



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

AGENDA MEETING NOTICE

BOARD OF DIRECTORS

DATE: Wednesday, October 2, 2019
TIME: 8:30 a.m.
LOCATION: Staples Street Center
 602 North Staples Street, 2ND Floor Board Room • Corpus Christi, TX

BOARD OF DIRECTORS MEETING

EDWARD MARTINEZ (Chair)

Michael Reeves (Vice Chair) ~ Dan Leyendecker (Secretary)

Lynn Allison ~ Anne Bauman ~ George B. Clower ~ Patricia Dominguez

Anna Jimenez ~ Glenn Martin ~ Philip Skrobarczyk ~ Matt Woolbright

| | TOPIC | SPEAKER | EST.TIME | REFERENCE |
|-----|--|----------------|----------|----------------------|
| 1. | Pledge of Allegiance | E. Martinez | 1 min. | ----- |
| 2. | Roll Call | D. Leyendecker | 2 min. | ----- |
| 3. | Safety Briefing | M. Rendón | 2 min. | ----- |
| 4. | Adopt a Resolution for outgoing County Appointed Board Member Mr. Tom Niskala who served from October 14, 2015 until September 30, 2019 | E. Martinez | 3 min. | ----- |
| 5. | Adopt a Resolution for outgoing County Appointed Board Member Mr. Scott Harris who served from March 2, 2016 until September 30, 2019 | E. Martinez | 3 min. | ----- |
| 6. | Appointment of Two (2) Individuals from Nueces County to the CCRTA Board of Directors: 1. Ms. Lynn B. Allison 2. Ms. Anna M. Jimenez | J.D. Bell | 5 min. | ----- |
| 7. | Reappointment of One (1) Individuals from Nueces County to the CCRTA Board of Directors: 1. Mr. Dan Leyendecker | J.D. Bell | 3 min. | ----- |
| 8. | Reappointment of Two (2) Individuals from Small Cities Committee of Mayors to the CCRTA Board of Directors: 1. Mr. Glenn Martin 2. Mr. Michael Reeves | J.D. Bell | 5 min. | ----- |
| 9. | Announcement of Committee Appointments by the Board Chair and Action to Confirm Committee Appointments | E. Martinez | 5 min. | Page 1 |
| 10. | Receipt of Conflict of Interest Affidavits | E. Martinez | 3 min. | ----- |
| 11. | Opportunity for Public Comment 3 min. limit – no discussion | E. Martinez | 3 min. | ----- |
| 12. | Update on RCAT Committee Activities | S. Montez | 3 min. | ----- |
| 13. | Briefing - Removal of City Hall Bus Stop and Relocation of Bus Routes 54, 56 and 76 to the Staples Street Station Bay M | S. Montez | 3 min. | Page 2 PPT |

| | | | | |
|-----|---|--|--------------------------------------|--|
| 14. | Update – State Legislative for the 2018-2019 Legislative Session | Tris Castaneda | 10 min. | <i>PPT</i> <i>Attachment A</i> |
| 15. | Discussion and Possible Action to Approve the Board of Directors Meeting Minutes of September 4, 2019 | E. Martinez | 2 min. | Pages 3-9 |
| 16. | CONSENT ITEMS: The following items a) through c) are routine or administrative in nature and have been discussed previously by the Board or Committees. The Board has been furnished with support documentation on these items. a) Action to Amend the FY2019 CIP Budget (pgs 10-11, Attachment B) b) Action to Enter into a Professional Agreement with Wells Fargo Institutional Trust to continue providing the Portfolio Management Services of CCRTA's retirement plans through May 31, 2020 (pgs 12-13) c) Action to Award a Contract to Petroleum Solutions, Inc. for Two (2) Four Post Wireless Mobile Column Lifts (pgs 14-15) | | 4 min. | Pages 10-15 |
| 17. | Discussion and Possible Action to Adopt a Resolution Adopting the New Fare Structure Subject to the Approval of the Fare Approval Committee | R. Saldaña | 3 min. | Pages 16-17 <i>PPT</i> <i>Attachment B</i> |
| 18. | Discussion and Possible Action to Award a Contract to A. Ortiz Construction & Paving, Inc. for Shelter Amenities Refurbishment | S. Montez | 3 min. | Pages 18-19 <i>PPT</i> |
| 19. | Discussion and Possible Action to Approve a Resolution by the Corpus Christi Regional Transportation Authority Authorizing the Issuance, Sale and Delivery of the "Corpus Christi Regional Transportation Authority System Revenue Refunding Bonds, Taxable Series 2019", Approving and Authorizing the Execution of a Purchase Contract, An Escrow Agreement, A Paying Agent/Registrar Agreement, and Engagement Letters with the Authority's Financial Advisor and Bond Counsel; Delegating Authority to Certain Designated Authority Officials to select Outstanding Bonds to be Defeased and/or Refunded and Approve All Final Terms of the Bonds, and Calling Certain Bonds for Redemption; Approving and Authorizing All Other Instruments and Procedures Related Thereto; and Providing for an Immediate Effective Date | J. Cruz-Aedo Victor Quiroga | 10 min. | <i>Attachment C</i> |
| 20. | Presentations: a) August 2019 Financial Report b) Procurement Update c) August 2019 Safety & Security Report d) August 2019 Operations Report | R. Saldaña R. Saldaña M. Rendón G. Robinson | 4 min. 4 min. 4 min. 4 min. | Pages 20-29 <i>PPT</i> <i>PPT</i> <i>PPT</i> Pages 30-39 <i>PPT</i> |
| 21. | CEO's Report | J. Cruz-Aedo | 5 min. | ---- |
| 22. | Board Chair's Report | E. Martinez | 5 min. | ---- |
| 23. | Adjournment | E. Martinez | 1 min. | ---- |
| 24. | Information Items: a) Member Inquiry Forms: 1. Board Meeting–September 4, 2019 2. Committee Meetings–August 28, 2019 | | | <i>Attachments</i> |

Total Estimated Time: 2 hrs. 2 min.

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BOARD OF DIRECTORS BUDGET WORKSHOPS #6

| | TOPIC | SPEAKER | EST.TIME | REFERENCE |
|----|--|-------------|----------|------------|
| 1. | 2020 Budget Workshop #6 Transit Operations 85 – Sub-Recipient Agreements 88 – Street Maintenance 90 – Depreciation Capital Budget 5-Year Service Plan 5-Year CIP 5-Year Financial Plan 2020 Budget Overview/Summary | R. Saldaña | 60 min. | <i>PPT</i> |
| 2. | Adjournment | E. Martinez | 1 min. | ----- |

Total Estimated Time: 61 min.

On **Friday, September 27, 2019** this Notice was posted by **Dena Linnehan** at the CCRTA Staples Street Center, 602 N. Staples Street, Corpus Christi, Texas; and sent to the Nueces County and the San Patricio County Clerks for posting at their locations.

PUBLIC NOTICE is given that the Board may elect to go into executive session at any time during the meeting in order to discuss matters listed on the agenda, when authorized by the provisions of the Open Meetings Act, Chapter 551 of the Texas Government Code. In the event the Board elects to go into executive session regarding an agenda item, the section or sections of the Open Meetings Act authorizing the executive session will be publicly announced by the presiding officer.

In compliance with the Americans with Disabilities Act, individuals with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the Assistant Secretary to the Board at (361) 903-3474 at least 48 hours in advance so that appropriate arrangements can be made.

Información en Español: Si usted desea esta información en Español o en otro idioma, por favor llame al teléfono (361) 289-2712.

Mission Statement

The Corpus Christi Regional Transportation Authority was created by the people to provide quality transportation and enhance the regional economy in a responsible manner consistent with its financial resources and the diverse needs of the people.



Vision Statement

Provide an integrated system of innovative, accessible and efficient public transportation services that increase access to opportunities and contribute to a healthy environment for the people in our service area.



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

Board of Directors Meeting Memo

October 2, 2019

Subject: Announcement of Committee Appointments by the Board Chair and Action to Confirm Committee Appointments

Background

The Authority has two standing Committees; the Administration & Finance Committee and the Operations & Capital Projects Committee. Committee meetings are scheduled to meet monthly to discuss and review in detail matters concerning the Authority.

Identified Need

Section 3.07 of the Bylaws states that "The members of all Board committees shall be appointed by the Chair, subject to confirmation by the Board. The Chair shall be a member of all such committees."

Recommendation

The Board Chair will recommend Board Members, with the respective chairs, to participate in the designated Committees as shown below:

- | | | |
|--------------------|------------------|---|
| 1. Lynn B. Allison | Committee: | Administration & Finance Committee |
| 2. Anna M. Jimenez | Committee: | Operations & Capital Projects Committee |
| 3. Dan Leyendecker | Committee Chair: | Administration & Finance Committee |
| 4. Glenn Martin | Committee: | Administration & Finance Committee |
| 5. Michael Reeves | Committee: | Operations & Capital Projects Committee |

Respectfully Submitted,

Submitted by: s /s Edward Martinez
Edward Martinez
Board of Directors Chairman



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

Board of Directors Meeting Memo

October 2, 2019

Subject: Removal of City Hall Bus Stop and Relocation of Bus Routes 54, 56 and 76 to the Staples Street Station Bay M

Background

The CEO and the Safety and Security Director have met with the City of Corpus Christi elected officials, City leadership and city staff on two occasions, to discuss solutions in regards to the safety concerns, that exists near this area Staples Street/Leopard Street intersection.

At the very first meeting, the Police Department requested that the CCRTA relocate the bus stop in front of City Hall. The police officers, at the meeting, stated that when they try to clear the area around the City Hall bus stop, the people tell them they are waiting for the bus, when in fact they are not. According to the police officers, the bus stop makes it very challenging to clear the area of individuals who are actually loitering, and not waiting for the CCRTA's bus services.

The City Hall bus stop serves three routes, the 54 – Gregory/Downtown Express, the 56 – Flour Bluff/Downtown Express and the 76 – the Harbor Bridge Shuttle; the three routes will be relocated to Bay M and the Staples Street Station, after modifications are completed at Bay M.

The Staples Street Station modification project is expected to be completed in about 6 to 7 weeks. The estimated cost of the project is under \$43,000.

Respectfully Submitted,

Reviewed by: Sharon Montez
Managing Director of Capital Programs and Customer Services

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer



86th Texas Regular Session
Legislative Summary and Outcomes Report
For the
Corpus Christi Regional Transit Authority



By: Tristan "Tris" Castaneda, Jr

September 4, 2019

Longbow Partners
502 W. 13th Street Austin, Texas 78701
www.longbow-partners.com

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August 5, 2019

Chairman Eddie Martinez and Board of Directors
Mr. Jorge Cruz-Aedo, CEO
Corpus Christi Regional Transportation Authority
Staples Street Center, 602 N. Staples Street
Corpus Christi, Texas 78405

Re: 2019 Legislative Outcomes Report

Dear Board Members and Mr. Cruz-Aedo:

On behalf of the state legislative consulting team, I am once again pleased to provide the Corpus Christi Regional Transportation Authority (CCRTA) with the following "**Legislative Outcomes Report**", which details the progress on the CCRTA's adopted state program, summarizes the most significant transit / transportation related legislation, and provides a general synopsis of some other legislation of interest to the CCRTA that was passed during the 86th Regular Session.

The conclusion of 86th Regular Session marks the fifth full session that I have represented the CCRTA before the Texas Legislature and we continue to improve upon our processes, reporting, and engagement, resulting in an assortment of decidedly successful legislative outcomes, positively building upon our work from previous sessions! The CCRTA's legislative advocacy efforts would not have been successful without the active participation, hard work, substantive expertise, and steadfast support of entire Board of Directors and the dedicated involvement of CCRTA's own professional staff.

Success in the state legislature does not come easy, so in addition to expressing my sincere thanks to the Board overall for their continued support and investment in a results oriented state legislative program, I would like to convey my deepest appreciation to CCRTA Board Chair, Eddie Martinez for his leadership, hands on involvement, and significant contributions to supporting the legislative program and for traveling to Austin for meetings on a number of occasions.

Second, I need to extend my appreciation and thanks to CCRTA CEO, Jorge Cruz-Aedo and his team. Throughout the session, Jorge and I visited consistently to analyze bills, develop and execute legislative strategy, and to help shepherd the CCRTA's lobby resources on priority policy issues. In addition, I want to convey my gratitude to Board Counsel, John D. Bell, whose detailed transit insight, analysis, legal counsel and drafting assistance were essential to the accomplishments during the session.

Equally important, I need to extend a special thanks and appreciation to each of the members of the Coastal Bend delegation, including Representative Todd Hunter, Representative Abel Herrero, Representative JM Lozano, Senator Juan "Chuy" Hinojosa, Senator Judith Zaffirini and Senator Lois Kolkhorst, for their strong interest, cooperation and support of the CCRTA's legislative program. Each member and their legislative staff were always accessible, willing to assist, and constructively contributed to our program throughout the session. The active support of the delegation and the concentrated efforts of their professional staff were absolutely essential to the CCRTA's state policy success! Consequently, our deepest gratitude is respectfully extended to them on an individual and collective basis for their commitment to the community, their legislative work, and their extensive assistance on behalf of the CCRTA, which cannot be overstated or appreciated enough. The Coastal Bend is fortunate to have such a dedicated and cohesive delegation, we welcome the opportunity to continue our work with them and their staff during the interim as we prepare for the next regular session.

As indicated above, the *"Legislative Outcomes Report"* contains a summary of the most significant bills passed during the 86th Regular Session that were of interest to the CCRTA. The information presented in the report is organized into four principal sections. Section I provides a general legislative overview of the Regular Session. Section II sets forth some of the key metrics of the session. Section III identifies and summarizes those bills that were part of the CCRTA package and other legislation of interest. Section IV provides a listing and final status report of all tracked bills that were actively monitored and reported on during the session.

It is my hope that the report will serve as a useful guide and resource to the Board and CCRTA staff as they review relevant, new changes to the law, as well as newly authorized legislative tools brought about through the CCRTA's state legislative efforts. The analysis contained in this report is not intended as comprehensive or as formal legal interpretations, and the bills summarized should not be used as a

source of authority for legal interpretation. In producing this document, I take full responsibility for the content, including any potential errors or omissions.

Finally, I feel fortunate and honored to have had the opportunity to represent the CCRTA before the Texas Legislature and I extend my sincere gratitude and appreciation for the CCRTA's continued support and confidence. Please know that I look forward to working with the Board, staff, the local delegation and other community interests in continuing to add strategic value to the Coastal Bend Region, while constructively advocating for a legislative program that proactively protects and advances the CCRTA's ability to deliver high quality, cost-effective transit services to its customers.

Respectfully,



Tristan "Tris" Castañeda, Jr.
Partner
Longbow Partners

I. GENERAL SESSION OVERVIEW

The 86th Regular Legislative Session, which kicked off January 8, 2019, and adjourned “sine die” (Latin for “without a day”) on May 27, 2019, will most likely be remembered as one of the most collegial and cooperative in recent years, but also as a session that lawmakers succeeded on passing legislation that addressed some longstanding, unfulfilled policy promises, including property tax and school finance reform. Delivering on these big-ticket items and several other legislative and state funding initiatives will likely play a big role in shaping the upcoming elections narrative for state officials running in a Presidential election cycle.

Every session is unique and carries its own differentiating characteristics, beginning with the course and temperament set by leadership, the procedural rules adopted, and inner mechanics of how the legislative process unfolds, that ultimately impacts the metrics of what legislation eventually passes, gets vetoed or ends up falling short of adoption. From the onset, leadership set the tone and focus for a substantive session, adopting familiar, but more tightly drafted procedural rules, and going about the business of legislating with considerably less open drama than in previous sessions.

BY THE NUMBERS

After conclusion of the 140 day session, nobody got everything they wanted or promised legislatively. However, judging by the reactions of most lawmakers, the session was an unparalleled success based in large measure on the passage of school finance and property tax reform legislation. For others, the session results were enough, passing a balanced budget while addressing other important policy issues including Hurricane Harvey relief, school safety, mental health, and flood control. Still, for Empower Texas affiliates and certain Freedom Caucus members, the session is being characterized as moving too far afield from constitutional conservative principles, or a disappointing missed opportunity session.

Overall, the 86th Session saw a slight increase in the number of bills filed over the last regular session, which was not surprising given the large number of new members. Legislators proposed 7,324 bills, passing 1,429 of them, in contrast with last session’s numbers: 6,631 proposed bills with 1,211 passing. In sum, this session had a 9.4% increase in the number of HB’s and SB’s filed when compared to last session, and a 18.74% passage rate against the 2017 regular session passage rate of 17.56%.

The true end of the session came on June 16, 2019, which was the gubernatorial veto deadline, setting forth which bills made it through the process and actually become law. Since being elected in 2014, Governor Abbott issued his highest number of legislative vetoes to date, totaling 58, surpassing his previous regular session total of 50 in 2017 and 42 in 2015. Surprisingly, prior to signing the budget bill (HB 1), Governor Abbott did not issue a single line item veto, a power he had used to trim certain state spending items in his two earlier sessions. See tables below for details of legislation passed and vetoes for the last 3 regular sessions.

Texas Legislature Legislative Statistics

| 86th Regular Session - 2019 | | | | | | | | | | |
|-----------------------------|-------|-----|-----|-------|-------|-----|-----|-----|---------------|--------|
| Status | HB | HCR | HJR | HR | SB | SCR | SJR | SR | Total HB & SB | Total |
| Introduced | 4,765 | 186 | 147 | 2,217 | 2,559 | 68 | 70 | 865 | 7,324 | 10,877 |
| Passed | 969 | 102 | 7 | 2,155 | 460 | 23 | 3 | 862 | 1,429 | 4,581 |
| Vetoed | 41 | 2 | n/a | n/a | 15 | 0 | n/a | n/a | 56 | 58 |

| 85th Regular Session - 2017 | | | | | | | | | | |
|-----------------------------|-------|-----|-----|-------|-------|-----|-----|-----|---------------|--------|
| Status | HB | HCR | HJR | HR | SB | SCR | SJR | SR | Total HB & SB | Total |
| Introduced | 4,333 | 138 | 111 | 2,707 | 2,298 | 64 | 58 | 963 | 6,631 | 10,672 |
| Passed | 700 | 68 | 3 | 2,682 | 511 | 29 | 6 | 961 | 1,211 | 4,960 |
| Vetoed | 36 | 0 | n/a | n/a | 14 | 0 | n/a | n/a | 50 | 50 |

| 84th Regular Session - 2015 | | | | | | | | | | |
|-----------------------------|-------|-----|-----|-------|-------|-----|-----|------|---------------|--------|
| Status | HB | HCR | HJR | HR | SB | SCR | SJR | SR | Total HB & SB | Total |
| Introduced | 4,207 | 122 | 133 | 3,632 | 2,069 | 52 | 67 | 1074 | 6,276 | 11,356 |
| Passed | 819 | 68 | 2 | 3581 | 504 | 32 | 5 | 1072 | 1,323 | 6,083 |
| Vetoed | 32 | 1 | n/a | n/a | 9 | 0 | n/a | n/a | 41 | 42 |

In addition to the well-chronicled markers above, the 86th Session can be viewed as distinctive on a variety of other levels! As in other sessions, institutional tensions bubbled over, emotions ran high and tempers did flare, but gone were the open, scorched-earth partisan offensives that were all too familiar in the previous few sessions.

Real and consequential policy differences beyond partisan lines, such as rural vs urban, coastal vs inland, did separate Texas legislators on a variety of matters, but there were no incendiary bathroom or sanctuary city bills this session. Outside of a few abortion, elections and anti-taxpayer funded lobbyist related legislation, the institutional tensions and policy disagreements, for the most part, happened behind the scenes.

II. KEY SESSION TAKEWAYS

Inevitably there were revelations that produced some big legislative moments and confrontations, contributing to the uniqueness of this session from past sessions. What follows are 4 essential take-aways worth noting and perhaps more importantly, some commentary on what to look for during the interim, leading up to the 2021 session.

TAKE AWAY 1 - New Speaker Selected, New Committee Assignments

One of the more consequential factors of the session was selection of a new Speaker, along with attendant changes in House Committee assignments. House Committee changes were more extensive than Lt. Gov. Patrick's assignments, who named 14 Republicans and retained his two previously appointed Democratic chairs (Sen. John Whitmire, D-Houston and Eddie Lucio, D-Brownsville) among the Senate's 16 committees. This translated to no historical increases for the chamber's minority party, despite an increase in partisan gains and in the number of senate committees.

Following the announcement in 2017 that Speaker Joe Straus (R-San Antonio) would not seek re-election, the Texas House, for the first time in 10 years, had an open Speaker's race. After considerable jockeying by various members of the House prior to the start of the session, Rep. Dennis Bonnen (R-Angleton) at the age of 47, was unanimously selected to serve as the presiding officer of the Texas House of Representatives. The bi-partisan, unanimous vote was remarkable, given that the make-up of the House changed significantly after the November 2018 midterm elections.

Prior to becoming Speaker, Bonnen, who was first elected to the House in 1997, had considerable leadership experience. For example, he served for the past three legislative sessions as Speaker Pro Tempore, showing he was an integral part of Speaker Straus' leadership team. In the 84th and 85th sessions, he served as Chairman of the House Ways and Means Committee, where he authored previous versions of the property tax reform issue. Throughout his years of services, Speaker Bonnen had held other leadership posts, including serving as Chairman of the Environmental Regulation Committee, the Sunset Advisory Committee and the House Special Purpose Districts Committee, as well as being Vice Chairman of the Joint Committee of Oversight of Higher Education Governance, Excellence and Transparency, and as a member of the powerful Natural Resources Committee. Speaker Bonnen's leadership experiences and substantive knowledge of the House showed as a true differentiator at various times in the session.

Speaker Bonnen presided over a new Texas House that had 83 Republicans, 67 Democrats, down 12 Republican members from the 2017 Session. Along with the selection of Speaker Bonnen, came the corresponding appointment of new chairs and a wholesale reshuffling of committee assignments.

Of the 34 standing committees, only 7 chairmen under former Speaker Straus retained their current chairmanships. 12 returning chairs were moved to new committees and 15 committees had first-time chairs at the helm, including the powerful State Affairs and Ways and Means Committees. House Democrats, who played a key role in Bonnen becoming Speaker, were rewarded, taking the chairmanships on 12 standing committees. To put that in perspective, under Speaker Straus there were 5 more House committees and Democrats only held one additional chairmanship.

With one session under his belt, Speaker Bonnen and his committee chairs, deserve credit for effectively managing a culture shift in the House brought on by the surge of new Democratic members and for facilitating an environment where members appeared more inclined to "vote their districts" over partisan litmus test issues or voting a certain way out of fear of retribution. Speaker Bonnen's experience and pragmatic style, along with his administration's laser focus on tackling priority issues also deserves high marks.

Given the 86th Session's results, even movement conservatives would be hard pressed to critique Speaker Bonnen as a more GOP base friendly improvement over former Speaker Joe Straus (R-San Antonio). Former Speaker Straus as you may

recall, was a favorite poster child/whipping boy of groups like Empower Texas and other related groups for being a Republican in name only (RINO) or a liberal Republican. However, some of the Speaker Bonnen's committee chair choices have resulted in some post session dissent from those same groups who are unhappy with what did not pass, likely spilling over into some GOP primary contests.

Among other things, these movement oriented members and groups now charge that Speaker Bonnen allowed some important conservative policies and core principles to languish this session, by selecting Rep. Senfronia Thompson (D-Houston) as Chair of Public Health, essentially tamping down the prospect of passing pro-life issues, while the selection of Rep. Poncho Nevárez (D-Eagle Pass) as Chair of Homeland Security and Public Safety, stalled the chances for constitutional carry and other major Second Amendment initiatives. Moving from the session to the campaign season, the perceived lack of progress on passing pro-life reforms, constitutional carry, abolishing all forms of taxpayer funded lobbying, enacting eminent domain reforms, and failing to further protect religious freedoms, will likely become key messaging points raised in various GOP primaries. Likewise, we can expect incumbents in both parties to lead their campaign narratives with the passage of school finance and property tax reform, among other local and session accomplishments.

Despite the predictable intra-partisan fighting against the backdrop of Democrats vs Republicans, the imprint of Speaker Bonnen and his leadership team during the 86th Legislature was highly distinctive and cannot be overemphasized! He was a significant, constructive actor not only in the House, but with the Senate and Executive Branch as well, following through on his priority of protecting the integrity of the House.

What lies ahead for the House is unknown due to the unpredictability of turnout in a Presidential election year, with no straight ticket voting option, a first in Texas' history. Democrats are optimistic about holding their gains from the mid-term elections in 2018 and on the potential of picking up 9 new seats, while Republican's are out to regain some of their lost seats and grow their numbers in a very important 2020 redistricting session.

At this juncture, it is difficult to know with any certainty, which incumbent House members will not be returning, either because they intend to retire, seek another office, or end up getting beat by a political challenger in the primary or general election. Thus far, Rep. John Wray (R-Waxahachie) and Rep. Johnathon Stickland (R-

Bedford) have announced they are not returning in 2020. Also not returning is Rep. Eric Johnson (D-Dallas), who won the Dallas Mayor's race and as a result, must relinquish his seat. History suggests there will be more changes ahead. What seems highly likely at this juncture, assuming a maintained GOP majority, is that Speaker Bonnen will return to again lead the House for a 2nd session.

TAKE AWAY 2 – The Texas Economy Produces Sizeable Budget Surplus

On a more fundamentally substantive level, the 86th Regular Session greatly benefited from a robust Texas economy that produced healthy budget surpluses, which had an oversized influence on the actual or perceived success of the session.

The day before the start of the 86th Regular Session, Texas Comptroller Glenn Hegar released the Biennial Revenue Estimate (BRE), telling legislators that they had approximately \$119.1 billion in revenue available for general-purpose spending during the 2020-21 biennium. The revenue estimate was an 8.1% increase from what legislators had available for the 2018-19 biennium. The estimate also included nearly \$13 billion in the "Economic Stabilization Fund (ESF), or more commonly referred to as the Rainy Day Fund, giving legislators extensive funding options than in previous sessions.

As if the news of record surpluses was not rosy enough, in mid-May, Texas Comptroller Glenn Hegar revised his revenue estimate to add an extra \$518 million in new money for legislators to spend. The announcement came at a critical time as budget conference committee members were in the final thoughts of negotiating differences between the House and Senate expenditures to be included in HB 1 (budget bill).

The two-year state budget is often considered as the only piece of legislation that must pass, since state government will shut down if it does not. From the outset, it was clear that Big 3 had ambitious plans for property tax and school finance reform, along with intensive revenue demands relating to the extensive damage caused Hurricane Harvey and to meet outstanding payments from the previous year's budget.

Ultimately, the Legislature passed one of the largest budgets ever, and the governor signed a \$250.7 billion 2020-2021 budget (HB 1) and a \$9.9 supplemental budget (SB 500) to cover cost overages from the 2018-19 budget. The final, adopted

budget is approximately 15.7% larger than the one signed last session, but only 10.7% bigger if you deduct the supplemental expenditures.

In terms of the big ticket items such as school finance and property tax reform, a total of a total of \$11.5 billion in General Revenue Funds were appropriated to include salary increases for classroom teachers and other educators while providing \$5 billion for property tax relief through the compression of school district tax rates and reducing recapture. On property taxes, analysts estimate the legislature lowers tax rates by an average of 8 cents per \$100 valuation in 2020 and 13 cents in 2021, translating to a tax cut of roughly \$200 for the owner of a \$250,000 home in 2020 and \$325 in 2021.

Other significant expenditures in HB 1 and SB 500, includes: \$3.5 billion for Hurricane Harvey relief for local government recovery efforts; \$1.68 billion to invest in long-term infrastructure projects (Texas Infrastructure Resiliency Fund and the Flood Infrastructure Fund), intended to lessen the effects of any future disasters; \$84 billion for health and human services programs; \$343.5 million for school safety programs; and \$31.1 billion for TxDOT to mention a few budgetary highlights.

Coming off a grueling midterm election year, leadership and Texas Republicans generally, knew they had to deliver on some meaty issues that resonated with voters, which they did by reforming the school finance system and addressing property taxes. These major policy accomplishments along with some of the other legislation that passed are truly significant! However, without a strong Texas economy producing sizeable surplus funding, revenues would simply not have been available for appropriators, making the economy's performance one of the more significant takeaways of the session.

Several capitol observers have argued that without the budget surplus, the "kumbaya" session would not have happened. Looking down the road to the next budget cycle, questions remain about the probabilities of the state sustaining its current economic performance and growth trajectories to ensure collection of enough tax revenues to maintain the increased state financial support for the newly enacted reforms over time.

With the economic future uncertain, one can easily imagine competing campaign narratives about property tax relief and public school support as a reason to re-elect incumbents, with opponents campaigning that those measures were insufficient and did nothing more than "grow government" spending. Rest assured, should the

Texas economy falter in any meaningful way, legislators next session, will start focusing on identifying ways to generate new revenues or face the prospect of budget cuts.

TAKE AWAY 3 - Focused, Big 3 Public Cooperation

Among the most symbolically distinctive illustrations for GOP leadership was the remarkable public cooperation between Governor Greg Abbott (R), Lt. Governor Dan Patrick (R-Houston) and newly elected Speaker Dennis Bonnen (R-Angleton), often referred to as the “Big 3”, via their participation in several joint press conferences and collective meetings throughout the session on property tax and school finance reform.

While legislators hammered out the details of those two complex issues, the joint appearances of the “Big 3” transmitted a public unity of focus that helped at critical times, create the necessary “*bandwagon*” effect needed to move these signature accomplishments through the process – a harmony that has not been evident in recent sessions. The increased communications and unity of message stands in contrast to the often bitter and extremely contentious relationship among the Big 3 just two years ago. Legislators have stressed the term “teamwork” extensively and by most accounts, that sentiment helped maintain focus and the political cohesion for the 86th Legislature to pass a balanced budget and deliver on previously unattainable school finance and property tax reform.

Looking ahead, will the Big 3 find common ground and continue their extensive cooperation? The election outcomes could play a large part on the practical and political benefits of the Governor, Speaker and Lt. Governor continuing to do so. In fact, recent news about a possible secret recording involving the Speaker, may dramatically shape the political landscape next session.

TAKE AWAY 4 – Elections Have Consequences, Straight Ticket Voting Gone

After a historic voter turnout (over 8.3 million voters) during the midterm election cycle, Republicans swept all the key statewide races as they have since 1994, with Governor Abbot at the top of the ticket, earning 56.08% of the votes cast. However, the GOP margins for some of the other, lower-ballot, statewide candidates, were not as convincing as they had been in years past. Although notching legitimate victories over their Democratic opponents, incumbents Lt. Governor Patrick (R-Houston) and Attorney General, Ken Paxton (R-McKinney) garnered 51.29% and

50.85% respectively of the general election vote against relatively unknown and underfunded opponents.

Legislatively, Republicans continue to hold partisan majorities in the Texas House and Senate, but the mid-term elections also narrowed those partisan leads, which manifested itself in various ways throughout the session.

The Texas Senate went from 21 Republicans and 10 Democrats in 2017 to 19 Republicans and 12 Democrats. The seemingly small pickup of two seats in the Senate proved significant in connection with bringing bills to the floor for consideration, including the priority, property tax reform legislation (SB 2).

Under Senate rules, 3/5th of members present or with all members in attendance, support from 19 Senators is required to bring a bill to the floor. Late in the session and frustrated by the stalemate on priority property tax reform, Lt. Gov. Dan Patrick provided one of the more publicly dramatic, high tension moments, threatening the “nuclear option” to force a floor vote on the matter, procedurally bypassing the long-standing Senate “blocker bill” tradition.

Essentially, the nuclear option would permit the Senate to bring up the bill with a simple majority, instead of the 3/5th vote typically required. In the end, Senator Kel Seliger (R-Amarillo), put aside his public feud with Lt. Governor Patrick and in a nod to preserving the integrity of the Senate as an institution and not wanting colleagues to take a controversial vote, voted with the majority to assist with suspension to bring the property tax reform bill to floor, avoiding actual use of the nuclear option.

The new partisan balance in the Senate, along with 16 Senators up for re-election in 2020, will shine a spotlight on Sen. Flores’ campaign (R-Pleasanton), who in a Special Election, won an upset victory in what had been a historically Democratic seat. Senator Flores received extensive financial and political support from Governor Abbott and Lt. Governor Patrick during the Special Election, and we would expect that support to continue, given the importance of retaining the 3/5th partisan majority.

Likewise, in the House, newly elected Speaker Bonnen, had to work with 12 less Republican’s than his predecessor in 2017. This new partisan makeup, combined with the election losses of some Freedom Caucus conservatives, made House floor debates less caustic than in sessions passed, but gives Democrats hope of picking up 9 new seats, while holding their gains from the mid-term elections in 2018 to garner

further influence in the House. Meanwhile, many cultural issues dear to the far right appeared to be fewer in number and attention, than in the last session and conservative groups are actively gearing up for the primaries.

Historically, presidential election cycles produce higher turnouts. For general election challenges, the termination of straight ticket voting will be new and interesting to watch. Recall that in 2017, Governor Abbott signed HB 25, which eliminated the option afforded voters who could check one box, casting their vote for an entire party's candidates in one fell swoop, known as the straight-ticket option. While too early to tell, compelling voters to individually decide each race, could result in some significant changes across the political landscape as straight ticket voting accounted for nearly 64% of the total votes cast in Texas' 10 largest counties in the 2016 general election.

Sports analogies are often used to help describe electoral politics. Consistent with that approach, it would be fair to say that we are rapidly nearing the end of training camp, with the first inning starting November 9, 2019 or the opening of candidate filing, which lasts through December 9, 2019. Fundraising is happening in earnest and we can expect a hotly contested campaign season ahead of a redistricting session.

Watching and contrasting a candidates' campaign messaging on session accomplishments or lack thereof during what most believe will be a high turnout election, could very well alter partisan balances and the approach to governance.

III. SPECIFIC LEGISLATIVE ADVOCACY

In terms of specific CCRTA session performance, I am pleased to report that our advocacy efforts made the difference in the passage or defeat of legislation of interest to CCRTA and Coastal Bend overall. Our session success was due in large measure to working cooperatively with others, leveraging our lobby assets, good strategic planning, a strong work ethic, effectively communicating amongst ourselves and with others, and the involvement of the CCRTA in constituent engagement, as well as providing technical expertise and advocacy.

In terms of specific CCRTA legislation, there were no bills that ended up passing that affected Chapter 451 (RTA, Austin, San Antonio, Houston specific), nor Chapter 452 (Dallas and Fort Worth specific) of the Transportation Code.

What follows is a closer look at some specific issues, adopted by the Board and where we were directly involved in the success of certain legislation. The following summary will highlight many of the achievements attributable to CCRTA, as well as certain efforts that are likely to be revisited in the future. Following that is a list of the session bill track and a Chapter 451 bill track, which is provided for a better context of the breath of legislation affecting CCRTA or the Coastal Bend during the 86th Session.

SUMMARY OF KEY CCRTA ISSUES

The CCRTA is a political subdivision that plays an important part in meeting the mobility needs of the Coastal Bend area. In addition, the CCRTA is a public sector employer with deep ties to the community. As such, the Board of Directors adopted a specific legislative program that tracked, monitored and advocated for other initiatives that advanced or protected the CCRTA, as well as supporting issues of interest to the Coastal Bend area. What follows is a brief overview of how the legislative program was organized and a detailed summary of the bills that passed during the Regular Session of 86th Legislature.

RTA STATE LEGISLATIVE PROGRAM SUMMARY

Issues Organization

The CCRTA, like many other entities, is confronting the challenges of meeting demand for quality transit services within the context of downward regulatory and economic pressures. In addition, the devastation of Hurricane Harvey only added to the economic volatility facing the community and public transit.

Work on the CCRTA State Legislative Program started in June of 2018, shortly after contract renewal, beginning with extensive staff discussion and input from the Board of Directors. At that time, we provided the Board with an assessment of the interim charges and other issues that we believed would be of interest to the RTA. We stressed the unpredictable nature of politics in light of Speaker Straus' decision not to seek re-election and that great care should be given to ensure that the local delegation and community as a whole know and understand what the CCRTA's legislative priorities were for the session. Given the severity of Hurricane Harvey's damage, the CCRTA understood that it too needed to be aware of other community interest priorities as well, something that was embodied into the overall legislative approach.

After extensive communications, the Board adopted the 2019 Legislative Program, physically organizing its engagement into three distinctive categories to prioritize its limited resources, assist in communicating legislative priorities to the local delegation and the community, but also giving the Board an appropriate accountability tool to measure success. The three program categories were - initiatives, endorsements and defensive issues.

Initiatives Summary

The CCRTA adopted five legislative program initiatives, which were defined as those matters where the RTA was pro-actively involved in every facet of the legislative process. The CCRTA's initiatives, which are reported in greater detail in this document, included:

| | RTA Initiative | Status |
|----|--|---|
| 1. | Restore the "Air Quality Planning Funds" (Account 151) that was vetoed last session. HB 1 | Appropriation Passed |
| 2. | Reauthorize the Texas Emissions Reduction Plan (TERP), which could expire if not reauthorized this session. HB 3745 | Legislation Passed |
| 3. | Position the RTA to secure VW Settlement Funds for electric vehicles and infrastructure HB 1 and TCEQ Awareness of CCRTA Interest | Progress made, positively positioned, on-going effort |
| 4. | Seek Chapter 451 improvements, fare approval committee reform under 451.061, Transportation Code. | Did Not Pass |
| 5. | Seek legislative opportunities for the CCRTA to leverage its alternative fueling investment to improve the availability and reliability for CNG gas fueling by local municipalities and others during times of emergency | Did Not Pass |
| | Passage Rate – 60% | 3 out of 5 |

Endorsements Summary

There were 7,324 pieces of legislation filed during the 2019 Regular Session, including all House and Senate bills, and all House and Senate joint and concurrent resolutions. The CCRTA lobby team reviewed all of the filed legislation, narrowing down those issues of direct or indirect interest, which totaled more than 323 bills

that were routinely tracked and followed throughout the process. Of those tracked, 88 pieces of legislation reached the Governor’s desk by session’s end. A complete list is provided later in this report.

Of those 88 bills, the CCRTA was not always the primary advocate, but did work collectively with other parties, including the other large urban transits as well as other entities, playing a supporting role for various appropriation decisions, legislative issues or amendments as appropriate. The criteria used for considering an issue as an endorsement, is a determination that the CCRTA wants to make known its support of an issue but does not take a leading legislative role. The CCRTA’s endorsement issues are reported in greater detail in this document, but some of the major bills where positive involvement occurred included:

RTA Endorsements

| | RTA Endorsements | Status |
|----|---|--------------------------------------|
| 1. | Disaster Recovery Funding HB 1 / SB 500 | Appropriations Passed. |
| 2. | Disaster exemption on property tax reform SB 2 | Legislation Passed |
| 3. | Temporary local option exemption from ad valorem tax on disaster damaged property upon voter approval. HB 492 / HJR 34 | Legislation Passed. |
| 4. | Texas Windstorm Insurance Association (TWIA) Sunset and other legislative reforms. SB 615, HB 1900, HB 1902 | Legislation Passed |
| 5. | Penalty enhancements for crimes on public transportation property and transit employees. HB 213, HB 235 | Did Not Pass |
| 6. | Preserve and protect against adverse changes to the gasoline and/or diesel fuels tax. | Did Not Pass, no adverse RTA impacts |
| 7. | Seek legislative opportunities for a motor fuels tax exemption, refund, or credit by a metropolitan rapid transit authority that uses the gasoline exclusively for serving the public. HB 619 | Did not Pass |
| | | |
| | Passage Rate - 72% | 8 out of 11 |

Preservation of Transit Authority / Duties or Defensive Summary

Often times, success in a session can be defined as not what passes, but what does not pass. The CCRTA is acutely aware that any balanced legislative program contains some defensive issues or those matters that the CCRTA will use its government relations and community resources to oppose bills, amendments or appropriations decisions identified as being adverse or detrimental to the RTA's ability to operate efficiently or hinder the CCRTA's ability to deliver high quality mobility services to the Coastal Bend region.

There were a number of these types of issues, which are summarized in this report, but fortunately for the CCRTA, there were no seriously adverse issues that passed during the 86th Regular.

As in previous sessions, there were numerous legislative opportunities and challenges facing transit properties, including initiatives that can make a material difference financially. Proactive engagement and the support of the delegation and local community were the chief reasons that no adverse legislation passed.

APPROPRIATIONS

As Texas state lawmakers concluded the 86th Legislative Session, funding was a big part of the focus by legislators. Fundamentally, the Legislature uses four methods of finance to appropriate funds to state agencies and public institutions of higher education: 1) General Revenue Funds; 2) General Revenue–Dedicated Funds; 3) Federal Funds; and 4) Other Funds. The CCRTA had several items of interest that were worked on, which are summarized below:

HB 1 and SB 500 by Zerwas / Nelson – General Appropriations Bill and Supplemental Appropriations Bill.

The Texas Legislature approved a \$250.7 billion two-year budget, consisting of state taxes and fees, local property tax dollars and federal funds. The final budget marks a 16% spending increase over the two-year budget approved by lawmakers in the tight-fisted 2017 legislative session. Overall, the Legislature agreed to allocated \$6.5 billion in new state funding for public schools and \$5.1 billion to buy down Texans' local property taxes.

More specifically, the CCRTA actively monitored and supported budgetary appropriations, which are summarized below:

TEXAS COMMISSION ON ENVIRONMENTAL QUALITY - AIR QUALITY PROGRAMS

\$4.5 million in General Revenue–Dedicated Funds from Account No. 151, Clean Air, for air quality-planning activities to reduce ozone in near nonattainment areas; and an estimated \$1.3 million in General Revenue–Dedicated Funds from Account No.

TCEQ Riders

4. Local Air Pollution Grants Allocation. Out of the amounts appropriated, no less than \$2,658,228 in each fiscal year out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, shall be utilized to fund grants or cooperative agreements with eligible local air pollution programs under Health and Safety Code, §382.0622. The combined federal and state share of the funding for any such local air pollution programs shall not exceed 67% of the total allocation to the programs, with the local share being based on the local dollars allocated pursuant to maintenance-of-effort requirements for federal air pollution grants.

7. Air Quality Planning. Amounts appropriated include \$4,500,000 for the biennium out of the Clean Air Account No. 151 in Strategy A.1.1, Air Quality Assessment and Planning, for air quality planning activities to reduce ozone in areas not designated as nonattainment areas during the 2018-19 biennium and as approved by the Texas Commission on Environmental Quality (TCEQ). These activities may be carried out through interlocal agreements.

Expenditure of these funds are limited to: inventorying emissions, monitoring of pollution levels, and administration of the program. The TCEQ shall allocate \$281,250 to each area and the remaining funds proportionally to each area with a population in excess of 350,000. Grants issued from appropriations identified in this rider should require that no more than 10% of the allocation be used for administrative purposes and prohibit the expenditure of the following: marketing and outreach activities, bicycle use programs, carpooling awareness, environmental awareness campaigns, and locally enforceable pollution reduction programs. The grant recipients shall channel the funds to those projects most useful for the State Implementation Plan (SIP).

For informational purposes, these areas may include, but are not limited to, Waco, El Paso, Beaumont, Austin, Corpus Christi, Granbury, Killeen-Temple, Longview-Tyler-Marshall, and Victoria and Atascosa, Bandera, Comal, Guadalupe, Kendall, Medina, and Wilson Counties.

19. Texas Emissions Reduction Plan (TERP): Grants and Administration. Amounts appropriated in Strategy A.1.1, Air Quality Assessment and Planning, include \$77,369,870 in fiscal year 2020 and \$77,369,867 in fiscal year 2021 out of the Texas Emissions Reduction Plan (TERP) Account No. 5071.

27. Expedited Processing of Permit Applications. (a) Included in amounts appropriated out of the Clean Air Account No. 151 in Strategy A.2.1, Air Quality Permitting, is \$1,250,000 for the biennium from surcharges assessed in accordance with Health and Safety Code, §382.05155 for the expedited processing of air permit applications for the biennium for contract labor, overtime and compensatory pay, or other costs incurred to support the expedited processing of permit applications. The Commission on Environmental Quality (TCEQ) is authorized to compensate employees who perform expedited air permits twice the hourly rate for time worked in excess of their regularly scheduled work hours. For the purposes of the expedited permit process, the TCEQ is exempt from provisions of Article IX relating to the inclusion of temporary or contract workers in the calculation of the number of Full-Time Equivalent (FTE) positions.

In addition to the amounts appropriated out of the Clean Air Account No. 151 in Strategy A.2.1, Air Quality Permitting, the TCEQ is appropriated all fee revenues collected and deposited to the account from expedited permit review surcharges assessed in accordance with Health and Safety Code, §382.05155 (estimated to be \$0) in excess of the Comptroller's Biennial Revenue Estimate. These funds are provided for costs incurred to support the expedited permitting process. Any unexpended balances remaining in these appropriations on August 31, 2020, in this appropriation are appropriated for the same purposes for the fiscal year beginning on September 1, 2020.

(b) TCEQ shall provide a report detailing fee revenues collected and deposited to Clean Air Account No. 151 from expedited permit review surcharges assessed in accordance with Health and Safety Code §382.05155 for each respective fiscal year to the Comptroller of Public Accounts and the Legislative Budget Board no later than the end of the second business week in March and June (for the second and third quarters) and no later than 14 business days after the end of the fourth quarter.

TEXAS DEPARTMENT OF TRANSPORTATION - TRANSPORTATION FUNDING

Funding for the Texas Department of Transportation (TxDOT) for the 2020–21 biennium includes \$31.1 billion in All Funds, an increase of \$0.3 billion from the 2018–19 biennium. Funding includes the following amounts: an estimated \$5.0 billion from anticipated state sales tax deposits to the State Highway Fund (SHF) pursuant to Proposition 7, 2015 (an increase of \$0.1 billion); an estimated \$3.9 billion from oil and natural gas tax-related deposits to the SHF pursuant to Proposition 1, 2014 (an increase of \$0.6 billion); and all SHF available from traditional transportation tax and fee revenue sources, estimated to be \$9.3 billion for the 2020–21 biennium, an increase of \$0.7 billion. These increases are offset by a decrease of \$1.3 billion in Other Funds from bond proceeds. The supplemental appropriations bill includes \$125.0 million from the Economic Stabilization Fund to provide grants to counties through the Transportation Infrastructure Fund.

TxDOT Public Transportation Funding and Rider

As part of the TxDOT bill pattern, the Legislature allocated \$102,148,935 in 2020 and \$103,445,742 in 2021, plus unexpended balance authority.

14 (e). **Reporting Requirements, Public Transportation Activities.** The Department of Transportation shall develop and submit an annual report to the Legislature no later than March 15, each fiscal year on public transportation activities in Texas. The report shall at a minimum include monthly data on industry utilized standards which best reflect: ridership, mileage, revenue by source, and service effectiveness, such as passengers per revenue mile. In order to meet the mandates of Chapter 461, Transportation Code, relating to the coordination of public transportation and to implement the legislative intent of §461.001, Transportation Code, the Department of Transportation is directed to engage the services of the Texas A&M Transportation Institute, or any entity that the Department of Transportation deems appropriate, to maintain an inventory of all public transportation providers in the state to determine the types and levels of services being provided by each of them and the extent to which those providers can assist the state in meeting the mandates of the statute.

DISASTER RECOVERY, INFRASTRUCTURE RESILIENCY, AND FLOOD INFRASTRUCTURE

The supplemental appropriations bill provides \$3.5 billion from the Economic Stabilization Fund to fund a number of significant initiatives that address damage to

the state due to Hurricane Harvey, provide state participation and facilitation of the draw-down of federal aid programs for local government recovery efforts, and invest in long term infrastructure projects intended to lessen the effects to Texans from future disasters. Funding includes the following areas:

- Hurricane Harvey relief to public schools through the Foundation School Program – \$806.5 million is provided to the Texas Education Agency to provide funding to school districts and charter schools affected by Hurricane Harvey. This amount includes funds for additional compensatory education-eligible students, facilities remediation costs, and amounts to hold schools harmless for revenue losses due to the loss of students and local property tax revenue due to the disaster;
- Hurricane Harvey-related facilities damage recovery at institutions of higher education – institutions including University of Houston campuses, Lone Star College, and the University of Texas at Austin Marine Science Institute are appropriated \$74.8 million for assistance to repair damaged facilities; and
- Hurricane Harvey-related response reimbursement and facilities damage recovery at state agencies – \$350.5 million is provided to state agencies, including the Department of Public Safety, the General Land Office, the Health and Human Services Commission, and the Texas Forest Service. These funds are primarily either to reimburse agencies for response costs incurred during the immediate aftermath of Hurricane Harvey, or to provide facilities repair funding.
- The supplemental appropriations bill provides \$1.68 billion in funding for the Texas Infrastructure Resiliency Fund and the Flood Infrastructure Fund, contingent on the enactment of Senate Bill 7, for the following purposes:
 - state participation in the nonfederal match for federal Harvey recovery programs – \$838.0 million in state funds to assist local entities in drawing down federal disaster recovery funds under the Federal Emergency Management Agency’s (FEMA) Public Assistance and Hazard Mitigation grant programs, and long-term infrastructure projects by the U.S. Army Corps of Engineers; and
 - flood infrastructure – \$840.0 million to the Water Development Board to develop and fund projects under the State Flood Plan.

