

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

RESOLUTION NO. 04-13

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78th Texas Legislature, authorizes regional mobility authorities to develop projects through use of comprehensive development agreements (CDAs); and

WHEREAS, the CTRMA has adopted procurement policies which conform to HB 3588 and which provide for the receipt and processing of unsolicited proposals for project development through use of a CDA; and

WHEREAS, the CTRMA received an unsolicited proposal for the development of U.S. 183-A through a CDA; and

WHEREAS, in Resolution No. 03-58 the CTRMA Board of Directors authorized the initiation of the CDA process and directed staff to issue a request for competing proposals (RFCQ) in response to the receipt of the unsolicited proposal; and

WHEREAS, in accordance with the CTRMA procurement policies, staff issued the RFCQ on December 19, 2003, and caused the RFCQ to be published in the *Texas Register*; and

WHEREAS, the CTRMA received and processed five responses to the RFCQ, and based on those responses and other analyses the CTRMA designated a "short-list" of three proposer teams to receive a Request for Detailed Proposals ("RFDP") for the development of U.S. 183-A; and

WHEREAS, as statutorily required, in accordance with the CTRMA procurement policies, and in order to obtain ownership of the work product contained in any unsuccessful detailed proposals, CTRMA must pay an unsuccessful proposer submitting a detailed proposal in response to an RFDP a stipulated amount of the final contract price; and

WHEREAS, in Resolution No. 04-02, the CTRMA Board of Directors directed staff to make a recommendation to the board as to the amount that will be paid by CTRMA to entities submitting unsuccessful detailed proposals;


NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA, upon the recommendation of staff, hereby authorizes that payment equal to the lesser of \$200,000 or 0.1%

of the final CDA contract price shall be made to each of the unsuccessful proposers submitting qualified detailed proposals in response to the RFDP for the U.S. 183-A project; and

BE IT FURTHER RESOLVED, that the Board of Directors authorizes staff to incorporate provisions for such payment within the RFDP documents to be issued to the short-listed proposers.

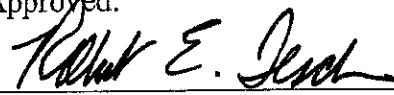
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-13
Date Passed 05/05/04

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

RESOLUTION NO. 04-14

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78th Texas Legislature, authorizes regional mobility authorities to develop projects through use of comprehensive development agreements (CDAs); and

WHEREAS, the CTRMA has adopted procurement policies which conform to HB 3588 and which provide for the receipt and processing of unsolicited proposals for project development through use of a CDA; and

WHEREAS, on September 15, 2003, the CTRMA received an unsolicited proposal for the development of U.S. 183-A through a CDA; and

WHEREAS, in Resolution No. 03-58 dated November 5, 2003, the CTRMA Board of Directors authorized the initiation of the CDA process and directed staff to issue a request for competing proposals (RFCQ) in response to the receipt of the unsolicited proposal; and

WHEREAS, in accordance with the CTRMA procurement policies, staff issued the RFCQ on December 19, 2003, and caused the RFCQ to be published in the *Texas Register* with responses due on February 2, 2004; and

WHEREAS, the CTRMA received and processed five responses to the RFCQ, and based on those responses and other analyses the CTRMA, on February 25, 2004, designated a "short-list" of proposer teams to receive a Request for Detailed Proposals ("RFDP") for the development of US 183-A; and

WHEREAS, in Resolution No. 04-02, the CTRMA Board of Directors directed staff to begin work on a draft RFDP, including formulating criteria to be used in evaluating the detailed proposals, assigning relative weight to those criteria, and establishing the deadline date by which detailed proposals must be received; and

WHEREAS, staff issued a draft RFDP to those teams short-listed for the RFDP phase of the CDA process to allow the opportunity for industry review and comment as well as workshops and one-on-one meetings with each of the three short-listed teams to answer questions and receive feedback on the draft RFDP; and

WHEREAS, staff has evaluated the comments and feedback received on the draft RFDP, has made additions, revisions and corrections to the draft RFDP, and recommends issuance of the RFDP in its revised and finalized form;

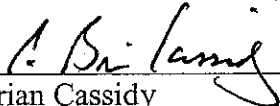
NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby authorizes staff to issue the final RFDP documents to each of the three short-listed teams previously designated by the board; and

BE IT FURTHER RESOLVED, that the staff is authorized to continue the RFDP process, conduct such meetings and workshops with the proposers as are required to maximize the efficiency of the process, and issue such addenda to the RFDP as are necessary to further the interest of the CTRMA in developing the U.S. 183-A project; and

BE IT FURTHER RESOLVED, that the staff should report back to the Board as to the status and progress of the RFDP process at each of the CTRMA's regular board meetings until the RFDP responses are received.

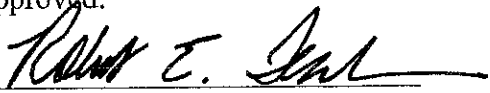
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-14
Date Passed 05/05/04

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

RESOLUTION NO. 04-15

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78th Texas Legislature, authorizes regional mobility authorities to develop projects through use of comprehensive development agreements (CDAs); and

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

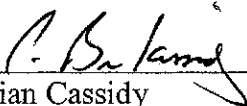
WHEREAS, the Board of Directors desires to hire a Chief Financial Officer (CFO) to work under the direction of the Executive Director and to assist and guide in managing the financial affairs of the CTRMA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby directs its staff to draft and publish the posting for the Chief Financial Officer position; and

BE IT FURTHER RESOLVED, that no job offer may be extended, employment terms agreed to, or compensation established without the prior consent of the Executive Committee.

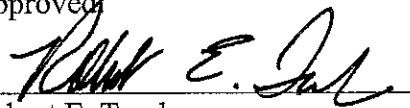
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-15
Date Passed 05/05/04

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

RESOLUTION NO. 04-16

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78th Texas Legislature, authorizes regional mobility authorities to develop projects through use of comprehensive development agreements (CDAs); and

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

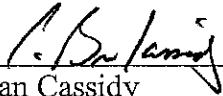
WHEREAS, the Board of Directors desires to hire a Public Involvement Officer (PIO) to work under the direction of the Executive Director and to assist in guiding and directing public information and public outreach efforts of the CTRMA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby directs its staff to draft and publish the posting for the Public Information Officer position; and

BE IT FURTHER RESOLVED, that no job offer may be extended, employment terms agreed to, or compensation established without the prior consent of the Executive Committee.

