

AMENDMENT AND RESTATEMENT
OF THE CHARTER OF THE
HILLSBOROUGH TRANSIT AUTHORITY

WHEREAS, the constituent members of the Hillsborough Transit Authority have heretofore adopted and executed the Charter of the Hillsborough Transit Authority ("the Charter"), all in accordance with the laws of the State of Florida, and the Charter was duly filed with the Secretary of State of the State of Florida on October 3, 1979; and

WHEREAS, the Board of Directors of the Hillsborough Transit Authority desires to amend and restate the provisions of the Charter, subject to the ratification of the governing legislative bodies of its constituent members, all in accordance with the provisions of the present Article X of the Charter.

NOW, THEREFORE, the Charter is hereby amended and restated in its entirety to read as follows:

ARTICLE I
NAME, DURATION AND TERMINATION,
PURPOSE, AND AUTHORITY FOR EXISTENCE

Section 1. Name. The body politic and corporate that exists by virtue of this Charter shall be known as the HILLSBOROUGH TRANSIT AUTHORITY ("the Authority").

Section 2. Duration and Termination. The duration of the Authority shall be perpetual, except that it shall be necessary for the authority to have at least two (2) members. In the event that the Authority shall have less than two (2) members, then the existence of the Authority shall be terminated and its assets shall be distributed and its obligations shall be assumed in the manner determined by the Board of Directors of the Authority.

Section 3. Purpose. The purposes of the Authority shall be to plan, finance, acquire, construct, operate and maintain mass transit facilities, together with such supplementary transportation assistance as may be necessary or advisable to service the mass transit needs of its members and of such areas with which the Authority may contract for service.

Section 4. Authority for Existence. The Authority exists pursuant to the authority of Sections 163.567, et seq., Florida Statutes.

ARTICLE II

MISCELLANEOUS DEFINITIONS

As used in this Charter, the following terms shall have the following meanings:
Member - The unincorporated areas of a county or the incorporated areas of a municipality if such county or municipality has been admitted to membership in the Authority and has not withdrawn from or been expelled from membership in the Authority.

Director -Any representative appointed to the Authority by a member or by the Governor of the State of Florida in accordance with the provisions of Article IV hereinafter.

Board of Directors -That body comprised of all of the Directors.

Regional Transportation Area -That area the boundaries of which are identical to the jurisdictional limits of the members comprising the Authority.

ARTICLE III

MEMBERSHIP IN THE AUTHORITY

Section 1. Eligibility. Originally, the Authority shall consist of two (2) members, those being the City of Tampa, Florida, and the County of Hillsborough, Florida. Thereafter, any county or municipality contiguous to a member of the Authority may be admitted to membership in the Authority upon application and after approval by a majority vote of the entire Board of Directors; provided, however, that no municipality having a population of less than 50,000 may be admitted to membership in the Authority unless the Authority has been in existence for at least twelve (12) months and the application of such municipality is approved by a 3/4ths vote of the entire Board of Directors. As condi-

tions to the approval of the admission of a new member, the Board of Directors may impose such terms and requirements on the new member relating to its admission to membership in the Authority as the Board of Directors may deem necessary or advisable. These conditions may include, without limitation, special charges, fees, assessments and commitments. Additionally, and not by way of limitation, authorization of the special ad valorem tax described in Article VI hereinafter by the electors of the applicant by referendum held at its expense may, in the discretion of the Board of Directors, be made a condition precedent to admission.

Section 2. Admission of New Members. Subsequent to application for admission to membership in the Authority and prior to final approval of admission by the Board of Directors, an applicant for membership shall file with the Authority a certified copy of a resolution by its governing legislative body wherein this Charter and any terms and requirements imposed by the Authority as conditions of admission are approved and accepted, as well as such proof of satisfaction of conditions precedent to admission as the Board of Directors may have required. Thereafter, the Board of Directors shall vote upon the application for admission, and, upon final approval of admission, the new member shall name its Director or Directors and designate their terms of office and certify same to the Authority. Thereupon, the applicant for membership shall be a member in good standing of the Authority, with all of the rights and responsibilities incident to such membership.

