

Meeting Minutes
Board of Directors
Central Texas Regional Mobility Authority (CTRMA)

Wednesday, September 24, 2003

The meeting was called to order at 9:05 a.m. by CTRMA Board Chairman Bob Tesch, who stated that notice of the meeting was posted with the Secretary of State's office on September 19, 2003.

Members present: Bob Tesch (Chairman), Lowell Lebermann (Vice-Chairman), Bob Bennett, Henry Gilmore, Jim Mills, Mike Robinson. Absent was Johanna Zmud. Also present on behalf of the CTRMA were Mike Weaver and Brian Cassidy.

I. Welcome and Opening Remarks.

Chairman Tesch called the meeting to order and welcomed attendees. The Chairman thanked the City of Round Rock and Round Rock Mayor Nyle Maxwell for use of the Round Rock City Council Chambers. The Chairman recognized Mayor Pro Tem Phil Duprey of Cedar Park, State Representative Mike Krusee, Leander Mayor John Cowman, Bill Garbade, the former Austin District Engineer for TxDOT, and Councilwoman Tina Collier of Cedar Park.

II. Approval of Minutes of August 27 Board Meeting.

Chairman Tesch introduced the minutes of the August 27, 2003, CTRMA board meeting. Mr. Gilmore moved approval of the minutes and Mr. Mills seconded the motion; the motion carried unanimously, and the minutes were adopted.

III. Consideration, Discussion and Possible Action on Recommendation for Creating Pool of Investment Banking Firms for Financing of CTRMA Projects.

Chairman Tesch said a RFQ for investment banking firms was issued on July 18, 2003. Numerous responses to the request were received. The Chairman recognized one of the CTRMA's financial advisors, Ladd Patillo, to present the firms that he and First Southwest Company recommended for inclusion in the CTRMA investment banker pool. The Chairman clarified that recommendations were for a pool of investment banking firms from which to draw for future CTRMA projects, and that this particular agenda item was not the designation of a team for the US 183-A project.

Mr. Patillo said the 16 responses to the RFQ for the pool of financial underwriters for future CTRMA projects were reviewed by he, First Southwest, and staff. The recommendation was to place all 16 firms in a pool of underwriters eligible for selection for individual CTRMA projects. Individual underwriters selected for any specific project will not be precluded from selection for other projects. Mr. Patillo said the recommendation was included in proposed CTRMA resolution No. 03-45, listing the following firms: Bear Stearns & Co., Inc.; Citigroup, Loop Capital Markets, L.L.C.; JP Morgan Securities, Inc.; Estrada Hinojosa & Co., Inc.; Siebert, Brandford, Shank & Co., L.L.C.; UBS Financial Services, Inc.; Morgan Stanley; First Albany Corporation; Southwest Capital Markets, Inc.; Lehman Brothers; Goldman Sachs; Southwest Securities; Banc One Capital Markets; Ramirez & Company; and RBC Dain Rauscher, Inc.

Prior to considering the resolution recommending the investment banker pool, the Board was addressed by Mr. Roger Baker. After determining that Mr. Baker's were not germane to this

agenda item, Mr. Cassidy recommended that Mr. Baker offer his comments during the public comment period.

Mr. Gilmore then moved adoption of the resolution as drafted, and Mr. Bennett seconded the motion. The motion carried unanimously, and the resolution was adopted.

IV. US 183-A Project Report

A. Consideration, Discussion and Possible Action on GEC Work Authorization.

Chairman Tesch recognized CTRMA interim Executive Director Mike Weaver for a report on the proposed GEC Work Authorization. Mr. Weaver said at the previous CTRMA board meeting, there was considerable discussion about the budget for the engineering portion of US 183-A through the GEC contract. The Board instructed staff to work with TxDOT to evaluate the proposed work authorization. TxDOT completed the review, and made a few changes reflected in the revised work authorization for approximately \$6.3. Mr. Weaver said in light of the TxDOT review, discussions among the CTRMA interim budget committee, and other related events, staff recommended not to move forward with the entire \$6.3 million work authorization as drafted. Staff and the GEC have formulated a more appropriate work authorization from physical and financial standpoints, as well as allowing a step-by-step monitoring process by the Board.

