



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #4 SUMMARY

Approve the minutes for the October 29, 2014,
Regular Board Meeting.

Department: Law
Funding Source: None
Board Action Required: Yes (by Motion)
Description of Matter:

Approve the Minutes for the October 29, 2014, Regular Board Meeting

Reference documentation: Draft Minutes, October 29, 2014, Regular Board Meeting

Contact for further information: Andrew Martin, General Counsel

MINUTES

Regular Meeting of the Board of Directors of the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, October 29, 2014
9:00 A.M.

The meeting was held in the Mobility Authority's Lowell H. Lebermann, Jr. Board Room at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849. Notice of the meeting was posted October 24, 2014 at the respective County Courthouses of Williamson and Travis Counties; online on the website of the Secretary of State; online on the website of the Mobility Authority; and in the Mobility Authority's office lobby at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849.

1. **Welcome and Opening Remarks by Chairman Ray Wilkerson.**

Chairman Ray Wilkerson called the meeting to order at 9:06 a.m. and called the roll. Directors present at the time the meeting was called to order were Mr. Jim Mills, Ms. Nikelle Meade, Mr. David Singleton, Mr. Bob Bennett, and Mr. David Armbrust. Mr. Charles Heimsath was not present for the meeting.

2. **Presentation of the Lowell H. Lebermann, Jr., Boardroom Plaque.**

Chairman Wilkerson unveiled a plaque of Lowell H. Lebermann, Jr., in honor of his service on the Mobility Authority Board of Directors. Chairman Wilkerson remarked on Mr. Lebermann's leadership in the community, and recognized special guests who attended the presentation. These guests included former Mobility Authority Chairman Bob Tesch, Former Board Member Mike Robinson, Matt Mathias, Scott Flack, Paul Bury, Cynthia Keever, Donald Wertz, and Stacy Young.

3. **Opportunity for Public Comment.**

No public comments were given.

Chairman Wilkerson announced at 9:33 a.m. that the Board would recess the open meeting and would convene the Audit Committee Meeting.

Chairman Bob Bennett called the Audit Committee to order at 9:34 a.m. and took up the following Audit Committee agenda item:

Discuss, consider, and take appropriate action to accept the Fiscal Year 2014 Audit Reports.

Ms. Cindy Demers introduced Don McPhee, audit partner for PMB Helin Donovan, LLP, who conducted the annual audit for fiscal year 2014. Mr. McPhee provided a brief presentation of

the independent audit that was completed for the year ending June 30, 2014. There were no uncorrected audit adjustments or significant corrected misstatements. In addition, the single audit was completed for the year ending June 30, 2014, and found the Mobility Authority to be in compliance with the requirements of OMB A-133.

Mr. Jim Mills moved for acceptance of the audit reports, and Mr. David Singleton seconded the motion. The motion carried unanimously 6-0, and the Audit Committee resolution was approved as drafted.

Chairman Bob Bennett adjourned the Audit Committee meeting at 9:41 a.m. by unanimous consent.

Chairman Wilkerson reconvened the Board meeting to consider the following agenda items:

4. **Approve an amendment to existing work authorizations issued under the contract with CDM Smith Inc. for traffic and revenue studies on Mobility Authority toll projects.**
5. **Approve an amendment to the advance funding agreement with the Texas Department of Transportation for a pilot program using real-time ridesharing technology.**

Chairman Ray Wilkerson presented Items 4 and 5 for Board consideration as the consent agenda.

Mr. David Singleton moved for approval of the consent agenda, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously, 6-0, and the resolutions for Items 4 and 5 passed on the consent agenda were approved as drafted.

6. **Approve a contract and work authorization with Rodriguez Transportation Group, Inc., for professional engineering design services for the SH 45 SW Project.**

Mr. Wes Burford presented this item. The contract provides for professional engineering, preliminary and final design, public involvement, and estimates necessary for the proposed SH 45 SW Project located in Travis County and Hays County, Texas. Based on the review of the proposed contract and initial work authorization by Mobility Authority staff, staff has determined that the Scope of Services addresses the anticipated project requirements and the level of effort and that the fee is appropriate. Mr. David Armbrust asked if the agency is obligated to move forward with the final design of the project as a result of signing this work authorization. Wes Burford responded no, CTRMA is not compelled in any way to move forward with the project or the final design as a result of signing the work authorization. Burford added that this particular work authorization was put together with specific areas of work effort that required written "notice to proceed" for each of the incremental phases of the final design development. Burford also added that if at any time the Authority decided to stop efforts on the project, we would simply negotiate with RTG the cost for any work they were previously authorized to perform, pay them that amount and we could stop any and all work at will.