Section 3. Suspension and Expulsion. Any member that fails to discharge any material obligation imposed on it by this Charter, or that fails to satisfy any material condition imposed on its admission to membership, may, by a resolution duly adopted by the Board of Directors, be suspended from membership in the Authority for as long as such failure continues. During the continuance of any such suspension, the Directors of the suspended member shall be deemed not to be Directors of the Authority, whether for purposes of voting, determining quorums or majority votes, or otherwise. If the cause of the suspension of a member is not corrected within a reasonable time, such member may be expelled from the Authority by a duly adopted resolution of the Board of Directors, and such expulsion shall be effective on the last day of the fiscal year of the Authority immediately following the fiscal year in which expulsion occurs.

Section 4. Withdrawal. A member may withdraw from the Authority by filing with the Authority a certified copy of a resolution by its governing legislative body wherein withdrawal is approved; provided, however, that if the special ad valorem tax described in Article VI hereinafter has been authorized by such member, then such member must also file with the Authority certified results of a referendum (the cost of which shall be borne by the withdrawing member) whereby the withdrawal of such member is approved by its electors. In the case of withdrawal by a member, the effective date of withdrawal shall be the last day of the fiscal year of the Authority immediately following the fiscal year of the Authority in which the appropriate filings with respect to the withdrawal are completed.

ARTICLE IV

BOARD OF DIRECTORS

Section 1. Number of Directors. Each member shall appoint one (1) Director plus an additional Director for each 150,000 persons, or major fraction thereof, resident in that member's jurisdictional limits. The number of persons resident in a member's jurisdictional limits shall be determined pursuant to the laws of the State of Florida by the Department of Administration of the State of Florida; provided, however, that, in determining the number of persons resident in a member county, the number of persons resident in each incorporated municipality located therein shall be subtracted from the number of persons resident in the entire county. As a minimum, one (1) Director appointed by each member shall be either the public official elected to the chief executive office of the member (if the member has an elected chief executive officer) or a public official elected to the governing legislative body of the member. Additionally, the Governor of the State of Florida shall appoint two (2) Directors.

Section 2. Terms of Office. Initially, each member shall appoint one (1) Director to serve for a period of three (3) years. Of those members initially appointing more than one (1) Director, the remaining Directors shall be appointed to serve for a period of two (2) years. All Directors appointed (or reappointed) by a member subsequent to its initial appointment of Directors shall be appointed to serve for a period of three (3) years. Both Directors appointed by the Governor of the State of Florida shall serve for a period of

three (3) years. All Directors shall be eligible for reappointment.

Section 3. Votes. Each Director shall have one (1) vote.

Section 4. Compensation. Directors shall not be compensated for services rendered to the Authority. Upon approval of the Board of Directors, however, they shall be entitled to receive travel and other necessary expenses incurred in connection with business of the Authority undertaken by them at the direction of the Board of Directors. Such expenses shall be computed and paid in accordance with the provisions of Section 112.061, Florida Statutes.

Section 5. Removal. A Director may be removed from office before the expiration of his term by the Governor of the State of Florida or by the appointing member for misconduct, malfeasance, misfeasance or neglect of duty.

Section 6. Holding Over and Vacancies. Each Director shall hold office until his reappointment or the appointment of his successor. In the event that a Director remains in office subsequent to the expiration of his term of office pursuant to the provisions of the immediately preceding sentence, the time that he remains in office pending his reappointment or the appointment of his successor shall reduce his subsequent term, if reappointed, or the term of his successor. A vacancy occurring during the term of office of a Director, whether by removal or otherwise, shall be filled only for the balance of the unexpired term. An appointment to fill a vacancy shall be made by the appointing authority within twenty (20) days after the vacancy occurs or before expiration of the remaining term, whichever is sooner. If no appointment is made by the appointing authority within the prescribed time, then the Board of Directors shall, by majority vote, appoint a Director to fill the vacancy with like effect as if the appointment had been made by the appointing authority. If the Board of Directors does not appoint a Director to fill the vacancy within ten (10) days of the expiration of the time that the appointment must be made by the appointing authority, then the appointment shall be made by the Governor of the State of Florida within ten (10) days thereafter.