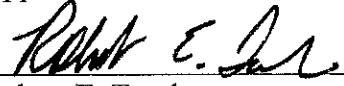
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-16
Date Passed 05/05/04

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

RESOLUTION NO. 04-17

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78th Texas Legislature, authorizes regional mobility authorities to develop projects through use of comprehensive development agreements (CDAs); 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 Board of Directors desires to retain one or more outside entities to perform auditing services for the CTRMA; and

WHEREAS, the Board of Directors desires that the staff initiate the process for procuring auditing services by drafting and issuing a request for qualifications (RFQ) to solicit responses from firms interested in providing such services and to publish such RFQ in the *Texas Register*; and

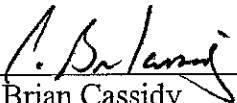
WHEREAS, the Board of Directors desires that the Executive Committee interview some or all of the responding firms and make a recommendation to the full board as to the best qualified firm to provide auditing services to the CTRMA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA authorizes the staff to draft and issue an RFQ for the provision of auditing services; and

BE IT FURTHER RESOLVED, that the Executive Committee shall interview some of all of the responding firms and make a recommendation to the full board as to the best qualified firm to provide auditing services to the CTRMA.

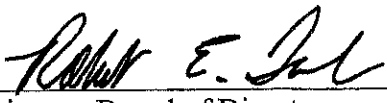
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Chairman, Board of Directors
Resolution Number 04-17
Date Passed 5/5/04

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

RESOLUTION NO. 04-18

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 46 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 Board of Directors deems the services of a trustee for the administration of trust indenture requirements to be important to the operations of the CTRMA and a requirement of eventual purchasers of CTRMA-issued revenue bonds; and

WHEREAS, the Board of Directors desires to retain one or more qualified financial institutions to perform trustee services for the CTRMA; and

WHEREAS, the Board of Directors desires that staff initiate the process for procuring trustee services by drafting and issuing a request for proposals (RFP) to solicit responses from those institutions interested in providing such services; and


WHEREAS, the Board of Directors desires that the Executive Committee interview some or all of the responding institutions and make a recommendation to the full board as to the best qualified institution to provide trustee services to the CTRMA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA authorizes the staff to draft and issue an RFP to solicit institutions interested in providing trustee services pursuant to a trust indenture to the CTRMA, and to publish the RFP in the *Texas Register*; and

BE IT FURTHER RESOLVED, that the Executive Committee shall interview some or all of the responding institutions and make a recommendation to the full board as to the best qualified institution to provide trustee services to the CTRMA.

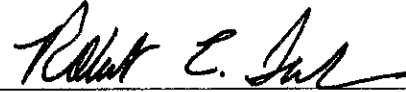
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Chairman, Board of Directors
Resolution Number 04-18
Date Passed 05/05/04

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

RESOLUTION NO. 04-19

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, the Board of Directors of the CTRMA desires its employees to partake in the Texas County and District Retirement System (TCDRS), which is a multi-employer, defined benefit pension plan under section 401(a) of the Internal Revenue Code; and

WHEREAS, the Texas Legislature has established the Texas County and District Retirement System (hereinafter called "TCDRS") pursuant to Section 67 of Article XVI of the Texas Constitution; and

WHEREAS, the governing statute Subtitle F, Title 8, Government Code (hereinafter "TCDRS Act") directs that the governing body shall determine whether a district (hereinafter, "CTRMA") shall participate in TCDRS so established; and

WHEREAS, the CTRMA board has reviewed the TCDRS "Acknowledgment of Conditions Governing TCDRS Participation" attached as Exhibit A to this Resolution; and

WHEREAS, the CTRMA board has reviewed the "Resolution Authorizing TCDRS Participation" attached as Exhibit B to this Resolution;

NOW THEREFORE, BE IT RESOLVED that the CTRMA board hereby approves participation in TCDRS to provide benefits to CTRMA employees; and


BE IT FURTHER RESOLVED, that the CTRMA board members shall each execute the "Acknowledgment of Conditions Governing TCDRS Participation" attached as Exhibit A hereto; and

BE IT FURTHER RESOLVED, that the board hereby grants the Chairman the authority to execute the "Resolution Authorizing TCDRS Participation" attached as Exhibit B hereto; and

BE IT FURTHER RESOLVED, that upon execution of both of these documents, the board directs CTRMA staff to transmit the executed documents, along with a copy of this Resolution, to the appropriate TCDRS staff to facilitate participation in TCDRS.


Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-19
Date Passed 05/05/04

Exhibit A: "Acknowledgment of Conditions Governing TCDRS Participation"



Acknowledgment of Conditions Governing TCDRS Participation

General Conditions

- The Texas County and District Retirement System (TCDRS) is a qualified retirement plan under Section 401(a) of the Internal Revenue Code. The TCDRS Act (Subtitle F, Title 8, Texas Government Code) is the basis for administration of the retirement system. *In all cases, the actual provisions of state and federal governing law take precedence over information provided in any other form.*
- The assets of all TCDRS members and employer plans are pooled for investment purposes. Neither an individual member nor the District directs the investment of those assets.
- Information held by TCDRS that is identifiable with an individual member's personal account, benefit amounts or beneficiary designations is confidential under state law and may be disclosed to the District's governing board only if it is necessary for the local administration of the District's TCDRS plan.

Plan Funding and Employer Contributions

- The TCDRS plan of each participating county or district is treated actuarially and financially as a separate retirement plan.* There is no pooling of costs or benefits.
- Employer contribution rates are actuarially determined by TCDRS.* An employer cannot determine its own required rate, but may elect to contribute at an optional higher rate.
- Employer contributions are held in trust by TCDRS and may not be returned to the District. Employer assets can be used only to fund benefits for plan participants.
- TCDRS is authorized to impose remedial measures on any plan determined to have a funding deficiency if its governing board declines to take corrective action.
- Monthly reports and employee/employer contributions must be received by TCDRS no later than 5 p.m. of the 15th day following the month for which they are submitted. *Contributions or reports received after the deadline are deemed late and incur a \$500 penalty. Late contributions also incur penalty interest at the annual rate of 12% for each day the contributions are past due.* Reports may be filed electronically and monthly contributions may be submitted by ACH Debit to ensure their timely submission.

