

**AGENDA ITEM 14**

Consider approving interlocal agreement with Capital Metro regarding construction of a portion of Lakeline Boulevard from the proposed intersection of Lakeline Boulevard and Lyndhurst Boulevard to the railroad crossing.

Road Bond Manager Mike Weaver addressed the court concerning this agenda item. He stated that Capital Metro personnel have decided that Capital Metro does not require an interlocal agreement for this project.

No action was taken on this agenda item.

**AGENDA ITEM 15**

Consider and adopt resolutions requesting the Texas Department of Transportation to waive the local match participation requirement on approved federal off-system bridge program projects within Williamson County in return for Williamson County performing equivalent match projects within Williamson County.

Road Bond Manager Mike Weaver addressed the court concerning this agenda item, stating that the resolutions will ask TxDOT to give the county credit for performing Williamson County bridge replacement projects.

Moved: **Commissioner Limmer**

Seconded: **Judge Doerfler**

Motion: To adopt a resolution requesting the Texas Department of Transportation to waive the local match participation requirement on approved federal off-system bridge program projects within Williamson County in return for Williamson County performing equivalent match projects within Williamson County.

Vote: **5 - 0**

< Attachment >

## Resolution

The State of Texas }

} Know All Men By These Presents:

County of Williamson }

That on this, the 29<sup>th</sup> day of January, A. D. 2002, the Commissioners Court of Williamson County, Texas, met duly called and convened lawful Session at the County Courthouse in Georgetown, Texas, with the following members present:

**John Doerfler**, County Judge, Presiding  
**Mike Heiligenstein**, Commissioner Precinct One, and  
**Greg Boatright**, Commissioner Precinct Two, and  
**David Hays**, Commissioner Precinct Three, and  
**Frankie Limmer**, Commissioner Precinct Four

WHERE, among other matters, came up for consideration and adoption the following Resolution:

WHEREAS, Williamson County is planning to replace several drainage structures in the near future as part of its Road Bond Program, and

WHEREAS, the Texas Department of Transportation (TxDOT) also has several structures, not on state highway routes, within the County listed in their Off-System Bridge Program, and

WHEREAS, the Federal Off-System Bridge Program is administered by the Texas Department of Transportation (the State) to replace or rehabilitate structurally deficient and functionally obsolete (collectively referred to as deficient) bridges located on public roads and streets off the designated state highway system; and

WHEREAS, Williamson County, hereinafter referred to as the Local Government owns bridges at the locations listed below and such projects are currently listed in the approved Off-System Bridge Program as authorized by the Texas Transportation Commission Minute Order Number 108653 dated September 2001

	<u>Estimated Construction Cost</u>
CR 434 at Brushy Creek	\$453,800
NBI Structure Number AA03-51-003	
CR 456 at Boggy Creek	\$240,000
NBI Structure Number AA04-10-002	

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CR 456 at Brushy Creek	\$240,000
NBI Structure Number AA04-10-001	
CR 120 at Weir Branch	\$160,000
NBI Structure Number AA02-70-001	
Thorndale Rd at Draw	\$110,000
NBI Structure Number C006-40-001	
On E. 3 <sup>rd</sup> at Bull Branch	\$217,400
NBI Structure Number C007-40-001	
CR 436 at Berry Branch	\$281,300
NBI Structure Number AA03-56-003	
Total	<hr/> \$1,702,500

WHEREAS, the usual fund participation ratio for projects on such program is 80 percent federal, 10 percent state and 10 percent Local Government; and

WHEREAS, Texas Administrative Code, Title 43, Section 15.55(d) (43 TAC Section 15.55(d)) provides that under specified conditions the 10 percent Local Government match fund participation requirement may be waived with agreement by the Local Government to perform, or cause to be performed, an equivalent dollar amount of structural improvement work on other deficient bridges or deficient mainlane cross-drainage structures within its jurisdiction, such a project of structural improvement work being referred to as an "equivalent-match project"; and

WHEREAS, the total estimated local match fund participation requirement on those seven (7) bridges on the approved Federal Off-System Bridge program is one hundred seventy thousand two hundred fifty dollars and no cents (\$170,250), hereinafter referred to as the "participation-waived" projects, such participation requirement the Local Government proposes be waived and in return perform or cause to be performed equivalent-match projects for structural improvement work; and

WHEREAS, TAC rules, Section 15.52 describes the agreements to be executed between TxDOT and the County for projects that will use Federal and/or State funds and Section 15.52(8) allows for the County to request to let and manage construction contracts that will utilize Federal and/or State funds,

THEREFORE, BE IT RESOLVED that the Local Government perform, or cause to be performed, the following equivalent-match project(s) in return for waiver of the local match fund participation requirement on the approved Federal Off-System Bridge Program (participation-waived) project not yet awarded:

The Local Government proposes to replace the bridges at the following locations with new bridges designed to accommodate current legal loads:

	<u>Estimated Construction Cost</u>
CR 406 at Battleground Creek	\$237,000
NBI Structure Number AA04-25-002	
CR 390 at No Name	\$118,000
CR 351 at Donahue Creek	\$130,000
CR 427 at Springbrook Creek	\$120,000
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Total	\$605,000

FURTHER RESOLVED, that in receiving this waiver the Local Government acknowledges its obligation to conform with all conditions of 43 TAC Section 15.55(d); such conditions that include but are not restricted to the following:

1. The Local Government must be currently in compliance with load posting and closure regulations as defined in National Bridge Inspection Standards under US Code of Federal Regulations, Title 23, Section 650.303
2. The equivalent-match project work increases the load capacity of the existing bridge or other mainlane cross-drainage structure, or upgrades the structure to its original load capacity with a minimum upgrade to safely carry school bus loading if located on a school bus route.
3. In performing, or causing to be performed, the equivalent-match project(s), the Local Government assumes all responsibilities for engineering and construction, and complying with all applicable state and federal environmental regulations and permitting requirements for the structures being improved.
4. The work on the proposed equivalent-match project(s) has not begun and will not begin until the local match fund participation waiver approval process has been completed.
5. The Local Government will be allowed three years after the contract award of the participation-waived project to complete the structural improvement work on the equivalent-match project(s).
6. Should this waiver request be approved, an appropriate written agreement or amendment to a previously executed agreement will be executed between the State and Local Government.

