

APPLICATION TO THE MAYOR AND CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS AND THE CHAIR AND BOARD MEMBERS OF THE CAPITAL METROPOLITAN TRANSPORTATION AUTHORITY FOR CREATION OF THE AUSTIN TRANSIT PARTNERSHIP LOCAL GOVERNMENT CORPORATION, AND THE APPROVAL OF THE ARTICLES OF INCORPORATION AND BYLAWS THEREOF

RECITALS

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Chapter 431, Subchapter D, Texas Transportation Code ("Chapter 431") authorizes the creation and organization of public non-profit local government corporations to act as a duly constituted authority of a city and a transportation authority to aid and assist the city and transportation authority in the performance of one or more governmental or proprietary functions.

A local government corporation is created pursuant to the provisions of Chapter 394, Texas Local Government Code ("Chapter 394"). A local government corporation may have and exercise all of the powers prescribed by Chapter 431 and the Texas Business Organizations Code. A local government corporation's articles of incorporation and bylaws shall be in the form and executed, approved, and filed in the manner prescribed by Chapter 394.

Chapter 394 requires as a condition to the creation of a joint local government corporation that at least three residents of each sponsoring local government who are citizens of the state and at least eighteen years of age submit a written application for the incorporation of the joint local government corporation to the governing body of each sponsoring local government.

NOW THEREFORE, the undersigned petition and make application to the Honorable Mayor and City Council of the City of Austin, Texas (the "City Council" and the "City") and the Honorable Chair and board members of the Capital Metropolitan Transportation Authority (the "Capital Metro Board" and "Capital Metro") and represent to the City and Capital Metro as follows:

1. Pursuant to and in accordance with Chapter 394, the undersigned six individuals, each of whom is a citizen of the State of Texas, a resident of the City or of Capital Metro's service area, and at least 18 years of age, make application to and request the Honorable Mayor and City Council of the City and the Honorable Chair and board members of Capital Metro, to approve and authorize the creation of a public non-profit local government corporation to be designated and known as the Austin Transit Partnership Local Government Corporation (the "Corporation"). The Corporation shall have and exercise all of the powers prescribed by the Texas Business Organizations Code and Chapter 431.

2. The undersigned further request that the City Council and Capital Metro Board approve the incorporation of the Corporation Articles of Incorporation and Bylaws in substantially the form attached hereto as Exhibits A and B respectively.
3. The undersigned further represent that duly executed original counterparts of the Application have been presented to and filed with the City Council and Capital Metro Board in proper and due time, form, and manner; that this Application is a proper and sufficient application to the City Council and Capital Metro Board for approval and authorization of a public non-profit local government corporation as required by Chapter 394; and that the City Council and Capital Metro Board may properly consider and act upon this Application.


WHEREFORE, the undersigned respectfully request the Honorable Mayor and City Council and the Honorable Chair and board members of the Capital Metro Board approve this Application in all respects and to take such further and additional actions and proceedings as may be deemed necessary and proper in connection therewith.

RESPECTFULLY SUBMITTED this __th day of December 2020.

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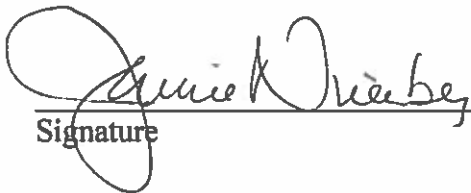
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