Employee Participation and Benefit Elections

- Participation in TCDRS may not be terminated by the District.* The District may elect to discontinue the enrollment of future new hires starting on a specified date, but it is legally obligated to continue the participation of all previously enrolled members.
- TCDRS participation is mandatory for all eligible employees.* All participating employees must contribute the same percentage of salary as elected by the governing board.
- The governing board of the District is responsible for establishing the initial employee deposit level, benefit levels and retirement eligibility factors for the District's retirement plan. The Board may adopt future plan changes based on selected optional benefits and rates provided by TCDRS and may request employer rates for other allowable benefit options.



Acknowledgment of Conditions Governing TCDRS Participation

Actuarial Assumptions and Cost/Benefit Projections

- ❑ Projections of employer costs and contribution rates are based on actuarial assumptions, the most important being the assumed annual allocation of 9% interest to employer accounts, and assumed levels of member withdrawals and payroll growth. *Investment return and interest allocations are assumed, but not guaranteed. Actual employer interest allocations or plan experience that differ significantly from assumptions can result in significant rate variation, especially in smaller plans.* Actuarial assumptions are reviewed every four years and may be adjusted by TCDRS, with the adjustments affecting employer rates.
- ❑ Projections of benefit payments provided now or in the future are not guarantees of payments, but estimates. These estimates assume the continued existence of the District, its ongoing employer contributions and no decrease in the number of contributing employees. *Termination of the District or a significant decrease in the number of its depositing members can cause funding problems for its TCDRS plan and prevent it from providing current or future benefits at promised levels.*

Board Members' Acknowledgment

(All Board members should sign below. It is not necessary to include titles.)

We hereby acknowledge that we have been advised of the conditions governing the participation of the
Central Texas Regional Mobility Authority in the Texas County and
 District Retirement System. Witness our hands officially on this 5th day of
May 2004.

Attest (By Other Than Board Member):

Exhibit B: "Resolution Authorizing TCDRS Participation"



RESOLUTION AUTHORIZING TCDRS PARTICIPATION
(District) - Revised 2003

V. Employer Contribution Rate (continued)

Election to Waive the Statutory Maximum Employer Contribution Rate Limit

Please note that the presiding officer of the governing board must sign the following election, but ONLY IF:

1. The District's governing board is adopting optional rights, credits or benefits that produce an employer contribution rate in excess of 11 %; or
2. The District's governing board is adopting an elected employer contribution rate in excess of 11% (see footnote 6).

Effective the date of participation, the District's governing board elects to waive the statutory maximum employer contribution rate limit as prescribed by Section 844.703(c).⁶

Signature, Presiding Officer of the District's Governing Board

Part Three: Secretary's Certification

Robert E. Tesch _____, Secretary⁷ of the Central Texas Regional Mobility Authority⁸ of _____⁹, and custodian of its official records, do hereby certify that the foregoing is a full, true and correct copy of: Resolution Authorizing TCDRS Participation and Making Plan Selections Thereunder, and of the official minutes pertaining to its adoption, as the same appear of record in the official minutes of the District.

Given under my hand and seal of office this 5th day of May, 2004.

SEAL
(IF AVAILABLE)

Signature of Governing Board Official

Chairman, Board of Directors

Title

⁶ Please contact TCDRS for more information regarding the waiver of the statutory maximum employer contribution rate.

⁷ The Chairman or the Vice-Chairman of the Board may complete Part III in the absence of the Board Secretary

Title of Governing Body ("Board of Directors", Board of Trustees", etc.)

⁹ Name of subdivision.



RESOLUTION AUTHORIZING TCDRS PARTICIPATION
(District) - Revised 2003

Part One: Form of Minutes for Adoption of Resolution

THE STATE OF TEXAS

COUNTY OF Travis

On this the fifth day of May, 2004, the governing board of the Central Texas Regional Mobility Authority ("the District") was convened in open regular session with the following members present:

NAME	TITLE	VOTING (✓)
<u>Robert E. Tesch</u>	<u>Chairman</u>	<u> </u>
<u>Lowell H. Lebermann, Jr.</u>	<u>Vice-Chairman</u>	<u> </u>
<u>Robert H. Bennett, Jr.</u>	<u>Treasurer</u>	<u> </u>
<u>Henry H. Gilmore</u>	<u>Board Member</u>	<u> </u>
<u>James H. Mills</u>	<u>Board Member</u>	<u> </u>
<u>Johanna Zmud</u>	<u>Board Member</u>	<u> </u>
<u>David Singleton</u>	<u>Board Member</u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>
<u> </u>	<u> </u>	<u> </u>

Mr./Ms. moved that the resolution, (Exhibit One of these minutes), be adopted by the District. The motion was seconded by Mr./Ms. , and was adopted with the following members voting AYE: , , , , , and ; and the following members voting NO: , , and .



RESOLUTION AUTHORIZING TCDRS PARTICIPATION
(District) - Revised 2003

Part Two: Form of Resolution to be Adopted and Included in Minutes

Exhibit One

Resolution Authorizing TCDRS Participation and Making Plan Selections Thereunder

WHEREAS, the Texas Legislature has established the Texas County and District Retirement System (hereafter called "TCDRS") pursuant to Section 67 of Article XVI of the Texas Constitution; and

WHEREAS, the governing statute Subtitle F, Title 8, Government Code (hereafter "TCDRS Act") directs that the governing body shall determine whether the District shall participate in TCDRS¹ so established; and

WHEREAS, the District's governing board has determined that it is in the public interest that the District participate in TCDRS, to more adequately provide for the retirement security of its eligible employees; now, therefore, be it **RESOLVED**, That:

I. Election to Participate

Pursuant to the provisions of the TCDRS Act, the District hereby elects to participate in, and have its employees participate in the TCDRS, such participation to begin and be effective on the date approved by the TCDRS Board of Trustees.