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

7. Approve the minutes for the July 20, 2014, Regular Board Meeting.

Chairman Ray Wilkerson presented for Board consideration the minutes for the July 30, 2014 Regular Board Meeting. Mr. David Armbrust moved to approve the minutes as drafted, and Mr. David Singleton seconded the motion. The motion carried unanimously 6-0, and the minutes were approved as drafted.

8. Approve the minutes for the September 24, 2014, Regular Board Meeting.

Chairman Ray Wilkerson presented for Board consideration the minutes for the September 24, 2014 Regular Board Meeting. Mr. David Singleton moved to approve the minutes as drafted, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously 6-0, and the minutes were approved as drafted.

9. Approve the financial statements for September 2014.

Mr. Bill Chapman presented this item. There was nothing unusual to report on the financial statements for September 2014.

Ms. Nikelle Meade moved for approval, and Mr. Bob Bennett seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

10. Report on the automatic toll rate escalation percentage to become effective January 1, 2015, and, if desired, approve a modified toll rate escalation percentage effective January 1, 2015.

Mr. Bill Chapman presented this item. Section 301.003 of the Policy Code provides that on October 1, 2012, and each October 1 thereafter, staff is to calculate a percentage increase in the toll rates charged on all Mobility Authority toll facilities using the formula established by that section. The formula is based on changes to the most recently published non-revised index of Consumer Prices for All Urban Consumers (CPI-U) before seasonal adjustment, as published by the Bureau of Labor Statistics of the U.S. Department of Labor. The reported percentage increase in toll rates is automatically effective on January 1 of the following year unless the board affirmatively votes to modify the percentage. The calculated Toll Rate Escalation Percentage on October 1, 2013, is 1.51%.

The Board took no action to modify this percentage, and therefore the toll rates on all Mobility Authority toll facilities will increase effective January 1, 2014, by the 2014 Toll Rate Escalation Percentage of 1.51% to the amounts shown on the table provided in the backup material.

11. Award a contract for marketing services for the MoPac Express Lanes information campaign.

Mr. Steve Pustelnyk presented this item. To facilitate a smooth and successful deployment of the MoPac Express Lanes, staff recommends the Board award a contract for marketing services for the MoPac Express Lanes information campaign to the firm of Zellmer McConnell, and

that the Board to also authorize the Executive Director to negotiate and execute that contract with Zellmer McConnell for an amount not to exceed \$950,000, consistent with the Procurement Policies and Sellmer McConnell's response to the RFP.

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.

12. Amend the Policy Code to recognize local presence as a consideration in certain procurements.

Mr. Andy Martin requested that this item be postponed for consideration at the next Board meeting.

The Board took no action on this item.

13. Approve a legislative program for issues and proposals affecting the Mobility Authority in the 84th Texas Legislature.

Mr. Andy Martin presented this item. The 84th Legislature will convene January 13, 2015, and will consider legislative proposals and issues that affect the Mobility Authority.

In previous legislative sessions, the Mobility Authority has worked with other regional mobility authorities and tolling entities to address issues of common concern to tolling entities. The proposed legislative program includes common issues anticipated in the upcoming session as well as items of specific concern to the Mobility Authority.

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

14. Approve a proposed settlement agreement in Central Texas Regional Mobility Authority and the State of Texas v. Frederic Clarke Morse, III, et. Al., Cause No. C-1-CV-11-003526, to acquire by eminent domain Parcels 8 and 8E of the Manor Expressway Toll Project, consisting of a 2.175 acre tract in fee simple and a 0.18 acre drainage easement, located at the southeast corner of the intersection of US Highway 290 and US 183 in Travis County.

Mr. Andy Martin presented this item. Staff requests the Board approve a settlement offer of \$815,000, an amount which is agreed to by the landowners.

