

**SEPTEMBER 28, 2011 CTRMA BOARD OF DIRECTORS MEETING
Summary Sheet**

AGENDA ITEM # 3

Approve the minutes for the August 24, 2011 General Board Meeting.

Department: Law

Board Action: YES (by motion)

Description of Matter:

The minutes for the August 24, 2011 General Board Meeting require approval by the Board.

Attached Document: Draft Minutes August 24, 2011 General Board Meeting

Contact for further information:

Andrew Martin, General Counsel

**MINUTES FOR
General Meeting of the Board of Directors
of the
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY**

**Wednesday, August 24, 2011
9:30 A.M.**

The meeting was held at 301 Congress Avenue, Suite 650, Austin, Texas 78701. Notice of the meeting was posted August 18, 2011 at the County Courthouses of Williamson and Travis County, with the Secretary of State, on the CTRMA website, and on the bulletin board in the lobby of CTRMA's offices at Suite 650, 301 Congress Avenue, Austin, Texas.

1. Welcome and Opening Remarks by Vice Chairman Jim Mills

Vice Chairman Mills called the meeting to order at 9:30 a.m. and called the roll. Board Members present at the time the meeting was called to order were Vice-Chairman Jim Mills, Ms. Nikelle Meade, Mr. David Singleton, and Mr. Henry Gilmore.

2. Open Comment Period

No public comments were offered.

3. Approval of Minutes of July 28, 2011 General Board Meeting

Vice Chairman Jim Mills presented the minutes from the July 28, 2011 Board Meeting for review by the Board. Mr. David Singleton moved for approval of the minutes, and Mr. Henry Gilmore seconded the motion. The motion carried unanimously 4-0, and the minutes were approved as drafted.

Executive Session Pursuant to Government Code, Chapter 551

Vice Chairman Mills announced in open session at 9:34 a.m. that the Board would recess the open meeting and would reconvene in Executive Session to deliberate the following items:

- 4. Discussion of the acquisition of one or more parcels or interests in real property needed for the Manor Expressway Project and related legal issues, pursuant to §551.072 (Deliberation Regarding Real Property; Closed Meeting) and §551.071 (Consultation with Attorney).**
- 5. Discussion of legal issues related to claims by or against the Authority, pending or contemplated litigation, and any related settlement offers, or other matters as authorized by §551.071 (Consultation with Attorney).**

6. Discussion of personnel matters as authorized by §551.071 (Consultation with Attorney).

The Board reconvened in open meeting at 9:39 a.m., and Vice Chairman Mills announced that there was no action taken in Executive Session.

Discuss, consider, and take appropriate action on the following:

7. Declare a public necessity to acquire one or more of the following described parcels of land for the Manor Expressway Project, and with respect to those parcels, authorize the negotiation and execution of a purchase contract, the negotiation and execution of a possession and use agreement, or the use of the power of eminent domain to acquire the parcel for the Manor Expressway Project, as applicable.

Ms. Nikelle Meade made a motion, seconded by Mr. Henry Gilmore, to adopt the staff recommended resolutions from staff for each of the the parcels listed below:

The motion carried unanimously, 4-0, and separate resolutions authorizing the action specified by the motion were approved for each parcel as drafted.

A. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 13AC of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by Raymond D. and Elda Raschke, located at 9470 US Hwy 290E in Travis County in the amount of \$1000.

B. Authorize the Executive Director to acquire by agreement of settlement of an existing condemnation case for Parcel 45 of the Manor Expressway Toll Project, a 1.464 acre parcel of real estate owned by Day Life Corporation, located at 9808 Crofford Lane in Travis County in an amount not to exceed \$550,000.

C. Authorize the Executive Director to acquire by agreement of settlement of an existing condemnation case for Parcel 50A and 50A (E) of the Manor Expressway Toll Project, a 1.496 acre parcel of real estate and a 0.037 acre drainage easement owned by Robert Hurst Rental Company, located at 9741 US Hwy 290E in Travis County in an amount not to exceed \$492,578.25.

D. Authorize the Executive Director to acquire by agreement of settlement of an existing condemnation case for Parcel 50B of the Manor Expressway Toll Project, a 0.341 acre parcel of real estate owned by Robert Hurst and Janet Lockwood, located at 9741 US Hwy 290E in Travis County in an amount not to exceed \$474,558.

E. Authorize the Executive Director to acquire by partial agreement of or partial settlement of an existing condemnation case for Parcel 44C of the Manor Expressway Toll Project, a 0.079 acre parcel of real estate owned by Applied Materials Inc., located at 9700 US Hwy 290E in Travis County, in an amount not to exceed \$13,342.

F. No action was taken on Parcel 35.

G. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 22AC of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by Wayne Allen Barbee, located at US Hwy 290E west of Chimney Hill Blvd in Travis County.

H. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 44D (AC) of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by Applied Materials, Inc., located at 9700 US Hwy 290E in Travis County.

I. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 30AC of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by Jones Investments, Inc., located west of Johnny Morris Road on the north side of US Hwy 290E in Travis County.

J. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 33AC of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by Joe T. Robertson, located at 9500 US Hwy 290E in Travis County.

K. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 111AC of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by SCC East Bourne Manor LP, located at the southeast corner of US Hwy 290E and SH130 in Travis County.

L. Authorize the Executive Director to acquire by condemnation or by negotiating and executing a purchase agreement for Parcel 112AC of the Manor Expressway Toll Project, a release and relinquishment of access rights to US Hwy 290E owned by Austin HB Residential, located at the northeast corner of US Hwy 290E and SH130 in Travis County.

8. Adjourn Meeting.

Vice Chairman Mills declared the meeting adjourned by unanimous consent at 9:44 a.m.