



**CENTRAL TEXAS
Regional Mobility Authority**

May 31, 2017
AGENDA ITEM #9

Discuss and take appropriate action to rescind primacy for the east to south direct connector on the Manor Expressway (290E) Phase III Project

Strategic Plan Relevance: Regional Mobility
Department: Engineering
Contact: Justin Word, P.E., Director of Engineering
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on draft resolution

Summary:

On September 28, 2016, the Mobility Authority Board of Directors exercised its option as a local toll project entity to develop, finance, construct, and operate the Manor Expressway (290E) Phase III project. The subsequent letter of Primacy, authorized by Mobility Authority Resolution 16-080, was submitted to TxDOT by the Mobility Authority Executive Director on September 29, 2016.

During on-going coordination, the Texas Department of Transportation (TxDOT) has indicated a desire for the Mobility Authority to continue with project development and construction, and build the east to south direct connector on behalf of TxDOT, who would fund development and construction costs of this connector. Prior to being able to develop an agreement between the two agencies to support this outcome, the Mobility Authority would be required to rescind primacy on the east to south direct connector and its associated roadway improvements.

To advance development of an agreement between the two agencies, staff recommends rescinding primacy on the east to south portion of the direct connector for this project.

Backup Provided: Draft Resolution to be provided at Board Meeting
Mobility Authority Resolution No. 16-080 (9/28/16)
Primacy Letter Notification to TxDOT (9/29/16)

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY**

AUTHORITY RESOLUTION NO. 17-0XX

**RESCINDING THE PREVIOUSLY EXERCISED OPTION OF THE
MOBILITY AUTHORITY UNDER STATE LAW TO DEVELOP,
FINANCE, CONSTRUCT, AND OPERATE A PORTION OF THE
MANOR EXPRESSWAY (290E) PHASE III PROJECT**

WHEREAS, under Section 373.052, Transportation Code, the Central Texas Regional Mobility Authority (“Mobility Authority”) has the first option to develop, finance, construct, and operate any new toll project located in the territory of the Mobility Authority, including Travis County; and

WHEREAS, the Mobility Authority supports the goal of improving mobility in the Central Texas region through development of three (3) additional 290 East / SH130 direct connectors in order to improve safety and operations, as generally depicted in Exhibit A (the “Manor Expressway (290E) Phase III Project”); and

WHEREAS, the Mobility Authority exercised its option under Section 373.052, Transportation Code, to develop, finance, construct, and operate Manor Expressway (290E) Phase III Project by issuing Resolution No. 16-080 dated September 28, 2016; and

WHEREAS, the Texas Department of Transportation (TxDOT) has since expressed a desire to develop, finance, construct and operate the eastbound 290 East to southbound SH 130 direct connector and associated improvements, as generally depicted in Exhibit B (TxDOT Improvements), as part of the Central Texas Turnpike System; and

WHEREAS, TxDOT has requested that, in the interest of efficiency, the Mobility Authority develop and construct the TxDOT Improvements on TxDOT’s behalf under the same contracts as the rest of the Manor Expressway (290E) Phase III Project; and

WHEREAS, the Mobility Authority and TxDOT have agreed to negotiate and execute such further agreements as are necessary to reflect relative commitments and obligations related to the TxDOT Improvements; and

WHEREAS, the Mobility Authority expects the Texas Transportation Commission to commit funding for the development and construction of the TxDOT Improvements through the adoption of a minute order at the June 29, 2017, Texas Transportation Commission Meeting;

WHEREAS, in an effort to accommodate TxDOT, the Executive Director recommends that the Mobility Authority rescind its previous exercise of the option to develop, finance, construct, and operate the TxDOT Improvements portion of the Manor Expressway (290E) Phase III Project.

NOW THEREFORE, BE IT RESOLVED that, effective upon the commitment of funding by the Texas Transportation Commission to pay for the actual costs of the development and construction of the TxDOT improvements, the Board of Directors hereby rescinds its previous exercise of the option to develop, finance, construct, and operate the TxDOT Improvements portion of the Manor Expressway (290E) Phase III Project; and

BE IT FURTHER RESOLVED, that the Executive Director is directed to take such actions and to negotiate and execute such further agreements as necessary to reflect the relative commitments and obligations of the Mobility Authority and TxDOT related to the TxDOT Improvements.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 31st day of May 2017.

Submitted and reviewed by:

Approved:

Geoffrey Petrov, General Counsel

Ray A. Wilkerson
Chairman, Board of Directors

Exhibit A

PROJECT LOCATION MAP



**AREA
DETAIL**

PROJECT LAYOUT

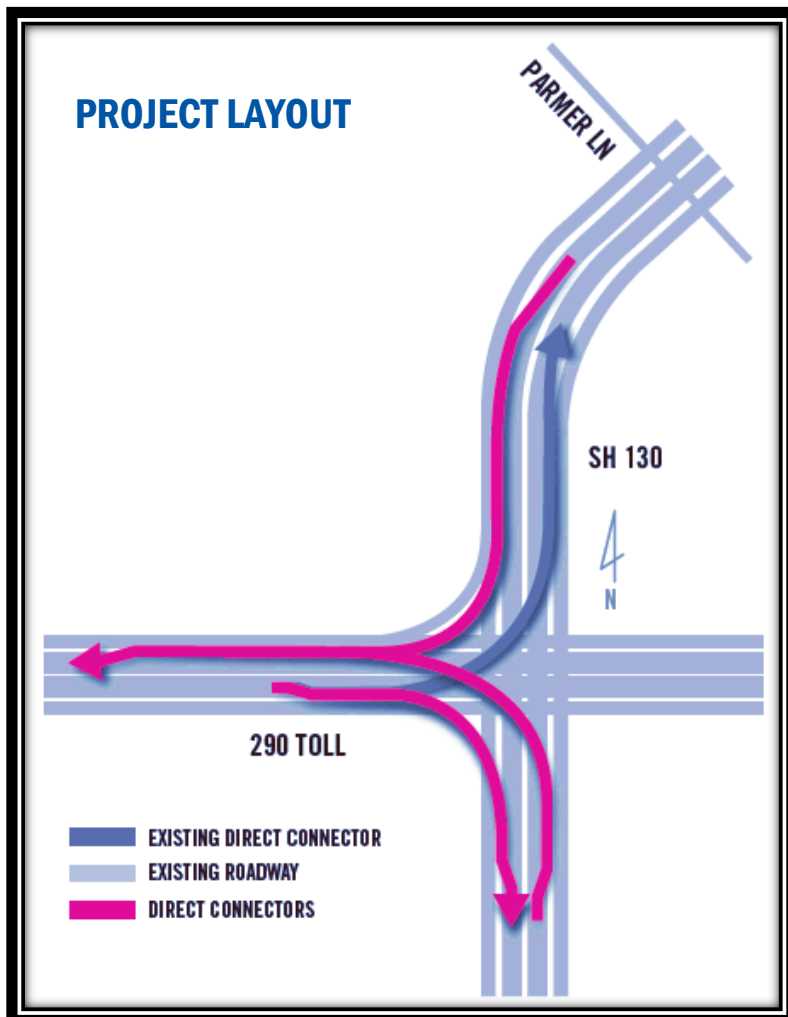


Exhibit B

LOCATION MAP