Membership of Employees

All persons who are employees of said District on the effective date of participation prescribed above shall become members of TCDRS and shall be allowed credit for prior service in accordance with the provisions of the TCDRS Act and the Rules and Regulations of the TCDRS Board of Trustees. Each person, who shall become an employee of the District subsequent to the effective date of participation who is not already a member of TCDRS, shall become a member on the date of employment.

III. Adoption of Plan Selections

Pursuant to the provisions of the TCDRS Act, the District hereby makes the plan selections authorized by Subchapter H of Chapter 844 of the said TCDRS Act.

A. Basic Plan Benefit Eligibility

(Ten-year credited service requirement for vesting and service/disability retirement)

Effective the date of participation, the District adopts the 10-year/Age 60 Retirement Eligibility described in Section 844.207 of the TCDRS Act, under which:

- (a) Any TCDRS member who has ten (10) or more years of service credit with the District and other subdivisions that have adopted the provisions of Section 844.207 or 844.210, is a vested member under Section 844.207(d) and shall have the right to retire and receive a service retirement annuity after attaining age 60, unless the Optional 8-year/Age 60 Retirement Eligibility described under Section 844.210 is adopted in this resolution (refer to Section IV of this resolution).

¹ in this resolution, the respective terms "contributions", "employee", "compensation", "prior service", "service" and "System" have the meanings defined for such term by the TCDRS Act.



RESOLUTION AUTHORIZING TCDRS PARTICIPATION
(District) - Revised 2003

- (b) Any TCDRS member who is a vested member may terminate employment with all participating subdivisions prior to attaining age 60, and remain eligible to retire and receive a service retirement annuity after attaining age 60 provided his or her membership is not terminated other than by retirement.
- (c) Any TCDRS member who is a vested member under Section 844.207(d) may retire and receive a disability retirement annuity if he or she is certified as disabled in accordance with Section 844.303(b)(2).
- (d) Any TCDRS member who is a vested member under Section 844.207(d) or who is described in Section 844.207(e) shall have the right to retire and receive a service retirement annuity when the member's years of credited service added to his or her attained age equals or exceeds the sum of eighty (80), unless the Optional Rule of 75 Retirement Eligibility described under Section 844.211 is adopted in this resolution (refer to Section IV of this resolution).

B. Survivor Annuity Death Benefit

(Four year credited service requirement for survivor annuity death benefit)

By adopting this resolution, the provisions of Section 844.407, "Survivor Annuity Death Benefit", shall apply to the District. Any TCDRS member who has four (4) or more years of service credit with the District and other subdivisions that are subject to Section 844.407(a)(1) is an eligible member for purposes of the "Survivor Annuity Death Benefit" provided under Section 844.407.

C. Employee Deposit Rate

For each payroll period from and after the effective date of participation, member deposits of each eligible District employee shall be made to TCDRS at the rate of 7.0 %² of compensation; and such deposits shall be certified by the subdivision correspondent and transmitted to TCDRS for deposit to the individual employee account.

D. Current Service Credit Percentage

For service performed for the District on and after the effective date of participation, each member shall receive *multiple matching credit*, which when added to the rate used to determine the *current service credit* allowable under Section 843.403, will total 250 %³ of the member's deposits.

E. Prior Service Credit Percentage

Allocated (special) prior service credits granted to any member by the District shall be computed at 175 %⁴ of the maximum (special) prior service credit of each member affected.

² Four, five, six or seven percent unless a lower percentage is required under Section 844.703(h) of the TCDRS Act.

³ The percentage may be 100%, 125%, 150%, 175%, 200%, 225% or 250% or the percentage currently in effect.

⁴ Must be a multiple of 5%; the prior service credit percentage is the rate at which the employer has elected to award monetary credit for the service employees performed prior to the district's participation in TCDRS. Member employees who are eligible for prior service credit must file paperwork with the Subdivision Correspondent.



RESOLUTION AUTHORIZING TCDRS PARTICIPATION
(District) - Revised 2003

IV. Selection and Adoption of Optional Credits and Benefits

Pursuant to Section 844.704 of the TCDRS Act, the District adopts the following additional rights, credits and benefits, effective as of the date of participation. **The presiding officer of the governing board must sign in the space preceding each option selected.**

 X **Optional 8-year/Age 60 Retirement Eligibility under Sec. 844.210**
8-year service eligibility requirement for vesting, service and disability retirement.

 X **Optional Rule of 75 Retirement Eligibility under Sec. 844.211**
A member shall have the right to retire and receive a service retirement annuity when the years of such credited service added to his or her years of attained age equals or exceeds seventy-five (75).

 Optional 20-Year/Any Age Retirement Eligibility under Sec. 844.212
A member shall have the right to retire and receive a service retirement annuity when the years of such credited service equals or exceeds twenty (20).

 Credited Service for Qualified Military Service under Sec. 843.601(c)
Military service typically performed prior to becoming an employee of the District. An eligible member is one who has service equaling at least the minimum period required to retire at age 60 with the District.

 Partial Lump-Sum Distribution on Service Retirement under Sec. 844.009
The option of Partial Lump-Sum distribution (PLSD) at retirement allows your current members who are eligible for service retirement to receive a portion of their retirement benefit in the form of a partial lump sum distribution that cannot exceed 100 percent of their account balance. This distribution is made in addition to a lifetime monthly annuity under one of the TCDRS retirement options.

v. Employer Contribution Rate

The District hereby undertakes to make monthly normal contributions and prior service contributions to the System at an employer contribution rate that equals or exceeds the total calculated employer contribution rate (*i.e.*, the calculated employer contribution rate plus the rates for any optional rights, benefits and credits elected in Section IV), determined from year to year by the actuary of the System, and approved by the Board of Trustees of the System as provided by Subchapter H of Chapter 844 of the TCDRS Act; such rates (excluding those for "picked-up" contributions under Section 845.403(i) of the TCDRS Act and those, if any, to the Supplemental Death Benefits Fund under Section 845.406) not to exceed the statutory maximum, currently 11 percent, prescribed by Section 844.703(c) of said Act, unless the District's governing board elects to waive that statutory limit. Any waiver of the statutory maximum rate made in accordance with Section 844.703(c) shall remain in effect until January 1 of the year following the year in which the waiver is repealed by the District's governing board. An employer contribution rate adopted by the District's governing board that exceeds the total calculated employer contribution rate shall remain in effect for each subsequent year until rescinded by the District's governing board. **Effective the date of participation, the District shall make subdivision contributions to the System at the employer contribution rate of 13.95 %⁵ for the first two plan years of participation.**