ARTICLE V

COMPOSITION AND ORGANIZATION OF THE AUTHORITY

Section 1. Board of Directors. The Board of Directors shall elect one of its Di-

rectors as Chairman, one as Vice Chairman, and one as Secretary, to serve for a one (1) year term in that capacity, or until their successors are elected. All official action of the Authority shall be by, or at the direction of, the Board of Directors. A vacancy on the Board of Directors shall not impair its right to exercise all of its powers or perform all of its duties. A majority of the Directors serving on the Board of Directors at that time shall constitute a quorum, and the presence of a quorum shall be necessary to take any official action. Official action may only be conducted at meetings of the Board of Directors, and official action may only be taken where there is a quorum of Directors present at such meeting. When there are an even number of Directors (i.e., zero plus any number evenly divisible by two) present, then official action by the Board of Directors may only be accomplished by a vote of one-half of those Directors present plus the vote of one additional Director. When there are an odd number of Directors (i.e., one plus any number evenly divisible by two) present, which number is equal to the quorum, then official action by the Board of Directors may only be accomplished by a vote of a majority of those Directors present, plus the vote of one additional Director. When there are an odd number of Directors (i.e., one plus any number evenly divisible by two) present, which number is a greater number than the quorum, then official action by the Board of Directors may be accomplished by a simple majority vote of those Directors present. Examples of the above are illustrated in Appendix A, attached hereto and by this reference made part hereof.

Section 2. Staff of the Authority. The Authority shall employ an Executive Administrator, who shall be a person of recognized ability and experience, to serve at the pleasure of the Board of Directors. The Executive Administrator may employ such employees as may be necessary for the proper administration of the duties and functions of the Authority and may determine the qualifications of such persons; provided, however, that the Board of Directors shall approve the number of employee positions and fix the compensation of employees. Additionally, the Authority, by resolution adopted by the Board of Directors, may contract for the services of attorneys, engineers, consultants, and other agents for the purpose of carrying out the duties and exercising the powers of the Authority, including engineering, architectural design, management, feasibility, transportation planning, and other studies concerning the design of facilities and the acquisition,

construction, extension, operation, maintenance, regulation, consolidation and financing of transportation systems within the regional transportation area.

ARTICLE VI

POWERS OF THE AUTHORITY

The Authority shall have all of the powers necessary, pertinent, convenient and incidental to the effectuation of its purposes, including, but not limited to, the following:

Section 1. General Powers. The Authority shall have the power:

(a) To do those things and exercise those powers set forth elsewhere in this Charter.

(b) To contract for transit service.

(c) To exercise powers of eminent domain, limited to right-of-way and contiguous transportation facility acquisition.

(d) To conduct studies.

(e) To contract with governmental agencies, private companies and individuals.

(f) To sue, and be sued, implead and be impleaded, complain, and defend in all courts.

(g) To adopt, use and alter at will a corporate seal.

(h) To acquire, purchase, hold, lease as a lessee, and use any franchise or property, real, personal, or mixed, tangible or intangible, or any interest therein, necessary or desirable for carrying out the purposes of the Authority, and to sell, lease as lessor, transfer and dispose of any property or interest therein acquired by it.

(i) To fix, alter, charge, and establish rates, fares, and other charges for the services and facilities within the area, which rates, fees, and charges shall be equitable, just, and consistent with pertinent State and Federal law.

(j) To acquire and operate, or provide for the operation of, local transportation systems, public or private, within the area, the acquisition of such system to be only by negotiation and agreement between the Authority and the owner of the system to be acquired.

(k) To make contracts of every name and nature and to execute all in-

struments necessary or convenient for the carrying on of its business.

(l) To enter into management contracts with any person or persons for the management of a public transportation system owned or controlled by the Authority for such period or periods of time, and under such compensation and other terms and conditions, as shall be deemed advisable by the Authority.

(m) Without limitation, to borrow money and issue evidence of indebtedness and to accept gifts or grants or loans of money or other property and to enter into contracts, leases, or other transactions with any federal agency, the state, any agency of the state, or any other public body of the state.

(n) To develop transportation plans, and to coordinate its planning and programs with those of appropriate municipal, county, regional and state agencies and other political subdivisions of the state. All transportation plans are subject to review and approval by the Florida Department of Transportation and by the regional planning agency, if any, for consistency with programs or planning for the area and region.

(o) To do all acts and things necessary or convenient for the conduct of its business and the general welfare of the Authority in order to carry out the powers granted to it by this part or any other law.

(p) To prescribe and promulgate necessary rules and regulations consistent with the provisions of this Section and the requirements of the Administrative Procedure Act, Chapter 120, Florida Statutes.

Section 2. Special Region Taxation.

