



**CENTRAL TEXAS
Regional Mobility Authority**

September 7, 2016
AGENDA ITEM #8

Approve the minutes for the July 27, 2016
Regular Board Meeting

Strategic Plan Relevance: Regional Mobility
Department: Legal
Contact: Geoffrey Petrov, General Counsel
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on motion to approve minutes

Summary:

Approve the attached draft minutes for the July 27, 2016 Regular Board Meeting.

Backup provided: Draft Minutes, July 27, 2016 Regular Board Meeting.

MINUTES
Regular Meeting of the Board of Directors of
the
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
Wednesday, July 27, 2016
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 July 22, 2016 at the respective County Courthouses of Williamson and Travis Counties; 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.

An archived copy of the live-streamed video of this meeting is available at: <http://www.mobilityauthority.com/about/vod.php>

NOTE: Chairman Wilkerson announced that Item 27 had been tabled.

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 9:03 a.m. with the following Board Members present: James H. Mills, Bob Bennett, David B. Armbrust, David Singleton, Nikelle Meade, and Charles Heimsath via telephone.

2. Opportunity for Public Comment.

Public comment by Bob Moore, on behalf of Travis County Commissioner Daugherty.

Public comment by Vikki Goodwin, Shady Hollow resident.

Public comment by Mark Jones, Hays County Commissioner.

Public comment by Don Barber, Rep. Paul Workman's Chief of Staff.

Regular Board Items

- 3.** Approve the minutes for the June 15, 2016, Regular Board Meeting and July 11, 2016 Special Board Meeting.

MOTION: Approval for June 15, 2016 Regular Board Meeting minutes and July 11, 2016 Special Board Meeting.

RESULT: Approved (Unanimous); 7-0

MOTION BY: Jim Mills

SECONDED BY: Bob Bennett

AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.

NAY: None

- 4.** Accept the financial statements for May 2016 and June 2016.

Speaking on: Mary Temple, Controller and Bill Chapman, Chief Financial Officer

MOTION: Accept the financial statements for May 2016 and June 2016.
RESULT: Approved (Unanimous); 7-0
MOTION BY: David Singleton
SECONDED BY: Nikelle Meade
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-046

5. Approve an Interlocal Agreement with the Texas Department of Transportation to co-locate personnel for the purposes of serving Pay-by-Mail customers of both Agencies.

Speaking on: Tracie Brown, Customer Care & Toll Operations Manager.

MOTION: Approve an Interlocal Agreement Texas Department of Transportation to co-locate personnel for the purposes of serving Pay-by-Mail customers of both Agencies.
RESULT: Approved (Unanimous); 7-0
MOTION BY: Nikelle Meade
SECONDED BY: David Singleton
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-047

6. Approve an Interlocal Agreement with the Texas Department of Transportation for off-site materials, independent assurance, and skid and permeability testing.

Speaking on: Justin Word, P.E., Director of Engineering.

MOTION: Approve an Interlocal Agreement with the Texas Department of Transportation for off-site materials, independent assurance, and skid and permeability testing.
RESULT: Approved (Unanimous); 7-0
MOTION BY: Bob Bennett
SECONDED BY: Nikelle Meade
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-048

7. Approve a contract and Work Authorization No. 1 with CP&Y to provide design services for 290E Phase III.

Speaking on: Justin Word, P.E., Director of Engineering.

MOTION: Approve a contract and Work Authorization No. 1 with CP&Y to provide design services for 290E Phase III.

RESULT: Approved (Unanimous); 7-0
MOTION BY: Nikelle Meade
SECONDED BY: Bob Bennett
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-049

8. Consider and take appropriate action on a Memorandum of Agreement with Capital Metro and Capital Area Metropolitan Planning Organization to implement the Park and Ride Initiative.

Speaking on: Justin Word, P.E., Director of Engineering.
Ashby Johnson, Executive Director CAMPO; Linda Watson, President and CEO of CapMetro; and Todd Hemingson, Vice President of Strategic Planning & Development for CapMetro, made additional remarks in support of the Memorandum of Agreement.