Mr. Weaver also noted that, during interviews for the investment banking pool, there were considerable discussions regarding the Comprehensive Development Agreement (CDA) or design-build process. Many Board members subsequently had questions about the appropriate time to decide what type of process to follow, and these concerns provided additional reason to reevaluate the proposed work authorization.

CTRMA staff recommended allowing the GEC team to go forward for 1 year with Task 1 to establish the core GEC staff for current US 183-A activities. Mr. Weaver said the 1 year would include core GEC staff, operation, establishing an office, and the public involvement component on US 183-A. In addition, staff and the GEC recommended that under Task 3, the technical component, a budget limited to \$500,000 would allow the GEC to initiate work on fundamental design components not tied to the procurement method itself (whether CDA, design-bid-build, or design-build). Staff also recommended accelerating the decision process regarding procurement methods. After the Board votes on the investment banking syndicate for US 183-A (*Agenda Item C*), the GEC, investment banking syndicate, and CTRMA staff and legal counsel will present to the Board in October different procurement option scenarios for US 183-A. Once a decision is made, the GEC can move forward with the relevant scope of work and budget based on the chosen procurement method.

Chairman Tesch asked whether the previously proposed budget was simply modified from 2 years to 1 year. Mr. Weaver said that was correct, and added that he believed the modification provides forward movement with the US 183-A project, while allowing the Board to continue making policy decisions as the process gets underway. Chairman Tesch clarified that the activities the Board was asked to approve in the modified proposed budget would not be duplicative in light of any procurement process eventually chosen. Mr. Weaver said the Chairman was correct.

The Chairman recognized CTRMA general counsel Brian Cassidy. Mr. Cassidy affirmed that the revised version of the resolution essentially states what Mr. Weaver described. In essence, the \$6.3 million dollar budget as modified by TxDOT input, is merely the items CTRMA is authorized to do. The modified resolution recognizes that the proposed budget is a menu of options, but that the Board is only adopting specific items from that menu as Mr. Weaver discussed. Mr. Weaver added that the resolution requires the entire Board to vote on the work authorization. Mr. Weaver and Mr. Cassidy stated they believed having the full CTRMA Board decide the entire work authorization was directly in line with the goal of additional oversight for this particular decision. Chairman Tesch and Mr. Cassidy briefly discussed the formal approval process, specifically which matters will be decided by the Executive Committee only, and which matters will be decided by the full Board.

Chairman Tesch recognized GEC representative Richard Ridings. Mr. Ridings discussed the changed timetable for various procurement analyses and recommendations. Mr. Ridings asked whether the GEC would need to advance their analysis of procurement options and alternatives. The Chairman clarified for the record that no decisions made under the resolution or proposed modified GEC work authorization would impede various options for procurement (CDA, design-bid-build, or design-build), and that none of the work undertaken prior to the decision would be duplicative under any procurement scenario. Mr. Ridings agreed with the Chairman's assessment. The Chairman and Mr. Ridings then discussed the most appropriate time to make the procurement process decision. Mr. Ridings said the original decision point was scheduled to occur in January, but that receipt of the unsolicited proposal created good reason to accelerate the procurement decision.

Chairman Tesch asked about the timeline for the decision. Mr. Weaver responded staff would be able to present options at the next CTRMA board meeting. The GEC will begin the limited work as discussed, so that timelines are not affected. Chairman Tesch replied that he merely wanted to establish for the record that the decision regarding procurement process was not affecting or delaying the project timeline in any way. Mr. Ridings replied that the opposite was true; rather than slowing down the process, accelerating the procurement decision actually advances the project.

