

Meeting Minutes

To: IH 35E Stakeholders

From: Matt Craig, P.E., Halff Associates

Subject: IH 35E Stakeholder Meeting No. 8

Meeting Date: January 13, 2010– 2:00 PM to 4:00 PM

Location: Lewisville City Hall

Minutes Date: January 13, 2010

Project: IH 35E Preliminary Engineering & Environ. Assess.
 TxDOT CSJ: 0196-03-137, etc.; Halff AVO 26211

1. INTRODUCTION

Bob Brown, P.E., Deputy District Engineer for the Dallas District of the Texas Department of Transportation (TxDOT) called the meeting to order. Minutes of the August 6, 2009 meeting of the IH 35E Stakeholder Work Group were distributed. No corrections were noted.

2. SCHEMATIC DESIGN & ENVIRONMENTAL DOCUMENTATION STATUS

Mr. Brown notified the group that on September 30, 2009, TxDOT received the express lane demonstration project approval. Program approval by the FHWA will allow the managed lanes to be tolled.

Matt Craig, P.E., Halff Associates Inc., Consultant Project Manager for the IH 35E Corridor updated the group on the status of the schematics and environmental documentation. The Schematic IAJ was approved and is on the website (www.KeepTexasMoving.com). The Middle EA was resubmitted to TxDOT ENV Austin today, January 13. The North and South EA were resubmitted in the end of December. The Middle segments SFP is

Attendees: 29 (Absentees are shaded)

Askari	Nasser	Texas Department of Transportation
Bacchus	Steven	City of Lewisville
Baker	Lindsey	City of Denton
Bailey	Gary	Texas Department of Transportation
Bama	Hamid	Dallas County
Barks	Berrien	North Central Texas Council of Govts
Barrero	Jorge	Wilbur Smith Associates
Berner	Earl	City of Lake Dallas
Bills	Connie	Jacobs, Inc.
Bold	Richard	Wilbur Smith Associates
Booth	Scott	Innovative Transportation Solutions
Brown	Bob	Texas Department of Transportation
Burgess, Michael C. (Attn: Janice Zimmerman)		U.S. House of Rep
Cabralles	John	City of Denton
Campbell	George	City of Denton
Coleman	Hugh	Denton Co. Commissioner
Cornyn, the Honorable John (Attn: Diana Palacios)		U. S. Senate
Craig	Matt	Halff Associates, Inc.
Davis	David	City of Farmers Branch
Diviney	Patrick	Denton Co. Transportation Authority
Escalante	Richard	The University of North Texas
Evans	Jim	The University of North Texas
Ferris	Eric	City of Lewisville
Gardiner	Chad	Halff Associates, Inc.
Gibbs	Fred	City of Corinth
Hall	Robert	Texas Department of Transportation
Hall	Stan	Texas Department of Transportation
Halstead	Jennifer	HNTB
Hammons	Tom	City of Carrollton
Hensley	David	Texas Department of Transportation
Holzwarth	Donald	Dallas County
Horn	The Honorable Mary	Denton County
Howell	Milton "Pat"	The University of North Texas
Hudspeth	John	Texas Department of Transportation
Jennings	Darin	Dannenbaum Engineering Co.
Kearbey	Raynard	University of North Texas
Kennah	Robert	URS (for DCTA)
Kerrigan	Michael	Halcrow Inc.
King	Claude	City of Lewisville
King	Dale	USACE
Kumar	T. S.	City of Lewisville
Leavitt	Michael	City of Highland Village
Lewis	Gene	City of Lewisville
Locke	Don	City of Corinth
MacAllister	Tim	USACE
MacGregor	Matt	Texas Department of Transportation
Majzoub	Dean	FHWA
Mangum	Roger	Town of Hickory Creek
Martin	Mike	City of Farmers Branch
McKeown	Chad	North Central Texas Council of Govts
Molina	Cesar	City of Carrollton
Murawski	Jerry	City of Farmers Branch
Neal	Jeff	North Central Texas Council of Govts
Neeley	Scott	Denton Co Transportation Authority
Nelson	Mark	City of Denton
Ngyen	John	TxDOT
Northup White	Cynthia	TxDOT
Olyai	Koorosh	Dallas Area Rapid Transit
Payne	Frank	City of Denton
Perge	Dan	TxDOT
Phelps	Brian	USACE
Pittman	Maurice	Texas Department of Transportation
Polster	John R.	Innovative Transportation Solutions
Reasoner	Kimberly	The University of North Texas
Rollins	Steve	Denton Co.
Saldana	Cecil	Texas Department of Transportation
Schwartz	Larry	North Texas Rail Group
St. Jacques	Kevin	Wilbur Smith Associates
Steele	Barry	Town of Hickory Creek
Thomas	Rick	Halff Associates, Inc.
Tolar	Chris	TxDOT
Trosper	Elizabeth	City of Lewisville
Ullman	Phil	HDR
Varner	Jared	DCTA
Vokoun	Bernard	City of Denton
Walters	Shane	HDR
Wilson	Anita	FHWA

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needed by March in order to have the May public hearings since there is a 30 days notification for SFP. The projects goal is to have all 3 public hearings in the May timeframe. The latter part of the summer will be dedicated for the FONSI development. The USACE has given conditional approval for the time being with final approval coming after the FONSI.

