

**RESOLUTION No. 2012-5**

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**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE REGIONAL TRANSPORTATION AUTHORITY OF PIMA COUNTY ADOPTING AN AMENDMENT TO THE INTERGOVERNMENTAL AGREEMENT WITH CITY OF TUCSON FOR DESIGN AND CONSTRUCTION OF THE DOWNTOWN/UNIVERSITY HIGH CAPACITY TRANSIT STREETCAR (RTA #50), A TRANSIT PROJECT**

WHEREAS, the Regional Transportation Authority of Pima County (the "RTA") is an Arizona special taxing district, duly formed and existing, pursuant to A.R.S. 48-5302, et seq., for the purposes of coordinating multi-jurisdictional cooperation in transportation planning, improvements and fund-raising as a municipal corporation through taxation and bonding, with the public's input and voter approval; and

WHEREAS, the City of Tucson ("City") is a body politic and corporate of the State of Arizona; and

WHEREAS, pursuant to A.R.S. 48-5309 (A), the RTA adopted, and the voters approved, a twenty-year, comprehensive, multi-modal regional transportation plan (the "Plan"); and

WHEREAS, the RTA and the City entered into an intergovernmental agreement for Design and Construction of the Downtown/University High Capacity Transit (Streetcar) (RTA #50) (the "Project"); and

WHEREAS, the RTA and the City wish to add additional funding for Project construction; and

WHEREAS, the Project is one of the transportation improvement projects included in the Plan or is eligible for funding as part of a categorical program included in the Plan; and

WHEREAS, pursuant to A.R.S. 48-5304 (18), the RTA has the authority to enter into agreements to exercise its powers and carry out its responsibilities; and

WHEREAS, staff from the RTA and the City have drafted an amendment to the intergovernmental agreement, attached hereto as Exhibit A and incorporated herein by this reference (the "Amendment"); and

WHEREAS, the Board of Directors of the RTA has reviewed the provisions of the Amendment and finds that adopting it is in the best interests of the RTA and is in furtherance of the Plan.

NOW, THEREFORE, BE IT RESOLVED by the Board of Directors of the RTA that the Amendment, attached hereto as Exhibit A, is hereby approved and adopted.

BE IT FURTHER RESOLVED that the Executive Director of the RTA is hereby authorized and directed to take all steps necessary and proper to cooperate with the City on the Project and comply with the Amendment.

PASSED AND ADOPTED by the Board of Directors of the Regional Transportation Authority this 26th of January, 2012.

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Board Chair

Certification:

Gary Hayes, the Executive Director of the RTA, hereby certifies and attests that he has access to the official records of the Board of the RTA, that the foregoing Resolution was duly adopted by the Board of the RTA, at a duly noticed and public meeting, and that this Resolution has not been altered or amended and remains in full force and effect on the date stated below.

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Gary Hayes, Executive Director

Date: \_\_\_\_\_

Approved as to form:

\_\_\_\_\_  
Thomas Benavidez, Esq.

EXHIBIT A  
[Amendment to Intergovernmental Agreement]