

SH 288 Toll Lanes Project SB 1420 Committee Report

In accordance with Texas Transportation Code, Section 228.013, added by SB 1420, 82nd Legislature, Regular Session, 2011, and Title 43, Texas Administrative Code, Sections 27.90 – 27.92 (the “Rules”), this committee (the “Committee”), consisting of the members identified below, was formed for the purpose of making certain statutorily-required determinations with respect to the SH 288 Toll Lanes Project in Harris County.

The SH 288 Toll Lanes Project (the “Project”) consists of the development, design, construction, financing, operation and maintenance of tolled lanes, general purpose lanes and associated facilities along an approximately 10.3-mile segment of State Highway (“SH”) 288 from U.S. Route 59 to the Harris County line at Clear Creek in Harris County. The Project may also include facilities to connect SH 288 to the Texas Medical Center in Houston, Texas, subject to the enactment of legislation amending the deadline for required environmental approvals related to the Project and the receipt of such environmental approvals with respect to such facilities.

The Committee held a duly noticed meeting on April 19, 2013. At that meeting of the Committee, Mike Alford was elected to serve as Chair and Matt Sebesta was elected to serve as Vice Chair.

At its duly noticed meeting on April 19, 2013, the Committee made the following determinations concerning the Project, as required by Texas Transportation Code Section 228.013 and the Rules.

1. Distribution of the Project's financial risk.

The distribution of a project's financial risk is defined in the Rules as the allocation of revenue risk for a toll project between TxDOT and the private entity with which TxDOT enters into an agreement for the project. Revenue risk for the Project will be retained by the private entity, as will be set forth in the comprehensive development agreement for the Project.

2. Method of financing for the Project.

The method of financing for a project is defined in the Rules as the determination of whether the project should be funded with private or public funding or a combination of private and public funding. The Project will be financed with private funds, which may include the proceeds of private activity bonds or other obligations. Public funds may also be used, particularly with respect to an expansion of or change to the scope of the Project, as will be set forth in the comprehensive development agreement for the Project.

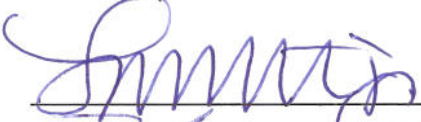
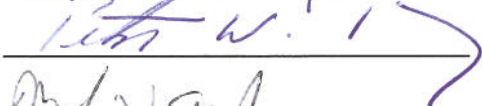
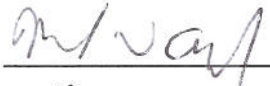


3. Tolling structure and methodology.

The tolling structure and methodology as set forth in Exhibit A to this Report will be used for the Project.

The Committee was comprised of the members required by Texas Transportation Code, Section 228.013 and the Rules, to include, as shown below, a representative of TxDOT, every local toll project entity for the area in which the Project is located, the applicable metropolitan planning organization, and each city and county that will provide revenue or right-of-way for the Project.

Submitted and approved by a majority vote of the members of the Committee present and voting at the meeting held on April 19, 2013:

SH 288 Toll Lanes Project
SB 1420 Committee Members:

<u>Name:</u>	<u>Representing:</u>	<u>Signature:</u>
Matt Sebesta	HGAC	
Peter Key	HCTRA	
Mike Alford	TxDOT	
Jeffrey Weatherford	City of Houston	
Scott Sherman	City of Pearland	

Attachments:
Exhibit A



Texas Department of Transportation
SH 288 Tolled Lanes
Initial Projects
Corridor Tolling Policy

April 19, 2013

1. Rates*

- Minimum Toll Per Mile Charge– \$0.06/mile
- Minimum toll – \$0.35/gantry location.
- Traffic levels on the tolled lanes will be managed by toll levels to maintain an average speed of 45 miles per hour.
- Both parties (TxDOT and Brazoria County) will meet and mutually agree upon maximum toll rates for the corridor based on operational and financial requirements/considerations.
- Annual Escalation of Minimum Toll per Mile and Minimum Toll per Gantry – Based on growth of Consumer Price Index defined by the Bureau of Labor Statistics as CPI-W or 2 percent, whichever is higher.

** Values are in 2012 Dollars to be escalated to opening year based on escalation methodology*

2. Policies

- Public Agency buses will not be charged a toll.
- No HOV discounts
- Time of Day pricing will be used.
- Exemptions as applicable under State law.