



# CITY OF HOUSTON

Department of Public Works & Engineering

**Annise D. Parker**

Mayor

Daniel W. Krueger, P.E., Director  
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December 5, 2012

Michael Alford, P.E.  
Houston District Engineer  
Texas Department of Transportation  
7600 Washington Avenue  
Houston, TX 77007

Dear Mr. Alford,

The City of Houston has received a letter from Russell Zapalac dated November 20, 2012 regarding the SB 1420 Committee for the SH288 Toll Lane Project. I am responding on behalf of Mayor Parker who received the letter. In this letter, Mr. Zapalac speaks of the formation of this committee stating that participation is restricted to representatives from TxDOT, any local toll entity and counties or cities providing either direct funding or right-of-way for the project. The letter asks whether the City is interested in providing either funding or rights-of-way and if so, for the City to appoint one member to this committee.

As you are aware, the entirety of this project along SH288 is within the City of Houston and as a result the City of Houston is extremely interested in its progression. While not providing direct funding, the City does believe that rights-of-way and permitting fees will likely be involved in this project.

Historically, SH288 was built on City of Houston right-of-way and other City of Houston rights-of-way crossed this corridor. In 1942, the City of Houston identified the need for a major thoroughfare running north and south in this area and Furman was placed on the plan. As a result of this placement, the City of Houston began acquiring right-of-way. In 1960, the plan was changed to overlay a planned state highway (SH288) on the Furman alignment from Downtown Houston to the Harris/Brazoria County Line. Right-of-way obtained through the platting of subdivisions was provided to the State of Texas for this new highway. Additionally, the City had rights-of-way for several other major roadways that crossed the new alignment including Wheeler, Blodgett, Southmore, MacGregor Way, Holcombe, Yellowstone, Holmes, Belfort and Almeda-Genoa. Where these roadways still exist, they now cross TxDOT right-of-way rather than City right-of-way. The City of Houston has always had a stake in SH288 through these previous transfers of rights-of-way to the State.

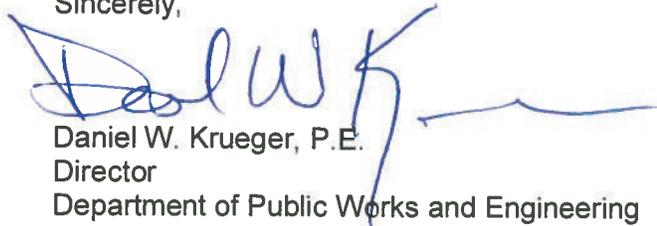
Additionally, there are two new areas by which the City believes it will have a financial stake in the new development. First, there are plans for direct connectors from these toll lanes into the Texas Medical Center. While the exact location has not yet been determined and it will not be let as a part of the first phase, funding is at least partially secured and it is a part of the overall

planning for this roadway. The direct connect ramps will almost assuredly tie into City streets requiring the use of City of Houston rights-of-way. There may be other as yet unidentified right-of-way needs as well. Additionally, it is unlikely that this project can be completed without some impact to City streets and that some level of traffic control and lane closures on these City Streets. Section 40-362 of the City's Code of Ordinances requires that contractors obtain permits to work on or close lanes on City streets. The City of Houston is generally willing to waive all permit fees associated with such project.

The City of Houston believes that it has a financial stake in this project whether through prior transfer of right-of-way or the use of new City right-of-way or the waiver of permit fees. As such, it is the City's position that it should be represented on the SB1420 committee for this project. TxDOT's letter asks for a Council resolution or action addressing the commitment to providing funding or right-of-way and authorizing an appointment to Mr. Eddie Sanchez prior to December 7, 2012. That is not possible due to the short timeline. Houston proposes that we will name someone to sit on this committee and will follow with a resolution for the appointment as well as other resolutions on rights-of-way that may be required at a later date. Jeff Weatherford will be the Houston representative on the SH288 SB1420 Committee.

Please feel free to contact me at 832-395-2450 if you have questions or if I can be of further assistance.

Sincerely,



Daniel W. Krueger, P.E.  
Director  
Department of Public Works and Engineering

DWK:jsw

Cc: Mayor Annise Parker  
CM Melissa Noriega  
CM Stephen Costello  
Jeff Weatherford, P.E., P.T.O.E  
Eddie Sanchez, TxDOT

**A RESOLUTION SUPPORTING THE TEXAS DEPARTMENT OF TRANSPORTATION'S DELIVERY OF THE SH 288 MANAGED LANES AND DIRECT CONNECTORS FOR ACCESS TO THE TEXAS MEDICAL CENTER; MAKING VARIOUS FINDINGS AND PROVISIONS RELATING TO THE SUBJECT; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Texas Department of Transportation ("TxDOT") desires to construct managed lanes within the SH 288 corridor; and

**WHEREAS**, TXDOT desires to provide direct connector ramps from the SH 288 managed lanes onto City streets serving the Texas Medical Center ("TMC"); and

**WHEREAS**, the Texas Transportation Code requires TXDOT to convene a SB 1420 Committee to determine the distribution of the project's financial risk, the method of financing the project, and the tolling structure and methodology; and

**WHEREAS**, the SB 1420 committee shall consist of representatives from TXDOT, local toll project entities, the metropolitan planning organization and any municipality or county that provides revenue or right-of-way for the project.

**NOW THEREFORE,**

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**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF HOUSTON, TEXAS:**

Section 1. The findings contained in the preamble of this Resolution are determined to be true and correct and are adopted as a part of this Resolution.

Section 2. The City Council hereby supports:

1. TXDOT's project to provide managed lanes for SH 288 and direct connector ramps into the TMC; and
2. The use of City of Houston right-of-way for the connection of the direct connector ramps into the City of Houston roadway network; and
3. The waiver of Roadway and Sidewalk Impairment Permit fees related to the construction of the SH 288 managed lanes and direct connectors; and
4. Participation by a City of Houston representative on SH 288 SB 1420 Committee.

Section 3. The Mayor is authorized to take all actions necessary to effectuate the City's intent and objectives in approving such agreement, agreements or other undertaking described in the title of this resolution, in the event of changed circumstances.

Section 4. There exists a public emergency requiring that this Resolution be passed finally on the date of its introduction as requested in writing by the Mayor; therefore, this Resolution shall be passed finally on such date and shall take effect immediately upon its passage and approval by the Mayor; however, in the event that the Mayor fails to sign this Resolution within five days after its passage and adoption, it shall take effect in accordance with Article VI, Section 6, Houston City Charter.

PASSED AND ADOPTED this 20th day of February, 2013.

APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Mayor of the City of Houston, Texas

Pursuant to Article VI, Section 6, Houston City Charter, the effective date of the foregoing Resolution is \_\_\_\_\_.

  
\_\_\_\_\_  
City Secretary

(Prepared by Legal Dept.  )

(LAC 2/7/2013)

Assistant City Attorney

(Requested by Daniel W. Krueger, P.E., Director, Department of Public Works and Engineering)

(L.D. File No. 075-1300004-001)

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AYE	NO	
✓		<b>MAYOR PARKER</b>
••••	••••	<b>COUNCIL MEMBERS</b>
✓		BROWN
✓		DAVIS
✓		COHEN
✓		ADAMS
✓		MARTIN
✓		HOANG
✓		PENNINGTON
✓		GONZALEZ
✓		RODRIGUEZ
✓		LASTER
✓		GREEN
✓		COSTELLO
	ABSENT	BURKS
✓		NORIEGA
✓		BRADFORD
✓		CHRISTIE
CAPTION	ADOPTED	