Mr. Robinson inquired whether receipt of the unsolicited proposal affects the decision on procurement process. Mr. Cassidy interjected to clarify that the Board must not discuss any details of the proposal prior to the Board's decision regarding whether to request competing proposals. Mr. Robinson clarified that his specific question was how staff is going to compare design-bid-build to a CDA process, etc. Mr. Weaver said the new CDA process differs significantly from the old EDA process, including the issue of unsolicited proposals. The CDA creates additional flexibility and different decision trees. For example, TxDOT recently carried out in the two-step solicitation process regarding SH 130. After receiving an unsolicited proposal, TxDOT asked for additional submissions of solicitation information from other firms, in addition to the unsolicited proposal, and then finally issued a request for detailed proposals.

Staff plans on presenting various options to the Board. If the Board chooses the unsolicited proposal route, then that will necessitate certain decisions. If the Board decides to engage in its own solicitation process, then that will necessitate decisions similar to those required for unsolicited proposals. Third, if the Board chooses the "CDA-light" option (a form of design-build), or the traditional design-bid-build, then

those options will each necessitate additional information, and different decisions from the first two options. The financial advisors can then advise regarding the financial feasibility and cost of each procurement method scenario. Money spent up front to identify scenario risk is very valuable for accurate procurement method decisions.

Chairman Tesch, Mr. Robinson, and Mr. Ridings engaged in a discussion regarding the fact that the “quickest” alternatives and the least expensive alternatives might not necessarily correlate directly, and that the evaluation process needs to take that fact into account.

The Chairman laid out the resolution approving the modified work authorization, and Mr. Bennett made a motion to approve the resolution as modified. Mr. Robinson seconded the motion. Mr. Gilmore inquired whether the revised budget fully reflected comments and suggestions of TxDOT, and Mr. Ridings replied it did, and that Mr. Russell and Mr. Pensock of TxDOT suggested that the budget for public involvement be reduced. TxDOT, however, is still making comments on the budget which will be incorporated in future drafts. Mr. Cassidy said it was also important to note that the GEC is taking on risk under the contract with CTRMA, namely that if TxDOT refuses to reimburse any of the work under the US 183-A work authorization, the GEC’s job is to work the issue out with TxDOT. Most importantly, such discrepancies are not a cost that will be absorbed by the RMA. The Chairman moved for a vote on the motion to approve the resolution; the motion carried unanimously, and the resolution was adopted.

Before laying out the next agenda item, Chairman Tesch clarified to the public audience that the CTRMA had received an unsolicited proposal for US 183-A, and that the proposal would be addressed at a public meeting as soon as practicable. The Chairman recognized Mayor Pro Tem Phil Duprey of Cedar Park, who said the City of Cedar Park is offering cooperation of its engineers regarding road design. In particular, Cedar Park offers cooperation regarding road design interface with neighborhoods and commercial areas; and frontage roads in commercial areas. Chairman Tesch then recognized Leander Mayor John Cowman. Mayor Cowman said that neighborhood friendliness was also of importance to the City of Leander, and the city was offering its cooperation and input to the CTRMA as well. Chairman Tesch thanked both speakers for their input.

The Chairman informed members of the public audience that as a result of H.B. 3588, substantial published information is now available to communities regarding community participation and financing in transportation projects. He urged cities such as Cedar Park and Leander to take advantage of the opportunity to work with TxDOT regarding financing for community-specific transportation priorities. The Chairman emphasized that the CTRMA was designed to be both an economic development instrument, as well as an instrument for a higher quality of life in the Central Texas region. To achieve these ends, cooperation with local communities is absolutely necessary and must occur early on in the process. The Chairman commented that he believed CTRMA has done a good job of beginning that process, but that it will continue to seek community involvement, suggestions, and feedback.

