

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

Page 1 of 2

EL PASO District

In Minute Order 110573, dated June 29, 2006, the Texas Transportation Commission (commission) authorized the creation of the Camino Real Regional Mobility Authority (CRRMA), for the City of El Paso, Texas (city).

The Texas Department of Transportation (department) and the CRRMA, in coordination with the city and the El Paso Metropolitan Planning Organization (EPMPO), developed the 2008 Comprehensive Mobility Plan (plan) that provides for the funding and development of certain transportation system improvements within the jurisdictional limits of the CRRMA, including the addition of direct connectors at the intersection of Loop 375 at FM 659 from 0.5 miles northeast of Loop 375 on FM 659, to 0.53 miles south of FM 659 on Loop 375 (Loop 375 at FM 659 interchange project). The plan was approved by the EPMPO on July 25, 2008 and a Memorandum of Understanding to implement the plan was executed by the department, the city, the EPMPO, and the CRRMA.

Transportation Code, Chapter 370 authorizes a regional mobility authority to participate with the department in the development of a state highway project within its boundaries. The department proposes to develop and construct the Loop 375 at FM 659 interchange project with financial assistance from the CRRMA. A state infrastructure bank loan to the CRRMA in the amount of \$20 million for this project was approved by Minute Order 112668 on April 28, 2011 and the CRRMA proposes to use tax revenue from a city transportation reinvestment zone (TRZ) to assist with repayment.

On July 29, 2010, by Minute Order 112346, the commission approved the CRRMA's request to develop and construct the Loop 375 at FM 659 interchange project and authorized the executive director to negotiate and execute a project development agreement with the CRRMA. During negotiation of terms for the project development agreement, the parties mutually agreed that the project should be constructed by the department rather than the CRRMA and the agreement was never executed.

On March 31, 2011, by Minute Order 112635, the commission granted final approval of the CRRMA's request for pass-through toll financing for partial funding of the Loop 375 at FM 659 interchange project to be constructed by the department and authorized the executive director to negotiate and execute a pass-through toll agreement with the CRRMA. The CRRMA selected the pass-through toll financing method primarily to enable it to use tax revenue from the city's TRZ. During negotiation of terms for the pass-through toll agreement, HB 563 was enacted by the 82nd Texas Legislature and implemented statutory changes to allow a TRZ to be established for a project independent of the existence of pass-through toll financing. The CRRMA is requesting removal of the pass-through toll financing in order to use tax revenue from the city's TRZ directly without the constraints and additional expense of the pass-through toll financing method.

The commission finds that monies are available under Category 2, Metropolitan and Urban Corridor Projects, of the 2010 Unified Transportation Program, approved by Minute Order 112237, dated April 29, 2010, for funding the state's portion of the Loop 375 at FM 659 interchange project. The commission further finds that the proposed improvement of the state highway system will provide for the expeditious completion of a critically needed project within the Loop 375 corridor that will relieve traffic congestion on the existing state highway system and improve mobility in El Paso County.

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EL PASO County

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Page 2 of 2

EL PASO District

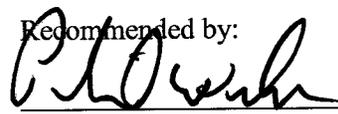
IT IS THEREFORE ORDERED by the commission that pursuant to Transportation Code, Chapter 370, the Camino Real Regional Mobility Authority is authorized to participate with the department in the development and construction of the Loop 375 at FM 659 interchange project, and the executive director is authorized to enter into a project development agreement with the CCRMA that provides for such improvements to the state highway system.

IT IS FURTHER ORDERED that Minute Order 112635, dated March 31, 2011, and Minute Order 112346, dated July 29, 2010, are rescinded.

Submitted and reviewed by:


Deputy Executive Director

Recommended by:


Executive Director
112958 JAN 26 12

Minute Number Date Passed