

TEXAS TRANSPORTATION COMMISSION

VARIOUS Counties

MINUTE ORDER

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DALLAS District

Transportation Code, §228.012 requires the Texas Department of Transportation (department) to create a separate account in the state highway fund to hold payments received by the department under a comprehensive development agreement (CDA), the surplus revenue of a toll project or system, and payments received under Transportation Code, §§228.0111(g)(2) and (i)(2).

The department is required to create subaccounts in the account for each project, system, or region, and to hold money in a subaccount in trust for the benefit of the region in which a project or system is located. Interest earned on money in a subaccount shall be deposited to the credit of that subaccount. The department may assign the responsibility for allocating money in a subaccount to a metropolitan planning organization (MPO) in which the region is located.

The department has created subaccounts in the state highway fund to hold the payments received from the North Texas Tollway Authority (NTTA) for the right to develop, finance, design, construct, operate, and maintain the SH 121 toll project from Business SH 121 in Denton County to US 75 in Collin County (SH 121 payments).

In Minute Order 110727, dated October 26, 2006, the Texas Transportation Commission (commission) approved, and authorized the department's executive director to enter into a memorandum of understanding (MOU) with the Regional Transportation Council (RTC), the transportation policy council of the North Central Texas Council of Governments (NCTCOG), a federally designated MPO, concerning the administration, sharing, and use of surplus toll revenue and CDA concession payments in the region served by NCTCOG. The SH 121 toll project is located in the region served by NCTCOG.

Responsibility for allocating the SH 121 payments has already been assigned, to a degree, to the RTC under the MOU. The MOU provides that the selection of projects to be financed using those funds shall be made by the RTC, subject to commission concurrence. The projects are to be selected in a cooperative department-RTC selection process which considers the desires of the cities and counties in which the project is located. The RTC has developed a plan for regional sharing of surplus toll revenue and CDA concession payments, based on the location of the toll project from which these revenues are derived and the residential location of toll users in the region served by NCTCOG.

The department has established a work program to account for and track projects in the Dallas District that are to be funded with the SH 121 payments. The RTC, through an extensive public involvement process, has identified projects to be funded with the SH 121 payments. The department has placed a portion of those projects located in the Dallas District in the work program. Additional projects may be added to the work program through RTC and commission approval.

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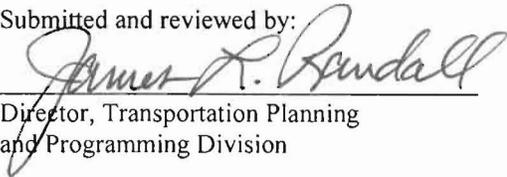
DALLAS District

IT IS THEREFORE ORDERED by the commission that, pursuant to the MOU, it concurs with the projects identified in the work program as shown in Exhibit A that have been selected by the RTC to be funded with the SH 121 payments, and approves the placement of those projects in the work program with CONSTRUCT authority, to be developed consistent with applicable state and federal laws, regulations, and procedures.

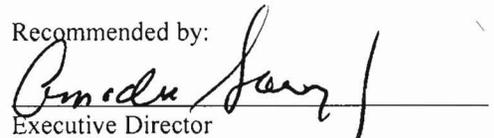
IT IS FURTHER ORDERED that, unless otherwise approved by the commission, all direct costs associated with these projects for which federal and state funds have not been allocated shall be charged to this work program, including the costs of right of way acquisition, preliminary engineering, and construction engineering, and the costs of department staff incurred in the development, procurement, and construction of the projects.

IT IS FURTHER ORDERED that the department shall annually provide the commission a report describing the status of projects in the work program.

Submitted and reviewed by:


Director, Transportation Planning
and Programming Division

Recommended by:


Executive Director

111215 JAN 31 08

Minute
Number

Date
Passed

EXHIBIT A

RTC Work Program of Projects
Using Account 1 "Near Neighbor, Near Timeframe Projects" Fund

COLLIN COUNTY

CSJ	Project Location	Project Description
0281-02-060	SH 78 from Collin County Line to Spring Creek Parkway	Widen 4 lane divided urban to 6 lane divided urban
0047-06-133	US 75 from President George Bush Turnpike to Park Blvd	Bottleneck improvements
0047-06-134	US 75 at Parker Road	Reconstruct interchange as single point urban interchange
0135-12-025	FM 3537 from SH 289 to FM 2478	Widen 2 lane rural to 6 lane urban arterial
2351-01-013 2351-02-950	FM 2478 (Custer Road) from Stonebridge Drive to US 380	Widen 2 lane rural undivided roadway to 6 lane divided urban and intersection improvement at US 380/FM 2478/Custer Road
0918-45-916	Surface parking expansion at George Bush LRT Station area	Expand to include 380 more parking spaces

