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ORDINANCE NO.

AN ORDINANCE AUTHORIZING THE NEGOTIATION AND EXECUTION OF AN AMENDMENT TO THE INTERLOCAL AGREEMENT WITH THE TEXAS FACILITIES COMMISSION RELATED TO THE DEVELOPMENT OF THE 2016 TEXAS CAPITOL COMPLEX MASTER PLAN AND WAIVING TEMPORARY USE OF RIGHT-OF-WAY PERMIT FEES RELATED TO PHASE TWO OF THE DEVELOPMENT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

PART 1. On December 14, 2017, Council authorized the execution of an Interlocal Cooperation Agreement between the Texas Facilities Commission and the City of Austin, attached to and incorporated as part of this ordinance as **Exhibit “A”** (the “Agreement”), regarding the State of Texas’s development of Phase One of the 2016 Texas Capitol Complex Master Plan, which included the construction of two new office buildings, underground parking garages, a pedestrian mall, a central utility plant expansion, and thermal utility tunnels and created a permanent iconic pedestrian civic space and museum district plaza that will accommodate multiple uses and draw visitors to Texas and the city of Austin (the “Phase One Project”).

PART 2. The Agreement provided a framework for the Phase One Project, including priority processing of City permits, the waiver of easement and right-of-way usage fees, the conversion of certain one-way streets to two-way traffic, and the vacation of certain other City rights-of-way.

PART 3. On December 14, 2017; August 9, 2018; January 23, 2020; and December 3, 2020, council adopted ordinances waiving various City fees for the Phase One Project, in a total combined amount not to exceed \$12,000,000.

PART 4. The State of Texas completed the Phase One Project in 2022 and is commencing the development of Phase Two of the 2016 Texas Capitol Complex Master Plan, which includes two additional State office buildings, an additional block of the pedestrian mall, and an additional underground parking garage (the “Phase Two Project”).

PART 5. Council authorizes the negotiation and execution of an amendment to the Agreement to include the Phase Two Project within the scope of the Project, as defined in the Agreement, and to extend the Agreement’s framework for the priority processing of City permits, the waiver of easement and right-of-way usage fees, the conversion of certain one-way streets to two-way traffic, and the vacation of certain other City rights-of-way to the Phase Two Project (the “Amendment”).

PART 6. Upon execution of the Amendment, council authorizes the waiver of up to \$12,000,000 in Temporary Use of Right-of-Way permit fees for the Phase Two Project.

PART 7. This ordinance takes effect on _____, 2024.

PASSED AND APPROVED

_____, 2024 § _____
Kirk Watson
Mayor

APPROVED: _____
Anne L. Morgan
City Attorney

ATTEST: _____
Myrna Rios
City Clerk