

Discuss and take appropriate action on sidewalks in Coupland.

First Assistant County Attorney Dale Rye had suggested Mr. Worthy obtain estimate of cost to bring sidewalks to ADA compliance and suggested the possibility Williamson County might bring the sidewalks to ADA compliance in exchange for the owners agreement to handle all maintenance and liability issues from that point forward.

If Williamson County should perform the work in this very unusual case it was only because the sidewalks are four feet off the ground.

The decision was made to table this item until the cost estimates have been received.

AGENDA ITEM # 15

October 20, 1998

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Discuss and take appropriate action on additional funding for bridge on County Road 101.

Assistant County Auditor Julie Kiley advised the bid was let for a greater amount of money than was set aside for the bridge project in the Certificate of Obligation and is now \$48,103.00 over budget.

August 5, 1998, bid was awarded for \$400,437.00 to Dayco Construction.

Moved: Commissioner Boatright

Seconded: Commissioner Mehevec

Motion: To designate 1997/98 Road and Bridge construction funds as funding source for payment of the \$48,103.00.

Vote: Motion carried 4 - 0

AGENDA ITEM # 16

October 20, 1998

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Discuss and take appropriate action on interlocal agreement for County Road 122.

Commissioner Heiligenstein advised this is a project Williamson County would have undertaken and feels it is in the best interest of tax payers to exchange the bond money with the City of Round Rock for their construction and future maintenance of County Road 122.

First Assistant County Attorney Dale Rye distributed a proposed interlocal agreement which basically states in exchange for \$400,000.00 and control of County Road 122, the City of Round Rock will take responsibility for the road and agree to annex it within a year from the date of payment.

This agreement applies to that part of County Road 122 located south from U.S. Highway 79 to the existing city limits of the City of Round Rock.

Moved: Commissioner Heiligenstein

Seconded: Commissioner Hays

Motion: To approve interlocal agreement for County Road 122 as presented and forward to the City of Round Rock for their action and if there are any major changes Mr. Rye will present the requested changes to Commissioners Court for consideration.

Vote: Motion carried 3 - 0 with Commissioner Mehevec absent from the dais.

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Interlocal Agreement

1. The following agreement has been entered into between Williamson County, Texas ("County"), and the City of Round Rock, Texas ("City"), pursuant to the Texas Interlocal Cooperation Act, Texas Government Code, Chapter 791.

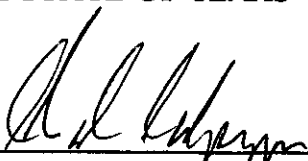
2. In consideration of the undertakings by City under this agreement, County agrees to pay City the sum of Four Hundred Thousand Dollars (\$400,000.00) within 30 days of the signing of this agreement. This payment will be from current revenues available to County, and City agrees that it constitutes fair compensation. County further hereby cedes to City all its right, title, and interest to that portion of County Road 122 located south from U.S. Highway 79 to the existing City limits, subject to reverter if City fails to meet its obligations under this agreement.

3. In consideration of these undertakings by County, City agrees to accept control, responsibility, and liability immediately as of the date of payment for that portion of County Road 122 located south from U.S. Highway 79 to the existing City limits. City further agrees to annex this portion of the road into its corporate limits and let contracts for the improvement of the road to the standards for City arterial streets within one year from the date of payment. Time is of the essence.

4. If either party fails to meet its obligations under this agreement, the other party may seek liquidated damages in an amount equal to \$400,000 plus 10% annual interest from the date this agreement is signed, together with all costs of collection.

Signed on November 12, 1998.

CITY OF ROUND ROCK OF
THE STATE OF TEXAS

By: 
Charles Culpepper, Mayor

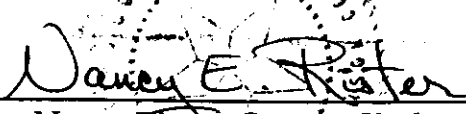
ATTEST:


Joanne Land
City Clerk

COUNTY OF WILLIAMSON OF
THE STATE OF TEXAS

By: 
John C. Doerfler, County Judge

ATTEST:


Nancy E. Rister, County Clerk

Discuss and take appropriate action on the Lake Creek drainage project.

John Jansing advised Gray Jansing Engineering is the design consultant for the Lake Creek improvements - main stem of Lake Creek channel- from a section beginning upstream at Town and Country Optimist Club to Parmer Lane. An associate project identified as Tributary 2 comes off the main stem in the area of Town and Country running through a developed subdivision.

Mr. Jansing attended many meetings before the City of Austin decided to intercede and exert authority over the project resulting in several more meetings with committees and commissions. Mr. Jansing reported three meetings with the Environmental Review Board of the City of Austin which controls environment, tree removal and construction within the trickle water quality zone.

The design was altered to preserve some trees and wetland areas before presentation to Planning Commission Tuesday, October 13, 1998. Members of an adjacent neighborhood attended this meeting opposing the channel, sighting loss of property values and destruction of a channel they felt was an asset to their community. They prefer to pay flood insurance and keep the channel.

As late as October 19, 1998, Mr. Jansing received a telephone call from one of the neighbors protesting the design as it stands today. As a result of the protest the Planning Commission has again postponed hearing this issue until November 17, 1998. The Planning Commission has scheduled a field trip to walk the channel November 7, 1998.

The goal here is to convey the 100 year flood plane through the reach removing 85 homes from the flood plane.

Commissioner Heiligenstein plans to contact the City of Austin requesting specific performance on their commitment to downstream some construction work from the terminal point. "They had made a commitment to day light the water downstream on which they never followed through. This is part of the channel which is now causing the Planning Commission and environmental concerns. The other issue is the request for a 4 to 1 tree replacement by the Environmental Board on any trees disturbed or removed by this project and the preservation of wet lands. In the bid process I want those items deducted out as non cost to Williamson County. If the bid comes in at budget and we can identify half a million dollars or \$250,000.00 associated with those two projects those item dollar amounts need to come from a source other than our citizens bond money. Our citizens approved a drainage channel to take people out of the flood plane. We did not approve an environmental dream for a planning commission. That was conveyed to them last Tuesday during the meeting. Wet lands is essentially caused by a sewer plant which would come off line, dry up and no longer be a wet land. If that pleases the court, I feel this is the line we need to draw. We're not going to roll over and assume the cost of all these items that people are dreaming up."

Moved: Commissioner Heiligenstein

Seconded: Commissioner Boatright

Motion: To accept Gray Jansing report with specifications that City of Austin be financially responsible for the additional expenses required by the Planning Commission and environmental board.

Vote: Motion passed 3 - 0 with Commissioner Mehevec absent from the dais.

Commissioner Heiligenstein told Mr. Jansing he realized this makes his job more difficult because now we've said essentially the environmental board recommendations to the Planning Commission are not valid in our eyes unless they come up with the money to pay for such recommendations.

Mr. Jansing said "I understand and we were planning to argue that issue on the floor last Tuesday night before the Planning Commission but we never got that far".

Commissioner Heiligenstein thanked Mr. Jansing for his presentation. He also advised the office of the Austin Mayor and City of Austin staff have been very cooperative in their difficult position.

Mr. Jansing advised the City of Austin staff realizes the tremendous problem. That area received 5 inches of rain this past week-end which did not encroach on the homes or lots. If they had received the 18 inches like San Antonio the area residents would have realized the magnitude of the existing problem.