

**CITY OF LAVON, TEXAS
RESOLUTION NO. 2014-10-01**

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF LAVON, TEXAS STRONGLY OPPOSING A PRIVATE TOLLWAY AND OTHER ALTERNATIVES RECOMMENDED IN THE BLACKLAND CORRIDOR FEASIBILITY STUDY THAT USE A ROUTE PASSING THROUGH THE LAVON CITY LIMITS AND ITS ETJ FOR THE PURPOSES OF THE NORTHEAST GATEWAY PROJECT; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Texas Turnpike Corporation (TTC) is a private developer of toll roads who has filed an application with the Texas Department of Transportation to seek approval for the construction of a private toll road;

WHEREAS, pursuant to Section 362.104 of the Texas Transportation Code and Rule 27.32 of the Texas Administrative Code, TTC is required to conduct studies concerning the feasibility, route or alignment, and environmental effect of a proposed toll project before requesting such approval;

WHEREAS, the North Central Texas Council of Governments, TTC, and Texas Department of Transportation are presently conducting a study known as the Blacklands Corridor Feasibility Study to assess local and regional transportation needs and to recommend strategies for the same but have not completed the required environmental assessment;

WHEREAS, the study includes impacts to the City of Lavon in the way of a private toll road route from President George Bush Toll Road to State Highway 205 and may consist of 6 lanes with an expansion of 6 lanes of the artery from State Highway 78 to the Collin County Loop, an express bus transit from Garland to Farmersville that passes directly through Lavon, and a regional veloweb from Lavon to Greenville;

WHEREAS, the City of Lavon places great value on the family-oriented community established by its Comprehensive Plan, and finds that the impacts to the City of Lavon by the private tollway are grossly inconsistent with the City's Comprehensive Plan as a required consideration under Tex. Trans. Code § 362.103 and Rule 27.36 of the Texas Administrative Code, and to the quality of life provided by the City of Lavon, including the maintenance of a rural atmosphere and planning for parks, open spaces, thoroughfares, land use and utilities;

WHEREAS, the City of Lavon is involved with existing master development agreements, which include development incentives, and a Public Improvement Development and a Tax Increment Financing District that would be seriously affected by any route as proposed or currently being surveyed, which would cause the City economic hardship through lost revenue, as well as hardship to third parties;

WHEREAS, the City of Lavon believes that inundation with more toll roads, especially through the heart of Lavon, will burden the citizens of Lavon with a significant economic hardship due to fees for use;

WHEREAS, the City estimates the proposed project could impact approximately 40 adjacent property owners who could be displaced due to TTC's ability to exercise eminent domain;

WHEREAS, the City strongly opposes the use of eminent domain by a private entity;

WHEREAS, the TTC and/ or NCTCOG have presented materials involving the private toll road to other local governments, but not involved the City of Lavon; and

WHEREAS, TTC has provided no proof that the proposed private toll road will produce sufficient revenue to finance the construction, maintenance, operation, design, and planning of the project based on accurate traffic data and projections.

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

SECTION 1. That the City of Lavon hereby strongly opposes the private toll road and other alternatives recommended in the Blackland Corridor Feasibility Study that use a route passing through the Lavon City Limits and/or its ETJ for the purposes of the Northeast Gateway Project.

SECTION 2. That the City of Lavon requests that detailed information regarding the exact location of the proposed routes be provided to the City prior to any further public hearing under 27.33(b) of the Tex. Admin. Code.

SECTION 3. That the City of Lavon requests a copy of all summary and analysis and comment and response reports for public hearings that are submitted by TTC to the Texas Department of Transportation.

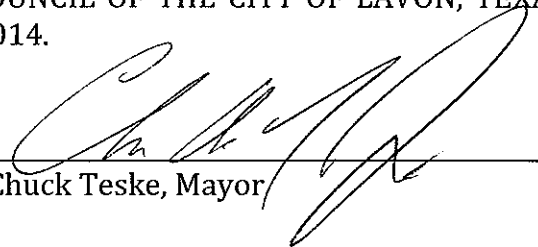
SECTION 4. That the City of Lavon, as a lake community, be allowed input into potential significant environmental impacts of the project during the environmental assessment as it relates to air quality, noise, and wildlife, especially including but not limited to any proposed bridges or lake crossings.

SECTION 5. That NTCOG, TTC, and the Texas Department of Transportation provide proof to the City that the data underlying the proposed private toll road is reliable and accurate, including that traffic data and projections used in calculating sufficient revenue are reliable and accurate.

SECTION 6. That all alternative solutions that do not affect the City of Lavon and meet the transportation needs of the area be explored while leaving control of the local transit infrastructure to the local governments.

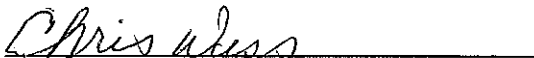
SECTION 7. That this Resolution shall take effect immediately from and after its passage, and it is accordingly so resolved.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF LAVON, TEXAS,
this 1st day of October, 2014.



Chuck Teske, Mayor

ATTEST:



Chris Wess, City Secretary

