Year 2023-2024 Transportation and Public Works Department's Capital Budget.

Prior Council Action:

September 2, 2021 - Ordinance No. 20210902-039, adding a new Chapter 8 to the City Code establishing routes and procedures for the transportation of non-radioactive hazardous materials, repealing City Code Section 12-1-28 (TRANSPORTATION HAZAROUS MATERIALS), creating offenses, and establishing a penalty, was approved on a 10-0 vote with Council Member Alter absent.

November 14, 2019 - Resolution No. 20191114-063, approving staff-recommended route for the transportation of non-radioactive hazardous materials, formalizing it as the designated route to the Texas Department of Transportation for a final public hearing and approval; directing the City Manager to create a signage plan for the designated route, which will include a plan for funding, purchase, and installation of necessary signage to implement and enforce the designated route; directing the City Manager to create an ordinance for enforcement of the designated route, which will include detail on authority and fines associated with not following the designated route, was approved on an 11-0 vote.

December 12, 2013 - Resolution No. 20131212-075, directing the City Manager to launch the formal process to designate Hazardous Materials routes in Austin, was approved on consent on a 7-0 vote.

June 20, 2013 - Resolution No. 20130620-055, directing the City Manager to assess the public health risk from the transport of hazardous materials through Austin, was approved on consent on a 7-0 vote.

For More Information:

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Additional Backup Information:

Due to the size of its population, the City of Austin is required by Texas law to designate a Non-Radioactive Hazardous Materials (NRHM) route for transportation of non-radioactive, hazardous cargo through Austin. The City is responsible for designating the route within Austin city limits. Examples of the types of materials being transported include basic household chemicals, gasoline, paint products, automotive and machinery products,

etc., and this effort is focused on establishing through-routes for NRHM cargo trucks passing through Austin rather than trucks making stops at destinations within Austin.

The Transportation and Public Works Department (TPW) initiated a study to determine the recommended route. The purpose of the study was to identify an NRHM route that will achieve the following goals without unduly burdening commerce:

- Minimize potential for vehicular incidents involving NRHM;
- Minimize consequences to the community should an NRHM incident occur;
- Maximize public safety in relation to NRHM transport.

In 2021, Council approved an ordinance to add a new chapter in the City Code to establish routes and procedures for the transportation of non-radioactive hazardous materials, repealing City Code Section 12-1-28, creating offenses, and establishing a penalty. In 2019, Council approved a resolution for the staff recommended route for the transportation of non-radioactive hazardous materials, formalizing it as the designated route to the Texas Department of Transportation (TxDOT) and, directed the City Manager to create a signage plan for the designated route.

Staff from TPW and TxDOT have been working on the plan to implement signs along SH-71 from west Austin city limits to east Austin city limits; along US-290 from west Austin city limits to IH 35; along IH 35 from south Austin city limits to US 290; along SH 45 south from IH 35 to Austin city limits; along SH 130 within Austin city limits; and along SH 45 north from US 183 east to Austin city Limits. An Advance Funding Agreement is required between the City and TxDOT to establish roles and responsibilities. The City is paying for the design and construction costs of the signs including any cost overruns. TxDOT is contributing with design review and contract administration costs. Currently the signage plan is in design and TPWD is securing design reviews and approvals from TxDOT. TxDOT will hire a contractor to implement the signs and construction is anticipated in late 2024.