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WOODY WASHAM

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TOWN MANAGER

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November 16, 2015

PRESS RELEASE FROM THE OFFICE OF MAYOR CHUCK TRAVIS

First and foremost, I want to thank the residents of Cornelius for the vote of confidence to serve as the Mayor of our wonderful Town. On election day, even though I was unopposed, I received the highest number of votes of any candidate running for office in our Town. I appreciate the trust that you have placed in me to lead our Town for the next two years. I take the role of Mayor seriously and respect the responsibility to hold this office.

As most residents know, construction has started on the I-77 Managed Lanes Project. This is a topic of conversation that has been on-going in our community for over six years, and will continue to be a major issue for some time to come. There has been a lot of misinformation in the dialogue.

At the local level, we have had little to no input on the contract between NCDOT and Cintra, also known as the I-77 Mobility partners. I and fellow Mayor John Woods from Davidson will be traveling this week to Texas to experience and learn first-hand about a Managed Lanes project that Cintra has built and managed. We will be joined by NCDOT Chief Deputy Secretary, Walt Gray, and the Turnpike Authority Executive Director, Beau Memory. Our schedule includes meeting with Cintra officials, Chamber of Commerce leaders and local business owners as well as local elected officials who have experienced the construction and operation of managed lanes in their community. This is a fact finding mission for information sharing and forecasting that we can report back to our community. To my knowledge, no other local leaders have made this type of trip.

This trip has been in the planning process for several months and no expenses will be paid by tax payer's dollars or Cintra. John and I will pay for all of our travel costs individually and we will have records to share if requested. This includes flight expense, meals and any miscellaneous costs.

My involvement with the Managed Lanes project began when I assumed the position of delegate representing Cornelius on MUMPO when Lynette Rinker became the Mayor and stepped down in early 2013. In May 2013, MUMPO took action to amend the 2035 Long Range Transportation Plan that affected the I-77 HOT lanes project. The MPO considered five different scenarios, all of which involved relatively minor variation to the HOT concept. (See attached document from Bob Cook, Executive Director of CRTPO for more details). I placed the "directed" vote from our Town Board, which joined a unanimous approval by other MUMPO delegates. At the time I served on MUMPO and leading up to this vote, the only viable financing option being offered by the State of North Carolina to improve I-77 was the Managed Lanes concept, unless our region was willing to wait for 20-25 years to have general purpose lanes. We had no other option.

I served as the Lake Norman Transportation Committee Chairman in 2012 and 2013. During my Chairmanship, we sponsored two public information sessions regarding the Managed Lanes concept that promoted open dialogue and opportunities to hear from NCDOT officials as well as experts in the industry. As Mayor since 2013, I have invited NCDOT officials to give updates during Town Board Meetings as well as provided opponents to the project time to make presentations.

In 2014, I was appointed to the Turnpike Authority by the former NC Speaker of the House, Thom Tillis, to fulfill a term that had been vacated and due to expire in early 2015. The new Speaker, Tim Moore, appointed me this past spring to another term, which I am currently serving. I feel it is important to have representation for our region, especially if the Managed Lane project continues moving forward. To date, there has been minimal discussion regarding the I-77 Managed Lanes project.

During my first term as Mayor, in May 2015, our Town Board passed a unanimous Resolution to request a 90 day deferral of the Financial Close that I signed and forwarded to all members of the Mecklenburg County Legislative delegation. In addition, I signed another unanimously approved Resolution in June, 2015 requesting the contract with Cintra be cancelled.

Next week, NC Representative Charles Jeter and NC Senator Jeff Tarte will be having an I-77 Summit, which will take place at the Cornelius Town Hall. I look forward to participating and hearing from our state leaders as well as NCDOT officials that they are inviting.

My position is simple, our interstate is broken and must be fixed. No one disagrees with this premise, as it is impacting our quality of life, real estate values and the businesses located or considering the option to locate in our region. Canceling the contract at this point will have significant financial penalties as well as timing issues that will impact our region for years to come. I hope the Summit will provide the opportunity to fully explore and understand these concerns.

In closing, I must add that one of the most alarming aspects of this issue are the threats, slander and personal attacks being leveled against elected officials and in some cases, their spouses. To quote Paul Ryan, our new US Speaker of the House on 60 minutes Sunday night, "...leadership by example is the way I look at it. Somewhere in this, we got into impugning people's character and motives if we didn't like their ideas. We've got to get back to just debating ideas."

