

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

**RESOLUTION NO. 09-19**

**290 East Toll Facility Project Agreement with TxDOT and  
Authorization to Improve the State Highway System**

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, in a minute order approved on August 25, 2005, the Texas Transportation Commission (the "Commission") authorized the CTRMA to pursue the development of the 290 East Toll Project (the "Project"); and

WHEREAS, on December 1, 2008, CAMPO approved the business terms incorporated in the Market Valuation Agreement regarding the Project as required by Section 228.0111(g) of the Texas Transportation Code; and

WHEREAS, in Resolution No. 08-62, dated December 17, 2008, the Board of Directors exercised the option of the CTRMA to develop the Project as provided for under the process and procedures of Section 228.0111 of the Texas Transportation Code ("Code"); and

WHEREAS, on March 17, 2009, the CTRMA formally notified the Texas Department of Transportation ("TxDOT") that it had exercised its option to develop the Project pursuant to Section 228.0111 of the Code; and

WHEREAS, the federal government, through the American Recovery and Reinvestment Act ("ARRA"), has provided stimulus funding to the State of Texas for numerous purposes, including the undertaking of various infrastructure and transportation projects; and

WHEREAS, the Commission at a special called meeting on March 5, 2009 approved a list of state transportation infrastructure projects to be funded by ARRA funding, including a portion of the Project involving the construction of four direct connectors at the intersection of US 183 and US 290 East currently on the state highway system (the "290E Improvements"); and

WHEREAS, pursuant to Section 370.033(f) of the Code, it is necessary for TxDOT to authorize the CTRMA to make the 290E Improvements to the state highway system; and

WHEREAS, it is further necessary for the CTRMA and TxDOT to enter into a project agreement setting forth the terms and provisions that the planned 290E Improvements are to be

constructed (a "Project Agreement"); and

WHEREAS, the Commission currently plans to consider at its March 26, 2009 meeting authorizing the CTRMA to make the above-described 290E Improvements to the state highway system and further authorizing the Executive Director of TxDOT to negotiate and enter into a Project Agreement with the CTRMA.


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors hereby authorizes the Executive Director and CTRMA staff to seek TxDOT authorization to make the 290E Improvements to the state highway system and negotiate and finalize a Project Agreement with TxDOT; and


BE IT FURTHER RESOLVED, that the Executive Director is authorized to negotiate, finalize and execute the Project Agreement for the 290E Improvements and undertake such further actions as are necessary to give the CTRMA full authority to construct the 290E Improvements.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25th day of March, 2009.

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 09-19  
Date Passed 3/25/09