(a) The Authority shall be deemed a special tax district and shall be authorized to levy an ad valorem tax based on full valuation of real property not to exceed one half mill (\$.0005) on the taxable real property within the jurisdictional limits of its constituent members, at a rate sufficient to produce an amount that may be necessary for effectuating the purposes of the Authority. The authorization to levy the aforesaid ad valorem tax shall be by approval of a majority of the members of the Authority and by referendum. Property taxes determined and levied under this Section shall be certified by the Authority to the appropriate auditor, extended, assessed, and collected in like manner as provided by general law for such political subdivisions. The proceeds under this Section shall be remitted by the Tax Collector to the Authority and shall be credited to the

funds of the Authority for use in effectuating the purposes of the Authority. At any time after making a tax levy under this Section and certifying the same to the corresponding governing body represented by the membership in the Authority, the Authority may issue tax anticipation notes of indebtedness in anticipation of the collection of such taxes.

(b) No tax authorized by this Section shall be levied unless the same shall be approved by a majority of the electors of each county, municipality, or other political subdivision, voting in elections to be held within the geographical area of the special tax district. A tax shall be authorized only in such political subdivisions as are approved by electors from within the counties or municipalities or other political subdivisions who are members of the Authority.

Section 3. Issuance of Bonds. The Authority, with the approval of each member, may issue bonds to carry out its authorized powers or purposes. In the creation of bonded indebtedness, the procedure therefore shall be in conformity with the constitution and laws of the State of Florida.

ARTICLE VII

BUDGET PREPARATION AND APPROVAL

Section 1. Budget Preparation. On or before the fifteenth day of June in each year, the Executive Administrator shall prepare and submit to the Board of Directors a proposed operating budget, a proposed planning budget and a proposed capital improvements budget for the next succeeding fiscal year of the Authority.

Section 2. Method or Formula for Allocation of Costs. If proposed budgets are being prepared for a fiscal year of the Authority during which the special ad valorem tax described in Article VI hereinabove cannot be levied within the jurisdictional limits of every member, then, simultaneously with the submission of the proposed budgets for such fiscal year, the Executive Administrator shall submit to the Board of Directors his recommendations concerning a method or formula for equitably allocating among the members the operating, planning and capital costs of the Authority reflected in the proposed budgets.

Section 3. Budget Review. The Board of Directors shall review the proposed budgets and the proposed allocation method or formula, if any, for its next succeeding

fiscal year, and it shall have the power to amend, alter or modify same in any manner it deems necessary or advisable. Upon completion of its review, the Board of Directors shall approve the proposed budgets and the allocation method or formula, if any, for the next succeeding fiscal year of the Authority.

Section 4. Member Approval. On or before July 1 of each year, the Authority shall submit its approved proposed budgets and the allocation method or formula, if any, for its next succeeding fiscal year to the governing legislative bodies of each member for such comments as they may care to make. If the special ad valorem tax described in Article VI hereinabove cannot be levied by the Authority during its fiscal year to which the proposed budget relates within the jurisdictional limits of a member, then prior approval of the proposed budget by the member within whose jurisdictional limits the aforesaid special tax cannot be levied shall be a condition precedent to final adoption of the proposed budget by the Authority. In such event, budget approval by such a member shall be by resolution of its governing legislative body, a certified copy of which resolution shall be filed with the Authority.

Section 5. Budget Hearing. Before final adoption of the proposed budgets by the Authority, the Board of Directors shall establish a date, place and time for a public hearing on the proposed budgets, which public hearing shall allow for a review of the proposed budgets and comments from the public. Said public hearing shall be advertised at least fourteen (14) days prior to the scheduled date of such public meeting in a newspaper of general circulation in each county that is, or contains within its jurisdictional limits, a member of the Authority.

Section 6. Adoption of the Budgets. Upon completion of the aforesaid public hearing and subsequent to prior approval of the proposed budgets by all members, if necessary, the Board of Directors shall finally adopt the budgets of the Authority for its succeeding fiscal year and shall certify same to each member, together with a statement of the amount thereof allocable to each member, if any, pursuant to the allocation method or formula approved by the Board of Directors.