MOTION: Approve a Memorandum of Agreement with Capital Metro and Capital Area Metropolitan Planning Organization to implement the Park and Ride Initiative.

RESULT: Approved (Unanimous); 7-0
MOTION BY: Nikelle Meade
SECONDED BY: Jim Mills
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-050

9. Approve a Parameters Resolution to finance the design and construction of 290E, Phase III.

Speaking on: Bill Chapman, Chief Financial Officer

MOTION: Approve a Parameters Resolution to finance the design and construction of 290E, Phase III.

RESULT: Approved (Unanimous); 7-0
MOTION BY: Bob Bennett
SECONDED BY: David Singleton
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-051

10. Authorize the reimbursement of financing expenditures for 290E, Phase III.

Speaking on: Bill Chapman, Chief Financial Officer.

MOTION: Authorize the reimbursement of financing expenditures for 290E, Phase III.
RESULT: Approved (Unanimous); 7-0
MOTION BY: David Singleton

SECONDED BY: David Armbrust

AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-052

11. Authorize the reimbursement of financing expenditures for 183A, Phase III.

Speaking on: Bill Chapman, Chief Financial Officer.

MOTION: Authorize the reimbursement of financing expenditures for 183A, Phase III.

RESULT: Approved (Unanimous); 7-0

MOTION BY: David Singleton

SECONDED BY: Nikelle Meade

AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, Bennett, and Meade.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-053

NOTE: CTRMA Executive Director Mike Heiligenstein introduced Chris Miller, Executive Director of North East Texas Regional Mobility Authority (NETRMA).

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session that the Board would recess the open meeting at 9:40 a.m. and reconvene in Executive Session to deliberate the following items:

12. Discuss acquisition of one or more parcels or interests in real property needed for the Bergstrom Expressway (183 South) Project and related legal issues, including consideration of the use of eminent domain to condemn property, pursuant to §551.072 (Deliberation Regarding Real Property; Closed Meeting) and §551.071 (Consultation with Attorney; Closed Meeting).
13. 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).
14. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
15. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

The Board then recessed into an executive session in the Williamson Conference Room.

After completing the executive session, the Board reconvened in open meeting at 11:45 a.m. in the Lebermann Board Room.

NOTE: Board Member David Singleton left during Executive Session.

16. Discuss and consider authorizing the Executive Director to take any and all actions necessary to enforce the terms of the design-build contract with CH2MHill.

Speaking on: Jeff Dailey, Deputy Executive Director.

MOTION: Authorize the Executive Director to take any and all actions necessary to enforce the terms of the design-build contract with CH2MHill.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Jim Mills

SECONDED BY: Nikelle Meade

AYE: Wilkerson, Armbrust, Heimsath, Mills, Bennett, and Meade.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-054

17. Consider amendments to the CTRMA Policy Code regarding the Executive Director's procurement and contracting authority.

Speaking on: Geoff Petrov, General Counsel.

MOTION: Consider amendment to the CTRMA Policy Code regarding the Executive Director's procurement and contracting authority.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Jim Mills

SECONDED BY: David Armbrust

AYE: Wilkerson, Armbrust, Heimsath, Mills, Bennett, and Meade.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-055

18. Consider award of a contract for the construction of the SH 45 Southwest Project.

Speaking on: Justin Word, P.E., Director of Engineering.

NOTE: Board Member David Armbrust offered an amendment to the resolution preceding the vote, requiring the project financing plan and an additional avian survey to be completed prior to the start of construction.

MOTION: Consider award of a contract for the construction of the SH 45 Southwest Project.

RESULT: Approved (Unanimous); 6-0

MOTION BY: David Armbrust

SECONDED BY: Nikelle Meade

AYE: Wilkerson, Armbrust, Heimsath, Mills, Bennett, and Meade.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-056

19. Consider award of a contract for Construction Engineering and Inspection Services for the SH 45 Southwest Project.

Speaking on: Justin Word, P.E., Director of Engineering.

