



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #3 SUMMARY

Approve the minutes for the December 5,
2012 Regular Board Meeting.

Department: Law
Associated Costs: None
Funding Source: None
Board Action Required: YES (by Motion)

Description of Matter:

Minutes for the December 5, 2012, Regular Board Meeting are attached for the Board's consideration and approval.

Attached documentation for reference:

Draft Minutes for the December 5, 2012, Regular Board Meeting

Contact for further information:

Andrew Martin, General Counsel

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

**Wednesday, December 5, 2012
9:30 A.M.**

The meeting was held at 301 Congress Avenue, Suite 360, Austin, Texas 78701. Notice of the meeting was posted November 30, 2012 at the respective County Courthouses of Williamson and Travis Counties; online at the website of the Secretary of State; online at the website of the Mobility Authority; and on the bulletin board in the Mobility Authority's lobby at 301 Congress Avenue, Suite 650, Austin, Texas 78701.

1. Welcome and Opening Remarks by Chairman Ray Wilkerson.

Chairman Ray Wilkerson called the meeting to order at 9:42 a.m. and called the roll. Directors present when the meeting was called to order were Vice Chairman Jim Mills, Ms. Nikelle Meade, Mr. David Singleton, Mr. Bob Bennett, Mr. Charles Heimsath, and Mr. David Armbrust.

2. Open Comment Period.

No public comments were offered.

3. Approve the minutes for the October 31, 2012, Regular Board Meeting and the November 14, 2012, Board Retreat and Workshop.

Chairman Ray Wilkerson presented the minutes for the October 31, 2012, Regular Board Meeting and the November 14, 2012, Board Retreat and Workshop for consideration by the Board. Mr. Jim Mills moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the minutes were approved as drafted.

4. Authorize negotiation of a contract for preliminary engineering and environmental services for the MoPac South Project.

Mr. Wes Burford presented this item. A Request for Qualifications was issued by staff on September 21, 2012 for preliminary engineering and environmental services for the MoPac South Project, and five responses were received.

A Selection Committee composed of Mobility Authority staff and consultants evaluated the responses against the criteria provided in the RFQ. The committee reviewed and scored the responses and made a recommendation to the Executive

Director to short-list all of the five responding teams.

After interviewing the teams, staff recommends approving and authorizing negotiations for a contract to provide preliminary engineering and environmental services with Jacobs Engineering Group, Inc.

Mr. Charles Heimsath recused himself and did not participate in the discussion or vote. Mr. Bob Bennett moved for approval, and Mr. David Singleton seconded the motion. The motion carried unanimously 6-0, and the resolution was approved as drafted.

5. Authorize a new work authorization with HNTB Corporation for general engineering services related to the MoPac South Project.

Mr. Wes Burford presented this item. Under the new work authorization HNTB Corporation will perform project management and administrative tasks; assist in the procurement of the environmental development team; coordinate with TxDOT Austin District, consultants, resource agencies, TxDOT's Environmental Affairs Division, and the FHWA as required for permitting and environmental approval; schematic design review; procurement of a final design consultant; public involvement support; and construction contract preparation for the MoPac South Project.

Mr. Bob Bennett moved for approval, and Mr. David Singleton seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

6. Approve a change order to the contract with Central Texas Mobility Constructors relating to pavement sections for the Manor Expressway.

Mr. Wes Burford presented this item. Staff revised main lane and frontage road pavement sections on the Manor Expressway Project to provide a better subgrade and base support beneath the rigid concrete and flexible asphalt pavements. The proposed change order with Central Texas Mobility Constructors provides for increased costs of revised pavement sections on the Manor Expressway.

Ms. Nikelle Meade moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

7. Approve an amendment to the contract with MSX International, Inc., for general toll system consulting.

Mr. Tim Reilly presented this item. The contract awarded to MSX International, Inc. for General Toll Systems Consultant Services is currently limited to a maximum cost of \$175,000.00 annually, over a period not to exceed five calendar years (including extensions), for a maximum calculated fee not to exceed \$875,000.00. The existing contract did not anticipate the consulting services necessary for the Manor Expressway ITS system and for the dynamic toll system required for the MoPac Improvement Project. The requested amendment will continue the \$175,000.00 annual compensation cap established by Work Authorization No. 1 for consulting services related to operations, but will permit additional work authorizations needed for capital projects, in amounts established by each work authorization approved by the board.

