

AGENDA ITEM 36

Discuss and consider setting date to receive bids for the Courts Annex expansion.

No action was taken on this agenda item, which will be added to the September 10, 2002 agenda.

AGENDA ITEM 37

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

No action was taken on this agenda item.

AGENDA ITEM 38

Discuss previous action concerning Rabies Control Officer and take any appropriate action.

No action was taken on this agenda item, which was postponed until further notice.

AGENDA ITEM 39

Discuss and take any appropriate action on Rd. Bond program.

Mike Weaver gave an update on road projects, and said that the County has been getting good prices on road construction because there are not many state projects in progress right now. He said a groundbreaking for Parmer Lane could be scheduled for the third or fourth week of September.

AGENDA ITEM 40

Discuss and consider a resolution authorizing the County Judge to execute and submit a petition for Travis and Williamson Counties for approval to for a Regional Mobility Authority.

Mike Weaver stated that Travis County approved the petition this morning.

Moved: **Commissioner Boatright**

Seconded: **Commissioner Limmer**

Motion: To approve a resolution authorizing the County Judge to execute and submit a petition for Travis and Williamson Counties for approval to for a Regional Mobility Authority

Vote: **4 – 0**

< Attachment >

Central Texas Regional Mobility Authority

Travis County
314 W. 11th Street
Austin, Texas 78701
Hon. Samuel T. Biscoe

Williamson County
710 Main Street
Georgetown, Texas 78626
Hon. John C. Doerfler

Via Hand Delivery

September 3, 2002

Michael W. Behrens, P.E.
Executive Director
Texas Department of Transportation
DeWitt C. Greer Building
125 E. 11th Street
Austin, Texas 78701

Re: Petition for Authorization to Form the Central Texas Regional Mobility Authority

Dear Mr. Behrens:

On behalf of the Commissioners Courts of both Travis and Williamson Counties, we are pleased to submit to the Texas Department of Transportation (TxDOT) the enclosed *Petition of Travis and Williamson Counties for Authorization to Form a Regional Mobility Authority*.

Travis and Williamson Counties are excited to initiate this historic step in addressing the mobility needs of our region and to be the first region in the State to seek authorization to form an RMA. We believe that the Central Texas Regional Mobility Authority will be the most expeditious method to begin implementing our critical transportation improvements.

We have included one (1) original and two (2) copies of the Petition and its attachments. In addition, in order to help facilitate the review and processing of the Petition by TxDOT staff, we have included the following:

- Petitioner's proposed timeline for processing of the Petition
- Public Hearing proposed dates, with locations and contact information
- Outreach Plan for advertising Notice of Public Hearing
- Draft Public Notice
- Key Contact Information
- Draft Minute Order

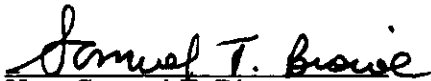
Michael W. Behrens, P.E.
September 3, 2002
Page Two


We would like to thank you, Phillip Russell, and the staff of the Texas Turnpike Authority Division for the assistance and background data provided to us as we've moved forward with preparing the Petition.

The Counties are aware of the fact that, as part of the implementation of the Trans Texas Corridor Plan, TxDOT has designated funds to be made available to assist regional mobility authorities. The Counties request that the Central Texas RMA be granted \$5 million from such funds to assist in the further study and development of its initial project. We are also requesting up to \$1 million to assist the RMA in the further study and development of additional projects as highlighted in the Petition. If any other actions are required to formally apply for an award of such funds, please advise us as soon as possible.

If you or your staff have any questions regarding the Petition, or require additional information, please do not hesitate to contact either of us.

Sincerely,


Hon. Samuel T. Biscoe
Travis County Judge


Hon. John C. Doerfler
Williamson County Judge

Enclosure

Michael W. Behrens, P.E.
September 3, 2002
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Cc: Texas Transportation Commission (w/enclosure)
John Johnson, Commissioner
Robert Nichols, Member
Ric Williamson, Member

Travis County Commissioners (w/o enclosure)
Commissioner Ron Davis, Precinct 1
Commissioner Karen Sonleitner, Precinct 2
Commissioner Margaret Moore, Precinct 3
Commissioner Margaret Gomez, Precinct 4