The supplemental appropriations bill also provides \$150.0 million to the Texas Soil and Water Conservation Board to fund the repair and improvement of earthen dams.

TERP / AIR QUALITY LEGISLATION

HB 3745 by Bell / Birdwell – Relating to the Texas Emissions Reduction Plan Fund and Account.

Summary: HB 3745 extends the life of the TERP program. Effective September 1, 2021, HB 3745 creates a new Texas Emissions Reduction Plan Fund as a trust fund outside the treasury while leaving the existing TERP account in general revenue. Provides that the trust fund may be spent without legislative appropriation in accordance with Chapter 386, Health and Safety Code and directs the fee, tax, and other TERP revenues to the trust fund. Requires TCEQ to transfer the unencumbered balance of the trust fund at the end of each biennium to the TERP account by the 30th day after the close of the biennium.

HB 3745 increases the permissible use of the TERP program for administrative costs to \$16 million from the current \$8 million. The bill extends the imposition of the TERP revenues to the date at which all of Texas is in attainment, rather than expiring August 31, 2019, which is current law.

HB 1627 by Morrison / Kolkorst – Relating to the removal of certain counties from the Texas Emissions Reduction Plan (TERP).

Summary: HB 1627 removes Victoria Country from the list of “affected counties” for the Texas Emissions Reduction Plan (TERP) listed in 386.001 of the Health and Safety Code. The bill took effect on May 23, 2019.

SB 698 by Birdwell / Lozano – Relating to expedited processing of certain applications for permits under the Texas Clean Air Act.

Summary: Amends Sec. 382.05155 of the Health and Safety Code, “Expedited Processing of Application”, clarifying that the surcharges may be used to cover costs of full-time equivalent commission employees to support the expedited processing of air permit applications, contract labor, and other costs, and stipulates that money from the surcharge collected under the section may be used to support the expedited processing of air permit applications. Further, SB 698 authorizes TCEQ to set the rate for overtime compensation for full-time equivalent commission employees supporting the expedited processing of air permit applications. The bill takes effect September 1, 2019.

PROPERTY TAX LEGISLATION

SB 2 by Bettencourt / Burrows – Relating to ad valorem taxation.

Summary: SB 2 is the comprehensive tax reform bill. Some of the major features include:

- Renames the effective tax rate as “no-new-revenue tax rate”.
- Renames the rollback tax rate as “voter-approval tax rate”.
- Creates a new “de minimis rate” equal to the sum of a taxing unit’s no-new-revenue M&O rate, its debt rate, and the rate that would impose \$500,000 in tax levy.
- Adds a real-time tax notice for taxpayers to be able to timely engage in the tax rate-setting processes of taxing units.
- Enhances the Comptroller’s role in standardizing tax rate calculations, data gathering and organization for the use of the public, and administration of public surveys regarding ARB service quality.
- Increases electronic financial disclosures by taxing units and requires increased communication with and individualized tax notice forms for property owners.
- Lowers the permissible annual increase in tax levies by a taxing unit on existing properties (the former rollback threshold) to 3.5% before adjustments from the existing
- 8% for taxing units not meeting the definition of a special taxing unit, which is defined in the bill as a non-school district:
 - (A) for which the M&O tax rate proposed for the year is 2.5 cents or less;
 - (B) a junior college district; or
 - (C) a hospital district.

Special taxing units which are defined throughout the bill remain at the 8% threshold. Adjustments and alternatives that could provide for a higher increase than 3.5% for taxing units include:

- The de minimis rate
- Declared disaster area status
- An “unused increment rate” equal to sum of the amounts by which a taxing unit did *not*, during the previous three years, tap the maximum 3.5% allowed
- Indigent defense expenditures
- County hospital expenditures

Generally, eliminates the petition requirements of current law, requiring automatic elections to approve, or disapprove, of tax increases beyond the voter-approval rate. SB 2 requires a special taxing unit or a city with a population of 30,000 or more proposing a tax rate that exceeds its voter-approval rate to hold an election on the proposal.

Requires a taxing unit other than a special taxing unit or a city with a population of less than 30,000 regardless of whether it is a special taxing unit that proposes a tax rate that exceeds the greater of its voter-approval tax rate or its de minimis rate to hold an election.

Retains a petition procedure for certain, typically smaller, taxing units that propose a tax rate above the voter-approval rate but below the de minimis rate.

In counties with 1 million or more in population, establishes specialized review panels for specified property categories for properties valued at \$50 million or more, annually adjusted for inflation. Those categories are:

- (A) commercial real and personal property;
- (B) real and personal property of utilities;
- (C) industrial and manufacturing real and personal property; and
- (D) multifamily residential real property.

Prohibits an Appraisal Review Board from determining a property's value in a protest to be greater than the appraised value of the property as shown in the appraisal records submitted to the ARB by the chief appraiser unless agreed to by the property owner. Stipulates that for renditions required of property owners regulated by the PUC, Railroad Commission, federal Surface Transportation Board, or the Federal Energy Regulatory Commission must be delivered to the chief appraiser not later than April 30, that the chief appraiser must extend the filing deadline to May 15 on written request, and may grant an additional 15 days upon good cause shown in writing.

SB 2 eliminates challenges by local governments to the value of an entire category of properties before an appraisal review board (City of Austin issue) and prohibits a taxing unit from adopting a budget or taking any other action that has the effect of decreasing the total compensation to which a first responder was entitled in the preceding fiscal year.

SB 2 is contingent upon passage of HB 3, the education finance reform bill, which of course passed. The fiscal note for SB 2, conference committee report, includes an illustrative example showing possible taxpayer savings of \$980 million by fiscal 2024.

HB 492 / HJR 34 by Shine / L. Taylor –Relating to a temporary local option exemption from ad valorem taxation on a portion of the appraised value of certain property damaged by a disaster.

Summary: Contingent upon passage and voter approval of a constitutional amendment on November 5, 2019, HB 492 provides for an exemption of a portion of appraised value for property, other than land, in a declared disaster area by the Governor if the property is at least 15% damaged as determined by the chief appraiser and if the exemption is adopted by the taxing unit.

The exemption is an entitlement if the disaster occurred before the tax rate was set by a taxing unit. Otherwise, the exemption is a local option. Requires the exemption adoption by the taxing unit to specify the disaster and to be adopted by the 60th day after the Governor declares territory in the unit to be a disaster area. Requires the taxing unit to notify the chief appraiser, the Comptroller, and the tax assessor for the unit within 7 days of adopting the exemption.

Requires the Chief Appraiser to determine whether property is at least 15% damaged and assign to each such property a damage assessment rating of Level I (15%-30% damaged), Level II (30%-60%), Level III (60%-below total loss), or Level IV (total loss), relying on information provided by a county emergency management authority, FEMA, or other appropriate source. The exemption by Level is 15%, 30%, 60%, and 100%, respectively, and is pro-rated by the number of days remaining in the year that the property was damaged. The exemption expires the year that the property is next reappraised. Allows a property owner to contest the determination before the Appraisal Review Board (ARB).

HB 492 allows a property owner to apply for the exemption not later than the 105th day after the date of the disaster if it occurred before the tax rate was adopted, or by the 45th day after the taxing unit adopts the exemption if the tax rate had been adopted before the disaster. Allows the chief appraiser to extend the deadline for good cause shown.

Requires tax assessors to recalculate any taxes to reflect exemptions qualified for after the taxes have been calculated, and to refund any amount due if the taxes

have already been paid. Includes the exemption as an item in the Comptroller's property value study of school district tax bases. Repeals Section 23.02, the existing law that provides for an optional disaster reappraisal. For purposes of truth-in-taxation, allows the disaster exemption to be included the calculation of "lost property levy."

HB 3143 by Murphy / West – Relating to the Property Redevelopment and Tax Abatement Act.

Summary: HB 3143 extends Chapter 312 property tax abatements and increases transparency. The bill extends the expiration date of Chapter 312, "Property Redevelopment and Tax Abatement Act," to September 1, 2029, which would otherwise expire September 1, 2019.

Requires that before a taxing unit adopts, amends, repeals, or reauthorizes guidelines and criteria, that it hold a public hearing at which members of the public are given the opportunity to be heard. Also requires a taxing unit that maintains a website to post the current version of the guidelines and criteria on its website.

Requires the chief appraiser to deliver to the Comptroller a report containing the appraised value of the property that was the subject of the abatement for each of the first three tax years following the expiration of the abatement agreement.

Amends 312.207, "Approval by Governing Body," to require that a notice of the public meeting to approve an abatement agreement be posted 30 days before the scheduled time of the meeting and include:

- (1) the name of the property owner and the applicant;
- (2) the name and location of the reinvestment zone in which the property is located;
- (3) a general description of the nature of the improvements or repairs included in the agreement; and
- (4) the estimated cost of the improvements or repairs.

Extends to counties these same requirements as they apply to cities.

MOTOR FUELS TAX LEGISLATION

HB 3954 by Burrows / Hinojosa –Relating motor fuel taxes applicable to gasoline and diesel fuel within the bulk transfer system.

Summary: HB 3954 clarifies that the bulk transfer system for motor fuels includes a marine vessel and a motor fuel storage facility, defined as “a storage facility supplied by pipeline or marine vessel that does not have a rack for removal of motor fuel by truck, railcar, or any other means of conveyance that is outside the bulk transfer/terminal system.”

Provides that an otherwise tax-exempt sale of motor fuel for export to a foreign destination is taxable unless the exporter of record is licensed by the Comptroller and requires that the bill of lading or shipping documents indicate the foreign destination for the exemption to apply. HB 3954 takes effect September 1, 2019.

SB 2119 by Alvarado / Goldman – Relating to the transfer of the regulation of motor fuel metering and motor fuel quality from the Texas Department of Agriculture to the Texas Department of Licensing and Regulation.

Summary: SB 2119 transfers the regulation of motor fuel measurement and quality from the Department of Agriculture to the TDLR and makes conforming changes to the Tax Code. The bill took effect June 14, 2019.

HB 791 Huberty / Flores – Relating to the definition of volunteer fire department for purposes of certain motor fuel tax exemptions.

Summary: For purposes of the motor fuels tax exemption/refund authority in current law, HB 791 defines "volunteer fire department" as a fire department operated by its members, including a part-paid fire department composed of at least 50% volunteer firefighters, that is operated on a not-for-profit basis, including a department that is exempt from federal income tax under Section 501(a), Internal Revenue Code of 1986, by being listed as an exempt organization in Section 501(c)(3) or (4) of that code. HB 791 took effect May 24, 2019.

DID NOT PASS

HB 916 Guillen / Flores – Relating to the exemption of rural transit districts from motor fuel tax.

Summary: Creates motor fuels tax refund eligibility for rural transit districts created under Chapter 458, Transportation Code, comparable to authority in existing law for volunteer fire departments. Refunds would be available for the exclusive use of gasoline, diesel, and CNG for providing public transportation. HB 916 is similar in nature to HB 501 by Guillen in the 2015 session and HB 311 in the 2013 session.

SALES TAX LEGISLATION

SB 26 by Kolkhorst / Cyrier – Relating to the allocation to and use by the Parks and Wildlife Department and the Texas Historical Commission of certain proceeds from the imposition of sales and use taxes on sporting goods.

Summary: SB 26 amends the Tax Code to require the legislature to allocate the money credited to the Parks and Wildlife Department (TPWD) from the proceeds of the collection of taxes imposed on the sale, storage, or use of sporting goods to the appropriate TPWD accounts in specific amounts provided in the General Appropriations Act. The bill reduces from 94% to 93.4% the amount of those proceeds to be credited to TPWD and increases from 6% to 6.6% the amount of those proceeds to be credited to the Texas Historical Commission. SB 26 includes the payment of debt service on park-related bonds issued by TPWD among the authorized uses of the money credited to TPWD and clarifies provisions relating to using that money to fund the state contribution for certain employee benefit-related costs.

In addition, SB amends the Government Code to change the nature of the historic site account from a separate account in the general revenue fund to a dedicated account in the general revenue fund. The bill removes a provision establishing that any money in the account not used in a fiscal year remains in the account and a provision exempting the account from statutory provisions governing the use of dedicated revenue. These provisions take effect January 1, 2020.

SJR 24 by Kolkhorst / Cyrier – Proposing a constitutional amendment relating to the appropriation of the next revenue received from the imposition of state sales and use taxes on sporting goods.

Summary: SJR 24 addresses the dedication and constitutional appropriation of the sporting goods sales tax. The resolution proposes a constitutional amendment to, beginning in fiscal 2021, automatically appropriate sales tax revenue received on sporting goods that were subject to taxation on January 1, 2019 to the Parks and

Wildlife Department and the Texas Historical Commission, or their successors in function, allowing the amount to be allocated between those agencies by general law. Allows the Legislature by general law to provide limitations on the use of money.

Allows the Legislature by two-thirds vote to direct the Comptroller to reduce the appropriation, but only:

- (1) in the state fiscal year in which the resolution is adopted, or in either of the following two state fiscal years; and
- (2) by an amount that does not result in a reduction of more than 50%

Establishes that the money appropriated may not be considered available for certification by the Comptroller. Defines "sporting goods" as an item of tangible personal property designed and sold for use in a sport or sporting activity, excluding apparel and footwear except that which is suitable only for use in a sport or sporting activity, and excluding board games, electronic games and similar devices, aircraft and powered vehicles, and replacement parts and accessories for any excluded item. Enabled by SB 26 by Kolkhorst. Voters will decide on this constitutional amendment on November 5, 2019.

HB 3 by Huberty / Taylor – Relating to public school finance and public education.

Summary: HB 3 was the big school finance reform bill, which was extensive. The focus of this summary is on the tax provisions, including property tax rate compression and provided "Robin Hood" relief. The bill replaces the 2006-era state tax compression percentage of 66.7%, which had been based on the \$1.50 prevalent M&O tax rate, with a new state compression percentage of 93%, but based on a \$1.00 tax rate. This affords a 7% rate reduction in the school M&O taxes that will be billed this fall. For subsequent tax years, additional, annual rate compression is provided to the extent that statewide property values grow faster than 2.5%. Rate compression is financed by the state. Materials provided by state leadership indicate that the mechanism provides over \$5 billion in statewide property tax relief, lowers school property tax rates by an average of 8 cents in 2020 and 13 cents in 2021, and increases the state's share of education funding from 38% to 45%.

Replaces the 2006-era, uniform, statewide M&O rate cap of \$1.17 per hundred, with a calculated rate for each district equal to its maximum compressed rate as published by TEA plus \$0.17.

Reduces but does not eliminate recapture (“Robin Hood”) payments required of property-wealthy school districts, by changing the calculation from that which has historically been based on property value per weighted student, to one based on the extent to which the revenue raised by a school district by its Tier 1 tax rate exceeds its Tier 1 entitlement amount. The fiscal note for HB 3 indicates that recapture would be reduced by \$1.7 billion in fiscal year 2020 and \$2.1 billion in fiscal year 2021, and materials provided by state leadership estimate the reduction at 47%.

Requires LBB, in conjunction with other appropriate state agencies, to study possible methods of providing property tax relief through M&O rate reduction. The study must evaluate:

- (1) potential sources of revenue that may be used to reduce M&O taxes;
- (2) methods of limiting increases in M&O tax revenue that adjust for enrollment growth, inflation, and other relevant factors; and
- (3) for each method of providing property tax relief considered:
 - (A) any difference in anticipated benefits to property taxpayers based on the school district in which the taxpayer resides;
 - (B) the cost to the state; and
 - (C) the anticipated impact on equity in the public school finance system.

Requires LBB to submit a report by September 1, 2020 on the results of the study and any recommendations for legislative or other action.

Establishes a new Tax Reduction and Excellence in Education (TREE) Fund outside of general revenue that may be appropriated only for Tier 1 allotments or for reducing school M&O tax rates. Requires the Comptroller to deposit to the TREE fund any oil and gas production tax revenue that Section 49-g, Article III, Texas Constitution, dedicates to the purpose of reducing school district M&O tax rates. There is no such dedication under current law.

Allocates to the TREE fund the amount of Available School Fund distribution that exceeds the first \$300 million. Also requires the Comptroller to deposit to the fund each month the amount of sales tax revenue gained from the new “marketplace provider” bill related to the Wayfair decision. HB 3 is contingent upon SB 2, the property tax reform and restraint bill, becoming law, which of course also passed.

The summary does not cover the majority of features of HB 3, which include moving the basis of calculating school district entitlements to “current year values,” full-day pre-K for eligible four year-olds, changing program allotments, teacher salaries, and other changes. HB 3 contained multiple effective dates, including September 1, 2019 for most of the bill, except Sections 11.184 and 47, Education Code, which become effective January 1, 2020.

HB 1525 by Burrows / Nelson – Relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers.

Summary: HB 1525, known to resolve the “Wayfair” case addresses the sales tax on internet and other remote sales. The bill expands sales and use tax collection duties to a marketplace provider, defined as a person who owns or operates a marketplace and directly or indirectly processes sales or payments for marketplace sellers. In turn, defines a marketplace seller as a seller, other than the marketplace provider, who makes a sale of a taxable item through a marketplace; and a marketplace as a physical or electronic medium through which persons other than the owner or operator of the medium make sales of taxable items. Defines marketplace to include a store, Internet website, software application, or catalog.

Requires a marketplace provider to:

- (1) certify to each marketplace seller that the marketplace provider assumes the rights and duties of a seller or retailer with respect to sales made through the marketplace;
- (2) report to the Comptroller all sales made through the marketplace;
- (3) collect and remit the tax on sales of taxable items made through the marketplace.

A marketplace seller:

- (1) who in good faith accepts a marketplace provider's certification must exclude sales made through the marketplace from the marketplace seller's report;
- (2) must retain records for all marketplace sales;
- (3) must furnish to the marketplace provider information that is required to correctly collect and remit tax. The information may include a certification of taxability that an item being sold is a taxable item, is not a taxable item, or is exempt from taxation.

Provides that a marketplace provider is not liable for failure to collect and remit the correct tax if the provider demonstrates that the failure resulted from good faith reliance on incorrect information provided by the marketplace seller. The seller is liable for a tax deficiency under that circumstance. Establishes joint and several liability for a marketplace provider and seller that are affiliates or associates. Blocks a court from certifying an action brought against a marketplace provider as a class action. Authorizes the Comptroller to “except certain small marketplace providers from some or all of the requirements” of the law.

For affixing any local sales tax, sources a sale made by a marketplace seller through a marketplace to the location in the state to which the item is shipped or delivered, or at which possession is taken by the purchaser.

HB 2358 by Guillen / Paxton – Relating to administration and collection of sales and use taxes applicable to certain sales.

Summary: Amends Chapter 111, Tax Code, “Collection Procedures”, to stipulate that a retailer who states that the retailer will pay the sales tax on a taxable item:

- (1) is presumed to have received or collected the amount of the tax due;
- (2) must hold the tax in trust for the benefit of the state; and
- (3) is liable for the tax plus any accrued penalties and interest on the amount.

Renames the Section 151.705 criminal act of “Prohibited Advertising” to be “Sales Tax Absorption.” Redefines the offense to mean stating to a customer or to the public that the sales tax is not part of the sales price payable by the customer. Allows a retailer to state to a customer or to the public that the retailer will pay the tax for the customer if:

- (1) the retailer indicates in the statement that the retailer is paying the tax for the customer;
- (2) the retailer does not indicate or imply that the sale is exempt or excluded from taxation; and
- (3) any receipt given to the customer listing the sales paid by the customer separately states the amount of the tax and indicates that the tax will be paid by the retailer.

HB 2358 takes effect October 10, 2019.

TRANSIT AUTHORITY LEGISLATION

HB 71 by Martinez / Lucio Jr – Relating to the creation of regional transit authorities; granting power of eminent domain; providing authority to issue bonds and charge fees.

Summary: HB 71 provides for the creation of a regional transit authority, by election, in a county contiguous to both the Gulf of Mexico and the Mexican border and adjacent counties (Cameron, Willacy, and Hidalgo counties). The bill sets forth the governing structure, general powers, and other regulations of a regional transit authority.

HB 71 would allow the board of directors of the regional planning commission in the applicable counties to initiate the process to create a regional transit authority. The board would have to conduct public hearings on the creation of an authority, and, after the hearing process, the board could designate the name of the authority and authorize an interim executive committee.

Further, HB 71 requires the interim committee to develop a service plan and, upon approval from the Commissioners Court of each county, submit a proposition on the creation of the authority to the voters. The authority would only be created if confirmed by a majority of votes from each county. If the proposition should fail in any county, the option would expire three years after the day the process was initiated.

An executive committee, made up of the board of directors of the regional planning commission, would be responsible for the management, operation, and control of an authority and members would be subject to statutory regulation concerning conflicts of interest. The committee would be charged with adopting rules for the safe and efficient operation and maintenance of the public transportation system, use of the system, fare payment, and regulation of privileges on property controlled by the authority and would be required to hold at least one regular meeting each month, with a majority vote to take any take action.

The executive committee could appoint a chief executive officer, who could be designated as the general manager or executive director, to administer the daily operation of an authority and manage employees. The committee also could establish a security force. HB 71 provides the general powers of a regional transit authority and would be a public political entity and corporate body that could

contract with any person and accept grants and loans. Accordingly, the authority would have to use all competitive bidding processes to award contracts for construction, services, or property.

HB 71 allows the authority to coordinate the provision of services with a municipality, leverage funds to finance a project with a municipality that provided public transportation services in the authority's territory and allow an authority to issue bonds, as well as notes, at any time for any amount necessary to develop its public transportation system or fund insurance, retirement, or pensions funds. However, the bill prohibits the state or any other political subdivision of the state to be obligated to pay the principal of or interest on the bond, and the faith, credit, and taxing power of the state could not be pledged to bond payment.

HB 71 provides that an authority could use a public way and directly or indirectly alter the route or construction of a person's property for a purpose related to the operation of a public transportation system. Also, the authority could contract with the property owner to allow the owner to alter the property by the owner's own means and provide for reimbursement of related costs. However, the authority could not begin activity to alter or damage property of others without the property owner's written permission. Should the authority alter a route or construction of a road, cable line, pipeline, or related property, the authority would be required to pay all expenses of the alteration and any damages incurred to a property owner.

The bill gives the authority the right of eminent domain for the acquisition of property necessary for the construction or development of a public transportation system, but specifically prohibits an authority from relocating the property of a telecommunications provider without that provider's permission. If an authority otherwise relocated a provider's property, the authority would have to reimburse those costs. Likewise, the authority could agree with a public or private utility, communication system, common carrier, or transportation system for the joint use of property or establishment of through routes, joint fares, or passenger transfer.

HB 71 requires the authority to impose reasonable and nondiscriminatory fares, tolls, charges, rents, and other compensation for the use of the public transportation system, so long as they do not exceed the amounts necessary to meet the authority's obligations and are sufficient enough to pay:

- necessary operation and maintenance costs;

- the principal cost of and interest on issued bonds; and
- an amount to fulfill the terms of bondholder agreements.

The bill provides that the executive committee could prohibit the use of the public transportation system by a person who did not pay an appropriate fare and establish an administrative fee for nonpayment. The authority would have to post signs designating each area in which a person was prohibited from using the system without payment.

Also, HB 71 states that a person who used the system without paying the appropriate fare would commit a misdemeanor offense punishable by a fine of up to \$100. If a person provided proof of payment of a fare or administrative fee within 30 days of notification from the authority and paid the administrative fee, if any, the person would be exempt from the offense. Further, the bill would allow a justice court to enter into an agreement with the authority to try all criminal cases for nonpayment of fares.

HB 71 allow the authority to hire fare enforcement officers, who could request and inspect evidence of fare payment, including personal identification, and issue citations. Any fare enforcement officer would have to complete at least eight hours of relevant training approved by the authority before commencing duties. The bill prohibits a fare enforcement officer from carrying a weapon while performing duties and would not have authority to enforce other criminal law, unless that person was a certified peace officer.

Interesting, HB 71 also provides that an entity that operated an international bridge could impose a fee of \$1 for passenger vehicles, \$2 for commercial motor vehicles, and 25 cents for pedestrians to assist with funding the authority, provided the entity enters into a written agreement before imposing a fee providing for fee collection and remittance. Of the fees collected, 25% would be retained by the entity for transportation projects or complementary services, 25% would be used for regional high capacity transit, and 50% would be used for a rail mass transit system. The entity could retain the percentage for regional high capacity transit if the entity was a mass transit provider in the municipality where the bridge was located on or before January 1, 2019. The bill took effect May 24, 2019.

MEDICAL TRANSPORTATION

HB 1576 by Phelan / Buckingham – Relating to the delivery of certain transportation services under Medicaid and certain other health and human services programs.

Summary: HB 1576 authorizes the Health and Human Services Commission (HHSC), Medicaid managed care organizations, other managed care organizations, and certain transportation organizations to contract or subcontract with transportation network companies (TNCs) and transportation vendors for the delivery of nonemergency medical transportation services and nonmedical transportation services under the Medicaid program. The bill essentially carves the medical transportation program and all non-emergency transportation services into Medicaid managed care. The bill establishes “nonmedical transportation services,” defined as “curb-to-curb” transportation to or from a medically necessary, non-emergency covered health care service in a standard passenger vehicle that is scheduled not more than 48 hours before the transportation occurs, as a new transportation benefit in Texas Medicaid that is provided to a recipient enrolled in managed care and that the managed care organization (MCO) determines meets the level of care that is medically appropriate for the recipient. This includes transportation related to:

- Discharge of a recipient from a health care facility.
- Receipt of urgent care.
- Obtaining pharmacy services and prescription drugs.
- Other transportation to or from a medically necessary, non-emergency covered health care service the Health and Human Services Commission (HHSC) considers appropriate to be provided by a transportation vendor.

The new benefit will be provided through managed care by a “transportation network company” (TNC), and the bill prohibits HHSC from requiring TNC drivers to individually enroll as a Medicaid provider and MCOs from credentialing the drivers. The bill allows MCOs to contract directly with a TNC for the provision of non-medical transportation services or to contract with a medical transportation organization or broker to manage all or part of the transportation benefits, including subcontracting with a TNC.

Implementation will require contract changes, rule development, and negotiations with Centers for Medicare and Medicaid Services. HB 1576 directs HHSC to pilot the new rideshare transportation benefit in three to four service delivery areas starting

Jan. 1, 2020. All Medicaid products will go live with the new transportation benefit and the carve-in of all non-emergency transportation services statewide by Sept. 1, 2020, depending on MCO readiness and federal approval. The bill took effect June 14, 2019.

HB 25 by M. Gonzalez / Zaffirini – Relating to the provision of services to certain children under the Medicaid Medical Transportation Program.

Summary: HB 25 requires the Health and Human Services Commission (HHSC) to collaborate with the Maternal Mortality and Morbidity Task Force to develop a pilot program for providing medical transportation services to certain women and their children. The program would apply to women enrolled in the STAR Medicaid managed care program during pregnancy and after delivery and would have to be implemented in at least one health care service region by September 1, 2020. A managed transportation organization that participated in the pilot program would be required to:

- provide medical transportation services in a manner that would not result in additional costs to Medicaid or HHSC;
- provide demand response transportation services, including through a transportation network company if the request was made within two working days of the appointment or if a shared trip was not possible; and
- ensure effective information sharing and service coordination with the managed care organizations providing health care services to the women who participated in the program.

HB 25 requires HHSC to ensure that managed transportation organizations participating in the pilot program were operating in a safe and efficient manner and to evaluate the results to determine whether the program:

- was cost effective;
- improved the efficiency and quality of services provided under the medical transportation program; and
- was effective in increasing access to prenatal and postpartum health care services, reducing pregnancy-related complications, and decreasing the rate of missed appointments for covered health care services by women enrolled in the STAR Medicaid managed care program.

HHSC is required to report to the Legislature on the implementation of the pilot program by December 1, 2020. In addition, HHSC would be required to submit another report to the Legislature on the results of the pilot program by December 1, 2022, including a recommendation on whether the program should be continued, expanded, or terminated. Takes effect September 1, 2019.

TEXAS WINDSTORM INSURANCE ASSOCIATION (TWIA)

SB 615 by Buckingham / Paddie— Relating to the operations and functions of the Texas Windstorm Insurance Association and the sunset review date for and programs administered by the association; authorizing a fee.

Summary: SB 615 is the Sunset Commission TWIA Bill, which makes various changes, including:

- 1) sets next sunset date for 2031;
- 2) Amends Ins. Code 2210.008 to allow TWIA to propose rules for adoption by insurance commissioner;
- 3) Commissioner has 30th day after receipt to initiate rulemaking;
- 4) changes board member qualifications for members from 1st tier, and areas 100 miles from coast, must rep general public (not applicable to P&C agent position for 1st tier rep);
- 5) has other restrictions on general public appointee (not in P&C industry, etc.);
- 6) adds a training program for board members;
- 7) requires disclosure of conflicts by board members, subcommittee for Under Writing and Actuarial, stating that a conflict is an interest that may "reasonably be expected to diminish the member's independent judgment with respect to the matter for discussion or vote...";
- 8) creates requirement for auto renewal process;
- 9) TWIA required to accept credit card payments for premiums;
- 10) adds provision allowing for supplemental payments, including notice and description of process;
- 11) adds 2210.5732 to allow supplemental payments;
- 12) changes certification process (engineer) from TWIA to TDI;
- 13) adds 2210.3511 requiring TWIA to make rate adequacy analysis public on website at least 14 days prior to board vote on proposed rate filing and requires the Board has to accept public comment in a public meeting.

Includes various effective dates. Board changes do not affect members currently serving. 6/1/20 for certificate of compliance changes, otherwise act takes effect 9-1-19.

HB 1900 by G. Bonnen / L. Taylor– Relating to replacement cost coverage in policies issued by the Texas Windstorm Insurance Association.

Summary: Part of a sunset recommendation that requires replacement value to be determined on the effective date of the policy instead of on the date of loss. Amended in the Senate to include much of the language from HB 4534, which among other things, requires TWIA to pay losses in a calendar year from premium and revenue collected in that year; requires TWIA to make its rate adequacy analysis publicly available; and establishes a Funding and Oversight Board. Took effect 6-10-19.

HB 1902 by G. Bonnen / L. Taylor – Relating to maximum liability limits for windstorm and hail insurance coverage provided through the Texas Windstorm Insurance Association.

Summary: Allows the TWIA Board to recommend increased limits of liability. Any proposed increase o limits are approved unless the Insurance Commissioner disapproves or modifies the liability limits by order issued not later than the 30th day after receipt of a filing. Takes effect, 9-1-19

HB 6 by Morrison / Kolkhorst – Relating to the developing a disaster recovery task force to assist with long-term disaster recovery.

Summary: HB 6 requires the Texas Division of Emergency Management (TDEM) to develop a disaster recovery task force to operate throughout the long-term recovery period following natural and man-made disasters. One of the chief purposes of the task force is provide specialized assistance for communities and individuals to address financial issues, available federal assistance programs, and recovery and resiliency planning to speed recovery efforts at the local level. The task force would assist in preparing and issuing a report listing each disaster-related project that qualified for federal assistance, including the leveraging of the resources of any appropriate state agency. Take effect September 1, 2019.

MARICULTURE LEGISLATION

HB 1300 by Hunter / Kolkorst – Relating to cultivated oyster mariculture.

Summary: HB 1300 amends the Parks and Wildlife Code to authorize the Parks and Wildlife Commission (TPWD) to establish criteria, rules and fees for implementation of a cultivated oyster mariculture program in Texas coastal waters. The bill defines a cultivated oyster as an oyster grown at any point in the life cycle of the oyster in or on an artificial structure suspended in water or resting on the bottom of a body of water. The rules to be adopted by TPWD could establish requirements for:

- the location and size of a cultivated oyster mariculture operation;
- the taking, possession, transport, movement, and sale of cultivated and broodstock oysters;
- marking structures for the cultivation of oysters in a mariculture operation; and
- fees and conditions for use of public resources, including broodstock oysters and public water.

The Texas Parks and Wildlife Department (TPWD) would have to coordinate with the departments of Agriculture and State Health Services, the General Land Office, and the Texas Commission on Environmental Quality in the adoption of rules. HB 1300 takes effect September 1, 2019, but TPWD would have to adopt rules to implement the bill by August 31, 2020.

LEGISLATION AFFECTING POLITICAL SUBDIVISIONS

HB 7 by Morrison / Huffman – Relating to disaster preparation for state agencies and political subdivisions.

Summary: HB 7 requires the Texas Division of Emergency Management (TDEM) to develop a plan to assist political subdivisions with executing contracts for services these subdivisions were likely to need following a disaster, including:

- training on the benefits to political subdivisions from executing disaster preparation contracts in advance of a disaster;
- recommendations on services political subdivisions could need after a disaster, including debris management and infrastructure repair; and

- assistance to political subdivisions with finding persons capable of providing these services and assistance with executing contracts with those persons prior to a disaster.

TDEM is required to consult with the comptroller on including a disaster services contract on the schedule of multiple award contracts developed by the comptroller or as part of another cooperative purchasing program administered by the comptroller. HB 7 also requires the governor's office to compile and maintain a comprehensive list of regulatory statutes and rules that could require suspension during a disaster. Take effect September 1, 2019.

HB 305 by Paul / Nelson – relating to the requirement that certain political subdivisions with authority to impose a tax post certain information on an Internet website.

Summary: Government Code, Chapter 551 requires governmental bodies to give written notices of upcoming meetings and to keep minutes or make a recording of each open meeting. HB 305 would require certain political subdivisions to post online information regarding elections and meetings. However, the bill applies only to a political subdivision that have the authority to impose a tax and that maintained a publicly accessible website on or after January 1, 2019. Further, HB 305 exempts counties with a population of less than 10,000, municipalities of less than 5,000 located in a county with a population of less than 25,000 and a school district with a population of less than 5,000 in the district's boundaries and located in a county with a population of less than 25,000. While the bill does not impact the CCRTA, HB 305 is an example where legislative treatment of political subdivisions in general can have consequences on special districts. Takes effect September 1, 2019.

IV. STATUS REPORT ON TRACKED LEGISLATION

Beyond the legislation detailed above, we actively tracked and monitored 323 bills that were of direct or indirect interest to the CCRTA faced that were actively monitored. What follows in this section is a comprehensive list of those bills and their status for each piece of legislation that were on the CCRTA bill track.





CORPUS CHRISTI REGIONAL TRANSIT AUTHORITY 86TH REGULAR SESSION








LEGISLATION OF INTEREST








| CCRTA | | |
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|  HB 1 | Zerwas, John(R) Nelson, Jane(R) | General Appropriations Bill. Bill History: 09-01-19 G Earliest effective date |
|  HB 3 | Huberty, Dan(R) Taylor, Larry(R) | Relating to public school finance and public education. Bill History: 06-12-19 G Effective September 1, 2019 except Sections 11.184 and 47, Education Code effective January 1, 2020 and Sections 48.1021, 48.1041, Article 2, and Section 5.010 immediately |
|  HB 5 | Phelan, Dade(R) Kolkhorst, Lois(R) | Relating to debris management and other disaster recovery efforts. Bill History: 09-01-19 G Earliest effective date |
|  HB 6 | Morrison, Geanie(R) Kolkhorst, Lois(R) | Relating to developing a disaster recovery task force to assist with long-term disaster recovery. Bill History: 09-01-19 G Earliest effective date |
|  HB 7 | Morrison, Geanie(R) Huffman, Joan(R) | Relating to disaster preparation for state agencies and political subdivisions. Bill History: 09-01-19 G Earliest effective date |
|  HB 20 | Capriglione, Giovanni(R) | Relating to the allocation of certain constitutional transfers of money to the economic stabilization fund, the Texas legacy fund, and the state highway fund. Bill History: 04-24-19 S Received in the Senate |
|  HB 25 | Gonzalez, Mary(D) Zaffirini, Judith(D) | Relating to the provision of services to certain children under the Medicaid medical transportation program. Bill History: 09-01-19 G Earliest effective date |
|  HB 28 | Romero, Ramon(D) | Relating to the prevailing wage for work associated with public work contracts. Companions: HB 3357 Romero, Ramon (Refiled from 85R Session) |

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| | | SB 1917 Alvarado, Carol (F) (Identical) 3-19-19 S Introduced and referred to committee on Senate Business and Commerce |
| | | Bill History: 04-04-19 H Reported favorably from committee on House State Affairs |
| HB 44 | Romero, Ramon(D) | Relating to a study by the Texas Department of Transportation on the use of municipal impact fees for roadway facilities. |
| | Companions: | HB 911 Romero, Ramon (Refiled from 85R Session) |
| | Bill History: | 02-27-19 H Committee action pending House Transportation |
| HB 61 | White, James(R) Nichols, Robert(R) | Relating to the use of certain lighting equipment on escort flag vehicles. |
| | Companions: | SB 169 Nichols, Robert (Identical) 2- 1-19 S Introduced and referred to committee on Senate Transportation |
| | Bill History: | 09-01-19 G Earliest effective date |
| HB 71 | Martinez, Armando(D) Lucio, Eddie(D) | Relating to the creation of regional transit authorities. |
| | Companions: | SB 1721 Lucio, Eddie (Identical) 4-10-19 S Committee action pending Senate Transportation |
| | Bill History: | 05-24-19 G Earliest effective date |
| HB 74 | Hinojosa, Gina(D) | Relating to requiring a public employer to give notice to new employees of the ability of certain employees to participate in the Public Service Loan Forgiveness Program. |
| | Companions: | SB 446 West, Royce (Identical) 5- 6-19 H Vote failed in committee on House State Affairs |
| | Bill History: | 04-04-19 H Reported favorably from committee on House State Affairs |
| HB 113 | Minjarez, Ina(D) | Relating to the registration, operation, and inspection of automated motor vehicles. |
| | Bill History: | 04-23-19 S Received in the Senate |
| HB 130 | Minjarez, Ina(D) | Relating to authorizing an increase in an optional county fee on vehicle registration in certain counties. |
| | Companions: | SB 2434 Menendez, Jose (Identical) 3-21-19 S Introduced and referred to |

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| | | committee on Senate Transportation |
| | | Bill History: 04-24-19 H Reported favorably from committee on House Transportation |
| HB 149 | Canales, Terry(D) | Relating to the eligibility of school bus drivers for unemployment compensation benefits. |
| | Companions: | HB 230 Canales, Terry (Refiled from 85R Session) |
| | Bill History: | 02-13-19 H Introduced and referred to committee on House Business and Industry |
| HB 203 | Reynolds, Ron(D) | Relating to the authority of a county assistance district to impose a sales and use tax. |
| | Companions: | SB 288 Miles, Borris (Identical) 5-18-19 H Reported favorably from committee on House Ways and Means |
| | Bill History: | 02-19-19 H Introduced and referred to committee on House Ways and Means |
| HB 213 | Gervin-Hawkins, Barbara(D) | Relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system. |
| | Bill History: | 02-19-19 H Introduced and referred to committee on House Criminal Jurisprudence |
| HB 215 | Reynolds, Ron(D) | Relating to the appointment by the attorney general of a special prosecutor to prosecute certain offenses that are committed by certain peace officers and that result in serious bodily injury or death. |
| | Companions: | HB 854 Reynolds, Ron (Refiled from 85R Session) |
| | Bill History: | 02-19-19 H Introduced and referred to committee on House Criminal Jurisprudence |
| HB 235 | Gervin-Hawkins, Barbara(D) | Relating to increasing the criminal penalty for certain offenses committed in a vehicle operated by a public transportation system. |
| | Bill History: | 02-19-19 H Introduced and referred to committee on House Criminal Jurisprudence |
| HB 269 | Israel, Celia(D) | Relating to the operation of a public transit motor bus by certain mass transit entities on an improved shoulder. |
| | Bill History: | 02-19-19 H Introduced and referred to committee on House Transportation |
| HB 281 | Middleton, Mayes (F)(R) | Relating to the use by a political subdivision of public money for lobbying activities. |





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| | | Bill History: 04-05-19 H Reported from committee as substituted House State Affairs |
|  HB 291 | Springer, Drew(R) | Relating to the authority of a political subdivision to issue a building construction permit or final certificate of occupancy for a building or facility required to meet certain accessibility standards. Bill History: 04-16-19 H Committee action pending House Business and Industry |
|  HB 305 | Paul, Dennis(R) Nelson, Jane(R) | Relating to the requirement that a state agency or political subdivision with authority to impose a tax post certain information on an Internet website. Bill History: 09-01-19 G Earliest effective date |
|  HB 318 | Howard, Donna(D) | Relating to the Internet broadcast of certain open meetings. Companions: SB 838 Paxton, Angela (F) (Identical) 3- 1-19 S Introduced and referred to committee on Senate Business and Commerce Bill History: 04-30-19 H Reported from committee as substituted House State Affairs |
|  HB 357 | Stickland, Jonathan(R) | Relating to the carrying of a firearm by a person who is not otherwise prohibited from possessing the firearm and to criminal offenses otherwise related to the carrying of a firearm. Bill History: 02-19-19 H Introduced and referred to committee on House Homeland Security and Public Safety |
|  HB 385 | Bohac, Dwayne(R) | Relating to a sales tax exemption for certain items sold during a limited period. Companions: SB 302 Miles, Borris (Identical) 2- 7-19 S Introduced and referred to committee on Senate Finance Bill History: 04-24-19 H Committee action pending House Ways and Means |
|  HB 390 | Blanco, Cesar(D) | Relating to defense economic readjustment zones. Bill History: 04-24-19 S Received in the Senate |
|  HB 433 | Shaheen, Matt(R) | Relating to the disclosure of public money spent by certain political subdivisions for lobbying activities in a comprehensive annual financial report. Bill History: 04-04-19 H Reported from committee as substituted House State Affairs |
|  HB 440 | Murphy, Jim(R) Lucio, Eddie(D) | Relating to general obligation bonds issued by political subdivisions. |








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| | | Bill History: 09-01-19 G Earliest effective date |
|  HB 450 | Turner, Chris(D) | Relating to public access to personal financial statements filed by public officials and candidates. |
| | Companions: | HB 1942 Turner, Chris (Refiled from 85R Session) |
| | Bill History: | 03-06-19 H Committee action pending House State Affairs |
|  HB 470 | Paul, Dennis(R) | Relating to the calculation of the ad valorem rollback tax rate of a taxing unit and voter approval of a proposed tax rate that exceeds the rollback tax rate. |
| | Bill History: | 02-20-19 H Introduced and referred to committee on House Ways and Means |
|  HB 477 | Murphy, Jim(R) Bettencourt, Paul(R) | Relating to the notice required before the issuance of certain debt obligations by political subdivisions. |
| | Bill History: | 09-01-19 G Earliest effective date |
|  HB 490 | Shine, Hugh(R) | Relating to the administration of the ad valorem tax system. |
| | Bill History: | 02-20-19 H Introduced and referred to committee on House Ways and Means |
|  HB 492 | Shine, Hugh(R) Taylor, Larry(R) | Relating to a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster. |
| | Companions: | SB 1322 Taylor, Larry (Identical) 3-19-19 S Committee action pending Senate Property Tax |
| | Bill History: | 01-01-20 G Earliest effective date |
|  HB 494 | Deshotel, Joe(D) | Relating to the operation of casino gaming in certain coastal areas of this state by licensed persons to provide additional money for residual windstorm insurance. |
| | Bill History: | 04-30-19 H Committee action pending Licensing and Administrative Procedures |
|  HB 568 | Minjarez, Ina(D) | Relating to the regulation of automated neighborhood electric vehicles. |
| | Bill History: | 02-20-19 H Introduced and referred to committee on House Transportation |
|  HB 622 | Neave, Victoria(D) | Relating to a temporary limitation on the total amount of ad valorem taxes that may be imposed by a taxing unit on a residence homestead rendered uninhabitable or unusable as a result of a natural disaster. |

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| | | Bill History: 02-21-19 H Introduced and referred to committee on House Ways and Means |
|  HB 634 | Buckley, Brad (F)(R) | Relating to the applicability of the law governing the provision of state aid to certain local governments disproportionately affected by the granting of ad valorem tax relief to disabled veterans. |
| | Companions: SB 283 Buckingham, Dawn (Identical) | 2- 7-19 S Introduced and referred to committee on Senate Finance |
| | Bill History: 05-10-19 S Referred to Senate Committee on Senate Finance | |
|  HB 642 | Raney, John(R) | Relating to authorizing an optional county fee on vehicle registration in certain counties to be used for transportation projects. |
| | Bill History: 05-03-19 S Referred to Senate Committee on Senate Transportation | |
|  HB 643 | Raney, John(R) Menendez, Jose(D) | Relating to the location at which an application for a disabled parking placard may be made. |
| | Bill History: 09-01-19 G Earliest effective date | |
|  HB 648 | Krause, Matt(R) | Relating to the substitution of a local sales and use tax for property taxes imposed by certain local governments. |
| | Bill History: 03-06-19 H Not heard in committee House Ways and Means | |
|  HB 654 | Dutton, Harold(D) | Relating to the definition of "affected person" for purposes of a contested case hearing held by or for the Texas Commission on Environmental Quality regarding certain environmental permit applications. |
| | Companions: SB 573 Miles, Borris (Identical) | 2-21-19 S Introduced and referred to committee on Senate Water and Rural Affairs |
| | Bill History: 02-21-19 H Introduced and referred to committee on House Environmental Regulation | |
|  HB 705 | Geren, Charlie(R) | Relating to the substitution of a county sales and use tax for all or a portion of property taxes imposed by the county. |
| | Bill History: 03-12-19 H Reported from committee as substituted House Ways and Means | |
|  HB 709 | Wray, John(R) | Relating to the use of private activity bonds to finance high-speed rail service. |
| | Companions: HB 2164 Wray, John (Refiled from 85R Session) | |





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| | | Bill History: 04-16-19 H Committee action pending House Transportation | | | | | | |
|  HB 713 | Lucio III, Eddie(D) | Relating to the employment of certain persons with disabilities. | | | | | | |
| | Companions: | <table border="0"> <tr> <td>HB 3929</td> <td>Lucio III, Eddie</td> <td>(Refiled from 85R Session)</td> </tr> <tr> <td>SB 1111</td> <td>Rodriguez, Jose</td> <td>(Refiled from 85R Session)</td> </tr> </table> | HB 3929 | Lucio III, Eddie | (Refiled from 85R Session) | SB 1111 | Rodriguez, Jose | (Refiled from 85R Session) |
| HB 3929 | Lucio III, Eddie | (Refiled from 85R Session) | | | | | | |
| SB 1111 | Rodriguez, Jose | (Refiled from 85R Session) | | | | | | |
| | Bill History: | 02-21-19 H Introduced and referred to committee on House International Relations/Economic Dev | | | | | | |
|  HB 768 | Davis, Sarah(R) | Relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster. | | | | | | |
| | Companions: | SB 202 Huffman, Joan (Identical) 2- 1-19 S Introduced and referred to committee on Senate Property Tax | | | | | | |
| | Bill History: | 03-20-19 H Committee action pending House Ways and Means | | | | | | |
|  HB 779 | Davis, Sarah(R) | Relating to the ethics of public servants, including the authority and duties of the Texas Ethics Commission, the regulation of certain contributions and expenditures. | | | | | | |
| | Bill History: | 02-21-19 H Introduced and referred to committee on House State Affairs | | | | | | |
|  HB 783 | Davis, Sarah(R) | Relating to the contents of and recordkeeping requirements relating to personal financial statements filed with the Texas Ethics Commission. | | | | | | |
| | Bill History: | 02-21-19 H Introduced and referred to committee on House State Affairs | | | | | | |
|  HB 791 | Huberty, Dan(R) Flores, Pete(R) | Relating to the definition of volunteer fire department for purposes of certain motor fuel tax exemptions. | | | | | | |
| | Companions: | HB 3665 Huberty, Dan (Refiled from 85R Session) | | | | | | |
| | Bill History: | 05-24-19 G Earliest effective date | | | | | | |
|  HB 799 | Landgraf, Brooks(R) Nichols, Robert(R) | Relating to liability for certain damage caused by vehicles exceeding maximum height limitations. | | | | | | |
| | Bill History: | 09-01-19 G Earliest effective date | | | | | | |
|  HB 813 | Huberty, Dan(R) | Relating to money used by counties that participate in the low-income vehicle repair assistance, retrofit, and accelerated vehicle retirement program. | | | | | | |
| | Bill History: | 02-25-19 H Introduced and referred to committee on House Environmental Regulation | | | | | | |

