



**DEPARTMENT OF BUSINESS AND INDUSTRY  
OFFICE OF THE DIRECTOR**

**TEFRA – DesertXpress Enterprises, LLC  
Minutes from August 12, 2024 at 3:00 PM**

**In Attendance:**

Dr. Kristopher Sanchez, Director-Business & Industry  
Mark Pasek – Business & Industry  
Carey Foley – Business & Industry  
Sarah Watterson – Brightline  
Ben McGuire – GT Law

**Other individuals in attendance:**

Unknown Attendee +1 707 \*\*\*-5734

**1. TEFRA Meeting Opened by Director Dr. Kristopher Sanchez.**

Director Sanchez called the meeting to order at approximately 3:00 PM. .

**2. Public Comments**

Mark Pasek opened the meeting to Public Comments.  
No public comments offered

**3. Director's Statement Relating to the Issuance by the Director of the State of Nevada Department of Business and Industry of Tax-Exempt Bonds for DesertXpress Enterprises, LLC**

My name is Kristopher Sanchez, the Director of the State of Nevada Department of Business and Industry (the "Issuer"), and I am conducting this hearing on behalf of, and by authorization of, the Issuer. The Issuer proposes to issue its revenue bonds from time to time, pursuant to a plan of finance, in one or more series, in an aggregate principal amount

not to exceed \$950,000,000 (the “Bonds”) on behalf of DesertXpress Enterprises, LLC (“Borrower”).

The proceeds of such Bonds will be loaned by the Issuer to the Borrower to (1) finance or refinance a portion of costs of the design, development, acquisition, construction, installation, equipping, ownership, operation, maintenance, renovation, and administration of the Nevada portion of a high-speed, interstate passenger rail system between Las Vegas and Rancho Cucamonga, California, including, but not limited to, rolling stock, support facilities, electrification infrastructure, parking facilities, a passenger station, and rail lines, all running for the approximately 34 miles of the total system length to be located within Nevada primarily within the median of the Nevada Department of Transportation’s Interstate 15 corridor right-of-way between the California/Nevada border and a passenger station to be located in Las Vegas, Nevada, on the east side of Interstate 15 within the general boundary of Robindale Road to the south, West Warm Springs Road to the north and Windy Road to the east (collectively, the “Facilities”), (2) fund certain reserves (if any), including a debt service reserve fund, (3) fund a portion of the interest payable on the Bonds during the period of development of the Facilities, (4) pay certain costs of issuance in connection with the issuance of the Bonds (collectively, the “Project”), and (5) refund Director of the State of Nevada Department of Business and Industry Revenue Bonds (Brightline West Passenger Rail Project), Series 2020A, proceeds of which will be applied to finance or refinance the Project.

For the interest on the Bonds to be excluded from gross income for federal income tax purposes, Section 147(f)(2) of the Internal Revenue Code of 1986 requires that an “applicable elected representative” of both the host governmental unit and the issuer approve the issuance of the Bonds. Each such approval must follow a public hearing which has been preceded by reasonable public notice.

This hearing is being conducted pursuant to a notice published on August 5, 2024 on the Issuer’s primary public website in an area of that website used to inform residents of the State of Nevada about Issuer-related events affecting the residents. Upon completion of this hearing, the Governor of the State of Nevada, as an “applicable elected representative” of the State of Nevada will consider approval of the proposed issuance of the Bonds.

The Bonds will be paid entirely from repayments and other funds made available by the Borrower under a Loan Agreement (the “Loan Agreement”), by and between the Issuer and the Borrower. Neither the faith and credit nor the taxing power of the Issuer, the State of Nevada (the “State”) or any other political corporation, subdivision or agency of the State is pledged to the payment of the principal, premium, if any, or interest on the Bonds, nor shall the Issuer, the State or any other political corporation, subdivision or agency of the State be liable or obligated to pay the principal, premium, if any, or interest on the

Bonds, except to the extent that the Bonds will be limited obligations of the Issuer payable from funds received from the Borrower pursuant to the Loan Agreement.

As announced in the published notice, we now offer this opportunity for those wishing to comment on the proposed nature and location of any of the Facilities and the proposed issuance of the Bonds to speak or submit written comments as to whether such Bonds should be issued.

#### **4. Public Comments**

Mark Pasek opens the meeting to Public Comments.  
No Public Comments offered

#### **5. Adjournment.**

Director Sanchez moved to adjourn, meeting adjourned