



**CENTRAL TEXAS  
Regional Mobility Authority**

## AGENDA ITEM #3 SUMMARY

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Approve the minutes for the August 29, 2012 Regular Board Meeting and the September 13, 2012 Special Called Board Meeting.

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

Description of Matter:

The Minutes for the August 29, 2012, Regular Board Meeting and September 13, 2012, Special Called Board Meeting

Attached documentation for reference:

Draft Minutes for the August 29, 2012, Regular Board Meeting

Draft Minutes for the September 13, 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, August 29, 2012  
9:30 A.M.**

The meeting was held at 301 Congress Avenue, Suite 360, Austin, Texas 78701. Notice of the meeting was posted August 24, 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 9:35 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.

Chairman Ray Wilkerson acknowledged those that worked hard for the MoPac Project.

**2. Open Comment Period.**

No public comments were offered.

**3. Approve the minutes for the July 25, 2012, Regular Board Meeting.**

Chairman Ray Wilkerson presented minutes for the July 25, 2012, Regular Board Meeting for consideration by the Board. Mr. Jim Mills moved for approval, and Mr. David Singleton seconded the motion. The motion carried unanimously 7-0, and the minutes were approved as drafted.

**4. Approve an amended work authorization with HNTB Corporation relating to the 183A Phase II Project.**

Mr. Wes Burford presented this item. The amended work authorization provides for continuation of current on-going activities which include quality control, quality assurance, field inspections, materials testing, and oversight of the contractor. The ongoing activities ensure the 183A Phase II Project is being constructed to the required design and specifications.

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.

**5. Approve an amended work authorization with Atkins North America, Inc., relating to the Bergstrom Expressway Project.**

Mr. Wes Burford presented this item. Under the amended work authorization, Atkins North America, Inc. will provide project management, administrative tasks, and program oversight including coordination with TxDOT, consultants, resource agencies, the TxDOT Environmental Affairs Division, and the FHWA as required for permitting, environmental approval, schematic design review, design alternative analysis, toll systems design support, public involvement support, a portion of CDA procurement management services, and additional activities as specifically requested by the Mobility Authority.

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

**6. Approve an interlocal agreement with the Texas Department of Transportation to provide roadway and facility maintenance services on Mobility Authority roadways.**

Mr. Wes Burford presented this item. The interlocal agreement will have a maximum 37 month term beginning November 1, 2012, and will include services for all of 183A and Manor Expressway after that project is opened for traffic. Services provided will include major routine maintenance activities such as asphalt and concrete repairs, cleaning and sweeping roadway facilities, mowing and roadside vegetation maintenance, and repair of signals, lighting, signing, striping, guardrail and safety appurtenances. In addition, the agreement requires the contractor to maintain all environmentally-sensitive areas and perform emergency and incident maintenance items.

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

**7. Approve an amendment to the interlocal agreement with the Texas Transportation Institute relating to analysis of traffic data provided by INRIX.**

Mr. Wes Burford presented this item. The amendment provides for performance monitoring and evaluation of the INRIX data processing for the MoPac Improvement Project. The INRIX data processing will support the development of performance measures that will be used in the corridor performance evaluation before, during, and after construction. This amendment also extends the expiration date for the contract from August 28, 2012, to August 28, 2013.

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.

- 8. Approve an advance funding agreement with the Texas Department of Transportation for a pilot program to study revenue-neutral variable pricing strategies on 183A to reduce downstream congestion.**

Mr. Tim Reilly presented this item. The U.S. Department of Transportation (USDOT) issued a Call for Projects for FY 2010-2011 under the Value Pricing Pilot Program (VPPP). In response, the Mobility Authority prepared and submitted an application for 183A Downstream Impacts. The Mobility Authority's application was reviewed and evaluated by USDOT and the Project was selected to be funded. The Texas Transportation Commission issued Minute Order No. 110916 at its January 2012 meeting, authorizing the Mobility Authority to enter into an Advanced Funding Agreement (AFA) with TxDOT for implementation and oversight of this Program. The proposed AFA is attached to the draft resolution and provides funding for the VPPP in an amount not to exceed \$1,525,530.00 if all phases of the program are completed, with no financial participation required from the Mobility Authority. The draft resolution authorizes the Executive Director to finalize and execute the proposed AFA on behalf of the Mobility Authority.