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|  HB 845 | Lozano, Jose(R) | Relating to the eligibility of property used for a water desalination project for ad valorem tax benefits under the Texas Economic Development Act. |
| | Companions: | HB 2219 Lozano, Jose (Refiled from 85R Session) |
| | Bill History: | 03-20-19 H Committee action pending House Ways and Means |
|  HB 889 | Murphy, Jim(R) | Relating to the repeal of the light-duty motor vehicle purchase or lease incentive program. |
| | Bill History: | 02-25-19 H Introduced and referred to committee on House Environmental Regulation |
|  HB 894 | Israel, Celia(D) | Relating to the repeal of the allowance authorized for the administration and enforcement of motor fuel taxes. |
| | Bill History: | 02-25-19 H Introduced and referred to committee on House Ways and Means |
|  HB 899 | Israel, Celia(D) | Relating to bonds issued by certain metropolitan rapid transit authorities. |
| | Companions: | SB 365 Watson, Kirk (Identical) 3-19-19 S Placed on the Senate Calendar for |
| | Bill History: | 04-26-19 H Reported from committee as substituted House Transportation |
|  HB 916 | Guillen, Ryan(D) Flores, Pete(R) | Relating to the exemption of rural transit districts from motor fuel taxes. |
| | Bill History: | 05-07-19 S Committee action pending Senate Finance |
|  HB 942 | Anchia, Rafael(D) | Relating to the creation and duties of the Global Climate Change Commission. |
| | Bill History: | 02-25-19 H Introduced and referred to committee on House Environmental Regulation |
|  HB 964 | Cole, Sheryl (F)(D) | Relating to certain claims against the administrator of employment benefits for the employees of a political subdivision. |
| | Companions: | SB 448 Watson, Kirk (Identical) 2-14-19 S Introduced and referred to committee on Senate State Affairs |
| | Bill History: | 02-25-19 H Introduced and referred to committee on House State Affairs |
|  HB 991 | Burns, DeWayne(R) | Relating to the acquisition of real property by an entity with eminent domain authority. |
| | Companions: | SB 421 Kolkhorst, Lois (Identical) |

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| | | 5-24-19 H House appointed conference committee Craddick-chair, King of Parker, Minjarez, Munoz and Stickland | | | | | | | | | | | | |
| | | Bill History: 04-25-19 H Committee action pending House Land and Resource Management | | | | | | | | | | | | |
|  HB 1035 | Zedler, Bill(R) | Relating to protecting freedom of conscience from government discrimination. | | | | | | | | | | | | |
| | | Bill History: 04-17-19 H Committee action pending House State Affairs | | | | | | | | | | | | |
|  HB 1043 | Blanco, Cesar(D) | Relating to sources of funding for the Texas emissions reduction plan. | | | | | | | | | | | | |
| | Companions: | <table border="0"> <tr> <td>HB 1345</td> <td>Thompson, Ed</td> <td>(Identical)</td> </tr> <tr> <td></td> <td colspan="2">2-27-19 H Introduced and referred to committee on House Environmental Regulation</td> </tr> <tr> <td>SB 531</td> <td>Birdwell, Brian</td> <td>(Identical)</td> </tr> <tr> <td></td> <td colspan="2">5-27-19 S Set on the Senate Items Eligible Calendar</td> </tr> </table> | HB 1345 | Thompson, Ed | (Identical) | | 2-27-19 H Introduced and referred to committee on House Environmental Regulation | | SB 531 | Birdwell, Brian | (Identical) | | 5-27-19 S Set on the Senate Items Eligible Calendar | |
| HB 1345 | Thompson, Ed | (Identical) | | | | | | | | | | | | |
| | 2-27-19 H Introduced and referred to committee on House Environmental Regulation | | | | | | | | | | | | | |
| SB 531 | Birdwell, Brian | (Identical) | | | | | | | | | | | | |
| | 5-27-19 S Set on the Senate Items Eligible Calendar | | | | | | | | | | | | | |
| | | Bill History: 02-26-19 H Introduced and referred to committee on House Environmental Regulation | | | | | | | | | | | | |
|  HB 1046 | Martinez, Armando(D) | Relating to the allocation to the state highway fund of certain motor vehicle sales, use, and rental tax revenue and to the use of that revenue. | | | | | | | | | | | | |
| | | Bill History: 02-27-19 H Introduced and referred to committee on House Appropriations | | | | | | | | | | | | |
|  HB 1053 | Guillen, Ryan(D) Lucio, Eddie(D) | Relating to the disposition of real property interests by navigation districts and port authorities. | | | | | | | | | | | | |
| | Companions: | HB 2499 Faircloth, Wayne (Refiled from 85R Session) | | | | | | | | | | | | |
| | | Bill History: 06-15-19 G Vetoed by the Governor | | | | | | | | | | | | |
|  HB 1055 | Wray, John(R) | Relating to the elevation of high-speed rail tracks in certain counties. | | | | | | | | | | | | |
| | | Bill History: 04-16-19 H Committee action pending House Transportation | | | | | | | | | | | | |
|  HB 1061 | Minjarez, Ina(D) | Relating to mandatory arbitration as a condition of employment. | | | | | | | | | | | | |
| | | Bill History: 04-02-19 H Committee action pending House Business and Industry | | | | | | | | | | | | |
|  HB 1098 | Guillen, Ryan(D) | Relating to the importation of Pacific oysters for sale for consumption. | | | | | | | | | | | | |

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| | | Bill History: 03-26-19 H Committee action pending House Culture, Recreation and Tourism |
|  HB 1114 | Davis, Sarah(R) | Relating to the provision of services to certain children under the Medicaid medical transportation program. Bill History: 02-26-19 H Introduced and referred to committee on House Human Services |
|  HB 1152 | Bernal, Diego(D) Campbell, Donna(R) | Relating to the deceptive trade practice of charging exorbitant or excessive prices for necessities during a declared disaster. Bill History: 09-01-19 G Earliest effective date |
|  HB 1157 | Bell, Cecil(R) | Relating to the acquisition of property by an entity with eminent domain authority. Bill History: 04-25-19 H Committee action pending House Land and Resource Management |
|  HB 1192 | Thompson, Ed(R) | Relating to the amount deducted from certain distributions of local tax revenue as the state's share. Bill History: 02-26-19 H Introduced and referred to committee on House Ways and Means |
|  HB 1212 | Israel, Celia(D) | Relating to the modification or reprogramming of the exhaust emission system of a diesel-powered motor vehicle to emit soot, smoke, or other particulate matter. Bill History: 03-25-19 H Recommended for Local and Consent Calendar |
|  HB 1229 | Shaheen, Matt(R) | Relating to the posting of required notice by a political subdivision on Internet websites. Companions: HB 1541 Shaheen, Matt (Refiled from 85R Session) Bill History: 02-26-19 H Introduced and referred to committee on House County Affairs |
|  HB 1234 | Bell, Cecil(R) | Relating to the filing of a bond by a private high-speed rail operator with the Texas Department of Transportation. Companions: HB 2104 Bell, Cecil (Refiled from 85R Session) SB 978 Schwertner, Charles (Refiled from 85R Session) Bill History: 04-16-19 H Committee action pending House Transportation |
|  HB 1235 | Bell, Cecil(R) | Relating to the issuance by a state agency of a |



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| | | permit required for the construction of a high-speed rail project by a private entity. |
| | | Bill History: 04-15-19 H Removed from hearing 04/16/19 - House Transportation |
| HB 1294 | Davis, Sarah(R) | Relating to requiring certain persons to receive emergency management training. |
| | | Bill History: 04-22-19 H Reported from committee as substituted House County Affairs |
| HB 1299 | Davis, Sarah(R) | Relating to requiring the comptroller of public accounts to establish and maintain a political subdivision disaster expenditure database. |
| | | Bill History: 04-08-19 H Committee action pending House State Affairs |
| HB 1300 | Hunter, Todd(R) Kolkhorst, Lois(R) | Relating to cultivated oyster mariculture. |
| | | Companions: SB 682 Kolkhorst, Lois (Identical) 3- 1-19 S Introduced and referred to committee on Senate Agriculture |
| | | Bill History: 09-01-19 G Earliest effective date |
| HB 1321 | Thompson, Senfronia(D) | Relating to the Nueces River Authority, following recommendations of the Sunset Advisory Commission. |
| | | Companions: HB 3289 Thompson, Senfronia (Identical) 4- 9-19 H Committee action pending House Natural Resources SB 625 Birdwell, Brian (Identical) 9- 1-19 G Earliest effective date |
| | | Bill History: 02-27-19 H Introduced and referred to committee on House Natural Resources |
| HB 1344 | Thompson, Ed(R) | Relating to the Texas emissions reduction plan fund, including the establishment and use of the non-road diesel subaccount. |
| | | Bill History: 02-27-19 H Introduced and referred to committee on House Environmental Regulation |
| HB 1345 | Thompson, Ed(R) | Relating to sources of funding for the Texas emissions reduction plan. |
| | | Companions: HB 1043 Blanco, Cesar (Identical) 2-26-19 H Introduced and referred to committee on House Environmental Regulation SB 531 Birdwell, Brian (Identical) 5-27-19 S Set on the Senate Items Eligible Calendar |







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| | | Bill History: 02-27-19 H Introduced and referred to committee on House Environmental Regulation |
|  HB 1346 | Thompson, Ed(R) Powell, Beverly (F)(D) | Relating to the eligibility requirements for the diesel emissions reduction incentive program. Bill History: 09-01-19 G Earliest effective date |
|  HB 1356 | Button, Angie Chen(R) | Relating to the requirements for meetings of certain special districts. Companions: SB 239 Nelson, Jane (Identical) 9- 1-19 G Earliest effective date Bill History: 05-10-19 H Laid on the table - subject to call - see SB 239 |
|  HB 1367 | Harris, Cody (F)(R) | Relating to the disposition of real property intended for high-speed rail projects. Companions: SB 659 Birdwell, Brian (Identical) 3- 1-19 S Introduced and referred to committee on Senate Transportation Bill History: 05-06-19 H Reported favorably from committee on House Land and Resource Management |
|  HB 1368 | Harris, Cody (F)(R) | Relating to option contracts to acquire real property for high-speed rail projects. Bill History: 04-16-19 H Committee action pending House Transportation |
|  HB 1369 | Harris, Cody (F)(R) | Relating to the purchase of necessary real property for the construction of a high-speed rail project. Companions: SB 775 Creighton, Brandon (Identical) 3- 1-19 S Introduced and referred to committee on Senate Transportation Bill History: 04-16-19 H Committee action pending House Transportation |
|  HB 1370 | Harris, Cody (F)(R) | Relating to the creation of a joint interim committee on high-speed rail development. Companions: HB 3440 Cook, Byron (Refiled from 85R Session) Bill History: 03-25-19 H Committee action pending House Administration |
|  HB 1381 | Wray, John(R) | Relating to enhancing the criminal penalty for aggravated assault committed in or on school property or on a passenger transportation vehicle of a primary or secondary school. Bill History: 05-13-19 S Referred to Senate Committee on Senate Criminal Justice |

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| A HB 1493 | Krause, Matt(R) | Relating to weight limitations for over-the-road buses. |
| Companions: | | SB 809 Hinojosa, Chuy (Identical) 3- 1-19 S Introduced and referred to committee on Senate Transportation |
| Bill History: | | 05-13-19 S Referred to Senate Committee on Senate Transportation |
| A HB 1507 | Minjarez, Ina(D) | Relating to programs that can be established and funded under the Texas emissions reduction plan. |
| Companions: | | SB 765 Menendez, Jose (Identical) 3- 1-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
| Bill History: | | 04-09-19 H Committee action pending House Environmental Regulation |
| A HB 1525 | Burrows, Dustin(R) Nelson, Jane(R) | Relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers. |
| Companions: | | SB 890 Nelson, Jane (Identical) 3-18-19 S Committee action pending Senate Finance |
| Bill History: | | 10-01-19 G Earliest effective date |
| A HB 1530 | Paddie, Chris(R) | Relating to the continuation and functions of the Department of Public Safety of the State of Texas, the conditional transfer of the driver licensing program to the Texas Department of Motor Vehicles. |
| Companions: | | SB 616 Birdwell, Brian (Identical) 6-10-19 G Effective September 1, 2019 except Article 8 is effective on September 1, 2020, and section 8.026 if effective immediately |
| Bill History: | | 03-04-19 H Introduced and referred to committee on House Homeland Security and Public Safety |
| A HB 1541 | Paddie, Chris(R) | Relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department. |
| Companions: | | SB 604 Buckingham, Dawn (Identical) 9- 1-19 G Earliest effective date |
| Bill History: | | 04-17-19 H Committee action pending House Transportation |
| A HB 1542 | Martinez, Armando(D) | Relating to changes made by certain design-build |

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| | Hinojosa, Chuy(D) | contractors to the design-build team for transportation projects. |
| | | Bill History: 09-01-19 G Earliest effective date |
| HB 1548 | Springer, Drew(R) Kolkhorst, Lois(R) | Relating to the operation of golf carts, neighborhood electric vehicles, and off-highway vehicles. |
| | | Bill History: 06-14-19 G Earliest effective date |
| HB 1559 | Meza, Terry (F)(D) | Relating to employment leave for certain family or medical obligations. |
| | Companions: HB 656 Minjarez, Ina | (Refiled from 85R Session) |
| | | Bill History: 04-15-19 H Committee action pending House International Relations/Economic Dev |
| HB 1564 | Hinojosa, Gina(D) | Relating to the provision of certain support services to persons who are deaf-blind. |
| | Companions: SB 704 Watson, Kirk | (Identical) 3- 1-19 S Introduced and referred to committee on Senate Health and Human Services |
| | | Bill History: 04-16-19 H Committee action pending House Human Services |
| HB 1576 | Phelan, Dade(R) Buckingham, Dawn(R) | Relating to the delivery of certain transportation services under Medicaid and certain other health and human services programs. |
| | Companions: SB 1667 Buckingham, Dawn | (Identical) 3-14-19 S Introduced and referred to committee on Senate Health and Human Services |
| | | Bill History: 06-14-19 G Earliest effective date |
| HB 1627 | Morrison, Geanie(R) Kolkhorst, Lois(R) | Relating to the removal of certain counties from the Texas emissions reduction plan. |
| | | Bill History: 05-23-19 G Earliest effective date |
| HB 1643 | Martinez, Armando(D) | Relating to Texas Department of Transportation and regional mobility authority comprehensive development agreements for projects in Cameron and Hidalgo Counties. |
| | | Bill History: 03-04-19 H Introduced and referred to committee on House Transportation |
| HB 1644 | Martinez, Armando(D) | Relating to Texas Department of Transportation and regional mobility authority comprehensive development agreements. |
| | | Bill History: 04-26-19 H Reported from committee as substituted |

House Transportation







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|  HB 1646 | Martinez, Armando(D) | Relating to Texas Department of Transportation and regional mobility authority comprehensive development agreements. Bill History: 03-04-19 H Introduced and referred to committee on House Transportation |
|  HB 1666 | Martinez, Armando(D) | Relating to the authorization by referendum on an optional county fee on vehicle registration in certain counties. Bill History: 05-07-19 S Referred to Senate Committee on Senate Transportation |
|  HB 1700 | Hunter, Todd(R) | Relating to public information in the possession, custody, or control of a current or former officer or employee of a governmental body. Companions: HB 2670 Hunter, Todd (Refiled from 85R Session) Bill History: 04-12-19 H Reported favorably from committee on House State Affairs |
|  HB 1708 | Lozano, Jose(R) | Relating to the expedited processing of certain applications for permits under the Texas Clean Air Act. Companions: HB 1688 Blanco, Cesar (Identical) 3- 4-19 H Introduced and referred to committee on House Environmental Regulation SB 698 Birdwell, Brian (Identical) 9- 1-19 G Earliest effective date Bill History: 03-20-19 H Committee action pending House Environmental Regulation |
|  HB 1746 | Lozano, Jose(R) | Relating to sources of funding and administration of the Texas emissions reduction plan. Bill History: 04-23-19 H Reported from committee as substituted House Environmental Regulation |
|  HB 1750 | Leman, Ben(R) | Relating to the inspection period for a motor vehicle. Bill History: 04-10-19 H Committee action pending House Homeland Security and Public Safety |
|  HB 1752 | Clardy, Travis(R) | Relating to the construction manager-at-risk method of contracting for governmental construction projects. Companions: SB 808 Nichols, Robert (Identical) 5-18-19 H Reported favorably from |

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| | | committee on House State Affairs |
| | Bill History: | 05-09-19 H Postponed on second reading until 11:58 p.m., Thursday, May 9, 2019 |
|  HB 1774 | Middleton, Mayes (F)(R) | Relating to the use of money in the ship channel improvement revolving fund. |
| | Companions: | SB 1040 Taylor, Larry (Identical) 5-21-19 H Set on the House Calendar |
| | Bill History: | 04-11-19 H Reported favorably from committee on House Transportation |
|  HB 1778 | Martinez, Armando(D) | Relating to weight limitations for certain vehicles transporting agricultural products. |
| | Bill History: | 03-04-19 H Introduced and referred to committee on House Transportation |
|  HB 1791 | Krause, Matt(R) Fallon, Pat (F)(R) | Relating to the carrying of handguns by license holders on property owned or leased by a governmental entity. |
| | Companions: | SB 1900 Fallon, Pat (F) (Identical) 3-18-19 S Introduced and referred to committee on Senate State Affairs |
| | Bill History: | 09-01-19 G Earliest effective date |
|  HB 1799 | Bernal, Diego(D) | Relating to requiring a voter to present proof of identification. |
| | Companions: | SB 231 Menendez, Jose (Identical) 2-7-19 S Introduced and referred to committee on Senate State Affairs |
| | Bill History: | 03-04-19 H Introduced and referred to committee on House Elections |
|  HB 1900 | Bonnen, Greg(R) Taylor, Larry(R) | Relating to replacement cost coverage in policies issued by the Texas Windstorm Insurance Association. |
| | Companions: | SB 1036 Taylor, Larry (Identical) 4-2-19 S Committee action pending Senate Business and Commerce |
| | Bill History: | 06-10-19 G Earliest effective date |
|  HB 1902 | Bonnen, Greg(R) Taylor, Larry(R) | Relating to maximum liability limits for windstorm and hail insurance coverage provided through the Texas Windstorm Insurance Association. |
| | Companions: | HB 3509 Faircloth, Wayne (Refiled from 85R Session) SB 1466 Taylor, Larry (Refiled) |

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| | | | from 85R Session) (Identical) 4- 9-19 S Committee action pending Senate Business and Commerce |
| | | Bill History: | 09-01-19 G Earliest effective date |
|  HB 1917 | Murphy, Jim(R) | Relating to the creation of the disaster response loan fund and the permissible uses of that fund. | |
| | | Bill History: | 05-10-19 S Referred to Senate Committee on Senate Finance |
|  HB 1918 | Murphy, Jim(R) | Relating to the discharge of mechanic's, contractor's, and materialman's liens. | |
| | Companions: | SB 845 Hughes, Bryan | (Identical) 3- 1-19 S Introduced and referred to committee on Senate Business and Commerce |
| | Bill History: | 03-05-19 H Introduced and referred to committee on House Business and Industry | |
|  HB 1971 | King, Ken(R) | Relating to imposing an additional fee for the registration of electric and hybrid vehicles. | |
| | Bill History: | 04-24-19 H Vote failed in committee on House Transportation | |
|  HB 1986 | Leman, Ben(R) | Relating to the compatibility of a high-speed rail facility with multiple types of train technology. | |
| | Companions: | SB 975 Kolkhorst, Lois | (Identical) 5- 1-19 S Committee action pending Senate Transportation |
| | Bill History: | 05-07-19 H Reported from committee as substituted House Transportation | |
|  HB 1999 | Leach, Jeff(R) Creighton, Brandon(R) | Relating to certain construction liability claims concerning public buildings and public works. | |
| | Bill History: | 06-14-19 G Earliest effective date | |
|  HB 2014 | Goldman, Craig(R) | Relating to the authority of a political subdivision to regulate certain activities. | |
| | Companions: | SB 1209 Hancock, Kelly | (Identical) 4-26-19 H Referred to House Committee on Licensing and Administrative Procedures |
| | Bill History: | 03-05-19 H Introduced and referred to committee on Licensing and Administrative Procedures | |
|  HB 2093 | Thompson, Ed(R) | Relating to the Texas emissions reduction plan surcharge. | |

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| | | Bill History: 03-06-19 H Introduced and referred to committee on House Environmental Regulation |
|  HB 2094 | Thompson, Ed(R) | Relating to the administration of and funding for the Texas emissions reduction plan. Bill History: 03-06-19 H Introduced and referred to committee on House Environmental Regulation |
|  HB 2127 | Harris, Cody (F)(R) Birdwell, Brian(R) | Relating to the licensure and registration of persons engaged in certain activities pertaining to compressed natural gas or liquefied natural gas containers and systems. Companions: SB 532 Birdwell, Brian (Identical) 3-13-19 S Committee action pending Senate Natural Resources and Economic Develop Bill History: 09-01-19 G Earliest effective date |
|  HB 2153 | Burrows, Dustin(R) Nelson, Jane(R) | Relating to a single local use tax rate as an alternative to combined local use tax rates for computing the amount of local use taxes remote sellers are required to collect and to the allocation of tax revenue collected at that rate. Companions: SB 70 Nelson, Jane (Identical) 3-18-19 S Committee action pending Senate Finance Bill History: 10-01-19 G Earliest effective date |
|  HB 2163 | Bernal, Diego(D) | Relating to the types of vehicles regulated as neighborhood electric vehicles. Companions: SB 1863 Menendez, Jose (Identical) 3-18-19 S Introduced and referred to committee on Senate Transportation Bill History: 05-10-19 S Referred to Senate Committee on Senate Transportation |
|  HB 2178 | Noble, Candy (F)(R) | Relating to terminating participation in the Texas Emergency Services Retirement System. Companions: SB 1375 Paxton, Angela (F) (Identical) 3-14-19 S Introduced and referred to committee on Senate State Affairs Bill History: 05-08-19 S Referred to Senate Committee on Senate State Affairs |
|  HB 2188 | Fruzzo, John(R) Alvarado, Carol (F)(D) | Relating to the operation of electric and non-electric bicycles. Bill History: 09-01-19 G Earliest effective date |
|  HB 2189 | Capriglione, Giovanni(R) | Relating to the disclosure of certain contracting |

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| | | information under the public information law. |
| | Companions: | SB 943 Watson, Kirk (Identical) 1- 1-20 G Earliest effective date |
| | Bill History: | 04-16-19 H Reported from committee as substituted House State Affairs |
| HB 2191 | Capriglione, Giovanni(R) | Relating to the public information law. |
| | Companions: | SB 944 Watson, Kirk (Identical) 9- 1-19 G Earliest effective date |
| | Bill History: | 04-16-19 H Reported from committee as substituted House State Affairs |
| HB 2192 | Capriglione, Giovanni(R) | Relating to the assessment of litigation costs and attorney's fees in certain actions under the public information law. |
| | Companions: | SB 988 Watson, Kirk (Identical) 9- 1-19 G Earliest effective date |
| | Bill History: | 04-03-19 H Reported favorably from committee on House State Affairs |
| HB 2219 | Israel, Celia(D) | Relating to the operation of public transit vehicles equipped with connected braking systems. |
| | Companions: | SB 1135 Watson, Kirk (Identical) 4-17-19 S Not heard in committee Senate Transportation |
| | Bill History: | 03-06-19 H Introduced and referred to committee on House Transportation |
| HB 2253 | Israel, Celia(D) | Relating to certain programs under the Texas Clean Air Act that reduce vehicle emissions and improve air quality. |
| | Companions: | SB 1070 Watson, Kirk (Identical) 5-13-19 S Placed on the Senate Calendar for |
| | Bill History: | 03-06-19 H Introduced and referred to committee on House Environmental Regulation |
| HB 2254 | Israel, Celia(D) | Relating to a study by the Texas A&M Transportation Institute on the collection of road use fees from owners of alternatively fueled vehicles. |
| | Bill History: | 03-06-19 H Introduced and referred to committee on House Ways and Means |
| HB 2292 | Buckley, Brad (F)(R) | Relating to the operation of a slow-moving vehicle on an improved shoulder. |
| | Bill History: | 04-24-19 H Reported favorably from committee on House Transportation |

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|  HB 2306 | Rosenthal, Jon (F)(D) | Relating to a study regarding the public health considerations of transportation planning. Bill History: 04-01-19 H Committee action pending House Administration |
|  HB 2319 | Parker, Tan(R) | Relating to certain coordinated county transportation authorities. Companions: SB 1066 Nelson, Jane (Identical) 5-20-19 G Earliest effective date Bill History: 05-03-19 H Laid on the table - subject to call - see SB 1066 |
|  HB 2325 | Metcalf, Will(R) Hancock, Kelly(R) | Relating to providing information and communication regarding and during a disaster. Bill History: 09-01-19 G Earliest effective date |
|  HB 2340 | Dominguez, Alex (F)(D) Johnson, Nathan (F)(D) | Relating to emergency and disaster management, response, and recovery. Bill History: 09-01-19 G Earliest effective date |
|  HB 2345 | Walle, Armando(D) Hinojosa, Chuy(D) | Relating to resources to facilitate disaster mitigation, response, and recovery. Bill History: 06-14-19 G Earliest effective date |
|  HB 2358 | Guillen, Ryan(D) Paxton, Angela (F)(R) | Relating to the administration and collection of sales and use taxes applicable to certain sales. Bill History: 10-01-19 G Earliest effective date |
|  HB 2450 | Oliverson, Tom(R) | Relating to the requirement that certain political subdivisions hold elections on uniform election dates. Bill History: 04-15-19 H Committee action pending House Elections |
|  HB 2512 | Miller, Rick(R) | Relating to certain images captured by an unmanned aircraft. Bill History: 04-26-19 H Reported favorably from committee on House State Affairs |
|  HB 2531 | Romero, Ramon(D) Powell, Beverly (F)(D) | Relating to the powers of certain regional transportation authorities. Companions: SB 1299 Powell, Beverly (F) (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation Bill History: 05-15-19 S Committee action pending Senate Transportation |








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| A HB 2561 | Israel, Celia(D) | Relating to the expansion of a fixed rail transit system by certain metropolitan rapid transit authorities. |
| Companions: | | SB 1136 Watson, Kirk (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation |
| Bill History: | | 03-11-19 H Introduced and referred to committee on House Transportation |
| A HB 2581 | Reynolds, Ron(D) | Relating to the administration of and funding for the Texas emissions reduction plan. |
| Bill History: | | 04-09-19 H Committee action pending House Environmental Regulation |
| A HB 2585 | Leach, Jeff(R) Zaffirini, Judith(D) | Relating to civil works projects and other construction projects of governmental entities. |
| Companions: | | SB 1503 Zaffirini, Judith (Identical) 4-26-19 S Removed from hearing 04/30/19, Senate Business and Commerce |
| Bill History: | | 04-30-19 S Committee action pending Senate Business and Commerce |
| A HB 2617 | Cole, Sheryl (F)(D) Alvarado, Carol (F)(D) | Relating to the fiscal year of certain political subdivisions. |
| Bill History: | | 09-01-19 G Earliest effective date |
| A HB 2620 | Martinez, Armando(D) Rodriguez, Jose(D) | Relating to the movement of oversize or overweight vehicles, including the enforcement of motor vehicle size and weight limitations. |
| Bill History: | | 09-01-19 G Earliest effective date |
| A HB 2676 | Geren, Charlie(R) | Relating to the composition and use of money in the oil and gas regulation and cleanup fund. |
| Bill History: | | 03-11-19 H Introduced and referred to committee on House Energy Resources |
| A HB 2677 | Goldman, Craig(R) Hughes, Bryan(R) | Relating to prohibiting certain expenditures from political contributions. |
| Bill History: | | 09-27-19 G Earliest effective date |
| A HB 2706 | Capriglione, Giovanni(R) Nelson, Jane(R) | Relating to local government public investment of funds |
| Bill History: | | 09-01-19 G Earliest effective date |
| A HB 2714 | Bailes, Ernest(R) Birdwell, Brian(R) | Relating to the registration of liquefied petroleum gas container manufacturers and the regulation of liquefied petroleum gas licensees. |
| Companions: | | SB Birdwell, Brian (Identical) |

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| | | 1515 | 3-14-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
| | | Bill History: | 09-01-19 G Earliest effective date |
| HB 2715 | Rodriguez, Eddie(D) | | Relating to a study by the Texas A&M Transportation Institute on motor-assisted scooters. |
| | | Bill History: | 05-09-19 S Received in the Senate |
| HB 2802 | Darby, Drew(R) | | Relating to the amounts, availability, and use of certain statutorily dedicated revenue and accounts. |
| | | Bill History: | 05-10-19 S Referred to Senate Committee on Senate Finance |
| HB 2808 | Shaheen, Matt(R) | | Relating to the publication of required notice by a political subdivision by alternative media and on the Internet. |
| | | Bill History: | 04-18-19 H Committee action pending House County Affairs |
| HB 2826 | Bonnen, Greg(R) Huffman, Joan(R) | | Relating to procurement of a contingent fee contract for legal services by a state agency or political subdivision. |
| | | Bill History: | 09-01-19 G Earliest effective date |
| HB 2831 | Canales, Terry(D) Hinojosa, Chuy(D) | | Relating to the service of notice of a special commissioners' hearing in an eminent domain proceeding. |
| | | Bill History: | 05-24-19 S Senate appointed conference committee Hinojosa, Huffman, Nelson, Kolkhorst and Perry |
| HB 2837 | Canales, Terry(D) Hinojosa, Chuy(D) | | Relating to the operation of and equipment for vehicles. |
| | | Bill History: | 09-01-19 G Earliest effective date |
| HB 2840 | Canales, Terry(D) Hughes, Bryan(R) | | Relating to the right of a member of the public to address the governing body of a political subdivision at an open meeting of the body. |
| | | Bill History: | 09-01-19 G Earliest effective date |
| HB 2845 | Canales, Terry(D) Creighton, Brandon(R) | | Relating to the removal of wind power facilities. |
| | | Bill History: | 09-01-19 G Earliest effective date |
| HB 2868 | Phelan, Dade(R) West, Royce(D) | | Relating to the procurement of interior design services by a governmental entity. |
| | | Companions: | SB 922 West, Royce (Identical) 3- 1-19 S Introduced and referred to |



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| | | committee on Senate Business and Commerce |
| | | Bill History: 09-01-19 G Earliest effective date |
| HB 2899 | Leach, Jeff(R) Hinojosa, Chuy(D) | Relating to civil liability and responsibility for defects in the plans, specifications, or other documents for the construction or repair of roads, highways, and related improvements. |
| | Companions: | SB 1866 Hinojosa, Chuy (Identical) 3-18-19 S Introduced and referred to committee on Senate Transportation |
| | | Bill History: 06-02-19 G Earliest effective date |
| HB 2912 | Zerwas, John(R) | Relating to certain images captured by an unmanned aircraft. |
| | | Bill History: 05-09-19 H Bill pronounced dead by procedural action |
| HB 3001 | Morrison, Geanie(R) Birdwell, Brian(R) | Relating to the fiscal transparency of special purpose districts and other political subdivisions. |
| | Companions: | SB 2097 Birdwell, Brian (Identical) 3-21-19 S Introduced and referred to committee on Senate Intergovernmental Relations |
| | | Bill History: 09-01-19 G Earliest effective date |
| HB 3082 | Murphy, Jim(R) Birdwell, Brian(R) | Relating to investigating and prosecuting the criminal offense of operating an unmanned aircraft over or near certain facilities. |
| | Companions: | SB 1996 Birdwell, Brian (Identical) 3-19-19 S Introduced and referred to committee on Senate Criminal Justice |
| | | Bill History: 06-15-19 G Vetoed by the Governor |
| HB 3134 | Middleton, Mayes (F)(R) | Relating to the operation of a public school transportation system. |
| | | Bill History: 05-10-19 H Laid on the table - subject to call - see SB 926 |
| HB 3143 | Murphy, Jim(R) West, Royce(D) | Relating to the Property Redevelopment and Tax Abatement Act. |
| | Companions: | SB 1838 West, Royce (Identical) 3-18-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
| | | Bill History: 09-01-19 G Earliest effective date |







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| A HB 3160 | Raymond, Richard(D) | Relating to an election in certain municipalities to convert all or a portion of a sales and use tax originally adopted for the purpose of sports and community venues to a sales and use tax for economic development purposes. |
| Companions: | | SB 1798 Zaffirini, Judith (Identical) 3-18-19 S Introduced and referred to committee on Senate Finance |
| Bill History: | | 05-01-19 H Recommended for Local and Consent Calendar |
| A HB 3163 | Springer, Drew(R) Menendez, Jose(D) | Relating to parking for persons with disabilities. |
| Bill History: | | 09-01-19 G Earliest effective date |
| A HB 3164 | Clardy, Travis(R) | Relating to certain images captured by an unmanned aircraft. |
| Companions: | | SB 2034 Hall, Bob (Identical) 3-21-19 S Introduced and referred to committee on Senate Business and Commerce |
| Bill History: | | 04-08-19 H Committee action pending House State Affairs |
| A HB 3168 | Flynn, Dan(R) | Relating to the applicability of the prohibition on certain ad valorem tax incentives relating to wind-powered energy devices located near a military aviation facility. |
| Companions: | | HB 4180 Miller, Rick (Identical) 3-25-19 H Introduced and referred to committee on House Ways and Means |
| Bill History: | | 03-13-19 H Introduced and referred to committee on House Ways and Means |
| A HB 3172 | Krause, Matt(R) | Relating to the protection of religious beliefs and moral convictions, including beliefs and convictions regarding marriage. |
| Companions: | | SB 1978 Hughes, Bryan (Identical) 9- 1-19 G Earliest effective date |
| Bill History: | | 05-09-19 H Recommitted to committee on House State Affairs |
| A HB 3196 | Landgraf, Brooks(R) | Relating to the grant program distributing money from the transportation infrastructure fund. |
| Companions: | | SB 2260 Flores, Pete (Identical) 4-24-19 S Reported from committee as substituted Senate Transportation |







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| | | Bill History: 03-13-19 H Introduced and referred to committee on House Transportation |
|  HB 3249 | Kacal, Kyle(R) | Relating to the use of Texas emissions reduction plan funds for a study conducted by the Texas A&M Transportation Institute. Bill History: 05-09-19 H Set on the House Calendar |
|  HB 3255 | Rodriguez, Eddie(D) | Relating to a county sales and use tax in certain counties for transportation improvement projects. Companions: SB 1526 Watson, Kirk (Identical) 3-14-19 S Introduced and referred to committee on Senate Finance Bill History: 03-13-19 H Introduced and referred to committee on House Ways and Means |
|  HB 3258 | Minjarez, Ina(D) | Relating to an authorization to increase the sales and use tax collected in an advanced transportation district of a metropolitan rapid transit authority. Companions: SB 1475 Menendez, Jose (Identical) 3-14-19 S Introduced and referred to committee on Senate Finance Bill History: 05-08-19 H Bill pronounced dead by procedural action |
|  HB 3291 | Cortez, Philip(D) | Relating to the eligibility for grants for alternative fueling facilities. Bill History: 04-18-19 H Recommended for Local and Consent Calendar |
|  HB 3494 | Cole, Sheryl (F)(D) | Relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities and to the regulation of unmanned aircraft by certain political subdivisions. Bill History: 04-25-19 H Voted favorably from committee on House State Affairs |
|  HB 3745 | Bell, Cecil(R) Birdwell, Brian(R) | Relating to the Texas emissions reduction plan fund and account. Bill History: 08-30-19 G Earliest effective date |
|  HB 3834 | Capriglione, Giovanni(R) Paxton, Angela (F)(R) | Relating to the requirement that certain state and local government employees and state contractors complete a cybersecurity training program certified by the state cybersecurity coordinator. Bill History: 06-14-19 G Earliest effective date |
|  HB 3954 | Burrows, Dustin(R) Hinojosa, Chuy(D) | Relating to motor fuel taxes applicable to gasoline and diesel fuel within the bulk transfer system. Bill History: 09-01-19 G Earliest effective date |

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|  HB 4073 | Perez, Mary Ann(D) | Relating to the time for dissolution of a crime control and prevention district. Bill History: 05-10-19 S Referred to Senate Committee on Senate Criminal Justice |
|  HB 4084 | Walle, Armando(D) | Relating to the operation of unmanned aircraft over certain facilities. Companions: SB 1701 Whitmire, John (Identical) 3-14-19 S Introduced and referred to committee on Senate Criminal Justice Bill History: 04-08-19 H Committee action pending House State Affairs |
|  HB 4160 | Swanson, Valoree(R) | Relating to holding elections on uniform election dates. Bill History: 04-11-19 H Removed from hearing 04/15/19 - House Elections |
|  HB 4180 | Miller, Rick(R) | Relating to the applicability of the prohibition on certain ad valorem tax incentives relating to wind-powered energy devices located near a military aviation facility. Companions: HB 3168 Flynn, Dan (Identical) 3-13-19 H Introduced and referred to committee on House Ways and Means Bill History: 03-25-19 H Introduced and referred to committee on House Ways and Means |
|  HB 4218 | Israel, Celia(D) | Relating to imposing an additional fee for the registration of an alternatively fueled vehicle. Companions: SB 1076 Watson, Kirk (Identical) 4- 3-19 S Committee action pending Senate Transportation Bill History: 03-25-19 H Introduced and referred to committee on House Transportation |
|  HB 4220 | Israel, Celia(D) | Relating to the applicability of certain public works contracting requirements to a metropolitan rapid transit authority. Companions: SB 1137 Watson, Kirk (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation Bill History: 03-25-19 H Introduced and referred to committee on House Transportation |
|  HB 4221 | Israel, Celia(D) | Relating to the issuance of obligations to fund certain Interstate Highway 35 projects. |






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| | | <p>Companions: SB 1073 Watson, Kirk (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation</p> <p>Bill History: 03-25-19 H Introduced and referred to committee on House Transportation</p> |
|  HB 4231 | Israel, Celia(D) | <p>Relating to the authority to enter into a comprehensive development agreement for a project on Interstate Highway 35 in Travis County.</p> <p>Companions: SB 1074 Watson, Kirk (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation</p> <p>Bill History: 03-25-19 H Introduced and referred to committee on House Transportation</p> |
|  HB 4281 | Israel, Celia(D) | <p>Relating to a county motor fuels tax in certain counties for mobility improvement projects.</p> <p>Companions: SB 1080 Watson, Kirk (Identical) 3- 7-19 S Introduced and referred to committee on Senate Finance</p> <p>Bill History: 03-25-19 H Introduced and referred to committee on House Ways and Means</p> |
|  HB 4347 | Anchia, Rafael(D) Nelson, Jane(R) | <p>Relating to the use of certain tax revenue by certain municipalities for the payment of job training programs and the development of hotel and convention center projects.</p> <p>Companions: SB 2210 West, Royce (Identical) 3-21-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop</p> <p>Bill History: 09-01-19 G Earliest effective date</p> |
|  HB 4378 | Thompson, Ed(R) | <p>Relating to the administration of certain programs under the Texas emissions reduction plan.</p> <p>Companions: SB 2154 Zaffirini, Judith (Identical) 3-21-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop</p> <p>Bill History: 03-25-19 H Introduced and referred to committee on House Environmental Regulation</p> |
|  HB 4448 | Springer, Drew(R) | <p>Relating to the use of an unmanned aircraft.</p> <p>Bill History: 05-08-19 H Failed to pass (Vote: N: 95/Y: 50)</p> |
|  HB 4475 | Ortega, Lina(D) | <p>Relating to the ability of a governmental entity to contract for the development and operation of a</p> |

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| | | transportation project |
| | | Bill History: 04-29-19 H Reported from committee as substituted House Transportation |
|  HB 4493 | Deshotel, Joe(D) | Relating to supplemental environmental projects authorized by the Texas Commission on Environmental Quality. |
| | Companions: | SB 2559 Creighton, Brandon (Identical) 5- 2-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
| | | Bill History: 05-15-19 S Referred to Senate Committee on Senate Natural Resources and Economic Develop |
|  HB 4525 | Blanco, Cesar(D) | Relating to state agency energy savings programs. |
| | | Bill History: 03-26-19 H Introduced and referred to committee on House State Affairs |
|  HB 4621 | Huberty, Dan(R) | Relating to the imposition of sales and use taxes and the allocation of certain revenue from sales and use taxes to school district property tax relief and public education. |
| | | Bill History: 05-07-19 H Bill pronounced dead by procedural action |
|  HB 4690 | Thompson, Ed(R) Taylor, Larry(R) | Relating to the territory, powers, and administration of the Gulf Coast Water Authority. |
| | Companions: | SB 2507 Taylor, Larry (Identical) 4-15-19 S Committee action pending Senate Water and Rural Affairs |
| | | Bill History: 06-02-19 G Earliest effective date |
|  HJR 3 | Huberty, Dan(R) | Proposing a constitutional amendment to provide funding for the cost of maintaining and operating the public school system and to reduce school district ad valorem tax rates. |
| | | Bill History: 05-07-19 H Bill pronounced dead by procedural action |
|  HJR 27 | Nevarez, Poncho(D) | Proposing a constitutional amendment to authorize the creation of a regional mobility authority by local law. |
| | | Bill History: 03-06-19 H Committee action pending House Transportation |
|  HJR 34 | Shine, Hugh(R) Bettencourt, Paul(R) | Proposing a constitutional amendment authorizing the legislature to provide for a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster. |
| | Companions: | SJR 49 Taylor, Larry (Identical) |

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| | | 3-19-19 S Committee action pending Senate Property Tax |
| | | Bill History: 11-05-19 G Election date |
|  HJR 36 | Deshotel, Joe(D) | Proposing a constitutional amendment authorizing the operation of casino gaming in certain coastal areas of this state by licensed persons to provide additional money. Bill History: 04-30-19 H Committee action pending Licensing and Administrative Procedures |
|  HJR 42 | Metcalf, Will(R) | Proposing a constitutional amendment for the creation of an endowment fund for this state and for the retention, transfer, or appropriation of fund assets, including investment earnings received on fund assets. Bill History: 04-24-19 H Committee action pending House Appropriations |
|  SB 1 | Nelson, Jane(R) | General Appropriations Bill. Bill History: 04-04-19 S Deleted from 4/03/19 meeting and replaced with HB 1. |
|  SB 2 | Bettencourt, Paul(R) Burrows, Dustin(R) | Relating to ad valorem taxation. Companions: HB 2 Burrows, Dustin (Identical) 4-30-19 H Laid on the table - subject to call - see SB 2 Bill History: 06-12-19 G Effective January 1, 2020, except section 92 effective September 1, 2019, and multiple sections effective September 1, 2020 and January 1, 2021. See history notes |
|  SB 6 | Kolkhorst, Lois(R) Morrison, Geanie(R) | Relating to emergency and disaster management, response, and recovery. Bill History: 09-01-19 G Earliest effective date |
|  SB 26 | Kolkhorst, Lois(R) Cyrier, John(R) | Relating to the allocation to and use by the Parks and Wildlife Department and Texas Historical Commission of certain proceeds from the imposition of state sales and use taxes on sporting goods. Companions: HB 1214 Cyrier, John (Identical) 4-23-19 H Laid on the table - subject to call - see SB 26 SB 526 Kolkhorst, Lois (Identical) 2-21-19 S Introduced and referred to committee on Senate Finance |

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| | | Bill History: 11-05-19 G Earliest effective date |
|  SB 29 | Hall, Bob(R) Middleton, Mayes (F)(R) | Relating to expenditures for lobbying activities made by certain entities. Bill History: 05-20-19 H Failed to pass to third reading (Vote: N: 85/Y: 58) |
|  SB 30 | Birdwell, Brian(R) Phelan, Dade(R) | Relating to ballot language requirements for a proposition seeking voter approval for the issuance of bonds. Companions: HB 3909 Phelan, Dade (Identical) 3-21-19 H Introduced and referred to committee on House Pensions/Investments/Financial Services Bill History: 09-01-19 G Earliest effective date |
|  SB 58 | Zaffirini, Judith(D) Bohac, Dwayne(R) | Relating to the exemption from ad valorem taxation of leased motor vehicles that are not held primarily for the production of income by the lessee. Bill History: 09-01-19 G Earliest effective date |
|  SB 59 | Zaffirini, Judith(D) Zerwas, John(R) | Relating to certain images captured by an unmanned aircraft. Bill History: 05-17-19 H Voted favorably from committee as substituted House State Affairs |
|  SB 64 | Nelson, Jane(R) Phelan, Dade(R) | Relating to cybersecurity for information resources. Bill History: 09-01-19 G Earliest effective date |
|  SB 70 | Nelson, Jane(R) | Relating to a single local use tax rate as an alternative to combined local use tax rates for computing the amount of local use taxes remote sellers are required to collect and to the allocation of tax revenue collected at that rate. Companions: HB 2153 Burrows, Dustin (Identical) 10- 1-19 G Earliest effective date Bill History: 03-18-19 S Committee action pending Senate Finance |
|  SB 77 | Hall, Bob(R) | Relating to the use of information from traffic surveillance technology by governmental entities. Bill History: 02-01-19 S Introduced and referred to committee on Senate Transportation |
|  SB 79 | Hall, Bob(R) | Relating to the elimination of a requirement that certain buses that transport schoolchildren be equipped with three-point seat belts. Bill History: 02-01-19 S Introduced and referred to committee on |







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|  SB 82 | Hall, Bob(R) | Relating to expenditures for lobbying activities made by a recipient of state funds. Bill History: 02-01-19 S Introduced and referred to committee on Senate State Affairs |
|  SB 84 | Hall, Bob(R) | Relating to the right of public officers to information of certain governmental entities. Companions: SB 1357 Hall, Bob (Refiled from 85R Session) Bill History: 02-01-19 S Introduced and referred to committee on Senate Business and Commerce |
|  SB 88 | Hall, Bob(R) | Relating to a pilot project for financing certain Texas Department of Transportation projects. Companions: SB 84 Hall, Bob (Refiled from 85R Session) Bill History: 02-01-19 S Introduced and referred to committee on Senate Transportation |
|  SB 119 | West, Royce(D) | Relating to actions by a retailer that constitute engaging in business in this state for purposes of the use tax and to the allocation of certain revenue derived from that tax. Bill History: 02-01-19 S Introduced and referred to committee on Senate Finance |
|  SB 122 | West, Royce(D) | Relating to the procedure by which a state agency considers legislative intent when adopting an agency rule. Bill History: 02-01-19 S Introduced and referred to committee on Senate Business and Commerce |
|  SB 169 | Nichols, Robert(R) | Relating to the use of certain lighting equipment on escort flag vehicles. Companions: HB 61 White, James (Identical) 9- 1-19 G Earliest effective date Bill History: 02-01-19 S Introduced and referred to committee on Senate Transportation |
|  SB 175 | Perry, Charles(R) Paddie, Chris(R) | Relating to eminent domain reporting requirements for certain entities. Bill History: 05-21-19 H Set on the House Calendar |
|  SB 186 | Miles, Borris(D) | Relating to the maximum permitted rate of interest, sum of fees, and other amounts due during a natural disaster declaration. |

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| | | Bill History: 02-01-19 S Introduced and referred to committee on Senate Business and Commerce |
|  SB 202 | Huffman, Joan(R) | Relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster. |
| | Companions: HB 768 Davis, Sarah (Identical) 3-20-19 H Committee action pending House Ways and Means | |
| | Bill History: 02-01-19 S Introduced and referred to committee on Senate Property Tax | |
|  SB 214 | Seliger, Kel(R) | Relating to fund for the economic stabilization fund, including the rates of severance taxes on oil and gas production. |
| | Companions: SB 1008 Seliger, Kel (Refiled from 85R Session) | |
| | Bill History: 04-11-19 S Committee action pending Senate Finance | |
|  SB 215 | Seliger, Kel(R) | Relating to the authority of a district engineer for the Texas Department of Transportation to temporarily lower speed limits. |
| | Bill History: 03-06-19 S Committee action pending Senate Transportation | |
|  SB 231 | Menendez, Jose(D) | Relating to requiring a voter to present proof of identification. |
| | Companions: HB 1799 Bernal, Diego (Identical) 3- 4-19 H Introduced and referred to committee on House Elections | |
| | Bill History: 02-07-19 S Introduced and referred to committee on Senate State Affairs | |
|  SB 239 | Nelson, Jane(R) Button, Angie Chen(R) | Relating to the requirements for meetings of certain special districts. |
| | Companions: HB 1356 Button, Angie Chen (Identical) 5-10-19 H Laid on the table - subject to call - see SB 239 | |
| | Bill History: 09-01-19 G Earliest effective date | |
|  SB 285 | Miles, Borris(D) Thompson, Ed(R) | Relating to information and outreach regarding hurricane preparedness and mitigation. |
| | Companions: HB 3418 Thompson, Ed (Identical) 3-18-19 H Introduced and referred to committee on House Homeland Security and Public Safety | |
| | Bill History: 09-01-19 G Earliest effective date | |

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|  SB 288 | Miles, Borris(D) Reynolds, Ron(D) | Relating to the authority of a county assistance district to impose a sales and use tax. |
| | Companions: | HB 203 Reynolds, Ron (Identical) 2-19-19 H Introduced and referred to committee on House Ways and Means |
| | Bill History: | 05-18-19 H Reported favorably from committee on House Ways and Means |
|  SB 289 | Lucio, Eddie(D) Morrison, Geanie(R) | Relating to natural disaster housing recovery. |
| | Companions: | SB 1673 Lucio, Eddie (Refiled from 85R Session) |
| | Bill History: | 09-01-19 G Earliest effective date |
|  SB 322 | Huffman, Joan(R) Murphy, Jim(R) | Relating to the evaluation and reporting of investment practices and performance of certain public retirement systems. |
| | Companions: | HB 1887 Murphy, Jim (Identical) 3-26-19 H Committee action pending House Pensions/Investments/Financial Services |
| | Bill History: | 06-10-19 G Earliest effective date |
|  SB 323 | Huffman, Joan(R) Klick, Stephanie(R) | Relating to the review of ballot proposition language for certain political subdivision elections. |
| | Bill History: | 05-14-19 H Reported from committee as substituted House Elections |
|  SB 365 | Watson, Kirk(D) | Relating to bonds issued by certain metropolitan rapid transit authorities. |
| | Companions: | HB 899 Israel, Celia (Identical) 4-26-19 H Reported from committee as substituted House Transportation |
| | Bill History: | 03-19-19 S Placed on the Senate Calendar for |
|  SB 373 | Hall, Bob(R) | Relating to Internet access to meetings of the board of directors of a regional mobility authority. |
| | Bill History: | 02-07-19 S Introduced and referred to committee on Senate Business and Commerce |
|  SB 377 | Hall, Bob(R) | Relating to eliminating certain requirements imposed on school districts. |
| | Bill History: | 02-14-19 S Introduced and referred to committee on Senate Education |
|  SB 379 | Hall, Bob(R) | Relating to competitive bidding procurements by a school district for certain goods or services, including professional services. |

