

RESOLUTION AUTHORIZING A TRANSPORTATION PROJECT AND PLEDGE AGREEMENT AND ENACTING OTHER MATTERS RELATED THERETO

WHEREAS, the Camino Real Regional Mobility Authority (the “Authority”) has been created and organized pursuant to and in accordance with the Constitution and laws of the State of Texas, including, particularly, Chapter 370, Texas Transportation Code, for the purposes of developing, or facilitating the development of, transportation and mobility projects; and

WHEREAS, the 83rd Texas Legislature enacted HB 1198, which amended Section 502.402 of the Texas Transportation Code (the “Authorizing Law”), and authorized certain counties, including the County of El Paso, Texas (the “County”) to impose an additional motor vehicle registration fee, not to exceed \$10.00 per vehicle vehicles registered in the County (the “Special Vehicle Registration Fee”), to be used for long-term transportation projects; and

WHEREAS, on August 30, 2013, the Commissioners Court of the County ordered the adoption and imposition of the Special Vehicle Registration Fee in the amount of \$10.00 per registered vehicle in the County pursuant to and in accordance with the Authorizing Law ; and

WHEREAS, the Authorizing Law requires the County to remit all revenue derived from the Special Vehicle Registration Fee to a regional mobility authority located in the County to fund long-term transportation projects in the County; and

WHEREAS, the County and the Authority entered into an Interlocal Agreement dated as of December 16, 2013 which requires that the revenues collected from the Special Vehicle Registration Fee not be expended or pledged by the Authority unless authorized in a specific project agreement; and

WHEREAS, the County and the Authority desire to enter into that certain Transportation Project and Pledge Agreement (the “Pledge Agreement”), in substantially the form attached hereto as Exhibit A, to authorize certain specified long-term transportation projects located in the County (the “Projects”) and authorize the pledge and expenditure of all amounts collected under the Special Vehicle Registration Fee to any obligations issued by the Authority to finance the Projects;

WHEREAS, the Board hereby finds and determines that it is in the best interest of the Authority to enter into the Pledge Agreement; now, therefore,

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CAMINO REAL REGIONAL MOBILITY AUTHORITY THAT:

SECTION 1.1. Approval of Pledge Agreement. The Pledge Agreement is hereby approved. The Chair of the Board, or in his absence, the Vice Chair of the Board, is authorized and directed to execute such agreement on behalf of the Authority, and any other officer of the Authority is authorized to attest, if necessary, to such officer’s signature, with such changes to such agreement as may be approved by such officers, their execution thereof to constitute conclusive evidence of such approval.

SECTION 1.2. Governing Law. This Resolution shall be construed and enforced in accordance with the laws of the State of Texas and the United States of America.

SECTION 1.3. Incorporation of Preamble Recitals. The recitals contained in the preamble hereof are hereby found to be true, and such recitals are hereby made a part of this Resolution for all purposes and are adopted as a part of the judgment and findings of the Commissioners Court.

SECTION 1.4. Public Meeting. It is officially found, determined, and declared that the meeting at which this Resolution is adopted was open to the public and public notice of the time, place, and subject matter of the public business to be considered at such meeting, including this Resolution, was given, all as required by Chapter 551, as amended, Texas Government Code.

SECTION 1.5. Further Procedures. The Chair of the Board, Vice Chair of the Board, other officers of the Board and the Executive Director of the Authority are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the Authority all such certificates or other instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution or the Pledge Agreement. In case any officer of the Authority whose signature shall appear on any certificate shall cease to be such officer before the delivery of such certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 1.6. Effective Date. This Resolution shall be in force and effect from and after its passage on the date shown below.

PASSED AND ADOPTED on the ____ day of April, 2014.

Chair
Board of Directors

Attest:

Secretary/Treasurer
Board of Directors

EXHIBIT A

Transportation Project and Pledge Agreement

(See Attached)