⁵ The employer contribution rate should equal either (a) or (b):

- (a) the Calculated Employer Contribution Rate shown on the Exhibit 1, plus the sum of additional rates for optional credits and benefits selected.
- (b) any percentage rate (e.g., 4%, 4.50%, 7%, 8%, 8.75%, 9.90%, 10%, 11%) that is equal to or greater than the rate computed in accordance with the instructions set out in (a) immediately above. The District may elect to contribute at a total calculated employer contribution rate in excess of 11% (as determined by the actuary) or at an elected rate in excess of 11% only if the District waives the statutory maximum employer contribution rate limit in accordance with section 844.703(c). The waiver of the statutory maximum employer contribution rate remains in effect until revoked by the District's governing board. If the District elects to contribute at a rate above the required rate, that elected rate will remain in effect unless changed by a subsequent District's governing board resolution. However, if the total calculated employer contribution rate exceeds the elected rate in a subsequent year, the District must pay at the higher calculated employer contribution rate or higher elected rate.

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

RESOLUTION NO. 04-20

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, HB 3588, passed by the 78th Texas Legislature, authorizes regional mobility authorities to develop turnpike projects; 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 Board of Directors desires to retain one or more outside entities to perform marketing services for the CTRMA for the provision of toll tags and the use of CTRMA developed projects; and

WHEREAS, the Board of Directors desires that the staff initiate the process for procuring marketing services by drafting and issuing a request for proposals (RFP) to solicit responses from firms interested in providing such services, and to publish the RFP in the *Texas Register*; and

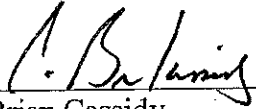
WHEREAS, the Board of Directors desires that the Executive Committee interview some or all of the responding firms and make a recommendation to the full board as to the best qualified firm to provide marketing services to the CTRMA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA authorizes the staff to draft and issue an RFP for the provision of marketing services; and

BE IT FURTHER RESOLVED, that the Executive Committee shall interview some or all of the responding firms and make a recommendation to the full board as to the best qualified firm to provide marketing services to the CTRMA.

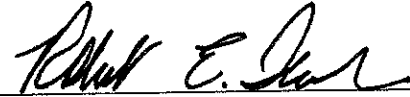
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Chairman, Board of Directors
Resolution Number 04-20
Date Passed 5/5/04

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

RESOLUTION NO. 04-21

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") is empowered to procure such goods and services as it deems necessary to assist with its operations and to study and develop potential transportation projects; and

WHEREAS, close scrutiny of CTRMA expenditures for goods and services, including those related to project development, is the responsibility of the Board of Directors and its designees through procedures the board may implement from time to time; and

WHEREAS, the Board of Directors has adopted policies and procedures intended to provide strong fiscal oversight and which authorize the Executive Director, working with the CTRMA's accountant, to review invoices and approve disbursements; and

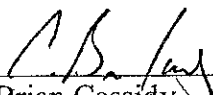
WHEREAS, the Executive Director, working with the CTRMA's accountant, has reviewed and authorized the disbursements listed on Disbursements Report included herewith as Attachment "A";

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors accepts the Disbursements Report included as Attachment "A".

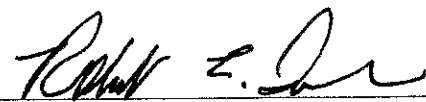
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 5th day of May, 2004.

Submitted and reviewed by:

Approved:



C. Brian Cassidy
General Counsel for the Central
Texas Regional Mobility Authority



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-21
Date Passed 05/5/04

**Central Texas Regional Mobility Authority
Summary of Expenditures**

Checks Issued

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Description</u>	<u>Amount</u>
Forkner, Cynthia L	04/02/04	11036	Administrative Asst Compensation	\$ 415.70
Chase Bank	04/02/04	11037	Payroll Taxes for Admin Asst	218.10
Cindy Forkner	04/02/04	11038	Reimbursed expenses	648.74
Communicators	04/02/04	11039	Presentations	3,517.58
K Jansing	04/02/04	11040	Photography	125.00
Kennedy Reporting Service, Inc.	04/02/04	11041	Minutes	531.10
Mike Heiligenstein	04/02/04	11042	Reimbursed expenses	472.31
Owen Consulting	04/02/04	11043	Review of engineering bills	5,850.00
Transfer to MMA Payroll	04/12/04	Transfer	Transfer to payroll account for MH pay	6,000.00
Williamson County	04/13/04	ACH Debit	Payroll - Mike Heiligenstein	5,591.26
Forkner, Cynthia L	04/16/04	11044	Administrative Asst Compensation	609.89
Chase Bank	04/16/04	11045	Payroll Taxes for Admin Asst	278.22
Locke Liddell & Sapp LLP	04/16/04	11046	Legal Fees	12,068.02
Pena, Swayze & Co, LLP	04/16/04	11047	Accounting Fees	3,845.25
Texas Workforce Commission	04/16/04	11048	Payroll Taxes for Admin Asst	28.05
Transfer to MMA Payroll	04/26/04	Transfer	Transfer to payroll account for MH pay	5,000.00
Transfer to MMA Payroll	04/26/04	Transfer	Transfer to payroll account for MH pay	5,000.00
AT&T Wireless	04/27/04	11050	Cell Phone-Heiligenstein	10.10
IBTTA	04/27/04	11051	Association Membership	1,468.00
Mike Heiligenstein	04/27/04	11052	Auto Allowance	650.00
Mozart's Coffee Roasters	04/27/04	11053	Refreshments for meeting	86.50
Prime Strategies, Inc.	04/27/04	11054	Consulting	2,454.84
Round Rock Minuteman Press	04/27/04	11055	Business Cards	23.82
University of Texas at Austin	04/27/04	11056	Meeting Facility	781.40
Chase Bank	04/27/04	11057	Payroll Taxes for Admin Asst	212.62
First Southwest Company	04/27/04	11058	Consulting	7,083.33
HNTB Corporation	04/27/04	11059	Engineering	416,284.21
Prime Strategies, Inc.	04/27/04	11060	Consulting	315.40
Greater Austin Chamber of Commerce	04/27/04	11061	Membership	400.00
Martin & Salinas Public Affairs	04/27/04	11062	Public Affairs	15,000.00
Williamson County	04/27/04	ACH Debit	Payroll - Mike Heiligenstein	5,375.45
CTRMA - to close account	04/30/04	1011	To close Liberty Bank Account	14.41
Forkner, Cynthia L	04/30/04	11049	Administrative Asst Compensation	396.94
				<u>\$ 500,756.19</u>

