

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

RESOLUTION NO. 09-12

Round Rock Rail Link ILA-Project Analysis

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 City of Round Rock, Texas has been actively pursuing the implementation of public transit services for its community and is a Federal Transit Administration grantee and sub-recipient of federal funding to support public transit; and

WHEREAS, Round Rock has been preliminarily studying the feasibility of the development of a commuter rail line between Georgetown, Round Rock, and Austin; and

WHEREAS, Round Rock has developed conceptual engineering and other documentation for a commuter rail line which would utilize the abandoned MKT railroad right-of-way between Georgetown and Round Rock, and the median of SH 45 to provide a connection from Round Rock to the Capital Metro "MetroRail Red Line" between the Lakeline Station to the north and the Howard Station to the south; and

WHEREAS, the CTRMA has been exploring the potential implementation and support of non-toll transportation projects which can meet congestion mitigation and regional transportation objectives utilizing revenue sources both from within and outside the CTRMA and the CTRMA has the statutory authority to participate and provide transit services within Travis and Williamson Counties; and

WHEREAS, Round Rock and the CTRMA have periodically met to discuss a partnership to further study the feasibility of the proposed commuter rail link, and the project's potential to meet regional mobility objectives and to secure future federal funding, through a detailed "fatal flaw" analysis; and

WHEREAS, the proposed "fatal flaw" analysis would assist Round Rock and the CTRMA in determining the following: (i) the feasibility of the proposed rail link to meet regional and federal transit and congestion mitigation objectives, (ii) the respective roles and responsibilities of Round Rock, CTRMA, Capital Metro, and other stakeholders in the future planning, design, development and operation of the proposed rail link, and (iii) possible finance and management plans for capital development and future operation of the proposed commuter rail link; and

WHEREAS, Round Rock and the CTRMA have developed an Interlocal Agreement substantially in the form attached hereto as Attachment "A" (the "Interlocal Agreement") and the Round Rock City Council approved the Interlocal Agreement at its February 12, 2009 City Council meeting; and

WHEREAS, the CTRMA Board of Directors desires to enter into the Interlocal Agreement with Round Rock for the purposes of undertaking the "fatal flaw" analysis as provided in the Interlocal Agreement.


NOW THEREFORE, BE IT RESOLVED, that the CTRMA Board of Directors adopts the Interlocal Agreement in substantially the form approved by Round Rock and authorizes the Chairman or the Executive Director to execute and deliver the Interlocal Agreement to Round Rock; and

BE IT FURTHER RESOLVED, that the "fatal flaw" analysis be undertaken in accordance with the terms of the Interlocal Agreement; and

BE IT FURTHER RESOLVED, that the Interlocal Agreement does not create any further obligations on either Round Rock or the CTRMA beyond the express terms thereof, and the execution of the Interlocal Agreement by the CTRMA is only for the purposes stated therein.

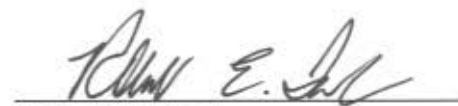
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 25th day of February, 2009.

Submitted and reviewed by:



Tom Nielson
General Counsel for the Central
Texas Regional Mobility Authority

Approved:



Robert E. Tesch
Chairman, Board of Directors
Resolution Number 09-12
Date Passed 2/25/09

ATTACHMENT "A"
TO RESOLUTION NO. 09-12
ROUND ROCK RAIL LINK
INTERLOCAL AGREEMENT

INTERLOCAL AGREEMENT
City of Round Rock
And
Central Texas Regional Mobility Authority

This Interlocal Agreement (this "Agreement"), is entered into this 12th day of February, 2009 to be effective as of the date set forth below, by and between the City of Round Rock (CITY), a municipally formed corporation, and the Central Texas Regional Mobility Authority (CTRMA), a subdivision of the State of Texas, for the purpose of studying the feasibility of a jointly developed commuter rail link, to serve the cities of Round Rock, Georgetown, and other municipalities in the region, as a congestion mitigation strategy.

RECITALS

WHEREAS, the CITY has been actively pursuing the implementation of public transit services for its community, as an alternative commute option, through partnerships with the Capital Metro Transit Authority (CMTA) and the Capital Area Rural Transit System (CARTS);

WHEREAS, the CITY is a Federal Transit Administration (FTA) grantee and sub-recipient of federal funding to support public transit;

WHEREAS, the CITY has been preliminarily studying the feasibility of the development of a commuter rail line between Georgetown, the CITY, and Austin;

WHEREAS, the CITY has developed conceptual engineering and other documentation for a commuter rail line which would utilize the abandoned MKT railroad right-of-way between Georgetown and Round Rock, and the median of SH 45 to provide a connection from Round Rock to the CMTA "MetroRail Red Line" between the Lakeline Station to the north and the Howard Station to the south;

WHEREAS, the CTRMA has been exploring the potential implementation and support of non-toll transportation projects which can meet congestion mitigation and regional transportation objectives utilizing revenue sources both from within and outside the CTRMA;

WHEREAS, the CITY has met with the CTRMA to discuss a partnership to further study the feasibility of the proposed commuter rail link, and the project's potential to meet regional mobility objectives and to secure future federal funding, through a detailed "fatal flaw" analysis;

WHEREAS, the proposed "fatal flaw" analysis would assist the CITY and CTRMA in determining the following: (i) the feasibility of the proposed rail link to meet regional and federal transit and congestion mitigation objectives, (ii) the respective roles and responsibilities of the CITY, CTRMA, CMTA, and other stakeholders in the future planning, design, development and operation of the proposed rail link, and (iii) possible finance and management plans for capital development and future operation of the proposed commuter rail link.

NOW, THEREFORE, in consideration of the mutual covenants and agreement herein contained, the CITY and CTRMA agree as follows:

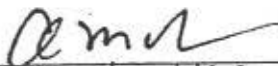
CTRMA-Round Rock Interlocal Agreement
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1. The CITY will initiate and complete in an expeditious manner the proposed "fatal flaw" analysis to determine the future feasibility of the proposed link between Georgetown, Round Rock, and the CMTA MetroRail Red Line.
2. The CTRMA will provide the CITY financial assistance in an amount not to exceed \$150,000 to support the analysis. The CITY will provide \$25,000 or more in the form of conceptual engineering services and other services for the analysis.
3. The CTRMA will provide for coordination of the feasibility study with other regional mobility activities and stakeholders.
4. The City will submit monthly invoices to the CTRMA for work completed along with a progress report of work completed. The CTRMA will pay for invoices submitted within thirty (30) days of receipt, thereof.
5. At the completion of the study, or at any time that a "fatal flaw" is determined to exist, the CTRMA and CITY will determine whether there is sufficient justification to move to the next phase of project development. Neither the CTRMA nor CITY will have any further obligations without further action or authorization from their respective governing bodies.

Both the CTRMA and the CITY agree and acknowledge that all matters related to this Agreement shall be in accordance with all applicable laws, rules and regulations.

This Agreement shall become effective on the 12th day of FEBRUARY, 2009, and shall terminate twenty-four (24) months after the effective date. However, this Agreement may be extended through future amendments to this Interlocal Agreement as the parties may require.

CITY OF ROUND ROCK

By: 
 Printed Name: Alan McGraw
 Title: Mayor
 Date Signed: 2.12.09

ATTEST:

By: 
 Sara L. White, City Secretary

FOR CITY, APPROVED AS TO FORM:

By: 
 Stephen L. Sheets, City Attorney

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

By: _____
Printed Name: _____
Title: _____
Date Signed: _____