



City of Austin

Recommendation for Action

File #: 26-1067, Agenda Item #: 43.

2/5/2026

Posting Language

Approve a resolution authorizing negotiation and execution of a municipal maintenance agreement with the Texas Department of Transportation designating maintenance responsibilities for state highways within the City. Funding: There is no current fiscal impact to the City. However, as new mobility infrastructure is being built and the existing infrastructure ages, additional funding may be needed to maintain these assets, subject to availability in future budgets.

Lead Department

Austin Transportation and Public Works

Fiscal Note

There is no current fiscal impact to the City. However, as new mobility infrastructure is being built and the existing infrastructure ages, additional funding may be needed to maintain these assets, subject to availability in future budgets.

Prior Council Action:

October 24, 1985 - Council approved Resolution No. 19851024-043 authorizing an amended Municipal Maintenance Agreement with the Texas Department of Highways and Public Transportation for the maintenance, control, supervision, and regulation of certain State highways and/or portions of certain State highways located within the corporate City limits.

January 27, 1977 - Council approved Resolution No. 19770127-008 authorizing the City Manager or the Deputy City Manager to enter into a Municipal Maintenance Agreement with the State Department of Highways and Public Transportation for the maintenance, control, supervision, and regulation of certain State highways and/or portions of certain State highways located within the corporate City limits.

For More Information:

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Council Committee, Boards and Commission Action:

January 15, 2026 - To be reviewed by the Council Mobility Committee.

Additional Backup Information:

Chapter 311 of the Texas Transportation Code gives the City exclusive dominion, control, and jurisdiction over and under the public streets within its corporate limits and authorizes the City to enter agreements with the state to designate responsibilities for maintenance, control, supervision, and regulation of state highways within and through the City.

On October 24, 1985, Council authorized the negotiation and execution of a Municipal Maintenance Agreement (MMA) with the Texas Department of Highways and Public Transportation, now known as the Texas Department of Transportation (TxDOT). The agreement was executed in 1986, and is required to be

updated to reflect changes to the City's boundaries and assign responsibilities for maintenance and operation of state highways within the City.

The new MMA outlines and assigns maintenance responsibilities within the City limits. The MMA will reflect changes over the past four decades to state highways within the City (e.g., boundary changes due to annexations, upgrades of signalized highways like US 183 and US 290 to freeways) and to incorporate legal requirements (e.g., American with Disabilities Act).

The MMA remains largely the same with the state retaining responsibility along its right-of- way (ROW) and the City retaining responsibility elsewhere outside TxDOT's ROW. It formalizes current maintenance practices between TxDOT and the City that have evolved over the years through mutual collaboration. As we look to the future, we anticipate that maintenance responsibilities for the I-35 Caps and Stitches will be addressed through either a separate agreement or modifications to the MMA.

Austin Transportation and Public Works led a multi-departmental effort to review the MMA with departments that have responsibilities within the MMA. These departments included: Austin Resource Recovery, Austin Parks and Recreation, Austin Watershed Protection, Austin Energy. These departments concur with the new MMA and are aware of their respective responsibilities.

Since the City is not taking on additional maintenance responsibilities through this agreement, it does not result in a financial impact to the City. However, it is important to mention that as new mobility infrastructure is being built and as the existing infrastructure ages, additional maintenance funding will be needed to maintain these assets as they were originally built to serve the community.