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| | | Bill History: 02-14-19 S Introduced and referred to committee on Senate Education |
|  SB 416 | Huffman, Joan(R) Walle, Armando(D) | Relating to legal counsel provided by the attorney general to a political subdivision subject to a declared state of disaster. |
| | Companions: | HB 3751 Walle, Armando (Identical) 5- 3-19 H Laid on the table - subject to call - see SB 416 |
| | Bill History: | 05-20-19 G Earliest effective date |
|  SB 421 | Kolkhorst, Lois(R) Craddick, Tom(R) | Relating to the acquisition of real property by an entity with eminent domain authority. |
| | Companions: | HB 991 Burns, DeWayne (Identical) 4-25-19 H Committee action pending House Land and Resource Management |
| | Bill History: | 05-24-19 H House appointed conference committee Craddick-chair, King of Parker, Minjarez, Munoz and Stickland |
|  SB 428 | Lucio, Eddie(D) Nevarez, Poncho(D) | Relating to a study of using a single intake form for state and federal disaster assistance. |
| | Bill History: | 05-16-19 H Reported favorably from committee on House Homeland Security and Public Safety |
|  SB 446 | West, Royce(D) | Relating to requiring a public employer to give notice to new employees of the ability of certain employees to participate in the Public Service Loan Forgiveness Program. |
| | Companions: | HB 74 Hinojosa, Gina (Identical) 4- 4-19 H Reported favorably from committee on House State Affairs |
| | Bill History: | 05-06-19 H Vote failed in committee on House State Affairs |
|  SB 448 | Watson, Kirk(D) | Relating to certain claims against the administrator of employment benefits for the employees of a political subdivision. |
| | Companions: | HB 964 Cole, Sheryl (F) (Identical) 2-25-19 H Introduced and referred to committee on House State Affairs |
| | Bill History: | 02-14-19 S Introduced and referred to committee on Senate State Affairs |
|  SB 453 | Creighton, Brandon(R) | Relating to the reappraisal for ad valorem tax purposes of property damaged in a disaster. |
| | Bill History: | 03-19-19 S Committee action pending Senate Property Tax |

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|--|--|--|---------|--------------------|----------------------------|--------|--|----------------------------|---------|--------------|-------------|--|--|--|
|  SB 462 | Campbell, Donna(R) | Relating to ballot propositions authorizing certain political subdivisions to issue debt obligations. | | | | | | | | | | | | |
| | | Bill History: 05-09-19 H Committee action pending House Pensions/Investments/Financial Services | | | | | | | | | | | | |
|  SB 465 | Campbell, Donna(R) | Relating to a public database maintained by the comptroller of information about certain political subdivisions. | | | | | | | | | | | | |
| | | Bill History: 02-14-19 S Introduced and referred to committee on Senate Intergovernmental Relations | | | | | | | | | | | | |
|  SB 478 | Creighton, Brandon(R) | Relating to authorization to enter onto property to survey for a proposed high-speed rail facility. | | | | | | | | | | | | |
| | Companions: | <table border="0"> <tr> <td>HB 2168</td> <td>Schubert, Leighton</td> <td>(Refiled from 85R Session)</td> </tr> <tr> <td>SB 973</td> <td>Creighton, Brandon</td> <td>(Refiled from 85R Session)</td> </tr> <tr> <td>HB 1242</td> <td>Ashby, Trent</td> <td>(Identical)</td> </tr> <tr> <td></td> <td colspan="2">4-16-19 H Committee action pending House Transportation</td> </tr> </table> | HB 2168 | Schubert, Leighton | (Refiled from 85R Session) | SB 973 | Creighton, Brandon | (Refiled from 85R Session) | HB 1242 | Ashby, Trent | (Identical) | | 4-16-19 H Committee action pending House Transportation | |
| HB 2168 | Schubert, Leighton | (Refiled from 85R Session) | | | | | | | | | | | | |
| SB 973 | Creighton, Brandon | (Refiled from 85R Session) | | | | | | | | | | | | |
| HB 1242 | Ashby, Trent | (Identical) | | | | | | | | | | | | |
| | 4-16-19 H Committee action pending House Transportation | | | | | | | | | | | | | |
| | | Bill History: 05-01-19 S Committee action pending Senate Transportation | | | | | | | | | | | | |
|  SB 494 | Huffman, Joan(R) Walle, Armando(D) | Relating to certain procedures applicable to meetings under the open meetings law and the disclosure of public information under the public information law in the event of an emergency, urgent public necessity, or catastrophic eve | | | | | | | | | | | | |
| | Companions: | <table border="0"> <tr> <td>HB 3752</td> <td>Walle, Armando</td> <td>(Identical)</td> </tr> <tr> <td></td> <td colspan="2">4-25-19 H Reported from committee as substituted House State Affairs</td> </tr> </table> | HB 3752 | Walle, Armando | (Identical) | | 4-25-19 H Reported from committee as substituted House State Affairs | | | | | | | |
| HB 3752 | Walle, Armando | (Identical) | | | | | | | | | | | | |
| | 4-25-19 H Reported from committee as substituted House State Affairs | | | | | | | | | | | | | |
| | | Bill History: 09-01-19 G Earliest effective date | | | | | | | | | | | | |
|  SB 500 | Nelson, Jane(R) Zerwas, John(R) | Relating to making supplemental appropriations and reductions in appropriations and prescribing limitations regarding appropriations. | | | | | | | | | | | | |
| | | Bill History: 06-06-19 G Earliest effective date | | | | | | | | | | | | |
|  SB 531 | Birdwell, Brian(R) Lozano, Jose(R) | Relating to sources of funding for the Texas emissions reduction plan. | | | | | | | | | | | | |
| | Companions: | <table border="0"> <tr> <td>HB 1043</td> <td>Blanco, Cesar</td> <td>(Identical)</td> </tr> <tr> <td></td> <td colspan="2">2-26-19 H Introduced and referred to committee on House Environmental Regulation</td> </tr> <tr> <td>HB 1345</td> <td>Thompson, Ed</td> <td>(Identical)</td> </tr> <tr> <td></td> <td colspan="2">2-27-19 H Introduced and referred to committee on House Environmental Regulation</td> </tr> </table> | HB 1043 | Blanco, Cesar | (Identical) | | 2-26-19 H Introduced and referred to committee on House Environmental Regulation | | HB 1345 | Thompson, Ed | (Identical) | | 2-27-19 H Introduced and referred to committee on House Environmental Regulation | |
| HB 1043 | Blanco, Cesar | (Identical) | | | | | | | | | | | | |
| | 2-26-19 H Introduced and referred to committee on House Environmental Regulation | | | | | | | | | | | | | |
| HB 1345 | Thompson, Ed | (Identical) | | | | | | | | | | | | |
| | 2-27-19 H Introduced and referred to committee on House Environmental Regulation | | | | | | | | | | | | | |

Bill History: 05-27-19 S Set on the Senate Items Eligible Calendar

A SB 532 Birdwell, Brian(R) Relating to the licensure and registration of persons engaged in certain activities pertaining to compressed natural gas or liquefied natural gas containers and systems.

Companions: HB 2127 Harris, Cody (F) (Identical)
9- 1-19 G Earliest effective date

Bill History: 03-13-19 S Committee action pending Senate Natural Resources and Economic Develop

A SB 557 Kolkhorst, Lois(R)
Moody, Joe(D) Relating to use of the electronic funds transfer system operated by the comptroller.

Companions: HB 3907 Moody, Joe (Identical)
4-17-19 H Committee action pending House State Affairs

Bill History: 06-02-19 G Earliest effective date

A SB 573 Miles, Borris(D) Relating to the definition of "affected person" for purposes of a contested case hearing held by or for the Texas Commission on Environmental Quality regarding certain environmental permit applications.

Companions: HB 654 Dutton, Harold (Identical)
2-21-19 H Introduced and referred to committee on House Environmental Regulation

Bill History: 02-21-19 S Introduced and referred to committee on Senate Water and Rural Affairs

A SB 594 Kolkhorst, Lois(R) Relating to the creation of a business advisory council on disaster recovery and mitigation.

Companions: HB 3367 Thompson, Ed (Identical)
3-18-19 H Introduced and referred to committee on House Homeland Security and Public Safety

Bill History: 04-02-19 S Committee action pending Senate Business and Commerce

A SB 604 Buckingham, Dawn(R)
Paddie, Chris(R) Relating to the continuation and functions of the Texas Department of Motor Vehicles and to the operations of certain other entities performing functions associated with the department.

Companions: HB 1541 Paddie, Chris (Identical)
4-17-19 H Committee action pending House Transportation

Bill History: 09-01-19 G Earliest effective date

A SB 615 Buckingham, Dawn(R)
Paddie, Chris(R) Relating to the operations and functions of the Texas Windstorm Insurance Association and the sunset

review date for and programs administered by the association; authorizing a fee.

Companions: [HB 1510](#) Paddie, Chris (Identical)
3- 4-19 H Introduced and referred to committee on House Insurance

Bill History: 09-01-19 G Earliest effective date

 SB 616

Birdwell, Brian(R)
Paddie, Chris(R)

Relating to the continuation and functions of the Department of Public Safety of the State of Texas, the conditional transfer of the driver licensing program to the Texas Department of Motor Vehicles.

Companions: [HB 1530](#) Paddie, Chris (Identical)
3- 4-19 H Introduced and referred to committee on House Homeland Security and Public Safety

Bill History: 06-10-19 G Effective September 1, 2019 except Article 8 is effective on September 1, 2020, and section 8.026 if effective immediately

 SB 640

Huffman, Joan(R)

Relating to notice requirements for leased residential property, manufactured home lots, or commercial property located in a flood zone.

Companions: [HB 970](#) Walle, Armando (Identical)
5-14-19 S Referred to Senate Committee on Senate Business and Commerce

Bill History: 03-01-19 S Introduced and referred to committee on Senate Business and Commerce

 SB 649

Zaffirini, Judith(D)
Thompson, Ed(R)

Relating to promotion of the use of recyclable materials as feedstock for manufacturing.

Companions: [HB 286](#) Thompson, Ed (Identical)
5- 6-19 H Laid on the table - subject to call - see SB 649

Bill History: 09-01-19 G Earliest effective date

 SB 698

Birdwell, Brian(R)
Lozano, Jose(R)

Relating to the expedited processing of certain applications for permits under the Texas Clean Air Act.

Companions: [HB 1688](#) Blanco, Cesar (Identical)
3- 4-19 H Introduced and referred to committee on House Environmental Regulation



[HB 1708](#) Lozano, Jose (Identical)
3-20-19 H Committee action pending House Environmental Regulation





Bill History: 09-01-19 G Earliest effective date

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|  SB 702 | Bettencourt, Paul(R) Harless, Sam (F)(R) | Relating to the authorization and reporting of expenditures for lobbying activities by certain political subdivisions and other public entities. |
| Companions: HB 3680 Middleton, Mayes (F) (Identical) 3-19-19 H Introduced and referred to committee on House State Affairs | | |
| Bill History: 05-15-19 H Reported from committee as substituted House State Affairs | | |
|  SB 703 | Bettencourt, Paul(R) | Relating to the reporting by local governmental entities of expenditures for lobbying. |
| Bill History: 03-01-19 S Introduced and referred to committee on Senate State Affairs | | |
|  SB 704 | Watson, Kirk(D) | Relating to the provision of certain support services to persons who are deaf-blind. |
| Companions: HB 1564 Hinojosa, Gina (Identical) 4-16-19 H Committee action pending House Human Services | | |
| Bill History: 03-01-19 S Introduced and referred to committee on Senate Health and Human Services | | |
|  SB 730 | Fallon, Pat (F)(R) | Relating to the nonconfidential status of certain state pension information. |
| Bill History: 03-01-19 S Introduced and referred to committee on Senate Business and Commerce | | |
|  SB 765 | Menendez, Jose(D) | Relating to programs that can be established and funded under the Texas emissions reduction program. |
| Companions: HB 1507 Minjarez, Ina (Identical) 4- 9-19 H Committee action pending House Environmental Regulation | | |
| Bill History: 03-01-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop | | |
|  SB 808 | Nichols, Robert(R) Clardy, Travis(R) | Relating to the construction manager-at-risk method of contracting for governmental construction projects. |
| Companions: HB 1752 Clardy, Travis (Identical) 5- 9-19 H Postponed on second reading until 11:58 p.m., Thursday, May 9, 2019 | | |
| Bill History: 05-18-19 H Reported favorably from committee on House State Affairs | | |

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| A SB 845 | Hughes, Bryan(R) | Relating to the discharge of mechanic's, contractor's, and materialman's liens. |
| Companions: | | HB 1918 Murphy, Jim (Identical) 3- 5-19 H Introduced and referred to committee on House Business and Industry |
| Bill History: | | 03-01-19 S Introduced and referred to committee on Senate Business and Commerce |
| A SB 890 | Nelson, Jane(R) | Relating to the administration and collection of sales and use taxes applicable to sales involving marketplace providers. |
| Companions: | | HB 1525 Burrows, Dustin (Identical) 10- 1-19 G Earliest effective date |
| Bill History: | | 03-18-19 S Committee action pending Senate Finance |
| A SB 926 | Hall, Bob(R) Middleton, Mayes (F)(R) | Relating to the operation of a public school transportation system. |
| Bill History: | | 05-26-19 H Further consideration postponed until May 28, 2019 |
| A SB 937 | Zaffirini, Judith(D) | Relating to a pilot program for providing services to certain women and children under the Medicaid medical transportation program. |
| Bill History: | | 03-01-19 S Introduced and referred to committee on Senate Health and Human Services |
| A SB 941 | Johnson, Nathan (F)(D) Johnson, Julie (F)(D) | Relating to the expiration of the municipal sales and use tax for street maintenance in certain municipalities. |
| Companions: | | HB 2394 Johnson, Julie (F) (Identical) 3- 6-19 H Introduced and referred to committee on House Ways and Means |
| Bill History: | | 05-15-19 H Reported favorably from committee on House Ways and Means |
| A SB 943 | Watson, Kirk(D) Capriglione, Giovanni(R) | Relating to the disclosure of certain contracting information under the public information law. |
| Companions: | | HB 2189 Capriglione, Giovanni (Identical) 4-16-19 H Reported from committee as substituted House State Affairs |
| Bill History: | | 01-01-20 G Earliest effective date |
| A SB 944 | Watson, Kirk(D) Capriglione, Giovanni(R) | Relating to the public information law. |
| Companions: | | HB 2191 Capriglione, Giovanni (Identical) |





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| | | 4-16-19 H Reported from committee as substituted House State Affairs |
| | | Bill History: 09-01-19 G Earliest effective date |
| SB 954 | Fallon, Pat (F)(R) | Relating to jointly holding elections on uniform election dates. |
| | | Bill History: 03-01-19 S Introduced and referred to committee on Senate State Affairs |
| SB 969 | Hancock, Kelly(R) Landgraf, Brooks(R) | Relating to the operation of personal delivery and mobile carrying devices. |
| | Companions: | HB 2301 Landgraf, Brooks (Identical) 4-24-19 H Reported from committee as substituted House Transportation |
| | | Bill History: 06-10-19 G Earliest effective date |
| SB 974 | Campbell, Donna(R) Klick, Stephanie(R) | Relating to policies and programs that permit the use of public money to finance political campaigns. |
| | | Bill History: 05-18-19 H Reported favorably from committee on House Elections |
| SB 975 | Kolkhorst, Lois(R) | Relating to the compatibility of a high-speed rail facility with multiple types of train technology. |
| | Companions: | HB 1986 Leman, Ben (Identical) 5- 7-19 H Reported from committee as substituted House Transportation |
| | | Bill History: 05-01-19 S Committee action pending Senate Transportation |
| SB 982 | Kolkhorst, Lois(R) Zerwas, John(R) | Relating to awareness of and access to health care service programs available during a disaster or emergency. |
| | | Bill History: 09-01-19 G Earliest effective date |
| SB 983 | Kolkhorst, Lois(R) | Relating to the establishment of a work group to study local restrictions that impede disaster recovery efforts. |
| | | Bill History: 03-01-19 S Introduced and referred to committee on Senate Business and Commerce |
| SB 984 | Kolkhorst, Lois(R) | Relating to the suspension of certain local laws and property regulations by the governor during a declared state of disaster. |
| | | Bill History: 03-01-19 S Introduced and referred to committee on Senate Business and Commerce |
| SB 988 | Watson, Kirk(D) | Relating to the assessment of litigation costs and |

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| | Capriglione, Giovanni(R) | attorney's fees in certain actions under the public information law. |
| | Companions: | HB 2192 Capriglione, Giovanni (Identical) 4- 3-19 H Reported favorably from committee on House State Affairs |
| | Bill History: | 09-01-19 G Earliest effective date |
|  SB 1031 | Hall, Bob(R) | Relating to the sunset review of regional mobility authorities. |
| | Companions: | SB 493 Hall, Bob (Refiled from 85R Session) |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1035 | Taylor, Larry(R) | Relating to maximum liability limits for windstorm and hail insurance coverage provided through the Texas Windstorm Insurance Association. |
| | Companions: | HB 1902 Bonnen, Greg (Identical) 9- 1-19 G Earliest effective date |
| | Bill History: | 04-09-19 S Committee action pending Senate Business and Commerce |
|  SB 1036 | Taylor, Larry(R) | Relating to replacement cost coverage in policies issued by the Texas Windstorm Insurance Association. |
| | Companions: | HB 1900 Bonnen, Greg (Identical) 6-10-19 G Earliest effective date |
| | Bill History: | 04-02-19 S Committee action pending Senate Business and Commerce |
|  SB 1066 | Nelson, Jane(R) Parker, Tan(R) | Relating to certain coordinated county transportation authorities. |
| | Companions: | HB 2319 Parker, Tan (Identical) 5- 3-19 H Laid on the table - subject to call - see SB 1066 |
| | Bill History: | 05-20-19 G Earliest effective date |
|  SB 1070 | Watson, Kirk(D) | Relating to certain programs under the Texas Clean Air Act that reduce vehicle emissions and improve air quality. |
| | Companions: | HB 2253 Israel, Celia (Identical) 3- 6-19 H Introduced and referred to committee on House Environmental Regulation |








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| | | Bill History: 05-13-19 S Placed on the Senate Calendar for |
|  SB 1073 | Watson, Kirk(D) | Relating to the issuance of obligations to fund certain Interstate Highway 35 projects. |
| | Companions: | HB 4221 Israel, Celia (Identical) 3-25-19 H Introduced and referred to committee on House Transportation |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1074 | Watson, Kirk(D) | Relating to the authority to enter into a comprehensive development agreement for a project on interstate Highway 35 in Travis County. |
| | Companions: | HB 4231 Israel, Celia (Identical) 3-25-19 H Introduced and referred to committee on House Transportation |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1076 | Watson, Kirk(D) | Relating to imposing an additional fee for the registration of an alternatively fueled vehicle. |
| | Companions: | HB 4218 Israel, Celia (Identical) 3-25-19 H Introduced and referred to committee on House Transportation |
| | Bill History: | 04-03-19 S Committee action pending Senate Transportation |
|  SB 1080 | Watson, Kirk(D) | Relating to a county motor fuels tax in certain counties for mobility improvement projects. |
| | Companions: | HB 4281 Israel, Celia (Identical) 3-25-19 H Introduced and referred to committee on House Ways and Means |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Finance |
|  SB 1089 | Campbell, Donna(R) | Relating to the circumstances under which a school district is required to provide air-conditioned transportation for students. |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Education |
|  SB 1135 | Watson, Kirk(D) | Relating to the operation of public transit vehicles equipped with connected braking systems. |
| | Companions: | HB 2219 Israel, Celia (Identical) |

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| | | 3- 6-19 H Introduced and referred to committee on House Transportation |
| | | Bill History: 04-17-19 S Not heard in committee Senate Transportation |
|  SB 1136 | Watson, Kirk(D) | Relating to the expansion of a fixed rail transit system by certain metropolitan rapid transit authorities. |
| | Companions: | HB 2561 Israel, Celia (Identical) 3-11-19 H Introduced and referred to committee on House Transportation |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1137 | Watson, Kirk(D) | Relating to the applicability of certain public works contracting requirements to a metropolitan rapid transit authority. |
| | Companions: | HB 4220 Israel, Celia (Identical) 3-25-19 H Introduced and referred to committee on House Transportation |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1216 | Schwertner, Charles(R) | Relating to imposing an additional fee for the registration of an alternatively fueled vehicle. |
| | Bill History: | 04-03-19 S Committee action pending Senate Transportation |
|  SB 1253 | Kolkhorst, Lois(R) Miller, Rick(R) | Relating to a public database maintained by the comptroller of information about certain political subdivisions. |
| | Bill History: | 05-15-19 H Reported from committee as substituted House Ways and Means |
|  SB 1299 | Powell, Beverly (F)(D) | Relating to the powers of certain regional transportation authorities. |
| | Companions: | HB 2531 Romero, Ramon (Identical) 5-15-19 S Committee action pending Senate Transportation |
| | Bill History: | 03-07-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1475 | Menendez, Jose(D) | Relating to an authorization to increase the sales and use tax collected in an advanced transportation district of a metropolitan rapid transit authority. |
| | Companions: | HB 3258 Minjarez, Ina (Identical) 5- 8-19 H Bill pronounced dead by |

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| | | procedural action |
| | | Bill History: 03-14-19 S Introduced and referred to committee on Senate Finance |
| SB 1480 | Hinojosa, Chuy(D) Herrero, Abel(D) | Relating to term limits for the board of hospital managers of the Nueces County Hospital District. Bill History: 05-08-19 H Recommended for Local and Consent Calendar |
| SB 1512 | Flores, Pete(R) Martinez, Armando(D) | Relating to payment of costs related to the relocation of certain political subdivision utility facilities for state highway projects. Companions: HB 3089 Martinez, Armando (Identical) 4-24-19 H Committee action pending House Transportation Bill History: 05-28-19 G Earliest effective date |
| SB 1515 | Birdwell, Brian(R) | Relating to the registration of liquefied petroleum gas container manufacturers and the regulation of liquefied petroleum gas licensees. Companions: HB 2714 Bailes, Ernest (Identical) 9- 1-19 G Earliest effective date Bill History: 03-14-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
| SB 1525 | Watson, Kirk(D) Sanford, Scott(R) | Relating to the application of the sales and use tax to certain property and services. Companions: HB 3787 Sanford, Scott (Identical) 4-18-19 H Reported from committee as substituted House Ways and Means Bill History: 06-10-19 G Earliest effective date |
| SB 1526 | Watson, Kirk(D) | Relating to a county sales and use tax in certain counties for transportation improvement projects. Companions: HB 3255 Rodriguez, Eddie (Identical) 3-13-19 H Introduced and referred to committee on House Ways and Means Bill History: 03-14-19 S Introduced and referred to committee on Senate Finance |
| SB 1599 | Hall, Bob(R) | Relating to the elimination of regular mandatory vehicle safety inspections for noncommercial vehicles and the imposition of replacement fees. Companions: HB 2696 Schaefer, Matt (Identical) 4- 2-19 H Removed from hearing 04/03/19, |

| House Homeland Security and Public Safety | | |
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| | | Bill History: 03-14-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
|  SB 1640 | Watson, Kirk(D) Phelan, Dade(R) | Relating to changing the criminal offense of conspiracy to circumvent the open meetings law. |
| | Companions: HB 3402 | Phelan, Dade (Identical) 4-10-19 H Reported from committee as substituted House State Affairs |
| | Bill History: | 06-10-19 G Earliest effective date |
|  SB 1653 | Schwertner, Charles(R) | Relating to a study by the Texas Department of Motor Vehicles regarding alternatively fueled vehicles and gasoline and diesel taxes. |
| | Bill History: | 03-14-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1701 | Whitmire, John(D) | Relating to the operation of unmanned aircraft over certain facilities. |
| | Companions: HB 4084 | Walle, Armando (Identical) 4- 8-19 H Committee action pending House State Affairs |
| | Bill History: | 03-14-19 S Introduced and referred to committee on Senate Criminal Justice |
|  SB 1716 | Lucio, Eddie(D) | Relating to the creation of an independent advisory committee to assess the state's long-term transportation infrastructure and mobility needs. |
| | Bill History: | 03-14-19 S Introduced and referred to committee on Senate Transportation |
|  SB 1721 | Lucio, Eddie(D) | Relating to the creation of regional transit authorities. |
| | Companions: HB 71 | Martinez, Armando (Identical) 5-24-19 G Earliest effective date |
| | Bill History: | 04-10-19 S Committee action pending Senate Transportation |
|  SB 1738 | Menendez, Jose(D) Neave, Victoria(D) | Relating to an education and training program on interacting with and supporting individuals with intellectual and developmental disabilities for certain public transportation vehicle operators. |
| | Bill History: | 05-09-19 S First placement on Senate Intent Calendar for |
|  SB 1996 | Birdwell, Brian(R) | Relating to investigating and prosecuting the criminal offense of operating an unmanned aircraft over or near certain facilities. |

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| | | Companions: HB 3082 Murphy, Jim (Identical) 6-15-19 G Vetoes by the Governor |
| | | Bill History: 03-19-19 S Introduced and referred to committee on Senate Criminal Justice |
| SB 2034 | Hall, Bob(R) | Relating to certain images captured by an unmanned aircraft. |
| | | Companions: HB 3164 Clardy, Travis (Identical) 4- 8-19 H Committee action pending House State Affairs |
| | | Bill History: 03-21-19 S Introduced and referred to committee on Senate Business and Commerce |
| SB 2054 | Hinojosa, Chuy(D) | Relating to the authority of certain road districts to enter into contracts for and to contribute to transportation projects. |
| | | Bill History: 03-21-19 S Introduced and referred to committee on Senate Transportation |
| SB 2119 | Alvarado, Carol (F)(D) Goldman, Craig(R) | Relating to the transfer of the regulation of motor fuel metering and motor fuel quality from the Texas Department of Agriculture to the Texas Department of Licensing and Regulation. |
| | | Bill History: 06-14-19 G Earliest effective date |
| SB 2154 | Zaffirini, Judith(D) | Relating to the administration of certain programs under the Texas emissions reduction plan. |
| | | Companions: HB 4378 Thompson, Ed (Identical) 3-25-19 H Introduced and referred to committee on House Environmental Regulation |
| | | Bill History: 03-21-19 S Introduced and referred to committee on Senate Natural Resources and Economic Develop |
| SB 2168 | Watson, Kirk(D) Cyrer, John(R) | Relating to relief from local matching funds requirement for certain counties. |
| | | Bill History: 06-10-19 G Earliest effective date |
| SB 2235 | Buckingham, Dawn(R) | Relating to changing the sales and use tax rate of a metropolitan rapid transit authority. |
| | | Bill History: 03-21-19 S Introduced and referred to committee on Senate Transportation |
| SB 2248 | Rodriguez, Jose(D) Ortega, Lina(D) | Relating to the ability of a governmental entity to contract for the development and operation of a transportation project. |
| | | Bill History: 06-14-19 G Earliest effective date |

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|  SB 2260 | Flores, Pete(R) | Relating to the grant program distributing money from the transportation infrastructure fund. |
| Companions: | | HB 3196 Landgraf, Brooks (Identical) 3-13-19 H Introduced and referred to committee on House Transportation |
| Bill History: | | 04-24-19 S Reported from committee as substituted Senate Transportation |
|  SB 2299 | Powell, Beverly (F)(D) Geren, Charlie(R) | Relating to the prosecution of the offense of operation of an unmanned aircraft over certain facilities. |
| Bill History: | | 05-21-19 H Set on the House Calendar |
|  SB 2485 | Creighton, Brandon(R) Phelan, Dade(R) | Relating to the regulation by a political subdivision of certain employment benefits. |
| Bill History: | | 05-17-19 H Reported from committee as substituted House State Affairs |
|  SB 2551 | Hinojosa, Chuy(D) Burrows, Dustin(R) | Relating to the liability of certain political subdivisions for certain workers' compensation claims and actions. |
| Bill History: | | 06-10-19 G Earliest effective date |
|  SJR 21 | Seliger, Kel(R) | Proposing a constitutional amendment to provide for forgoing the transfer of oil and gas production tax revenue to the economic stabilization fund. |
| Bill History: | | 04-11-19 S Committee action pending Senate Finance |
|  SJR 24 | Kolkhorst, Lois(R) Cyrier, John(R) | Proposing a constitutional amendment relating to the appropriation of the net revenue received from the imposition of state sales and use taxes on sporting goods. |
| Bill History: | | 11-05-19 G Election date |
|  SJR 49 | Taylor, Larry(R) | Proposing a constitutional amendment authorizing the legislature to provide for a temporary local option exemption from ad valorem taxation of a portion of the appraised value of certain property damaged by a disaster. |
| Companions: | | HJR 34 Shine, Hugh (Identical) 11- 5-19 G Election date |
| Bill History: | | 03-19-19 S Committee action pending Senate Property Tax |






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| Total Bills: 323 |
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CORPUS CHRISTI REGIONAL TRANSIT AUTHORITY 86TH REGULAR SESSION

CHAPTER 451 TRANSPORTATION CODE

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|  HB 899 | Israel, Celia(D) | Relating to bonds issued by certain metropolitan rapid transit authorities. |
| Companions: | | SB 365 Watson, Kirk(D) (Identical) 3-19-19 S Placed on the Senate Calendar for |
| Last Action: | | 4-26-19 H Reported from committee as substituted House Transportation |
|  HB 899 | Israel, Celia(D) | Relating to bonds issued by certain metropolitan rapid transit authorities. |
| Companions: | | SB 365 Watson, Kirk(D) (Identical) 3-19-19 S Placed on the Senate Calendar for |
| Last Action: | | 4-26-19 H Reported from committee as substituted House Transportation |
|  HB 899 | Israel, Celia(D) | Relating to bonds issued by certain metropolitan rapid transit authorities. |
| Companions: | | SB 365 Watson, Kirk(D) (Identical) 3-19-19 S Placed on the Senate Calendar for |
| Last Action: | | 4-26-19 H Reported from committee as substituted House Transportation |
|  HB 2450 | Oliverson, Tom(R) | Relating to the requirement that certain political subdivisions hold elections on uniform election dates. |
| Last Action: | | 4-15-19 H Committee action pending House Elections |
|  HB 2561 | Israel, Celia(D) | Relating to the expansion of a fixed rail transit system by certain metropolitan rapid transit authorities. |
| Companions: | | SB 1136 Watson, Kirk(D) (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation |
| Last Action: | | 3-11-19 H Introduced and referred to committee on House Transportation |

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| T | HB 3258 Minjarez, Ina(D) | Relating to an authorization to increase the sales and use tax collected in an advanced transportation district of a metropolitan rapid transit authority. |
| | Companions: SB 1475 Menendez, Jose(D) (Identical) 3-14-19 S Introduced and referred to committee on Senate Finance | |
| | Last Action: 5- 8-19 H Bill pronounced dead by procedural action | |
| T | HB 4160 Swanson, Valoree(R) | Relating to holding elections on uniform election dates. |
| | Last Action: 4-11-19 H Removed from hearing 04/15/19, House Elections | |
| T | HB 4220 Israel, Celia(D) | Relating to the applicability of certain public works contracting requirements to a metropolitan rapid transit authority. |
| | Companions: SB 1137 Watson, Kirk(D) (Identical) 3- 7-19 S Introduced and referred to committee on Senate Transportation | |
| | Last Action: 3-25-19 H Introduced and referred to committee on House Transportation | |
| T | HB 4281 Israel, Celia(D) | Relating to a county motor fuels tax in certain counties for mobility improvement projects. |
| | Companions: SB 1080 Watson, Kirk(D) (Identical) 3- 7-19 S Introduced and referred to committee on Senate Finance | |
| | Last Action: 3-25-19 H Introduced and referred to committee on House Ways and Means | |
| T | SB 365 Watson, Kirk(D) | Relating to bonds issued by certain metropolitan rapid transit authorities. |
| | Companions: HB 899 Israel, Celia(D) (Identical) 4-26-19 H Reported from committee as substituted House Transportation | |
| | Last Action: 3-19-19 S Placed on the Senate Calendar for | |
| T | SB 954 Fallon, Pat (F)(R) | Relating to jointly holding elections on uniform election dates. |
| | Last Action: 3- 1-19 S Introduced and referred to committee on Senate State Affairs | |
| T | SB 1080 Watson, Kirk(D) | Relating to a county motor fuels tax in certain counties for mobility improvement projects. |
| | Companions: HB 4281 Israel, Celia(D) (Identical) | |

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| | | 3-25-19 H Introduced and referred to committee on House Ways and Means |
| | Last Action: | 3- 7-19 S Introduced and referred to committee on Senate Finance |
|  | SB 1136 Watson, Kirk(D) | Relating to the expansion of a fixed rail transit system by certain metropolitan rapid transit authorities. |
| | Companions: | HB 2561 Israel, Celia(D) (Identical) 3-11-19 H Introduced and referred to committee on House Transportation |
| | Last Action: | 3- 7-19 S Introduced and referred to committee on Senate Transportation |
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|  | SB 1738 Menendez, Jose(D) Neave, Victoria(D) | Relating to an education and training program on interacting with and supporting individuals with intellectual and developmental disabilities for certain public transportation vehicle operators. |
| | Last Action: | 5- 9-19 S First placement on Senate Intent Calendar for |
|  | SB 2235 Buckingham, Dawn(R) | Relating to changing the sales and use tax rate of a metropolitan rapid transit authority. |
| | Last Action: | 3-21-19 S Introduced and referred to committee on Senate Transportation |

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| Total Bills: | 17 | 17 |



CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY
BOARD OF DIRECTORS MEETING MINUTES
WEDNESDAY, SEPTEMBER 4, 2019

Summary of Actions

1. Pledge of Allegiance
2. Roll Call
3. Safety Briefing
4. Receipt of Conflict of Interest Affidavits
5. Opportunity for Public Comment
6. Update on RCAT Committee Activities
7. Discussion and Possible Action to Approve the Board of Directors Meeting Minutes of August 7, 2019
8. Update on Federal Legislative for the 2018-2019 Legislative Session
9. Update on 2019 Second Quarter Investment Report
10. Action to change the approved RFP to purchase direct from Texas Buy-Board for Unleaded Cutaway Vans for a 5-year Replacement Program
11. Heard Consent Items –
 - a) Action to Approve the findings of the Fare Equity Analysis to allow staff to present the findings to the Local Governmental Committee
 - b) Action Accept the Comprehensive Annual Financial Report (CAFR) with Independent Auditors' Report and Required Communication Letter for the Year Ended December 31, 2018
12. Heard Presentations (August reports should be July reports) –
 - a) August 2019 Financial Report
 - b) Procurement Update
 - c) August 2019 Safety & Security Report
 - d) August 2019 Operations Report
13. Heard CEO's Report
14. Heard Chairman's Report
15. Adjournment
16. Information–
 - a) Member Inquiry Forms:
 1. Board Meeting–August 7, 2019
 2. Committee Meetings–July 24, 2019

The Corpus Christi Regional Transportation Authority Board of Directors met at 8:30 a.m. in the Corpus Christi Regional Transportation Authority Staples Street Center facility located at 602 N. Staples Street, 2nd Floor Board Room, Corpus Christi, Texas.

Call to Order & Roll Call

Mr. Michael Reeves called the meeting to order at 8:32 a.m., and held the Pledge of Allegiance. Ms. Dena Linnehan called Roll and stated a quorum was present.

Board Members Present: Edward Martinez, Board Chair; Dan Leyendecker, Board Secretary; George B. Clower; Glenn Martin; Scott Harris; Patricia Dominguez; Anne Bauman and Matt Woolbright.



Board Members Absent: Michael Reeves, Board Vice Chair, Tom Niskala and Philip Skrobarczyk.

Staff Present: Jennifer Fehribach, Acting CEO; David Chapa, John Esparza, Jennifer Fehribach, Angelina Gaitan, Dena Linnehan, Derrick Majchszak; Michelle Martinez, Sharon Montez, Rita Patrick, Mike Rendón, Gordon Robinson, Robert Saldaña and Susan Teltschik.

Public Present: Benjamin Schmit and Letty Jones, MV Transportation; Alan D Bowers, Jr. and Ana Fields, CRI CPA; Linda Patterson, Patterson & Associates; Keenan Carskus, BNY Mellon; Jennifer Shepard and Rick Meyers, Meyers & Associates; and Robert Lott, SEC-OPS.

Held Safety Briefing

Mr. Miquel Rendón provided safety information in the event of an emergency for the Board members and guests in the audience. He pointed out the area in the Employee Parking Lot where individuals are to assemble outside of the building, including shelter in-place instructions, and said Ms. Linnehan would be responsible for guiding the Board Members to the Muster Point. He also told us once you leave the building, you may not enter until an 'all clear' is given by Security personnel if or when you may re-enter.

Action to receive Conflict of Interest Affidavits

No affidavits received.

Provided Opportunity for Public Comment

No one spoke under Public Comment.

Update on RCAT Committee Activities

Ms. Sharon Montez commented the monthly RCAT Committee was held on Thursday, August 22ND and called to order by Mr. John Longoria. First Unsung Hero Award was presented to Mr. Roman Calderon. She commented Mr. Baili informed the Committee the ADA citations issued for various infractions from January through July was 1,949. She commented Ms. Tammye Salinas gave a presentation on the Nueces Center for Mental Health and Intellectual Disabilities and her role in these programs. Mr. John Esparza, Assistant Director of Safety and Security gave an update of the metal detectors, additional security guards to support them along with the additional guards for the building. Presentations included review of the Route 16 survey assessment, Route 12 to be evaluated at the September meeting, and discussion of the procurement of the cut-away vans. She said we also provided them the Accessibility Policy for their review and comments. The next regular meeting will be held on Thursday, September 19, 2019 and will be a route evaluation survey.

Action to Approve the Board of Directors Meeting Minutes of August 7, 2019

MR. SCOTT HARRIS MADE A MOTION TO APPROVE BOARD OF DIRECTORS MEETING MINUTES OF AUGUST 7, 2019. MS. ANNE BAUMAN SECONDED THE MOTION. THE MOTION CARRIED. MARTINEZ, LEYENDECKER, NISKALA, CLOWER, MARTIN, HARRIS, DOMINGUEZ, BAUMAN AND WOOLBRIGHT VOTING IN FAVOR. ABSENT REEVES AND SKROBARCZYK.

Update on Federal Legislative for the 2018-2019 Legislative Session

Ms. Jennifer Shepherd introduced herself and colleague Mr. Richard Meyers both of Meyers and Associates, Inc. She commented on the background information she would cover in her



presentation, and mentioned the Federal Landscape for the session was strong bi-partisan support for increased investment in transportation as a whole and is a positive for transportation. She said there isn't any immediate deadlines or crisis going on in Washington currently that usually is crisis driven. She said for FY2020 Transportation Appropriations, House Trans.-Hud bill passed and includes \$86.6 billion, of which \$13.5 billion for public transportation. She said this is an increase of \$150.5 million above FY2019 enacted funding levels including \$60.5 million for public transportation. She said they are pleased to see the FAST Act including \$1.1 billion more than the original FY 2020 FAST act authorization levels; and \$1.9 billion more than FY2020 President's budget request. Bill provides \$827 million for competitive grants and buses and bus facilities, which is \$483 million more than authorized. Ms. Shepherd said there has been no Senate floor action to date that likely will force a combination of continuing resolution and omnibus/minibus bills.

She commented there have been widespread support for increased investment in transportation/infrastructure in the Infrastructure Bill vs. Reauthorization. The funding remains a challenge and it is expected the Highway Trust Fund (HTF) to fall short towards the end of 2021. In the Senate, the EPW passed FAST Act reauthorization bill before recess and the Banking and Commerce Committees must act upon. For the House, Chairman DeFazio is focusing on a broader infrastructure investment bill to be introduced later this year. Ms. Shepherd also commented that Chairman Barrasso in the Senate is focused on reauthorization of the FAST Act, the Administration is deferring to Congress to draft the bill.

For the Senate Bill, we do see an increase in highway spending of 27 percent over the FAST Act and would be the largest in highway authorization in the history with 90 percent of the funding allocated by formula to the states, and significant for Texas. She also briefed on the various provisions of the bill shown on a slide with the details. As far as the funding for the Highway Trust Fund (HTF), it is expected to fall short by end of 2021 and some options to increase the funding included increase federal gas tax, vehicle miles driven fee, P3's, sale or lease of federal facilities along with a few more, none being new ideas.

Ms. Shepherd continued to talk on the Fair and Equitable Funding for Texas, Donor State as Texas contributes 11.17 percent of all federal fuel taxes paid into the HTF and only receives 8.95 percent of total apportionments, equating to only 80 percent return on percentage basis. Texas is shortchanged \$95 million FY2019.

Key Issues are fully fund transit as authorized in the FAST Act through 2020 and continue to trend of increasing funding for the Bus and Bus Facilities Grant program. Establish long-term predictable funding source for transportation to avoid insolvency of HTF, ensure transit funding is not decoupled from the HTF, transit safety and security and autonomous vehicles.

Competitive Transit Grants and results released later this Fall for the application the Agency submitted for Buses and Bus Facilities Program from a \$423.3 million available nationwide, and is very competitive

Update on 2019 Second Quarter Investment Report

Mr. Robert Saldana introduced Ms. Linda Patters from Patterson & Associates regarding the Agency's Portfolio Policy. She said the Federal rates are coming down in September. The situation in the financial market is convoluted although the Feds have reiterated the US economy is not at risk. She said we have a really strong economy and one influence are the rates that are forcing monies into the United States. She said we can't get the inflation up to the 2.0 percent



rate the Feds want. Also, the international are negative right now which helps to get monies to the US. Italy has had 47 governments and may pull out of the EU if they can't meet the deficits, and this will have the international countries to follow suit.

Action to change the Approved RFP to purchase direct from Texas Buy-Board for Unleaded Cutaway Vans for a 5-Year Replacement Program

Ms. Fehribach stated the memo indicated from Texas Buyboard, and actually is through Oklahoma Buyboard in the State of Texas. She provided background information and the need to enter into this program to purchase and replace the unleaded cutaway vans over a 5-year period.

Heard Consent Items –

- a) **Action to Approve the findings of the Fare Equity Analysis to allow staff to present the findings to the Local Governmental Committee**
- b) **Action Accept the Comprehensive Annual Financial Report (CAFR) with Independent Auditors' Report and Required Communication Letter for the Year Ended December 31, 2018.**

MR. HARRIS MADE A MOTION TO APPROVE CONSENT ITEMS A) AND B). MR. GLENN MARTIN SECONDED THE MOTION. THE MOTION CARRIED. MARTINEZ, LEYENDECKER, NISKALA, CLOWER, MARTIN, HARRIS, DOMINGUEZ, BAUMAN AND WOOLBRIGHT VOTING IN FAVOR. ABSENT REEVES AND SKROBARCZYK.

Heard Presentations –

a) August 2019 Financial Report

Mr. Saldaña commented first, on the \$0.10 off-peak question from the last meeting, and stated for 2019 year-to-date, there are 181,901 trips and we've collected \$18,000, and for 2018, there were 316,767 trips and about \$32,000 was collected, and said when we eliminate the \$0.10 off-peak fare it will go up to \$0.50 and only affects about 6 percent of our fare structure. He commented on the second question, regarding the elderly 65 years and older to get the fare free ride, last year was 69,647 trips, and year-to-date is around 40,000 today, and collected in 2018 about \$12,536 and we would forgo these monies.

Mr. Saldaña stated the Board Priority for this item aligns with Financial Transparency. He mentioned a few highlights for the month of June 2019 are up by 1.15 percent ahead of budget, investment income also ahead of budget at 66.93 percent and that total expenses were 12.23 percent under budget. For June 2019, he reported total revenues were \$3.2 million, and the total expenses were \$3.1 million on a budget of \$3.5 million. He displayed charts of the revenues by category, and the expenses by object that show the breakdown of revenues or expenses source. Mr. Saldaña said total operating expenses came in at \$2.4 million on a budget of \$2.9 million. A pie chart was shown detailing where the monies go by object category for the month of June excluding depreciation, debt service and street improvement dollars.

Mr. Saldaña also reported on highlights for year-to-date and said passenger services were behind budget by 0.37 percent, investment income up by 72.34 percent with total expenses being under budget by 11.50 percent for the year. He said annual revenues are \$18.6 million on a \$18.6 million budget. Mr. Saldaña stated the annual expenses are



\$19.3 million on a budget of \$19.3 million. He also provided charts and details showing revenues by category, and the expenses by object with the breakdown of each category or expenses source. Mr. Saldaña also provided a pie chart detailing where the monies go by object category for the year, and excludes depreciation, debt service and street improvement dollars. Mr. Saldaña commented on the Budget to Actual numbers for May Sales Tax of 2018 versus May 2019 at \$104,458 better than last year.

b) Procurement Update

Mr. Saldaña commented on the Board Priority aligns with Public Image & Financial Transparency. He reported on three projects; On-Board Automated Passenger Counters system for the fleet at \$196,660, Wireless Mobile Column Lifts at \$73,360, and Refurbishment of Shelter Amenities at \$2.5 million. He said proposals for the on-board mobile systems are being evaluation, an Invitation for Bids (IFB) was issued in July for the column lifts, and a Request for Proposals (RFP) was issued August 6, 2019 for the shelter refurbishment. Mr. Saldaña stated there is an annual contract with TMLR for risk management services at an estimated cost of \$500,000 to be approved in December.

Other projects requiring CEO approval to include five projects for agreements for brass fittings not to exceed \$24,206; a reverse osmosis water system not to exceed \$16,233; Corpus Christi Air Quality Group not to exceed \$5,000; generator services not to exceed \$14,625 and hydraulic hoses and fittings not to exceed \$46,116. Mr. Saldaña reported the agency still maintains the Marina Rental Space contract at \$6,100 monthly as previously discussed with the Board.

c) August 2019 Safety & Security Report

Mr. Rendón commented this item falls under the Board Priority of Facilities; Safety and Security. He stated there were 6 accidents for the month of July with 2 preventable and 4 being non-preventable giving us a collision rate for the month at 2.11, under the national range of 2.0. Mr. Rendón reported the CCRTA operators drove a total of 285,000 miles in the month of July, a collision rate of 1.73. A slide showing the Security statistics was displayed and included there were 960 contacts with individuals for the month, and commented due to the heat, there are more individuals using the station for shade. He detailed each of the Security Statistics for the month and explained the percentages for each as displayed in the chart for the various stations. Mr. Rendón also said the SEC-OPS, Inc. is now in place and very pro-active, continues to monitor our parking lot and areas, and we now have the metal detector set up and working our entry into the building. Additional training was held on family violence and a fire drill is schedule in the near future. He also commented, the "if you see something, say something" is working everyday with people letting us know of areas of concern for safety issues or persons in the building not in the correct area.

d) August 2019 Operations Report

Mr. Gordon Robinson commented the Board Priority for this item aligns with Public Image and Transparency. He reported the monthly trends showed ridership increased over last July by almost over 7 percent. He said B-Line was up over 8 percent, Fixed Route also up 5 percent, and system overall almost 7 percent. Terms of year-to-date he commented the agency just below flat at 0.5 percent, yet if you look at B-Line, we are up over 10 percent overall. He displayed a chart of the top 10 routes highest weekday productivity routes and the bottom 10 lowest weekday productivity routes and stated the numbers



speak for themselves. He commented there were difference routes switching out as due to low performance with the worst three being Port Aransas routes. The wheelchair and bicycle boardings with the highest and lowest frequency boardings and Route 15 charted for the first time over off Kostoryz. Fixed route on-time performance just over 94.3 percent for July and excellent. Mr. Robinson also commented the fixed routes on detour, 8 out of 32 or 25 percent and some are coming to completion, yet have more detours ramping up. He commented the B-Line at 2.84, and MBRC just under standard, CAFs at 16 validated, and we met our standard of MBRC at 9,407 for the month of July.

Heard CEO's Report

Mr. Jorge G. Cruz-Aedo commented he is currently working with the Finance staff, our bond underwriter, our financial advisor and our legal counsel on a package to refinance some of our certificates of obligation from this building. He said due to the recent long-term debt interest rates that have fallen, and there is a very good chance we will be able to refinance some of these bonds that has the potential of giving us a savings of \$1.1 million to the agency. He commented he would be bringing this to the Board next month in October for consideration.

