



MEMO

Date: January 22, 2024

To: County Judge and Commissioners

From: Clarence Daugherty, P,E., Director of Engineering

Subject: Interlocal Agreement and Memorandum of Understanding Concerning Water Supply Pipeline on Bloomdale West of Lake Forest

An interlocal agreement (ILA) is needed involving the North Texas Municipal Water District (NT), the City of McKinney (McKinney) and Collin County (County). NT and McKinney have worked together on the installation of a water supply pipeline project for NT to bring water to a new delivery point for McKinney. The project consists ultimately of two large pipelines in right-of-way that is along the current right-of-way of Bloomdale Road west of Lake Forest Drive. McKinney will relinquish the Bloomdale ROW to NT to be used for the pipeline. However, this will be done in two stages in order to accommodate current traffic on Bloomdale Rd.

NT will install the first of the two pipelines in the immediate future in the north half of the Bloomdale ROW. That will allow the current pavement to remain to be used by existing traffic. At a later time, the demand for water will require the installation of the second pipeline. At that time it is planned that at least one service road of the US 380 freeway will have been built. This will allow traffic to be switched to the service road, freeing the pavement in the Bloomdale ROW to be removed so the second pipeline can be installed.

Collin County's part is to guarantee that the service road will be built in time to switch the traffic from the Bloomdale pavement when needed to install the second pipeline. I shared this issue with the members of the Commissioners Court by an email dated July 16, 2021 (see attached email). The discussions I had with the members of the Court indicated the members' willingness to guarantee the timely construction of the service road if TxDOT does not construct in time. At that time, I communicated that to NT so they could have confidence to proceed with the design of the first pipeline and develop an ILA for such an agreement. I did not realize that the formal agreement would take this long to be finalized, but it is now time to agree to the ILA.

Unfortunately, the Director of Engineering did not catch a mistake in the proposed ILA before the McKinney City Council and the NTMWD Board of Directors approved the ILA. The mistake is that the ILA states that the County will build the service road rather than stating that it will build only if TxDOT does not. On the one hand, it is somewhat of a fine point that is somewhat inconsequential because TxDOT is aggressively moving forward with the goal of starting construction of a service road in 2026, which will be well ahead of the need for the second pipeline.

However, just to make sure there is no misunderstanding, NT prepared an MOU to be approved by the Court at the same time as the ILA that clarifies the County's position so the Court can approved the ILA as it was approved by McKinney and NT without going through the fairly long process of taking it back the governing bodies for a change. Attached are the ILA, along with the minutes of the Council and Board actions showing that they approved the ILA. Also attached is the clarifying MOU.

Requested Action: It is recommended that the Commissioners Court approve the attached interlocal agreement and the attached memorandum of understanding.