ARTICLE VIII

MEMBER FUNDING OF THE AUTHORITY

Section 1. Special Tax Authorized. If the special ad valorem tax described in Article VI hereinabove can be levied during any given fiscal year of the Authority within the jurisdictional limits of a member, then the Authority budgets for that fiscal year allocable to such member shall be funded by the levy of the aforesaid special ad valorem tax, and such member shall not be required to appropriate and pay any amount to the Authority regardless of whether the amount raised by the levy of the aforesaid special ad valorem tax is sufficient to fund said member's allocable amount of said Authority budgets.

Section 2. Special Tax Not Authorized. If the special ad valorem tax described in Article VI hereinabove cannot be levied during any given fiscal year of the Authority within the jurisdictional limits of a member, then the amount of any Authority budgets for such fiscal year allocable to such member shall be funded by a lawful appropriation by the governing legislative body of such member from its revenues; provided, however, that the amount allocable to such member that must be appropriated by its governing legislative body from its revenues shall not exceed an amount equal to that which could be raised within its jurisdictional limits by the levy of the special ad valorem tax described in Article VI hereinabove during such fiscal year of the Authority, if such tax had been lawfully approved. The amount allocable to a member that must be appropriated by the governing legislative body of such member shall be paid to the Authority in six (6) equal monthly installments commencing on the first day of the first calendar month of the fiscal year of the Authority to which the appropriation relates and on the first day of each of the next succeeding five (5) calendar months. Any amount allocable to a member hereunder shall be a legal debt of such member to the Authority, and the Authority may bring such legal action with respect to such debt as it may deem advisable without limiting any other recourse available to the Authority under this Charter or the laws of the State of Florida.

ARTICLE IX

PUBLIC NOTICE OF MEETINGS

Section 1. Notification. The Authority shall notify communication and news media of its regularly scheduled and special meetings, submitting with such notice the time and place of such meeting, together with copies of the proposed agenda for such meeting.

Section 2. Rules. The meetings shall be open to the public, and the Board of Di-

rectors shall establish such reasonable rules as it deems desirable to enable members of the public to be heard on any matter coming before the meeting.

Section 3. Records. All minutes and budget records of the Authority shall be deemed public records and shall be made available to the public as provided by law. The Board of Directors may establish reasonable rules and regulations, including charges for copies, to compensate for the cost of providing such public records. The Authority shall have the right to restrict distribution of records, as provided by law.

ARTICLE X

ACCOUNTING AND BUDGETARY PROCEDURES

Section 1. Accounting. The Authority shall establish and approve a manner of accounting and recordkeeping and procedures therefor, which procedures and records shall meet the requirements of the laws of the State of Florida for public bodies, and shall further meet the requirements of Federal law for recipients of Federal transportation funding.

Section 2. Documentation. Upon approval of the accounting and budgetary procedures provided for in Section 1 hereof by the Board of Directors, they shall be reduced to writing and set forth in a Budget and Accounting Manual, which shall be a detailed manual, including organizational charts showing accounting and budgetary responsibility, systems, classifications of accounts and such other information usually or reasonably contained in such manuals, which manual shall be a part of the public records of the Authority.

Section 3. Annual Audit. The Authority shall employ an independent certified public accountant to annually audit the accounting and budgetary records of the Authority, and who shall submit his findings to the Board of Directors. The Board of Directors shall provide a copy of the annual audit to each member.

Section 4. Financial Report. The Authority shall annually publish an annual statement which shall be certified by the certified public accountant provided for in Section 3 hereinabove, which statement shall be furnished to each member and released to the public.

ARTICLE XI
AMENDMENTS

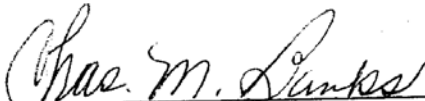
This Charter may be amended by a vote of the Board of Directors that is ratified by the governing legislative bodies of each member. Upon ratification, amendments shall be filed with the Secretary of State of the State of Florida and with each member.

ARTICLE XII
SEVERABILITY


If any article, section, subsection, sentence, clause, or provision of this Charter is held invalid, the remainder of, this Charter shall not be affected and shall remain in full force and effect.

IN WITNESS WHEREOF, this Amendment and Restatement of the Charter of the Hillsborough Transit Authority has been approved by the Board of Directors of the Hillsborough Transit Authority and executed by its Chairman this 21st day of January, 1980.

