

**GUIDING PRINCIPLES  
SB 1420 COMMITTEE REQUEST FOR RTC RESOLUTION  
FOR THE DEVELOPMENT OF THE IH 35E PROJECT**

**WHEREAS**, Interstate Highway 35 East (IH 35E) is of Statewide, National, and International importance for the movement of people and commerce now and for the long term future;

**WHEREAS**, IH 35E serves as “Main Street, DFW;”

**WHEREAS**, the expansion of IH 35E consists of adding managed/toll lanes, general purpose lanes and frontage road lanes from IH 635 in Dallas County to US 380 in Denton County and is herein after referred to as the IH 35E project;

**WHEREAS**, the IH 35E project has been designated as a high priority project by the Regional Transportation Council (RTC);

**WHEREAS**, Local Partners, including Denton County, Dallas County, cities along the corridor, the RTC, the Texas Department of Transportation (TxDOT), the North Texas Tollway Authority (NTTA), and Denton County Transportation Authority (DCTA), Congressional representatives and state legislators have been working for years to advance the IH 35E project;

**WHEREAS**, the Local Partners also recognize Dallas Area Rapid Transit (DART), TxDOT and the RTC for their impact on the corridor through the “Immediate Action HOV” lanes constructed in the late 1990’s through a funding partnership;

**WHEREAS**, the Local Partners have developed innovative funding methods to advance the project such as the partnership between Denton and Dallas counties where Denton County Regional Toll Revenue (RTR) funds were loaned to complete the IH 635 project and will be repaid by Dallas County RTR funds;

**WHEREAS**, the region prioritized funding for the DCTA A-train to be operational before the IH 35E managed lane project commences in order to mitigate traffic impacts during construction;

**WHEREAS**, currently identified funding of \$639 million includes: \$484 million in RTR funds, \$78 million in Congestion Mitigation and Air Quality (CMAQ) funds, \$10 million in Surface Transportation Program - Metro Mobility (STP-MM) funds, \$44 million in Proposition 14 Bond proceeds, and \$23 million in Demonstration and/or Congressional Earmark funds.

**WHEREAS**, the NTTA has waived primacy for the IH 35E project;

**WHEREAS**, the Texas Legislature has authorized the development of the IH 35E project as one of the few public-private partnerships that can proceed in Texas; and,

**WHEREAS**, Senate Bill 1420 (82<sup>nd</sup> Texas Legislature, Regular Session) requires for certain TxDOT toll projects, including the IH 35E project, that a committee comprised of representatives from local and regional stakeholders and TxDOT (The SB 1420 Committee) be formed to make determinations concerning the distribution of the project’s financial risk, the method of financing for the project, and the project’s tolling structure and methodology that will determine the project’s delivery method in order to ensure local and regional input into the process.

**NOW, THEREFORE, BE IT HEREBY AGREED THAT:**

- Section 1.** The SB 1420 Committee requests a Resolution from the RTC, agreeing to the Guiding Principles outlined in this document to be addressed by TxDOT on the IH 35E project.
- Section 2.** The RTC will request that the SB 1420 Committee issue a report containing determinations that are consistent with the findings of Mobility 2035 and the National Environmental Policy Act (NEPA) documents related to the IH 35E project.
- Section 3.** The RTC will work with Denton County to advance the IH 35E project, recognizing Denton County's commitment of local funds for the project in exchange for CMAQ funds.
- Section 4.** The RTC will assist local stakeholders in initiating conversations with local governments, regional leaders, the Texas Transportation Commission and other interested public and private partners to allocate additional resources to the project, including private equity, local, state and federal funds in order to build as much of the IH 35E project as possible, including additional general purpose capacity in the first phase of construction.
- Section 5.** The RTC will request that the SB 1420 Committee commit to meeting TxDOT's schedule to make the required determinations as soon as possible.
- Section 6.** The RTC requests that revised cost estimates and financial analyses of the IH 35E project be completed during the Request For Qualifications (RFQ) process for the project, and this information and information concerning any additional funding identified for the project be provided to the SB 1420 Committee on or before the completion of the RFQ process, and requests that the SB 1420 Committee make determinations that result in one delivery method for the IH 35E project, and that the SB 1420 Committee submit its report to the Executive Director of TxDOT prior to the issuance of a Request for Proposals (RFP) for the project.
- Section 7.** The RTC will request that TxDOT complete the procurement process for the IH 35E project as expeditiously as possible.
- Section 8.** The RTC will commit that excess revenue derived within the limits of the project, is utilized for the development of projects in order to complete the full build out of the IH 35E project.

**SIGNED,**



Michael Morris, NCTCOG  
Committee Chair