B. Update on Public Outreach Activities.

Chairman Tesch reported that since the August CTRMA Board meeting, he had met with Representative Mike Krusee, Bob Daigh of TxDOT, and Phil Russell of TxDOT. He

reported that Mr. Lebermann, Mr. Ridings and he also met with TxDOT officials to update them on current CTRMA progress and direction, and to solicit feedback and suggestions. TxDOT has essentially given their approval of CTRMA activities thus far. Chairman Tesch, Representative Krusee, and Texas Transportation Commissioner Robert Nickols spoke at a conference sponsored by the San Antonio Mobility Coalition (SAMCO). The Chairman asked Mr. Weaver and Mr. Ridings to report on additional public outreach activities.

Mr. Ridings clarified that the last draft budget presented to the Board reflected feedback from TxDOT regarding public involvement. The SAMCO meeting illustrated the highlights of the CTRMA public involvement plan, and stressed the critical message that Central Texas only has about 33% of the money it needs to address transportation issues in the region and to solve very serious congestion problems. Stakeholder meetings for US 183-A are scheduled to start the week of September 29, 2003, and Mr. Ridings encouraged the Board to work to send members to as many of the meetings as possible. Mr. Ridings stated that the next 90 days would be very busy on the public outreach front.

Mr. Weaver added that meetings will be held with the top 30 stakeholder groups, plus key elected officials such as county commissioners, state representatives and senators, and CAMPO representatives. Mr. Weaver said Mr. Cassidy and the GEC are creating an explanation, from a procedural standpoint, of how to toll new capacity, or the idea of "conversion." The explanation will highlight the benefits of tolling new capacity, and the substance of that explanation will be useful as Board members attend meetings and field questions.

Mr. Ridings added that meetings with county commissioners would begin the last week of September/first week of October; the remainder of October will include meetings with state representatives and senators, mayors, and city council members, and CAMPO members. The current goal is to have the stakeholder meetings concluded by October 24, 2003.

Chairman Tesch encouraged all CTRMA Board members to participate in meetings. Educating a community where toll roads do not currently exist is a monumental task. Mr. Ridings and the Chairman briefly discussed the merits of toll tag pre-purchasing as a method to both raise revenue and ease congestion/ improve traffic flow when the toll station is operating.

C. Consideration, Discussion and Possible Action on Recommendation for Investment Banking Syndicate for US 183-A Bond Financing.

Pursuant to a previous agenda item (*Agenda Item A*), the Board approved a resolution designating a pool of financial firms eligible for selection for CTRMA projects. The Chairman clarified that Agenda Item of for five of the national firms applying for the senior manager position were held on September 15, 2003. The Chairman recognized Ladd Patillo to present recommendations regarding the US 183-A financing syndicate.

Mr. Patillo explained that he and his colleagues, along with Dan Wegmiller and Wayne Placide of First Southwest Company, as well as authority staff, worked diligently to evaluate all five of firms, commenting that all applicant firms were excellent. The final recommendation is that UBS Financial Services, Inc., serve as senior manager, and that the remainder of the US 183-A syndicate include JP Morgan Securities, Inc., Morgan

Stanley, First Albany Corporation, Southwest Securities, Estrada Hinojosa & Co., Inc., and Siebert, Brandford, Shank & Co. Mr. Mills moved approval of the resolution to adopt the recommendations of Mr. Patillo and First Southwest. Mr. Bennett seconded the motion.

Chairman Tesch then called for discussion regarding the motion. Mr. Weaver stated that he believed Estrada Hinojosa & Co., Inc., and Siebert, Brandford, Shank & Co. both to be minority business enterprises, and Mr. Patillo confirmed their MBE status. Mr. Lebermann said he was curious why Citibank was not mentioned, given the quality of their presentation and previous experience regarding SH 130. Mr. Patillo repeated that the selection process was difficult, and the senior manager was chosen on a variety of factors, including experience; in addition all firms remaining in the certified CTRMA pool will be considered for future projects.

Chairman Tesch called for a vote on Mr. Mills' motion to approve the resolution as drafted; the motion carried unanimously and the resolution was adopted.