Williamson County Commissioners (w/o enclosure)
Commissioner Mike Heiligenstein, Precinct 1
Commissioner Greg Boatright, Precinct 2
Commissioner David Hays, Precinct 3
Commissioner Frankie Limmer, Precinct 4

Travis/Williamson County Legislative Delegations (w/o enclosure)
Senator Gonzalo Barrientos
Senator Steve Ogden
Senator Jeff Wentworth
Representative Dawnna Dukes
Representative Harvey Hilderbran
Representative Terry Keel
Representative Ann Kitchen
Representative Mike Krusee
Representative Glen Maxey
Representative Elliott Naishtat

TEXAS TRANSPORTATION
COMMISSION

§
§
§

RMA APPLICATION NO. 1

PETITION OF TRAVIS AND WILLIAMSON COUNTIES
FOR AUTHORIZATION TO FORM
A REGIONAL MOBILITY AUTHORITY

TO THE TEXAS TRANSPORTATION COMMISSION:

Pursuant to provisions of Chapter 361 of the Texas Transportation Code and 43 Tex. Admin. Code, § 26.01 *et seq.*, Travis and Williamson Counties (collectively the "Petitioners") tender this their "Petition and Request for Authorization to Form the Central Texas Regional Mobility Authority." As required by 43 Tex. Admin. Code § 26.11, Petitioners submit the following in support of their petition:

1. **Commissioners Court Resolutions.**

On September 3, 2002, the Commissioners Courts of Williamson and Travis Counties each adopted resolutions approving the creation of the Central Texas Regional Mobility Authority (a/k/a "Central Texas RMA"). Copies of those resolutions are included as Attachment 1.

2. **Description of Improvements to Regional Mobility.**

Over recent years Travis and Williamson Counties have experienced growth rates that are among the highest of any area in the country. Improvements to transportation infrastructure are vital to meet the demands resulting from this growth. The formation of the Central Texas RMA will allow an entity, under local control but working in cooperation with TxDOT, to develop turnpike projects and provide support to other transportation improvements in the region which otherwise might depend solely on State or federal funding. Thus, badly needed transportation

infrastructure can be delivered to the region more quickly than would be the case without an RMA.

The Central Texas RMA will benefit the State by relieving TxDOT of the burden of constructing certain roadway projects. For example, the initial project to be pursued by the RMA will be US 183-A (see description in paragraph 3 below). That project will be an important link to the planned Central Texas Turnpike Project (CTTP), making it easier for residents to access the SH 45 North, Loop 1, and SH 130 toll roads. This, in turn, will increase toll revenues received by the TxDOT and upon which it will depend for financing the CTTP. Similarly, Petitioners anticipate, as is described in more detail in paragraph 4 below, that the Central Texas RMA will pursue a significant role (working in conjunction with the TTA Division of TxDOT (TTA Division)) in the development of the State Highway 45 South/East (SH 45 SE) turnpike project in Travis County, thus easing the burden on the TTA Division while working toward the development of an important link between IH 35 and the SH 130 toll road. Beyond these projects, the State will also benefit by having a local entity which will study, plan, and develop projects that otherwise might be the sole responsibility of the State.

Likewise, Travis and Williamson Counties will benefit by having increased local control over projects, and a more direct impact on transportation planning decisions. They will also have the opportunity to benefit from surplus revenues generated by the RMA that may be used for other transportation projects in the region.

The traveling public will benefit by an improved system of roadways in the region, delivered sooner than would otherwise be possible under traditional methods of transportation funding and project development. Easing the severe traffic congestion which plagues the area encompassed by the Central Texas RMA will also enhance safety, decrease travel time, and generally improve the quality of life of citizens of the region.

3. US 183-A

The initial project to be pursued by the Central Texas RMA is proposed US 183-A, a 12-mile turnpike project located in Williamson County (the "Project"). US 183-A will connect with existing US 183 at State Highway 45 and extend northward, parallel to (and east of) existing US 183. The project will reconnect with US 183 near the San Gabriel River, approximately three miles north of Leander. Currently US 183 is a four-lane suburban, non-divided arterial with no room for expansion. It carries traffic volumes that far exceed the safe and efficient carrying capacity of a facility of its size. US 183-A will serve as a reliever and will enhance mobility and safety within this segment of the state highway system. A general depiction of the location of US 183-A is shown on Attachment 2.