We will have an Employee luncheon September 18, 2019 at the Bear Lane Facility at 11:30 a.m. and you are all invited. We also have an employee Health fair October 31 2019 at Bear Lane and will be giving flu shots to the employees. Mr. Cruz-Aedo mentioned the Thanksgiving Holiday Luncheon is scheduled for November 21, 2019 at Bear Lane and again you are invited. He said the Holiday Party for employees and MV Transportation employees is scheduled for December 21, 2019 at the Holiday Inn Marina.

Mr. Cruz-Aedo mentioned that today is last day for Ms. Jennifer Fehribach, Managing Director of Operations, and we will have a luncheon today that you are all invited to attend, and she will be the going to New Orleans transit as the Chief Operating Officer.

He also commented on the autonomous vehicle status to say we have a Memorandum of Agreement signed by TAMU-CC, we have given MV Transportation a letter to proceed with acquisition of the EasyMile vehicle and are scheduled maybe as early as October of this year.

Additionally, the land next to our Southside station, we have received an offer for the property and we are now moving forward with some legal work, surveys, appraisals and the process required if we decide to sell and we wanted to keep this on your radar.

Mr. Cruz-Aedo said he would be joining the United Corpus Christi Chamber Commerce to attend the Coastal Bend to Washington, D.C. trip where they have a full schedule set up for several who are attending.

Mr. Cruz-Aedo commented he was elected as President of the Texas Transit Association (TTA) last Thursday while attending a monthly Board meeting and Workshop in Austin, Texas, and will begin his service in 2020. He also mentioned the TTA Annual Conference will be coming to Corpus Christi in 2021.

Heard Chairman's Report

Mr. Edward Martinez, Board Chairman deferred his time to other board members. Mr. Matt Woolbright thanked Ms. Fehribach for her service and said she has brought a breath of fresh air to the agency with her great ideas. Mr. Scott Harris also thanked Ms. Fehribach, and announced he would not seek reappointment with the County. Mr. Harris said he will miss the staff and going



to conferences, sitting at the parade, and that this was a personal decision to focus on family and work. Thank you to the CCRTA and he will be here in the audience on October 2, 2019 for any farewell services. Ms. Dominguez also thanked Ms. Fehribach, Mr. Robinson, Mr. Jeremy Sirio and Mr. Rendon for their work with the VIP Express services. Ms. Anne Bauman congratulated Ms. Fehribach and mentioned several here are already planning their road trip to New Orleans.

Mr. Martin thanked Ms. Fehribach and wanted to publicly say good bye and have appreciated all her work in Port Aransas and she will be missed. Messrs. Clower and Leyendecker also commended Ms. Fehribach for all her good work and making changes here at the CCRTA.

Adjournment

There being no further review of items, the meeting adjourned at 9:53 a.m.

Submitted by: Dena Linnehan

Dan Leyendecker, Board Secretary



Subject: Amend the 2019 Capital Budget

Background

By statute, the Board adopts a balance operating budget annually. A formal capital budget along with a Capital Improvement Plan (CIP) are also adopted as part of the annual budgeting process at the same time in order to properly allocate the Authority's financial resources, linking strategic and comprehensive plans with fiscal capacity.

The operating budget addresses expenses and revenues for a single year, while the Capital Improvement Plan has two parts – a capital budget and a capital program. The capital budget is the upcoming year's spending plan for capital items and the capital program is a plan for capital expenditures that are project oriented and may span more than one year.

Identified Need

Four (4) Capital items have been identified that require an amendment to the 2019 Capital and CIP Budget. All of the items are for replacement of vehicles and equipment. The increase in costs are primarily due to upgrades and the added feature of a safety collision avoidance system that was not available in the type of vehicle that was initially requested.

An attachment listing the changes to the 2019 Adopted CIP Budget is being provided to itemize the projects requiring an amendment along with the resulting financial impact.

Disadvantaged Business Enterprise

Not Applicable.

Financial Impact

Source of funding comes from Federal Transit Grants matching funds being funded from the CCRTA undesignated fund balance. This amendment results in a \$1,278,750 increase of total project costs. The federal share will increase revenues by \$1,176,000 with matching funds of \$102,750 being funded from the undesignated fund balance.

The 2019 Capital Budget will increase total project costs by \$1,278,750 bringing the total Capital Budget to \$6,672,161 from the original \$5,393,411.

Board Priority

This item aligns with the Board Priority – Financial Transparency.

Committee Review

This item was reviewed and approved at the Administration & Finance Committee meeting held on September 25, 2019.

Recommendation

Staff requests the Board of Directors authorize the Chief Executive Officer (CEO) or designee to amend the 2019 Capital Budget.

Respectfully Submitted,

Submitted by: Sandra M. Roddel
Director of Finance

Reviewed by: Robert M. Saldaña
Managing Director of Administration

Final Approval: 
Jorge G. Cruz-Aedo
Chief Executive Officer

AMENDMENT #1
FY2019 CIP BUDGET

ATTACHMENT B

| Project # | Description | Adopted Budget (Total Project Costs) | Grant Share (Revenues) | Local Share | Change in Project Costs | Change in Grant Share (Revenues) | Change in Local Share |
|----------------------------|--|--|---------------------------|---------------------|----------------------------|--|--------------------------|
| 2019-01 | Bear Land Fencing Replacement - DBE | \$ 31,035 | \$ 24,828 | \$ 6,207 | \$ - | \$ - | \$ - |
| 2019-02 | VPG Support Vehicles Replacement (2) 80/20 | \$ 68,000 | \$ 54,400 | \$ 13,600 | \$ (68,000) | \$ (54,400) | \$ (13,600) |
| 2019-03 | Hybrid SUV Replacement (2) 80/20 | \$ 74,910 | \$ 59,928 | \$ 14,982 | \$ (74,910) | \$ (59,928) | \$ (14,982) |
| 2019-02 | SUV Replacement (4) 80/20 | \$ - | \$ - | \$ - | \$ 183,560 | \$ 146,848 | \$ 36,712 |
| 2019-04 | Mobile Bus Lift | \$ 80,000 | \$ 64,000 | \$ 16,000 | \$ - | \$ - | \$ - |
| 2019-05 | Port A Fleet Replacement (1) 80/20 | \$ 85,000 | \$ 68,000 | \$ 17,000 | \$ (85,000) | \$ (68,000) | \$ (17,000) |
| 2019-05 | Port A Fleet Replacement (1) 85/15 | \$ - | \$ - | \$ - | \$ 255,000 | \$ 216,750.00 | \$ 38,250.00 |
| 2019-05 | Port A Fleet Pre & Post Delivery Inspection (2) | \$ - | \$ - | \$ - | \$ 1,650 | \$ 1,320 | \$ 330 |
| 2019-05 | Paratransit Fleet Replacement (11) @ \$255,000 85/15 | \$ - | \$ - | \$ - | \$ 2,805,000 | \$ 2,384,250.00 | \$ 420,750.00 |
| 2019-07 | Paratransit Fleet Pre & Post Delivery Inspections (26 @ \$825) | \$ - | \$ - | \$ - | \$ 21,450 | \$ 17,160 | \$ 4,290 |
| 2019-07 | Paratransit Fleet Replacement (11) @ \$160,000 80/20 | \$ 1,760,000 | \$ 1,408,000 | \$ 352,000 | \$ (1,760,000) | \$ (1,408,000) | \$ (352,000) |
| 2019-06 | Bus DVR Camera Replacement | \$ 323,030 | \$ 258,424 | \$ 64,606 | \$ - | \$ - | \$ - |
| 2019-08 | Coin Sorter | \$ 11,000 | \$ 8,800 | \$ 2,200 | \$ - | \$ - | \$ - |
| 2019-09 | Shelvers for Windshields & Windows | \$ 25,000 | \$ 20,000 | \$ 5,000 | \$ - | \$ - | \$ - |
| 2019-10 | Fluid Storage Tanks | \$ 27,500 | \$ 22,000 | \$ 5,500 | \$ - | \$ - | \$ - |
| 2019-11 | Bus Automatic Passenger Counting Solution (14) | \$ 196,601 | \$ 157,281 | \$ 39,320 | \$ - | \$ - | \$ - |
| 2019-12 | Del Mar South Campus | \$ 209,588 | \$ 167,670 | \$ 41,918 | \$ - | \$ - | \$ - |
| 2019-13 | Misc Concrete Improvements (Bus Pads) - DBE | \$ 350,000 | \$ 280,000 | \$ 70,000 | \$ - | \$ - | \$ - |
| 2019-14 | Cunningham @ South Park Middle School | \$ 350,000 | \$ - | \$ 350,000 | \$ - | \$ - | \$ - |
| 2019-15 | Service Trucks Utility Bed | \$ 57,000 | \$ - | \$ 57,000 | \$ - | \$ - | \$ - |
| 2019-16 | Electric Utility Vehicle | \$ 18,000 | \$ - | \$ 18,000 | \$ - | \$ - | \$ - |
| 2019-17 | Rim Polisher | \$ 140,000 | \$ - | \$ 140,000 | \$ - | \$ - | \$ - |
| 2019-18 | Demolition of Contractor's (MV) Building | \$ 60,996 | \$ - | \$ 60,996 | \$ - | \$ - | \$ - |
| 2019-19 | Electric Charging Unit @ Staples Street Center | \$ 51,000 | \$ - | \$ 51,000 | \$ - | \$ - | \$ - |
| 2019-20 | Port/Ayers Renovation Project | \$ 620,601 | \$ - | \$ 620,601 | \$ - | \$ - | \$ - |
| 2019-21 | Ford Focus Support Vehicles | \$ 18,000 | \$ - | \$ 18,000 | \$ - | \$ - | \$ - |
| 2019-22 | Adobe Acrobat Reader Replacement | \$ 15,200 | \$ - | \$ 15,200 | \$ - | \$ - | \$ - |
| 2019-23 | Dismas Land Purchase | \$ 750,000 | \$ - | \$ 750,000 | \$ - | \$ - | \$ - |
| 2019-24 | Microsoft Email Server Replacement | \$ 17,950 | \$ - | \$ 17,950 | \$ - | \$ - | \$ - |
| 2019-25 | Microsoft Office Replacement | \$ 14,000 | \$ - | \$ 14,000 | \$ - | \$ - | \$ - |
| 2019-26 | Microsoft Server Software Replacement | \$ 15,000 | \$ - | \$ 15,000 | \$ - | \$ - | \$ - |
| 2019-27 | Staff Computers | \$ 17,600 | \$ - | \$ 17,600 | \$ - | \$ - | \$ - |
| 2019-28 | Tough Books 20 (4) | \$ 6,400 | \$ - | \$ 6,400 | \$ - | \$ - | \$ - |
| Total 2019 Projects | | \$ 5,393,411 | \$ 2,593,331 | \$ 2,800,080 | \$ 1,278,750 | \$ 1,176,000 | \$ 102,750 |



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

Board of Directors Meeting Memo

October 2, 2019

Subject: Action to enter into a Professional Agreement with Wells Fargo Institutional Trust to continue providing the Portfolio Management Services of CCRTA's retirement plans through May 31, 2020

Background

Legislation enacted by the 86th Legislature and signed by the Governor amended the Texas Government Code Chapter 802 to expand and update the reporting requirements for public retirement systems that will become effective in 2020.

Specifically, Senate Bill 322 relates to the evaluation and reporting of practices and performance of investments. Retirement systems with pension assets exceeding \$30M must conduct investment performance evaluation by an independent firm. The first evaluation report is due May 31, 2020, and thereafter every 6 years.

In addition, this bill addresses new fee disclosures requirements. Retirement systems will be required to include in their annual financial report a listing, by asset class, or all direct and indirect commissions and fees paid by the retirement system for the sale, purchase, or management of its assets and to provide the names of the investment managers engaged by the retirement system effective by the end of the fiscal year 2019. This will be automatically incorporated in the CAFR and audited by our auditors, CRI.

Identified Need

Currently, Wells Fargo Institutional Trust provides services for the CCRTA retirement Plans. Investment services are currently bundled with the administrative services. Services include administrative and recordkeeping services for both the defined benefit and defined contribution plans and trustee services for both plans. Wells Fargo provides investment reporting services for the defined contribution plan and investment management and reporting services for the defined benefit pension plan.

To enable staff to obtain professional guidance for implementing the new reporting requirements Wells Fargo should be allowed to continue providing the same services under a professional agreement through May 31, 2020 to provide the continuity necessary for the transition.

Disadvantaged Business Enterprise

Not Applicable.

Financial Impact

There is no financial impact to the operating budget. There are no changes to the fee schedule and **all fees are paid from the assets of the trust accounts**. The Defined Benefit Plan fee schedule is based on the assets under management. The current annual fee is 0.30% of plan assets or 30 basis points. The fee will drop to 0.25% or 25 basis points once the pension assets reach \$50 Million. The current monthly fee is approximately \$10,201 (30 basis points or 0.30% x \$40,804,465 in plan assets divided by 12 months) or \$122,412 annually.

The Defined Contribution Fees are paid through a mutual fund revenue sharing arrangement that varies by fund and by the participant investment elections, plus the distribution fees charged when participants take payments from the plan. The total annual fees for 2018 were 17 basis points or 0.17% of plan assets. The estimated monthly fee for 2019 is approximately \$1,558 or \$18,696 annually (calculated by taking the estimated 17 basis points or 0.17% x \$11,000,000 in plan assets divided by 12 months).

Board Priority

This item aligns with the Board Priority – Financial Transparency.

Committee Review

This item was reviewed and approved at the Administration & Finance Committee meeting held on September 25, 2019.

Recommendation

Staff requests the Board of Directors authorize the Chief Executive Officer (CEO) or designee to enter into a Professional Agreement with Wells Fargo Institutional Trust to continue providing the Portfolio Management Services of CCRTA's retirement plans through May 31, 2020.

Respectfully Submitted,

Submitted by: Marie Sandra Roddel
Director of Finance

Reviewed by: Robert M. Saldaña
Managing Director of Administration

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer



CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY

Board of Directors Meeting Memo

October 2, 2019

Subject: Award a contract to Petroleum Solutions, Inc. for Two (2) Four-Post Wireless Mobile Column Lifts

Background

The RTA Maintenance Department facility currently houses eight bays and five stationary vehicle lifts. Lifts undergo monthly equipment Preventative Maintenance Inspections (PMI) or repairs and are out of service to vehicle Technicians, causing disruptions in vehicle servicing. A four-post wireless mobile column lift allows for bays without equipment to be used and thus maximize the existing square footage allotted to maintain rolling stock.

Identified Need

The CCRTA Maintenance Department is responsible for maintaining a fleet of 70 buses (35' - 40'). Four post wireless mobile column lifts have an 18,500-pound weight capacity and are able to accommodate any size wheel base. Wireless mobile lifts offer the flexibility of being powered with single phase, three phase, or a battery system.

Disadvantaged Business Enterprise

For this procurement the DBE participation is zero percent (0%) – Contractors are encouraged to offer contracting opportunities to the fullest extent possible through outreach and recruitment activities to small, minority and disadvantaged businesses.

Financial Impact

The Four Post Wireless Mobile Column Lift project is budgeted for \$80,000 and is a 2019 CIP project funded partially by 5307 Formula Funds. The bid from Petroleum Solutions, Inc. is \$79,148.38. The local match is 20% with a cost of \$15,829.67, federal estimated cost of \$63,318.71.

| Bidder | Item Description | Qty. | Unit Price | Total | Manufacturer | Model | Delivery Time |
|---|-----------------------------------|------|-------------|-------------|----------------------------------|--------------|---------------|
| Automotive Professional Service Equipment | Wireless Mobile Four Column Lifts | 2 | \$44,997.00 | \$89,994.00 | Challenger Lift | CLHM-190-4 | 15 |
| Best Buy Auto Equipment | Wireless Mobile Four Column Lifts | 2 | \$46,899.00 | \$93,798.00 | Challenger Lift | CLHM-190-4 | 30 |
| Gray Manufacturing, Co. | Wireless Mobile Four Column Lifts | 2 | \$41,892.00 | \$83,784.00 | Gray Manufacturing Company, Inc. | WPLS-190 | 30 |
| Petroleum Solutions, Inc. | Wireless Mobile Four Column Lifts | 2 | \$39,574.19 | \$79,148.38 | Rotary | FLES MAX 419 | 21 |
| Reeder Distributors, Inc. | Wireless Mobile Four Column Lifts | 2 | \$39,995.00 | \$79,990.00 | Stertil-Koni USA | ST-1085-FWA | 30-45 |

Board Priority

This item aligns with the Board Priority – Budget: Service delivery is aligned with the budget.

Committee Review

This item was reviewed and approved at the Operations & Capital Projects Committee meeting held on September 25, 2019.

Recommendation

Staff requests the Board of Directors to authorize the Chief Executive Officer (CEO) or designee to Award a contract to Petroleum Solutions, Inc. for Two (2) Four-Post Wireless Mobile Column Lifts.

Respectfully Submitted,

Submitted by: Bryan Garner
Director of Maintenance

Reviewed by: Derrick Majchszak
Director of Transportation

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer



Subject: Adopt a Resolution adopting the new Fare Structure subject to the approval of the Fare Approval Committee (FAC)

Background

The current fare structure was last reviewed and adopted in May 2008. The review process was implemented to minimize the downward trend of the CCRTA's fare recovery ratio and reduce the complexity of the fare structure (as noted in the 2010 Triennial review). When reviewing the fare structure, the Corpus Christi Regional Transportation Authority (CCRTA) keeps four (4) objectives in mind:

1. Encourage ridership growth and minimize loss
2. Maintain affordability for low-income populations
3. Encourage farebox recovery in keeping with revenue goals and peer agency practices
4. Encourage simplicity and ease of understanding for customers and operators

Identified Need

Over the past several years the farebox recovery ratio (a percentage of operating costs the fare pays) has steadily been trending downward. Currently the CCRTA farebox recovery ratio is at 6.16%, while our peer agencies average around (17%). Because sales tax is the vast majority of our revenue and the nature of sales tax is volatile, the CCRTA is reviewing our current fares to stop the decline of the farebox recovery ratio.

Disadvantaged Business Enterprise (DBE)

There are no federal funds being used for this action so no DBE goal is required.

Financial Impact

The financial impact will be dependent of how the ridership reacts to the fare adjustment. Increase in revenue will be used to offset rising operational costs.

Board Priority

This project aligns with Board Priority – Financial Transparency.

Committee Review

This item was reviewed and approved at the Administration & Finance Committee meeting held on September 25, 2019.

Recommendation

Staff requests the Board of Directors Authorize the Chief Executive Officer or designee to adopt a resolution adopting the new fare structure subject to the approval of the Fare Approval Committee (FAC).

Respectfully Submitted,

Submitted by: Robert M. Saldaña
Managing Director of Administration

Final Approval: 

Jorge G. Cruz-Aedo
Chief Executive Officer

Corpus Christi Regional Transportation Authority



Resolution

WHEREAS, Texas Transportation Code Section 451.061 bestows on the Board of Directors the authority to impose a reasonable and nondiscriminatory fare, toll charge, rent, and other compensation for the use of transit authority system sufficient to produce revenue, together with tax revenue received by the authority, in an amount adequate to:

1. Pay all the expenses necessary to operate and maintain the transit authority system;
2. Pay when due the principal of and interest on, a sinking fund and reserve fund payments agreed to be made with respect to, all bonds that are issued by the authority and payable in whole or part from the revenue; and
3. Fulfill the terms of any other agreement with the holders of bonds described by Subdivision (2) or with a person acting on behalf of the bondholders.

WHEREAS, it is intended by this chapter that the compensation imposed under Subsection (a) and taxes imposed by the authority not exceed the amounts necessary to produce revenue sufficient to meet the obligations of the authority under this chapter; and

WHEREAS, except as provided by Subsection (d-1), the fares, tolls, charges, rent, and other compensation established by an authority in which the principal municipality has a population of less than 1.9 million may not take effect until approved by a majority vote of a committee composed of:

1. Five (5) members of the governing body of the principal municipality, selected by that governing body;
2. Three (3) members of the commissioner's court of the county having the largest portion of the incorporated territory of the principal municipality, selected by that commissioner's court; and
3. Three (3) Mayors of municipalities, other than the principal municipality, located in the authority, selected by:
 - (a) The Mayors of all the municipalities, except the principal municipality, located in the authority; or
 - (b) The Mayor of the most populous municipality, other than the principal municipality, in the case of an authority in which the principal municipality has a population of less than 320,000; and

NOW THEREFORE, BE IT RESOLVED BY THE CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY BOARD OF DIRECTORS THAT:

RESOLVED, that the Board of Directors Adopt this Resolution adopting the new fare structure subject to the approval of the Fare Approval Committee.

DULY PASSED AND ADOPTED this 25th day of September, 2019.

ATTEST:

**CORPUS CHRISTI REGIONAL
TRANSPORTATION AUTHORITY**

Jorge Cruz-Aedo
Chief Executive Officer

Edward Martinez
Board Chairman



Subject: Award a Contract to A. Ortiz Construction and Paving, Inc., for the Refurbishment of Shelter Amenities

Background

The RTA currently has in place an estimated 198 bus stop shelters, 951 benches and 860 trash receptacles at the 1,343 bus stops, which require regular maintenance.

Identified Need

The Federal Transit Administration's, "Transit Asset Management Program", has new requirements, where by transit agencies are requirement to track and maintain the assets of the system in a "State of Good Repair".

Based on the aforementioned FTA requirements, CCRTA determined that in order to keep all shelter amenities in a "State of Good Repair", a robust shelter refurbishment program was needed. However, because CCRTA does not have the number of staff and equipment to support a robust program, the decision was made to outsource some of the work.

A Request for Proposals was issued August 6th, and proposals were due on September 10th. The contract term is five years.

Numerous companies were contacted, and the proposal due date was extended an additional week to provide more time to submit a proposal. Also, the information was uploaded into B2G vendor program, CCRTA's website, advertised in the local newspaper and shared with Del Mar College (Procurement Technical Assistance Center), but the outreach process still garnered only one proposal. A. Ortiz Construction and Paving, Inc. submitted the single proposal.

The scope of work includes removing the shelter amenities at their location, taking it back to their shop, sanding/prepping it, painting the amenities and then taking it back to its location and re-installing it.

The table below list the number of amenities to be refurbished, the pricing and the CCRTA's independent cost estimate as a cost comparison:

| Description | Number of Amenities | Quantity of Amenities Awarded | Unit Price 1st Year | Independent Cost Estimate |
|-----------------------------|---------------------|-------------------------------|---------------------|---------------------------|
| Fiberglass Sunshade Canopy* | 128 | 128 | \$2,750.00 | \$2,292.00 |
| Tolar Shelters* | 70 | 70 | \$3,750.00 | \$3,081.00 |
| Trash Containers* | 860 | 0 | \$750.00 | \$658.00 |
| Metal Benches* | 150 | 0 | \$600.00 | \$635.00 |
| Concrete Wooden Benches* | 801 | 0 | \$650.00 | \$681.00 |

* Removal, refurbishment, and installation

| Cost Escalation Percentages | Percent |
|--|----------------|
| Percent increase on unit pricing in Year 2 | 3% |
| Percent increase on unit pricing in Year 3 | 3% |
| Percent increase on unit pricing in Year 4 | 3% |
| Percent increase on unit pricing in Year 5 | 3% |

CCRTA is awarding a contract for the shelter refurbishments items at this time. When reviewing the costs of refurbishment for the trash receptacles, metal benches and concrete benches it was decided that because the items mentioned above, are close to 2/3rd's of the cost of procuring a new shelter amenity, a decision was made to not refurbish those items at this time. In-house staff will refurbish the items on an as needed basis, while simultaneously working on the procurement of new amenities to replace the existing ones.

A Ortiz Construction & Paving, Inc. has been in business since 1950. The CCRTA has conducted business with A. Ortiz Construction & Paving on numerous occasions for various projects. The work was consistently performed in a professional and timely manner, on budget and according to specifications

Disadvantaged Business Enterprise (DBE)

This project is funded with local funds and not federal funds.

Financial Impact

The estimated cost for the refurbishment program in 2019 is \$300,000, and starting in 2020 and through the next four years, \$500,000 will be budgeted annually. The work will be issued through task orders as needed.

Board Priority

The Board Priority is Public Image and Facilities.

Committee Review

This item was reviewed and approved at the Operations & Capital Projects Committee meeting held on September 25, 2019.

Recommendation

Staff requests the Board of Directors authorize the Chief Executive Officer or designee to Award a Contract to A. Ortiz Construction and Paving, Inc. for Shelter Amenities Refurbishment.

Respectfully Submitted,

Submitted by: Sharon Montez
 Managing Director of Capital Projects and Customer Services

Final Approval by: 
 Jorge G. Cruz-Aedo
 Chief Executive Officer

**Corpus Christi
Regional Transportation Authority**



Resolution

Draft dated September 26, 2019

A RESOLUTION BY THE CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY AUTHORIZING THE ISSUANCE, SALE, AND DELIVERY OF THE "CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY SYSTEM REVENUE REFUNDING BONDS, TAXABLE SERIES 2019"; APPROVING AND AUTHORIZING THE EXECUTION OF A PURCHASE CONTRACT, AN ESCROW AGREEMENT, A PAYING AGENT/REGISTRAR AGREEMENT, AND ENGAGEMENT LETTERS WITH THE AUTHORITY'S FINANCIAL ADVISOR AND BOND COUNSEL; DELEGATING AUTHORITY TO CERTAIN DESIGNATED AUTHORITY OFFICIALS TO SELECT OUTSTANDING BONDS TO BE DEFEASED AND/OR REFUNDED AND APPROVE ALL FINAL TERMS OF THE BONDS, AND CALLING CERTAIN BONDS FOR REDEMPTION; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE

DATE OF APPROVAL: OCTOBER 2, 2019

ATTACHMENT C

STATE OF TEXAS

§

CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY

§

WHEREAS, the Corpus Christi Regional Transportation Authority (the "*Authority*") is a metropolitan rapid transit authority existing and operating under Chapter 451, Texas Transportation Code, as amended ("*Chapter 451*"), and created pursuant to an election held on August 10, 1985 (the "*Election*"), to provide public transportation in Nueces County and San Patricio County, Texas, including (but not limited to) the City of Corpus Christi, Texas (the "City"); and

WHEREAS, the Authority has, pursuant to Chapter 451, developed and now owns, operates and maintains a "transit authority system" within the meaning of Chapter 451 (the "*Transit Authority System*"); and

WHEREAS, to support ownership, operation, and maintenance of the Transit Authority System, the Authority, as authorized by Chapter 451 and as approved at the Election, imposes and collects within its boundaries a sales and use tax equal to ½ of 1% (the "*Authority's Sales Tax*"; the revenues resultant therefrom, defined and described herein to mean the "*Authority's Sales Tax Revenues*") and, pursuant to Chapter 451, has developed a fare system to charge passengers utilizing the Transit Authority System (the revenues from which are included in the hereinafter defined Gross Operating Revenues of the Authority); and

WHEREAS, the Board of Directors of the Authority, the governing body of the Authority (the "*Board*") has issued the following series of revenue bonds, which bonds are secured by a first and prior lien on and pledge of the "Pledged Revenues" (as defined herein) of the Transit Authority System:

Corpus Christi Regional Transportation Authority System Revenue Bonds, Series 2013 (AMT), dated November 15, 2013, maturing December 1 in the years 2019 through 2025, inclusive, 2027, 2030, 2033 and 2038, now outstanding in the aggregate principal amount of \$10,055,000 (the "Series 2013 Bonds"); and

Corpus Christi Regional Transportation Authority System Revenue Bonds, Taxable Series 2013, dated November 15, 2013, maturing December 1 in the years 2019 through 2023, inclusive, 2025, 2033 and 2038, now outstanding in the aggregate principal amount of \$9,190,000 (the "Taxable Series 2013 Bonds"); and

WHEREAS, pursuant to the provisions of Section 1207.007(a)(4), Texas Government Code, the Authority now desires to delegate to a "Designated Officer" (as defined in Section 2(a) below), individually or collectively, the authority, individually or collectively, to select the specific maturities and principal amounts of the Series 2013 Bonds and Taxable Series 2013 Bonds described in the preceding recital to be defeased and/or refunded with proceeds of the bonds authorized pursuant to this Resolution and effect the sale of such bonds; and

WHEREAS, the Series 2013 Bonds and Taxable Series 2013 Bonds selected by a Designated Officer to be defeased and/or refunded as authorized by Section 2(c) of this Resolution are hereafter referred to as the "Refunded Bonds"; and

ATTACHMENT C

WHEREAS, Chapter 1207, Texas Government Code, as amended ("**Chapter 1207**"), authorizes the Authority to issue refunding bonds and to deposit the proceeds from the sale thereof, and any other available funds or resources, directly with a place of payment (paying agent) for the Refunded Bonds, or with another trust company or commercial bank that does not act as a depository for the Authority, in an amount sufficient to provide for the payment and/or redemption of the Refunded Bonds, and such deposit, if made before such payment dates, shall constitute the making of firm banking and financial arrangements for the discharge and final payment or redemption of the Refunded Bonds; and

WHEREAS, Chapter 1207 (specifically Section 1207.062, Texas Government Code) further authorizes the Authority to enter into an escrow agreement with any paying agent for the Refunded Bonds, or with another trust company or commercial bank that does not act as a depository for the Authority, with respect to the safekeeping, investment, reinvestment, administration and disposition of any such deposit, upon such terms and conditions as the Authority and such paying agent may agree; provided that such deposits may be invested and reinvested in:

(i) direct noncallable obligations of the United States, including obligations that are unconditionally guaranteed by the United States,

(ii) noncallable obligations of an agency or instrumentality of the United States, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the Board of the Authority adopts or approves this Resolution, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and

(iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the Board of the Authority adopts or approves this Resolution, are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and all of which must mature and bear interest payable at such times and in such amounts as will be sufficient to provide for the scheduled payment or redemption of the Refunded Bonds; and

WHEREAS, the Designated Officer is hereby authorized to select any paying agent for the Refunded Bonds or another trust company or commercial bank that does not act as a depository for the Authority as the escrow agent (the "**Escrow Agent**") for the Refunded Bonds and the Escrow Agreement hereinafter authorized between the Authority and Escrow Agent shall constitute an escrow agreement of the kind authorized and permitted by Chapter 1207; and

WHEREAS, the Board of the Authority hereby finds and declares a public purpose and deems it advisable and in the best interests of the Authority to issue a series of taxable bonds (the "Series 2019 Bonds"), the proceeds of which will be used to pay costs of issuance and defease and/or refund the Refunded Bonds in order to achieve a gross debt service savings and a net present value debt service savings; provided, however, in no event shall Bonds be issued unless the Authority is able to achieve a net present value debt service savings of at least 3.00% of the principal of the Refunded Bonds; and

WHEREAS, the Bonds hereinafter authorized and designated are to be issued and delivered pursuant to Chapter 1207; and

ATTACHMENT C

WHEREAS, it is hereby officially found and determined that the meeting at which this Resolution was passed was open to the public, and public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY THAT:

SECTION 1. DEFINITIONS. For all purposes of this Resolution, except as otherwise expressly provided or unless the context otherwise requires, the terms used in this Resolution shall have the meaning assigned to them in Exhibit A.

SECTION 2. AMOUNT AND PURPOSE OF THE SERIES 2019 BONDS; DELEGATION OF AUTHORITY TO CERTAIN AUTHORITY OFFICIALS.

(a) Authorization to Issue Refunding Bonds. Revenue system bonds of the Authority are hereby authorized to be issued and delivered in the aggregate principal amount as designated by the Board Chairman and/or the Chief Executive Officer of the Authority (each a "*Designated Officer*") pursuant to the provisions of Section 2(b) of this Resolution ***FOR THE PURPOSE OF PROVIDING FUNDS TO DEFEASE AND/OR REFUND A PORTION OF THE AUTHORITY'S OUTSTANDING REVENUE SYSTEM INDEBTEDNESS AND TO PAY FOR COSTS OF ISSUANCE.***

(b) Delegation of Final Terms. As authorized by Section 1207.007, Texas Government Code, the Designated Officer is hereby authorized, appointed, and designated as an officer of the Authority authorized to act on behalf of the Authority to effect the sale of the Series 2019 Bonds and to establish the terms and details related to the issuance and sale of the Series 2019 Bonds including the total aggregate principal amount of Series 2019 Bonds to be issued (but in no event to exceed \$24,210,000 in aggregate principal amount), the price at which the Series 2019 Bonds will be sold (but in no event shall the Series 2019 Bonds be sold at a price which would result in a net present value savings of less than 3.00% of the principal amount of the Refunded Bonds), the date of the Series 2019 Bonds, the aggregate principal amount of each maturity thereof, the due date of each maturity (but in no event later than December 1, 2038), the rate of interest to be borne on the principal amount of each such maturity (but in no event to exceed a net effective interest rate for all of the Series 2019 Bonds of 5.50% per annum), the interest payment periods, the dates, price and terms upon and at which the Series 2019 Bonds shall be subject to any mandatory sinking fund redemption provisions for any maturity, and all other matters relating to the issuance, sale and delivery of the Series 2019 Bonds, including the revision of this resolution to eliminate any reference to "Previously Issued Parity Obligations" should all of the Series 2013 Bonds and Taxable Series 2013 Bonds be selected for refunding and defeasement pursuant to Section 2(c) hereof and determining the method by which the Series 2019 Reserve Fund shall be funded. The Designated Officer, for and on behalf of the Authority, is further authorized to (i) complete and attach Schedule I of this Resolution, and (ii) revise and complete the FORM OF INITIAL BOND set forth in Exhibit B of this Resolution, with the final terms of the Series 2019 Bonds approved pursuant to the authority granted herein, and to enter into, execute and carry out an agreement to purchase the Series 2019 Bonds (the "Purchase Contract") with the Underwriters named in Section 34 herein.

(c) Delegation of Authority to Select Series 2013 Bonds and Taxable Series 2013 Bonds for Refunding. As authorized by Section 1207.007(a)(4), Texas Government Code, the Designated Officer, for and on behalf of the Authority, is hereby authorized to select all or any portion of the outstanding Series 2013 Bonds and all or any portion of the outstanding Taxable Series 2013 Bonds to be defeased and/or refunded with proceeds of the Series 2019 Bonds and to evidence the selection of

ATTACHMENT C

such Series 2013 Bonds and Taxable Series 2013 Bonds by executing and attaching to this Resolution as Schedule I a certificate describing the maturities and the principal amount of such maturities of the Series 2013 Bonds and Taxable Series 2013 Bonds to be defeased and/or refunded with the proceeds of the Series 2019 Bonds.

(d) Determination Required by Section 1201.022(a)(3), Texas Government Code. In satisfaction of Section 1201.022(a)(3), Texas Government Code, the Board hereby determines that the delegation of the authority to the Designated Officer to approve the final terms of the Series 2019 Bonds set forth in this Resolution is, and the decisions made by a Designated Officer pursuant to such delegated authority and incorporated in Schedule I will be, in the Authority's best interests, and the Designated Officer is hereby authorized to make and include in Schedule I an appropriate finding to that effect.

(e) Expiration of Delegation Authority. The authority delegated to the Designated Officer pursuant to Sections 2(b) and (c) above shall expire on April 1, 2020.

SECTION 3. DESIGNATION, DATE, NUMBERS, AND MATURITIES OF THE SERIES 2019 BONDS.

(a) Designation of Series 2019 Bonds. Each bond issued pursuant to this Resolution for the purpose described in Section 2(a) of this Resolution (the "**Series 2019 Bonds**") shall be designated "**CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY SYSTEM REVENUE REFUNDING BONDS, TAXABLE SERIES 2019**". The Initial Bond is hereby authorized to be issued, sold, and delivered hereunder as a single fully registered bond, without interest coupons, dated as of the date determined by a Designated Officer and set forth in Schedule I, and payable on the dates and in the principal amounts determined by a Designated Officer and set forth in Schedule I, with Bonds issued and delivered in substitution for the initial bond being in the denomination of \$5,000 or any integral multiple thereof, being numbered consecutively from R-1 upward, and being payable to the initial registered owner designated in Section 34 hereof, or to the registered assignee or assignees of said Series 2019 Bonds or any portion or portions thereof (in each case, the "**Owner**").

(b) Definitions relating to Series 2019 Bonds. The term "Series 2019 Bonds" as used in this Resolution shall mean and include the Series 2019 Bond initially issued and delivered pursuant to this Resolution and all substitute bonds exchanged therefor, as well as all other substitute bonds and replacement bonds issued pursuant hereto, and the term "Series 2019 Bond" shall mean any of the Series 2019 Bonds.

SECTION 4. INTEREST.

The Bonds shall bear interest calculated on the basis of a 360-day year composed of twelve 30-day months from the dates specified in the FORM OF SERIES 2019 BOND set forth in Exhibit B to this Resolution to their respective dates of maturity at the rates per annum determined by a Designated Officer as set forth in Schedule I attached hereto. Said interest shall be payable in the manner provided and on the dates stated in the FORM OF SERIES 2019 BOND set forth in Exhibit B to this Resolution.

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SECTION 5. REDEMPTION AND NOTICE OF REDEMPTION AND DEFEASANCE.

(a) The Authority reserves the right to and shall redeem Series 2019 Bonds on the dates set forth in Schedule I to this Resolution and in the manner set forth in the FORM OF SERIES 2019 BOND in Exhibit B to this Resolution.

(b) The Authority shall give notice of any such redemption in the manner set forth in Exhibit B. In addition to the Notice of Redemption required to be given in Exhibit B, the Authority shall give notice of redemption or defeasance to the Paying Agent/Registrar at least 45 days prior to a redemption date in the case of a redemption and on the defeasance date in the case of a defeasance and the Paying Agent/Registrar shall give notice of redemption or of defeasance of Series 2019 Bonds by mail, first-class postage prepaid at least thirty (30) days prior to a redemption date and within thirty (30) days after a defeasance date to each registered securities depository and to any national information service that disseminates such notices. Any notice sent to the registered securities depositories or such national information services shall be sent so that they are received at least two (2) days prior to the general mailing or publication date of such notice. The Paying Agent/Registrar shall also send a notice of prepayment or redemption to the registered owner of any Series 2019 Bond who has not sent the Series 2019 Bonds in for redemption sixty (60) days after the redemption date.

(c) Each notice of redemption or defeasance, required in the FORM OF SERIES 2019 BOND, or in this Section, shall contain a description of the Series 2019 Bonds to be redeemed or defeased including the complete name of the Series 2019 Bonds, the date of issue, the interest rate, the maturity date, the CUSIP number, if any, the certificate numbers, the amounts called of each certificate, the publication and mailing date for the notice, the date of redemption or defeasance, the redemption price, if any, the name of the Paying Agent/Registrar and the address at which the Series 2019 Bonds may be redeemed or paid, including a contact person and telephone number.

SECTION 6. FORM OF SERIES 2019 BOND AND INITIAL SERIES 2019 BOND.

(a) Form of Series 2019 Bonds. The form of Series 2019 Bonds, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached only to the Series 2019 Bonds initially issued and delivered pursuant to this Resolution, shall be substantially in the form set forth in Exhibit B attached hereto, with such appropriate variations, omissions or insertions as are permitted or required by this Resolution.

The Series 2019 Bonds shall initially be issued as a fully registered bond, being one bond (the "Initial Series 2019 Bond"). The Initial Series 2019 Bond shall be registered as provided in Section 34 hereof. The Initial Series 2019 Bond shall be submitted to the Office of the Attorney General of the State of Texas for approval and registration by the Office of the Comptroller of Public Accounts of the State of Texas and delivered to the "Underwriters" identified in Section 34 hereof.

SECTION 7. CHARACTERISTICS OF THE SERIES 2019 BONDS. (a) Registration, Transfer, and Exchange; Authentication. The Authority shall keep or cause to be kept at the designated office of a paying agent to be approved by the Designated Officer (the "**Paying Agent/Registrar**") books or records of the registration and transfer of the Bonds (the "**Registration Books**"), and the Authority hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers and exchanges under such reasonable regulations as the Authority and Paying Agent/Registrar may prescribe; and the

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Paying Agent/Registrar shall make such registrations, transfers and exchanges as herein provided. The Paying Agent/Registrar Agreement between the Authority and the Paying Agent/Registrar, in substantially the form presented to the Board at the meeting at which this Resolution was considered and attached hereto as Exhibit C, is hereby approved and the Chief Executive Officer of the Authority is hereby authorized to execute the Paying Agent/Registrar Agreement and approve any changes in the final form thereof.

The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the registered owner of each Series 2019 Bond to which payments with respect to the Series 2019 Bonds shall be mailed, as herein provided; but it shall be the duty of each registered owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. To the extent possible and under reasonable circumstances, all transfers of Series 2019 Bonds shall be made within three business days after request and presentation thereof. The Authority shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, exchange and delivery of a substitute Series 2019 Bond or Series 2019 Bonds shall be paid as provided in the FORM OF SERIES 2019 BOND. Registration of assignments, transfers and exchanges of Series 2019 Bonds shall be made in the manner provided and with the effect stated in the FORM OF SERIES 2019 BOND. Each substitute Series 2019 Bond shall bear a letter and/or number to distinguish it from each other Series 2019 Bond of such series.

Except as provided in (c) below, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Series 2019 Bond, date and manually sign the Paying Agent/Registrar's Authentication Certificate, and no such Series 2019 Bond shall be deemed to be issued or Outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid Series 2019 Bonds and Series 2019 Bonds surrendered for transfer and exchange. No additional Resolutions, orders or resolutions need be passed or adopted by the governing body of the Authority or any other body or person so as to accomplish the foregoing transfer and exchange of any Series 2019 Bond or portion thereof, and the Paying Agent/Registrar shall provide for the preparation, execution and delivery of the substitute Series 2019 Bonds in the manner prescribed herein. Pursuant to Chapter 1201, Texas Government Code, as amended, the duty of transfer and exchange of Series 2019 Bonds as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the transferred and exchanged Series 2019 Bond shall be valid, incontestable and enforceable in the same manner and with the same effect as the Series 2019 Bond which initially was issued and delivered pursuant to this Resolution, approved by the Attorney General and registered by the Comptroller of Public Accounts.

(b) *Payment of Series 2019 Bonds and Interest.* The Authority hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Series 2019 Bonds, all as provided in this Resolution. The Paying Agent/ Registrar shall keep proper records of all payments made by the Authority and the Paying Agent/Registrar with respect to the Series 2019 Bonds.

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(c) *In General.* The Series 2019 Bonds (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Series 2019 Bonds to be payable only to the registered owners thereof, (ii) may and shall be redeemed prior to their scheduled maturities, (iii) may be transferred and assigned, (iv) may be exchanged for other Series 2019 Bonds of the same Series, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Series 2019 Bonds shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the Authority shall have certain duties and responsibilities with respect to the Series 2019 Bonds, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF SERIES 2019 BOND. The Series 2019 Bond initially issued and delivered pursuant to this Resolution is not required to be, and shall not be, authenticated by the Paying Agent/ Registrar, but on each substitute Series 2019 Bond issued in exchange for any Series 2019 Bond or Series 2019 Bonds issued under this Resolution the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF SERIES 2019 BOND.

(d) *Substitute Paying Agent/Registrar.* The Authority covenants with the registered owners of the Series 2019 Bonds that at all times while the Series 2019 Bonds are Outstanding the Authority will provide a competent and legally qualified bank, trust company, financial institution or other entity to act as and perform the services of Paying Agent/Registrar for the Series 2019 Bonds under this Resolution, and that the Paying Agent/Registrar will be one entity. The Authority reserves the right to, and may, at its option and to the extent permitted by law, (i) act in the capacity of Paying Agent/Registrar or (ii) change the Paying Agent/Registrar upon not less than 120 days written notice to the Paying Agent/Registrar, to be effective not later than 60 days prior to the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition or other method) should resign or otherwise cease to act as such, the Authority covenants that promptly it will assume the duties or will appoint a competent and legally qualified bank, trust company, financial institution or other agency to act as Paying Agent/Registrar under this Resolution. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Series 2019 Bonds, to the new Paying Agent/Registrar designated and appointed by the Authority. Upon any change in the Paying Agent/Registrar, the Authority promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each registered owner of the Series 2019 Bonds, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Resolution, and a certified copy of this Resolution shall be delivered to each Paying Agent/Registrar.

(e) *Book-Entry Only System for Series 2019 Bonds.* The Series 2019 Bonds issued in exchange for the Series 2019 Bonds initially issued to the purchaser specified in Section 34 herein shall be initially issued in the form of a separate single fully registered Series 2019 Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Series 2019 Bond shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC"), and except as provided in subsection (i) hereof, all of the Outstanding Series 2019 Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Series 2019 Bonds registered in the name of Cede & Co., as nominee of DTC, the Authority and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on

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whose behalf DTC was created ("DTC Participant") to hold securities to facilitate the clearance and settlement of securities transaction among DTC Participants or to any person on behalf of whom such a DTC Participant holds an interest in the Series 2019 Bonds. Without limiting the immediately preceding sentence, the Authority and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Series 2019 Bonds, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner of the Series 2019 Bonds, as shown on the Registration Books, of any notice with respect to the Series 2019 Bonds, or (iii) the payment to any DTC Participant or any other person, other than a Registered Owner of Series 2019 Bonds, as shown in the Registration Books of any amount with respect to principal of or interest on the Series 2019 Bonds. Notwithstanding any other provision of this Resolution to the contrary, the Authority and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Series 2019 Bond is registered in the Registration Books as the absolute owner of such Series 2019 Bond for the purpose of payment of principal and interest with respect to such Series 2019 Bond, for the purpose of registering transfers with respect to such Series 2019 Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Series 2019 Bonds only to or upon the Resolution of the Registered Owners, as shown in the Registration Books as provided in this Resolution, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the Authority's obligations with respect to payment of principal of and interest on the Series 2019 Bonds to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Series 2019 Bond certificate evidencing the obligation of the Authority to make payments of principal and interest pursuant to this Resolution. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Resolution with respect to interest checks being mailed to the Registered Owner at the close of business on the Record Date, the words "Cede & Co." in this Resolution shall refer to such new nominee of DTC.

(f) *Successor Securities Depository; Transfers Outside Book-Entry Only Systems.* In the event that the Authority determines that DTC is incapable of discharging its responsibilities described herein and in the representation letter of the Authority to DTC or that it is in the best interest of the beneficial owners of the Series 2019 Bonds that they be able to obtain certificated Series 2019 Bonds, the Authority shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Series 2019 Bonds to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Series 2019 Bonds and transfer one or more separate Series 2019 Bonds to DTC Participants having Series 2019 Bonds credited to their DTC accounts. In such event, the Series 2019 Bonds shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Registered Owners transferring or exchanging Series 2019 Bonds shall designate, in accordance with the provisions of this Resolution.

(g) *Payments to Cede & Co.* Notwithstanding any other provision of this Resolution to the contrary, so long as any Series 2019 Bond is registered in the name of Cede & Co., as nominee for DTC, all payments with respect to principal of and interest on such Series 2019 Bond and all notices with respect to such Series 2019 Bond shall be made and given, respectively, in the manner provided in

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the representation letter of the Authority to DTC.

(h) *DTC Letter of Representations*. The officers of the Authority are herein authorized for and on behalf of the Authority and as officers of the Authority to enter into one or more Letters of Representation, if necessary, with DTC establishing the book-entry only system with respect to the Series 2019 Bonds.

SECTION 8. PLEDGE OF PLEDGED REVENUES. The Authority hereby covenants and agrees that the Pledged Revenues are hereby irrevocably pledged to the payment and security of the Parity Obligations including the establishment and maintenance of the special funds created, established and maintained for the payment and security thereof, all as hereinafter provided; and it is hereby resolved that the Parity Obligations, and the interest thereon, shall constitute a lien on and pledge of the Pledged Revenues and be valid and binding without any physical delivery thereof or further act by the Authority, and the lien created hereby on the Pledged Revenues for the payment and security of the Parity Obligations, including the establishment and maintenance of the special funds created, established and maintained for the payment and security thereof, shall be superior to the lien on and pledge of revenues securing payment of any Subordinate Lien Obligations hereafter issued by the Authority.

