

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

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EL PASO District

The Texas Department of Transportation (department) and the Camino Real Regional Mobility Authority (CRRMA) have been proceeding with the preliminary development of the Loop 375 – Americas Managed Lanes Project, an approximately 6.3 mile project to add one express, managed tolled lane in each direction on Loop 375 between Zaragoza Road and Pellicano Drive in the city of El Paso (Project).

The Project is one segment of a proposed regional network of toll facilities that are part of the 2008 Comprehensive Mobility Plan for the El Paso area (2008 CMP). The 2008 CMP contemplates that the Project will be developed by the CRRMA. The managed lanes to be constructed as part of the Project would be located in the median of the corridor. The Project also includes the construction of new structures over a number of major arterials and Union Pacific rail facilities.

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 Texas Transportation Commission (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 CRRMA has submitted a request for financing in the amount of \$1.3 million to pay for the costs of preparing environmental documents and preliminary engineering services for the approximately 6.3 miles of managed lanes to be added to Loop 375 by the Project. The financial assistance would be comprised of funding previously allocated by the El Paso Metropolitan Planning Organization to the project. The request is for the financial assistance to be in the form of a grant.

As required by Section 27.53(a)(3), on December 16, 2009, the CRRMA Board of Directors passed a resolution adopting the CRRMA Ethics and Compliance Policy, which includes an internal ethics and compliance program that satisfies the requirements of that paragraph.

Section 27.53(d) authorizes the executive director of the department to waive submission of individual items of information or data required by Section 27.53(c) if: (1) the information or data required by this section is not relevant to the project or the financial assistance requested; (2) the department already possesses information or data in a format that may be substituted for the required information or data; or (3) the past performance of the requestor on previous projects developed in collaboration with the department indicates that the requestor will adequately and prudently address the issues and impacts described in the requested information or data.

Information and data required by Section 27.53(b) is either contained in the request for financing 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, is already in the department's possession, or is waived under Section 27.53(d).

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The CRRMA has committed to implementing the Project in compliance with all applicable local, state and federal environmental laws, regulations and requirements, and has committed to implement all environmental permits, issues, and commitments (EPIC).

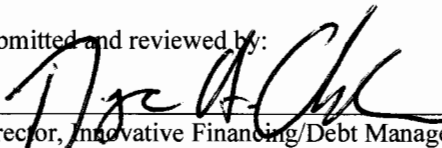
The completion of the Project will benefit the state and the traveling public and improve the efficiency of the state's transportation system by enhancing local and regional mobility, managing congestion, increasing capacity for traffic, providing reliable travel speeds for users, increasing safety, enhancing air quality, and enhancing operational efficiency in the project corridor and the regional transportation system. The completion of the Project will increase mobility and improve safety and reliability in El Paso and the region by increasing capacity on Loop 375, thereby adding to the viability of Loop 375 as an alternative to I-10.

The Project will expand the availability of funding for transportation projects or reduce direct state costs. The financial assistance will enhance the ability of the Project to go forward as a toll facility, improving the efficiency of the state transportation system. Without the financial assistance, the timeline to complete the Project and realize the benefits resulting from the Project could be indefinitely delayed.

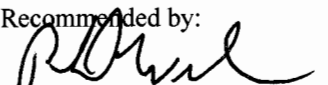
The Project is consistent with the approved Statewide Long-Range Transportation Plan and is included as a toll project in the conforming metropolitan transportation plan (MTP) of the El Paso Metropolitan Planning Organization (MPO), and is included in the MPO's FY 2013-2016 Transportation Improvement Program, which will be incorporated into the FY 2013-2016 Statewide Transportation Improvement Program.

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 \$1.3 million, in the form of a grant, to be used for the purposes described herein, 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, Innovative Financing/Debt Management Office

Recommended by:


Executive Director

113204 JUL 26 12

Minute Date
Number Passed