- 9. Approve new work authorizations for existing vendors HNTB Corporation, MSX International, Inc., Stantec Consulting Services, Inc., and Telvent USA Corporation to conduct a pilot program to study revenue-neutral variable pricing strategies on 183A to reduce downstream congestion.**

Mr. Tim Reilly presented this item. To implement the 183A Downstream Impacts Program under the Value Pricing Pilot Program (VPPP), the Mobility Authority will require services from HNTB Corporation, MSX International, Inc., Stantec Consulting Services, Inc., and Telvent USA Corporation. These services include general project oversight, oversight of local government project procedure requirements, baseline data collection and monitoring, field trials, network modeling, final analysis, and public outreach activities. The services will be provided through work authorizations or similar agreements within the scope of services established by each consultant's existing contract with the Mobility Authority, at a total cost for all vendors not to exceed \$1,525,530.00. The draft resolution authorizes the Executive Director to negotiate and execute appropriate work orders with these vendors to complete the VPPP.

The Board took action on items 8 and 9 together. Mr. Bob Bennett moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 7-0, and the resolutions were approved as drafted.

**10. Approve an interlocal agreement authorized by the City of Austin relating to sound wall construction on city right of way for the MoPac Improvement Project.**

Mr. Andy Martin presented this item. Development of the MoPac Improvement Project will include sound walls to minimize traffic noise in abutting neighborhoods. The Mobility Authority (through its contractor) will build the sound wall in accordance with approved and agreed plans. After the sound wall is completed, the City will own and maintain the wall. The Mobility Authority will have no continuing obligations with respect to the wall or City right-of-way. The Austin City Council has approved a proposed interlocal agreement that sets out the above terms and mutual obligations of the City and Mobility Authority. The draft resolution authorizes the Executive Director to execute the interlocal agreement approved by the City of Austin.

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

**11. Approve an interlocal agreement authorized by the City of Austin to provide \$100,000 from city funds towards the cost of the MoPac Improvement Project.**

Mr. Andy Martin presented this item. The City of Austin has agreed to provide \$100,000 from the proceeds of the Austin 2010 Proposition 1 Mobility bond funds towards costs incurred by the Mobility Authority in designing the MoPac Improvement Project. Of this amount, \$25,000 will be applied towards the cost of traffic modeling by CDM Smith/WSA, including evaluation of the southbound 5<sup>th</sup> Street/Cesar Chavez Avenue weave. The remaining \$75,000 will be applied towards preparation by HNTB Corporation of a Context Sensitive Design guideline development package for sound walls, new structures, and improvements at local street intersections and crossings. The Austin City Council has approved a proposed Financial Support Agreement that establishes the respective obligations of the City of Austin and the Mobility Authority with respect to this financial support. The draft resolution authorizes the Executive Director to execute the Financial Support Agreement approved by the Austin City Council.

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

**12. Declare certain personal property of the Mobility Authority as salvage or surplus property subject to disposal.**

Mr. Andy Martin presented this item. Chapter 4, Article 10 of the Mobility

Authority Policy Code establishes policies to handle disposition of certain Mobility Authority property that either has little or no value (salvage) or is not required for the authority's foreseeable needs (surplus). Property declared to be surplus or salvage property may be disposed of by sale through a competitive bid or auction or as a trade-in for new, similar property. Surplus or salvage property that cannot be sold may be donated to a civic, educational, or charitable organization, or destroyed or otherwise disposed of as worthless. The draft resolution designates the Mobility Authority's personal property identified by Exhibit 1 to the resolution as salvage and surplus property, and authorizes the Executive Director to dispose of that property consistent with the Mobility Authority Policy Code.

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

**13. Accept the monthly financial reports for July, 2012.**

Mr. Bill Chapman presented this item. Traffic is increasing with almost 2.7 million transactions during the month of August, 2012. There is nothing unusual to report from the financial reports for July, 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:**

**14. Executive Director's report.**

Mr. Mike Heiligenstein reported that the Mobility Authority staff is working with TxDOT and the Texas Transportation Institute (TTI) to develop a Ridesharing Pilot Program on 183A as another Value Pricing Pilot Project approved by the Texas Transportation Commission. TTI will be conducting the work on the pilot program. This program would allow people to use an app on their smart phone to create ridesharing opportunities and make travel decisions.

Proposing state funding for a disabled veterans toll discount or exemption program is an item the board may want to consider as a part of the Mobility Authority's legislative agenda for 2013.

