

TEXAS TRANSPORTATION COMMISSION

KAUFMAN County

MINUTE ORDER

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DALLAS District

The Texas Department of Transportation (department) and the City of Kaufman (City) have been developing two projects in Kaufman County, Texas, as follows:

1. CSJ 0173-03-015, consisting of a 4-lane bypass around the City from the proposed interchange at US 175 to SH 243 (SH 34 North); and
2. CSJ 0173-03-038, consisting of construction of a 4-lane bypass around the City from 1.375 miles southwest of FM 1388 to south of the proposed interchange at US 175 (SH 34 South).

The City applied for a \$5,000,000 State Infrastructure Bank (SIB) loan to perform the following work (together, the Project):

1. CSJ 0173-03-015: Fund the City's Commitment under a Local Project Advance Funding Agreement with multiple funding partners associated with the construction of SH 34 North, Utility Relocations of City water and sewer lines, and Roadway Illumination; and
2. CSJ 0173-03-038: Construction Management Cost for SH 34 South, which is being financed pursuant to Pass-Through Toll Agreement between the City and the Department. The Construction Management Cost is not being reimbursed by the Department under the Pass-Through Toll Agreement.

The Texas Transportation Commission's (commission's) rules regarding the SIB at 43 Texas Administrative Code §6.32 allow for final approval by the Commission of any SIB loan in the principal amount of \$10 million or less, without first going through the preliminary approval process described in the rules.

The executive director or his designee implemented actions authorized and required by the rules for final approval, and also hereby determines that the requirement to submit any information or data that was not submitted by the City is waived as permitted by the rules either because the information or data is not relevant or the department already possesses the information or data. The executive director affirms that the necessary social, economic, and environmental impact studies have been completed and approved by the department. The executive director recommends that the commission grant final approval of the SIB application for financial assistance.

In accordance with 43 Texas Administrative Code (TAC) §6.32(c)(2), the commission finds that: (1) the project is consistent with the Statewide Long-Range Transportation Plan; (2) the project is in a Clean Air Act non-attainment area and will be consistent with the Statewide Transportation Improvement Program, with the conforming plan and Transportation Improvement Program for the applicable metropolitan planning organization, and with the State Implementation Plan; (3) the project will improve the efficiency of the state's transportation systems; (4) the project will expand the availability of funding for transportation projects or reduce direct state costs; and (5) the application shows that the project and the applicant are likely to have sufficient revenues to assure repayment of the financial assistance.

In accordance with 43 TAC §6.32(e), the commission has determined that: (1) providing financial assistance for the Project will protect the public safety and prudently provide for the protection of public funds, while furthering the purposes of the SIB; and (2) that the project will

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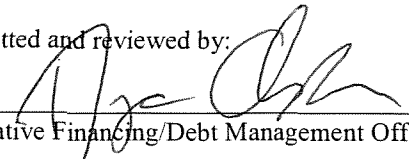
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DALLAS District


provide for all reasonable and feasible measures to avoid, minimize, or mitigate for adverse environmental impacts.

IT IS THEREFORE ORDERED that the application for SIB financial assistance submitted by the City to borrow \$5,000,000 from the State Infrastructure Bank is granted final approval. The executive director or his designee is directed and authorized to enter into the financial assistance agreement as negotiated with the City. The loan will be repaid over a period of no more than 20 years at 3.00 percent interest per annum.

Submitted and reviewed by:

  
Innovative Financing/Debt Management Officer

Recommended by

  
Executive Director

**113945 MAY 29 14**

Minute  
Number

Date  
Passed