



**CENTRAL TEXAS
Regional Mobility Authority**

AGENDA ITEM #3 SUMMARY

Approve the minutes for the July 29, 2012
Regular Board Meeting.

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

Description of Matter:

The Minutes for the July 29, 2012, Regular Board Meeting.

Attached documentation for reference:

Draft Minutes for the July 29, 2012, Special Called 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, July 25, 2012
9:30 A.M.**

The meeting was held at the Cedar Park City Council Chambers at 450 Cypress Creek Road, Cedar Park, Texas 78613. Notice of the meeting was posted July 20, 2012 at the County Courthouses of Williamson and Travis County, with the Secretary of State, on the Mobility Authority website, and on the bulletin board in the lobby of the Mobility Authority's offices 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 9:34 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, and Mr. Charles Heimsath. Mr. David Armbrust was not present for the meeting.

2. Open Comment Period.

No public comments were offered.

3. Approve the minutes for the June 27, 2012, Regular Board Meeting.

Chairman Ray Wilkerson presented minutes for the June 27, 2012, Regular Board Meeting for consideration by the Board. Mr. Jim Mills moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 6-0, and the minutes were approved as drafted.

4. Approve an increase to 75 m.p.h. of the maximum speed limit on the 183A Turnpike.

Mr. Wes Burford presented this item. In 2011, the Legislature authorized an increase in the maximum speed limit from 70 to 75 miles per hour for certain roadways, including the 183A Turnpike. State law procedures for increasing the maximum speed limit require an engineering and traffic investigation (a "speed zone study") by a licensed transportation engineer that meets Texas Department of Transportation criteria set forth in regulations adopted by that agency.

The findings of the Mobility Authority's speed zone study support the existing maximum speed limit of 60 miles per hour for the 183A frontage roads and an

increase in the maximum speed limit to 75 miles per hour for the entirety of the 183A tolled main lanes.

Board action to adopt the recommended 75 mile per hour speed limit is required by state law and the adopted Mobility Authority Policy Code. The increase in the speed limit will become effective when new "75 MPH" speed limit signs are installed along 183A.

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. Approve an advance funding agreement with the Texas Department of Transportation for the HERO Program.

Mr. Andy Martin presented this item. On April 26, 2012, the Texas Transportation Commission approved Minute Order 113074 that authorized an Advance Funding Agreement with the Mobility Authority in a maximum amount of \$4,966,695 in federal and state funds to provide emergency roadside assistance on segments of I-35 and US 183 through the HERO Program. Board approval of this interlocal agreement for funding is required.

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.

6. Approve an amendment to the contract with W.P. Engineering Consultants, Inc., to continue providing services for the HERO Program.

Mr. Andy Martin presented this item. The proposed amendment to the contract with W.P. Engineering Consultants, Inc., the operator of the HERO Program, extends the term of the agreement to July 18, 2015, or until no funding for the HERO Program is available to the Mobility Authority through the Advance Funding Agreement with the Texas Department of Transportation, whichever date is earlier. The amendment also expands the area served by the HERO Program so patrols and emergency assistance services are provided along 12 miles of US 183 between IH-35 and Lakeline Boulevard, and on 55 miles of the IH-35 Corridor between SH 130 on the north and Yarrington Road on the south.

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

7. Approve a work authorization with HNTB Corporation to provide oversight and support for the HERO Program.

Mr. Andy Martin presented this item. The services to be performed by HNTB Corporation under this new work authorization include HERO Program support to manage the HERO Program under TxDOT Surface Transportation Program Metropolitan Mobility (STP MM) funding requirements. These services include general project oversight, oversight of Local Government Project Procedures (LGPP) requirements, and processing reimbursement requests.

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

8. Approve an amendment to the GEC Master Contract with Atkins North America, Inc., to provide continued operations and maintenance, trust indenture, and future project development support.

Mr. Wes Burford presented this item. The proposed amendment to the master agreement would allow use of a letter agreement instead of a formal work authorization to authorize the activities that support operations and maintenance, trust indenture requirements, and development of future projects. Funding and terms for those support activities will be prepared in conjunction with the development of each fiscal year's budget.

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.

9. Approve an amendment to the GEC Master Contract with HNTB Corporation to provide continued operations and maintenance, trust indenture, and future project development support.

Mr. Wes Burford presented this item. The proposed amendment to the master agreement would allow use of a letter agreement instead of a formal work authorization to authorize the activities that support operations and maintenance, trust indenture requirements, and development of future projects. Funding and terms for those support activities will be prepared in conjunction with the development of each fiscal year's budget.