Chapter 1208, Texas Government Code, applies to the issuance of the Parity Obligations and the pledge of revenues granted by the Authority under this Resolution, and such pledge is therefore valid, effective and perfected. If Texas law is amended at any time while the Parity Obligations are Outstanding and unpaid such that the pledge of revenues granted by the Authority under this Resolution is to be subject to the filing requirements of Chapter 9, Texas Business & Commerce Code, then in order to preserve to the Owners of the Parity Obligations the perfection of the security interest in said pledge, the Authority agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Texas Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

SECTION 9. RATES AND CHARGES. For the benefit of the Owners of the Parity Obligations and in addition to all provisions and covenants in the laws of the State of Texas and in this Resolution, the Authority hereby expressly stipulates and agrees, while any of the Parity Obligations are Outstanding, to establish and maintain rates and charges for facilities and services afforded by the Transit Authority System that are reasonably expected, on the basis of available information and experience [with due allowance for contingencies and after taking into account any other lawfully available funds (including the use of lawfully available fund balances) that have been budgeted by the Board to pay Maintenance and Operating Expenses or debt service requirements on Outstanding Debt and after taking into account the Authority's Sale Tax Revenues that have been budgeted by the Board to pay Maintenance and Operating Expenses], to produce Gross Operating Revenues in each Fiscal Year reasonably anticipated to be sufficient:

- A. to pay Maintenance and Operating Expenses;
- B. to produce Net Operating Revenues at least equal to 1.10 times the Annual Debt Service Requirements for such Fiscal Year;
- C. to enable the Authority to make the deposits and credits, if any, from Pledged

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Revenues (i) to the Reserve Fund to restore any required reserve amounts, including the payment of any Reimbursement Obligation Payment then due, and (ii) to other reserve funds to establish or restore the reserve securing any issue or series of Additional Parity Obligations;

D. to produce Net Operating Revenues, together with any other lawfully available funds (including the proceeds of Debt which the Authority expects will be utilized to pay all or part of the principal of and/or interest on any obligations described in this subsection D), sufficient to pay the principal of and interest on any Subordinate Lien Obligations issued by the Authority and the amounts required to be deposited in any reserve or contingency fund created for the payment and security of the Subordinate Lien Obligations and any other obligations or evidences of indebtedness issued or incurred that are payable from, in whole or in part, a subordinate lien on and pledge of the Net Operating Revenues; and

E. to pay any other Debt payable from available revenues of the Authority.

Should the annual audit report required by Section 22 hereof reflect that the Gross Operating Revenues, Authority's Sales Tax Revenues, Pledged Revenues or Net Operating Revenues, as appropriate, and other available funds budgeted by the Board for the Fiscal Year covered thereby were less than necessary to meet the requirements of this Section, the Board will review the operations of the Transit Authority System and the rates and charges for services provided, and the Board will make the necessary adjustments or revisions, if any, in order that the Gross Operating Revenues, Authority's Sales Tax Revenues, Pledged Revenues, or Net Operating Revenues, as appropriate, for the succeeding year, together with other funds of the Authority available to be budgeted for such purpose, will be sufficient to satisfy the foregoing coverage requirements.

SECTION 10. SPECIAL FUNDS. (a) *Operating Fund and Interest and Sinking Fund.* The establishment of the operating fund of the Authority, hereinafter called the "Operating Fund," is hereby confirmed, and the below listed special Fund previously established and maintained on the books of the Authority is hereby confirmed, so long as any of the Parity Obligations are Outstanding and unpaid:

CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY REVENUE BONDS INTEREST AND SINKING FUND, hereinafter called the "*Interest and Sinking Fund.*"

(b) *Reserve Fund.* Additionally, there may be created for the benefit only of the registered owners of a particular series of Parity Obligations for which an account is created in the resolution authorizing such series of Parity Obligations, and when created shall be maintained on the financial records of the Authority (or at an official depository of Authority), for the pro rata benefit of all Parity Obligations of such series for which an account is created, the **CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY REVENUE BONDS RESERVE FUND,** hereinafter called the "*Reserve Fund.*" The Authority may create and establish accounts in the Reserve Fund pursuant to the provisions of any resolution authorizing the issuance of Parity Obligations for the purpose of securing that particular issue or series of Parity Obligations or any specific group of issues or series of Parity Obligations and the amounts once deposited or credited to said account shall no longer constitute Pledged Revenues and shall be held solely for the benefit of the registered owners of the particular Parity Obligations for which such account in the Reserve Fund was established. Each such account in the Reserve Fund shall be designated in such manner as is necessary to identify the Parity

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Obligations it secures and to distinguish such account from all other accounts in the Reserve Fund created for the benefit of a particular series of Parity Obligations. All terms relating to the requirements to establish, fund and maintain required balances in an account of the Reserve Fund, including but not limited to the use of any Reserve Fund Credit Facility therein, shall be set forth in the resolution authorizing the issuance of the particular series of Parity Obligations for which such account is established.

(c) *Maintaining Records and Subaccounts.* Though each of such Funds shall be subaccounts of the Authority's Operating Fund held by the Authority's depository, and, as such, not held in separate bank accounts, such treatment shall not constitute a commingling of the monies in such Funds or of such Funds and the Authority shall keep full and complete records indicating the monies and investments credited to each of such Funds. The Authority also may create subaccounts within any such Fund as deemed necessary in order to separately account for proceeds of Parity Obligations and interest earnings related to tax-exempt or taxable Parity Obligations or for any other purpose.

SECTION 11. OPERATING FUND. The Authority hereby covenants, agrees and establishes that the Gross Operating Revenues and Authority's Sales Tax Revenues shall be deposited and credited to the Operating Fund immediately as collected and received. Funds on deposit in the Operating Fund shall be separate from the funds required to be held in a special Operating Reserve Fund as required by Section 451.134 of the Texas Transportation Code.

SECTION 12. FLOW OF FUNDS.

(a) *Authority's Sales Tax Revenues.* All Authority's Sales Tax Revenues deposited and credited to the Operating Fund shall be used first to pay Maintenance and Operating Expenses then to fund construction or acquisition of capital improvements, fund any deficiency in the Operating Reserve Fund so that the amount therein is not less than the amount required pursuant Section 451.134 of the Texas Transportation Code, or used for other lawful purposes but shall not be pledged to secure, or used to pay debt service on the Parity Obligations.

(b) *Gross Operating Revenues.* All Gross Operating Revenues deposited and credited to the Operating Fund shall be pledged and appropriated to the extent required for the following uses and in the order of priority shown:

FIRST: to the payment of all necessary and reasonable Maintenance and Operating Expenses to the extent not paid with Authority's Sales Tax Revenues or other available funds of the Authority.

SECOND: to the payment of the amounts required to be deposited and credited to the Interest and Sinking Fund created and established for the payment of the Parity Obligations issued by the Authority as the same become due and payable.

THIRD: pro rata to the payment of the amounts required to be deposited and credited to any Reserve Fund created and established to maintain any required reserve amount in accordance with the provisions of any resolution authorizing Parity Obligations, including amounts owed with respect to any Reimbursement Obligation to restore any required reserve amount.

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FOURTH: to the payment of debt service payments and reserve fund payments related to Subordinate Lien Obligations.

FIFTH: to the payment of the amounts required for any lawful purpose.

SECTION 13. INTEREST AND SINKING FUND. For purposes of providing funds to pay the principal of, premium, if any, and interest on the Parity Obligations as the same become due and payable, including any mandatory sinking fund redemption payments, the Authority agrees that it shall maintain the Interest and Sinking Fund. The Authority covenants to deposit and credit to the Interest and Sinking Fund prior to each principal, interest payment or redemption date from the available Pledged Revenues an amount equal to one hundred percent (100%) of the amount required to fully pay the interest on and the principal of the Parity Obligations then falling due and payable. The Authority shall make such deposits and credits to pay maturing principal, accrued interest, and mandatory sinking fund redemptions on the Parity Obligations in substantially equal monthly installments on or before the 25th day of each month.

The required monthly deposits and credits to the Interest and Sinking Fund shall continue to be made as hereinabove provided until such time as (i) the total amount on deposit in and credited to the Interest and Sinking Fund and the Reserve Fund (excluding any Reimbursement Obligation) is equal to the amount required to fully pay and discharge all Outstanding Parity Obligations (principal, premium, if any, and interest) or (ii) the Parity Obligations are no longer Outstanding.

Accrued interest and capitalized interest, if any, received from the purchaser of any Parity Obligation shall be taken into consideration and reduce the amount of the semi-annual deposits and credits hereinabove required into the Interest and Sinking Fund.

SECTION 14. RESERVE FUND. (a) *Use of Funds.* Funds on deposit in an account of the Reserve Fund established for the benefit of a particular series of Parity Obligations shall be used to (i) pay the principal of and interest on such series of Parity Obligations for which such account was created at any time when there is not sufficient money available in the Interest and Sinking Fund for such purpose, (ii) pay the principal of or interest on the last maturing Parity Obligations of such series, or (iii) pay Reimbursement Obligations to restore the amount available to be drawn under a Reserve Fund Credit Facility to its original amount. If the amount on deposit in an account of the Reserve Fund for a particular series of Parity Obligations consists of cash and investments and a Reserve Fund Credit Facility, all cash and investments in such account shall be liquidated and withdrawn prior to drawing on the Reserve Fund Credit Facility. If more than one Reserve Fund Credit Facility is maintained in an account of the Reserve Fund, any withdrawals on such Reserve Fund Credit Facilities shall be pro rata.

(b) *Series 2019 Bonds.* (i) The Authority hereby establishes an account in the Reserve Fund, to be known as the "Series 2019 Reserve Fund Account," for the benefit of the registered owners of the Series 2019 Bonds. The amount required to be on deposit in the Series 2019 Reserve Fund Account is equal to the Average Annual Debt Service Requirements of Outstanding Series 2019 Bonds (the "**Series 2019 Reserve Account Requirement**"). The Authority initially shall fund the Series 2019 Reserve Fund Account on the date of delivery of the Series 2019 Bonds by either depositing legally available cash on hand in an amount equal to the Series 2019 Reserve Fund Requirement or purchasing a Reserve Fund Credit Facility in an amount equal to the Series 2019

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Reserve Fund Requirement. The Series 2019 Reserve Fund Account shall be used to pay the principal of and interest on the Series 2019 Bonds at any time when there is not sufficient money available in the Interest and Sinking Fund for such purpose.

When and so long as the money and investments or a Reserve Fund Credit Facility in the Series 2019 Reserve Fund Account total not less than the Series 2019 Reserve Account Requirement, no deposits need be made to the credit of the Series 2019 Reserve Fund Account; but when and if the Series 2019 Reserve Fund Account at any time contains less than the Series 2019 Reserve Account Requirement, the Authority covenants and agrees to cure the deficiency in the Series 2019 Reserve Account Requirement within sixty (60) months from the date the deficiency occurred by making monthly deposits from funds on deposit in the Operating Fund (but only after taking the required deposits to pay Maintenance and Operating Expenses and necessary deposits into the Interest and Sinking Fund) on the 25th day of each month in approximately equal amounts or purchasing a Reserve Fund Credit Facility in the amount of such deficiency.

(ii) The Authority may replace or substitute a Reserve Fund Credit Facility for cash or investments in the Series 2019 Reserve Fund Account.

Upon such replacement or substitution, cash or investments on deposit in the Series 2019 Reserve Fund Account which, taken together with the face amount of any existing Reserve Fund Credit Facilities, are in excess of the Series 2019 Reserve Account Requirement may be withdrawn by the Authority, at its option, and transferred to the Operating Fund; provided that the face amount of any Reserve Fund Credit Facility may be reduced at the option of the Authority in lieu of such transfer.

(ii) If the Authority is required to make a withdrawal from the Series 2019 Reserve Fund Account for any of the purposes described in this Section, the Authority shall promptly notify any applicable Reserve Fund Credit Facility Provider of the necessity for a withdrawal from the Series 2019 Reserve Fund Account for any such purposes, and shall make such withdrawal FIRST from available moneys or investments then on deposit in the Series 2019 Reserve Fund Account, and NEXT from a drawing under all Reserve Fund Credit Facilities, on a pro rata basis, to the extent of such deficiency.

(iii) In the event of a deficiency in the Series 2019 Reserve Fund Account, or in the event that on the date of termination or expiration of any Reserve Fund Credit Facility there is not on deposit in the Series 2019 Reserve Fund Account sufficient amounts, all in an aggregate amount at least equal to the Series 2019 Reserve Account Requirement, then the Authority shall satisfy the Series 2019 Reserve Account Requirement by depositing into the Series 2019 Reserve Fund Account in monthly installments of not less than 1/60 of the Series 2019 Reserve Account Requirement made on or before the 10th day of each month following such termination or expiration or purchasing a Reserve Fund Credit Facility in the amount of such deficiency.

(iv) In the event of the redemption or defeasance of any Series 2019 Bonds, any amounts on deposit in the Series 2019 Reserve Fund Account in excess of the Series 2019 Reserve Account Requirement may be withdrawn and transferred, at the option of the Authority, to the Operating Fund, as a result of (i) the redemption of any Series 2019 Bonds, or (ii) funds for the payment of any Series 2019 Bonds having been deposited irrevocably with the paying agent or place of payment therefor in the manner described in any resolution authorizing the issuance of Series 2019 Bonds, the result of

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such deposit being that such Series 2019 Bonds no longer are deemed to be outstanding under the terms of any such resolution.

(v) In the event there is a draw upon the Reserve Fund Credit Facility, the Authority shall reimburse the Reserve Fund Credit Facility Provider for such draw, in accordance with the terms of any agreement pursuant to which the Reserve Fund Credit Facility is issued, from Pledged Revenues, however, such reimbursement from Pledged Revenues shall be subordinate and junior in right of payment to the payment of principal of and premium, if any, and interest on the Series 2019 Bonds or Additional Parity Obligations.

(c) *Reserve Fund Requirements to be Set Forth in Additional Parity Obligations Resolution.* In the event the Authority establishes an account in the Reserve Fund for the benefit of the holders of a particular series of Parity Obligations, all provisions with respect to the funding requirements and other details shall be set forth in the resolution authorizing such series of Parity Obligations.

SECTION 15. LIMITED OBLIGATIONS OF THE AUTHORITY. The Parity Obligations are limited, special obligations of the Authority payable from and equally and ratably secured solely by a first lien on and pledge of the Pledged Revenues, and the Owners thereof shall never have the right to demand payment of the principal or interest on the Parity Obligations from any funds raised or to be raised through taxation by the Authority, including the Authority's Sales Tax.

SECTION 16. SECURITY FOR FUNDS. All money on deposit in the Funds for which this Resolution makes provision (except any portion thereof as may be at any time properly invested as provided herein) shall be secured in the manner and to the fullest extent required by the laws of Texas for the security of public funds, and money on deposit in such Funds shall be used only for the purposes permitted by this Resolution.

SECTION 17. EXCESS BOND PROCEEDS. Any proceeds of Parity Obligations not required to effectuate the purposes for which such Parity Obligations were issued, as provided in the respective resolutions authorizing the issuance of such Parity Obligations, or for the payment of the costs of issuance of such Parity Obligations shall be deposited and credited to the Interest and Sinking Fund and shall be taken into consideration and shall reduce the amount of semi-annual deposits and credits to the Interest and Sinking Fund from the Pledged Revenues or used to redeem or purchase Parity Obligations.

SECTION 18. DEFICIENCIES - EXCESS PLEDGED REVENUES. (a) If on any occasion there shall not be sufficient Pledged Revenues (after making all payments pertaining to all Parity Obligations) to make the required deposits and credits to the Interest and Sinking Fund and the Reserve Fund, then such deficiency shall be cured as soon as possible from the next available unallocated Pledged Revenues, or from any other sources available for such purpose, and such deposits and credits shall be in addition to the amounts otherwise required to be deposited and credited to these Funds.

(b) Subject to making the deposits and credits required by this Resolution, or any Resolutions authorizing the issuance of Additional Parity Obligations, or the payments and credits required by the provisions of the Resolutions authorizing the issuance of Subordinate Lien Obligations hereafter issued by the Authority, the excess Pledged Revenues may be used for any lawful purpose.

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SECTION 19. INVESTMENT OF FUNDS – VALUATION - TRANSFER OF INVESTMENT INCOME. (a) Money in the Operating Fund, the Interest and Sinking Fund and the Reserve Fund may, at the option of the Authority, be invested in Permitted Investments; provided that all such deposits and investments shall be made in such manner that the money required to be expended from any fund will be available at the proper time or times. All such investments shall be valued in terms of current market value no less frequently than the last business day of the Authority's Fiscal Year, except that any direct obligations of the United States of America - State and Local Government Series shall be continuously valued at their par value or principal face amount. Any obligation in which money is so invested shall be kept and held at the Depository, except as otherwise permitted by the laws applicable to the Authority. For purposes of maximizing investment returns, money in such funds may be invested, together with money in other funds or with other money of the Authority, in common investments of the kind described above, or in a common pool of such investments held by the Authority or its designated agent, which shall not be deemed to be or constitute a commingling of such money or funds provided that safekeeping receipts or certificates of participation clearly evidencing the investment or investment pool in which such money is invested and the share thereof purchased with such money or owned by such fund are held by or on behalf of each such fund. If necessary, such investments shall be promptly sold to prevent any default.

(b) All interest and income derived from such investments (other than interest and income derived from amounts credited to the Reserve Fund if the Reserve Fund does not contain the required reserve amount and other than interest and income derived from amounts credited to the Authority's Sales Tax which amount may be used for any lawful purpose) shall be credited to the Operating Fund semi-annually and shall constitute Gross Operating Revenues.

SECTION 20. PAYMENT OF PARITY OBLIGATIONS. While any of the Parity Obligations are Outstanding, the Authority shall transfer to the respective paying agent/registrar therefor, from funds on deposit in and credited to the Interest and Sinking Fund, and, if necessary, in the Reserve Fund, amounts sufficient to fully pay and discharge promptly the interest on and principal of the Parity Obligations as shall become due on each interest or principal payment date, or date of redemption of the Parity Obligations; such transfer of funds must be made in such manner as will cause immediately available funds to be deposited with each respective paying agent/registrar for the Parity Obligations not later than the business day next preceding the date such payment is due on the Parity Obligations. The Paying Agent/Registrar shall destroy all paid Parity Obligations and furnish the Authority with an appropriate certificate of cancellation or destruction.

SECTION 21. GENERAL COVENANTS. That the Authority further covenants and agrees that in accordance with and to the extent required or permitted by law:

(a) *Performance.* It will faithfully perform at all times any and all covenants, undertakings, stipulations and provisions contained in any Resolution authorizing the issuance of Parity Obligations, including this Resolution, and in each and every Parity Obligation; it will promptly pay or cause to be paid the principal of and interest on every Parity Obligation on the dates and in the places and manner prescribed in such Resolutions and obligations; and it will, at the times and in the manner prescribed, deposit and credit or cause to be deposited and credited the amounts required to be deposited and credited to the Interest and Sinking Fund and the Reserve Fund.

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(b) Authority 's Legal Authority. It is a duly created and existing metropolitan rapid transit authority, and is duly authorized under the laws of the State of Texas to create and issue the Parity Obligations; that all action on its part for the creation and issuance of the Parity Obligations has been duly and effectively taken, and that the Parity Obligations in the hands of the Owners thereof are and will be valid and enforceable special obligations of the Authority in accordance with their terms.

(c) Title. It has or will obtain lawful title to the lands, buildings, structures, transit vehicles and facilities constituting the Transit Authority System, that it warrants that it will defend the title to all the aforesaid lands, buildings, structures, transit vehicles and facilities, and every part thereof, for the benefit of the Owners of the Parity Obligations, against the claims and demands of all persons whomsoever, that it is lawfully qualified to pledge the Pledged Revenues to the payment of the Parity Obligations in the manner prescribed herein, and has lawfully exercised such rights.

(d) Liens. It will from time to time and before the same become delinquent pay and discharge all taxes, assessments and governmental charges, if any, which shall be lawfully imposed upon it, or the Transit Authority System; it will pay all lawful claims for rents, royalties, labor, materials and supplies which if unpaid might by law become a lien or charge thereon, the lien of which would be prior to or interfere with the liens hereof, so that the priority of the liens granted hereunder shall be fully preserved in the manner provided herein, and it will not create or suffer to be created any mechanic's, laborer's, materialman's or other lien or charge which might or could be prior to the liens hereof, or do or suffer any matter or thing whereby the liens hereof might or could be impaired; provided, however, that no such tax, assessment or charge, and that no such claims which might be used as the basis of a mechanic's, laborer's, materialman's or other lien or charge, shall be required to be paid so long as the validity of the same shall be contested in good faith by the Authority.

(e) Operation of Facilities; No Free Service. It will, while the Parity Obligations are Outstanding and unpaid, continuously and efficiently operate the Transit Authority System, and shall maintain the Transit Authority System in good condition, repair and working order, all at reasonable cost. No free service of the Transit Authority System shall be allowed that is in addition to the customary and currently existing free service provided to children under the age of 5, to the City for certain municipal purposes, for promotion of ridership, for certain established community events and for certain social service purposes, and should the Authority or any of its agencies or instrumentalities make use of the services and facilities of the Transit Authority System, payment of the reasonable value shall be made by the Authority out of funds from sources other than the Gross Operating Revenues unless made from surplus or excess Pledged Revenues as permitted in Section 18.

(f) Further Encumbrance. While the Parity Obligations are Outstanding and unpaid, it will not additionally encumber the Pledged Revenues in any manner, except as permitted in this Resolution in connection with Additional Parity Obligations, unless said encumbrance is made junior and subordinate in all respects to the liens, pledges, covenants and agreements of this Resolution; but the right of the Authority to issue or incur obligations payable from a subordinate lien on the Pledged Revenues is specifically recognized and retained.

(g) Sale or Disposal of Property. While the Parity Obligations are Outstanding and unpaid, it will not sell, convey, mortgage, encumber or otherwise dispose of the Transit Authority System, or any significant or substantial part thereof; provided, that the Authority retains the right to sell, convey, mortgage, encumber, lease or otherwise dispose of any significant or substantial part of the Transit Authority System if (i) the Chief Executive Officer of the Authority delivers a certificate to the Board

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to the effect that, following such action by the Board, the Authority is expected to produce Gross Operating Revenues in amounts sufficient in each Fiscal Year while any of the Parity Obligations are to be Outstanding to comply with the obligations of the Authority contained in this Resolution and in the resolutions authorizing the issuance of Additional Parity Obligations; (ii) the Board makes a finding and determination to the same effect as the certificate of the Chief Executive Officer of the Authority set forth in (i) above, and (iii) each national rating service then maintaining a rating on any Parity Obligation delivers a letter to the Authority to the effect that such sale, conveyance, mortgage, encumbrance, lease or other disposition will not cause the rating agency to withdraw or lower the rating then in effect. It is further provided that whenever the Board determines that any property, machinery, fixtures or equipment is no longer useful in the operations of the Transit Authority System, it may sell or otherwise dispose of such property, machinery, fixtures or equipment when it has made arrangements to replace the same or provide substitutes therefor, unless it is determined that no such replacement or substitute is necessary. Proceeds from any sale hereunder not used to replace or provide for substitution of such property sold, shall be used for improvements to the Transit Authority System or to purchase or redeem Parity Obligations. Notwithstanding anything to the contrary contained in this Section, the Authority specifically retains the right to enter into leases of its properties in the ordinary course of its business upon a finding by the Board to the effect that the lease is expected to have a positive impact on Net Operating Revenues over the term of the lease.

(h) *Insurance.* (1) It shall cause to be insured such parts of the Transit Authority System as would usually be insured by municipal corporations operating like properties, with a responsible insurance company or companies, against risks, accidents or casualties against which and to the extent insurance is usually carried by municipal corporations operating like properties, including, to the extent reasonably obtainable, fire and extended coverage insurance, insurance against damage by floods, and use and occupancy insurance. Public liability and property damage insurance shall also be carried unless the General Counsel of the Authority gives a written opinion to the effect that the Authority is not liable for claims which would be protected by such insurance. At any time while any contractor engaged in construction work shall be fully responsible therefor, the Authority shall not be required to carry insurance on the work being constructed if the contractor is required to carry appropriate insurance. All such policies shall be open to the inspection of the Owners and their representatives at all reasonable times. Upon the happening of any loss or damage covered by insurance from one or more of said causes, the Authority shall make due proof of loss and shall do all things necessary or desirable to cause the insuring companies to make payment in full directly to the Authority. The proceeds of insurance covering such property are hereby pledged as security for the Parity Obligations and, together with any other funds necessary and available for such purpose, shall be used forthwith by the Authority for repairing the property damaged or replacing the property destroyed; provided, however, that if said insurance proceeds and other funds are insufficient for such purpose, then said insurance proceeds pertaining to the Transit Authority System shall be used promptly as follows:

(i) for the redemption prior to maturity of the Parity Obligations, ratably in the proportion that the Outstanding principal of each series of Parity Obligations bears to the total Outstanding principal of all Parity Obligations, provided that if on any such occasion the principal of any such series is not subject to redemption, it shall not be regarded as Outstanding in making the foregoing computation; or

(ii) if none of the Outstanding Parity Obligations is subject to redemption, then for the purchase on the open market and retirement of said Parity Obligations in the same proportion as prescribed in the foregoing clause (i), to the extent practicable; provided that the purchase price for

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any Parity Obligation shall not exceed the redemption price of such Parity Obligation on the first date upon which it becomes subject to redemption; or

(iii) to the extent that the foregoing clauses (i) and (ii) cannot be complied with at the time, the insurance proceeds, or the remainder thereof, shall be deposited in a special and separate trust fund, at an official depository of the Authority, to be designated the Insurance Account. The Insurance Account shall be held until such time as the foregoing clauses (i) and/or (ii) can be complied with, or until other funds become available which, together with the Insurance Account, will be sufficient to make the repairs or replacements originally required, whichever of said events occurs first.

(2) The foregoing provisions of (1) above notwithstanding, the Authority shall have authority to enter into coinsurance, self insurance or similar plans where risk of loss is shared in whole or in part by the Authority.

(3) The annual audit hereinafter required shall contain a section commenting on whether or not the Authority has complied with the requirements of this Section with respect to the maintenance of insurance, and listing all policies carried, and whether or not all insurance premiums upon the insurance policies to which reference is hereinbefore made have been paid.

(4) Nothing in this Resolution shall be construed as requiring the Authority to expend any funds which are derived from sources other than the operation of the Transit Authority System, but nothing herein shall be construed as preventing the Authority from doing so.

(i) *Governmental Agencies.* It will comply with all of the terms and conditions of any and all franchises, permits and authorizations applicable to or necessary with respect to the Transit Authority System, and which have been obtained from any governmental agency; and the Authority has or will obtain and keep in full force and effect all franchises, permits, authorization and other requirements applicable to or necessary with respect to the acquisition, construction, equipment, operation and maintenance of the Transit Authority System.

(j) *The Authority's Sales Tax.*

(1) As the source of payment of certain expenses of the Authority that would otherwise be considered Maintenance and Operating Expenses, the Board hereby represents that it has duly complied with the provisions of Chapter 451 for the imposition and collection of the Authority's Sales Tax at the rate approved at the Election, and such Authority's Sales Tax is being imposed within the boundaries of the Authority and the receipts of such Authority's Sales Tax are being remitted to Authority by the Comptroller of Public Accounts of the State on a monthly basis. The Authority agrees to take and pursue all action legally permissible to cause the Authority's Sales Tax to be collected and remitted and disbursed as required by Chapter 451 and the Election at the earliest and most frequent times permitted by applicable law.

(2) As required by Chapter 451 and the Election, the Authority upon its receipt of the Authority's Sales Tax Revenues is retaining the Authority's Sales Tax Revenues and using the same for authorized purposes.

(3) While any Parity Obligations are Outstanding, the Authority covenants, agrees

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and warrants to take and pursue all action permissible to cause the Authority's Sales Tax to be imposed and collected continuously, in the manner and to the maximum extent permitted by law, and to cause no reduction, abatement or exemption in the Authority's Sales Tax or rate of tax below the rate stated provided at the Election to be ordered or permitted while any Parity Obligations shall remain Outstanding.

(4) If hereafter authorized by law to apply, impose and levy the Authority's Sales Tax on any taxable items or transactions that are not subject to the Authority's Sales Tax on the date of the adoption hereof, to the extent it legally may do so, the Authority agrees to take such action as may be required to subject such taxable items or transactions to the Authority's Sales Tax.

SECTION 22. RECORDS AND ACCOUNTS - ANNUAL AUDIT. The Authority covenants and agrees that so long as any of the Parity Obligations remain Outstanding, the Authority will keep and maintain a separate and complete system of records and accounts pertaining to the operations of the Transit Authority System in which full, complete, true, proper, and correct entries shall be made of all dealings, transactions, business and affairs relating thereto, or which in any way affect or pertain to the Transit Authority System or the Gross Operating Revenues, Authority's Sales Tax Revenues or the Net Operating Revenues thereof, as provided by generally accepted accounting principles, consistently applied, and Chapter 451 or other applicable law. The Owners of the Parity Obligations or any duly authorized agent or agents of such Owners shall have the right to inspect the Transit Authority System and all properties comprising the same. The Authority further agrees that, following the close of each Fiscal Year, the Authority will cause an audit report of such records and accounts to be made by an Accountant. Copies of each annual audit shall be made available for public inspection during normal business hours at the Authority's principal office and may be furnished to, upon written request, any Owner upon payment of the reasonable copying and mailing charges.

SECTION 23. ISSUANCE OF ADDITIONAL PARITY OBLIGATIONS. (a) The Authority shall have the right and power at any time and from time to time and in one or more series or issues, to authorize, issue and deliver additional parity revenue bonds or other obligations (herein called "Additional Parity Obligations"), in accordance with law, in any amounts, for any purpose authorized by law including extending, improving or repairing the Transit Authority System or for the purpose of refunding of any Parity Obligations, Subordinate Lien Obligations or other obligations of the Authority incurred in connection with the ownership or operation of the Transit Authority System. Such Additional Parity Obligations, if and when authorized, issued and delivered in accordance with this Resolution, shall be secured by and made payable equally and ratably on a parity with all other Outstanding Parity Obligations, from the lien on and pledge of the Pledged Revenues herein granted.

(b) The Interest and Sinking Fund established by this Resolution shall secure and be used to pay all Parity Obligations. However, each Resolution under which Additional Parity Obligations are issued shall provide and require that, in addition to the amounts required by the provisions of this Resolution and the provisions of any other Resolution or Resolutions authorizing Additional Parity Obligations to be deposited to the credit of the Interest and Sinking Fund, the Authority shall deposit to the credit of the Interest and Sinking Fund at least such amounts as are required for the payment of all principal of and interest on said Additional Parity Obligations then being issued, as the same come due.

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SECTION 24. FURTHER REQUIREMENTS FOR ADDITIONAL PARITY OBLIGATIONS. Additional Parity Obligations shall be issued only in accordance with this Resolution, but notwithstanding any provisions of this Resolution to the contrary, no installment, Series or issue of Additional Parity Obligations shall be issued or delivered unless:

(a) The Chief Executive Officer of the Authority and the Chairman of the Board sign a written certificate to the effect that the Authority is not in default as to any covenant, condition or obligation in connection with all Outstanding Parity Obligations, and the Resolutions authorizing same, and that the Interest and Sinking Fund and the Reserve Fund each contains the amount then required to be therein.

(b) The chief financial officer of the Authority executes a written certificate to the effect that, during either the next preceding Fiscal Year, or any twelve consecutive calendar month period ending not more than ninety days prior to the date of the then proposed Additional Parity Obligations, the Net Operating Revenues were at least equal to the sum of (i) 3.0 times the Average Annual Debt Service Requirements (computed on a Fiscal Year basis), including Amortization Installments, of the Parity Obligations and the Additional Parity Obligations to be Outstanding after the issuance of the then proposed Additional Parity Obligations, and (ii) 1.0 times the average annual debt service requirement (computed in the same manner as for Parity Obligations) of the Subordinate Lien Obligations to be Outstanding after the issuance of the then proposed Additional Parity Obligations.

(c) In making a determination of Net Operating Revenues for any of the purposes described in this Section, the chief financial officer may take into consideration a change in the rates and charges for services and facilities afforded by the Transit Authority System, and contracts and leases for use of Transit Authority System, that became effective at least 60 days prior to the last day of the period for which Net Operating Revenues are determined and, for purposes of satisfying the Net Operating Revenues tests described above, make a pro forma determination of the Net Operating Revenues of the Transit Authority System for the period of time covered by such certification based on such change in rates and charges being in effect for the entire period covered by said certificate.

SECTION 25. REFUNDING BONDS. The Authority reserves the right to issue Additional Parity Obligations to refund all or any part of the Outstanding Parity Obligations or any other obligations of the Authority payable, in whole or in part, from the Pledged Revenues, pursuant to any law then available, upon such terms and conditions as the Board may deem to be in the best interest of the Authority and the customers of the Transit Authority System, and, unless all of the then Outstanding Parity Obligations are refunded, the conditions precedent prescribed for the issuance of Additional Parity Obligations and the representations and certifications required in Sections 23 and 24 shall be satisfied and shall give effect to the Average Annual Debt Service Requirements of the proposed refunding Additional Parity Obligations (but shall not give effect to the Average Annual Debt Service Requirements of the obligations being refunded following their cancellation or provision being made for their payment); provided, however, if as a result of such refunding the Annual Debt Service Requirements are not increased in any Fiscal Year, the Authority shall not be required to satisfy the requirements of Section 24(b) as a requirement for the issuance of such refunding Additional Parity Obligations.

SECTION 26. ISSUANCE OF SUBORDINATE LIEN OBLIGATIONS. The Authority hereby reserves the right to issue, at any time, obligations including, but not limited to, Subordinate Lien Obligations, payable from and equally and ratably secured, in whole or in part, by a lien on and

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pledge of the Net Operating Revenues, subordinate and inferior in rank and dignity to the lien on and pledge of Pledged Revenues securing the payment of the Parity Obligations, as may be authorized by the laws of the State.

SECTION 27. ISSUANCE OF SPECIAL PROJECT OBLIGATIONS. Nothing in this Resolution shall be construed to deny the Authority the right and it shall retain, and hereby reserves unto itself, the right to issue Special Project obligations secured by liens on and pledges of revenues and proceeds derived from Special Projects.

SECTION 28. REMEDIES IN EVENT OF DEFAULT. In addition to all the rights and remedies provided by the laws of the State of Texas, it is specifically covenanted and agreed particularly that in the event the Authority (i) defaults in the payment of the principal, premium, if any, or interest on the Parity Obligations, (ii) defaults in the deposits and credits required to be made to the Interest and Sinking Fund or Reserve Fund, or (iii) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Resolution, the following remedies shall be available:

(a) the Owners of any of the Parity Obligations shall be entitled to seek a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the Authority and other officers of the Authority to observe and perform any covenant, condition or obligation prescribed in this Resolution.

(b) no delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedy herein provided shall be cumulative of all other existing remedies, and the specification of such remedy shall not be deemed to be exclusive.

SECTION 29. AMENDMENT OF RESOLUTION. (a) The Owners of the Parity Obligations aggregating a majority in principal amount of the aggregate principal amount of then Outstanding Parity Obligations shall have the right from time to time to approve any amendment to this Resolution which may be deemed necessary or desirable by the Authority, provided, however, that without the consent of the Owners of all of the effected Parity Obligations at the time Outstanding, nothing herein contained shall permit or be construed to permit the amendment of the terms and conditions in this Resolution or in the Parity Obligations so as to:

- (1) Make any change in the maturity of the Outstanding Parity Obligations;
- (2) Reduce the rate of interest borne by any of the Outstanding Parity Obligations;
- (3) Reduce the amount of the principal payable on the Outstanding Parity Obligations;
- (4) Modify the terms of payment of principal of or interest on the Outstanding Parity Obligations or impose any conditions with respect to such payment;
- (5) Affect the rights of the Owners of less than all of the Parity Obligations then Outstanding;

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- (6) Change the minimum percentage of the principal amount of Parity Obligations necessary for consent to such amendment.

(b) If at any time the Authority shall desire to amend this Resolution under this Section, the Authority shall cause notice of the proposed amendment to be published in a financial newspaper or journal of general circulation in The City of New York, New York, once during each calendar week for at least two successive calendar weeks. Such notice shall briefly set forth the nature of the proposed amendment and shall state that a copy thereof is on file for inspection by all registered owners of Parity Obligations at the designated trust office of the registrar for the Parity Obligations. Such publication is not required, however, if notice in writing is given to each registered owner of the Parity Obligations.

(c) Whenever at any time not less than thirty days, and within one year, from the date of the first publication of said notice or other service of written notice the Authority shall receive an instrument or instruments executed by the Owners of at least a majority in aggregate principal amount of all Parity Obligations then Outstanding, which instrument or instruments shall refer to the proposed amendment described in said notice and which specifically consent to and approve such amendment in substantially the form of the copy thereof on file with the Paying Agent/Registrar, the Board may pass the amendatory Resolution in substantially the same form.

Whenever a series of Parity Obligations is insured by a municipal bond insurance policy or secured by a letter of credit, surety bond or other surety device issued by a financial institution such that the series of Parity Obligations so insured or secured is rated in one of the two highest rating categories by any nationally recognized statistical rating organization, and so long as such financial institution is not in default under the terms of any such municipal bond insurance policy or other applicable agreement or instrument, the financial institution (i) shall be deemed the owner of such series of Parity Obligations for purposes of granting consents for any proposed amendments requiring consents and (ii) shall have the right to exercise such consent rights for the applicable series of Parity Obligations insured or secured by such financial institution.

(d) Upon the passage of any amendatory Resolution pursuant to the provisions of this Section, this Resolution shall be deemed to be amended in accordance with such amendatory Resolution, and the respective rights, duties and obligations under this Resolution of the Authority and all the Owners of then Outstanding Parity Obligations shall thereafter be determined, exercised and enforced hereunder, subject in all respects to such amendments.

(e) Any consent given by the registered owner of a Parity Obligation pursuant to the provisions of this Section shall be irrevocable for a period of six months from the date of the first publication of the notice provided for in this Section, and shall be conclusive and binding upon all future Owners of the same Parity Obligation during such period. Such consent may be revoked at any time after six months from the date of the first publication of such notice by the Owner who gave such consent, or by a successor in title, by filing notice thereof with the Paying Agent and the Authority, but such revocation shall not be effective if the registered owners of at least a majority in aggregate principal amount of the then Outstanding Parity Obligations as in this Section defined have, prior to the attempted revocation, consented to and approve the amendment.

(f) For the purpose of this Section, the fact of the holding of Parity Obligations issued in registered form without coupons and the amounts and numbers of such Parity Obligations and the date

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of their holding same shall be proved by the Registration Books of the Paying Agent/Registrar. For purposes of this Section, the Owner of a Parity Obligation in such registered form shall be the owner thereof as shown on such Registration Books. The Authority may conclusively assume that such ownership continues until written notice to the contrary is served upon the Authority.

(g) The foregoing provisions of this Section notwithstanding, the Authority by action of the Board may amend this Resolution for any one or more of the following purposes:

(1) To add to the covenants and agreements of the Authority in this Resolution contained, other covenants and agreements thereafter to be observed, grant additional rights or remedies to Owners or to surrender, restrict or limit any right or power herein reserved to or conferred upon the Authority;

(2) To make such provisions for the purpose of curing any ambiguity, or curing, correcting or supplementing any defective provision contained in this Resolution, or in regard to clarifying matters or questions arising under this Resolution, as are necessary or desirable and not contrary to or inconsistent with this Resolution and which shall not adversely affect the interests of the Owners of the Parity Obligations;

(3) To make any changes or amendments requested by any Rating Agency, as a condition to the issuance or maintenance of a rating, which changes or amendments do not, in the judgment of the Authority, materially adversely affect the interests of the owners of the Outstanding Parity Obligations;

(4) To make such changes, modifications or amendments as may be necessary or desirable, which shall not adversely affect the interests of the owners of the Outstanding Parity Obligations, in order, to the extent permitted by law, to facilitate the economic and practical utilization of credit agreements with respect to the Parity Obligations including, without limitation, supplementing the definition of "Annual Debt Service Requirements" to address the amortization of payments due and owing under a credit agreement;

(5) To modify any of the provisions of this Resolution in any other respect whatever, provided that (i) such modification shall be, and be expressed to be, effective only after all Parity Obligations Outstanding at the date of the adoption of such modification shall cease to be Outstanding, and (ii) such modification shall be specifically referred to in the text of all Additional Parity Obligations issued after the date of the adoption of such modification.

Notice of any such amendment may be published or given by the Authority in the manner described in subsection (b) of this Section; provided, however, that the publication of such notice shall not constitute a condition precedent to the adoption of such amendatory Resolution and the failure to publish such notice shall not adversely affect the implementation of such amendment as adopted pursuant to such amendatory Resolution.

SECTION 30. DEFEASANCE OF SERIES 2019 BONDS. (a) *Defeased Series 2019 Bonds.* Any Series 2019 Bond and the interest thereon shall be deemed to be paid, retired and no longer Outstanding (a "Defeased Bond") within the meaning of this Resolution, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Series 2019 Bond,

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plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, as certified by an independent certified public accountant, and when proper arrangements have been made by the Authority with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Series 2019 Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Series 2019 Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the revenues herein pledged as provided in this Resolution, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Resolution to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in clauses (i) or (ii) above shall not be irrevocable, provided that, in the proceedings providing for such payment arrangements, the Authority (1) expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3) directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Investment in Defeasance Securities. Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the Authority be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Series 2019 Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the Authority, or deposited as directed in writing by the Authority. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection 33(a)(i) or (ii). All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the Authority or deposited as directed in writing by the Authority.

(c) Paying Agent/Registrar Services. Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the Authority shall make proper arrangements to provide and pay for such services as required by this Resolution.

(d) Selection of Series 2019 Bonds for Defeasance. In the event that the Authority elects to defease less than all of the principal amount of a maturity of a Series of the Series 2019 Bonds, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Series 2019 Bonds by such random method as it deems fair and appropriate.

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SECTION 31. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED SERIES 2019 BONDS.

(a) *Replacement Series 2019 Bonds.* In the event any Outstanding Series 2019 Bond is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new bond of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Series 2019 Bond, in replacement for such Series 2019 Bond in the manner hereinafter provided.

(b) *Application for Replacement Series 2019 Bonds.* Application for replacement of damaged, mutilated, lost, stolen or destroyed Series 2019 Bonds shall be made by the registered owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Series 2019 Bond, the registered owner applying for a replacement bond shall furnish to the Authority and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Series 2019 Bond, the registered owner shall furnish to the Authority and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Series 2019 Bond, as the case may be. In every case of damage or mutilation of a Series 2019 Bond, the registered owner shall surrender to the Paying Agent/Registrar for cancellation the Series 2019 Bond so damaged or mutilated.

(c) *No Default Occurred.* Notwithstanding the foregoing provisions of this Section, in the event any such Series 2019 Bond shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Series 2019 Bond, the Authority may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Series 2019 Bond) instead of issuing a replacement Series 2019 Bond, provided security or indemnity is furnished as above provided in this Section.

(d) *Charge for Issuing Replacement Series 2019 Bonds.* Prior to the issuance of any replacement bond, the Paying Agent/Registrar shall charge the registered owner of such Series 2019 Bond with all legal, printing and other expenses in connection therewith. Every replacement bond issued pursuant to the provisions of this Section by virtue of the fact that any Series 2019 Bond is lost, stolen or destroyed shall constitute a contractual obligation of the Authority whether or not the lost, stolen or destroyed Series 2019 Bond shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Resolution equally and proportionately with any and all other Series 2019 Bonds duly issued under this Resolution.

(e) *Authority for Issuing Replacement Series 2019 Bonds.* In accordance with Chapter 1201, Texas Government Code, as amended, this Section of this Resolution shall constitute authority for the issuance of any such replacement bond without necessity of further action by the governing body of the Authority or any other body or person, and the duty of the replacement of such bonds is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Series 2019 Bonds in the form and manner and with the effect, as provided in Section 7(a) of this Resolution for Series 2019 Bonds issued in exchange for other Series 2019 Bonds.

SECTION 32. RESERVED.

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SECTION 33. RULE 15c2-12 UNDERTAKING.

(a) *Definitions.* As used in this Section, the following terms have the meanings ascribed to such terms below:

"*EMMA*" means the Electronic Municipal Market Access system being established by the MSRB.

"*Financial Obligation*" means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of a debt obligation or any such derivative instrument; provided that "financial obligation" shall not include municipal securities (as defined in the Securities Exchange Act of 1934, as amended) as to which a final official statement (as defined in the Rule) has been provided to the MSRB consistent with the Rule.

"*MSRB*" means the Municipal Securities Rulemaking Board.

"*Rule*" means SEC Rule 15c2-12, as amended from time to time.

"*SEC*" means the United States Securities and Exchange Commission.

(b) *Annual Reports.* The Authority shall provide annually to the MSRB through EMMA within six months after the end of each fiscal year ending in or after 2019, financial information and operating data with respect to the Authority of the general type included in the final Official Statement authorized by this Resolution, being the information described in Exhibit D hereto. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles described in Exhibit D, or such other accounting principles as the Authority may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the Authority commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within such period, then the Authority shall provide (1) unaudited financial statements for such fiscal year within such six month period, and (2) audited financial statements for the applicable fiscal year to the MSRB through EMMA when and if the audit report on such statements become available.

If the Authority changes its fiscal year, it will notify the MSRB through EMMA of the date of the new fiscal year end prior to the next date by which the Authority otherwise would be required to provide financial information and operating data pursuant to this paragraph (b).

The financial information and operating data to be provided pursuant to this paragraph (b) may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB) that theretofore has been provided to the MSRB through EMMA or filed with the SEC.

(c) *Event Notices.*

(i) The Authority shall notify the MSRB through EMMA in an electronic format as prescribed by the MSRB, in a timely manner (but not in excess of ten business days after the

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occurrence of the event) of any of the following events with respect to the Series 2019 Bonds:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions or other material notices or determinations with respect to the tax status of the Series 2019 Bonds;
7. Modifications to rights of Bondholders, if material;
8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Series 2019 Bonds, if material;
11. Rating Changes;
12. Bankruptcy, insolvency, receivership or similar event of an obligated person.
13. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.
15. Incurrence of a Financial Obligation of the Authority, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the Authority, any of which affect security holders, if material; and,
16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the Authority, any of which reflect financial difficulties.

For these purposes, (a) any event described in the immediately preceding paragraph (12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or

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similar officer for the Authority in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the Authority, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers of the Authority in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the Authority, and (b) the Authority intends the words used in the immediately preceding paragraphs (15) and (16) and the definition of Financial Obligation in this Section to have the same meanings as when they are used in the Rule, as evidenced by SEC Release No. 34-83885, dated August 20, 2018.

(ii) The Authority shall notify the MSRB through EMMA, in a timely manner, of any failure by the Authority to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such subsection.

(d) *Limitations, Disclaimers, and Amendments.* The Authority shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the Authority remains an "obligated person" with respect to the Series 2019 Bonds within the meaning of the Rule, except that the Authority in any event will give notice of any deposit made in accordance with Section 30 of this Resolution that causes Series 2019 Bonds no longer to be outstanding.

The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Series 2019 Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The Authority undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the Authority's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The Authority does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Series 2019 Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY SERIES 2019 BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE AUTHORITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.

No default by the Authority in observing or performing its obligations under this Section shall comprise a breach of or default under this Resolution for purposes of any other provision of this Resolution.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the Authority under federal and state securities laws.

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The provisions of this Section may be amended by the Authority from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the Authority, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Series 2019 Bonds in the primary offering of the Series 2019 Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Resolution that authorizes such an amendment) of the Outstanding Series 2019 Bonds consent to such amendment or (b) a person that is unaffiliated with the Authority (such as nationally recognized bond counsel) determined that such amendment will not materially impair the interest of the holders and beneficial owners of the Series 2019 Bonds. The Authority may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Series 2019 Bonds in the primary offering of the Series 2019 Bonds. If the Authority so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with paragraph (b) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided.

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execute the Escrow Agreement in final form.

It is hereby found and determined that the refunding of the Series 2019 Bonds is advisable and necessary in order to accomplish a net present value debt service savings for the benefit of the taxpayers of the Authority.

SECTION 37. REDEMPTION OF REFUNDED OBLIGATIONS. There is attached to this Resolution as *Exhibit F*, and made a part hereof for all purposes, *NOTICES OF REDEMPTION* for the Refunded Bonds. (The Designated Officer is authorized to substitute a revised *Exhibit F* to reflect the actual maturities and principal amount of such maturities of the Refunded Bonds that are selected by the Designated Officer to be refunded.) The Authority hereby exercises its option to redeem prior to maturity the Refunded Bonds described in the *NOTICES OF REDEMPTION*, and the Refunded Bonds are hereby called for redemption, and shall be redeemed, prior to maturity, on the date, at the place, and at the price set forth respectively therein.

As soon as practicable after the adoption of this Resolution, and in all events at least thirty (30) days prior to the date fixed for such redemption, a copy of the *NOTICES OF REDEMPTION* shall be (i) published one time in the Texas Bond Reporter or such other financial newspaper or journal of general circulation among securities dealers published in the State of Texas, and (ii) sent to all registered owners of the Refunded Bonds by first class mail postage prepaid, addressed to such registered owners at their respective addresses shown on the registration books of the paying agent/registrar for such Refunded Bonds.

Upon execution and delivery of the Escrow Agreement and funding of the Escrow Fund as required therein, due provision shall have been made by the Authority with the Escrow Agent, which also serves as the paying agent for the Refunded Bonds, for the payment of the redemption price of the Refunded Bonds, and such redemption price shall be deposited with said bank in accordance with the terms of the Escrow Agreement.

SECTION 38. CUSTODY, APPROVAL AND REGISTRATION OF SERIES 2019 BONDS AND BOND COUNSEL'S OPINION. The Chairman of the Board is hereby authorized to have control of the Series 2019 Bonds initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Series 2019 Bonds pending their delivery and their investigation, examination and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Series 2019 Bonds said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Bonds, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the Authority's Bond Counsel (with an appropriate certificate pertaining thereto executed by facsimile signature of the Secretary of the Board) may, at the option of the Authority, be printed on or attached to the Series 2019 Bonds issued and delivered under this Resolution, but such addition or attachment shall not have any legal effect, and shall be solely for the convenience and information of the registered owners of the Series 2019 Bonds.

