



## CITY OF HOUSTON - CITY COUNCIL

Meeting Date:

ALL

Item Creation Date: 10/27/2021

MYR - Multi-Use Agreement with Texas Department of Transportation (TXDOT)

Agenda Item#:

### **Background:**

The Mayor's Office of Economic Development recommends that City Council approve an ordinance authorizing the Mayor, or the Mayor's designee, to enter into a Multiple-Use Agreement ("MUA") with the Texas Department of Transportation ("TXDOT") to use portions of the highway rights-of-way for public purposes in accordance with state law and, where applicable, federal law. MUAs allow the City to use or partner with other entities in the use of TXDOT rights-of-way for public functions including, but not limited to, parking, public parks, recreational areas, hike and bike trails, boat ramps, storage facilities, and law enforcement functions.

The City was authorized to participate in MUAs with TXDOT between 1974 and 2020 using Ord. No. 73-2145, the "Master Agreement" ordinance. A few examples of the Master Agreement use include parking lots under the elevated highways downtown and recreational trails along the bayous that pass under TXDOT rights-of-way. In 2021, TXDOT notified the City that it would no longer accept the Master Agreement as a valid authorization for a new MUA. As a result, the City must approve a new ordinance to align the authorization with the current MUA process, forms, and agreement conditions that TXDOT has revised over the decades since the Master Agreement was first approved.

Existing agreements executed using the Master Agreement will remain valid and unchanged by this new ordinance. Going forward, any new MUA or amendment to a MUA will rely on the authorization granted by this new ordinance.

This ordinance does not include any funding obligations on the part of the City. Any funding from the City related to a MUA must be considered through the applicable allocation or approval processes in accordance with the City Charter.

DocuSigned by:

A handwritten signature in black ink, appearing to read "Andy P. Toker".

Andy P. Toker, Chief Development Officer

### **Prior Council Action:**

Ordinance No. 73-2145, November 1, 1973

### **Contact Information:**

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### **ATTACHMENTS:**

#### **Description**

PCA 1973-2145

#### **Type**

Backup Material