

TEXAS TRANSPORTATION COMMISSION

EL PASO County

MINUTE ORDER

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EL PASO District

In EL PASO COUNTY, the El Paso District has requested the designation of STATE SPUR 73 (SS 73) along a new location from Schuster Avenue in the city of El Paso, Texas (city) southwestward to US 85 (Paisano Drive), a distance of approximately 0.3 mile.

Pursuant to Texas Transportation Code, §§201.103 and 221.001, the executive director has recommended the designation of SS 73 on the state highway system (system).

Section 49-p, Article III, of the Texas Constitution (constitutional provision) provides that the Texas Legislature (legislature), by general law, may authorize the Texas Transportation Commission (commission) or its successor to issue general obligation bonds of the State of Texas in an aggregate amount not to exceed \$5 billion and to enter into related credit agreements to provide funding for highway improvement projects.

Pursuant to the constitutional provision, the legislature enacted Transportation Code, §222.004, the enabling legislation for general obligation bonds, notes and other public securities that may be issued by the commission to fund highway improvement projects (Proposition 12 bonds), and authorized the issuance of the first \$2 billion in Proposition 12 bonds. A list of highway improvement projects and related work to be funded with Proposition 12 bond proceeds was originally approved by the commission in Minute Order 112036, dated November 19, 2009, and was revised by subsequent commission minute orders.

In cooperation with the city, the University of Texas at El Paso and the El Paso Metropolitan Planning Organization, the department identified the SS 73 highway improvement project (SS 73 Project) to be funded with a portion of Proposition 12 bonds. The project involves the development of this connector for an estimated cost of \$4.2 million.

In Minute Order 110573, dated June 29, 2006, the commission authorized the creation of the Camino Real Regional Mobility Authority (CRRMA) for the city. 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 the SS 73 Project with the CRRMA providing a portion of the work including the design of the project.

The commission finds that the designation of SS 73 will facilitate the flow of traffic, promote public safety, and maintain continuity, and it is necessary for the proper development and operation of the system. The commission further finds that monies from Proposition 12 bond proceeds are available for funding the SS 73 Project and that the proposed improvement of the system will provide for the expeditious completion of a critically needed project.

IT IS THEREFORE ORDERED by the commission that SS 73 is designated on the system along a new location from Schuster Avenue in El Paso, southwestward approximately 0.3 mile to US 85.

IT IS FURTHER ORDERED by the commission that development of the SS 73 Project is approved for funding with the proceeds of Proposition 12 bonds.

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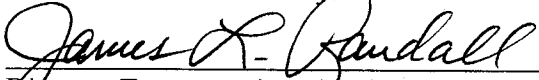
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EL PASO District

IT IS FURTHER ORDERED by the commission that the executive director or his designee is authorized to proceed in the most feasible manner to ensure that obligation of funds is assigned to the SS 73 Project for project development related activities, and the chief financial officer or his designee is authorized and directed to review the planned use of Proposition 12 bond proceeds prior to expenditure of funds to ensure compliance with the requirements for the use of proceeds of tax-exempt bonds. The SS 73 Project is authorized with DEVELOP authority without the need for further approval by the commission.

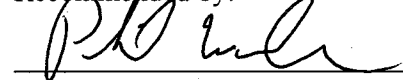
IT IS FURTHER ORDERED by the commission that pursuant to Transportation Code, Chapter 370, the Camino Real Regional Mobility Authority is authorized to participate with the department in the development of the SS 73 Project, and the executive director is authorized to enter into a project development agreement with the CRRMA that provides for such improvements to the state highway system.

Submitted and reviewed by:



Director, Transportation Planning
and Programming Division

Recommended by:



Executive Director

~~113009~~ FEB 23 12

Minute Date
Number Passed