



ITEM 19

Item #:

Travis County Commissioners Court Agenda Request

Meeting Date: 12/04/12

Prepared By/Phone Number: Steve Manilla/854-9429

Department Head/Title: Steve Manilla/County Executive-TNR

Elected/Appointed Official: Steven M. Manilla, P.E., County Executive-TNR

Sponsoring Commissioner: Margaret Gomez Precinct 4
or County Judge

AGENDA LANGUAGE: Consider and take appropriate action on various issues pertaining to County transportation facilities in the vicinity of Circuit of the Americas, in Precinct Four.

BACKGROUND/SUMMARY OF REQUEST AND ATTACHMENTS:

On May 1, 2012 the Court approved a Real Estate Contract with Circuit of the Americas (COTA) to widen and extend Kellam Lane between Elroy Road and Pearce Lane. The Kellam Lane improvements were considered essential to the success of a Traffic Management Plan developed to provide an effective and efficient means for patrons to enter and depart the COTA facility during high attendance events. The Contract included provisions regarding additional right-of-way that may be needed for future road widening and it linked to a proposed Elroy Road/Circuit of the Americas Participation Agreement. The Kellam Road improvements have been completed and TNR presents herein several issues that require Court approval or direction.

STAFF RECOMMENDATIONS:

TNR RECOMMENDATIONS ARE INCLUDED IN THE DISCUSSION OF EACH ISSUE BELOW.

ISSUES AND OPPORTUNITIES:

1) The Real Estate Contract indicates that the County will purchase from COTA the right-of-way (ROW) needed for the Kellam Road improvements (widened to three lanes and extended to Pearce Lane) as well as any additional ROW under COTA's control that may be needed for the future widening of Kellam Road and Elroy Road to four lanes. An Appraisal Report was completed by an appraiser agreeable to the County and COTA for the additional property needed to construct the three lane roadway only. The appraised amount was \$167,211. COTA has indicated acceptance of the values in the Appraisal Report. The Real Estate Contract states that the Commissioners Court will determine the value of the land based upon the Appraisal Report. TNR recommends accepting the appraised value.

2) The ROW Appraisal Report was prepared for the 70' wide right-of-way and easements needed to build Kellam Road with three traffic lanes and extend it to Pearce Lane. It did not include evaluations of the additional property that would be needed to widen Kellam and Elroy to four lane roadways (The ROW would need to be widened to 114'). During the inaugural race it was observed by TNR that the existing roadways adequately met the needs for effectively moving traffic in and out of the COTA facility. As such, TNR does not recommend widening Kellam or Elroy roads because it will not likely provide enough benefit to warrant the additional cost; roughly estimated at \$9M to \$10M. COTA representatives have been asked to agree to eliminate the requirement for the County to purchase the additional ROW for Kellam Road and Elroy Road from COTA and they have agreed.

3) During construction of the Kellam Road improvements COTA encountered a 6" water line owned and operated by Austin Water Utility (AWU) and located within the County's right-of-way. COTA was directed by AWU to relocate the line as needed to achieve minimum groundcover requirements, increase the size of the waterline to 8" diameter for part of its length, and add fire hydrants. TNR did not object to AWU and COTA performing this work in County ROW but COTA was advised that the cost of this work would not be borne by the County. AWU's right to place their waterline in County right-of-way is subservient to the County's right to use the right-of-way for its road. Nevertheless COTA is seeking reimbursement from the County for the \$205,345 cost. TNR does not recommend the County pay for this work.

4) The City of Austin has announced its intentions to annex the COTA facility and portions of County roadways serving COTA. Included in the annexation area is an approximate 3000' section of new Kellam Road. This new section of Kellam Road has not been accepted onto the county maintained system. To avoid complications with the transfer of responsibility for the unaccepted portion of Kellam it should be accepted by the County before the City's annexation takes affect on December 10, 2012. TNR has confirmed that the improvements to Kellam have been completed satisfactorily except for punch list items and revegetation, which is dependent upon the quality of grass growth to be observed next spring. TNR recommends payment o for the 100% completed work that COTA has provided documentation showing payment to its consultants, contractors, and material suppliers. The payment for work not yet completed, up to the Not-To-Exceed amount of \$4,191,815, will be made upon TNR verifying that the work performed by COTA has been completed satisfactorily and COTA has paid the invoices it has received for that work. TNR also recommends payment of \$167,211 for the right-of-way, as discussed in 1), above.

5) Exhibit C in the real Estate Contract states "If Seller conveys to Purchaser at Closing the Kellam 114' and Elroy Land, Seller may receive credit in the amount of the value of the land conveyed towards Seller's cost sharing obligations under the

Elroy Road/Circuit of the Americas Participation Agreement. If the value of the land conveyed exceeds Seller's cost sharing obligations under the Elroy Road/Circuit of the Americas Participation Agreement, Purchaser will pay Seller cash in an amount equal to the Value of land conveyed." Finalization and execution of this Agreement was contingent upon a determination that the widening of Elroy would be needed based upon observations of traffic conditions during the F-1 event. TNR does not believe it is cost-effective to widen Elroy to four lanes and as such a Participation Agreement for this purpose is not needed. TNR recommends no further action be taken towards completing the Elroy Road/Circuit of the Americas Participation Agreement.

6) TNR also observed that there is a need for new or improved pedestrian and bicycle facilities. The widening of Pearce Lane to at least three lanes between COTA Boulevard and SH130 should also be considered. Much of this section of Pearce is in the City limits. TNR recommends beginning negotiations with COTA and the City on facility improvements for pedestrians and bicyclists, Pearce Lane, and other possible improvements mutually agreed upon by all parties.

FISCAL IMPACT AND SOURCE OF FUNDING:

During the FY13 budget process the Court approved PBO's recommendation to provide \$4,300,000 for the construction of Kellam Road improvements and \$250,000 for right-of-way acquisition. These funds were included in CAR and are now available. The total cost to the County for the Kellam Road improvements and right-of-way is \$4,359,026. The \$4,359,026 has been encumbered on funds reservation document 300000436. The funds center is 1498000001 and the GL accounts are 522040 (for \$4,191,815 of roadway improvement costs) and 522060 (for \$167,211 of right of way costs).

To prepare for the F-1 event TNR accelerated the reconstruction and resurfacing of all of McAngus Road and most of Elroy Road. It is anticipated that the un-annexed parts of Kellam Road, Elroy Road, and McAngus Road will need to be monitored more frequently and repaired by TNR as needed to safely accommodate large periodic increases in traffic volumes anticipated for future large events. ROW maintenance operations are also anticipated to be more frequent in the vicinity of COTA prior to large events.

EXHIBITS/ATTACHMENTS:

Real Estate Contract
City of Austin Annexation Map

REQUIRED AUTHORIZATIONS:

Cynthia McDonald	Financial Manager	TNR	854-4239
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Steve Manilla	County Executive	TNR	854-9429
Tom Nuckols	Assistant County Attny	County Attorney	854-9415
Jessica Rio	PBO	PBO	854-9106
Diana Ramirez	PBO	PBO	854-9106
Nicki Riley	Auditor	Auditor	854-9125

CC:

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