8. Approve a new work authorization with MSX International, Inc., to provide general toll system consulting services for the Manor Expressway Project and the MoPac Improvement Project.

Mr. Tim Reilly presented this item. The requested work authorization would allow MSX to provide needed consulting services through completion of the Manor Expressway Project and the MoPac Improvement Project at a not to exceed cost of \$604,188.90.

The Board considered and took action on Agenda Items 7 and 8 together. Ms. Nikelle Meade moved for approval of both items, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the resolution for each item was approved as drafted.

9. Authorize execution of the project development agreement with the Texas Department of Transportation for the MoPac Improvement Project.

Mr. Wes Burford presented this item. Staff recommends authorization to execute a project development agreement with TxDOT for the MoPac Improvement Project to establish the obligations of the Mobility Authority and TxDOT for the construction, operation, and maintenance of the Project.

Mr. Jim Mills moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

10. Authorize the Executive Director to negotiate and execute certain agreements that restrict direct access to Mobility Authority right-of-way from adjacent land.

Mr. Andy Martin presented this item. From time to time the Mobility Authority purchases a right to direct access to Mobility Authority right-of-way from the owner of land that abuts the right-of-way. These purchase contracts typically are for a payment by the Mobility Authority of less than \$3,000. Authorizing the Executive Director to purchase a right of direct access when appropriate will reduce the procedural steps needed to complete the transaction, lessen delay for the landowner, and free up time required by staff and the Board of Directors to consider and act on the contracts.

Mr. Jim Mills moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

11. Amend the Policy Code relating to toll policies and operations.

Mr. Andy Martin presented this item. The proposed amendments make substantive changes to the toll and operation policies codified in the Policy Code, but only to the extent needed to delete obsolete policies or to update policies so they reflect current law and practices.

Mr. Jim Mills moved for approval, and Mr. Bob Bennett seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

12. Accept the financial reports for October, 2012.

Mr. Bill Chapman presented this item. A cash flow statement was added to the financial reports and will be a part of the financial reports going forward.

There is nothing unusual to report on the financial reports from October, 2012.

Mr. Bob Bennett moved for approval, and Mr. David Singleton seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

Briefing and discussion on the following:

13. Executive Director's report.

Mr. Mike Heiligenstein presented this item and thanked the Board Members for their participation in the Board Retreat and Workshop on November 14, 2012.

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 10:20 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

15. *Discuss acquisition of real property or interests in real property needed for Mobility Authority office space and related needs, and related legal issues, pursuant to §551.072 (Deliberation Regarding Real Property; Closed Meeting) and §551.071 (Consultation with Attorney; Closed Meeting).*
16. *Discuss legal issues related to claims by or against the Mobility Authority, pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation With Attorney).*
17. *Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation With Attorney).*
18. *Discuss personnel matters as authorized by §551.071 (Consultation With Attorney).*

The Board reconvened in open meeting at 11:35 a.m., and Chairman Wilkerson announced that no action was taken in Executive Session.

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

20. Authorize negotiation and execution of a lease for Mobility Authority office space and related amenities.

Ms. Cindy Demers presented this item. Staff recommends authorizing the Executive Director to negotiate and execute a lease for Mobility Authority office space and related amenities.

Mr. Bob Bennett moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

21. Authorize negotiation and execution of an amendment to the consulting agreement with Stantec Consulting Services, Inc., relating to traffic and revenue studies for the 183A Turnpike.

Mr. Bill Chapman presented this item. Staff recommends authorizing negotiation and execution of an amendment with Stantec Consulting Services, Inc. so they may provide additional work for the Mobility Authority for the 183A Turnpike.

Mr. Charles Heimsath moved for approval, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously 7-0, and the resolution was approved as drafted.

23. Adjourn Meeting.

Chairman Ray Wilkerson declared the meeting adjourned at 11:45 a.m. with unanimous consent.