



Grand Parkway Segment E

(Houston, TX — Pat Hernandez and Wendy Siegle, [KUHf News](#)) A state-county debate over who will build a ring road around Houston is picking up steam and heading toward resolution this week, but that doesn't mean everyone is happy with the progress.

Harris County handed over responsibility to the Texas Department of Transportation (TxDOT) Tuesday for building a segment of the Grand Parkway, a proposed 180-mile ring road that will cross seven counties around Greater Houston.

Fifteen months ago, Harris County took control of the project under the assumption TxDOT didn't have the money to build the road and the two planned to come to an agreement on how tolls would be collected and distributed. More recently, Harris County Commissioners challenged TxDOT to build a 15-mile segment from Interstate -10 to Highway 290 after the state said it has \$425-million to spend on the project.

[Harris County Judge Ed Emmett](#) was happy with Tuesday's vote to waive the county's right to build the Grand Parkway, also known as state highway 99. He says it means the Grand Parkway could be built sooner. "It will also then let us focus on other parts of our own toll road system. For example widening South Belt, looking at new projects, like Hempstead, and it'll allow us to focus on other transportation projects. And let the state build State Highway 99, which is the Grand Parkway."

Emmett says they have an advanced funding agreement with TxDOT, which includes reimbursement for the design and money already spent on the project. The Grand Parkway is expected to cost in excess of \$5 billion when completed.



For him it's a win-win: The state will begin construction on part of the Grand Parkway, and the county will be able to direct its energies on other transportation projects that could help ease traffic congestion. This is good news, says Robin Holzer, Chairwoman of Citizens' Transportation Coalition.

"By all accounts the 290 corridor is the most congested transportation corridor in the entire Houston region. So if letting the Grand Parkway go gets the county to focus our tax dollars on a project that will make a difference – like the Hempstead managed lanes, or perhaps a rail project in the northwest corridor – that's a good thing."

Even though Holzer is pleased that the county wants to give up its right to construct local sections of the Grand Parkway, she says no matter who builds it, it's still a waste of taxpayer money. "At the end of the day," says Holzer, "the Grand Parkway is proposed to run through an environmentally sensitive prairie where there are almost no people."

"We need our transportation dollars to invest in projects that will help existing tax payers," she adds.

The Grand Parkway will be a segmented state highway shared by Harris and six other counties, and will service a need for connections between suburban areas beyond Beltway-8 and the Sam Houston Tollway.

Supporters of the Grand Parkway on the other hand, say the 180 mile long ring road will spur economic growth in the region.

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HARRIS County

MINUTE ORDER

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HOUSTON District

Transportation Code, §228.0111, establishes a process for providing local toll project entities, defined as regional tollway authorities, regional mobility authorities, or counties acting under Transportation Code, Chapter 284, with the first option to develop, construct, and operate toll projects located within the boundaries of the local toll project entity.

In Minute Order 111410, dated June 26, 2008, the Texas Transportation Commission (commission) adopted policies relating to the implementation of this process, which determines whether the Texas Department of Transportation (department) or a local toll project entity will develop, construct, and operate a toll project located within the boundaries of the local toll project entity.

In accordance with the requirements of Transportation Code, §228.0111 and the policies included in Minute Order 111410, the department and the counties in which State Highway 99 (Grand Parkway) is located entered into a Market Valuation Waiver Agreement, effective March 25, 2009, in which the parties agreed on the terms and conditions for the development, construction, and operation of the Grand Parkway, agreed to waive the development of a market valuation of the Grand Parkway, and agreed to certain other provisions applicable to the development, construction, and operation of the Grand Parkway.

As required by Transportation Code, §228.0111(e), the agreed terms and conditions were approved by the Houston-Galveston Transportation Policy Council, the metropolitan planning organization for the area in which the Grand Parkway is located, in Resolution No. 2008-08, dated August 22, 2008.

In accordance with the requirements of Transportation Code, §228.0111(g), on September 15, 2009, Harris County (county) elected to exercise its option to develop, construct, and operate the portion of the Grand Parkway located within the county (project). On January 11, 2011, the Harris County Commissioners Court rescinded the September 15, 2009, action to exercise the county's option, effectively failing to exercise its option, and providing for the reversion to the department of the right to develop, construct, and operate the project.

Transportation Code, §228.0111(i) provides that if a local toll project entity does not exercise the option to develop, finance, construct, and operate a toll project, or does not enter into a contract for the construction of the project and make a commitment described in Transportation Code, §228.0111(g)(2) within the prescribed two-year period, the department has the option to develop, finance, construct, and operate the toll project under the agreed terms and conditions.

The department has determined that its option to develop, finance, construct, and operate the portion of the Grand Parkway located within the county should be exercised. Minute Order 111410 provides that the commission must approve any department determination to exercise an option to develop, finance, construct, and operate a toll project under Transportation Code, §228.0111.

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Transportation Code, §201.619 authorizes the department to enter into an agreement with a county identifying future transportation corridors within the county, and Local Government Code, §232.0033 authorizes a county to refuse to approve a plat of a subdivision if all or part of the subdivision is located within the area of the alignment of a transportation project as shown in the final environmental decision document that is applicable to a future transportation corridor identified in such an agreement, thereby limiting the impact of development on both the acquisition price and damage to property needed for the transportation project. Entering into the agreement will accordingly assist in reducing project costs by limiting the cost to acquire right of way needed for the project.

IT IS THEREFORE ORDERED by the commission that the department's determination to exercise its option to develop, finance, construct, and operate the portion of State Highway 99 (Grand Parkway) in Harris County, pursuant to Transportation Code, §228.0111(i), is approved, and the project is authorized with DEVELOP authority.

IT IS FURTHER ORDERED that the executive director of the department is authorized to enter into an agreement with Harris County under Transportation Code, §201.619 that includes the future transportation corridor in which the project is located.

Submitted and reviewed by:

Mark E. Anderson
Director, Texas Turnpike Authority Division

Recommended by:

Armede Lee
Executive Director
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Minute Number Date Passed