



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #3 SUMMARY

Approve the annual compliance report to the Texas Department of Transportation required by 43 *Texas Administrative Code* §26.65.

Department: Finance; Law

Associated Costs: None

Funding Source: None

Board Action Required: Yes

Description of Matter:

Rule 26.65 adopted by the Texas Department of Transportation requires each regional mobility authority to file a report with TxDOT to confirm a regional mobility authority complied with reporting requirements established by state law and the rule. The rule further provides the compliance report must be approved by the board of directors of the regional mobility authority and certified by its executive director. The attached resolution provides the required board approval for the compliance report.

Attached documentation for reference:

Draft Resolution, with the compliance report attached as an exhibit

Contact for further information:

Cindy Demers, Controller

Andrew Martin, General Counsel

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

RESOLUTION NO. 14-____

**APPROVING THE ANNUAL COMPLIANCE REPORT TO
THE TEXAS DEPARTMENT OF TRANSPORTATION
REQUIRED BY 43 *TEX. ADMIN. CODE* § 26.65.**

WHEREAS, the Texas Department of Transportation has adopted rules codified at Subchapter G, Chapter 26, Title 43 of the Texas Administrative Code that require the Mobility Authority to report certain financial information including the annual budgets and independent audits to Travis County and Williamson County, the counties that are a part of the Central Texas Regional Mobility Authority; and

WHEREAS, by Resolution No. 14-050 enacted June 25, 2014, the Board approved the budget for fiscal year 2014; and

WHEREAS, by Resolution No. 14-057 enacted October 29, 2014, the Board approved the independent audits of the Mobility Authority for the fiscal year ending June 30, 2014, prepared by PMB Helin Donovan, LLP, by the action of its Audit Committee; and

WHEREAS, the Compliance Report attached as Exhibit 1 to this resolution reports to the Texas Department of Transportation the information required by 43 *TEX. ADMIN. CODE* § 26.65.

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors hereby approves the Compliance Report in the form attached as Exhibit 1 to this resolution, and authorizes the Executive Director to certify and submit the Compliance Report to the Texas Department of Transportation.

Adopted by the Board of Directors of the Central Texas Regional Mobility Authority on the 19th day of November, 2014.

Submitted and reviewed by:

Approved:

Andrew Martin
General Counsel for the Central
Texas Regional Mobility Authority

Ray A. Wilkerson
Chairman, Board of Directors
Resolution Number: 14-____
Date Passed: 11/19/2014

Exhibit 1

Compliance Report

[on the following 2 pages]

**Central Texas Regional Mobility Authority
Compliance Report**

Texas Administrative Code Title 43, Part I, Chapter 26, Subchapter G
§26.65(a) Annual Reports to the Commission

| Compliance Rule | Compliance Statement | Certification |
|--|--|--|
| <i>Rule §26.61 Written Reports:</i> | | |
| The annual operating and capital budgets adopted by the RMA year. | The Mobility Authority submitted to Travis and Williamson Counties copies of its annual operating and capital budgets adopted June 25, 2014 for Fiscal Year 2015 beginning July 1, 2014. | Board of Directors approved the FY 2015 Budget by Resolution No. 14-050 enacted on June 25, 2014. |
| Any annual financial information and notices of material events required to be disclosed under Rule 15c2-12 of the SEC. | No financial information or notices are required to be disclosed; not applicable. | |
| To the extent not disclosed in another report required in this compliance report, a statement of any surplus revenue held by the RMA and a summary of how it intends to use the surplus revenue. | The Mobility Authority did not have any “surplus revenues” in FY 2013-2014, as that term is defined by § 370.003(12) of the Transportation Code. | |
| An independent auditor's review of the reports of investment transactions prepared under Government Code, §2256.023. | Included as part of the FY 2014 annual audit. See certification below. | FY 2014 annual audit was accepted by the Board of Directors by Resolution 14-077 enacted October 29, 2014. |
| <i>Rule §26.62 Annual Audit:</i> | | |
| The RMA shall maintain its books and records in accordance with generally accepted accounting principles in the United States and shall have an annual financial and compliance audit of such books and records. | The Mobility Authority received an unqualified opinion for FY 2014 from an independent certified public accountant. | FY 2014 annual audit was accepted by the Board of Directors by resolution 14-077 on October 29, 2014. |

| Compliance Rule | Compliance Statement | Certification |
|---|--|---|
| <i>Rule §26.62 Annual Audit:</i> | | |
| The annual audit shall be submitted to each county or city that is a part of the RMA within 120 days after the end of the fiscal year, and conducted by an independent certified public accountant. | The Mobility Authority notified Travis and Williamson Counties of the acceptance of the FY 2014 audit on October 29, 2014. | FY 2014 annual audit was accepted by the Board of Directors by resolution 14-077 on October 29, 2014. |
| All work papers and reports shall be retained for a minimum of four years from the date of the audit. | Work papers and reports are retained for a minimum of four years. | |
| <i>Rule §26.63 Other Reports to Counties and Cities:</i> | | |
| Provide other reports and information regarding its activities promptly when requested by the counties or cities. | The Mobility Authority promptly provides reports and information regarding its activities when requested by Travis County, Williamson County and the City of Austin. | |
| <i>Rule §26.64 Operating Records:</i> | | |
| The Department will have access to all operating and financial records of the RMA. The executive director will provide notification if access is desired by the department. | The Mobility Authority will provide the Texas Department of Transportation with access to all its operating and financial records when requested by the Department's executive director. | |