

HARRIS COUNTY
PUBLIC INFRASTRUCTURE DEPARTMENT

1001 Preston, 5th Floor
Houston, Texas 77002
(713) 755-4400

Abstain

October 19, 2009

No

Yes

Revised and reissued to replace submittal, same subject, dated October 7, 2009, referred for review by Commissioners Court on October 13, 2009

Commissioners Court
Administration Building
Houston, Texas 77002

Vote of the Court:
Judge Emmett
Comm. Lee
Comm. Garcia
Comm. Radack
Comm. Eversole

SUBJECT: Recommendation that TxDOT be informed of federal permit delays for Segment E of SH 99 and that TxDOT be urged to redirect the allocation of ARRA (stimulus) funds to another eligible project in Harris County

Dear Court Members:

It is recommended that TxDOT be informed of federal permit delays for Segment E of SH 99 and that TxDOT be urged to redirect the allocation of ARRA (stimulus) funds to another eligible project in Harris County. Staff and consultants have worked diligently and successfully to be on schedule to meet the deadlines to enable Segment E construction to qualify for and receive the stimulus funding, but it appears that the federal permit from the U.S. Army Corps of Engineers cannot be completely processed by the required mid-February date.

Because of ongoing permit difficulties and consequent loss of the ARRA funding, it is further recommended that Harris County neither schedule nor fund the construction phase of this project until a program is developed that considers other segments of SH 99 and reviews overall funding priorities and constraints for HCTRA's list of proposed projects. With your approval, TxDOT will be informed of that action, its justification, and its impact on the existing Advance Funding Agreement between TxDOT and Harris County.

With your approval, right-of-way acquisition will stop after transactions already begun have been completed with no further spending or project adjustments, and engineering efforts will cease upon completion of plans and specifications, including agency approvals. The acquired right-of-way and approved plans would be ready for use by HCTRA, by TxDOT, or by others when the project moves forward, and HCTRA would negotiate compensation for their transfer at that time.

Sincerely,

Presented to Commissioner's Court

Arthur L. Storey, Jr.
Arthur L. Storey, Jr., P.E.
Executive Director

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HARRIS COUNTY
MANAGEMENT SERVICES

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cc: Dick Raycraft
Robert Collie

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