Respectfully submitted,

A handwritten signature in black ink that reads "Charles V. Travis III". The signature is written in a cursive style with a prominent "C" and "T".

Mayor Chuck Travis

**RESOLUTION REQUESTING A
90-DAY DEFERRAL OF THE FINANCIAL CLOSING
OF THE I-77 MANAGED LANES PROJECT IN
MECKLENBURG AND IREDELL COUNTIES
(TIP NUMBERS I-3311C, I-5405, I-4750AA)**

WHEREAS, the Final Draft of the Comprehensive Agreement between the North Carolina Department of Transportation (NCDOT) and I-77 Mobility Partners (the Developer) requires the NCDOT to compensate the Developer if any future interstate improvement results in a decrease in toll revenues along the planned I-77 HOT lane corridor; and

WHEREAS, the Comprehensive Agreement exempts improvements from this requirement if they are part of a transportation plan; and

WHEREAS, the Charlotte Regional Transportation Planning Organization added a project to widen interstate 77 from exit 28 to exit 36 with general purpose lanes to their transportation plan thereby exempting this improvement; and

WHEREAS, the executed Comprehensive Agreement changed the terms to specifically exclude additional general purpose lanes from exit 28 to exit 36 from this exemption; and

WHEREAS, neither town staff nor the town board were aware of this change and based on knowledge and belief CRTPO was not aware of this change; and

WHEREAS, this change effectively prevents I-77 from being widened with general purpose lanes for the 50 year duration of the Comprehensive Agreement; and

WHEREAS, the Comprehensive Agreement requires the Developer to post a substantial security to be forfeited if Developer fails to achieve financial close by the required time; and

WHEREAS, NCDOT and Developer have extended the financial close deadline three times via contractual amendments without financial penalty to Developer including forfeiture of the financial close security deposit; and

WHEREAS, the amendments require the financial costs incurred in extending the financial close security deposit to be borne by the taxpayer; and

WHEREAS, the Comprehensive Agreement is a binding 50-year contract with the potential to profoundly impact our region's transportation infrastructure, economic development and quality of life.

NOW THEREFORE BE IT RESOLVED, the Cornelius Board of Commissioners respectfully requests a 90-day deferral of NCDOT's financial close with the Developer (currently scheduled for May 27, 2015) to allow for an independent review and audit of the Comprehensive Agreement terms and conditions.

Adopted this 4th day of May, 2015


Charles L. Travis, III, Mayor

ATTEST:


Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:


William L. Brown, Town Attorney

**TOWN OF CORNELIUS BOARD OF COMMISSIONERS
RESOLUTION REQUESTING THE TERMINATION OF THE CONTRACT WITH
"I-77 MOBILITY PARTNERS" TO TOLL I-77 FOR 50 YEARS**

WHEREAS, the Final Draft of the Comprehensive Agreement between the North Carolina Department of Transportation (NCDOT) and I-77 Mobility Partners (the Developer) requires the NCDOT to compensate the Developer if any future interstate improvement results in a decrease in toll revenues along the planned I-77 HOT lane corridor; and

WHEREAS, Governor McCrory seeks a bond referendum that could fund widening of Interstate 77 (I-77) with general purpose lanes and other ways, including but not limited to legislation for funding general purpose lanes, may exist to secure funds to widen I-77 without a 50 year toll lane contract; and

WHEREAS, the motor sports community, the service and retail industries, as well as other business owners have actively spoken out against the toll lane plan making a compelling case that tolls in I-77 will impair economic development; and

WHEREAS, in recent local media-led polls, it appears that more than 90 percent of our constituents oppose the 50-year toll contract for I-77; and

WHEREAS, the Town has concerns about the failed toll road projects around the world; and

WHEREAS, I-77 could potentially be de-bottlenecked for approximately \$100 million dollars using public funds that citizens have paid for through the gasoline tax, and the toll lane project will cost state taxpayers approximately \$240 million dollars; and

WHEREAS, the toll lane project is forecast to cost approximately \$11 billion (based on Stantec forecast) over 50 years for the drivers in the HOT lanes; and

WHEREAS, I-77 is a primary evacuation route for two nuclear power stations in the event of an accident or terrorist attack, and the fastest, least-intrusive manner to add capacity to I-77 is with general purpose lanes from exit 23 to 36.