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

RESOLUTION NO. 04-22

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, the US 183-A turnpike project was designated in the petition filed with TxDOT as the initial project to be developed by the CTRMA; and

WHEREAS, Williamson County (the "County") has committed to acquire a significant portion of the right-of-way ("ROW") for US 183-A; and

WHEREAS, a portion of that ROW is located within, and owned by, the City of Cedar Park ("City"); and

WHEREAS, the City is willing to transfer certain ROW within the City limits to the County (for eventual transfer to the CTRMA) subject to various terms and conditions; and

WHEREAS, the terms and conditions also require certain actions on the part of the CTRMA; and

WHEREAS, the terms and conditions agreed to among the County, the City, and the CTRMA are set forth in the interlocal agreement attached hereto as Attachment "A";

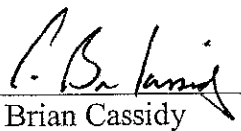
NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby approves the entry into the interlocal agreement attached hereto as Attachment "A", or an agreement in substantially similar form, providing for the transfer of ROW related to US 183-A and the performance of certain obligations by the CTRMA; and

BE IT FURTHER RESOLVED, that the Chairman be authorized to execute such interlocal agreement, in the form attached hereto as Attachment "A", on behalf of the CTRMA; and

BE IT FURTHER RESOLVED, that any further revisions to Attachment "A" be reviewed and approved by the Executive Committee prior to execution on behalf of the CTRMA.

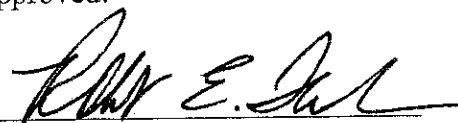
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Chairman, Board of Directors
Resolution Number 04-22
Date Passed 5/26/04

INTERLOCAL AGREEMENT

This Interlocal Agreement ("**Agreement**") is made and entered into and effective this _____ day of _____, 2004, by and between the CITY OF CEDAR PARK, TEXAS ("**City**"), a home rule municipal corporation of the State of Texas, WILLIAMSON COUNTY ("**County**"), a political subdivision of the State of Texas and the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY, a political subdivision of the State of Texas (the "**CTRMA**").

RECITALS

WHEREAS, the Texas Interlocal Cooperation Act allows public agencies to contract with one another to perform governmental functions and services; and

WHEREAS, the City, the County and the CTRMA mutually desire to be subject to the provisions of the Texas Government Code, Chapter 791, the Interlocal Cooperation Act, specifically §791.011 regarding contracts to perform governmental functions and services; and

WHEREAS, the City and the County desire to co-operate with the CTRMA to facilitate the construction of the proposed US Highway 183A turnpike project (US 183A); and

WHEREAS, the City and the County have assumed the responsibility of acquiring right-of-way for US 183A; and

WHEREAS, the City has, throughout the years, acquired several tracts of land within the alignment of US 183A, such tract being described via metes and bounds on Exhibit "A" attached hereto ("**Right-of-Way Property**"); and

WHEREAS, the City now desires to transfer the Right-of-Way Property to the County for eventual transfer to the CTRMA conditioned upon compliance with the terms and conditions set forth herein.

NOW, THEREFORE, in consideration of the mutual covenants and agreements contained herein, the parties agree as follows:

1. The City agrees to transfer to the County the Right-of-Way Property described in Exhibit "A", attached hereto and incorporated herein, subject to the conditions listed in this Agreement.
2. The County agrees to acquire all additional right-of-way within the city limits of Cedar Park necessary for the construction of US 183A, and to transfer such Right-of-Way Property to the CTRMA for the development of US 183A.

3. The County agrees to accept the Right-of-Way Property with reversionary language in the transfer document which states that the Right-of-way Property will revert to the City if the construction of the main lanes (excluding frontage roads) between FM 1431 south to Avery Ranch Boulevard is not commenced within three (3) years of the signing of this Agreement. "Commenced" shall mean that a contract has been awarded for the construction of said main lanes (excluding frontage roads) from 1431 south to Avery Ranch Boulevard.

4. Further, the County agrees, subject to the conditions below, to accept the Right-of-Way Property with reversionary language in the transfer document which states that the Right-of-Way Property will revert to the City if the western frontage road of US 183A between FM 1431 and the existing location of New Hope Road as of the effective date of this Agreement (the "Existing New Hope Road Location") is not completed by or on behalf of the CTRMA on or before November 1, 2005 (the "Completion Deadline"). "Completed" shall mean said western frontage road is substantially complete and is open to traffic in whole or in part. The preceding obligation is subject to the City acquiring the seventy-five (75') feet of right-of-way for the said western frontage road and conveying same to the County on or before September 30, 2004 (the "Western Frontage Road ROW Deadline"). In the event the City does not timely acquire such right-of-way, the Completion Deadline for the western frontage road shall be extended by the same number of days that the City exceeds the Western Frontage Road ROW Deadline, provided that if the City fails to provide all or part of the western frontage road right-of-way by September 30, 2005, the obligation to construct the western frontage road shall terminate and the Right-of-Way Property shall fully vest in the County or its successors or assigns without condition or possibility of reversion. Notwithstanding the foregoing, non-performance or delayed performance of the CTRMA's obligation to construct the western frontage road shall be excused upon the occurrence of any force majeure event, which shall include, but not be limited to, any act of God (including tornadoes, hurricanes, or any other extraordinary weather event), strikes, material shortages, injunctive actions related to the frontage road or the US 183A project, and discovery of karst features and/or threatened or endangered species previously unknown to the CTRMA. In the event of a force majeure occurrence, the Completion Deadline shall be extended day-for-day for the duration of the event for a maximum of 365 days, after which this Agreement shall terminate and the Right-of-Way Property shall revert to the City unless otherwise agreed to by the parties.