A. Consistency with Texas Transportation Plan and MPO Plan.

US 183-A has already been included in the approved Texas Transportation Plan, the Statewide Transportation Improvement Program, and the approved plan of the Capital Area Metropolitan Planning Organization. The Project has also been included in the Williamson County Multi-Corridor Plan and the Transportation Plan adopted by the City of Austin.

B. Description of Known Environmental, Social, Economic or Cultural Resources Issues.

The Project has already received a Final Environmental Impact Statement ("FEIS") and Record of Decision ("ROD") issued by the Federal Highway Administration to the TTA Division and authorizing construction of the Project. The FEIS addresses, in detail, all known environmental, social, economic or cultural resource issues. There are none that would preclude development of the Project. In general the FEIS noted the following:

Environmental – The Project may result in an incidental take of habitat of the golden-cheeked warbler and the Tooth Cave ground beetle. Consultation under Section 7 of the

Endangered Species Act has already occurred, and plans for establishment of one or more karst preserves (for the beetle) and payment of an in-lieu fee (for warbler habitat mitigation) have been developed. The need for establishment of a karst preserve is due to the construction of a connector road between SH 45 North and US 183-A. The TTA Division will construct that road, and therefore it will be responsible for the costs of establishment of the karst preserve. The need for mitigation for a taking of warbler habitat is attributable to both the connector road and the Project itself, so cost responsibility will be allocated between TTA and the Central Texas RMA. There are no other significant environmental impacts or required actions anticipated to result from the Project.

Social – It is anticipated that few residential displacements will be required by the Project, and no significant community resources (schools, parks, hospitals, churches, etc.) should be adversely affected. There are no known environmental justice concerns.

Economic – According to the FEIS only one business would be displaced by the Project. This displacement will not substantially affect overall economic activity in the area. Positive economic benefits can be expected to result from the direct and indirect effects of the Project (e.g., capital costs related to construction, wages paid to workers, increased consumption of goods and services, etc.).

Cultural – The FEIS notes that one prehistoric site which may possibly be eligible for listing in the National Register of Historic Places may be affected by the Project. The Central Texas RMA will coordinate with the State Historic Preservation Office to assure compliance with Section 106 of the National Historic Preservation Act of 1966 and the Texas Antiquities Code.

C. Known Opposition and/or Controversies Regarding Project.

Other than localized concerns over specific design features of the Project (i.e., location of toll plazas, etc.) the Petitioners are aware of no known significant opposition to, or controversies regarding, the Project. The Project received widespread support during the environmental review process.

D. Preliminary Financing Plan

At this time only general estimates of costs, financing, and sources and uses of funds are available for the Project. To the extent that they are available, estimates are set forth below:

	Total
(i) <u>Estimated Project Cost</u>	
Construction Cost ¹ (Interim – north of Lakeline Blvd. to San Gabriel River)	\$152,948,000.00
Planning and Engineering ²	10,000,000.00
Construction Phase Engineering and QA/QC ³	12,500,000.00
Right-of-Way and Utility Relocation ⁴	48,500,000.00
Environmental Mitigation ⁵	400,000.00
Capitalized Interest and Debt Service Resource Fund ⁶	50,310,000.00
Capitalized Finance Costs ⁷	<u>1,885,250.00</u>
TOTAL	<u>\$276,543,250.00</u>

¹ Source: Preliminary Construction Cost Estimate Report Loop 1 / SH 45 / US 183A, Texas Turnpike Authority, March 20, 2002.

² Ibid.

³ Ibid.

⁴ Source: Williamson County

⁵ Estimated share of in-lieu fees for habitat mitigation attributable to the Project.

⁶ Source: First Southwest Company

⁷ Ibid.

(ii) Estimated Financing and Sources & Uses of Funds

<u>Source</u>	<u>Estimate</u>
TxDOT Participation ⁸	\$15,400,000.00
TIFIA Loan	70,000,000.00
Local Grants (Right-of-Way) ⁹	33,143,250.00
Bond Proceeds	<u>158,000,000.00</u>
TOTAL	<u>\$276,543,250.00</u>

Note that these are only estimates and actual figures may vary considerably once additional information becomes available.

