



AGENDA ITEM #3 SUMMARY

Approve the Minutes for the September 28, 2011 General Board Meeting.

Central Texas Regional
Mobility Authority

Approve the Minutes for the September 28, 2011 General Board Meeting.

Department: Law

Associated Costs: None

Funding Source: None

Board Action Required: YES (by Motion)

Description of Matter:

The Minutes for the September 28, 2011 General Board Meeting require approval from the Board.

Attached documentation for reference:

Draft Minutes for September 28, 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, September 28, 2011
9:30 A.M.**

The meeting was held at 301 Congress Avenue, Suite 360, Austin, Texas 78701. Notice of the meeting was posted September 23, 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

Chairman Ray Wilkerson 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, Mr. Bob Bennett, and Mr. Charles Heimsath. Mr. Henry Gilmore was not present for the meeting.

2. Open Comment Period

No public comments were offered.

3. Approval of Minutes of August 24, 2011 General Board Meeting

Chairman Ray Wilkerson presented the minutes from the August 24, 2011 Board Meeting for review by the Board. Mr. Jim Mills moved for approval of the minutes, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously 6-0, and the minutes were approved as drafted.

4. Approval of an amendment to the work authorization with HNTB Corporation for the South Brushy Creek Pedestrian Bridge Project.

Mr. Wes Burford presented this item. The Board previously approved a work authorization with HNTB Corporation at the October 27, 2010 General Board Meeting to provide professional services and deliverables related to the South Brushy Creek Pedestrian Bridge. The approval of the amendment will provide for continuation of support related to project development, design, and construction services for the South Brushy Creek Bridge under the TxDOT Enhancement Program. The amendment amount is \$76,070.00 and includes support and detailed engineering review for the sub-consultant design work to ensure TxDOT plan sheet production standards and appropriate design criteria are met. The amendment will also include an independent assurance firm as required by TxDOT.

Mr. David Singleton moved for approval of the amendment, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 6-0, and the resolution was approved as drafted.

5. Approval of an interlocal agreement with the Texas Department of Transportation relating to access by CTRMA to the TxDOT Customer Service Center/Violation Processing Center account management system.

Mr. Tim Reilly presented this item. This no-cost interlocal agreement with TxDOT provides staff with “read only” access into TxDOT’s Customer Service Center/Violation Processing account management system in order for staff to resolve customer issues.

Mr. Jim Mills moved for approval of the interlocal agreement, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously 6-0, and the resolution was approved as drafted.

6. Approval of 2012 Plan Year Changes to the CTRMA Plan with the Texas County and District Retirement System.

Mr. Bill Chapman presented this item. The Texas County and District Retirement System (TCDRS) provides staff with retirement benefits. Each year certain plan provisions must be adopted and approved by the Board of Directors. The 2012 Plan Year Changes are for the contribution rate to be set at 14% for FY 2012.

Mr. Charles Heimsath moved for approval of the Texas County and District Retirement System 2012 Plan Year Changes, and Mr. Bob Bennett seconded the motion. The motion carried unanimously 6-0, and the resolution was approved as drafted.

7. Approval the CTRMA Investment Policy and list of approved broker/dealers.

Ms. Cindy Demers presented this item. The Public Funds Investment Act (PFIA) requires governing bodies to annually adopt an investment policy. Some highlighted changes to the Investment Policy include adding the Controller as an Investment Officer, including a section that allows Investment Officers to act as Public Trust Custodians, providing a section that requires any potential conflicts of interests of Investment Officers to be reported to the Texas Ethics Commission, and requiring monitoring of all investments to ensure they do not fall below investment grading.

Mr. Bob Bennett moved for approval of the Investment Policy and Mr. David Singleton seconded the motion. The motion carried unanimously 6-0, and the resolution was approved as drafted.

8. Accept the monthly financial reports for July and August, 2011.

Mr. Bill Chapman presented this item. The financial report for July, 2011 includes a cash flow statement that staff will work to provide on a monthly basis with the financial statements. As displayed on the financial reports, revenues have been flat for July and August which is most likely due to construction on the roadways. There is nothing unusual in the financial statements for July and August, 2011.

Mr. Bob Bennett moved for approval of the financial reports, and Mr. David Singleton seconded the motion. The motion carried unanimously 6-0, and the resolution was approved as drafted.

Briefing and discussion on the following:

9. Executive Director's Report

Mr. Mike Heiligenstein presented this item. Three items are currently under consideration with CAMPO for STPMM funding, and two of those items relate to expanding express lanes on Loop 1 and 183 North from Loop 1 to Highway 620. More research is being done regarding HERO, the third item under consideration with CAMPO, in order to provide CAMPO with more information.

Incorrect survey elevations were shot by Webber for the Direct Connectors, which caused a back-up with the bridge supports. The project is still underway, and the schedule has not been affected.

Staff is moving forward with an analysis of Public Private Partnerships for Loop 1 and 183 South. First Southwest conducted a request for information ("RFI") process requesting information from several different firms, and KPMG was selected. An RFI will be sent out to developers on Friday, September 30, 2011.

Mr. Tim Reilly spoke regarding the first year anniversary of the HERO Program. There have been over 5,000 people that have been helped through the HERO Program.

There are nine professional teams and five student teams registered for the Green Mobility Challenge. Submittals are due by the end of October, 2011. The finals event will be held November 15, 2011.

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 9:55 a.m. that the Board would recess the open meeting and would reconvene in Executive Session to deliberate the following items:

10. 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).

- 11. Discussion of legal issues relating to procurement and financing of CTRMA transportation projects, as authorized by §551.071 (Consultation with Attorney).**
- 12. 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).**
- 13. Discussion of personnel matters as authorized by §551.074 (Personnel Matters).**

The Board reconvened in open meeting at 10:04 a.m., and Chairman Wilkerson announced that there was no action taken in Executive Session.

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

- 14. 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. Bob Bennett, to adopt the staff recommended resolutions for each of the parcels listed below:

The motion carried unanimously, 6-0, 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 47A of the Manor Expressway Toll Project, a 0.602 acre parcel of real estate owned by Kerry S. Yom, located at the south line of Hwy 290E, east of Crofford Lane in Travis County, in an amount not to exceed \$1,187,589.
- B. No action was taken on this item.
- C. No action was taken on this item.
- D. No action was taken on this item.
- E. No action was taken on this item.

15. Adjourn Meeting.

Chairman Ray Wilkerson declared the meeting adjourned by unanimous consent at 10:07 a.m.