

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

RESOLUTION NO. 09-15

**Second Amendment To
NET RMA-CTRMA Interlocal Agreement**

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, Chapter 791 of the Texas Government Code provides that any one or more public agencies may contract with each other for the performance of governmental functions or services in which the contracting parties are mutually interested; and

WHEREAS, § 370.033 of the Transportation Code provides that regional mobility authorities may enter into interlocal agreements with other governmental entities for project development related services; and

WHEREAS, in Resolution No. 06-56, dated September 27, 2006, the CTRMA Board of Directors approved the entry into an interlocal agreement (the "Interlocal Agreement") with the North East Texas Regional Mobility Authority ("NET RMA") providing that CTRMA employees and consultants shall provide project development and related services to the NET RMA under the terms and provisions for compensation reflected therein; and

WHEREAS, the Interlocal Agreement was previously amended extending the term of the agreement and amending the rate of project manager compensation as reflected therein; and


WHEREAS, the NET RMA Board of Directors believes that the NET RMA continues to benefit from the provision of project development and related services by the CTRMA and adopted a Resolution expressing their desire to amend the Interlocal Agreement to reflect the hourly rate charged for the project manager's services under the Interlocal Agreement be the full rate of compensation paid by the CTRMA.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors approves the entry into the Second Amendment to the Interlocal Agreement Between NET RMA and CTRMA, attached hereto as Attachment "A", amending the rate of project manager compensation as reflected therein; and

BE IT FURTHER RESOLVED, that the Executive Director is authorized to execute the Second Amendment to the Interlocal Agreement Between NET RMA and CTRMA on behalf of the CTRMA.


Adopted by the Board of Directors of the North East 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 09-15
Date Passed 2/25/09

ATTACHMENT "A"
TO RESOLUTION NO. 09-15

**Second Amendment To
Interlocal Agreement
Between
North East Texas Regional Mobility Authority
And
Central Texas Regional Mobility Authority**

This Second Amendment to the Interlocal Agreement Between North East Texas Regional Mobility Authority ("NET RMA") and Central Texas Regional Mobility Authority ("CTRMA") is for the purpose of amending the Interlocal Agreement Between NET RMA and CTRMA effective as of June 1, 2006.

Pursuant to action of the NET RMA Board of Directors reflected in their Resolution No. 09-06, and the action of the CTRMA Board of Directors reflected in their Resolution No. 09-15, the Agreement is amended as described below.

Effective as of January 1, 2008, paragraph 3 of Article II of the Agreement is amended to read as follows:

Subject to paragraph 4 below, the CTRMA shall invoice the NET RMA on a monthly basis for services rendered by Project Manager or other CTRMA employees or consultants. The rate charged for Project Manager's services under this Agreement shall be \$150 per hour or as otherwise agreed to in writing by the Parties, and in no event shall the aggregate amount paid by the NET RMA for Project Manager's services exceed \$60,000 annually. The rate charged for services provided by any other CTRMA employees or consultants shall be as set forth in Appendix "A" or as otherwise agreed to by the Parties. Actual expenses for travel and lodging incurred in the performance of work under this Agreement shall be reimbursable by NET RMA to CTRMA, subject to paragraph 4 below.

By their signatures, the parties to the Agreement evidence their agreement to this amendment set forth above.

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

By: _____
Mike Heiligenstein, Executive Director

NORTH EAST TEXAS REGIONAL MOBILITY AUTHORITY

By: _____
Jeff Austin, III, Chairman