

RESOLUTION NO. 2011-MM-___ (R)

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, REQUESTING IMPROVEMENTS TO INTERSTATE 35 EAST AS DESIGNED BY THE TEXAS DEPARTMENT OF TRANSPORTATION TO BE FULLY FUNDED AND IMPLEMENTED FOR THE FULL PROJECT LENGTH FROM INTERSTATE HIGHWAY 635 IN DALLAS COUNTY TO U.S. HIGHWAY 380 IN DENTON COUNTY

- WHEREAS**, the interstate highway system in Texas has a positive economic impact and Interstate Highway 35 in particular has become one of the nation's most important interstate routes due to international trade and commerce; and
- WHEREAS**, traffic volume has increased geometrically as cities along Interstate 35 grew and became economic centers of national importance; and
- WHEREAS**, Interstate Highway 35 East (I-35E) has been designated as an international trade route for commerce known as the NAFTA Superhighway; and
- WHEREAS**, Interstate 35 was an original Interstate Highway and approved by the Texas State Highway Commission in 1962 that was 492 miles in length; and
- WHEREAS**, Interstate 35 has been designated by the United State Congress as a National High Priority corridor – Corridor 23; and
- WHEREAS**, the segment of I-35E from Interstate Highway 635 in Dallas to U.S. Highway 380 in Denton is approximately 28 miles in length with average daily vehicle count of between 175,000 and 200,000 vehicles per day; and
- WHEREAS**, the 2030 traffic projections show traffic will exceed 330,000 vehicles per day in the most congested areas of I-35E; and
- WHEREAS**, the use of managed toll lanes on I-35E has already been authorized by the Federal Highway Administration ("FHWA") through approval of an Express Lane Demonstration Program entered into between TxDOT and FHWA on September 30, 2009; and
- WHEREAS**, the current Design Schematics and Interstate Access Justification for I-35E were approved by FHWA on October 28, 2009; and
- WHEREAS**, the current design plans for I-35E provides for the construction of four general purpose lanes and three access road lanes in each direction, which combined a total of fourteen (14) lanes, for which no toll will be assessed; and
- WHEREAS**, the capacity for the I-35E general purpose lane and access lanes will be enhanced with the inclusion of two managed toll lanes in each direction where the managed lanes are a critical component to obtain financing necessary to complete development of the project; and
- WHEREAS**, there has been significant public involvement during the development of the I-35E design process, including multiple public meetings and forums; and
- WHEREAS**, TxDOT has over the past ten years worked closely with local elected officials, stakeholders, and communities of interest along I-35 on the planned improvements; and
- WHEREAS**, the total cost of the project which is divided into three segments covering 28 miles, is projected to be \$4.4 billion; and

WHEREAS, Denton County has pledged its Regional Toll Revenue in the amount of \$535 million, in addition to voter approved County Road Bond funds in the amount of \$55 million, to help finance the completion of the entire I-35E project; and

WHEREAS, local officials understand the need for and support the inclusion of managed lanes in the congested I-35E corridor; and

WHEREAS, the completion of I-35E with the “pay as you go” appropriation method utilizing motor fuel tax revenue could delay implementation of the project for an additional 20-30 years; and

WHEREAS, staged construction of I-35E, utilizing innovative financing mechanisms, including Public Private Partnerships remains the only viable alternative to complete the construction of I-35E within a time horizon of 5-7 years; and

WHEREAS, I-35E public hearings are scheduled for the Fall of 2010 with environmental clearance and the issuance of Finding of No Significant Impact expected in the first quarter of 2011.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS, THAT:

Section 1. City of McKinney supports the proposed TxDOT schematic and design of Interstate Highway 635 to U.S. State Highway 380, which incorporates managed toll lanes.

Section 2. City of McKinney supports the authorization of innovative funding concepts, public private partnerships and other funding alternative which can be implemented by reauthorizing TxDOT to enter into contracts with private sector partners to complete I-35E, as designed, in 5-7 years.

Section 3. City of McKinney joins with the other political subdivisions adjacent to and along the I-35E corridor to request and support the statutory authority for TxDOT to enter into public private partnerships, as previously authorized by statute, for the purpose of seeking competitive proposals and awarding the construction of the designed improvements for I-35E.

Section 4. City of McKinney supports the expedited consideration of reauthorization for TxDOT to enter into public private partnerships with an effective date in the first quarter of calendar year 2011 to facilitate an early issuance of request for proposals to accelerate the initiation of the needed improvements for I-35E.

Section 5. This Resolution shall take effect immediately from and after the date of passage and is so resolved.

DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MCKINNEY, TEXAS ON THE 1st DAY OF MARCH, 2011.

CITY OF MCKINNEY, TEXAS

BRIAN LOUGHMILLER
Mayor

ATTEST:

SANDY HART, TRMC, MMC
City Secretary
BLANCA I. GARCIA
Assistant City Secretary

APPROVED AS TO FORM:

MARK S. HOUSER
City Attorney