V. Discussion and Possible Action on Adoption of DBE/HUB Policies and Procedures.

Mr. Cassidy reported on the status of proposed CTRMA HUB/DBE policies and procedures. Staff was recommending that the Board defer action on this item. Mr. Cassidy and Ms. Erin Davis have been working diligently to draft a DBE policy and business opportunity program that the Board can adopt, but the process has been fairly involved. Mr. Cassidy stated that because CTRMA is receiving both federal and state funds for projects, there are a variety of different requirements that do not necessarily overlap or mesh. Mr. Cassidy asked if Mr. Gilmore and Mr. Robinson, as the policy subcommittee of the Planning Committee, could review the proposed program and make a recommendation to the full CTRMA board at the next general meeting. Mr. Cassidy recognized Erin Davis of Locke Liddell & Sapp for brief background and explanation of the proposed DBE/SBE policy and program as drafted.

Ms. Davis provided an overview of the materials contained in the Board information packet. By way of background, Ms. Davis said she and Mr. Cassidy consulted with a sister agency, the North Texas Tollway Authority, for guidance and history regarding their method adoption of a Business Opportunity Program and Policy ("BOPP"). The proposed CTRMA BOPP is comprised of two separate components: the federal disadvantaged business enterprise, or DBE, program; and the state small business enterprise, or SBE, program. Ms. Davis informed the Board that the requirements of the federal program were detailed as established by federal rule, and apply to any recipient or sub-recipient of federal funds for transportation projects. The proposed BOPP is modeled of the U.S. Department of Transportation's (DOT) model DBE program. The federal components of the proposed BOPP did not substantially change from the original draft presented at the July 30, 2003, CTRMA Planning Committee meeting.

In contrast to the detailed federal guidelines for the DBE program, the proposed state SBE program had very sparse statutory or rule-based requirements. Ms. Davis said the Board is required to adopt a DBE policy statement under federal rule (49 C.F.R. Part 26). The draft DBE policy statement was modeled after a similar statement adopted by Capital Metro, one agency in the Central Texas region that has a DBE program in place as a recipient of federal transportation funds.

According to the NTTA, TxDOT advises that there were two choices regarding implementation of a federal DBE program: the first option is to operate the program under the auspices of

TxDOT's program, as TxDOT is the federally certified entity that currently sets goals for DBE participation in Texas, and also oversees the Texas Unified Certification Program; and the second option is for the CTRMA to create its own, separate DBE that is approved by the federal Department of Transportation. Ms. Davis said time was a great concern regarding a separate DBE program, because such a program would need to first be drafted and then approved by DOT, both of which could take substantial time. Both the NTTA and official at TxDOT encourage the CTRMA enter into a formal arrangement with TxDOT. Ms. Davis concluded that she and Mr. Cassidy recommended that CTRMA pursue entering into the Memorandum of Understanding with TxDOT, a draft of which is included in the Board materials.

Mr. Gilmore said the BOPP was detailed and was a lot to absorb, but that the Policy Subcommittee of the Planning Committee would vet it in detail. Mr. Gilmore inquired whether the involvement of federal money dictated that the CTRMA had to follow federal guidelines. Ms. Davis said that was correct. Mr. Gilmore asked whether the real decision to be made was regarding the state SBE component, and Ms. Davis said that was correct. Chairman Tesch thanked Ms. Davis for her report and laid out the next agenda item.

VI. Discussion and Possible Action on Operational and Financial Issues.

A. Financial

1. Financial Report

Mr. Swayze, of CTRMA accountants Pena Swayze & Co., presented a financial update. Mr. Swayze noted that a separate agenda item addressed issues relating to the budget process. He explained the information contained in the financial report, including available funds and outstanding obligations. Mr. Swayze informed the board that the initial reimbursement payments from TxDOT were issued on a fairly quick turnaround from the time of submission, indicating that the reimbursement process was on track. Timely reimbursements will make the cash flow of CTRMA more efficient. CTRMA also received a fee associated with receipt of the unsolicited proposal for US 183-A. Mr. Swayze recommended the 15th of each month as the cut-off for payment of invoices. Chairman Tesch thanked Mr. Swayze for his report, and laid out the next agenda item.