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

Chairman Wilkerson announced in open session at 10:35 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

15. *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).*
17. *Discuss legal issues related to First Baptist Church of Leander, et al v. Texas Department of Transportation, et al; Cause No. D-1-GN-09-001329 in the 201<sup>st</sup> District Court of Travis County, Texas as authorized by §551.071 (Consultation With Attorney).*
22. *Authorize negotiation and execution of a purchase contract to acquire approximately 10 acres abutting Old Manor Road for use by the Mobility Authority as a long-term storage yard for materials and equipment, discussed pursuant to §551.072 (Deliberation Regarding Real Property; Closed Meeting) and §551.071 (Consultation with Attorney; Closed Meeting).*

The Board reconvened in open meeting at 11:30 a.m., and Chairman Wilkerson announced that no action was taken in Executive Session.

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

**21. Authorize negotiation and execution of settlement agreement and a purchase contract for the Manor Expressway Project of the following parcel or property interest:**

Mr. Andy Martin presented this item. Mr. David Armbrust abstained from items 21A, 21B, and 21C.

**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 \$239,356.00.

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 58 of the Manor Expressway Toll Project, a 1.112 acre tract in Travis County, on the southwest 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 \$627,487.00.

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.

**C. Parcel 61 of the Manor Expressway Toll Project, a 14.084 acre tract in Travis County, on the northeast 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 \$2,815,422.00.

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.

**22. Authorize negotiation and execution of a purchase contract to acquire approximately 10 acres abutting Old Manor Road for use by the Mobility Authority as a long-term storage yard for materials and equipment.**

Mr. Andy Martin presented this item. The Mobility Authority has identified an opportunity to acquire approximately 10 acres on the north side of Old Manor Road near its intersection with Daffan Lane, south of the Manor Expressway, at a price of \$90,000.00 per acre. The final acreage and configuration to be negotiated as needed by the Executive Director. The site could be used as a storage yard for Mobility Authority materials and equipment that will be needed to operate and maintain the Manor Expressway and other current and future roadways operated by the Mobility Authority. The draft resolution approves acquiring the ten acres on the terms described above.

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

**23. Approve the release of a 0.3045 acre drainage easement abutting 183A to Pecan Grove SPVEF, L.P.**

Mr. Andy Martin presented this item. On July 27, 2007, Pecan Grove SPVEF, L.P. conveyed a drainage easement over Parcel 61 DE (0.3405 acres of one acre of land) to the Mobility Authority for the nominal cost of \$10.00. Pecan Grove SPVEF, L.P. requested that the Mobility Authority review and evaluate the need for that drainage easement and, if not needed, convey the parcel back to Pecan Grove SPVEF, L.P. Staff for the Mobility Authority reviewed the request and determined



that the drainage easement is not needed. The draft resolution authorizes release of the drainage easement to Pecan Grove SPVEF, L.P.

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.

#### **24. Adjourn Meeting.**

Chairman Ray Wilkerson declared the meeting adjourned at 11:36 a.m. with unanimous consent.

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

**Thursday, September 13, 2012  
11:30 A.M.**

The meeting was held by telephone conference call audible to all members of the public present in the Large Conference Room in Suite 650, 301 Congress Avenue, Austin, Texas 78701. Notice of the meeting was timely posted on September 10, 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 11:30 a.m. and called the roll. Directors present on the telephone conference call when the meeting was called to order were Chairman Wilkerson, Vice Chairman Jim Mills, Mr. David Singleton, Mr. David Armbrust, and Mr. Charles Heimsath. Chairman Wilkerson confirmed that each director on the telephone conference call could hear every other director and those present in the Large Conference Room, and that each director's voice was audible and identified to the public in the Large Conference Room. Ms. Nikelle Meade and Mr. Bob Bennett were not present for the meeting.

**2. Open Comment Period.**

No public comments were offered.

**3. Approve the financial assistance agreement with the Texas Department of Transportation for funding to develop and build the Mopac Improvement Project.**

Mr. Brian Cassidy presented this item. On August 30, 2012, the Texas Transportation Commission gave final approval for a toll equity grant to the Mobility Authority, to provide \$197.6 million in financial assistance to the MoPac Improvement Project. Negotiations on the final terms and conditions of the Financial Assistance Agreement between TxDOT and the Mobility Authority (the "FAA") were completed on September 7, 2012. The Executive Director recommends Board approval of the proposed FAA.

This resolution approves the proposed Financial Assistance Agreement and authorizes the Executive Director to execute it on behalf of and for the Mobility Authority.

Mr. Jim Mills moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously 5-0, and the resolution was approved as drafted.

**4. Adjourn meeting.**

Chairman Ray Wilkerson declared the meeting adjourned at 11:34 a.m. with unanimous consent.