4. SH 45 SE

As noted above, the Petitioners anticipate that the Central Texas RMA will pursue an agreement by which to jointly develop or otherwise cooperate with the TTA Division in the development of SH 45 SE located in southeast Travis County. SH 45 SE is a proposed 7-mile turnpike project beginning at IH 35 and extending eastward to the intersection of SH 130/US 183. This is an important link for northbound traffic on IH 35 to be able to access SH 130 prior to reaching the downtown Austin segment of IH 35, which is one of the most congested segments of interstate highway in the country. It will also provide a much needed alternative route to Austin-Bergstrom International Airport. SH 45 SE has already been included in the approved Texas Transportation Plan, the Statewide Transportation Improvement Program, and the approved plan of the Capital Area Metropolitan Planning Organization. Petitioners understand that the TTA Division has begun the process of securing the necessary environmental studies and financial data to develop the project, and, upon formation, the Central Texas RMA

⁸ TxDOT participation may include (but not be limited to) funding requested by the Central Texas RMA for RMA assistance money from amounts established for RMA uses in connection with the Trans Texas Corridor Plan.

⁹ RMA will negotiate funding agreement(s) with local jurisdictions to establish level of local participation, future reimbursement, and RMA participation in other local projects.

will enter into a project agreement for the ultimate development and operation of SH 45 SE. A general depiction of the location of SH 45 SE is shown on Attachment 3.

5. Commitment to Secure Environmental Approvals.

As noted above, the TTA Division previously secured a FEIS and record of decision (ROD) for the Project. That approval will be transferred to the Central Texas RMA. The RMA will be responsible for preparing any updates (if necessary), and, to the extent not otherwise undertaken by TxDOT or the TTA Division, will be responsible for identifying and securing all additional federal and state environmental permits, issues, and commitments necessary for development of US 183-A, SH 45 SE, and all other RMA projects.

6. Additional Projects

In addition to the Project and to SH 45 SE, the Petitioners have identified the following as additional turnpike and transportation projects that may be considered for development or financial support in the future:

- US 183 HOV/HOT - RM 620 to Loop 1
- SH 45 NW - US 183 to Anderson Mill Road
- Loop 1 HOV/HOT - US 183 to Loop 360
- Loop 360 Expressway - US 183 to SH 71
- US 290 E - US 183 to SH 130
- US 290 W Mainlanes - Current terminus to west of FM 1826
- SH 71 E - US 183 to SH 130
- Regional Rail - Cedar Park/Round Rock to Austin/Buda¹⁰

Attachment 4 illustrates the other additional projects under consideration.

7. Board Composition.

The initial board of directors for the Central Texas RMA will consist of up to seven (7) members. Three members will be appointed by each of the counties, with one member (the

¹⁰ Petitioners recognize that RMAs are not currently authorized to directly participate in the development of regional rail. The Central Texas RMA will consider providing financial support to this project from surplus revenues (if any), and may assume a direct role in regional rail development if RMAs become empowered to do so through legislative changes.

chairperson) being appointed by the Governor. Both counties will make appointments that adequately represent the counties as a whole and the cities throughout the counties. The Petitioners believe that the composition of the board and the common interest in the region shared by all board members will result in adequate representation of all political subdivisions within the geographic area of the RMA.

REQUEST FOR PUBLIC HEARING AND APPROVAL

The foregoing sets forth all information required by 46 Tex. Admin. Code § 26.11. The Petitioners request that TxDOT review the petition and conduct a public hearing as required by 46 Tex. Admin. Code § 26.12 as soon as possible. Thereafter Petitioners request that the Commission review the petition and any supplemental information concerning public support for the RMA, and that it issue a minute order authorizing the formation of the "Central Texas Regional Mobility Authority."