2. Report on Response of Travis and Williamson Counties to funding requests

Chairman Tesch said the CTRMA previously submitted a request for additional funds to Travis and Williamson Counties, and that both counties appear to have granted the request. Mr. Weaver reported that Travis County approved the request around September 10, 2003, and that Mr. Cassidy was in contact with the Travis County Attorney's office regarding the appropriate interlocal agreements. Mr. Weaver said the Williamson County Commissioners Court has the request as an agenda item set for their next meeting. Mr. Weaver added that Williamson County's situation is slightly different in that they are using FY 2000 general obligation bonds approved for US 183-A. Those funds may be restricted in that money can only be spent on US 183-A activities. Mr. Weaver anticipated that interlocal agreements addressing additional funding from both counties would be presented at the next Board meeting.

Chairman Tesch extended thanks to both Travis and Williamson Counties for granting the funding requests, and asked if Travis County Commissioner Karen Sonleitner was available to speak. The Chairman asked Bob Moore from Travis County Commissioner Dougherty's office to convey thanks to the commissioners. The Chairman then laid out the next agenda item.

(Commissioner Sonleitner addressed the Board at a later point in the meeting to clarify that Travis County had approved the additional funds request, and that an update to the current interlocal agreement may be the best option regarding authorization to issue the additional funds to CTRMA.)

3. Authorization To Negotiate Possible Credit Facilities With Financial Institutions.

Chairman Tesch stated that H.B. 3588 granted regional mobility authorities additional flexibility for financing options. The Chairman recognized Mr. Weaver to report on additional financing options. Mr. Weaver said he, Mr. Cassidy, public finance attorneys at Locke Liddell & Sapp, the financial advisors at First Southwest, Mr. Robinson, and Mr. Mills have explored the possibility of additional financing options, such as revolving lines of credit or similar mechanisms. Mr. Weaver said staff had also approached two local banks to gauge their level of interest.

Mr. Cassidy said that staff is analyzing the nature of the obligation that would be created by borrowing money for an operating line of credit pledged by either US 183-A right-of-way or future bond sales. The two issues are whether such funding mechanisms are possible given the attendant legal obligations, and if so, what are the procedures necessary to do that. The proposed resolution grants staff explicit authority to move forward on the line of credit issue. Mr. Cassidy added that in light of suggested budget and expenditure control recommendations, he recommends adoption of an amendment to the resolution to clarify that the work of staff on this matter is conditioned upon approval of a work authorization by the Executive Committee.

Chairman Tesch thanked all of the consultants for their patience regarding work authorization issues. The Chairman clarified that the intent is to make informed decisions, and not to create any unnecessary procedures resulting in delay. Mr. Cassidy clarified that the resolution was being proposed with the amendment regarding work authorization, and recommended adoption in that form. Mr. Robinson moved approval of the resolution as amended, and Mr. Mills seconded. The motion to approve the resolution carried unanimously, and the resolution as amended was adopted.

4. Consider and adopt Interim Budget Committee recommendations on financial oversight procedures

Chairman Tesch said the CTRMA Interim Budget Committee proposed certain financial oversight procedures to enhance oversight of expenditures. The committee, consisting of Mr. Gilmore and Mr. Robinson, developed proposed procedures regarding review and approval of work and invoices, working with Mr. Bennett (Treasurer) and Mr. Weaver. Mr. Gilmore said the CTRMA is entering a period where it will be spending more project and program money, and

the Board should be aware of new oversight controls. Mr. Gilmore stated that he and Mr. Robinson were making five recommendations intended to provide interim procedures until a permanent Executive Director is appointed. Chairman Tesch commented that in addition to the interim procedures, the Board members still wanted to have a budget work session soon. Mr. Robinson added that many of the interim oversight procedures may change once a permanent Executive Director has been hired.