NOW THEREFORE BE IT RESOLVED, on behalf of the citizens that we represent here in Cornelius, we respectfully ask that the planned 50 year toll contract for Interstate 77 between NCDOT and I-77 Mobility Partners be immediately terminated by NCDOT and the widening of I-77 with general purpose lanes begin as soon as reasonably possible.

Adopted this 1st day of June, 2015.



Charles L. Travis, III, Mayor

ATTEST:



Lori A. Harrell, Town Clerk

APPROVED AS TO FORM:



William L. Brown, Town Attorney

April 2009

The MPO supported managed lanes as part of transportation improvements associated with the Augustalee development in Cornelius. The developer had promised to widen I-77 from Hambright Road to north of exit 28. Anthony Foxx asked the Cornelius representative if managed lanes would be acceptable to them. The Cornelius representative stated they would be acceptable if acceptable to NCDOT.

March 2010

MPO voted to endorse the Fast Lanes Study

July 2011

The MPO took action in July 2011 to amend the 2035 Long Range Transportation Plan (LRTP). The amendments were made in conjunction with the adoption of the 2012-2018 Transportation Improvement Program (TIP).

The following actions were taken relative to the I-77 HOT lanes project.

The MPO voted to:

1. Convert the existing HOV lane to a HOT lane and extend it to exit 28;
2. Extend the HOT lane to exit 33; and
3. Approve a general purpose lane widening of I-77 from NC 73 to I-40.

June 2012

The MPO took action in June 2012 to amend the 2035 LRTP that affected the I-77 HOT lanes project. (The action was taken in conjunction with action affecting the R-4902 project for I-485 South.)

The action affecting the I-77 HOT lane project was as follows. The language is from the meeting minutes.

1. Amend the LRTP I-77 project shown in the 2015 horizon year (TIP project #I-5405) to alter the southern boundary to I-277.
2. Acknowledge that from I-277 to Hambright Road the current HOV lanes will be converted to HOT lanes with 3+ occupant vehicles using the lane for free and add HOT 3+ lanes (one each direction) north to Catawba Avenue.
3. An additional HOT 3+ lane will be added in each direction from I-85 to Catawba Avenue.
4. This creates a total of 2 HOT 3+ lanes in each direction between I-85 and Catawba Avenue.

May 2013

The MPO took action in May 2013 to amend the 2035 LRTP that affected the I-77 HOT lanes project. The MPO considered five different scenarios, all of which involved relatively minor variation to the HOT concept, and approved Scenario 5.

As approved by the MPO, Scenario consisted of the following:

- I-4750AA** – Construct one HOT lane HOV3+ in each direction along I-77 from Exit 28 (connecting to I-5405 HOT lane project) to Brawley School Rd (Exit 35) with construction ending approximately 5500 ft. north of the NC 150 structure (Exit 36).

- Northbound and southbound HOT designations begin and end at Brawley School Rd structure (Exit 35).

I-5405 - I-77 from I-277 (Brookshire Freeway) to Exit 28 convert existing HOV lanes to a HOT lane HOV 3+ and extend them to Exit 28. Add additional HOT lane in each direction beginning at I-85 to Exit 28 for a total of 2 HOT lanes in each direction.

I-3311C – Construct two HOT lanes HOV3+ along I-77 from just north of the I-77/I-85 interchange (connecting to I-5405 HOT lane project) to and along I-277:

- Construct one HOT lane HOV 3+ from the southern terminus of the existing southbound (south of I-85) HOT Lane to I-277;
- Construct an additional HOT lane HOV3+ southbound from the southern terminus of I-5405 (north of I-85/I-77 interchange) to I-277;
- Construct two HOT lanes HOV 3+ northbound from I-277 to northbound southern terminus of I-5405 (north of I-85);
- Along I-277 construct one HOT lane HOV 3+ in each direction from I-77 to North Brevard Street (with HOT lane designation beginning and ending at North Tryon St.)

April 2014

MPO adopts 2040 Metropolitan Transportation Plan that includes HOT lanes on I-77 North.