

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

**RESOLUTION NO. 09-05**

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 is charged with improving mobility throughout the Central Texas region; and

WHEREAS, the biennial session of the 81<sup>st</sup> Texas Legislature convened on January 13, 2009; and

WHEREAS, the 81<sup>st</sup> Legislature may consider the adoption of legislation relating to tolling, regional mobility authorities, rail relocation, and other areas of potential interest to the CTRMA; and

WHEREAS, CTRMA staff and consultants have developed a list of proposed legislative initiatives, attached hereto as Attachment "A", reflecting the interests of the CTRMA with regard to various legislative issues that may be considered by the 81<sup>st</sup> Legislature; and

WHEREAS, the Board of Directors of the CTRMA believes that the proposed legislative initiatives are in the best interest of the CTRMA and the residents of Travis and Williamson Counties and the Central Texas region.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA approves the list of proposed legislative initiatives, attached hereto as Attachment "A"; and


BE IT FURTHER RESOLVED, that the Board of Directors authorizes CTRMA staff and consultants to work with members of the legislature to advance the issues reflected on Attachment "A".

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 28th day of January, 2009.

Submitted and reviewed by:

  
Thomas Nielson  
General Counsel for the  
Central Texas Regional Mobility Authority

Approved:

  
Lowell H. Lebermann, Jr.  
Vice Chairman, Board of Directors  
Resolution Number 09-05  
Date Passed 01/28/09

Attachment to Resolution No. 09-05

CTRMA Legislative Issues

1/28/09

The following is a list of issues that the CTRMA has identified as issues to address during the 81<sup>st</sup> Legislative Session.

1. Market Valuation and Right of First Refusal—Support elimination of the market valuation process (and associated procedural requirements) required under SB 792, while preserving the first option rights established for local toll authorities in that legislation. Toward that end the authority has worked with Sen. Nichols, and has been supportive of an alternative process the Senator is developing to identify the priority of project development options with an emphasis on giving local entities first right of refusal.

2. Continuation/Extension of CDA Authority (and Termination of Moratorium on Concession CDAs)—under current law the authority for RMAs to pursue design/build comprehensive development agreements expires on August 31, 2011, and the authority to utilize concession CDAs expires on August 31, 2009. The authority will support extension or elimination of those expiration dates. In addition, the moratorium on concession CDAs imposed by SB 792 expires on August 31, 2009, and the authority will support elimination of the moratorium restrictions in favor of allowing regions the opportunity to decide on preferred project delivery options.

3. Enabling Legislation for Proposition 12 Bonds and Dedication of Funds to Assist Local Projects—although voters approved a constitutional amendment authorizing the issuance of up to \$5 billion in general revenue bonds for transportation, there is currently no enabling legislation authorizing the bond issuance. The authority will support such legislation, along with the dedicated use of a portion of the bond proceeds specifically to provide credit assistance for RMA projects (perhaps through establishment of a revolving fund for that purpose).

4. Local Option Funding Mechanisms (Vehicle Registration Fees, etc.)— working with its local partners (including Travis and Williamson Counties, CAMPO, etc.), the authority will be supportive of increased tools to generate local funding for transportation projects.

5. Fix and Expand Transportation Reinvestment Zone ("TRZ") Legislation—the authority will support expanding the use of TRZs (authorized last session under SB 1266) to include projects which do not receive pass-through financing. In addition, the legislation needs to be clarified and improved to make implementation easier.

6. Re-establish Funding for the Pass-Through Program—the pass-through financing program proved to be a useful tool for developing local projects, however TxDOT ran out of money to fund that program. The authority will support legislation requiring that the program be capitalized.

7. End Diversions and Index the Gas Tax- the authority is supportive of efforts to end diversions of Fund 6 dollars to other (non-transportation) purposes and efforts to index the gas tax to an appropriate inflation figure (e.g., CPI or the highway construction cost index) .

8. Toll Collection and Violation Enforcement- the authority would like to work with other toll authorities to harmonize the statutory framework for toll collection and violation enforcement, so that there is consistency throughout the state.

9. RMA Clean-up Legislation—the authority (working with other RMAs) will pursue legislation to address various issues specific to Chapter 370 of the Transportation Code. Examples include: clarification of authority to develop parking facilities; authorizing the use of “construction manager-at-risk contracting”; providing for participation in the State Travel Management Program; and clarification of financing provisions related to loan agreements and pledges of security.