

AGENDA ITEM 33

Discuss and take appropriate action on jail/courthouse annex expansion.

Ed Lee of Broaddus & Associates gave an update on the jail/courthouse annex expansion project. He reported that they are working weekends to get back on the original schedule due to rain. He reported that Curtis Klein, the new president of Landmark, attended the weekly project meeting yesterday. The security drawings for the jail should have been finalized and should be approved by the Sheriff this week. The final review drawings of the courts building should be released to Landmark and Broaddus & Associates today. Final comments will be addressed at a meeting on August 1, 2002. Additional services issues with Delgado-Durrant have been resolved, and there will be no charge to the County for approximately \$47,000 in additional services.

No action was taken on this agenda item.

AGENDA ITEM 34

Discuss and take appropriate action on road bond program.

Moved: **Commissioner Limmer**

Seconded: **Commissioner Boatright**

Motion: To approve a resolution regarding Williamson County's role in US 79 improvements.

Vote: **4 - 0**

< Attachment >

John C. Doerfler
County Judge
Williamson County



WILLIAMSON COUNTY COURTHOUSE
710 MAIN, SECOND FLOOR
GEORGETOWN, TEXAS 78626
PHONE (512) 943-1550
FAX (512) 943-1662

July 15, 2002

Mr. Michael Behrens, P.E.
Executive Director, TxDOT
DeWitt C. Greer Building
125 E. 11th St.
Austin, Texas 78701

Re: Williamson County – US 79 Improvements

Dear Mr. Behrens:

As we discussed with Bill Garbade at the Governor's press conference, Williamson County is very concerned that no action has been taken on our request to partner with TxDOT on the improvements to US 79. Since our appearance in January 2002, the following events have occurred:

- Segment 1 Schematic (McNutt Creek to Hutto) submitted to Georgetown Area Office on February 12, 2002;
- Segment 2 Schematic (Hutto to Taylor) submitted to Georgetown Area Office on June 10, 2002;
- Environmental assessment 90% complete, scheduled to submit October 1, 2002;
- Right of way maps and field notes completed for Segment 1;
- Appraisals complete and right of way negotiations for Segment 1 underway;
- Six Segment 1 parcels purchased;
- SH 130 contract approved by TxDOT; and,
- Ongoing meetings with TTA staff and LSI on design and timing of SH 130/US79 interchange.

While we have continued to move forward with our work, the Austin District has not reviewed any of our subcontracts because a CSJ number has not been issued and a funding agreement has not been approved by the Department. During this time, accidents continue and, unfortunately, there have been additional fatalities along US 79 since January, as well.

Last, we are at an impasse on acquiring additional right of way to protect this corridor. Without an authorized TxDOT project, the County does not have the jurisdiction to acquire right of way by condemnation. Growth and development is continuing and we are under significant pressure

to not only preserve the corridor, but also acquire the right of way before land prices limit the ability of both the State and the County to complete this needed project.

Since our January 2002 offer was not accepted, the County wants to withdraw it. The attached resolution outlines our new proposal, which if acceptable, would allow the County to proceed with the development of Segment 1 in cooperation with the SH 130 project. Specifically, Williamson County proposes to fund 100% of the following:

- Environmental assessment – McNutt Creek to Milam County line;
- Right of Way acquisition – McNutt Creek to FM 685 (Segment 1) excluding SH 130 interchange;
- PS&E for US 79 tie-ins between McNutt Creek and SH 130 and between SH 130 and FM 685;
- Construction of US 79 tie-ins between McNutt Creek and SH 130 and between SH 130 and FM 685.

In addition, the County would fund 10% of all utility relocation cost for Segment 1 – McNutt Creek to FM 685.

In exchange for Williamson County committing all of its US 79 bond funding for Segment 1 (McNutt Creek to FM 685), we would request that TxDOT fund:

- 100% of right of way acquisition costs between Hutto and Milam County line;
- 100% of construction costs between Hutto and Milam County line; and,
- 90% of utility relocation costs between Hutto and Milam County line.

If this is acceptable, Williamson County would consider acquiring the right of way for TxDOT with a reimbursement agreement to cover our costs. Also, the County would agree to fund 100% of the PS&E, when TxDOT is ready to proceed with project construction, between Hutto and the Milam County line.

Again, Williamson County is at a complete standstill without guidance and approval by TxDOT. None of us want to continue to see the loss of life along this roadway. And, when traffic safety and the area's mobility is so bad now, no one in Williamson County can understand how we can let it get worse when SH 130 is complete five years from now. We need your help. We are willing to do our part and believe our offer addresses the immediate growth and mobility needs. But, we must be assured that TxDOT will finish the road and address the rest of the safety problems between Hutto and the Milam County line. We look forward to working with you on this important project.

Sincerely,

John C. Doerfler 7-23-02

Judge John Doerfler
Williamson County

Cc: Senator Steve Ogden
Representative Mike Krusee
Commissioner Mike Heiligenstein, Precinct 1
Commissioner Greg Boatright, Precinct 2
Commissioner David Hays, Precinct 3
Commissioner Frankie Limmer, Precinct 4
William Garbade, P.E., TxDOT Austin District
Joe England, P.E., Williamson County Engineer
Charlie Crossfield, Sheets & Crossfield
Michael Weaver, Prime Strategies, Inc.
Bill Caffey, P.E., Carter & Burgess, Inc.

