

AGENDA ITEM 23

Discuss and consider toll road development proposal from Road & Bridge Builders, Inc.

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Boatright**

Motion: To authorize the County Judge to enter into an agreement with Road & Bridge Builders, Inc., to reimburse Williamson and Travis Counties for any funds expended in exploring the development of SH 45 Southeast.

Vote: **5 - 0**

Commissioner Heiligenstein withdrew his motion and Commissioner Boatright withdrew his second.

Moved: **Commissioner Heiligenstein**

Seconded: **Commissioner Boatright**

Motion: To authorize the County Judge to enter into an agreement with Road & Bridge Builders, Inc., to reimburse Williamson and Travis Counties for any funds expended in exploring the development of SH 45 Southeast, contingent on approval by the County Attorney.

Vote: **5 - 0**

< Attachment >

**Zachry Construction Corporation**

Fred Lueck
Vice President
Heavy Construction

November 8, 2002

Michael J. Weaver
c/o Prime Strategies, Inc.
1508 S. Lamar Blvd.
Austin, Tx. 78704

Subject: Proposed SH 45 Southeast

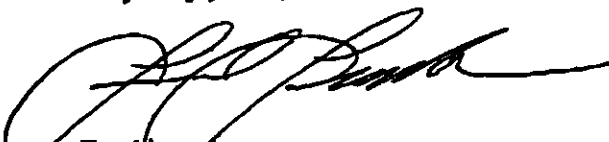
Dear Mr. Weaver:

In their Petition for Authorization to form the Central Texas Regional Mobility Authority (CTRMA), filed in early September, Travis and Williamson Counties (the Counties) identified proposed SH 45 Southeast as a project for possible development as a CTRMA toll road. Road and Bridge Builders, Inc. (RBB), a wholly-owned subsidiary of Zachry Construction Corporation (ZCC), is a Texas toll road corporation formed more than eleven years ago to construct specific projects in Central Texas, including a project which is, functionally, SH 45 Southeast. For the last two years or more, we have been actively investigating the technical and financial feasibility of this SH 45 Southeast project. Part of our recent effort has also been exploratory discussions with you and others on the possibility of working with CTRMA to facilitate a joint method to bring this project to fruition.

With the recent action taken by the Texas Transportation Commission to approve the creation of CTRMA, RBB desires to make a more formal approach toward entering into a business relationship with CTRMA. We understand that it may be 30-60 days before the members of the CTRMA Board of Directors are appointed and the new Board holds its first series of meetings. In the interim, we would propose, subject to approval by the Counties, to continue to work with you and Brian Cassidy to formalize a framework for eventual consideration by the CTRMA Board. As discussed in our recent meeting, a suggested approach to working together would be a Memorandum of Understanding (MOU) between the CTRMA and RBB. A MOU would provide a joint path forward whereby the parties could further explore, define and, if appropriate, then enter into a definitive agreement to develop the project to completion. Part of that MOU would provide for RBB to cover the CTRMA's costs related to project development. To facilitate our ongoing discussions, we propose to reimburse the Counties for the costs related to the negotiations for an MOU, regardless of the outcome. If the project goes forward, these costs (along with all other project development costs) would be included in the future financing of the project.

We would appreciate your consideration of this suggestion and how best to secure the approval of the Counties. Please contact me if you have any questions or require additional information.

Very truly yours,


Fred Lueck

cc: David Zachry
Sonny Brown
RBB file

AGENDA ITEM 24

Discuss and consider approving Amendment to Interlocal Agreement Between Travis County and Williamson County, dated September 17, 2002, regarding the RMA.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Hays**

Motion: To approve the Amendment to Interlocal Agreement Between Travis County and Williamson County, dated September 17, 2002, regarding the RMA, contingent upon review by the County Attorney.

Vote: **5 - 0**

< Attachment >