

16.A

Denton County Commissioners Court

Oct 25, 2011

Date

11-0827

Court Order Number

The Order:

Approval of appointment of John Polster to IH 35E and SB 1420 Committee, demonstrating Denton County's affirmation of commitment to the IH 35E Managed Lanes Project, and any appropriate action.
County Judge

Motion by Mitchell Seconded by Horn

County Judge

Mary Horn

Yes

Abstain

No

Absent

Commissioner Pct No 1

Hugh Coleman

Yes

Abstain

No

Absent

Commissioner Pct No 2

Ron Marchant

Yes

Abstain

No

Absent

Commissioner Pct No 3

Bobbie J. Mitchell

Yes

Abstain

No

Absent

Commissioner Pct No 4

Andy Eads

Yes

Abstain

No

Absent

Motion Carried 5-0-0

Other Action: Pulled from Consent No Action Postponed

BY ORDER OF THE COMMISSIONERS COURT:

ATTEST:

Mary Horn
Presiding Officer



Cynthia Mitchell, County Clerk
and Ex-Officio Clerk of the
Commissioners Court of
Denton County, Texas

APPROVED AS TO FORM:

John Feldt
Assistant District Attorney

Heath Wood
Deputy County Clerk

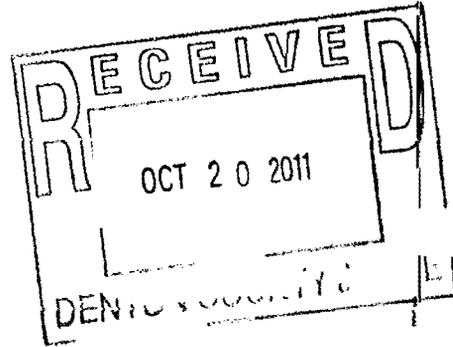
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Texas Department of Transportation

DEWITT C. GREER STATE HIGHWAY BLDG. · 125 E. 11TH STREET · AUSTIN, TEXAS 78701-2483 · (512) 463-8585

October 19, 2011



The Honorable Mary Horn
Judge
Denton County
110 West Hickory
Denton, Texas 76201

RE: SB 1420 Committee Members

Dear Judge Horn:

As you are likely aware, the Texas Department of Transportation (TxDOT) is engaged in project development activities associated with the planned redevelopment of a 28-mile section of I-35E from I-635 to US 380 in Dallas and Denton Counties (the I-35E Managed Lanes Project).

In Minute Order 112840, dated September 29, 2011, the Texas Transportation Commission authorized TxDOT to issue a request for qualifications to develop, design, construct, finance, maintain, and operate all or any portion of the I-35E Managed Lanes Project. TxDOT and local stakeholders are currently analyzing options for the financing and delivery of the I-35E Managed Lanes Project, including the possible use of a design-build contract, concession agreement, or availability payment contract.

Section 228.013, Transportation Code and TxDOT's rules implementing that section provide that a committee comprised of representatives from TxDOT, the North Central Texas Council of Governments (NCTCOG), the North Texas Tollway Authority (NTTA), and each city or county that provides funding or right-of-way for a toll project that will be developed under a concession agreement or availability payment contract must be formed; and must issue a report containing the committee's determinations concerning the distribution of the project's financial risk, the method of financing for the project, and, unless the project is subject to a regional tolling policy, the project's tolling structure and methodology. The committee's report will be used to determine the project's delivery method.

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Denton County

TxDOT and local stakeholders have determined those entities that may be eligible to appoint members of the committee under Section 228.013 and TxDOT's rules. The purpose of this letter is to request that Denton County affirm your commitment to provide funding and/or right-of-way for the I-35E Managed Lanes Project, and to provide a copy of a certified resolution or other action by Denton County that documents this commitment. If you've affirmed your commitment, we also request that you appoint one member to represent Denton County on the committee, and that you provide a copy of the resolution or other action making or authorizing the appointment.

Since the committee's report will determine the delivery method for the I-35E Managed Lanes Project, the report should be issued prior to the issuance of the request for qualifications for the project. Under TxDOT's current project schedule, the request for qualifications will be issued by the end of November. After formation of the committee, meeting dates and meeting agendas must be set. Committee meetings will be open to the public, and TxDOT's rules require notices of meetings to be submitted to Office of the Secretary of State at least eight days prior to the date of the meeting.

To maintain this schedule, committee members should be appointed by October 31, 2011. This would allow the committee to hold multiple meetings, if necessary, to approve the required determinations and issue a report prior to November 23, 2011. Any delays in appointing members and holding committee meetings will delay the issuance of a report and the development of the I-35 Managed Lanes Project.

TxDOT looks forward to working with Denton County and the other stakeholders in the successful development, construction, and operation of the I-35E Managed Lanes Project. If you have any questions or would like additional information, please contact me at (512) 305-9501, or should your staff have any questions, they may contact Bill Hale, Dallas District Engineer, at (214) 320-6100.

Sincerely,



John A. Barton, P.E.
Interim Deputy Executive Director

cc: Bill Hale, P.E., Dallas District Engineer, TxDOT

From: [Mary Horn](#)
To: [Kate Lynass](#)
Subject: FW: SB 1420 Committee Members for IH 35E from IH 635 to US 380
Date: Friday, October 21, 2011 10:11:39 AM

Mary Horn
Denton County Judge
110 W. Hickory St
Denton, TX 76201
940-349-2820
972-434-8805 Metro

940-349-2821 FAX

From: Mary Horn
Sent: Friday, October 21, 2011 10:09 AM
To: 'Bill Hale'
Cc: John Polster (johnp@itsinc-tx.com)
Subject: RE: SB 1420 Committee Members for IH 35E from IH 635 to US 380

There is a problem with the Oct 31st deadline! Extension possible or is there a draft resolution we can hurry up and post?

In order to do a resolution and appoint a member to the committee it would need to be done in Commissioners Court. Today is Friday the 21st and the only meeting in October to get this done is next Tuesday Oct 26th.....unless we can get this done by noon **today** it is too late to be posted as an addendum to next Tuesdays agenda.

Furthermore – I am going out of town and will not be in Court the following Tuesday – Nov 1.

Mary Horn
Denton County Judge
110 W. Hickory St
Denton, TX 76201
940-349-2820
972-434-8805 Metro

940-349-2821 FAX

From: Bill Hale [mailto:Bill.Hale@txdot.gov]
Sent: Thursday, October 20, 2011 1:43 PM
To: Andy Eads; Bobbie J. Mitchell; Hugh Coleman; Mary Horn; Ron Marchant
Cc: Manuel Trevizo
Subject: SB 1420 Committee Members for IH 35E from IH 635 to US 380

Importance: High

Judge Horn & Commissioners,

Please see the attached letter regarding IH 35E and the SB 1420 Committee Members from John Barton, TxDOT's Interim Deputy Executive Director, which mailed to you yesterday, October 19th, via US mail.

You should receive the hard copy in the mail shortly.

Thank you.

Bill

Note: Effective August 1, 2010, I will have a new e-mail address: bill.hale@txdot.gov. Please update this information in your address book. Thank you.

Bill Hale
Dallas District Engineer
TxDOT
e-mail: bill.hale@txdot.gov
214-320-6110

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Texas Transportation Forum
For more information on registration and program details visit
www.texas transportation forum.com