EXHIBIT A

**RTC Work Program of Projects
Using Account 1 "Near Neighbor, Near Timeframe Projects" Fund**

DALLAS COUNTY

CSJ	Project Location	Project Description
0918-47-984	Freeport Pkwy from Sandy Lake to Ruby Road	Widen 2 to 4 lanes
0918-47-983	Freeport Pkwy from SH 121 to Sandy Lake Road	Construct new location 6 lane facility

EXHIBIT A

RTC Work Program of Projects
Using Account 1 "Near Neighbor, Near Timeframe Projects" Fund

DENTON COUNTY

CSJ	Project Location	Project Description
0918-46-965	Memorial Drive from Memorial Drive & Navaho Lane to Spring Creek Parkway	Construction of extension to connect with Spring Creek Parkway as a 6 lane underpass (with 4 lane roadway construct)
1567-02-027	FM 423 from south of FM 2934 to Stewarts Creek Road	Widen 2 lane rural to 6 lane of ultimate 8 lane divided urban highway
1315-02-009	FM 423 from US 380 to 0.8 mile south of FM 2934	Widen 2 lane to 6 lane divided urban facility
1567-02-020	FM 423 from Stewarts Creek Road to SH 121	Stewarts Creek to Cougar Alley, widen 2 to 6 lane divided urban facility; Cougar Alley to SH 121, widen 2 to 8 lane divided urban facility
1567-01-029	FM 720 from 0.2 mile west of Garza Lane (west of Lake Lewisville) to 0.1 mile west of FM 423	Widen 2 lane rural roadway to 4 lane divided urban (ultimate 6 lane) facility
2980-01-008	FM 2934 (El Dorado) from FM 423 to Dallas North tollway (Collin County line)	Widen existing 2 lane rural to 6 lane divided urban highway
2054-02-016	FM 2181 from Hickory Creek Road to West Frontage Road IH 35 East	Widen 2 lane rural roadway to 6 lane divided urban facility
0134-09-034	US 380 from west of Bonnie Brae to US 77	Widen 4 to 6 lane divided urban facility
0081-11-012	FM 426 from west of LP 288 to east of LP 288	Widen 2 lane roadway to 4 lane divided urban facility
0619-05-034	FM 544 from FM 2281 to west of Josey Lane	Reconstruct and widen rural to 6 lane divided urban facility

EXHIBIT A

**RTC Work Program of Projects
Using Account 1 "Near Neighbor, Near Timeframe Projects" Fund**

DENTON COUNTY

CSJ	Project Location	Project Description
1567-02-020	FM 423 from SH 121 to Stewarts Creek Road	Widen 4 to 8 lane divided urban facility
0353-02-060	SH 114 from west of Trophy Lake Drive to West Trophy Club Drive	Construct Phase III; complete main lanes and frontage roads for 6 lanes
1950-01-026	FM 407 from west of Chin Chapel to west of Briarhill Boulevard	Widen 2 lane rural to 4 lane divided urban
0918-46-975	Corporate from FM 544 to Josey Lane	Construct new location 6 lane facility, including grade separation at the railroad
0196-03-245 0196-02-068 0196-02-073 0196-02-114 0196-01-096	IH 35E from President George Bush Turnpike (PGBT) to FM 2181	Widen from 6 to 10 lanes, add 2 reversible HOV lanes and 2 to 3 lane frontage roads on each side (TOLL)
0918-46-961	MKT Rail Corridor from Denton CBD just south of intersection of Hickory and railroad to DART Trinity Mills light rail station	Advance purchase of rail vehicles for RailDCTA Project

EXHIBIT A

**RTC Work Program of Projects
Using "Emergency Projects" Fund**

DALLAS COUNTY

CSJ	Project Location	Project Scope
0009-11-214 2964-06-015 2964-06-016	PGBT EE (SH 190) from IH 30 to SH 78, including interchange at IH 30	ROW acquisition for entire PGBT EE corridor
2964-01-039	SH 161 from south of Rock Island Road to north of Conflans Road	Construct 6 lane main lanes and necessary ramps (TOLL); PHASE 3
2964-01-031	SH 161 from north of IH 30 to north of Rock Island Road	Construct 6 lane frontage road sections (TOLL)
N/A	SH 161 from north of IH 30 to north of Conflans Road	Incentives for CSJ 2964-01-031 and CSJ 2964-01-039