



Recommendation for Action

File #: 23-3469, **Agenda Item #:** 61.

12/14/2023

Posting Language

Approve a resolution authorizing negotiation and execution of an advance funding agreement with the Texas Department of Transportation for the City to contribute \$15,445,000, for 30% of the design and other associated costs of cap and stitch structures to be integrated into the IH-35 Capital Express Central Project. Related to Item #62.

Lead Department

Transportation and Public Works Department

Fiscal Note

Funding is available in the Capital Budget of the Transportation and Public Works Department.

Prior Council Action:

November 7, 2023 - Staff presentation to the City Council during Work Session regarding IH-35 design fees and potential Cap and Stitch costs. No action taken.

September 21, 2023 - Resolution No. 20230921-097 authorizing the submittal of a grant application to the United States Department of Transportation for the Fiscal Year 2022-2023 Reconnecting Communities and Neighborhoods Notice of Funding Opportunity for construction of improvements associated with the I-35 Cap and Stitch Program was approved on consent an 11-0 vote.

September 21, 2023 - Resolution No. 20230921-098 authorizing negotiation and execution of a grant agreement with the United States Department of Transportation for \$1,120,000 for the Our Future 35: Connecting Austin Equitably Mobility Study was approved on consent on an 11-0 vote.

February 23, 2023 - Resolution 20230223-044 regarding the I-35 Capital Express Projects, including official comments from the City Council to the Texas Department of Transportation on the draft Environmental Impact Statement for the I-35 Capital Express Central Project was approved as amended by a 10-1 vote with Mayor Watson voting no.

December 8, 2022 - Ordinance No. 20221208-054 authorizing an advance funding agreement between the City of Austin and the Texas Department of Transportation to support design and engineering of highway caps and stitches over IH-35 and development of community benefits and amenities along the IH-35 corridor; and amending the Fiscal year 2022-2023 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20220817-004) to accept and appropriate \$1,500,000 in grant funds; and amending the Austin Transportation Department Capital Budget (Ordinance No. 20220817-004) to transfer in and appropriate funds for design and engineering related to IH-35, was approved on an 11-0 vote.

September 28, 2022 - Resolution No. 20220929-059 authorizing the submittal of the Our Future 35: Connecting Equitably Study - Planning Grant as a candidate for the Reconnecting Communities Pilot program. Resolution was approved on an 8-0 vote with Council Member Kelly abstaining, Council Member Harper-Madison off the dais, and Council Member Fuentes absent.

For More Information:

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Additional Backup Information:

Staff is requesting Council authorization to negotiate and execute an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) through which the City will contribute funding to the design work that is underway now in order to consider future caps and stitches.

On November 7, 2023, staff provided a briefing to the Council during Work Session. This action is a follow up to the briefing wherein staff shared TxDOT's deadline and milestones for funding and delivering city-funded cap and stitch improvements. As discussed during the briefing, the deadline for commitment to fund 30% design and other associated costs for city-funded caps and stitches is December 2023. The deadline to fund the remaining balance of \$19,000,000 for 100% design is December 2024. Staff will return to Council before the December 2024 deadline, to seek Council approval to contribute the remaining balance.