LP 6

1. County retains the authority to develop a county toll road authority under chapter 284.

2. General situation #1: economic development transportation project.

   a. A county retains the authority to progress with local or federal environmental clearance, ROW acquisition, and engineering under county authority (not CTA authority).
   b. County determines a preferred alignment.
   c. County determines the date when an initial toll facility will be necessary five years in the future. An "initial facility" can be less than a fully mature, built out facility.
   d. NTTA retains primacy, with six months from county-determined date to decide if NTTA will develop the project as a system project.
   e. If NTTA exercises their primacy to develop the project, county is repaid all costs plus a fee to be determined.
   f. If NTTA does not exercise their primacy within six months, the county CTA has the authority to develop the project.
      i. NTTA retains the right to buy back the project, using the financial data used for initial financing, subject to mutual agreement on any change in data.
      ii. If NTTA buys back the facility, the county retains the right to a revenue share percentage to be determined in exchange for the reduced risk to NTTA. The revenue sharing is calculated prior to the normal RTC/NTTA revenue sharing across the region.
   g. If the CTA cannot develop the development agreement within one year, primacy reverts to NTTA and process starts over.

3. Order of actions/decisions in General Situation #1:
   a. D-Day: County determines need for initial facility five years hence.
   b. D+six months: NTTA exercises primacy, or indicates they will not.
   c. D+eighteen months: If NTTA does not exercise primacy, CTA signs development agreement, or primacy returns to NTTA.
   d. CTA discretion: If NTTA does not exercise primacy, county CTA builds facility.
   e. NTTA discretion: If CTA builds facility, NTTA determines date when they will exercise their buy back authority.

4. General situation #2: Toll facility based on investment grade Traffic and Revenue study.

   a. A county retains the authority to progress with local or federal environmental clearance, ROW acquisition, and engineering under county authority (not CTA authority).
   b. County determines a preferred alignment.
   c. County determines the date when an initial toll facility will be necessary five to ten years in the future (extended time necessary because federal environmental clearance required for full facility).
   d. NTTA and/or county conducts investment grade T&R study to determine if toll facility is feasible.
   e. Once either an NTTA or a county T&R study determines that toll facility is feasible within ten years, NTTA retains primacy, with six months to exercise their primacy (How is this determined?) to develop the facility.
      i. County is repaid for all costs plus a fee to be determined. Payment made when development agreement is competed.
   f. If NTTA does not exercise their primacy within six months, county CTA has the right to develop the facility.
      i. NTTA retains the right to buy back the project , using the financial data used for initial financing, subject to mutual agreement on any change in data.
      ii. If NTTA buys back the facility, the county retains the right to a revenue share percentage to be determined in exchange for the reduced risk to NTTA. This revenue sharing is calculated prior to the normal RTC/NTTA revenue sharing across the region from system financing.

5. Order of actions/decisions in General Situation #2:
    a. D-Day: County determines need for facility five to ten years hence.
    b. D+twelve months: NTTA/county conduct investment grade T&R study.
    c. D+eighteen months: NTTA exercises primacy, or indicates they will not.
    d. D+30 months: If NTTA does not exercise primacy, CTA signs development agreement, or primacy returns to NTTA.
    e. CTA discretion: If NTTA does not exercise primacy, county CTA builds facility.
    f. NTTA discretion: If CTA builds facility, NTTA determines date when they will exercise their buy back authority.