TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

EL PASO District

The Texas Transportation Commission (commission) by Minute Order 112082, dated December 17, 2009, granted final approval of an application request from the Camino Real Regional Mobility Authority (CRRMA) to borrow $35 million from the State Infrastructure Bank (SIB) and authorized the executive director of the Texas Department of Transportation (department) to enter into a financial assistance agreement as negotiated with the CRRMA. On February 25, 2010 in Minute Order 112165, the commission amended Minute Order 112082 and granted final approval of the $35 million SIB loan with a reduced interest rate and increased security.

During negotiation of terms for the authorized financial assistance agreement, the CRRMA proposed that: 1) the SIB loan be restructured to delete the I-10 Corridor aesthetic project from the projects for which loan proceeds would be used; and 2) the loan amount be reduced from $35 million to $30 million to reflect the reduced need (revised proposal). The executive director recommends that the commission amend its final approval of the CRRMA application request to incorporate the revised proposal.

The commission confirms its findings in Minute Order 112165, dated February 25, 2010 and determines that providing financial assistance in accordance with the revised proposal will protect the public safety and prudently provide for the protection of public funds, while furthering the purposes of the SIB; and that the project will provide for all reasonable and feasible measures to avoid, minimize, or mitigate for adverse environmental impacts.

IT IS THEREFORE ORDERED that the revised financial assistance request submitted by CRRMA to borrow $30 million from the SIB is granted final approval. The executive director is directed and authorized to enter into the financial assistance agreement as negotiated with CRRMA. The loan will be repaid over a period of 30 years at 4.95 percent interest per annum and secured by revenues from the City of El Paso transportation reinvestment zone (TRZ) and the city's written agreement to pay the CRRMA's SIB loan obligation from the city's general fund if other monies are not available or sufficient.

IT IS FURTHER ORDERED that this commission approval is contingent upon further actions, specifically: 1) the execution and continued effectiveness of an agreement by the City of El Paso and the CRRMA, as approved by the department, for the transfer and pledge of transportation reinvestment zone revenues and the city's commitment to pay the CRRMA's SIB loan obligation from its general fund if other monies are not available or sufficient; 2) creation by the city of a valid TRZ in accordance with state law, to provide security for the $30 million SIB loan; and 3) submission of a financial assessment, as approved by the department, that demonstrates bonding capacity of the TRZ sufficient to secure the SIB loan.

Submitted and reviewed by:

Director, Finance Division

Recommended by:

Executive Director

112295 JUN 8 10

Minute Number | Date Passed