NOTE: Board Member Nikelle Meade recused herself from voting.

MOTION: Consider award of a contract for Construction Engineering and Inspection Services for the SH 45 Southwest Project.

RESULT: Approved (Unanimous); 5-0

MOTION BY: Jim Mills

SECONDED BY: David Armbrust

AYE: Wilkerson, Armbrust, Heimsath, Mills, and Bennett.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-057

20. Consider award of a contract for Independent Environmental Compliance Management services for the SH 45 Southwest Project.

Speaking on: Justin Word, P.E., Director of Engineering.

MOTION: Consider award of a contract for Independent Environmental Compliance Management services for the SH 45 Southwest Project

RESULT: Approved (Unanimous); 6-0

MOTION BY: Bob Bennett

SECONDED BY: David Armbrust

AYE: Wilkerson, Armbrust, Heimsath, Mills, Bennett, and Meade.

NAY: None

ADOPTED AS: RESOLUTION NO. 16-058

21. Consideration of the use of eminent domain to condemn property: Declare a public necessity to acquire the following described parcels of land, or interests therein, for the 183 South (Bergstrom Expressway) Project; and with respect to each such parcel or interest therein, authorize any of the following actions: (i) acquisition through negotiation or by the use of eminent domain to condemn the parcel or interest therein; (iii) execution of a contract to purchase, and (ii) execution of a possession and use agreement:

- a. Parcel E13A of the 183 South (Bergstrom Expressway) Project, a 0.123 acre parcel of real estate, owned by New Century Investment, LLC and Braker-Park, LP, and located at 6000 FM 969 in Austin, TX 78724.

MOTION: Authorize the use of the power of eminent domain to acquire an easement interest in Parcel E13A, 0.1233 acre parcel, located at 6000 FM 969, at the northeast corner of US 183, Austin, Travis County, for public use to install City of Austin water utilities related to the expansion, construction, operation, and maintenance of Highway 183 South, a state highway project, by adopting the

resolution provided as backup for Agenda Item 21-A.

RESULT: Approved (Unanimous)
MOTION BY: Nikelle Meade
SECONDED BY: Charles Heimsath
AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Mr. Heimsath, and Ms. Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-059

- 22.** Authorize negotiation and execution of a contract to purchase each of the following described parcels or property interests for the 183 South (Bergstrom Expressway) Project:
- a. Parcel 147AC of the 183 South (Bergstrom Expressway) Project, a 379 +/- feet denial of access from a 1.159 acre parcel of real estate, **owned by KAF Development**, and located at 609 S. Hwy 183, in Austin, TX 78741.

NOTE: No action was taken on this item. Item 22 was tabled for consideration at future meeting.

Briefing and Discussion on the Following:

- 23.** Presentation on the July 19, 2016 sale of Subordinate Lien Revenue Refunding Bonds, Series 2016.

Speaking on: Bill Chapman, Chief Financial Officer

- 24.** MoPac Improvement Project.

Speaking on: Jeff Dailey, Deputy Executive Director, presented an overview of progress and key work activities stating that the completion and opening of the northbound express lanes Interim Milestone was not met. He noted workforce dropped significantly during the last week in July. CH2M has been directed to provide a recovery schedule which should result in additional resources. CH2M's stated goal was to complete and open the northbound express lanes in August.

- 25.** Oakhill Parkway Public Outreach.

Speaking on: Dee Anne Heath, Director of External Affairs Media Relations

- 26.** Executive Director's Report.

- a. SH 45 North / IH-35 direct connectors.

- 27.** Wire One Austin, Presentation by Jared Ficklin as requested by Board Members David Armbrust and Nikelle Meade.

NOTE: Item 27 was tabled for consideration at a future meeting.

After confirming that no member of the public wished to address the Board, Chairman Wilkerson declared the meeting adjourned at 12:23 p.m.