

**GENERAL MEETING OF THE BOARD OF DIRECTORS
OF THE
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

RESOLUTION NO. 07-65

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") was created pursuant to the request of Travis and Williamson Counties and in accordance with provisions of the Transportation Code and the petition and approval process established in 43 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the CTRMA has been constituted in accordance with the Transportation Code and the RMA Rules; and

WHEREAS, the CTRMA identified the proposed 183-A Turnpike Project (the "Project") as its initial project in a petition filed under the RMA rules and has subsequently undertaken to cause the Project to be constructed under the terms of a Comprehensive Development Agreement; and

WHEREAS, Section 370.181(c) of the Texas Transportation Code provides that an authority such as the CTRMA may contract with any state or local government for the services of peace officers provided by that government; and

WHEREAS, the Board of Directors in Resolution No. 07-01, dated January 31, 2007, agreed that such law enforcement and policing services should be provided by the City of Cedar Park, Texas ("Cedar Park"), and

WHEREAS, pursuant to Resolution No. 07-01, the CTRMA and Cedar Park entered into an Interlocal Cooperation Agreement-183-A Turnpike Law Enforcement Services dated effective February 22, 2007 (the "Interlocal Agreement"); and

WHEREAS, the Interlocal Agreement authorized Cedar Park to provide law enforcement services to the CTRMA on the Project with a three phased approach that included safety and incident management, traffic enforcement, and toll violations enforcement, all in accordance with the direction of and cooperation with the CTRMA; and

WHEREAS, Section 370.177(a) of the Texas Transportation Code provides that "[the] operator of a vehicle who drives or tows a vehicle through a toll collection facility and does not pay the proper toll commits an offense" with a fine not to exceed \$250.00 to be enforced in a court of proper jurisdiction, and Section 370.177(h) provides for the collection by the court of the proper toll and an administrative fee to be paid to the authority (in this case, the CTRMA); and

WHEREAS, to date, the focus of the CTRMA's efforts through the Interlocal Agreement has been on safety and incident management as well as traffic enforcement; however, it is now the CTRMA's desire that Cedar Park also provide toll violations enforcement at the Park Street Plaza and the Brushy Creek Plazas (all of which are in the city limits of Cedar Park) pursuant to

Sections 3(a) and 3(d) of the Interlocal Agreement and Section 370.177(a) and (h) of the Texas Transportation Code; and

WHEREAS, CTRMA staff recommends that the CTRMA give direction to and cooperate with Cedar Park under the terms of the Interlocal Agreement to have toll violations enforcement services provided by Cedar Park through its Police Department and court system for violations at the Park Street Plaza and the Brushy Creek Plazas in accordance with the relevant statutes.


NOW THEREFORE, BE IT RESOLVED, that the CTRMA Board of Directors directs the Executive Director and CTRMA staff to give ongoing direction to and cooperate with Cedar Park under the terms of the Interlocal Agreement to have toll violations enforcement services provided by Cedar Park through its Police Department and court system for violations at the Park Street Plaza and the Brushy Creek Plazas under the relevant statutes; and

BE IT FURTHER RESOLVED, that the Executive Director and CTRMA staff are directed to insure that all aspects of the three phased approach to law enforcement services for the Project as provided under the Interlocal Agreement continue to be emphasized for the safety and convenience of the CTRMA's customers.

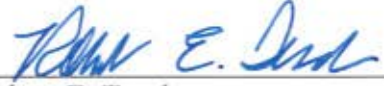
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 7th day of November, 2007.

Submitted and reviewed by:

Approved:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 07-65
Date Passed 11/7/07