

AGENDA ITEM 17

Discuss and consider hiring Prime Strategies, Inc. to assist Williamson County and Travis County in creating the Central Texas Regional Mobility Authority.

No action was taken on this agenda item.

AGENDA ITEM 18

Consider amending the Prime Strategies Inc. Regional Mobility Authority contract to provide subcontract services.

Moved: **Commissioner Hays**

Seconded: **Commissioner Limmer**

Motion: To approve amending the Prime Strategies Inc., Regional Mobility Authority contract to provide subcontract services by Brian Cassidy at the rate of \$290 per hour.

Vote: **3 - 0**

< Attachment >

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September 18, 2002

Mr. Michael J. Weaver
Prime Strategies, Inc.
1508 South Lamar Boulevard
Austin, Texas 78704

Re: Supplemental Information for RMA Related Work

Dear Mike:

In connection with the retention of Locke Liddell & Sapp LLP ("LLS") by Prime Strategies, Inc. ("PSI") to assist with PSI's work under an interlocal agreement between Williamson and Travis Counties, you have requested additional information concerning fees and the anticipated scope of our services. The requested information is set forth below.

1. Hourly Rates. As noted in our prior engagement letter, I will be the principal attorney from LLS working on matters related to the RMA. I have agreed to discount my standard hourly rate from \$350 to \$290 per hour for this work, and I will discount the rates of other firm attorneys working on RMA-related matters by ten percent (10%) from their standard hourly rates.

I understand that, even as discounted, my hourly rate is higher than what Travis and Williamson Counties are often charged by outside counsel. Formation and operation of toll authorities requires knowledge and experience in many substantive legal areas as well as familiarity with issues concerning turnpike project development, financing, construction and operations. Advising toll authorities (and particularly start-up toll authorities) also requires familiarity with procurement laws, open meetings and Public Information Act issues, and other laws unique to governmental entities. In short, this work requires a unique combination of expertise which I and others in our firm have developed over a long period of time. As you know we have previously served as outside counsel to the Texas Turnpike Authority Division ("TTA") and we have, for many years, served as outside counsel to the North Texas Tollway Authority ("NTTA"). The discount reflected in this proposal recognizes the "start-up" nature of

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the Central Texas RMA, and is at least as generous as the rate structure we had with the TTA and currently have with the NTTA.

2. Scope of Work/Not to Exceed Amounts. You have also requested a general description of the types of work we will be engaged in as well as a "not to exceed" amount to be billed for such work. Reference to "not to exceed" levels are for anticipated fees through December 31, 2002. We will not consider the Counties to be responsible for amounts in excess of the "not to exceed" levels unless we have received previous authorization to exceed those amounts. I am hopeful that the limits I have indicated will be more than adequate to accomplish the designated work, however oftentimes the amount of work involved is dictated by the actions of third parties and the scope of the required services are unexpectedly increased.

<u>Description of Work</u>	<u>Not to Exceed Amount</u>
Preparation of petition, compilation of supplemental information, meetings with TxDOT and filing of petition	\$10,000.00
Post-petition activity, including coordination of public hearings, attendance at same, coordination with TxDOT staff, securing supplemental supporting information, City of Austin workshop issues, negotiation of minute order, and other activities necessary to complete the processing of the petition and presentation to (and approval by) the Texas Transportation Commission	\$10,000.00
RMA organizational work, including advice on legal issues concerning appointment of directors, drafting of bylaws and/or other governing documents, compliance with Open Meetings and Public Information Act requirements, attendance and participation in initial meeting, etc.	\$15,000.00

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Legislative issues – work with various parties in identifying necessary legislative changes to RMA powers and statutes governing RMA operations, review and revise draft legislation, attend meetings regarding same	\$15,000.00
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I hope this will adequately respond to your request. I would be happy to visit with you or representatives of either the Travis or Williamson County Commissioners Courts if you, or they, have any questions or need any additional information.

SUBMITTED

ACCEPTED

LOCKE, LIDDELL & SAPP, LLP
C. Brian Cassidy

PRIME STRATEGIES, INC.
Michael J. Weaver

CBC:jsw

approved 9-24-02
John C. Daefler

AGENDA ITEM 19

Discuss and take appropriate action on the road bond project.

Mike Weaver noted that an RMA public hearing administered by TxDOT will be held at the Cedar Park Annex on Wednesday, October 9, 2002. He said that Judge Doerfler will be representing Williamson County tomorrow morning at a meeting with the Austin City Council at One Texas Center regarding the formation of the Regional Mobility Authority.

No action was taken on this agenda item.

AGENDA ITEM 20

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

Ed Lee gave an update on the jail/courthouse annex expansion project. He said that work on the parking garage is still on schedule and that the jail project is slightly behind schedule. He said that the contractor has applied for "rain days" for delays in construction, mostly due to heavier than normal rainfall in the months of June and July. He stated that the courthouse annex contract has not yet been finalized, but that the remaining contract issues between the County Attorney and Landmark may be resolved by the end of the week.

No action was taken on this agenda item.

AGENDA ITEM 21

Discuss and take appropriate action concerning the parks advisory committee.

Kathy Grimes reminded the court that the Parks Advisory Committee retreat is scheduled for 1:00 p.m. to 6:00 p.m. on Saturday, September 28, 2002, at Avery Ranch.

No action was taken on this agenda item.

COMMISSIONERS' COURT ADJOURNED TO EXECUTIVE SESSION AT 10:36 A.M. ON TUESDAY, SEPTEMBER 24, 2002.

AGENDA ITEM 22

Discuss real estate (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

AGENDA ITEM 23

Discuss pending litigation: V. Gordon vs. Williamson County (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

AGENDA ITEM 24

Discuss contemplated litigation: Carolyn Barnes VS. Williamson County (EXECUTIVE SESSION as per VTCA Govt. Code sec. 551.071 consultation with attorney.)

No action was taken in Executive Session.

COMMISSIONERS' COURT RECONVENED FROM EXECUTIVE SESSION AT 10:50 A.M. ON TUESDAY, SEPTEMBER 24, 2002.

AGENDA ITEM 25

Discuss and take appropriate action on real estate.

Moved: **Commissioner Hays**

Seconded: **Judge Doerfler**

Motion: To authorize Charlie Crossfield to acquire the Burleson tract.

Vote: **3 – 0**