

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

RESOLUTION NO. 04-56

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

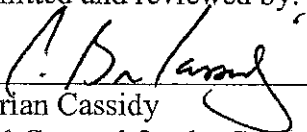
WHEREAS, the County and the CTRMA desire to amend the previous interlocal agreement accordingly;

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.

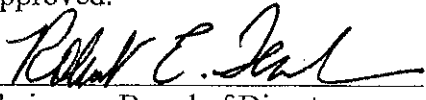
Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 27th day of October, 2004.

Submitted and reviewed by:



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

Approved:



Chairman, Board of Directors
Resolution Number 04-56
Date Passed 10/27/04

**FIRST AMENDMENT TO
INTERLOCAL AGREEMENT**

THIS FIRST AMENDMENT TO INTERLOCAL AGREEMENT is made and entered into effective this ____ of _____, 2004, by and between WILLIAMSON COUNTY (the "County") and the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY (the "Authority"), political subdivisions of the State of Texas.

WITNESSETH:

WHEREAS, effective as of September 30, 2003, the County and the Authority entered into an Interlocal Agreement providing for the transfer of \$300,000 from the County's 2000 General Obligation Road Bond Program to pay for various items related to the proposed US 183-A turnpike project; and

WHEREAS, the use of those proceeds were restricted to expenditures exclusively related to the development of the US 183-A turnpike project; and

WHEREAS, the County and the Authority have agreed that it would be advantageous for both parties if the funds made available by the County were not restricted exclusively to uses related to the US 183-A turnpike project, but instead are available for use by the Authority for any lawful purpose, including the development of US 183-A; and

WHEREAS, the County and the Authority desire to amend the Interlocal Agreement to reflect this desire;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and contained in the original agreement, the undersigned Parties agree as follows:

**I.
FINDINGS**

1. **Recitals.** The recitals set forth above are incorporated herein for all purposes and are found by the parties to be true and correct. It is further found and determined that the County and the Authority has authorized and approved this Agreement by resolution or order adopted by their respective bodies, and that this Agreement will be in full force and effect when approved by each party.

**II.
ACTIONS**

1. **Amendment to Previous Interlocal Agreement.** In light of the recitals set forth above, the Parties desire amend the Interlocal Agreement in the following respects:

A. The portion of the original Interlocal Agreement which provides as follows:

“WHEREAS, the County has previously set aside funds from the 2000 General Obligation Road Bond Program to pay for various items relating to the proposed US 183-A turnpike project; and”

shall be amended and replaced in its entirety with the following language:

“WHEREAS, the County desires to make available from its General Fund funds to assist the Authority in executing all lawful purposes of its operations, including without limitation the activities necessary for development of the US 183-A turnpike project; and”.

B. Section II, Paragraph 2, which currently reads as follows:

“2. Acceptance of Transfer. The Authority hereby accepts the transfers of said funds and pledges to utilize said funds exclusively for the development of the US 183-A turnpike project.”

is replaced in its entirety with the following:

“2. Acceptance of Transfer. The Authority hereby accepts the transfer of said funds and pledges to utilize said funds in pursuit of the lawful business of the Authority, including without limitation,

the development of the US 183-A turnpike project. The Authority further agrees that (a) it shall submit to the County an annual budget for the Authority's next fiscal year; (b) all expenditures of funds provided under this Agreement shall comply with that budget; and (c) it will to submit to the County, no less than quarterly, a report detailing how the Authority expended any and all funds received under this Agreement during that quarter. The County reserves the right to subject the Authority's records pertaining to this Agreement to an audit by the Williamson County Auditor. In such event, the Authority agrees to fully cooperate with the County, including making available any and all records necessary for the audit."

**III.
GENERAL AND MISCELLANEOUS**

2. All other provisions of the Interlocal Agreement shall remain in full force and effect and shall not be affected or amended by this Agreement.

IN WITNESS WHEREOF, the Parties have executed and attested this Agreement by the officers thereunto duly authorized.

WILLIAMSON COUNTY

By: _____
JOHN DOERFLER
County Judge
Williamson County, Texas

**CENTRAL TEXAS REGIONAL
MOBILITY AUTHORITY**

By: _____
ROBERT TESCH, Chairman