Mr. Jim Mills moved for approval, and Mr. Bob Bennett seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

Briefing and discussion on the following:

15. Quarterly briefing on the MoPac Improvement Project.

Mr. Joe Schroeder, CH2M Hill and Mr. Paul Petrich, HNTB presented this item. The permitting process with utilities and railroads continues. Construction activities include: bridge,

pavement and retaining wall constructions, storm drain installation, and drilling for large guide sign foundations.

Mr. Paul Petrich announced that while the last approved schedule shows the project is on time, the next schedule update that is currently under review shows the project to be approximately three weeks late. The project team is continuing to monitor the schedule and is working with CH2M Hill to understand how CH2M Hill plans to expedite the necessary work. Mr. David Armbrust asked why the project is currently behind schedule. Mr. Joe Schroeder explained that the contractor encountered a number of issues on the project including boring, which requires additional boring machines. Additionally, CH2M Hill ran into production issues getting the design completed at the beginning of the project, the right of way is tight throughout the project which placed constraints on the working areas not contemplated by CH2M Hill, and the loss of days due to weather has also been a challenge. Chairman Wilkerson thanked Mr. Joe Schroeder for his explanation, but reiterated that the Board has been asking from Day One on a monthly basis if the project was on time, and today was the first time the Board is hearing that the project is behind schedule. Chairman Wilkerson suggested that the project team and staff continue to work together to get the project back on schedule as quickly as possible. Chairman Wilkerson requested that staff, consultants, and the project team put together a detailed report to be presented at the November Board Meeting.

Final design is complete. Substantial completion is anticipated in the Fall of 2015. The project supported 320 jobs during September 2014. The speed limit returned to 65 mph north of US 183. Care bags were delivered to residents along the project. Primary interests include: restriping lanes, tree trimming, bicycle and pedestrian trail closures, construction schedule and lane closures, and express lanes management.

16. Quarterly briefing on the following projects: Maha Loop/Elroy Road, 183/183A Intersection, Bergstrom Expressway, SH 71 Express, SH 45 SW, Oak Hill Parkway, MoPac South, MoPac Intersections, and 183 North.

Mr. Bubba Needham, Mr. Wes Burford, and Ms. Melissa Hurst presented this item.

The Maha Loop/Elroy Road project is expected to open to traffic in spring 2015. Flexible base with TENSAR placement began the beginning of October.

Construction was awarded to M.A. Smith Contracting for the US 183/183A Intersection project. Notice to proceed is anticipated in November 2014, and completion is anticipated in late summer 2015.

The final CSS Open House for the Bergstrom Expressway is scheduled for November 13th, 2014 and a Public Hearing is scheduled for November 19th, 2014 with a decision anticipated in spring 2015.

The SH 71 Express project is anticipated to open to traffic in winter 2016.

There were approximately 800 official comments received during the official comment period for the environmental study for the SH 45 SW project. A decision is anticipated early 2015. Preliminary design and additional data collection activities are underway in preparation for final

design, which is expected to begin late February 2015. A bid award for this project is expected in October 2015.

Oak Hill Parkway CSS process launched at the October 9, 2014 Workshop with over 25 attendees and over 300 online participants. The next Open House Workshop is scheduled for early next year.

An Alternatives Analysis meeting with FHWA and TxDOT was held for the MoPac South environmental study. The next Open House and first CSS workshop is anticipated early 2015.

The schematic design and the majority of the technical memoranda have been submitted to TxDOT for the MoPac Intersections Study. The Study was elevated from a Categorical Exclusion to an Environmental Assessment. A Public Hearing is planned for spring 2015.

Proposals for the 183 North project include two lanes in each direction including studying direct connectors at the SH 45 North interchange and the MoPac interchange. Significant bicycle and pedestrian accommodations are being evaluated. The next Open House is anticipated early next year.

17. Executive Director's report.

Mr. Mike Heiligenstein presented this item and discussed the Mobility Authority's recent bond rating being raised, the TIFIA Master Credit Agreement, the agency's implementation steps for Senate Bill 1792, and an upcoming Maha Loop/Elroy Road tour.

Chairman Ray Wilkerson declared the meeting adjourned at 11:10 a.m. with unanimous consent.