The obligation of the initial purchaser to accept delivery of the Series 2019 Bonds is subject to the initial purchaser being furnished with the final, approving opinion of McCall, Parkhurst & Horton L.L.P., bond counsel to the Authority, which opinion shall be dated as of and delivered on the date of

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initial delivery of the Series 2019 Bonds to the initial purchaser. The engagement of such firm as bond counsel to the Authority and the engagement of Specialized Public Finance Inc., as financial advisor to the Authority, in connection with issuance, sale and delivery of the Series 2019 Bonds is hereby approved and confirmed. The execution and delivery of an engagement letter between the Authority and such firm, with respect to such services as bond counsel, is hereby authorized in such form as may be approved by the Chairman of the Board or the Chief Executive Officer of the Authority and either of such officers is hereby authorized to execute such engagement letter. The execution and delivery of an engagement letter between the Authority and Specialized Public Finance Inc., with respect to such services as financial advisor, is hereby authorized in such form as may be approved by the Chairman of the Board or the Chief Executive Officer of the Authority and either of such officers is hereby authorized to execute such engagement letter.

SECTION 39. DEPOSIT OF PROCEEDS INTO OPERATING FUND. A portion of the proceeds received by the Authority from the sale of the Series 2019 Bonds shall be deposited into the Authority's Operating Fund and used to pay the costs of issuance of the Series 2019 Bonds.

SECTION 40. REPEALER. All orders and resolutions, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

SECTION 41. UNAVAILABILITY OF AUTHORIZED PUBLICATION. If, because of the temporary or permanent suspension of any newspaper, journal or other publication, or, for any reason, publication of notice cannot be made meeting any requirements herein established, any notice required to be published by the provisions of this Resolution shall be given in such other manner and at such time or times as in the judgment of the Authority shall most effectively approximate such required publication and the giving of such notice in such manner shall for all purposes of this Resolution be deemed to be in compliance with the requirements for publication thereof.

SECTION 42. NO RECOURSE AGAINST AUTHORITY OFFICIALS. No recourse shall be had for the payment of principal of or interest on any Parity Obligations or for any claim based thereon or on this Resolution against any official of the Authority or any person executing any Parity Obligations.

SECTION 43. FURTHER ACTIONS; ENGAGEMENT OF BOND COUNSEL AND FINANCIAL ADVISOR. (a) The officers and employees 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 instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Resolution, the Series 2019 Bonds, the initial sale and delivery of the Series 2019 Bonds and the Paying Agent/Registrar Agreement. In addition, prior to the initial delivery of the Series 2019 Bonds, the Chairman of the Board, the Chief Executive Officer, General Counsel, and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Resolution or to any of the instruments authorized and approved by this Resolution necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Resolution and as described in the Official Statement or (ii) obtain the approval of the Series 2019 Bonds by the Texas Attorney General's office.

(b) In case any officer of the Authority whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and

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sufficient for all purposes the same as if such officer had remained in office until such delivery.

(c) The engagement of McCall, Parkhurst & Horton L.L.P. as bond counsel to the Authority and Specialized Public Finance Inc. as financial advisor to the Authority in connection with issuance, sale and delivery of the Series 2019 Bonds is hereby approved and confirmed. The execution and delivery of engagement letters between the Authority and such firms, with respect to such services as bond counsel and financial advisor, respectively, is hereby authorized in such form as may be approved by the Chief Executive Officer, and the Chief Executive Officer is hereby authorized to execute such engagement letters.

SECTION 44. INSURANCE. [To be Included if Applicable]

SECTION 45. INTERPRETATIONS. All terms defined herein and all pronouns used in this Resolution shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Resolution and the Table of Contents of this Resolution have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. This Resolution and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of the Series 2019 Bonds and the validity of the lien on and pledge of the Pledged Revenues to secure the payment of the Series 2019 Bonds.

SECTION 46. INCONSISTENT PROVISIONS. All orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provision of this Resolution are hereby repealed to the extent of such conflict and the provisions of this Resolution shall be and remain controlling as to the matters contained herein.

SECTION 47. INTERESTED PARTIES. Nothing in this Resolution expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the Authority, the Underwriters, and the registered owners of the Series 2019 Bonds, any right, remedy or claim under or by reason of this Resolution or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Resolution contained by and on behalf of the Authority shall be for the sole and exclusive benefit of the Authority and the registered owners of the Series 2019 Bonds.

SECTION 48. INCORPORATION OF RECITALS. The Board hereby finds that the statements set forth in the recitals of this Resolution are true and correct, and the Board hereby incorporates such recitals as a part of this Resolution.

SECTION 49. SEVERABILITY. If any provision of this Resolution or the application thereof to any circumstance shall be held to be invalid, the remainder of this Resolution and the application thereof to other circumstances shall nevertheless be valid, and this governing body hereby declares that this Resolution would have been enacted without such invalid provision.

SECTION 50. EFFECTIVE DATE. This Resolution shall be effective immediately.

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PASSED AND APPROVED BY THE BOARD OF DIRECTORS OF THE CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY AT A MEETING HELD ON THIS 2nd DAY OF OCTOBER, 2019.

Board Chairman
Board of Directors

ATTEST:

Board Secretary
Board of Directors

(AUTHORITY SEAL)

APPROVED AS TO FORM:

By: _____
General Counsel

SCHEDULE I
PRICING CERTIFICATE TO BE ATTACHED

EXHIBIT A
DEFINITIONS

As used in this Resolution, the following terms and expressions shall have the meanings set forth below, unless the text hereof specifically indicates otherwise:

"Accountant" means an independent certified public accountant or accountants or a firm of an independent certified public accountants, in either case, with demonstrated expertise and competence in public accountancy.

"Additional Parity Obligations" means bonds, notes, or other Debt which the Authority reserves the right to issue or enter into, as the case may be, in the future under the terms and conditions provided in Sections 23 and 24 of this Resolution and which obligations are equally and ratably secured solely by a first lien on and pledge of the Pledged Revenues on a parity with the Series 2019 Bonds.

"Amortization Installment" means, with respect to any Term Bonds of any series of Parity Obligations, the amount of money which is required to be deposited into a mandatory redemption account for retirement of such Term Bonds (whether at maturity or by mandatory redemption and including redemption premium, if any) provided that the total Amortization Installments for such Term Bonds shall be sufficient to provide for retirement of the aggregate principal amount of such Term Bonds.

"Annual Debt Service Requirements" means, as of the date of calculation, the principal of and interest on all Parity Obligations coming due at Maturity or Stated Maturity (or that could come due on demand of the owner thereof other than by acceleration or other demand conditioned upon default by the Authority on such Debt, or be payable in respect of any required purchase of such Debt by the Authority) in such Fiscal Year, and, for such purposes, any one or more of the following rules shall apply at the election of the Authority:

(1) **Balloon Debt.** If the principal (including the accretion of interest resulting from original issue discount or compounding of interest) of any series or issue of Funded Debt due (or payable in respect of any required purchase of such Funded Debt by the Authority) in any Fiscal Year either is equal to at least 25% of the total principal (including the accretion of interest resulting from original issue discount or compounding of interest) of such Funded Debt or exceeds by more than 50% the greatest amount of principal of such series or issue of Funded Debt due in any preceding or succeeding Fiscal Year (such principal due in such Fiscal Year for such series or issue of Funded Debt being referred to herein and throughout this Resolution as "Balloon Debt"), the amount of principal of such Balloon Debt taken into account during any Fiscal Year shall be equal to the debt service calculated using the original principal amount of such Balloon Debt amortized over the Term of Issue on a level debt service basis at an assumed interest rate equal to the rate borne by such Balloon Debt on the date of calculation;

(2) **Consent Sinking Fund.** In the case of Balloon Debt, if a Designated Financial Officer shall deliver to the Authority a certificate providing for the retirement of (and the instrument creating such Balloon Debt shall permit the retirement of), or for the accumulation of a sinking fund for (and the instrument creating such Balloon Debt shall permit the accumulation of a sinking fund for), such Balloon Debt according to a fixed schedule stated in such certificate ending on or before the Fiscal

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Year in which such principal (and premium, if any) is due, then the principal of (and, in the case of retirement, or to the extent provided for by the sinking fund accumulation, the premium, if any, and interest and other debt service charges on) such Balloon Debt shall be computed as if the same were due in accordance with such schedule, provided that this clause (2) shall apply only to Balloon Debt for which the installments previously scheduled have been paid or deposited to the sinking fund established with respect to such Debt on or before the times required by such schedule; and provided further that this clause (2) shall not apply where the Authority has elected to apply the rule set forth in clause (1) above;

(3) Prepaid Debt. Principal of and interest on Parity Obligations, or portions thereof, shall not be included in the computation of the Annual Debt Service Requirements for any Fiscal Year for which such principal or interest are payable from funds on deposit or set aside in trust for the payment thereof at the time of such calculations (including without limitation capitalized interest and accrued interest so deposited or set aside in trust) with a financial institution acting as fiduciary with respect to the payment of such Debt; and

(4) Variable Rate. As to any Parity Obligations that bear interest at a variable interest rate which cannot be ascertained at the time of calculation of the Annual Debt Service Requirement then, at the option of the Authority, either (A) an interest rate equal to the average rate borne by such Parity Obligations (or by comparable debt in the event that such Parity Obligations has not been Outstanding during the preceding 24 months) for any 24 month period ending within 30 days prior to the date of calculation, or (B) an interest rate equal to the 30-year Revenue Bond Index (as most recently published in The Bond Buyer), shall be presumed to apply for all future dates, unless such index is no longer published in The Bond Buyer, in which case an index of revenue bonds with maturities of at least 20 years which is published in a financial newspaper or journal with national circulation may be used for this purpose (if two Series of Parity Obligations which bear interest at variable interest rate, or one or more maturities within a Series, of equal par amounts, are issued simultaneously with inverse floating interest rates providing a composite fixed interest rate for such Parity Obligations taken as a whole, such composite fixed rate shall be used in determining the Annual Debt Service Requirement with respect to such Parity Obligations);

With respect to any calculation of historic data, only those payments actually made in the subject period shall be taken into account in making such calculation and, with respect to prospective calculations, only those payments reasonably expected to be made in the subject period shall be taken into account in making the calculation.

"Authority" and **"Issuer"** mean Corpus Christi Regional Transportation Authority and, where appropriate, the Board.

"Authority's Sales Tax" means the ½ of 1% sales and use tax approved by the voters of the Authority on August 10, 1985 pursuant to Chapter 451 to support the operation and maintenance of the Transit Authority System.

"Authority's Sales Tax Revenues" means all revenues received by the Authority resulting from the levy of the Authority's Sales Tax.

"Average Annual Debt Service Requirements" means that average amount which, at the time of computation, will be required to pay the Annual Debt Service Requirements when due (either at

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Stated Maturity or mandatory redemption) and derived by dividing the total of such Annual Debt Service Requirements by the number of Fiscal Years then remaining before Stated Maturity of such Parity Obligations. For the purposes of this definition, a fractional period of a Fiscal Year shall be treated as an entire Fiscal Year. Capitalized interest payments provided from bond proceeds, accrued interest on any Debt, and interest earnings thereon shall be excluded in making such computation.

"Board" means the governing body of the Authority.

"Chapter 451" means Chapter 451 of the Texas Transportation Code, as amended.

"Debt" and **"Debt of the Authority payable from Pledged Revenues"** mean:

(1) all indebtedness payable from Pledged Revenues or Net Operating Revenues incurred or assumed by the Authority for borrowed money that, in accordance with generally accepted accounting principles, are shown on the liability side of a balance sheet; and

(2) all other indebtedness payable from Pledged Revenues or Net Operating Revenues (other than indebtedness otherwise treated as Debt hereunder) for borrowed money that is guaranteed, directly or indirectly, in any manner by the Authority, or that is in effect guaranteed, directly or indirectly, by the Authority through an agreement, contingent or otherwise, to purchase any such indebtedness or to advance or supply funds for the payment or purchase of any such indebtedness or to purchase property or services primarily for the purpose of enabling the debtor or seller to make payment of such indebtedness, or to assure the owner of the indebtedness against loss, or to supply funds to or in any other manner invest in the debtor (including any agreement to pay for property or services irrespective of whether or not such property is delivered or such services are rendered), or otherwise.

For the purpose of determining Debt, there shall be excluded any particular Debt if, upon or prior to the Maturity thereof, there shall have been deposited with the proper depository (a) in trust the necessary funds (or investments that will provide sufficient funds, if permitted by the instrument creating such Debt) for the payment, redemption, or satisfaction of such Debt or (b) evidence of such Debt deposited for cancellation; and thereafter it shall not be considered Debt. No item shall be considered Debt unless such item constitutes indebtedness under generally accepted accounting principles applied on a basis consistent with the financial statements of the Authority in prior Fiscal Years.

"Defeasance Securities" means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date of the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date on the date the governing body of the Authority adopts or approves the proceedings authorizing the financial arrangements are rated as to investment quality by a nationally recognized investment rating firm not less than AAA or its equivalent, and (iv) any other then authorized securities or obligations under applicable state law that may be used to defease obligations such as the Parity Obligations.

ATTACHMENT C

"Depository" means one or more official depository banks of the Authority.

"Designated Financial Officer" means the chief financial officer of the Authority, or such other financial or accounting official of the Authority so designated by the Board.

"Fiscal Year" means the twelve-month accounting period used by the Authority in connection with the operation of the Transit Authority System, currently ending on December 31 of each year, which may be any twelve consecutive month period established by the Authority, but in no event may the Fiscal Year be changed more than one time in any three calendar year period.

"Funded Debt" means all Parity Obligations created or assumed by the Authority that mature by their terms (in the absence of the exercise of any earlier right of demand), or that are renewable at the option of the Authority to a date, more than one year after the original creation or assumption of such Debt by the Authority.

"Gross Operating Revenues" and **"Gross Operating Revenues of the Authority"** means, for any defined period, all income, receipts, revenues, and increment which may be received or derived by the Authority from its ownership and/or operation of the Transit Authority System as it is purchased, constructed or otherwise acquired from time to time, including the proceeds of State and federal grants that are not specifically dedicated in purpose, but shall not mean, and shall specifically exclude (i) all Authority's Sales Tax Revenues and (ii) the income and increment derived from a contract or contracts with persons, corporations, municipal corporations, political subdivisions, or other entities which under the terms of the authorizing resolution(s) or order(s) that may be pledged for the requirements of the Authority's Special Facilities Bonds issued particularly to finance facilities needed in performing any such contract or contracts.

"Interest and Sinking Fund" means the special Fund created, established and maintained by the provisions of Sections 10 and 13 of this Resolution.

"Maintenance and Operating Expenses" means the expenses necessary to provide for the administration, efficient operation and adequate maintenance of the Transit Authority System, including the payment of necessary wages, salaries, and benefits, the acquisition of property and materials necessary to maintain the Transit Authority System in good condition and to operate it efficiently, together with such other costs and expenses as may now or hereafter be defined by law as proper maintenance and operation expenses of the Transit Authority System (which costs and expenses, however, specifically exclude (i) any allowance for depreciation, property retirement, depletion, or obsolescence, (ii) other items not requiring an outlay of cash, and (iii) any interest (accrued or capitalized) on Parity Obligations now or hereafter Outstanding.

"Maturity" means, when used with respect to any Debt, the date on which the principal of such Debt or any installment thereof becomes due and payable as therein provided, whether at the Stated Maturity thereof or by declaration of acceleration, call for redemption, or otherwise.

"Net Operating Revenues" and **"Net Operating Revenues of the Authority"** mean all Gross Operating Revenues for any period after the deduction of the Maintenance and Operating Expenses during such period which are not paid with Authority's Sales Tax Revenues.

ATTACHMENT C

"**Outstanding**" means, when used with respect to Parity Obligations, as of the date of determination, all Parity Obligations theretofore delivered under this Resolution, any Resolution authorizing Previously Issued Parity Obligations and Additional Parity Obligations, except:

- (1) Parity Obligations theretofore canceled and delivered to the Authority or delivered to the Paying Agent/Registrar for cancellation;
- (2) Parity Obligations deemed paid pursuant to the provisions of Section 30 of this Resolution or any comparable section of any Resolution authorizing Additional Parity Obligations;
- (3) Parity Obligations upon transfer of or in exchange for and in lieu of which other Parity Obligations have been authenticated and delivered pursuant to this Resolution and any Resolution authorizing Additional Parity Obligations; and
- (4) Parity Obligations under which the obligations of the Authority have been released, discharged or extinguished in accordance with the terms thereof.

"**Owner**" or "**Owners**" means the registered owner, whose name appears in the Security Register, for any Parity Obligation.

"**Paying Agent/Registrar**" shall have the meaning set forth in Section 7(a) hereof.

"**Parity Obligations**" means the Series 2019 Bonds, Previously Issued Parity Obligations and any Additional Parity Obligations hereafter issued by the Authority or obligations issued to refund any of the foregoing (as determined within the sole discretion of the Board in accordance with applicable law) if issued in a manner that provides that the refunding bonds are payable from and equally and ratably secured by a first lien on and pledge of the Pledged Revenues.

"**Permitted Investments**" means any security or obligation or combination thereof permitted under the Public Funds Investments Act, Chapter 2256, Texas Government Code, as amended.

"**Pledged Revenues**" means (i) a first and prior lien on the Net Operating Revenues, plus (ii) any additional revenues, income, receipts, or other resources, including, without limitation, any grants, donations or income received or to be received from the United States Government, or any other public or private source, whether pursuant to an agreement or otherwise, which hereafter are pledged by the Authority, at its sole discretion, to the payment of the Parity Obligations subsequent to the issuance of the Series 2019 Bonds (but none of which potential sources of additional security are initially so pledged).

"**Previously Issued Parity Obligations**" means the Series 2013 Bonds and the Taxable Series 2013 Bonds.

"**Rating Agency**" means any nationally recognized securities rating agency which has assigned, at the request of the Authority, a rating to the Parity Obligations.

"**Record Date**" means Record Date as defined in the Form of Series 2019 Bond in Exhibit B to this Resolution.

ATTACHMENT C

"Reimbursement Obligation" shall mean any obligation entered into by the Authority in connection with any Reserve Fund Credit Facility pursuant to which the Authority obligates itself to reimburse a financial institution, insurance company or other entity for amounts paid or advanced by such entity pursuant to a Reserve Fund Credit Facility. Reimbursement Obligations may be payable from and secured by a lien on Pledged Revenues which is on parity with, or subordinate to, the lien on Pledged Revenues which secures the Parity Obligations pursuant to this Resolution.

"Reserve Fund" means the special fund that may be created, established and maintained by the provisions of Sections 10 and 14 of this Resolution.

"Reserve Fund Credit Facility" shall mean a policy of insurance, surety bond, letter of credit or similar instrument or contract which (i) is issued by an insurance company or financial institution whose senior debt securities are rated in the one of the three highest rating categories by the rating agencies which provide a rating, at the Authority's request, on the Parity Obligations, (ii) may not be terminated by the entity providing the facility prior to the final maturity date of the particular series of Parity Obligations for which an account in the Reserve Fund is established pursuant to the resolution authorizing such series of Parity Obligations, and (iii) may be drawn upon demand by the Authority to provide funds to pay Principal and Interest Requirements on such particular series of Parity Obligations in the event moneys on deposit in the Interest and Sinking Fund are insufficient to make such payment.

"Resolution" means this Resolution adopted by the Board on October 2, 2019.

"Series 2013 Bonds" means the "Corpus Christi Regional Transportation Authority System Revenue Bonds, Series 2013 (AMT)" issued in the original aggregate principal amount of \$11,525,000.

"Taxable Series 2013 Bonds" means the "Corpus Christi Regional Transportation Authority System Revenue Bonds, Taxable Series 2013" issued in the original aggregate principal amount of \$10,500,000.

"Series 2019 Bonds" means the "Corpus Christi Regional Transportation Authority System Revenue Bonds, Taxable Series 2019" issued in the aggregate principal amount of \$ _____ pursuant this Resolution.

"Special Facilities Bonds" means special revenue obligations of the Authority which are payable from and secured by other liens on and pledges of any revenues, sources or payments, not pledged to the payment of obligations of the Authority secured in whole or in part by a lien on and pledge of Net Operating Revenues of the Transit Authority System including, but not limited to, special contract revenues or payments received from any other legal entity in connection with such facilities.

"Stated Maturity" means the annual principal payments of the Parity Obligations payable on the respective dates set forth in the Resolutions which authorized the issuance of such Parity Obligations.

ATTACHMENT C

"Subordinate Lien Obligations" means (i) any bonds, notes, warrants, or other Debt issued by the Authority that are payable, in whole or in part, from and equally and ratably secured by a lien on and pledge of the Net Operating Revenues, such pledge being subordinate and inferior to the lien on and pledge of the Net Operating Revenues that are or will be pledged to the payment of any Parity Obligations issued by the Authority, and (ii) obligations hereafter issued to refund any of the foregoing if issued in a manner that provides that the refunding bonds are payable from and equally and ratably secured, in whole or in part, by a lien on and pledge of the Net Operating Revenues on a parity with the Subordinate Lien Obligations.

"Term Bonds" means those Parity Obligations so designated in the Resolutions authorizing such bonds which shall be subject to retirement by operation of a mandatory redemption account.

"Term of Issue" means with respect to any Balloon Debt, a period of time equal to the greater of (i) the period of time commencing on the date of issuance of such Balloon Debt and ending on the final maturity date of such Balloon Debt or (ii) twenty-five years.

"Transit Authority System" means any and all Authority real and personal property that is now owned, rented, leased, controlled, operated, or held for mass transit purposes pursuant to Chapter 451, together with all future extensions, improvements, replacements and additions thereto; provided, however, that notwithstanding the foregoing, and to the extent now or hereafter authorized or permitted by law, the term Transit Authority System shall not mean to include facilities of any kind which are declared not to be a part of the Transit Authority System and which are acquired or constructed by or on behalf of the Authority with the proceeds from the issuance of Special Facilities Bonds.

ATTACHMENT C

EXHIBIT B

FORM OF SERIES 2019 BOND

R-

PRINCIPAL
AMOUNT
\$ _____

**UNITED STATES OF AMERICA STATE OF TEXAS
CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY SYSTEM REVENUE
REFUNDING BONDS, TAXABLE SERIES 2019**

| INTEREST RATE | MATURITY DATE | DATE OF DELIVERY | CUSIP No. |
|----------------------|----------------------|-------------------------|------------------|
| _____ % | _____ | _____ | _____ |

REGISTERED OWNER:

PRINCIPAL AMOUNT:
DOLLARS

ON THE MATURITY DATE specified above, the CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY (the "Authority"), being a metropolitan rapid transit authority existing and operating under Chapter 451, Texas Transportation Code, as amended, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), the Principal Amount specified above, and to pay interest thereon (calculated on the basis of a 360-day year of twelve 30-day months) from the Date of Delivery, as set forth above, at the Interest Rate per annum specified above, payable on _____, and semiannually on each December 1 and June 1 thereafter to the Maturity Date specified above, or the date of redemption prior to maturity; except that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full.

THE PRINCIPAL OF AND INTEREST ON this Bond are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Bond shall be paid to the Registered Owner hereof upon presentation and surrender of this Bond at maturity or upon the date fixed for its redemption prior to maturity, at the designated corporate trust office of _____, Texas, which is the "Paying Agent/Registrar" for this Bond. The payment of interest on this Bond shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each interest payment date by check, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the Authority required by the Resolution

ATTACHMENT C

authorizing the issuance of this Bond (the "Bond Resolution") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared on the 15th day of the month next preceding each such date (the "Record Date") on the Registration Books kept by the Paying Agent/Registrar, as hereinafter described. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar if and when funds for the payment of such interest have been received from the Authority. Notice of the Special Record Date and of the scheduled payment date of the past due interest (the "Special Payment Date" which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first class, postage prepaid, to the address of each Registered Owner appearing on the Registration Books of the Paying Agent/Registrar at the close of business on the last business day next preceding the date of mailing of such notice. Any accrued interest due upon the redemption of this Bond prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Bond for redemption and payment at the principal corporate trust office of the Paying Agent/Registrar (unless the redemption date is a regularly scheduled interest payment date, in which case accrued interest on such redeemed Bonds shall be payable in the regular manner described above). The Authority covenants with the Registered Owner of this Bond that on or before each principal payment date, interest payment date, and accrued interest payment date for this Bond it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" referred to in and established by the Bond Resolution, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Bonds, when due. Terms used in this Bond and not otherwise defined shall have the meaning given in the Bond Resolution.

IF THE DATE for the payment of the principal of or interest on this Bond shall be a Saturday, Sunday, legal holiday, or day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, or the United States Postal Service is not open for business (each a "Non-Business Day"), then the date for such payment shall be the next succeeding day which is not a Non-Business Day, and payment on such date shall have the same force and effect as if made on the original date payment was due.

THIS BOND is one of a series of Bonds dated as of _____, authorized in accordance with the Constitution and laws of the State of Texas in the aggregate principal amount of \$ _____ ***FOR THE PURPOSE OF PROVIDING FUNDS TO DEFEASE AND/OR REFUND A PORTION OF THE AUTHORITY'S OUTSTANDING REVENUE SYSTEM INDEBTEDNESS AND TO PAY FOR COSTS OF ISSUANCE.***

THE AUTHORITY reserves the right to redeem Bonds of this series maturing on or after December 1, 20__, in whole or in part on December 1, 20__, or any date thereafter, and, if in part, the Authority will determine the maturity or maturities to be redeemed and the Paying Agent/Registrar shall determine, by lot or other customary method within a maturity, the particular Bonds to be redeemed, at a redemption price equal to the principal amount of the Bonds to be redeemed plus accrued interest to the redemption date; provided, that during any period in which ownership of the Bonds is determined by a book entry at a securities depository for the Bonds, if fewer than all of the Bonds of the same maturity and bearing the same interest rate are to be redeemed, the particular Bonds of such maturity and bearing such interest rate shall be selected in accordance with the

ATTACHMENT C

arrangements between the Authority and the securities depository.

ADDITIONALLY, THE BONDS maturing on December 1 in the years and (collectively, the "Term Bonds") are subject to mandatory redemption prior to maturity in part by lot, at a price equal to the principal amount thereof plus accrued interest to the date of redemption, on December 1 in the respective years and principal amounts shown below:

[IF APPLICABLE]

AT LEAST 30 days prior to the date fixed for any redemption of Bonds or portions thereof prior to maturity, a written notice of such redemption shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, at least 30 days prior to the date fixed for any such redemption to the Registered Owner of each Bond to be redeemed at its address as it appeared on the Registration Books maintained by the Paying Agent/Registrar on the day such notice of redemption is mailed. By the date fixed for any such redemption, due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Bonds or portions thereof which are to be so redeemed. If such written notice of redemption is mailed and if due provision for such payment is made, all as provided above, the Bonds or portions thereof which are to be so redeemed thereby automatically shall be treated as redeemed prior to their scheduled maturities, and they shall not bear interest after the date fixed for redemption, and they shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment. If a portion of any Bond shall be redeemed a substitute Bond or Bonds having the same maturity date, bearing interest at the same rate, in any denomination or denominations in any integral multiple of \$5,000, at the written request of the Registered Owner, and in an aggregate principal amount equal to the unredeemed portion thereof, will be issued to the Registered Owner upon the surrender thereof for cancellation, at the expense of the Authority, all as provided in the Bond Resolution.

ALL BONDS OF THIS SERIES are issuable solely as fully registered Bonds, without interest coupons, in the denomination of any integral multiple of \$5,000 (an "Authorized Denomination"). As provided in the Bond Resolution, this Bond, or any unredeemed portion hereof, may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned, transferred and exchanged for a like aggregate principal amount of fully registered Bonds, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, having the same denomination or denominations in any integral multiple of \$5,000 as requested in writing by the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Bond to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Bond Resolution. Among other requirements for such assignment and transfer, this Bond must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Bond or any portion or portions hereof in any integral multiple of \$5,000 to the assignee or assignees in whose name or names this Bond or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Bond may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Bond or any portion or portions hereof from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for transferring and exchanging any Bond or portion thereof shall be paid by the Authority, but any

ATTACHMENT C

taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer or exchange as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Bond or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date; provided, however, such limitation of transfer shall not be applicable to an exchange by the Registered Owner of an unredeemed balance of a Bond called for redemption in part.

IN THE EVENT any Paying Agent/Registrar for the Bonds is changed by the Authority, resigns or otherwise ceases to act as such, the Authority has covenanted in the Bond Resolution that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owners of the Bonds.

IT IS HEREBY certified, recited and covenanted that this Bond has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Bond have been performed, existed and been done in accordance with law; that this Bond is a special obligation of the Authority, and that the interest on and principal of this Bond, together with all other outstanding "Parity Obligations" (as defined in the Bond Resolution), as such interest comes due, and as such principal matures, are payable from and secured by a lien on and pledge of the "Pledged Revenues" of the "Transit Authority System", all as provided in the Bond Resolution.

THE AUTHORITY also has reserved the right, subject to restrictions stated in the Resolution, to issue Additional Parity Obligations which also may be made payable from and equally and ratably secured by a first lien on and pledge of, the Pledged Revenues of the Transit Authority System in the same manner and to the same extent as this series of bonds.

THE AUTHORITY also has reserved the right, subject to restrictions stated in the Bond Resolution to issue Subordinate Lien Obligations payable from and equally and ratably secured, in whole or in part, by a lien on and pledge of the Net Operating Revenues (as defined in the Bond Resolution), subordinate and inferior in rank and dignity to the lien on and pledge of such Net Operating Revenues securing payment of the outstanding Parity Obligations, this series of bonds or any Additional Parity Obligations.

THE OWNER HEREOF shall never have the right to demand payment of this Bond out of any funds raised or to be raised by taxation.

BY BECOMING the Registered Owner of this Bond, the Registered Owner thereby acknowledges all of the terms and provisions of the Bond Resolution, agrees to be bound by such terms and provisions, acknowledges that the Bond Resolution is duly recorded and available for inspection in the official minutes and records of the governing body of the Authority and agrees that the terms and provisions of this Bond and the Bond Resolution constitute a contract between each Registered Owner hereof and the Authority.

ATTACHMENT C

IN WITNESS WHEREOF, the Authority has caused this Bond to be signed with the manual or facsimile signature of the Board Chairman of the Authority, and countersigned with the manual or facsimile signature of the Board Secretary of the Authority and the official seal of the Authority has been duly impressed, or placed in facsimile, on this Bond.

Countersigned:

Board Secretary
Corpus Christi Regional
Transportation Authority

Board Chairman
Corpus Christi Regional
Transportation Authority

(BOARD SEAL)

**FORM OF REGISTRATION CERTIFICATE
OF THE COMPTROLLER OF PUBLIC ACCOUNTS:**

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

(COMPTROLLER'S SEAL)
the State of Texas

Comptroller of Public Accounts

ATTACHMENT C

**FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE
PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE**

(To be executed if this Bond is not accompanied by an executed Registration Certificate of the Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Bond has been issued under the provisions of the Bond Resolution described in the text of this Bond; and that this Bond has been issued in exchange for a bond or bonds, or a portion of a bond or bonds of a series which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated:

_____, Texas
Paying Agent/Registrar

By: _____
Authorized Representative

**FORM OF ASSIGNMENT:
ASSIGNMENT**

FOR VALUE RECEIVED, the undersigned Registered Owner of this Bond, or duly authorized representative or attorney thereof, hereby sells, assigns and transfers this Bond and all rights hereunder unto _____

/ _____ /
(Assignee's Social Security or
Taxpayer Identification Number)

(Please print or typewrite Assignee's name and address,
including zip code)

and hereby irrevocably constitutes and appoints _____
attorney to transfer the registration of this Bond on the Paying Agent/Registrar's Registration Books with full power of substitution in the premises.

Dated: _____ Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

ATTACHMENT C

INITIAL SERIES 2019 BOND INSERTIONS

The Initial Series 2019 Bond shall be in the form set forth in Exhibit B, except that:

A. immediately under the name of the Bond, the headings "Interest Rate" and "Maturity Date" shall both be completed with the words "As shown below" and "CUSIP No. _____" shall be deleted.

B. the first paragraph shall be deleted and the following will be inserted:

"CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY (the "Authority"), being a metropolitan rapid transit authority existing and operating under Chapter 451, Texas Transportation Code, as amended, hereby promises to pay to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on December 1 in each of the years, in the principal installments and bearing interest at the per annum rates set forth in the following schedule:

| YEARS | PRINCIPAL INSTALLMENTS | INTEREST RATES | YEARS | PRINCIPAL INSTALLMENTS | INTEREST RATES |
|--------------|-----------------------------------|---------------------------|--------------|-----------------------------------|---------------------------|
| | | | | | |
| | | | | | |
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| | | | | | |

(Terms of the Series 2019 Bonds in Schedule I of the Resolution to be included.)

The Authority promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Date of Delivery, as set forth above, at the respective Interest Rate per annum specified above. Interest is payable on June 1, __, and semiannually on each December 1 and June 1 thereafter to the date of payment of the principal installment specified above, or the date of redemption prior to maturity; except, that if this Bond is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such Principal Amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Bond or Bonds, if any, for which this Bond is being

ATTACHMENT C

exchanged is due but has not been paid, then this Bond shall bear interest from the date to which such interest has been paid in full."

- C. The Initial Bond shall be numbered "T-1."

END OF FORM OF SERIES 2019 BOND

ATTACHMENT C

EXHIBIT C

FORM OF PAYING AGENT/REGISTRAR AGREEMENT

THE PAYING AGENT/REGISTRAR AGREEMENT IS OMITTED AT THIS POINT AS IT APPEARS IN EXECUTED FORM ELSEWHERE IN THIS TRANSCRIPT.

ATTACHMENT C

EXHIBIT D

CONTINUING DISCLOSURE

The following information is referred to in Section 33(b) of this Resolution.

Annual Financial Statements and Operating Data

The financial information and operating data with respect to the Authority to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

1. The annual audited financial statements of the Authority or the unaudited financial statements of the Authority in the event audited financial statements are not completed within six months after the end of any fiscal year.
2. All quantitative financial information and operating data with respect to the Authority of the general type included in the Official Statement under Tables 1 - 9 in Appendix B of the Official Statement.

Accounting Principles

The accounting principles referred to in such Section are the accounting principles described in the notes to the financial statements referred to in paragraph 1 above.

ATTACHMENT C

EXHIBIT E

FORM OF ESCROW AGREEMENT

THE ESCROW AGREEMENT IS OMITTED AT THIS POINT
AS IT APPEARS IN EXECUTED FORM ELSEWHERE IN THIS TRANSCRIPT.

ATTACHMENT C

EXHIBIT F

FORM OF NOTICES OF REDEMPTION



Subject: August 2019 Financial Report

SUMMARY: Results from all Activities Compared to Budget

REVENUES

For the month of August, **Total Revenues** of \$4,112,490 exceeded budget expectations by \$81,777, or 2.03%. All revenue categories reflected a positive variance with the exception of **Passenger Service**, which finished \$2,289, or 1.39%, behind budget. **Grant Assistant Revenues** totaled \$782,245 which includes reimbursements for preventive maintenance totaling \$775,772 and \$6,473 in pass through reimbursements for sub-recipients.

The **Investment Portfolio** of the Agency continues to perform well, and exceeded budget expectations by **\$20,836** or **71.79%**. The non-cash portion of the portfolio yielded 2.857% in August. On September 18, 2019, the Federal Reserve reduced the benchmark interest rate by 25 basis points and hinted at another rate cut before the end of 2019. Staff continues to monitor the holdings of the investment portfolio in order to limit exposure to short-term rate volatility and maximize investment income.

Sales tax revenue for August 2019 is estimated at \$2,932,839, which is equal to the amount budgeted for the month. Because we are on a full accrual accounting system and sales tax payments reflect a two-month lag, estimates equal budget. Meanwhile, the sales tax estimate is \$98,606, or 3.48% higher than August 2018 but less than the 4.79% YOY. The actual allocation for August 2019 will be received October 11, 2019. Sales tax represented **71.32%** of total revenue realized in August and **86.99%** of total revenues YTD.

Sales tax represents the largest component of CCRTA's total income however there are several factors that can cause fluctuations from year to year. Although sales tax revenue is related to economic conditions, other factors such as the amount of revenues from other sources and capital improvement plans do come into play. The sales tax revenue over the last five years averages to **76.80%** of total income.

To stabilize the fluctuations of sales tax revenue, CCRTA has established several reserve accounts that serve as a liquidity cushion. As you can see from the fund balance breakdown below, over 50% of the unrestricted portion is assigned by the Board to fund reserves that are earmarked to meet certain unexpected demands.

The detail of all revenue categories is presented in the following tables, along with the fare recovery ratio for August 2019:

| | Current Month | | | |
|---|---------------------|---------------------|---|--|
| | Actual | Budget | Favorable (Unfavorable) Variance \$ | Favorable (Unfavorable) Variance % |
| | A | B | A vs B (\$) | A vs B (%) |
| Revenues | | | | |
| Passenger service | \$ 162,573 | \$ 164,862 | \$ (2,289) | -1.39% |
| Bus advertising | 11,764 | 11,250 | 514 | 4.57% |
| Other operating revenues | 14,575 | 816 | 13,759 | 1686.67% |
| Sales Tax Revenue | 2,932,839 | 2,932,839 | - | 0.00% |
| Federal, state and local grant assistance | 782,245 | 781,764 | 481 | 0.06% |
| Investment Income | 49,859 | 29,023 | 20,836 | 71.79% |
| Staples Street Center leases | 40,239 | 40,159 | 80 | 0.20% |
| Capital Grants & Donations | 118,395 | 70,000 | 48,395 | 69.14% |
| Total Revenues | \$ 4,112,490 | \$ 4,030,713 | \$ 81,777 | 2.03% |

| Revenue Source | Aug-19 | % | YTD | % |
|----------------------|---------------------|----------------|----------------------|----------------|
| Passenger Service | \$ 162,573 | 3.95% | \$ 1,278,745 | 4.80% |
| Bus Advertising | \$ 11,764 | 0.29% | \$ 97,996 | 0.37% |
| Other Revenue | \$ 14,575 | 0.35% | \$ 113,590 | 0.43% |
| Sales Tax Revenue | \$ 2,932,839 | 71.32% | \$ 23,183,420 | 86.99% |
| Grants Operating | \$ 782,245 | 19.02% | \$ 801,981 | 3.01% |
| Grants Capital | \$ 118,395 | 2.88% | \$ 461,368 | 1.73% |
| Investment Income | \$ 49,859 | 1.21% | \$ 393,244 | 1.48% |
| SSC lease income | \$ 40,239 | 0.98% | \$ 319,479 | 1.20% |
| Total Revenue | \$ 4,112,490 | 100.00% | \$ 26,649,823 | 100.00% |

Fare Recovery Ratio

| Description | 8/31/2019 | Year to Date |
|-------------------------|------------|--------------|
| Fare Revenue | \$ 162,573 | \$ 1,278,745 |
| Operating Expenses* | 2,989,379 | 21,104,021 |
| FRR | 5.44% | 6.06% |
| *Excluding Depreciation | | |

Note: Same period last year the FRR was 5.93%. The 2019 YTD FRR of 6.06% includes \$79,621 of revenues from the special services provided to Flatiron/Dragados Winnebago in February and March 2019.

EXPENSES

Departmental operating expenses are presented below in accordance to their expense object category. For the month of August 2019, total departmental operating expenses realized a favorable variance of approximately \$284,109.

The most significant positive variance came from **Insurance** expense categories and are mostly attributable lower employee health insurance costs. The Miscellaneous category consists of line items for Dues & Subscriptions, Travel & Training, and Advertising & Promotion.

Total Expenses of \$3,667,398 came in \$339,791 less than budget expectations, or 8.48%.

| <u>Operating Expense Object Category</u> | Current Month | | | |
|--|---------------------|---------------------|---|--|
| | Actual | Budget | Favorable (Unfavorable) Variance \$ | Favorable (Unfavorable) Variance % |
| | A | B | A vs B (\$) | A vs B (%) |
| Salaries & Benefits | \$ 1,624,096 | \$ 1,688,533 | \$ 64,437 | 3.82% |
| Services | 303,914 | 352,403 | 48,489 | 13.76% |
| Materials & Supplies | 247,242 | 267,696 | 20,453 | 7.64% |
| Utilities | 60,029 | 58,676 | (1,353) | -2.31% |
| Insurance | 205,840 | 354,520 | 148,680 | 41.94% |
| Purchased Transportation | 577,873 | 538,703 | (39,169) | -7.27% |
| Miscellaneous | 34,040 | 76,613 | 42,573 | 55.57% |
| Total Expenses | \$ 3,053,035 | \$ 3,337,144 | \$ 284,109 | 8.51% |

| <u>Operating Expenses</u> | Current Month | | | |
|---------------------------------|---------------------|---------------------|---|--|
| | Actual | Budget | Favorable (Unfavorable) Variance \$ | Favorable (Unfavorable) Variance % |
| | A | B | A vs B (\$) | A vs B (%) |
| Departmental Operating Expenses | \$ 3,053,035 | \$ 3,337,144 | \$ 284,109 | 8.51% |
| Debt Service | - | - | - | 0.00% |
| Depreciation | 357,309 | 357,309 | - | 0.00% |
| Street Improvements | 250,581 | 250,581 | - | 0.00% |
| Subrecipient Grant Agreements | 6,473 | 62,155 | 55,682 | 89.59% |
| | \$ 3,667,398 | \$ 4,007,189 | \$ 339,791 | 8.48% |

NET POSITION

The Total Net Position at the end of the month was **\$85,640,338**, a decrease of \$392,806 from December 2018, which is largely due to depreciation. The Total Net Position is made up of three (3) components: Net Investment in Capital Assets, Restricted for Debt Service (Bond Contract), and Unrestricted which represents the residual amount of the net position that is available for spending. However, 53% of the Unrestricted portion of the Total Net Position has been Assigned by the Board.

Of the Total Net Position of **\$85,640,338**, the portion of the fund balance that is not restricted in accordance to GASB Concepts Statement No 4 is **\$27,044,128** but only **\$12,664,351** is available for spending as a result of the internal restrictions placed by the Board for specific reserves.

One of the reserves listed in the **Unrestricted Funds Section** of the Fund Balance is the **Unamortized Pension Contribution** which resulted from the one-time contribution of \$2,500,000 made to the Defined Benefit Plan. Below is the breakdown:

One-Time Contribution\$2,500,000
 Less Two Months of Amortization @ \$416,667 (July & August)..... 833,334
 Equals the Unamortized Pension Contribution Stated below.....\$1,666,666

FUND BALANCE AS OF AUGUST 31, 2019:

| | |
|--|------------------------------------|
| Fund Balance | |
| Net Invested in Capital Assets | \$ 56,984,908 |
| Restricted for Debt Service | 1,611,302 |
| Unrestricted | <u>27,044,128</u> |
| Net Position | <u><u>85,640,338</u></u> |
| Total Unrestricted Funds | |
| Assigned for Operating Reserve | 8,639,961 |
| Assigned for Capital Reserve | 3,360,932 |
| Assigned for Health Care Costs Reserve | 712,218 |
| Unamortized Pension Contribution | <u>1,666,666</u> |
| Total Assigned | 14,379,777 |
| Available Unrestricted Funds | <u><u>\$ 12,664,351</u></u> |

Please refer to the following pages for the detailed financial statements.