Contingent upon receiving title to the Right-of-Way Property, the CTRMA agrees to design and construct (or to cause to be constructed) the intersection of FM 1431 and US 183A to provide a grade-separated interconnectivity between FM 1431 and US 183A and access from all four quadrants of said intersection.

5. Further, unless prohibited by any governmental body with jurisdiction over roadway development or usage, the US 183A western frontage road between 1431 and the Existing New Hope Road Location shall be utilized as a two-way road. Unless prohibited by any governmental body with jurisdiction over roadway development or usage, the western frontage road shall convert to a one-way road after the eastern US 183A frontage road between FM 1431 and the Existing New Hope Road Location is open to the public. The two frontage roads must be connected with "Texas U-turns" near the intersections of US 183A and FM 1431 and US 183A and the future New Hope Road location as generally depicted on the schematic drawing attached hereto as Exhibit "B". The CTRMA's obligations relating to the eastern and western frontage roads, once designed and open to traffic, shall be limited to the maintenance of traffic. The City shall be responsible for all other maintenance and operations obligations.
6. In connection with the construction of US 183A, and conditioned on the CTRMA receiving the Right-of-Way Property, the City is to be provided a reasonable means of ingress and egress to and from the existing City wastewater reclamation plant and field operations south of Brushy Creek Road via the US 183A frontage road or any other reasonable access point.
7. The CTRMA will use all reasonable efforts to minimize the extent of required utility relocations within the Right-of-Way Property so as to ease the financial burden on the City of utility relocation costs. The City shall diligently pursue its rights under existing utility franchise agreements to cause required relocations within the Right-of-Way Property to be accomplished as expeditiously as possible and at no cost to the CTRMA. Representatives of the City and the CTRMA will coordinate their efforts and work in good faith in pursuit of these objectives.
8. Subject to the CTRMA's receipt of the Right-of-Way Property, the CTRMA shall design and construct (or cause to be constructed) a US 183A bridge over south Brushy Creek to accommodate the future extension by the City of Little Elm Trail under the main lanes of US 183A.
9. **TERMINATION**

Termination for Cause. A party may terminate the Agreement for breach of any provision of this Agreement after providing written notice of the alleged breach to the other party, and allowing the other party at least thirty (30) days after receipt of the written notice in which to cure the alleged breach.

10. **NOTICES**

10.1 Notices. All notices, demands and requests, including invoices which may be given or which are required to be given by either party to the other, and any exercise of a right of termination provided by this Agreement, shall be in writing and shall be deemed effective when: (i) personally delivered to the intended recipient; (ii) two (2) days after being sent, by certified or registered mail, return receipt requested, addressed to the intended recipient at the address specified below; (iii) delivered in person to the address set forth below for the party to whom the notice was given; (iv) deposited into the custody of a recognized overnight delivery service such as Federal Express Corporation, Emery, or Lone Star Overnight, addressed to such party at the address specified below; or (v) sent by facsimile, telegram or telex, provided that receipt for such facsimile, telegram or telex is verified by the sender and followed by a notice sent in accordance with one of the other provisions set forth above. For purposes of this Section, the addresses of the parties for all notices are as follows (unless changed by similar notice in writing given by the particular person whose address is to be changed):

City of Cedar Park

Attn: City Manager
600 N. Bell Blvd
Cedar Park, Texas 78613
Phone: (512) 258-4121
Fax: (512) 258-6083

Williamson County

Attn: John Doerfler, County Judge
710 Main Street, Suite 201
Georgetown, Texas 78626
Phone: (512) 943-1577
Fax: (512) 943-1662

Central Texas Regional Mobility Authority

Attn: Mike Heiligenstein, Executive Director
13640 Briarwick Drive, Suite 200
Austin, TX 78729
Phone: (512) 996-9778
Fax: (512) 996-9784

11. **MISCELLANEOUS**

11.1 Entire Agreement. This Agreement constitutes the entire agreement of the parties regarding the subject matter contained herein. The parties may not modify or amend this Agreement, except by written agreement approved by the governing bodies of each party and duly executed by both parties.

11.2 Approval. This Agreement has been duly and properly approved by each party's governing body and constitutes a binding obligation on each party.

11.3 Assignment. Except as otherwise provided in this Agreement, a party may not assign this Agreement or subcontract the performance of services without first obtaining the written consent of the other party. Notwithstanding the foregoing, nothing in this Agreement shall preclude the CTRMA from contracting with third parties, through a comprehensive development agreement or other public-private partnership arrangement, for the development of US 183A in a manner which includes construction of items described as CTRMA obligations in this Agreement.

11.4 Non-Waiver. A party's failure or delay to exercise right or remedy does not constitute a waiver of the right or remedy. An exercise of a right or remedy under this Agreement does not preclude the exercise of another right or remedy. Rights and remedies under this Agreement are cumulative and are not exclusive of other rights or remedies provided by law.

11.5 Paragraph Headings. The various paragraph headings are inserted for convenience of reference only, and shall not affect the meaning or interpretation of this Agreement or any section thereof.

11.6 Attorneys' Fees. In any lawsuit concerning this Agreement, the prevailing party shall be entitled to recover reasonable attorneys' fees from the nonprevailing party, plus all out-of-pocket expense such as deposition costs, telephone calls, travel expenses, expert witness fees, court costs, and other reasonable expenses.

11.7 Severability. The parties agree that in the event any provision of this Agreement is declared invalid by a court of competent jurisdiction that part of the Agreement is severable and the decree shall not affect the remainder of the Agreement. The remainder of the Agreement shall be in full force and effect.

