



**CENTRAL TEXAS  
Regional Mobility Authority**

## AGENDA ITEM #9 SUMMARY

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Approve the minutes for the December 17, 2014, Regular Board Meeting.

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

Approve the Minutes for the December 17, 2014, Regular Board Meeting

Backup information: Draft Minutes, December 17, 2014, Regular Board Meeting  
Contact: Andrew Martin, General Counsel

## MINUTES

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

Wednesday, December 17, 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 December 12, 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.**

After noting that a quorum of the Board was present, Chairman Ray Wilkerson called the meeting to order at 9:04 a.m. 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 joined the dais during the consent agenda, and left prior to agenda item 15.

#### 2. **Opportunity for Public Comment.**

No public comments were given.

Chairman Ray Wilkerson presented Items 3, 4 and 5 for Board consideration as the consent agenda:

#### 3. **Adopt the Mobility Authority 2014 Annual Report.**

#### 4. **Approve a supplement to the work authorization with Jacobs Engineering Group Inc. for preliminary engineering and environmental services on the MoPac South project.**

Mr. Bill Bunch addressed the Board regarding the MoPac South Project. Mr. Bunch stated it is his belief that the MoPac overpasses at Slaughter Lane and at LaCrosse, the MoPac South project, the SH 45 SW project, and a second phase of the SH 45 SW project are really one project that is being developed to make a loop connecting MoPac and 45 SW to IH-35 and 45 SE; and that there are good reasons to do that, such as connectivity, and building a continuous tolled loop system, but there is also logic to not turn MoPac into "I-35 West." Mr. Bunch suggested that the Mobility Authority board and staff should conduct a single environmental study of the entire "loop," as opposed to four separate studies that don't add up. Mr. Bunch emphasized this is a big question for the community, and deserves to be addressed for what it is, so that is his request today.

Mr. David Armbrust responded by telling Mr. Bunch he appreciated his time and the points he has made; but if Mr. Bunch is suggesting there is some sort of hidden agenda or plan to create a connection to I-35, to Mr. Armbrust's knowledge there's never been any discussion of that with

him and he is not sure he would support a connection to I-35. He stated it makes no sense to study such a plan now, since that's a whole different ball game that, again, he isn't sure he would support.

**5. Approve a supplement to the work authorization with HNTB Corporation for general engineering oversight services on the MoPac South project.**

Chairman Ray Wilkerson presented Items 3, 4 and 5 for Board consideration as the consent agenda.

Mr. David Singleton moved for approval of the consent agenda, and Mr. Bob Bennett seconded the motion. The motion carried unanimously, 7-0, and the resolutions for Items 3, 4, and 5 passed on the consent agenda were approved as drafted.

**Executive Session Pursuant to Government Code, Chapter 551**

Chairman Wilkerson announced in open session at 9:11 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following item:

14. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation With Attorney).

15. 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).

The Board reconvened in open meeting at 9:56 a.m., and Chairman Wilkerson announced that no action was taken in Executive Session.

**6. Approve the minutes for the November 19, 2014, Regular Board Meeting.**

Chairman Ray Wilkerson presented for Board consideration the minutes for the November 19, 2014 Regular Board Meeting. Ms. Nikelle Meade moved to approve the minutes as drafted, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the minutes were approved as drafted.

**7. Approve the Policy Code to recognize local presence as a consideration in certain procurements for general goods and services or for a construction contract.**

Mr. Andy Martin presented this item. The proposed amendment to the Policy Code allows the Board, in a low-bid procurement for goods, certain services, or for a construction contract, to choose to award the contract to a "local bidder" (one whose designated headquarters is in Williamson County or Travis County) if the local bidder's bid is no more than 3% higher than the bid from lowest bidder, and that lowest bidder is not a local bidder.

A local presence consideration will not apply to the award of a contract where doing so would violate federal or state laws or regulations or other funding restrictions, for a contract procured

under the Texas Professional Services Procurement Act, for consulting services, for a design-build contract, or for a comprehensive development agreement.

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

**8. Approve the financial statements for November 2014.**

Mr. Bill Chapman presented this item. There was nothing unusual to report for the November 2014 financial reports.

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.

**14. Authorize the Executive Director to extend the termination date for certain qualified professional service agreements.**

Mr. Andy Martin presented this item. The proposed resolution authorizes the Executive Director to extend, without additional Board action, an existing professional services agreement for a period of no more than three years, if that contract or the extension includes a provision that permits the Mobility Authority to terminate the contract for any reason by written notice to the other party delivered no less than 30 days before the termination date.

Ms. Nikelle Meade 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:**

**9. Update on the MoPac Improvement Project.**

This item was presented by Mr. Paul Petrich, HNTB Project Manager for the oversight team. CH2M Hill is reviewing resumes for the management group to replace high level individuals who are currently serving in interim roles. There has been increased activity on the project due to a significant number of staff being added in the past couple of months. By the end of December 2014 there will be approximately 415 construction staff working on the project. Changes have been made in terms of expediting the project, which includes looking at the project as four mini projects according to segment designations. This will allow for better attention to quality and ability to expedite the work on each segment with a segment manager, superintendent, field engineer, and utility coordinator for each segment. A utility location company has been added in an effort to get ahead of utility location work in order for other work to proceed timely.

Several change orders are being discussed and negotiated that will impact the project schedule. Once negotiations are complete an updated high level project schedule will be distributed to the Board.

Dan Reynolds, Interim Project Manager for the project and Senior Vice President with CH2M Hill addressed the Board regarding the project and discussed their actions and plans.

**10. Executive Director's report.**

Director Heiligenstein presented this item and introduced the Mobility Authority's newest staff member Justin Word as the Director of Project Development.

Mr. Tim Reilly addressed the Board and presented electronic license plate identification issues and an update on MSB customer billing and mitigating call time delays.

Mr. Bubba Needham provided an update on the Maha Loop project.

**15. Approve an amended employment agreement with the Executive Director, including compensation and other contract terms.**

Mr. Brian Cassidy presented this item with a proposed amendment to the employment agreement with the Executive Director.

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.

Chairman Ray Wilkerson declared the meeting adjourned at 11:06 a.m. with unanimous consent.