Respectfully submitted,

TRAVIS COUNTY, TEXAS

By: Samuel T. Biscoe
The Hon. Sam Biscoe
County Judge

Date: 9-3-02

WILLIAMSON COUNTY, TEXAS

By: John C. Doerfler
The Hon. John Doerfler
County Judge

Date: 9-3-02

Attachment 1

Travis County Resolution

Williamson County Resolution

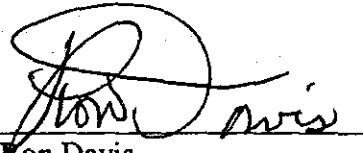
Resolution

WHEREAS, the Commissioners Courts of Williamson County and Travis County met in joint session on May 21, 2002 to explore the creation of a Regional Mobility Authority (RMA) or other related entity, comprised at a minimum of Williamson County and Travis County, to implement critical mobility improvements in the Williamson County-Travis County region; and,

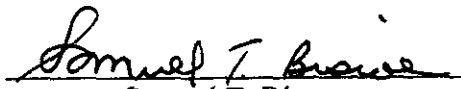
WHEREAS, on June 27, 2002 the Texas Department of Transportation adopted 43 Tex. Admin. Code, § 26.01, a set of rules for the creation and operation of an RMA; and,

NOW THEREFORE, BE IT RESOLVED that the Travis County Commissioners Court authorizes the Travis County Judge to execute the Petition of Travis and Williamson Counties for Approval to Form a Central Texas Regional Mobility Authority in substantially the same form as is attached hereto.

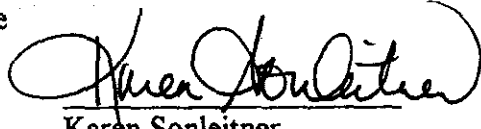
APPROVED THIS 3^d day of September, 2002, by the Commissioners Court of Travis County, Texas.



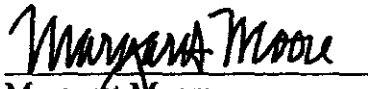
Ron Davis
Commissioner, Precinct 1



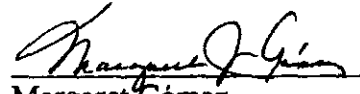
Samuel T. Biscoe
County Judge



Karen Sonleitner
Commissioner, Precinct 2



Margaret Moore
Commissioner, Precinct 3



Margaret Gómez
Commissioner, Precinct 4

TEXAS TRANSPORTATION
COMMISSION

§
§
§

RMA APPLICATION NO. 1

PETITION OF TRAVIS AND WILLIAMSON COUNTIES
FOR AUTHORIZATION TO FORM
A REGIONAL MOBILITY AUTHORITY

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¹⁰ Petitioners recognize that RMAs are not currently authorized to directly participate in the development of regional rail. The Central Texas RMA will consider providing financial support to this project from surplus revenues (if any), and may assume a direct role in regional rail development if RMAs become empowered to do so through legislative changes.

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Respectfully submitted,

TRAVIS COUNTY, TEXAS

WILLIAMSON COUNTY, TEXAS

By: _____
The Hon. Sam Biscoe
County Judge

By: _____
The Hon. John Doerfler
County Judge

Date: _____

Date: _____

Resolution

The State of Texas }
 } Know All Men By These Presents:
County of Williamson }

That on this, the 3rd day of September, 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
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, the Commissioners Courts of Williamson County and Travis County met in joint session on May 21, 2002 to explore the creation of a Regional Mobility Authority (RMA) or other related entity, comprised at a minimum of Williamson County and Travis County, to implement critical mobility improvements in the Williamson County-Travis County region; and,

WHEREAS, on June 27, 2002 the Texas Department of Transportation adopted 43 Tex. Admin. Code, § 26.01, a set of rules for the creation and operation of an RMA; and,

WHEREAS, on August 6, 2002 the Williamson County Commissioners Court authorized the Williamson County Judge to execute an Interlocal Agreement with the Travis County Judge to pursue preparation of a petition and request for approval to form a Regional Mobility Authority;