HILLSBOROUGH TRANSIT AUTHORITY

By: 
Charles Banks, Chairman

ATTESTED BY:


C. Lawrence Stagg, Secretary

APPENDIX "A" TO THE CHARTER
OF THE
HILLSBOROUGH TRANSIT AUTHORITY

This appendix forms an integral part of the Charter of the Hillsborough Transit Authority. Examples of the number of votes necessary for official action of the Board of Directors of the Hillsborough Transit Authority, as provided for in Article V, section 1, of the Charter are as follows:

<u>Number of Directors Appointed to Board</u>	<u>Number of Directors Present at Board Meeting</u>	<u>Votes Necessary for Official Action</u>
5 Member Board	3	3 (maj. + 1)
	4	3 (1/2 + 1)
	5	3 (majority)
6 Member Board	4	3 (1/2 + 1)
	5	4 (Majority)
	6	4 (Majority)
7 Member Board	4	3 (1/2 + 1)
	5	3 (Majority)
	6	4 (1/2 + 1)
	7	4 (majority)
8 Member Board	5	4 (maj. + 1)
	6	4 (1/2 + 1)
	7	4 (Majority)
	8	5 (1/2 + 1)
9 Member Board	5	4 (maj. + 1)
	6	4 (1/2 +1)
	7	4 (majority)
	8	5 (1/2 + 1)
	9	5 (majority)

APPENDIX "A"

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<u>Number of Directors Appointed to Board</u>	<u>Number of directors Present at Board Meeting</u>	<u>Vote Necessary for Official Action</u>
10 Member Board	6	4 (1/2 +1)
	7	4 (majority)
	8	5 (1/2 + 1)
	9	5 (majority)
	10	6 (1/2 +1)
11 Member Board	6	4 (1/2 +1)
	7	4 (majority)
	8	5 (1/2 + 1)
	9	5 (majority)
	10	6 (1/2 +1)
	11	6 (majority)
12 Member Board	7	5 (maj. + 1)
	8	5 (1/2 + 1)
	9	5 (majority)
	10	6 (1/2 +1)
	11	6 (majority)
	12	7 (1/2 +1)

CITY OF TAMPA

Amount

\$210,000.00

Balance of Allocable
Amount Due

Date of Payment

The transition date, as agreed upon
by the Authority and the members.

The 60th day following the transition
date, as agreed upon by the Authority.

COUNTY OF HILLSBOROUGH

Amount

\$150,000.00

Balance of Allocable
Amount Due

Date of Payment

The transition date, as agreed upon
by the Authority and the members.

The 60th day following the transition
date, as agreed upon by the Authority.

ADDENDUM TO THE CHARTER
OF THE
HILLSBOROUGH TRANSIT AUTHORITY

TRANSITION PROVISIONS

Notwithstanding any provision of the Charter of the Hillsborough Transit Authority to the contrary, and particularly Article VII and Article VIII thereof, the following provisions shall take precedence with respect to budget preparation, adoption and funding for the short fiscal year of the Hillsborough Transit Authority ("the Authority") ending on September 30, 1980.

1. Budget Preparation, Review, Approval and Adoption. The Executive Administrator, or anyone acting in that capacity at the direction of the Board of Directors of the Authority, shall prepare and submit to the Board of Directors a proposed planning budget, a proposed operating budget and a proposed capital improvements budget for the short fiscal year of the Authority that begins on the transition date, as agreed upon by the Authority and the members, and that ends on September 30, 1980. A method or formula for equitably allocating the operating, planning and capital costs reflected in said budgets among the members shall also be submitted. Thereafter, the provisions of Article VII shall apply in their entirety.

2. Member Funding. With respect to the funding of the budgets described in Section 1 hereinabove, the provisions of Article VIII shall apply in their entirety, except that the allocable amount of the budgets of the Authority for its short fiscal year ending September 30, 1980, that is allocable to, and must be appropriated and paid by, each of the City of Tampa and the County of Hillsborough shall be paid in the amounts and on the dates as follows:

CITY OF TAMPA

Amount

\$210,000.00

Balance of Allocable
Amount Due

Date of Payment

The transition date, as agreed upon
by the Authority and the members.

The 60th day following the transition
date, as agreed upon by the Authority.

COUNTY OF HILLSBOROUGH

Amount

\$150,000.00

Balance of Allocable
Amount Due

Date of Payment

The transition date, as agreed upon
by the Authority and the members.

The 60th day following the transition
date, as agreed upon by the Authority.