Respectfully Submitted,

Submitted by: Marie Sandra Roddel
Director of Finance

Reviewed by: Robert M. Saldaña
Managing Director of Administration

Final Approval by: 
Jorge Cruz-Aedo
Chief Executive Officer

Corpus Christi Regional Transportation Authority
Statement of Revenues and Expenditures By Cost Center (Unaudited)
For the month ended August 31, 2019

| | Current Month | | | |
|---|-------------------|-------------------|---|--|
| | Actual | Budget | Favorable (Unfavorable) Variance \$ | Favorable (Unfavorable) Variance % |
| | A | B | A vs B (\$) | A vs B (%) |
| Revenues | | | | |
| Passenger service | \$ 162,573 | \$ 164,862 | \$ (2,289) | -1.39% |
| Bus advertising | 11,764 | 11,250 | 514 | 4.57% |
| Other operating revenues | 14,575 | 816 | 13,759 | 1686.67% |
| Sales Tax Revenue | 2,932,839 | 2,932,839 | - | 0.00% |
| Federal, state and local grant assistance | 782,245 | 781,764 | 481 | 0.06% |
| Investment Income | 49,859 | 29,023 | 20,836 | 71.79% |
| Staples Street Center leases | 40,239 | 40,159 | 80 | 0.20% |
| Gain (Loss) on Disposition of Property | - | - | - | 0.00% |
| Capital Grants & Donations | 118,395 | 70,000 | 48,395 | 69.14% |
| Total Revenues | 4,112,489 | 4,030,713 | 81,776 | 2.03% |
| Expenses | | | | |
| Transportation | 639,689 | 589,005 | (50,684) | -8.61% |
| Customer Programs | 29,389 | 27,998 | (1,391) | -4.97% |
| Purchased Transportation | 578,181 | 538,703 | (39,478) | -7.33% |
| Service Development | 28,692 | 36,796 | 8,104 | 22.02% |
| MIS | 80,118 | 78,815 | (1,303) | -1.65% |
| Vehicle Maintenance | 406,543 | 406,438 | (105) | -0.03% |
| Facilities Maintenance | 160,995 | 173,036 | 12,041 | 6.96% |
| Contracts and Procurements | 16,604 | 18,601 | 1,997 | 10.74% |
| CEO's Office | 42,632 | 92,969 | 50,337 | 54.14% |
| Finance and Accounting | 37,796 | 40,866 | 3,070 | 7.51% |
| Materials Management | 11,937 | 11,489 | (448) | -3.90% |
| Human Resources | 747,286 | 934,489 | 187,203 | 20.03% |
| General Administration | 63,514 | 71,138 | 7,624 | 10.72% |
| Capital Project Management | 10,910 | 14,333 | 3,423 | 23.88% |
| Marketing & Communications | 32,176 | 48,767 | 16,591 | 34.02% |
| Safety & Security | 102,917 | 113,586 | 10,669 | 9.39% |
| Depreciation | 357,309 | 357,309 | - | 0.00% |
| Staples Street Center | 61,532 | 82,359 | 20,827 | 25.29% |
| Port Ayers Cost Center | 2,124 | 28,703 | 26,579 | 92.60% |
| Debt Service | - | - | - | 0.00% |
| Special Projects | - | 29,053 | 29,053 | 100.00% |
| Subrecipient Grant Agreements | 6,473 | 62,155 | 55,682 | 89.59% |
| Street Improvements Program for CCRTA Region Entities | 250,581 | 250,581 | - | 0.00% |
| Total Expenses | 3,667,398 | 4,007,189 | 339,791 | 8.48% |
| Transfer-In from Fund Balance | 416,667 | 416,667 | - | 0.00% |
| Revenues & Transfers over Expenses \$ | \$ 861,757 | \$ 440,190 | 421,567 | 95.77% |

Corpus Christi Regional Transportation Authority
Statement of Revenues and Expenditures By Cost Center (Unaudited)
For the month ended August 31, 2019

| | Year to Date | | | |
|---|-------------------|-----------------------|--|--|
| | Actual | Budget | Favorable (Unfavorable) Variance | Favorable (Unfavorable) Variance % |
| | A | B | A vs B | A vs B (%) |
| Operating Revenues: | | | | |
| Passenger service | \$ 1,278,745 | 1,214,938 | 63,807 | 5.25% |
| Bus advertising | 97,996 | 90,000 | 7,996 | 8.88% |
| Other operating revenues | 113,590 | 10,904 | 102,686 | 941.72% |
| Sales Tax Revenue | 23,183,420 | 22,929,512 | 253,908 | 1.11% |
| Federal, state and local grant assistance | 801,981 | 794,000 | 7,981 | 1.01% |
| Investment Income | 393,244 | 227,504 | 165,740 | 72.85% |
| Staples Street Center leases | 319,479 | 319,109 | 370 | 0.12% |
| Gain (Loss) on Disposition of Property | - | - | - | 0.00% |
| Capital Grants & Donations | 461,368 | 415,706 | 45,662 | 10.98% |
| Total Operating Revenues | 26,649,823 | 26,001,673 | 648,150 | 2.49% |
| Operating Expenses: | | | | |
| Transportation | 4,852,521 | 4,796,270 | (56,251) | -1.17% |
| Customer Programs | 273,404 | 274,622 | 1,218 | 0.44% |
| Purchased Transportation | 4,490,335 | 4,309,628 | (180,707) | -4.19% |
| Service Development | 248,050 | 291,922 | 43,872 | 15.03% |
| MIS | 573,750 | 627,801 | 54,051 | 8.61% |
| Vehicle Maintenance | 3,067,555 | 3,233,461 | 165,906 | 5.13% |
| Facilities Maintenance | 1,165,574 | 1,379,848 | 214,274 | 15.53% |
| Contracts and Procurements | 133,794 | 147,325 | 13,531 | 9.18% |
| CEO's Office | 496,700 | 583,601 | 86,901 | 14.89% |
| Finance and Accounting | 358,693 | 413,660 | 54,967 | 13.29% |
| Materials Management | 91,002 | 90,909 | (93) | -0.10% |
| Human Resources | 3,952,441 | 5,044,908 | 1,092,467 | 21.65% |
| General Administration | 383,097 | 431,760 | 48,663 | 11.27% |
| Capital Project Management | 91,485 | 113,418 | 21,933 | 19.34% |
| Marketing & Communications | 252,313 | 388,800 | 136,487 | 35.10% |
| Safety & Security | 673,308 | 907,418 | 234,110 | 25.80% |
| Depreciation | 2,858,470 | 2,858,470 | - | 0.00% |
| SSC Expenses | 484,161 | 657,549 | 173,388 | 26.37% |
| Port Ayers Cost Center | 3,820 | 229,627 | 225,807 | 98.34% |
| Debt Service | 419,524 | 427,882 | 8,358 | 1.95% |
| Special Projects | - | 195,717 | 195,717 | 100.00% |
| Subrecipient Grant Agreements | 24,847 | 497,243 | 472,396 | 95.00% |
| Street Improvements Program for CCRTA Region Entities | 2,004,645 | 2,004,645 | - | 0.00% |
| Total Expenses | 26,899,489 | 29,906,484 | 3,006,995 | 10.05% |
| Transfer-In from Fund Balance | 833,333 | 833,333 | - | 0.00% |
| Revenues & Transfers over Expenses \$ | \$ 583,667 | \$ (3,071,478) | 3,655,145 | 119.00% |

CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY
Statement of Net Position
Month ended August 31, 2019 and year ended December 31, 2018

| | Unaudited August 31 2019 | Audited December 31 2018 |
|---|---|---|
| ASSETS | | |
| Current Assets: | | |
| Cash and Cash Equivalents | \$ 23,102,004 | \$ 21,259,832 |
| Investments | 3,076,612 | 5,104,907 |
| Receivables: | | |
| Sales and Use Taxes | 6,102,557 | 6,015,928 |
| Accrued Interest | 53,384 | 38,377 |
| Federal Government | 1,099,130 | 258,243 |
| Other | 171,213 | 245,913 |
| Inventories | 639,765 | 654,774 |
| Prepaid Expenses | 2,628,930 | 261,394 |
| Total Current Assets | <u>36,873,595</u> | <u>33,839,367</u> |
| Non-Current Assets: | | |
| Restricted Cash and Cash Equivalents | 1,676,305 | 1,611,302 |
| Capital Assets: | | |
| Land | 5,381,969 | 5,381,969 |
| Buildings | 53,734,210 | 53,734,210 |
| Transit Stations, Stops and Pads | 23,592,450 | 23,592,450 |
| Other Improvements | 5,525,123 | 5,525,123 |
| Vehicles and Equipment | 60,369,148 | 60,369,148 |
| Construction in Progress | 666,827 | 666,827 |
| Current Year Additions | 717,801 | - |
| Total Capital Assets | <u>149,987,529</u> | <u>149,269,727</u> |
| Less: Accumulated Depreciation | <u>(73,757,621)</u> | <u>(70,899,151)</u> |
| Net Capital Assets | <u>76,229,908</u> | <u>78,370,576</u> |
| Total Non-Current Assets | <u>77,906,213</u> | <u>79,981,878</u> |
| TOTAL ASSETS | <u>114,779,808</u> | <u>113,821,245</u> |
| DEFERRED OUTFLOWS OF RESOURCES | | |
| Deferred outflow related to pensions | 5,170,677 | 5,170,677 |
| TOTAL ASSETS AND DEFERRED OUTFLOWS | <u><u>119,950,485</u></u> | <u><u>118,991,922</u></u> |

CORPUS CHRISTI REGIONAL TRANSPORTATION AUTHORITY
Statement of Net Position (cotinued)
Month ended August 31, 2019 and year ended December 31, 2018

| | Unaudited August 31 2019 | Audited December 31 2018 |
|--|--------------------------------|--------------------------------|
| LIABILITIES AND NET POSITION | | |
| Current Liabilities: | | |
| Accounts Payable | 661,274 | 316,287 |
| Contractors Retainage Payable | - | - |
| Current Portion of Long-Term Liabilities: | | |
| Long-Term Debt | 595,000 | 595,000 |
| Compensated Absences | 283,472 | 283,472 |
| Distributions to Regional Entities Payable | 3,761,180 | 3,077,888 |
| Other Accrued Liabilities | 939,883 | 616,793 |
| Total Current Liabilities | <u>6,240,810</u> | <u>4,889,440</u> |
| Non-Current Liabilities: | | |
| Long-Term Liabilities, Net of Current Portion: | | |
| Long-Term Debt | 18,650,000 | 18,650,000 |
| Compensated Absences | 344,752 | 344,752 |
| Net Pension Liability | 6,468,642 | 6,468,642 |
| Net OPEB Obligation | 1,101,367 | 1,101,367 |
| Total Non-Current Liabilities | <u>26,564,761</u> | <u>26,564,761</u> |
| TOTAL LIABLILITES | <u>32,805,571</u> | <u>31,454,201</u> |
| DEFERRED INFLOWS OF RESOURCES | | |
| Deferred inflow related to pensions | 1,504,577 | 1,504,577 |
| TOTAL LIABILITIES AND DEFERRED INFLOWS | <u>34,310,148</u> | <u>32,958,778</u> |
| Net Position: | | |
| Net Invested in Capital Assets | 56,984,908 | 59,125,577 |
| Restricted for Debt Service | 1,611,302 | 1,611,302 |
| Unrestricted | 27,044,128 | 25,296,265 |
| TOTAL NET POSITION | <u>\$ 85,640,338</u> | <u>\$ 86,033,144</u> |

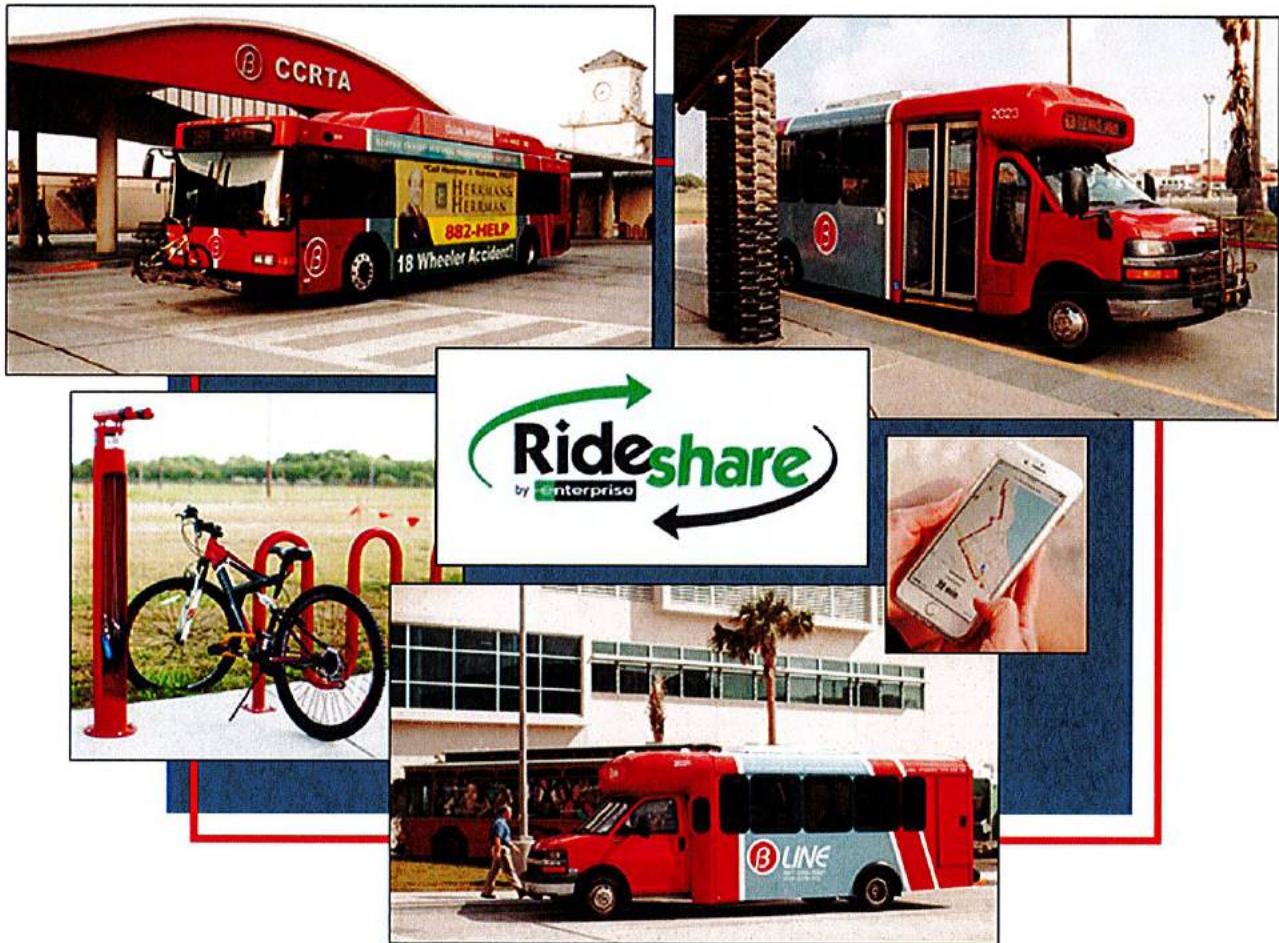
**Corpus Christi Regional Transportation Authority
Statement of Cash Flows (Unaudited)
For the month ended August 31, 2019**

| | <u>8/31/2019</u> |
|---|-----------------------------|
| Cash Flows From Operating Activities: | |
| Cash Received from Customers | \$ 122,151 |
| Cash Received from Bus Advertising and Other Ancillary | 64,783 |
| Cash Payments to Suppliers for Goods and Services | (1,943,839) |
| Cash Payments to Employees for Services | (713,166) |
| Cash Payments for Employee Benefits | (282,605) |
| Net Cash Used for Operating Activities | <u>(2,752,676)</u> |
| Cash Flows from Non-Capital Financing Activities: | |
| Sales and Use Taxes Received | 3,371,490 |
| Grants and Other Reimbursements | - |
| Distributions to Subrecipient Programs | - |
| Distributions to Region Entities | - |
| Net Cash Provided by Non-Capital Financing Activities | <u>3,371,490</u> |
| Cash Flows from Capital and Related Financing Activities: | |
| Federal and Other Grant Assistance | 39,132 |
| Proceeds/Loss from Sale of Capital Assets | - |
| Proceeds from Bonds | - |
| Repayment of Long-Term Debt | - |
| Interest and Fiscal Charges | - |
| Purchase and Construction of Capital Assets | (139,105) |
| Net Cash Used by Capital and Related Financing Activities | <u>(99,973)</u> |
| Cash Flows from Investing Activities: | |
| Investment Income | 42,302 |
| Purchases of Investments | - |
| Maturities and Redemptions of Investments | - |
| Net Cash Provided by Investing Activities | <u>42,302</u> |
| Net Increase in Cash and Cash Equivalents | 561,143 |
| Cash and Cash Equivalents (Including Restricted Accounts), August 1, 2019 | 24,217,166 |
| Cash and Cash Equivalents (Including Restricted Accounts), August 31, 2019 | \$ <u>24,778,309</u> |



Subject: August 2019 Operations Report

The system-wide monthly operations performance report is included below for your information and review. This report contains monthly and Year-to-Date (YTD) operating statistics and performance measurement summaries containing ridership, performance metrics by service type, miles between road calls and customer service feedback.

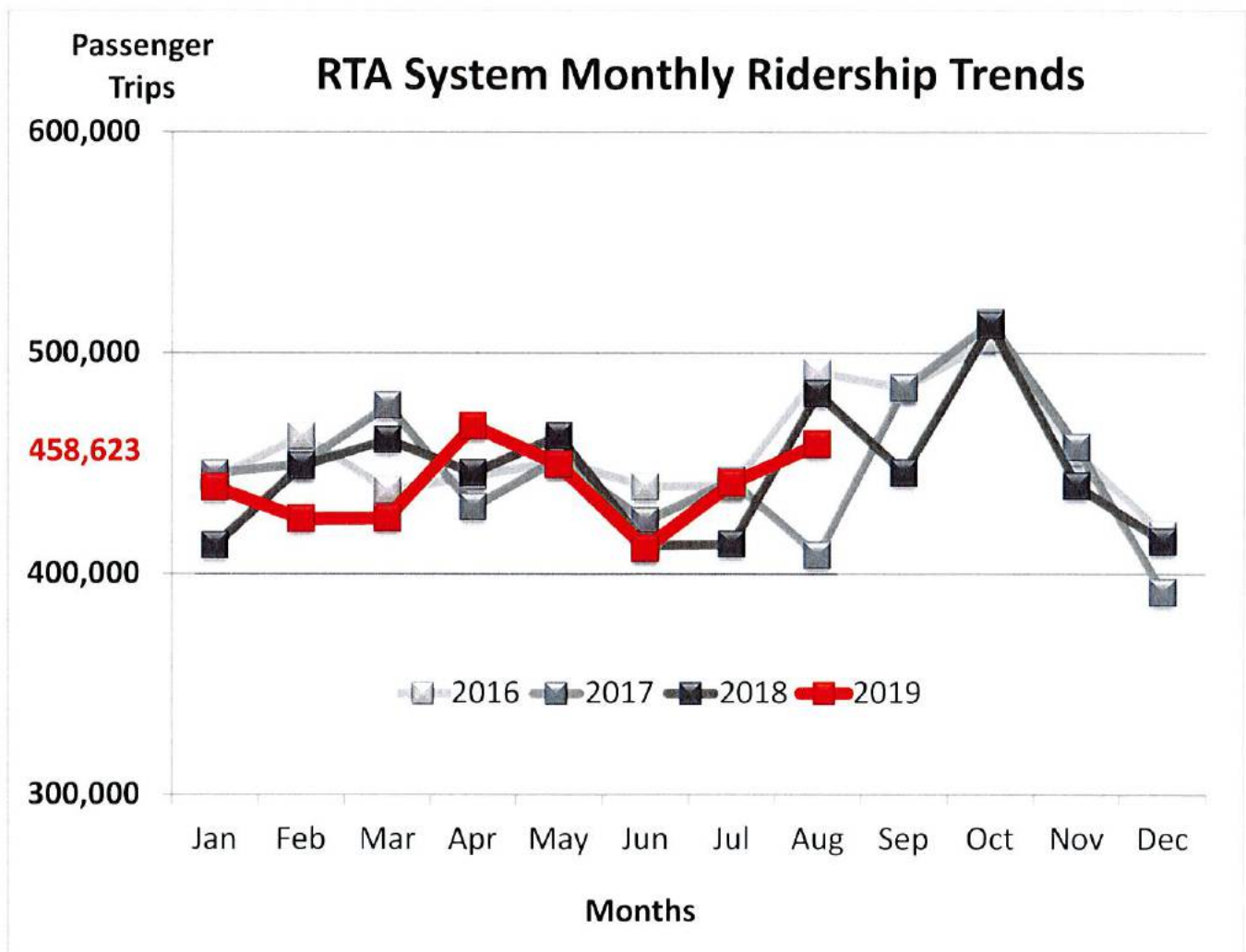


1. System-wide Ridership and Service Performance Results

Boardings for all services in August 2019 totaled 458,623. This represents a decrease of -4.8% as compared to 481,590 boardings in August 2018 or 22,967 fewer boardings this month.

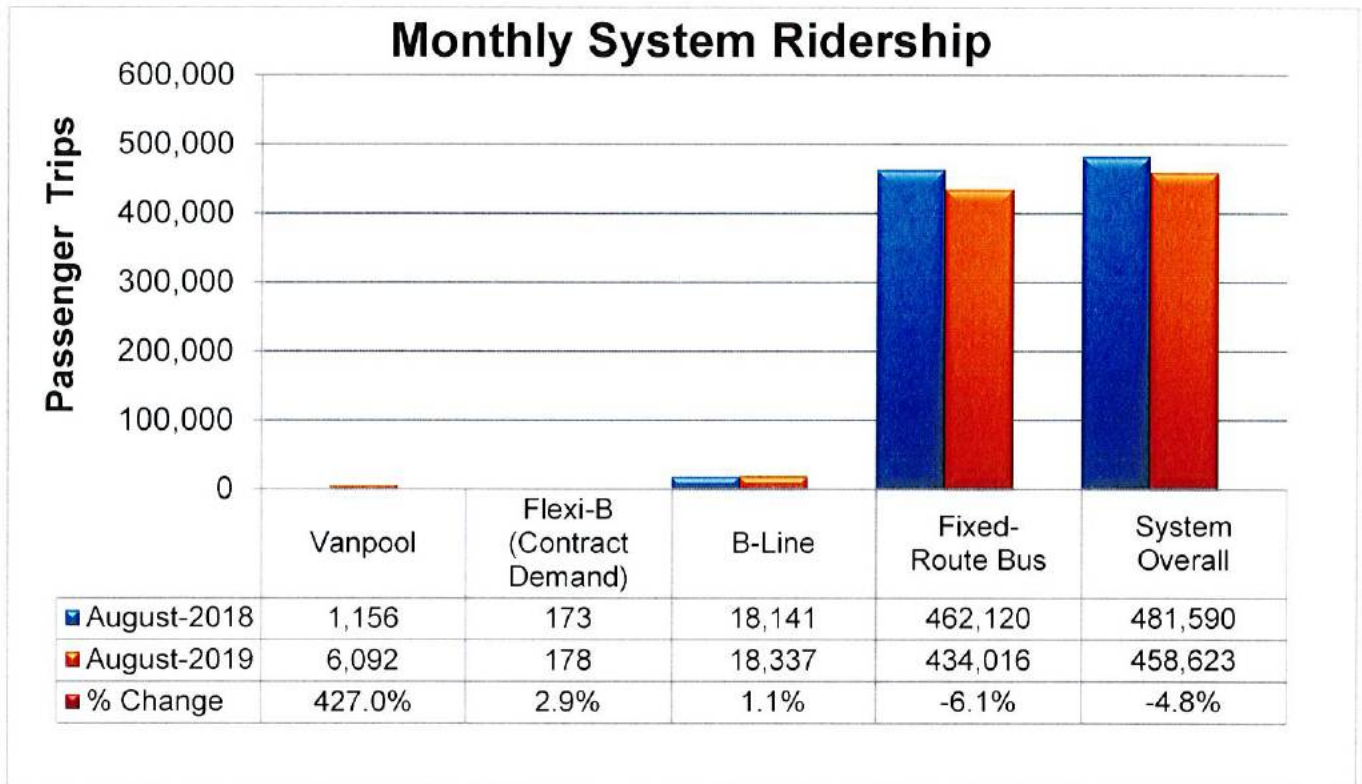
| August 2019 | August 2018 | Variance |
|-------------|-------------|----------|
| 22 Weekdays | 23 Weekdays | -1 |
| 5 Saturdays | 4 Saturdays | +1 |
| 4 Sundays | 4 Sundays | - |
| No Holidays | No Holidays | - |
| 31 Days | 31 Days | - |

In August 2019, the average retail price for unleaded gas in Corpus Christi was approximately \$2.35 per gallon compared to approximately \$2.51 per gallon in August 2018¹. August rainfall was below normal at approximately 0.85 inches as compared to August 2018 which equaled 3.53 inches. Historically, average rainfall in August is 2.8 inches.² Average high temperature was above normal at 96.6 degrees with temperatures over 100 degree reported. Historically, the average high temperature for August is 93.5 degrees.

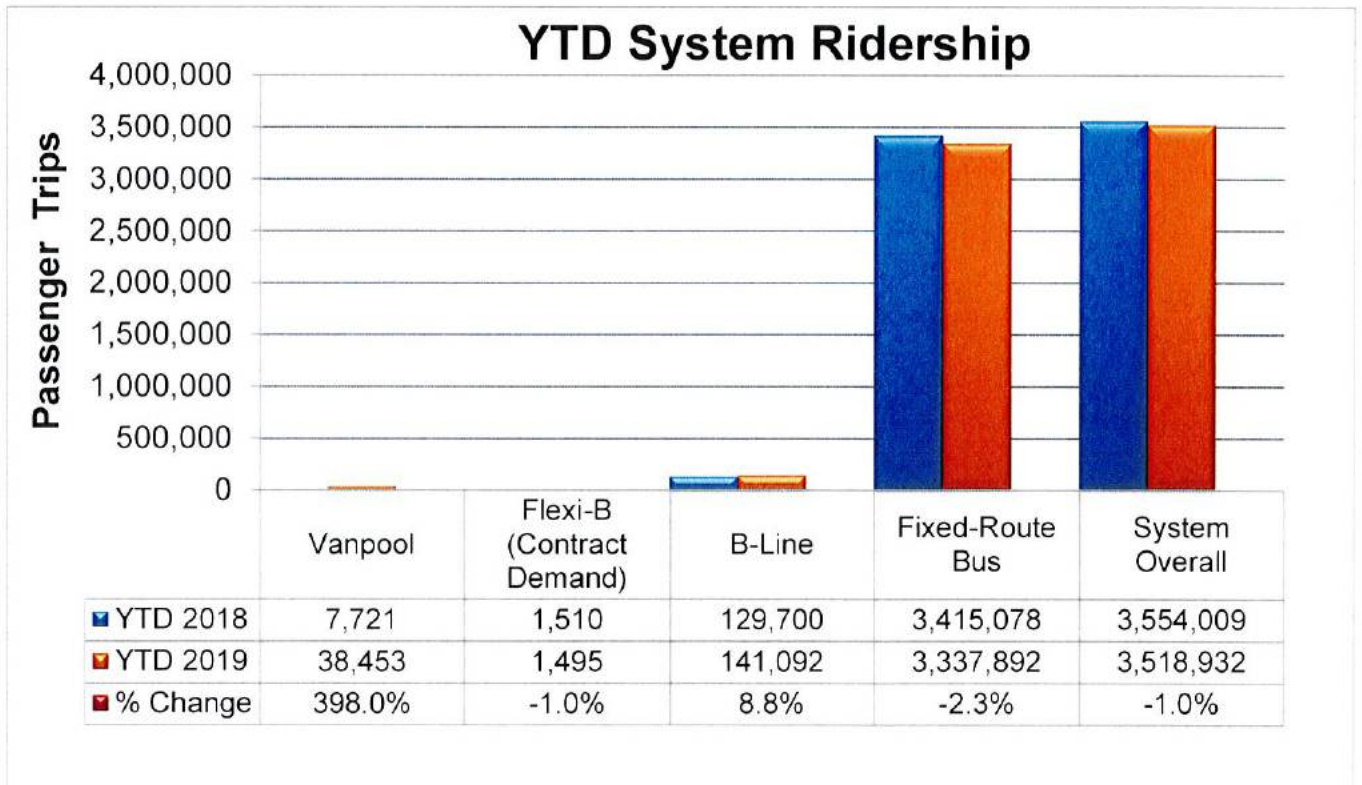


1. GasBuddy.com historical data at <http://www.gasbuddy.com>.
 2. <https://www.usclimatedata.com/climate/corpus-christi/texas/united-states>

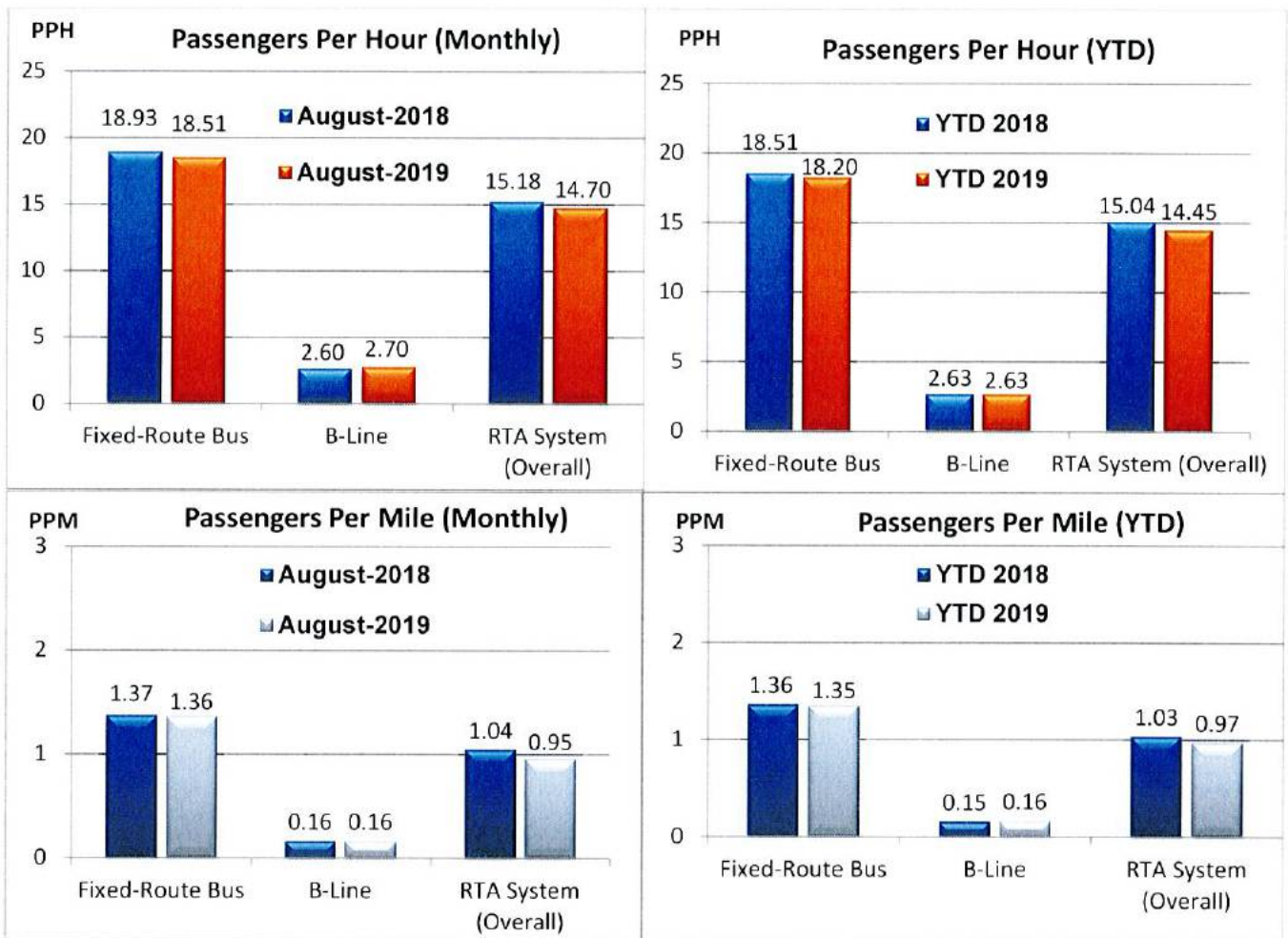
The chart below shows monthly ridership results for all services. CCRTA recorded 22,967 fewer boardings for a decrease of -4.8% this month as compared to August 2018.



The chart below shows YTD ridership results for all services. CCRTA has recorded 35,077 fewer boardings for a YTD decrease of -1.0% in 2019 as compared to the same period in 2018.



The following charts report system-wide productivity for the month of August 2019 vs. August 2018 and YTD figures.



The following table shows on-time performance of fixed route services.

| Schedule Adherence | Standard | May-19 | Jun-19 | Jul-19 | Aug-19 | 4-Month Average |
|-------------------------------|-------------|--------|--------|--------|--------|-----------------|
| Early Departure | <1% | 0.3% | 0.3% | 0.0% | 0.0% | 0.2% |
| Departures within 0-5 minutes | >85% | 90.4% | 92.0% | 94.3% | 90.4% | 91.8% |
| Monthly Wheelchair Boardings | No standard | 5,022 | 5,091 | 5,222 | 5,097 | 5,108 |
| Monthly Bicycle Boardings | No standard | 8,351 | 8,518 | 9,304 | 9,629 | 8,951 |

The following construction projects potentially impact on-time performance:

| | |
|---------------|---|
| On Detour | <ul style="list-style-type: none"> • Gollihar Rd. (Staples-Kostoryz)-(2) year project-Completed in Sept. <ul style="list-style-type: none"> ➢ Routes 32 & 37 soon returning to regular routing. |
| On Detour | <ul style="list-style-type: none"> • Old Robstown Rd. (Leopard-Agnes) (18) month project-Completed in Sept. <ul style="list-style-type: none"> ➢ Route 12 soon returning to partial regular routing. |
| On Detour | <ul style="list-style-type: none"> • North Beach Improvements (6) month project-Completed in Sept. <ul style="list-style-type: none"> ➢ Routes 76 & 78 soon returning to partial regular routing. |
| On Detour | <ul style="list-style-type: none"> • North Beach-U.S. 181 realignment (Harbor Bridge reconstruction) <ul style="list-style-type: none"> ➢ Routes 76 & 78 |
| On Detour | <ul style="list-style-type: none"> • N. Staples St. Overpass- (TxDOT project)-To be complete mid-Oct. <ul style="list-style-type: none"> ➢ Route 12 |
| On Detour | <ul style="list-style-type: none"> • Carroll Ln. (Houston-Gollihar) (27) month project-To be complete mid-2020. <ul style="list-style-type: none"> ➢ Route 17 (Final phase of a four-phase project has begun) |
| On Detour | <ul style="list-style-type: none"> • Leopard St. (at Crosstown/Brownlee) TxDOT project began mid-June. <ul style="list-style-type: none"> ➢ Route 28 |
| On Detour | <ul style="list-style-type: none"> • Morgan Ave. (Staples-Crosstown) (14) month project began mid-August. • Morgan Ave. (Staples-Ocean Dr) (15) month project began mid-August. <ul style="list-style-type: none"> ➢ Route 23 |
| No Detour | <ul style="list-style-type: none"> • South Staples St. (Brawner Parkway-Kostoryz)-3/4 complete-traffic to be complete late 2019. <ul style="list-style-type: none"> ➢ Routes 17 & 29 |
| No Detour | <ul style="list-style-type: none"> • Everhart Rd. (Holly Rd-SPID) (22) month project-To begin late September. <ul style="list-style-type: none"> ➢ Routes 17 & 32 |
| No Detour | <ul style="list-style-type: none"> • Ayers St. (SPID-Gollihar) (12) month project-To begin October 2019. <ul style="list-style-type: none"> ➢ Routes 19G & 19M |
| No Detour | <ul style="list-style-type: none"> • S. Staples St. (Kostoryz- Baldwin) (29) month project-To be complete late 2021. <ul style="list-style-type: none"> ➢ Route 29 |
| Future Detour | <ul style="list-style-type: none"> • Leopard St. (Palm-Nueces Bay) (14) month project-To be complete late 2020. <ul style="list-style-type: none"> ➢ Routes 27 & 28 Detour to begin late-2019 |
| Future Detour | <ul style="list-style-type: none"> • Leopard St. (Crosstown-Palm) (13) month project-To be complete late 2020. <ul style="list-style-type: none"> ➢ Routes 27 & 28 Detour to begin late-2019 |
| Future Detour | <ul style="list-style-type: none"> • Leopard Street TxDOT Project (Mexico to Doss St.) (24) month project-To be complete late 2021 <ul style="list-style-type: none"> ➢ Routes 27 & 28 |
| No Detour | <ul style="list-style-type: none"> • Sea Town Improvements (5) month project-To be complete mid-2019 <ul style="list-style-type: none"> ➢ Routes 76 & 78 (project on hold) |
| Future Detour | <ul style="list-style-type: none"> • Airline Rd. (SPID-McArdle) (9) month project-To be complete mid-2020 <ul style="list-style-type: none"> ➢ Routes 26 & 65 |

Currently, there are (8) detoured routes out of 32 fixed routes travelling on the local street network (25%). Future detours in dashed outline will account for an additional (4) routes of detoured services. However, as illustrated above, three bond projects have been completed as of September 2019 accounting for five detoured routes: 12, 32, 37, 76 & 78.

2. Purchased Transportation Department Report: B-Line Service Contract Standards & Ridership Statistics

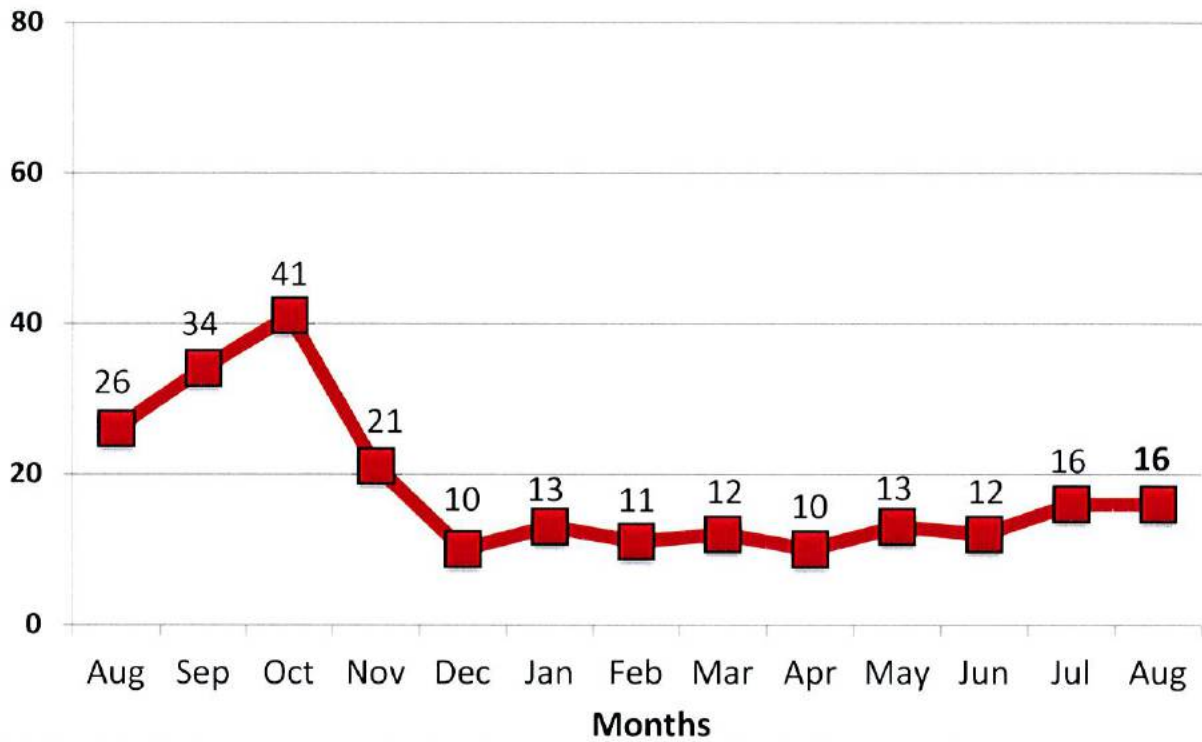
- Productivity: **2.83** PPH did meet the contract standard of 2.50 PPH.
- Denials: 0 denials or **0.0%** did meet contract standard of 0.0%.
- Miles between Road Calls: **5,078** did not meet contract standard of 12,250 miles.
- Ridership Statistics: **12,284** ambulatory; **4,882** wheelchair boardings
-

| Metric | Standard | May-19 | Jun-19 | Jul-19 | Aug-19 | (4) Month-Ave. |
|------------------------------|-----------------|---------------|---------------|---------------|---------------|-----------------------|
| Passengers per Hour | 2.50 | 2.70 | 2.85 | 2.84 | 2.83 | 2.81 |
| Denials | 0.00% | 0.00% | 0.00% | 0.00% | 0.00% | 0.0% |
| Miles Between Road calls | 12,250 | 10,988 | 8,513 | 8,602 | 5,078 | 8,295 |
| Monthly Wheelchair Boardings | No standard | 4,976 | 4,572 | 4,843 | 4,882 | 4,818 |

3. Customer Programs Monthly Customer Assistance Form (CAF) Report

For August 2019, Customer Service received and processed 35 Customer Assistance Forms (CAF's) of which 16 or 45% were verified as valid. This is the same number of CAFs received and verified in July 2019. There were two commendations received for this month.

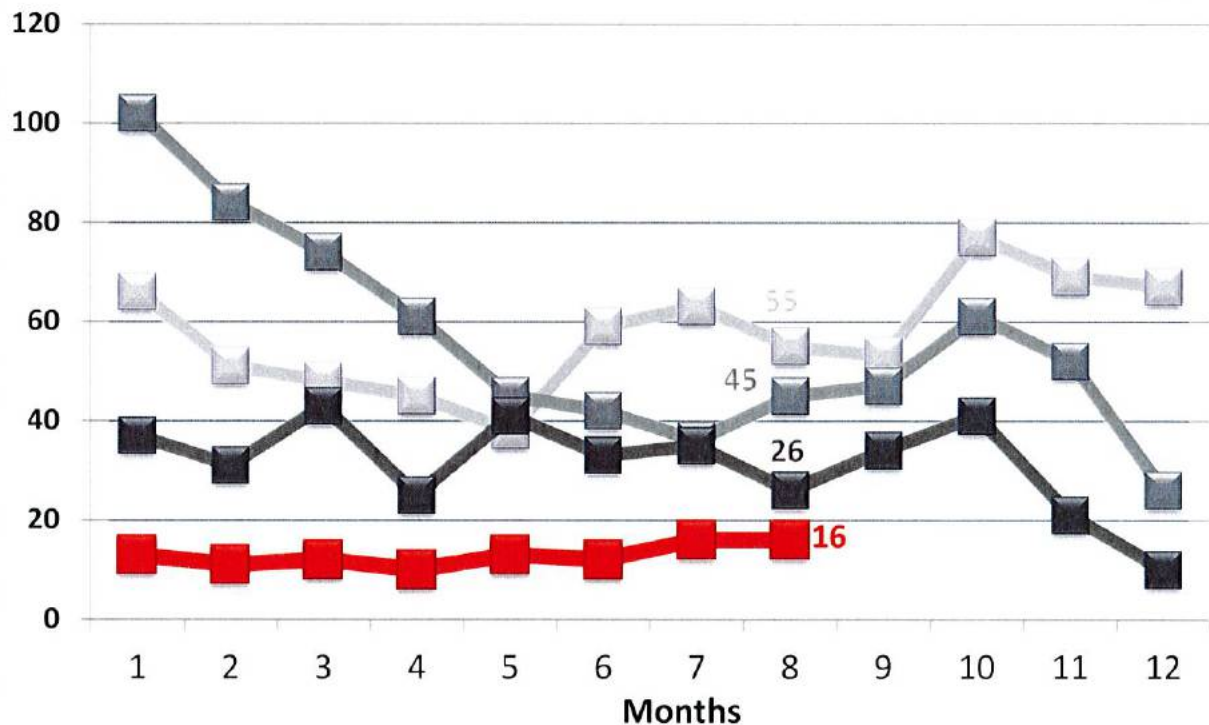
Number of CAFs Reported



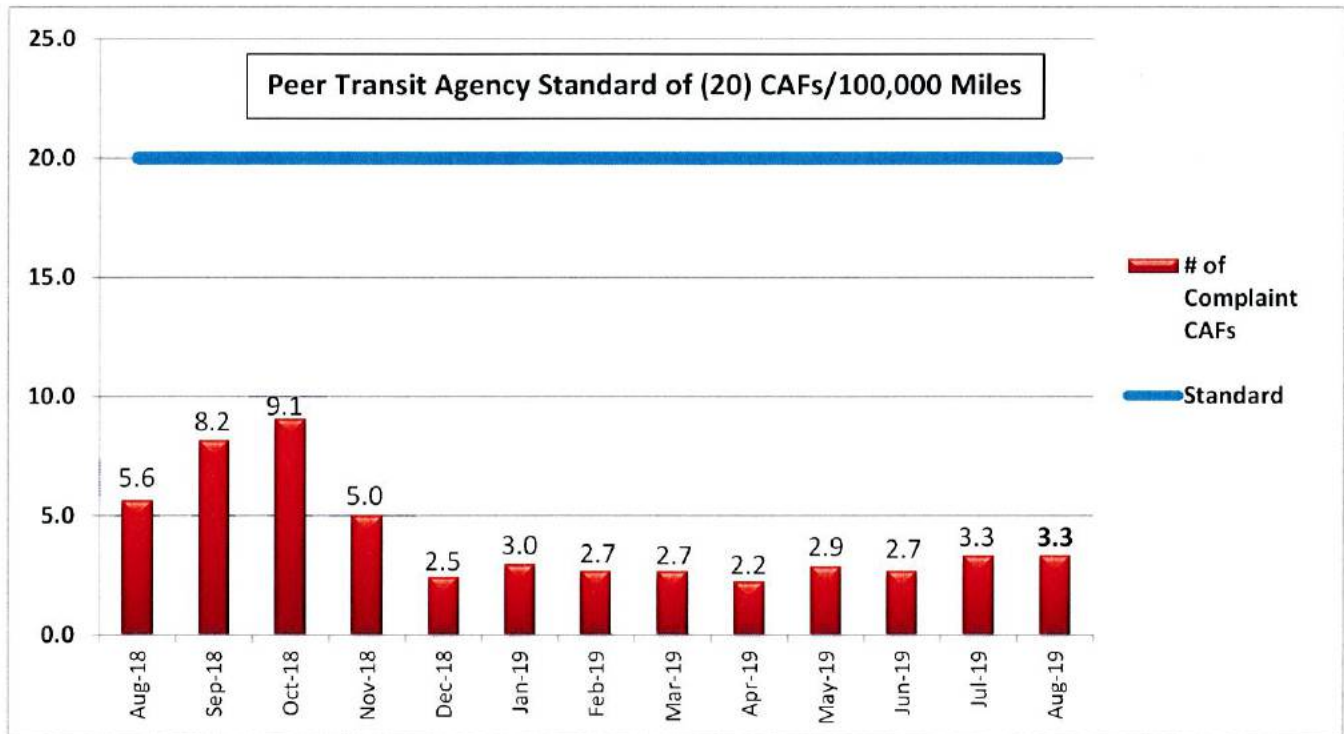
3a. CAF Reports: Historical Trends

Number of CAFs Reported

Yearly Totals: 2016 691, 2017 675, 2018 377, 2019 103



3b. Reported Complaint CAFs w/o Commendations & Suggestions: Historical Trend



3d. August 2019 CAF Breakdown by Service Type:

| CAF Category | RTA Fixed Route | B-Line ADA Paratransit | MV Fixed Route | Totals |
|-------------------------|-----------------|------------------------|----------------|--------|
| ADA | | | | |
| Service Stop Issues | 4 | | 4 | 8 |
| Driving Issues | 3 | 4 | | 7 |
| Customer Services | 3 | 1 | | 5 |
| Late/Early – No Show | 1 | | 1 | 1 |
| Alleges Injury | 1 | | | 2 |
| Fare/Transfer Dispute | 1 | | 1 | 1 |
| Clean Trash Can | | | | |
| Dispute Drop-off/Pickup | | 1 | | 1 |
| Add Bench/Stop | 2 | | | 2 |
| Tie Down Issues | | | | |
| Inappropriate Behavior | 2 | | | 2 |
| B-line Calls | | | | |
| Incident at Stop | 1 | | | 1 |
| Incident at Station | | | | |
| Incident on Bus | | | | |
| Policy | | | | |
| Denial of Service | | | | |
| Safety & Security | | | | |

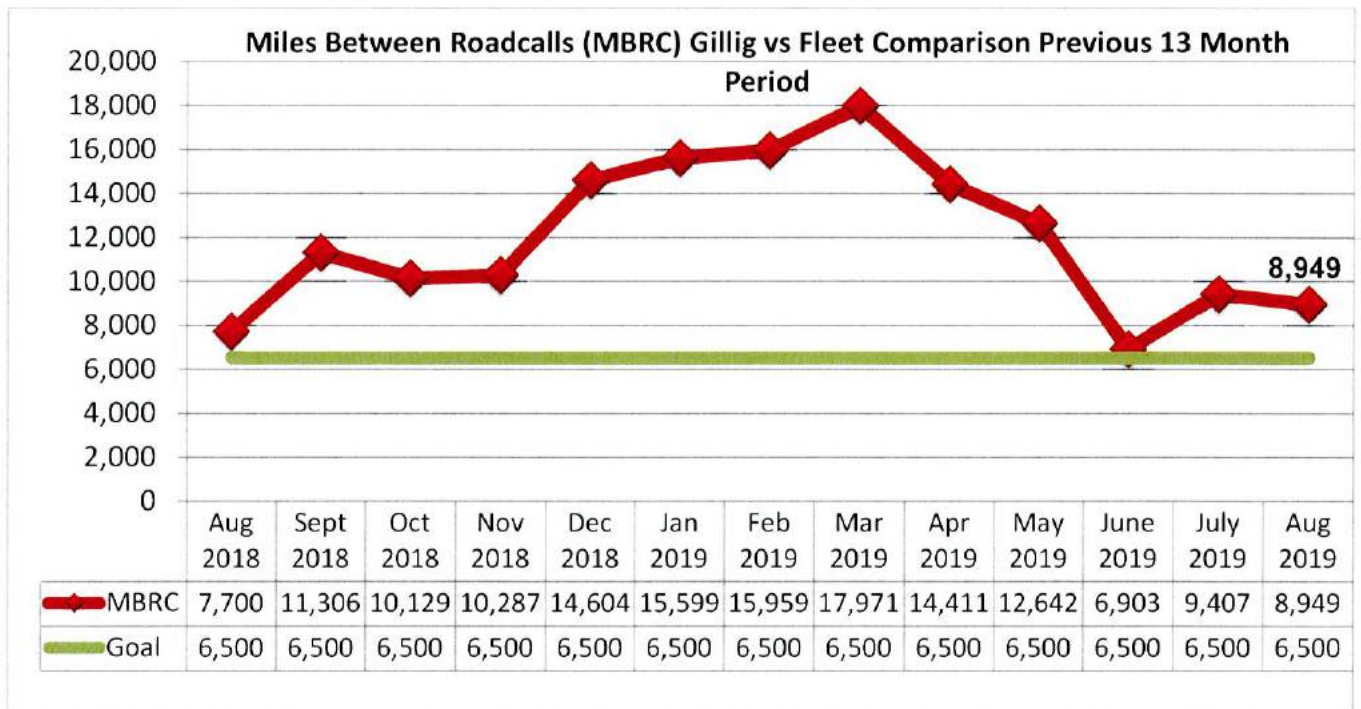
| | | | | |
|------------------------|-----------|----------|----------|-----------|
| Rude | 1 | | | 1 |
| Facility Maintenance | 1 | | | 1 |
| Service Development | | | | |
| Transportation (Other) | | | | |
| Over Crowded Vehicle | | | | |
| Route Suggestion | | | 1 | 1 |
| Service Maintenance | | | | |
| Commendations | 1 | | 1 | 2 |
| Total CAFs | 21 | 6 | 8 | 35 |

3c. Route Summary Report for August 2019:

| Route | # of CAFs | Route | # of CAFs |
|----------------------------|-----------|----------------------------------|-----------|
| #3 NAS Shuttle | | #32 Southside Mini-B | 1 |
| #4 Flour Bluff Mini B | 1 | #34 Robstown North Circulator | |
| #5 Alameda | | #35 Robstown South Circulator | |
| #5x Alameda Express | | #37 Crosstown/TAMUCC | |
| #6 Santa Fe/Malls | 1 | #50 Calallen/NAS Ex (P&R) | |
| #12 Saxet Oak Park | 4 | #51 Gregory/NAS Ex (P&R) | |
| #15 Kostoryz | 1 | #53 Robstown/NAS Ex (P&R) | |
| #16 Morgan | 1 | #54 Gregory/Downtown Express | |
| #17 Carroll/Southside | 1 | #56 Flour Bluff/Downtown Express | |
| #19 Ayers | 2 | #63 The Wave | |
| #19G Greenwood | 1 | #65 Padre Island Connection | |
| #19M McArdle | 1 | #76 Harbor Bridge Shuttle | |
| #21 Arboleda | 1 | #78 North Beach Shuttle | |
| #23 Molina | 2 | #90 Flexi-B Port Aransas | |
| #25 Gollihar/Greenwood | | #94 Port Aransas Shuttle | |
| #26 Airline/Lipes | | #95 Port Aransas Express | 2 |
| #27 Northwest | 1 | B-Line (Para-transit) Services | 6 |
| #27x Northwest (Express) | | Safety/Transportation | 1 |
| #28 Leopard /Omaha | 1 | Facilities Maintenance | 1 |
| #29 Staples | 3 | Customer Service Department | |
| #29F Staples/Flour Bluff | | Service Development/Facilities | 3 |
| #29SS Staples/Spohn South | | Transportation (Other) | |
| #30 Westside/Health Clinic | | TOTAL CAF's | 35 |

4. Vehicle Maintenance Department Monthly Miles Between Road Calls Report

For August 2019, there were 8,949 miles between road calls (MBRC) recorded as compared to 7,700 MBRC in August 2018 a difference of 1,249 miles. A standard of 6,500 miles between road calls is used based on the fleet size, age, and condition of CCRTA vehicles.



Board Priority

The Board Priority is Public Image and Transparency.

Respectfully Submitted,

Submitted by: Wesley Vardeman
Outreach Coordinator

Submitted by: Bryan Garner
Director of Maintenance

Reviewed by: Gordon Robinson
Director of Planning

Final Approval by: 
Jorge G. Cruz-Aedo
Chief Executive Officer