Mr. Gilmore explained the six recommendations. The first recommendation is that the Board should have significant input into the approval of contracts, scope of work, etc. Second, once the Board approval is received, individual work authorizations will be approved by the Executive Director and the Executive Committee. Third, invoices detailing monthly charges, and a written progress report, will be reviewed by the Executive Director to ensure that the work being billed is authorized and complies with the work authorization and approved budget. Fourth, the Interim Budget Committee will also serve as an invoice review committee. Five, the monthly Board meeting agenda will include an "authorized monthly disbursement report" item; the report will be a list of all invoices and charges authorized by the Interim Budget Committee to be reviewed and approved by the full Board. All checks will be cut and distributed after approval. Six, all Board requests to outside consultants will be directed through the Executive Director to prevent any duplication of efforts and to monitor requests.

Chairman Tesch inquired whether all six recommendations were included in the resolution, and Mr. Cassidy confirmed they were. Mr. Bennett moved adoption of the resolution, and Mr. Robinson seconded. The motion to approve the resolution carried unanimously, and the resolution was adopted.

B. Operational

1. Update on Process for Securing Bond Counsel Services.

Mr. Weaver said public notice was sent to the *Texas Register* that the request for proposal (RFP) for bond counsel services would be available September 26, 2003. The RFP includes a submission deadline of October 17, 2003, with hope of a timely review by the Executive Committee and possible recommendation at the next Board Meeting.

2. Update on Status of Policies and Procedures Revisions after H.B. 3588.

Mr. Cassidy referenced a prior June, 2003, memorandum to Board members highlighting 16-18 items necessary to implement changes authorized under H.B. 3588. Many high-priority items had been accomplished, the most important being revisions and updates to procurement policies. The DBE/SBE is in process, and will hopefully be adopted at the next Board meeting. Mr. Cassidy added that a few of those items, such as criteria for conversion of toll roads, are on hold pending decisions by TxDOT. Waiting for TxDOT's movement on the issue will allow CTRMA to formulate processes that mesh with TxDOT's. A TxDOT rules advisory committee, on which Chairman Tesch currently serves, may be a good forum for addressing those particular issues.

In addition, included in list of the 16-18 items is revising current CTRMA bylaws, such as adding authority for meetings by telephone conference call. Such authority may help expedite decisions, particularly when projects get underway. There are explicit legal requirements for holding such meetings, but the ability to make decisions more often than the regular monthly Board meeting is a valuable tool. Mr. Cassidy asked the Board members to inform him of any additional bylaw issues or revisions to be addressed in the upcoming round of revisions.

VII. Open Comment Period.

Mr. Roger Baker addressed the Board regarding potential risks associated with issuing bonds for transportation-related projects. He shared the results of various studies and the opinions of various academics and economists regarding potential risks in the current world oil production. Mr. Baker commented further that he believed the Board has a responsibility to warn potential investors of the bond risk factors.

Mr. Bruce Byron of the Capital Area Transportation Coalition addressed the Board to invite Board members and members of the public audience to the ground-breaking ceremony for SH 130. Mr. Byron said SH 130 was the beginning of a process to solve the Central Texas traffic congestion problems, and CTRMA provided toll road activities as another important component.

VIII. Executive Session Pursuant to Government Code, Chapter 551.

At approximately 10:35 a.m., Chairman Tesch announced that the CTRMA Board was convening in Executive Session pursuant to Texas Government Code §551.074 to discuss personnel matters, including matters relating to the position of CTRMA Executive Director.

At approximately 11:28 a.m., the CTRMA Board reconvened in open session. Chairman Tesch reported that the Board deliberated concerning personnel matters, but took no action.

IX. Discussion and Possible Action On Hiring of Executive Director.

Chairman Tesch said that the Board would take no action on this particular agenda item.

X. Adjourn Meeting.

Chairman Tesch entertained a motion by Mr. Bennett to adjourn the meeting. Mr. Mills seconded, and the motion carried unanimously and the meeting was adjourned at approximately 11:29 a.m.