Mr. Brown provided a short recap of the project overview and presented the projects major milestones and accomplishments.

- Express Lane Demonstration Program Approval by the FHWA - September 30, 2009
- Schematics Approved at local, state and federal levels for North, Middle and South Segments - October 28, 2009.
- Interstate Access Justification Study Approved by FHWA Headquarters - October 28, 2009.
- USACE letter of conditional concurrence on the assessment and impacts of the IH 35E project at Lake Lewisville - November 6, 2009
- Environmental Assessments (EA)
 - Middle EA 3rd Draft to TxDOT ENV Austin - November 23, 2009
 - South EA 2nd Draft to TxDOT ENV Austin - December 22, 2009
 - North EA 3rd Draft to TxDOT ENV Austin - December 30, 2009

The next steps of the project that are going to be focused on are:

- Circulation of the EAs to Resource Agencies
- Review by the FHWA
- Need to Obtain “Satisfactory for Further Processing”
- Hold Public Hearings
- Respond to Public Comments
- Obtain “Finding of No Significant Impact” (FONSI) for all 3 Segments by Mid 2010

3. CONSTRUCTION FINANCING & PHASE PLAN

The Design-Build cost of the project is projected to be \$3,674 Million with a ROW cost of \$652 Million bringing the total project cost to \$4,326 Million. The DFW region is projected to receive \$400 Million over the next 11 years. Mr. Brown Proceeded to give descriptions of the various breakout projects which included the Pedestrian Bridge at UNT, the North Early Project, and the Middle Segment. Denton County supports funding the pedestrian bridge at UNT as it is needed prior to the UNT stadium opening and will be funded with regional toll revenue. TxDOT has approved funding for the “North Early Project” will have PS&E funded by Prop 14 and construction funded from a future source when available. North Early will be using consultant selection for the design. The Middle segment is prioritized per the SH MOU. Financing options include Pay As You Go Method, Pass-Through Finance (PTF) authority, or use a local authority to procure a CDA. Denton County is having discussions with NTTA on constructing part of the project by CDA. Multiple scenarios are under being studied for financing. An Investment Grade Traffic and Revenue study is underway as well.

TxDOT was told by legislature to not do concessions. The projects Stakeholders have requested TxDOT to pursue alternatives. TxDOT needs to come up with a Pass-Thru option.

PTF commission rule changes to define TxDOT's ability to do PTF. In the past the majority of these have been TxDOT paying back the local government over 10-15 years. The commission meets this month to amend the rules so that toll revenue would be used to make payments. TxDOT can enter into an agreement with a private entity (1 in Texas near El Paso/Ft. Bliss). TxDOT has a procurement team in place for IH 35E with Jon Nguyen as the PM. Procurement will have a 12 month timeframe to award a development agreement. If that happens, this would occur between spring 2010 and spring 2011. ROW acquisition would immediately follow with ENV clearance in mid to late summer. TxDOT would have identify scope of project and make sure that RTR and managed lane revenue can fund the size of the project.

4. NEED TO DEVELOP CORRIDOR CHAMPION AND DELEGATION

Mr. Brown expressed the need for a local delegation and leadership in moving the project forward.

5. NEXT STEPS

Mr. Brown wrapped up the presentation with a prioritization of what the next steps in the project are:

1. Continue NEPA Process
 - a. Environmental Assessments Approval
 - b. Public Hearings
 - c. FONSI by mid 2010

2. Continue Project Development
 - a. Begin PS&E for Early Segments
 - b. Finalize Right of Way Mapping
 - c. Identify Existing Utilities
 - d. Perform Remaining Geotechnical Investigation
 - e. Obtain USACE Permits

3. TxDOT Procurement Team Performs Due Diligence
 - a. "Right-Size" the Potential PTF Project

4. Corridor Stakeholder Discussions
 - a. Develop Consensus on Financing and Project Delivery
 - b. Suggested Stakeholder Discussions with State Elected Officials

5. TxDOT to Follow Stakeholder Direction:
 - a. Project Delivery Methods
 - b. Cost Savings and Revenue Enhancement Measures

6. STAKEHOLDER OUTREACH / OTHER ISSUES

Project is on Jan. 27th commission agenda where the presentation will be made to the commission.

Materials Distributed at the Meeting:

- IH 35E Stakeholder Meeting No. 8 Agenda & Meeting No. 7 Minutes.

This concludes the Meeting Minutes. Our goal is to provide a complete and accurate summary of the proceedings of the subject meeting in these minutes. If you feel that any of the items listed above are not correct, or that any information is missing or incomplete, please contact Half Associates so that the matter can be resolved, and a correction issued if necessary. These minutes will be assumed to be correct and accepted if we do not hear from you within ten (10) calendar days from your receipt.