

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

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EL PASO District

In Minute Order 110573, dated June 29, 2006, the Texas Transportation Commission (commission) authorized creation of the Camino Real Regional Mobility Authority (authority), with the boundaries of the authority to be the entire geographic area of the City of El Paso.

The Texas Department of Transportation (department) and the authority have worked together to identify an approach to pursue the development of certain transportation system improvements within the jurisdictional limits of the authority.

The authority's goals are to improve mobility by implementing projects proposed within the authority's 2008 Comprehensive Mobility Plan, which generally consist of the LP 375 Southern Corridor projects comprising seven distinct toll projects in three different phases, and the Northeast Parkway toll project connecting LP 375 in northeast El Paso with I-10 at the Texas/New Mexico state line. These projects would be accomplished by accelerating the delivery of individual segments and projects with innovative funding and partnerships.

Transportation Code, §370.301 authorizes the department to provide for or contribute to the payment of costs of the design, financing, construction, operation, or maintenance of a turnpike project by a regional mobility authority (RMA) on terms agreed to by the department and the RMA. Transportation Code, §222.103 authorizes the department to participate, by spending money from any available source, in the acquisition, construction, maintenance, or operation of a toll facility of a public or private entity on terms and conditions established by the commission.

Pursuant to Transportation Code, §222.103, the commission adopted Title 43, Texas Administrative Code, §§27.50-27.58 (toll equity rules) to prescribe conditions for the commission's financing of a toll facility of a public or private entity.

In accordance with Section 27.53 of the toll equity rules, the authority submitted a request for \$1.1 million for the purposes of project management, data collection and evaluation, and preparation of a regional toll plan for development of the LP 375 Phase I, Phase II, and Phase III Southern Corridor projects, and development of the Northeast Parkway Phase I Corridor project (projects) to include engineering, environmental, legal, financial, and public outreach services. The financial assistance may also be used for necessary or incidental administrative and other expenses relating to the development, acquisition, construction, maintenance, or operation of the projects. The financial assistance may be in the form of a grant or loan.

Information and data required by Section 27.53(b) is either contained in the request for financing, in the petition for authorization to form the authority filed with the department on January 27, 2009, or is already in the department's possession. Supplemental information and data required by Section 27.53(c) is contained in the request for financial assistance or has already been provided to the department.

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As provided in Minute Order 110573, the authority will benefit the state and the traveling public and improve the efficiency of the state's transportation system through the potential construction and operation of this project, which will enhance mobility and safety within this segment of the state transportation system.

The projects are consistent with the approved Texas Transportation Plan and the Metropolitan Transportation Plan of the El Paso Metropolitan Planning Organization.

The projects are in a nonattainment area and will be consistent with the Statewide Transportation Improvement Program, with the conforming plan and Transportation Improvement Program for the El Paso Metropolitan Planning Organization, and with the State Implementation Plan.

The authority has indicated that they will fund a portion of the costs of developing the proposed projects through revenue bond sales, local contributions, and various loans. Along with the requested financial assistance, the projects have the potential to expand the availability of funding for transportation projects or reduce direct state costs.

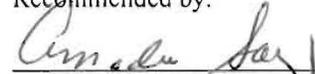
The application for financing shows that the projects and the authority are likely to have sufficient revenues to assure repayment of the loan.

NOW, THEREFORE, IT IS DETERMINED that the request for financial assistance submitted by the Camino Real Regional Mobility Authority meets the applicable requirements of 43 TAC §27.53 and §27.54(a) and, in accordance with those provisions, the commission grants preliminary approval of the request for financing in the amount of \$1.1 million, in the form of a loan, to be used for the purposes of project management, data collection and evaluation, and preparation of a regional toll plan, and directs the executive director to implement the actions authorized and required by those and other applicable toll equity rule provisions.

Submitted and reviewed by:


Director, Texas Turnpike Authority Division

Recommended by:


Executive Director

111705 FEB 26 09

Minute
Number

Date
Passed