Resolution

The State of Texas }

} Know All Men By These Presents:

County of Williamson }

That on this, the 23rd day of July, 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 requested to partner with the Texas Department of Transportation (TxDOT) on improvements to US 79 in January 2002, and

WHEREAS, since January, TxDOT has not reviewed any of Williamson County's work products because a CSJ number has not been issued and a funding agreement has not been approved, and

WHEREAS, without an authorized TxDOT project, Williamson County cannot proceed to acquire right of way by condemnation, and

WHEREAS, growth and development on US 79 is continuing and Williamson County is under significant pressure to preserve the corridor and acquire right of way before land prices limit the ability to complete this needed project, and

WHEREAS, safety of the travelling public is a priority to Williamson County in expanding and upgrading its transportation network,

THEREFORE, BE IT RESOLVED that Williamson County requests authority to fund 100% of the environmental assessment for US 79 from McNutt Creek to the Milam County line, right of way acquisition for US 79 from McNutt Creek to FM 685 excluding SH 130 interchange, PS&E for US 79 tie-ins between McNutt Creek and SH 130 and between SH 130 and FM 685, and construction of US 79 tie-ins between McNutt Creek and SH 130 and between SH 130 and FM 685, and

FURTHER RESOLVED, that in addition, the County would fund 10% of all utility relocation costs for Segment 1 – McNutt Creek to FM 685, and

FURTHER RESOLVED, that in exchange for Williamson County committing all of its US 79 bond funding for Segment 1 (McNutt Creek to FM 685), the County requests that TxDOT fund 100% of the right of way acquisition costs between Hutto and the Milam County Line, 100% of the construction costs between Hutto and the Milam County Line, and 90% of the utility relocation costs between Hutto and the Milam County Line, and

FURTHER RESOLVED, that County Judge John Doerfler be, and is hereby, authorized to sign this Resolution as the act and deed of Commissioner Court and to execute any and all necessary documents in connection with this project.

The foregoing Resolution was lawfully moved by COMMISSIONER LIMMER, duly seconded by COMMISSIONER BOATRIGHT, and was then adopted by a vote of 4 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 7-23-02
John Doerfler, Williamson County Judge

Attest:

Nancy E. Rister
Nancy Rister, Williamson County Clerk

AGENDA ITEM 35

Consider granting an easement to TXU Gas Co. for the installation of a new natural gas line at the end of Greenlawn Blvd. in Round Rock, Texas.

Moved: **Commissioner Limmer**

Seconded: **Commissioner Hays**

Motion: To grant an easement to TXU Gas Co. for the installation of a new natural gas line at the end of Greenlawn Boulevard in Round Rock, Texas.

Vote: 4 - 0

< Attachment >

TXU Gas Company Easement

Line Name(Round Rock):

R/W #:

WR #:1686376G

EASEMENT AND RIGHT OF WAY

THE STATE OF TEXAS

§

§

KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF WILLIAMSON

§

That **John C. Doerfler, County Judge of Williamson County**, hereinafter called "Grantor," whether one or more, for and in consideration of Ten and No/100 Dollars (\$10.00) and other valuable consideration to Grantor in hand paid by **TXU GAS COMPANY**, a Texas Corporation, 1601 Bryan Street, Dallas, Texas 75201, hereinafter referred to collectively as "Grantee", has granted, sold and conveyed and by these presents does grant, sell and convey unto said Grantee, their successors and assigns, an easement and right-of-way for gas supply, supporting structures, surface mounted equipment, conduits, and for pipelines, cathodic protection equipment, aerial markers, and all necessary or desirable appurtenances over, under, through, across, and upon Grantor's land described as follows:

(SEE EXHIBIT "A" ATTACHED)

Grantor recognizes that the general course of said pipelines, or the metes and bounds as described above, is based on preliminary surveys only, and Grantor hereby agrees that the easement and right-of-way and its general dimensions hereby granted shall apply to the actual location of said lines when constructed.

Together with the right of ingress and egress along and upon said easement and right-of-way and over and across Grantor's adjoining properties for the purpose of and with the right to construct, inspect, maintain, operate, repair, remove, replace, reconstruct, abandon in place, and to change the size and capacity said pipelines; the right to relocate along the same general direction of said pipelines; the right to relocate said pipelines in the same relative position to any adjacent road if and as such road is widened in the future; the right to prevent excavation within the easement area; the right to prevent construction of, within the easement area, any and all buildings, structures or other obstructions which, in the sole judgment of Grantee, may endanger or interfere with the efficiency, safety, and/or convenient operation of said pipelines and their appurtenances, and the right to trim or remove trees or shrubbery within, but limited to, said easement area, to the extent in the sole judgment of Grantee, as may be necessary to prevent possible interference with the operation of pipelines or to remove possible hazard thereto. Grantor shall not make changes in grade, elevation or contour of the land or impound water within the easement area as described above without prior written consent of Grantee.