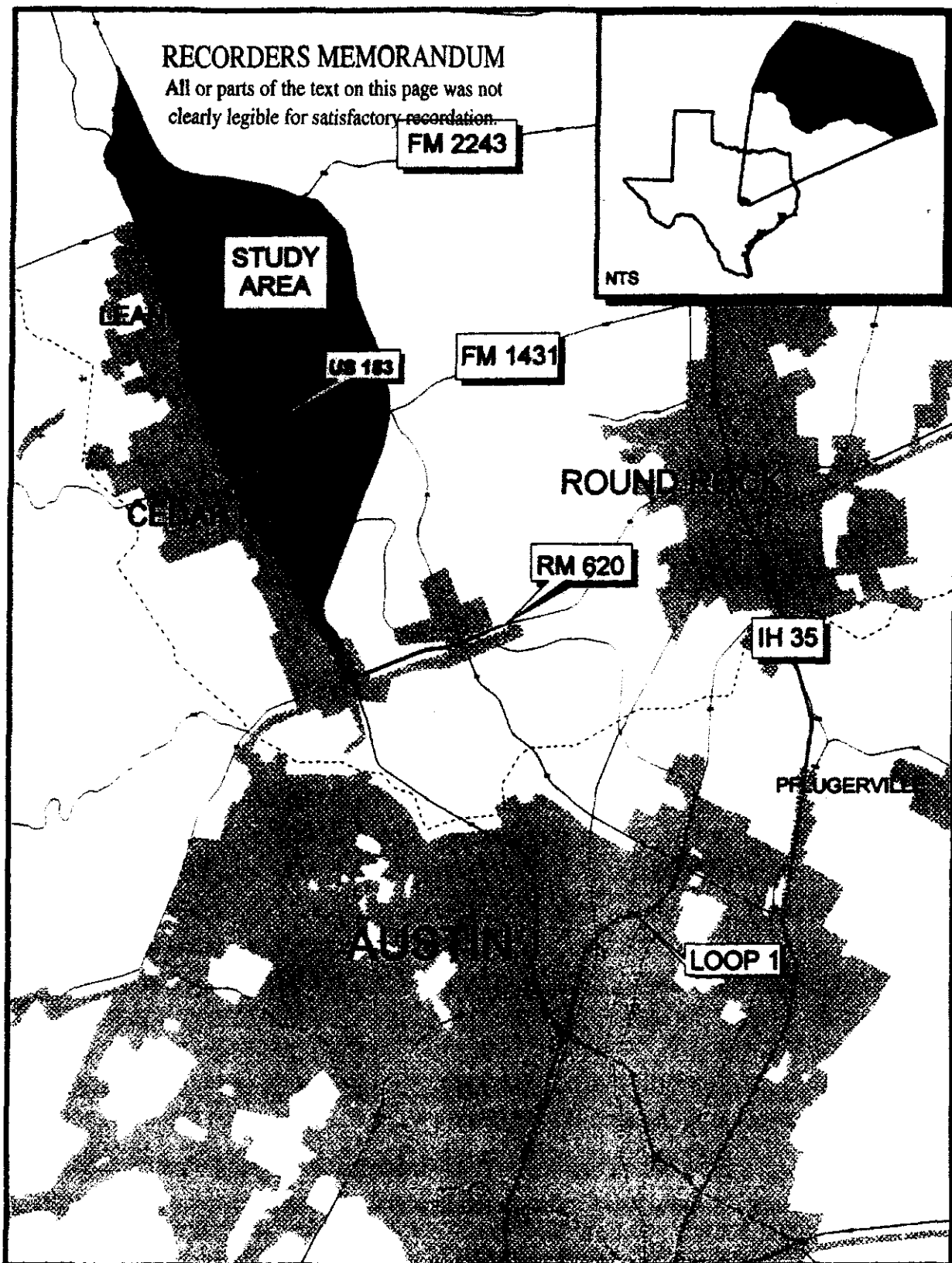
THEREFORE, BE IT RESOLVED that the Williamson County Commissioners Court authorizes the Williamson County Judge to execute the Petition of Travis and Williamson Counties for Approval to Form a Central Texas Regional Mobility Authority.

The foregoing Resolution was lawfully moved by Greg Boatright, duly seconded by Frankie Limmer, 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 9-3-02
John Doerfler, Williamson County Judge

Attest:

Nancy E. Rister
Nancy Rister, Williamson County Clerk

**US 183A**

Texas Department of Transportation
TEXAS TURNPIKE AUTHORITY DIVISION

2.5 0 2.5 Miles



Project Location Map - US 183-A
September 3, 2002

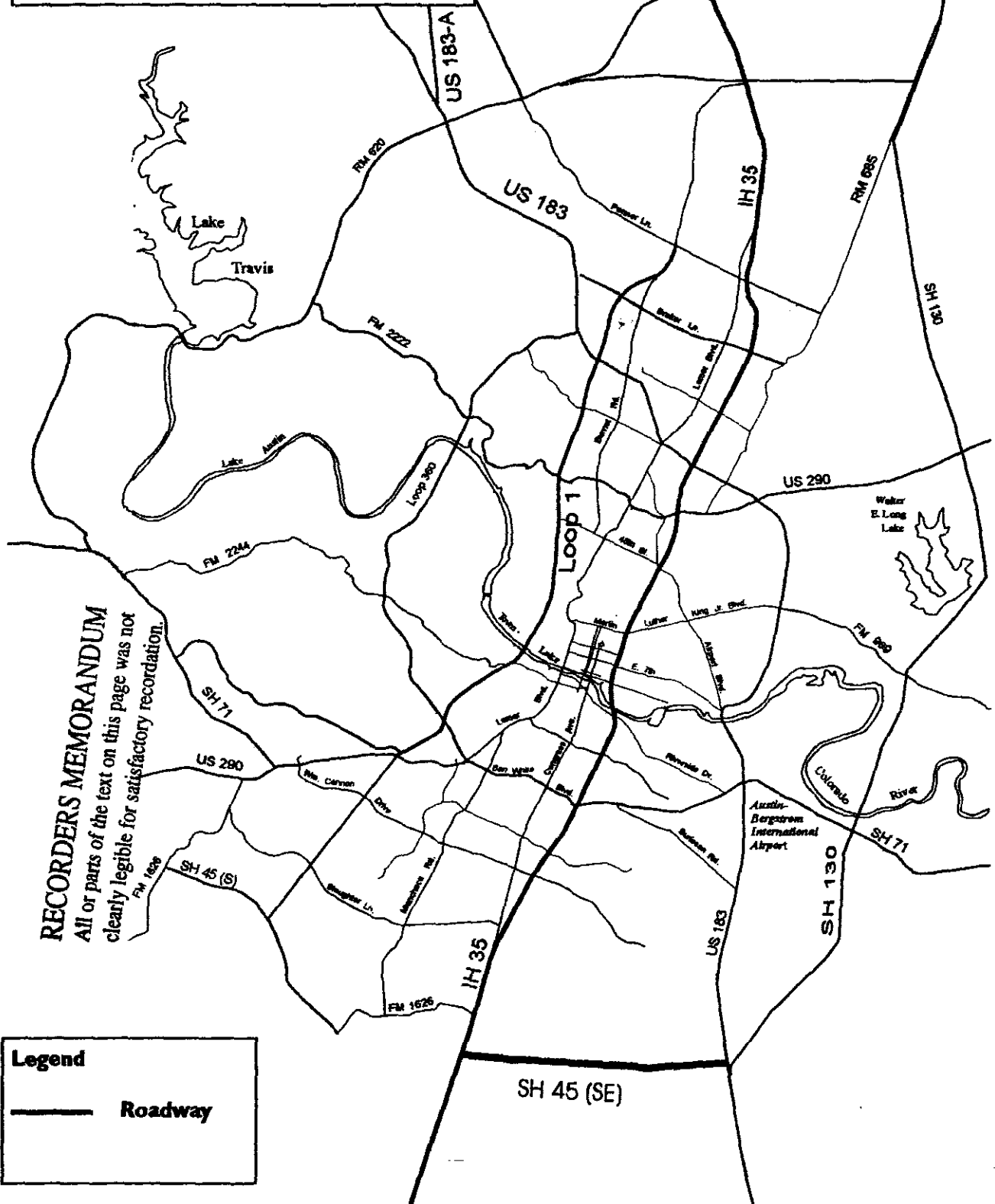
Attachment 2

Attachment 3

Project Location Map - SH 45 SE

Petition for Approval to Form a Regional Mobility Authority

September 3, 2002

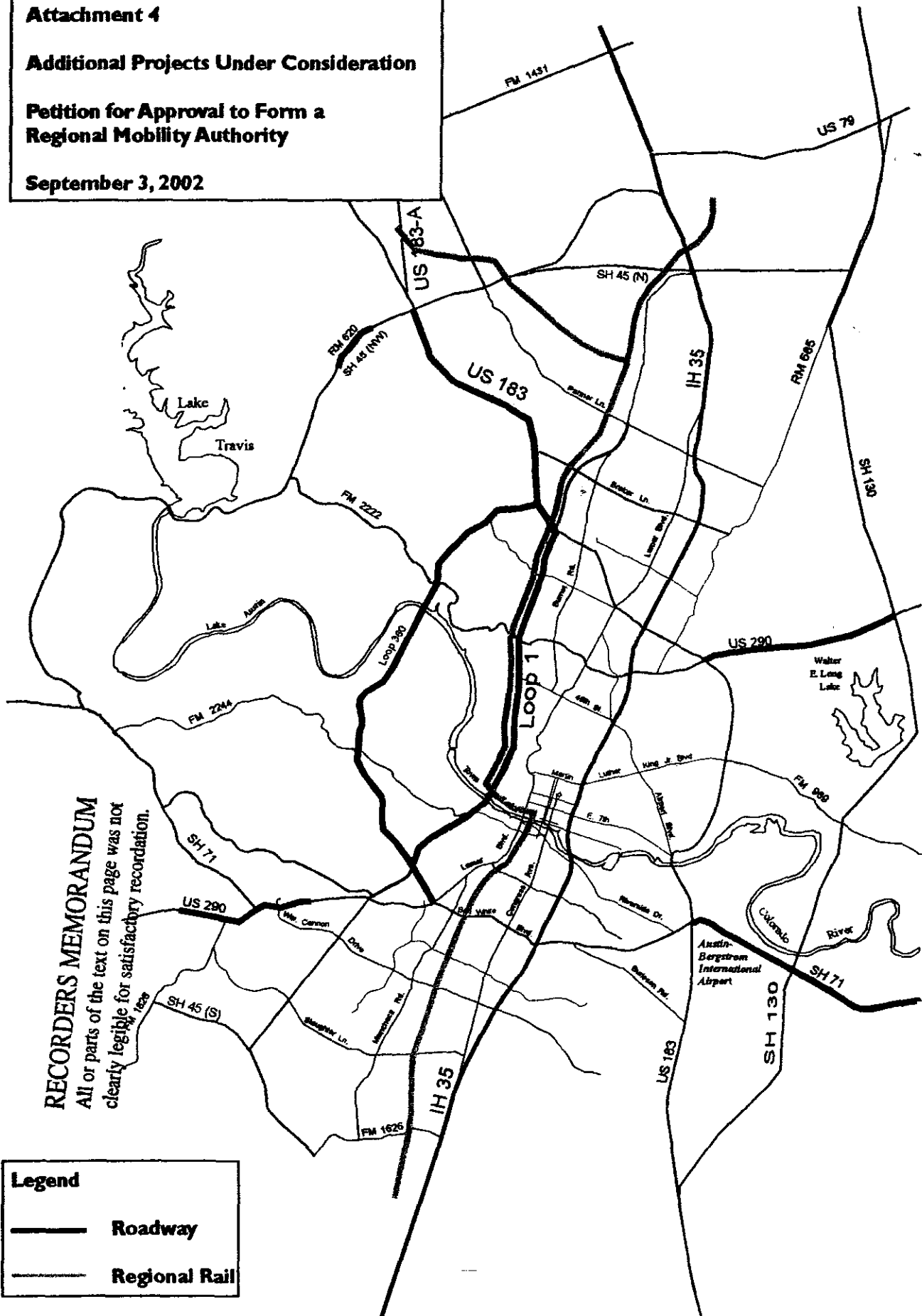


Attachment 4

Additional Projects Under Consideration

Petition for Approval to Form a Regional Mobility Authority

September 3, 2002



AGENDA ITEM 41

Consider approving agreement with Williamson County Conservation Foundation, Inc., regarding mitigation of endangered species.

Commissioner Hays stated that a non-profit foundation would be created to acquire mitigation land, and to oversee the maintenance of the caves as they are added to the foundation. He said that some road bond money would be used to maintain the caves, as well as a donation of 3.2 million dollars from the State.

No action was taken on this agenda item, which was tabled until the September 10, 2002 agenda.

AGENDA ITEM 42

Consider approving reimbursement agreement with Round Rock ISD for utility relocation for Anderson Mill Road.

Moved: **Commissioner Boatright**

Seconded: **Judge Doerfler**

Motion: To approve a reimbursement agreement with Round Rock ISD for utility relocation for Anderson Mill Road.

Vote: **4 – 0**

< Attachment >