11.8 Venue. The parties agree that all disputes that arise out of this Agreement are governed by the laws of the State of Texas and venue for all purposes herewith shall be in Williamson County, Texas.

CITY OF CEDAR PARK, TEXAS

By: _____,
_____, Mayor
Cedar Park, Texas

WILLIAMSON COUNTY

By: _____
JOHN DOERFLER, County Judge

**CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY**

By: _____
Printed Name: Robert E. Tesch
Title: Chairman, CTRMA Board of Directors

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

RESOLUTION NO. 04-23

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 46 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 Board of Directors desires to hire a Chief Operations Officer (COO) to work under the direction of the Executive Director and to assist and guide in managing the operational affairs of the CTRMA;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby directs its staff to draft and publish the posting for the Chief Operations Officer position; and

BE IT FURTHER RESOLVED, that no job offer may be extended, employment terms agreed to, or compensation established without the prior consent of the Executive Committee.

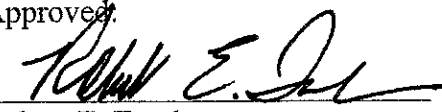
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-23
Date Passed 05/26/04

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

RESOLUTION NO. 04-24

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, in the regular course of its business the Board of Directors of the CTRMA approved resolutions 04-07 and 04-08 on March 31, 2003, and resolution 04-09 on April 12, 2004; and

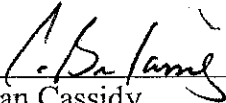
WHEREAS, due to a clerical oversight the resolutions were assigned incorrect numbers; and

WHEREAS, to avoid confusion and to correct the clerical oversight the referenced resolutions should be re-designated with corrected numbering;

NOW THEREFORE, BE IT RESOLVED, that the CTRMA Board of Directors hereby authorizes staff to re-designate the affected resolutions so that Resolution No. 04-07 approved on March 31, 2004 shall become Resolution No. 04-10; Resolution No. 04-08 approved on March 31, 2004 shall become Resolution No. 04-11; and Resolution No. 04-09 approved on April 12, 2004 shall become Resolution No. 04-12.


Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Approved:



Chairman, Board of Directors
Resolution Number 04-24
Date Passed 05/26/04

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

RESOLUTION NO. 04-25

WHEREAS, the Central Texas Regional Mobility Authority ("CTRMA") is empowered to procure such goods and services as it deems necessary to assist with its operations and to study and develop potential transportation projects; and

WHEREAS, close scrutiny of CTRMA expenditures for goods and services, including those related to project development, is the responsibility of the Board of Directors and its designees through procedures the board may implement from time to time; and


WHEREAS, the Board of Directors has adopted policies and procedures intended to provide strong fiscal oversight and which authorize the Executive Director, working with the CTRMA's accountant, to review invoices and approve disbursements; and

WHEREAS, the Executive Director, working with the CTRMA's accountant, has reviewed and authorized the disbursements listed on Disbursements Report included herewith as Attachment "A";

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors accepts the Disbursements Report included as Attachment "A".

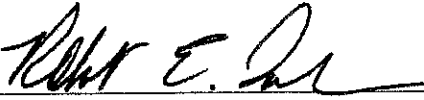
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of May, 2004.

Submitted and reviewed by:



C. Brian Cassidy
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 04-25
Date Passed 05/26/04

**Central Texas Regional Mobility Authority
Summary of Expenditures**

Checks Issued

<u>Vendor</u>	<u>Date</u>	<u>Check #</u>	<u>Description</u>	<u>Amount</u>
Locke Liddell & Sapp LLP	05/10/04	11063	Legal Fees	\$ 62,432.89
Owen Consulting	05/10/04	11064	Review of engineering bills	1,800.00
Cindy Forkner	05/14/04	11065	Administrative Asst Compensation	634.59
Chase Bank	05/14/04	11066	Payroll Taxes for Admin Asst	285.82
AT&T Wireless	05/14/04	11067	Cell Phone-Heiligenstein *	622.21
Austin Area Research Organization	05/14/04	11068	Dues	1,600.00
FormaDoc	05/14/04	11069	Open meeting postings	60.00
Kennedy Reporting Service, Inc.	05/14/04	11071	Board Meeting Minutes	648.70
Locke Liddell & Sapp LLP	05/14/04	11072	Legal Fees	15,723.63
Pena Swayze & Co., L.L.P.	05/14/04	11073	Accounting Fees	2,806.25
Prime Strategies, Inc.	05/14/04	11074	Consulting	5,828.65
Alliance for Regional Stewardship	05/15/04	11076	Registration	225.00
Williamson County	05/11/04		ACH Executive Director Compensation	5,591.26
Cingular Wireless	05/20/04	11077	Cingular Wireless	347.62
				\$ 98,606.62

DEFERRED

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

RESOLUTION NO. 04-26

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 46 Tex. Admin. Code § 26.01, *et. seq.* (the "RMA Rules"); and

WHEREAS, pursuant to Chapter 370 of the Texas Transportation Code RMAs are authorized to pursue and develop a wide variety of transportation projects, including congestion management projects; and

WHEREAS, on October 16, 2003, the CTRMA Board of Directors approved Resolution No. 03-53 approving the entry into an interlocal agreement with Williamson County (the "County") providing for the transfer of funds directly to the CTRMA; and

WHEREAS, that agreement identified the funds to be transferred as coming from the County's "2000 General Obligation Road Bond Program" and restricted the use of the funds to expenditures exclusively for the development of US 183-A; and

WHEREAS, the County and the CTRMA have agreed that the transferred funds should instead originate from the County's general revenues and be able for use by the CTRMA for any lawful purpose; and

WHEREAS, the County and the CTRMA desire to amend the previous interlocal agreement accordingly;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the CTRMA hereby approves the amendment to the interlocal agreement between Williamson County and the CTRMA as set forth in Attachment "A"; and

BE IT FURTHER RESOLVED, that the Chairman be authorized to execute such amendment to the interlocal agreement on behalf of the CTRMA.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 26th day of May, 2004.

Submitted and reviewed by:

Approved:

C. Brian Cassidy
Legal Counsel for the Central
Texas Regional Mobility Authority

Chairman, Board of Directors
Resolution Number 04-26
Date Passed 05/26/04