And, the County requests accelerating the construction of all of these structures to completion as soon as possible, and

*Further Resolved*, that the County is currently designing a new bridge on CR 434 at Brushy Creek (NBI Structure Number AA03-51-003) and requests authority to let and manage the construction contract for the structure on CR 434 at Brushy Creek utilizing Federal and/or State Funds, and

*Further Resolved*, that County Judge John Doerfler be, and is hereby, authorized to sign this Resolution as the act and deed of Commissioners Court and to execute any and all necessary documents in connection with these projects.

The foregoing Resolution was lawfully moved by Commissioner Limmer, duly seconded by Judge Doerfler, and was then adopted by a vote of 5 voting for and 0 voting against. County Judge John C. Doerfler was duly authorized to sign said resolution as the act and deed of Commissioner's Court of Williamson County and of said County.

John C. Doerfler 1-29-02  
John Doerfler, Williamson County Judge

Attest:

Nancy E. Rister  
Nancy Rister, Williamson County Clerk

January 29, 2002

Texas Department of Transportation  
Ms. Patricia L. Crews-Weight, P.E.  
District Design Engineer  
P.O. Drawer 15426  
Austin, TX 78761-5426

Dear Ms. Crews-Weight:

Attached is a copy of a resolution passed by the Williamson County Commissioners Court committing to replace several bridges at no cost to the State and requesting that this cost be approved as "equivalent-match," as is allowed under TxDOT rules, TAC, Title 43, Section 15.5, for other bridges, "participation waived projects", in the District's Off-System Bridge Program. The bridges the County will be replacing are listed in the resolution along with a preliminary estimated construction cost. The bridges that we are aware of being authorized in the State's program are also listed in the resolution, along with the cost shown in the program. If there are other Williamson County bridges in your program that we are unaware of, please advise us, as we would like to have our equivalent-match approved for those as well.

The County proposes to go to contract with some of our bridges as soon as March, 2002, so your early approval of our equivalent-match projects is requested.

The County is also requesting in the resolution that the TxDOT Executive Director approve Williamson County to let and manage the construction of the bridge on CR 434 at Brushy Creek utilizing Federal and State funds as is allowed in TAC, Title 43, Section 15.52. We have a consulting firm beginning the design of the bridge at this location. We propose to finish the design at County expense and seek your funding only for construction. We currently project going to contract for this construction project in mid-2002. Therefore, we request your early addition of this structure to the State Transportation Improvement Plan (STIP).

In managing the construction utilizing Federal and State funds, the County commits to complying with Federal and State laws and TxDOT standards and specifications. And, we understand that you will review and approve the CR 434 plans, contract award and change orders. We will be sending written documentation of our contract letting process for your review and approval.

As for the other bridge locations listed in the State's program, the County requests that they be accelerated to construction as soon as possible. We would be willing to discuss the idea of our consultants assisting you with the design of these structures, if that would accelerate project completion.

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## **AGENDA ITEM 16**

Consider and adopt resolution supporting the County's request to the Texas Department of Transportation for the authorization of the US 79 expansion project from McNutt Creek (CR 110) to the Taylor Loop (Loop 427).

**Moved: Commissioner Limmer**

**Seconded: Commissioner Boatright**

**Motion:** To adopt a resolution supporting the County's request to the Texas Department of Transportation for the authorization of the US 79 expansion project from McNutt Creek (CR 110) to the Taylor Loop (Loop 427).

**Vote: 5 - 0**

**< Attachment >**

THE STATE OF TEXAS

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## KNOW ALL MEN BY THESE PRESENTS

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THE COUNTY OF WILLIAMSON

**That on this, the 29<sup>th</sup> day of January, A.D., 2002, the Commissioners Court of Williamson County, Texas, met in duly called Session at the Courthouse in Georgetown, Texas, with the following members present:**

**John C. Doerfler, County Judge,**

**Mike Heiligenstein, Commissioner Precinct One,**

**Greg Boatright, Commissioner Precinct Two,**

**David Hays, Commissioner Precinct Three,**

**Frankie Limmer, Commissioner Precinct Four;**

and at said meeting, among other business, the Court considered the following:

WHEREAS, the expansion of US 79 was identified in the Williamson County Multi-Corridor Transportation Plan as a priority project and identified in the County's successful November 2000 bond referendum; and

WHEREAS US 79 in Williamson County is a significant component of the Texas Trunk System, representing over 10% of the roadway in Texas; and

**WHEREAS, Williamson County is the second-fastest growing county in Texas; and**

WHEREAS, existing US 79 between McNutt Creek (CR 110) and the Taylor Loop (Loop 427) is an undivided 4-lane rural roadway; and

WHEREAS, US 79 in the project area is a dangerous roadway, with 860 accidents and 16