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

10. Accept the financial reports for June, 2012.

Mr. Bill Chapman presented this item. The attached financial reports contain a draft of the final end of year numbers as staff is waiting on additional invoices. There is

nothing unusual to report on the financial reports for June, 2012.

The annual auditing process will begin on August 6 and will last approximately two weeks.

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

Briefing and discussion on the following:

11. Quarterly Briefing on the Manor Expressway Project.

Mr. Eric Ploch with presented this item. Progress on Phase I of the Manor Expressway Project includes: drilled shafts, columns, column capitals, bent caps, pre-stressed concrete beams and steel girder erection, and forming and pouring bridge decks. Various locations of concrete paving, bridge railing, pilasters and mechanically stabilized earth retaining walls have been constructed, in addition to embankment, permanent drainage, illumination and intelligent transportation system conduit, and asphaltic concrete pavement efforts. Construction is 84% complete. Phase I supported 248 jobs during the month of June 2012. Sustainability initiatives used on Phase I include solar-powered traffic control devices, salvage and reuse of embankment on-site, use of local and regional materials, use of warm-mix asphalt pavement and recycled asphaltic pavement, and recycling all reinforcing steel from demolished concrete structures.

Phase II's development has included design progression for both the interim development work and the remainder of the project. Outstanding design elements that are currently being worked on include: Segment 3 plans and bridge design, completing the final geotechnical reports, completing and addressing comments to various retaining wall analyses, and various toll and ITS design elements. The eastbound frontage road excavation and embankment, drainage installation, and construction of the road pavement structure for interim development work have all been completed. Interim development work is expected to be completed on December 22, 2012. Substantial completion of all remaining development work is expected on February 7, 2014. Phase II supported 428 jobs during the month of June 2012. Sustainability initiatives used on Phase II include solar-powered traffic control devices, pavement reuse, reuse of topsoil, wood and steel recycling, utilization of reclaimed or non-treated water, separating waste for landfills, and automated equipment idle shutdown.

12. Quarterly Briefing on the Mopac Improvement Project.

Ms. Heather Reavey presented this item. The environmental assessment process is currently on schedule. An environmental finding from Federal Highway Administration is anticipated in August 2012. During the second quarter of 2012 a project status briefing was given to Austin Fire Department Chief Rhonda Kerr, Austin City Council Member Chris Riley and staff, and Travis County Commissioner Sarah Eckhardt's office. A public hearing was held on May 23 and a formal presentation was given with information on the environmental process, the express lanes alternative, sound walls, project aesthetics, and bicycle and pedestrian mobility improvements. Staff anticipates the Request for Detailed Proposals will be finalized with FHWA and TxDOT concurrence in September 2012. The Mobility Authority will thereafter issue the RFDP to the short-listed teams with the proposals to be due in December 2012.

13. Executive Director's report.

Mr. Mike Heiligenstein presented this item and announced that the Green Initiative Program won the 2012 International Bridge, Tunnel and Turnpike Association (IBTTA) Toll Excellence Award in the category of social responsibility. The official ceremony for the award will take place Monday, September 10, 2012, during the opening session of the IBTTA Annual Meeting in Orlando, Florida. One of the five Toll Excellence Award winners will be named as the winner of the overall President's Award.

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 10:17 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

14. *Discuss 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; Closed Meeting).*
15. *Discuss legal issues relating 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).*
16. *Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation With Attorney).*
17. *Discuss personnel matters as authorized by §551.074 (Personnel Matters).*

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

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

18. Authorize negotiation and execution of a purchase contract, a settlement agreement, or both in a pending eminent domain proceeding to acquire the following described parcel or property interest for the Manor Expressway Project:

Mr. Andy Martin presented this item.

A. Parcel 60 of the Manor Expressway Toll Project, a 1.090 acre tract in Travis County, on the southeast corner of 290E and Parmer Lane, owned by The Butler Family Partnership, Ltd.

Staff recommends authorizing negotiation and execution of a purchase contract, settlement agreement, or both, up to a maximum payment to the owners of \$215,000.00.

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.

B. Parcel 35 of the Manor Expressway Toll Project, a 1.31 acre tract in Travis County, at 9306 Old Manor Road, owned by Arturo Diaz.

Staff recommends authorizing negotiation and execution of a purchase contract, settlement agreement, or both, up to a maximum payment to the owners of \$370,000.00.

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

13. Adjourn Meeting.

Chairman Ray Wilkerson declared the meeting adjourned at 11:14 a.m. with unanimous consent.