



COLLIN COUNTY

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MEMO

DATE: March 23, 2011
TO: Commissioners Court
FROM: Tracy R. Homfeld, PE, CFM; Assistant Director of Engineering
SUBJECT: Approval of the "Agreement to Contribute Funds - Local Government" for SH 78 from SH 205 to Business SH 78; TxDOT ROW CSJ #0281-02-066 2007 New Bond Project # 07-00-10. Collin County's participation will not exceed \$130,000.

We request Commissioners Court consider approval of the "Agreement to Contribute Funds - Local Government" for SH 78 from SH 205 to Business SH 78. (Agreement and Location Map attached)

The TxDOT project involves widening SH 78 from SH 205 to Business SH 78 from a two (2) lane rural to a six (6) lane urban roadway. The construction of this project is funded with Regional Toll Revenue (RTR) Funds. The roadway project is scheduled to be let in April 2012.

The attached agreement stipulates TxDOT will be responsible for acquiring the right-of-way. TxDOT will be responsible for 90% of the right-of-way and all costs and fees associated with the right-of-way acquisition. Collin County will be responsible for 10% of the right-of-way and associated costs. Since the improvements are within the City of Lavon, the responsible local government is the city; however, Collin County has agreed to pay for the City of Lavon's 10% participation up front and will be paid back in full. The County and the City will enter into an Interlocal Agreement (ILA) that describes payback. The ILA will be approved by the City of Lavon's City Council next month and will be brought to Commissioners court for your approval shortly there after.

The payback funds will be made available through the Access Road Fund provided by the Master Development Agreement (Approved by Collin County and the City of Lavon) with the World Land Developer, (Developer of Grand Heritage, f/k/a "Bear Creek") The Plan requires the Developer to provide funds to the County (the "County Access Road Funds" to assist the County in providing certain access road improvements. The City has requested these funds from the developer and when received, will reimburse the county for this project.

In the interim, the County will fund this project using funds from Contingency, Project #07-00-00.

TxDOT estimates the cost of right-of-way will be \$1,300,000. *The county's 10% share will be \$130,000.*

ACTION:

We request Commissioners Court approve the "Agreement to Contribute Funds – Local Government" and allow Judge Keith Self to sign the agreement.

We will be available to respond to Commissioners Court questions and comments.

xc: Bill Bilyeu
Matt Dobecka
Monika Arris