

**CAMINO REAL REGIONAL MOBILITY AUTHORITY
BOARD RESOLUTION**

WHEREAS, the Camino Real Regional Mobility Authority (CRRMA) has entered into various agreements with El Paso County (County), which authorized the CRRMA to utilize the proceeds of an optional vehicle registration fee (VRF) imposed by the County to issue bonds for the development of transportation projects in the County; and

WHEREAS, the County and CRRMA are parties to the 2013 El Paso County Comprehensive Mobility Plan, which anticipates the use of the referenced VRF bond proceeds, among other funding sources, for the development of various projects; and

WHEREAS, the County and CRRMA entered into an agreement to allow for the CRRMA to fund and oversee the design work necessary for the Pellicano Drive Roadway Improvement Project from the referenced VRF bond proceeds (Agreement) and the parties now desire to amend the Agreement to provide for some additional design services necessary for the Pellicano Project.

NOW, THEREFORE, BE IT RESOLVED BY THE CAMINO REAL REGIONAL MOBILITY AUTHORITY:

THAT the CRRMA’s Chair is authorized to execute an Amendment to the Interlocal Agreement – VRF Project Development Agreement for the Pellicano Drive Roadway Improvement Project with the County of El Paso, Texas.

PASSED AND APPROVED THIS 10TH DAY OF JULY 2019.

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

Joyce A. Wilson, Chair

ATTEST:

Joe R. Fernandez, Board Secretary

APPROVED AS TO CONTENT:

Raymond L. Telles
Executive Director

**FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT
VRF PROJECT DEVELOPMENT AGREEMENT FOR THE
PELLICANO DRIVE ROADWAY IMPROVEMENT PROJECT**

THIS FIRST AMENDMENT TO THE INTERLOCAL AGREEMENT (the “Amendment”) is made and entered into effective as of the ____ day of _____, 2019, by and between EL PASO COUNTY, TEXAS (the “County”) and the CAMINO REAL REGIONAL MOBILITY AUTHORITY (“Authority”), (collectively, the “Parties”), for the purposes described herein.

WITNESSETH:

WHEREAS, the County is a political subdivision of the State of Texas; and

WHEREAS, the Authority is a regional mobility authority created pursuant to the request of the City of El Paso and operating pursuant to Chapter 370 of the Texas Transportation Code (the “RMA Act”) and 43 TEX. ADMIN. CODE §§26.1 *et seq.* and is a body politic and corporate and political subdivision of the State; 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, the County is authorized to impose an additional fee, not to exceed \$10.00, for vehicles registered in the County (the “Special Vehicle Registration Fee” or “VRF”) pursuant to Section 502.402 of the Texas Transportation Code (“Section 502.402”); and

WHEREAS, on August 30, 2013, the Commissioners Court of the County ordered the adoption and imposition of the Special Vehicle Registration Fee; and

WHEREAS, Section 502.402 requires that, if adopted, the County remit the revenue collected from the Special Vehicle Registration Fee to a regional mobility authority located in the County to fund long-term transportation projects; and

WHEREAS, Section 370.033 of the RMA Act permits the Authority to enter into an agreement under which the Authority may acquire, plan, design, construct, maintain, repair, or operate a transportation project on behalf of another governmental entity if the transportation project is located in the Authority's area of jurisdiction or in a county adjacent to the Authority's area of jurisdiction; and

WHEREAS, the County has entered into an Interlocal Agreement dated December 16, 2013, and a Transportation Project and Pledge Agreement dated April 9, 2014, which was subsequently amended on December 2, 2016, both with the Authority wherein the County has agreed to transfer all Special Vehicle Registration Fees to the Authority and the Authority has agreed to use those funds, and such other funds which may be designated by the County from time to time, to finance and pay for the construction of certain County designated transportation projects

within El Paso County and that certain transportation project described as Pellicano Drive Roadway Improvement Project (the “Project”); and

WHEREAS, the Project is located in El Paso County which is within or adjacent to the Authority’s area of jurisdiction; and

WHEREAS, the County and CRRMA entered into an Interlocal Agreement – VRF Project Development Agreement for the Pellicano Drive Roadway Improvement Project (the “Interlocal Agreement”) related to the engineering design of the Project; and

WHEREAS, the County and CRRMA now desire to amend the Interlocal Agreement for the provision of additional design funds necessary for supplementary traffic control, survey and temporary traffic signal designs required for the Project.

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

1. Replacement of EXHIBIT “C”. The parties hereby agree to delete **EXHIBIT “C”** from the Interlocal Agreement, as amended, in its entirety and replace it with **EXHIBIT “C-1”**, which is attached hereto.

2. Ratification. Except as expressly amended by this Amendment, the Interlocal Agreement and its exhibits shall remain in full force and effect.

3. Execution in Counterparts. This Amendment may be simultaneously executed in several counterparts, each of which shall be an original and all of which shall be considered fully executed as of the date first written above, when both Parties have executed an identical counterpart, notwithstanding that all signatures may not appear on the same counterpart.

[SIGNATURES BEGIN ON THE FOLLOWING PAGE]

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

EL PASO COUNTY, TEXAS

**CAMINO REAL REGIONAL
MOBILITY AUTHORITY**

By: _____
Ricardo A. Samaniego
County Judge

By: _____
Joyce A. Wilson
Chair

ATTEST:

By: _____
Joe R. Fernandez
Board Secretary

**EXHIBIT “C-1”
PELLICANO DRIVE IMPROVEMENTS PROJECT**

ESTIMATED PROJECT BUDGET

DESCRIPTION	TOTAL ESTIMATED PROJECT COST	CRRMA PAYS WITH VRF BOND \$	CRRMA PAYS WITH OTHER FUNDS
LAND	\$ 0.00	\$ 0.00	\$ 0.00
UTILITY RELOCATION	\$ 0.00	\$ 0.00	\$ 0.00
PERMITS & SERVICES	\$ 0.00	\$ 0.00	\$ 0.00
ENVIRONMENTAL & PRELIMINARY ENGINEERING	\$ 2,066,650.48	\$ 2,066,650.48	\$ 0.00
CONSTRUCTION	\$ 0.00	\$ 0.00	\$ 0.00
MISCELLANEOUS	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 2,066,650.48	\$ 2,066,650.48	\$ 0.00