

TEXAS TRANSPORTATION COMMISSION

BEXAR County

MINUTE ORDER

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SAN ANTONIO District

In Minute Order 109523, dated December 18, 2003, the Texas Transportation Commission (commission) authorized the creation of the Alamo Regional Mobility Authority (AlamoRMA), formerly known as the Bexar County Regional Mobility Authority, with the boundaries of the authority to be the entire geographic area of Bexar County, Texas.

The Texas Department of Transportation (department) and the AlamoRMA have worked together to identify an approach to provide for the funding and development of certain transportation system improvements within the jurisdictional limits of the AlamoRMA.

The Metropolitan Transportation Plan of the San Antonio-Bexar County Metropolitan Planning Organization identifies several projects within the jurisdictional limits of the AlamoRMA to be developed as toll projects including: I-35 near the Bexar/Guadalupe county line to I-37 in the San Antonio Central Business District; SH 16 from I-410 to LP 1604 North; the US 281/Wurzbach Parkway Interchange; US 281 from LP 1604 to the Bexar County line; and LP 1604 from SH 151 to I-10E.

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 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 AlamoRMA has submitted a request for \$3,965,167 to pay for certain costs relating to the development of (1) SH 16 from I-410 to LP 1604 North; (2) Wurzbach Parkway from Wetmore to Blanco, including the US 281/Wurzbach Parkway Interchange; (3) US 281 from LP 1604 to the Bexar County line, and (4) LP 1604 from SH 151 to I-10E, including the costs of developing environmental studies, schematics, and preliminary financial plans, public involvement, and the procurement of bids or proposals.

The requested financial assistance would be funded by redirecting the balance of funds remaining out of the financial assistance previously approved in Minute Order 110269, dated October 27, 2005, and Minute Order 110299, dated November 17, 2005, and would be in the form of a loan. The AlamoRMA has requested financial assistance to develop US 281 from LP 1604 to the Bexar County line and LP 1604 from SH 151 to I-10E in anticipation of the transfer of those projects to the AlamoRMA upon completion of the market valuation currently underway. The AlamoRMA's performance of the work on those projects described in the request for financial assistance and the approval of the requested financial assistance is subject to the cancellation of the comprehensive development agreement procurement currently underway and the commission's approval to transfer the projects to the AlamoRMA.

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Information and data required by Section 27.53(b) is either contained in the request for financing, the previous requests for financing approved in Minute Order 110269 and Minute Order 110299, or in the petition for authorization to form the authority filed with the department on September 3, 2003. Supplemental information and data required by Section 27.53(c) is contained in the request for financing or has already been provided to the department.

As provided in Minute Order 109523, the AlamoRMA will benefit the state and the traveling public and improve the efficiency of the state’s transportation system through the potential construction and operation of the projects, which will enhance mobility and safety within these segments of the state highway system.

The projects are consistent with the approved Texas Transportation Plan and the Metropolitan Transportation Plan of the San Antonio-Bexar County Metropolitan Planning Organization.

As the AlamoRMA has indicated that it will fund a portion of the costs of developing the proposed projects with bond proceeds and other funding provided by the AlamoRMA, along with the requested financial assistance, the projects will expand the availability of funding for transportation projects or will reduce direct state costs.

NOW, THEREFORE, IT IS DETERMINED that the request for financial assistance submitted by the Alamo Regional Mobility Authority meets the 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 \$3,965,167, in the form of a loan, and directs the executive director to implement the actions authorized and required by those provisions.

Submitted and reviewed by:

Recommended by:

Director, Texas Turnpike Authority Division

Executive Director

Minute Number Date Passed