

ALAMO REGIONAL MOBILITY AUTHORITY

Meeting, October 12, 2005, Noon, in the Greater Kelly Development Authority Main Conference Room, 143 Billy Mitchell Blvd., Suite 6, San Antonio, Texas

MINUTES

- 1. Call Meeting to Order.** Chairman B.Thornton called the meeting to order at 12:03 p.m. All members were in attendance.
- 2. Approval of AlamoRMA August 10, 2005 and September 14, 2005 Board of Directors Meeting and September 6, 2005 Special Meeting of the Board of Directors Minutes.** Chairman Thornton asked for any comments, additions or corrections to the three (3) sets of minutes. *W. McBride made the motion to accept the AlamoRMA minutes of August 10, 2005, September 6, 2005, and September 14, 2005. R. Thompson seconded. Motion passed.*
- 3. Briefing, discussion and appropriate action on the Public Information Initiative.** T. Griebel, Executive Director, introduced the item by saying the board had previously discussed the Public Information Initiative. The purpose of the Public Information Initiative is to conduct a statistically valid survey that will determine information needed to inform the public. He introduced Marc Delsignore, Vice-President of Baselice and Associates, who has worked with K. Morris, Taylor and Associates and consultant to the RMA, to perform the survey. M. Delsignore presented a power point presentation titled "Bexar County Voter Survey". He presented background on how the survey was conducted, the number of individuals contacted and interviewed, and the methodology. He first discussed the focus group and how information gathered was used to develop the final survey questionnaire. M. Delsignore explained the objectives of the survey, and numerous categories such as: Awareness levels, knowledge of toll lanes, traffic congestion, how toll lanes may be paid for, why voters favor or oppose toll lanes, operating a toll system using public money vs. private companies, and conclusions.

Citizen speaker, Mike Gravett, resident in the US 281 Stone Oak area, said he is not well informed due to being unable to get the information being considered by the board. He understands some information cannot be disseminated in draft form, but there is a great deal of information available that is not getting to the public. He also fears the development of toll lanes will result in increased travel time for drivers choosing not to use the toll lanes.

Board members R. Thompson, R. Diaz, M.C. Rodriguez, J. Reed, and W. McBride commented favorably on various aspects of the survey, the findings of the survey, and the professional delivery of the presenter.

T. Griebel said the information gained from this survey will lead the RMA, through its consultants, to develop a framework to move forward on Phase 1-A and 1-B of the Public Information Initiative as outlined in the 2006 RMA Work Plan approved in September 2005.

Chairman Thornton acknowledged the presence of County Commissioner Tommy Adkisson and asked him to address the board. Commissioner Adkisson said he appreciates the work of the RMA board. He discussed the issue of having informed citizens regarding toll lanes and the more citizens and voters understand toll lanes the more they will support toll lanes. He is disturbed by the mood of individuals who feel TxDOT is moving at its own pace and not letting the process “breathe”. He supports an independent review and is concerned about the public’s perspective about the role of special interests when projects such as toll roads are rushed. In closing his remarks, Commissioner Adkisson said he is looking for a new appointee to the RMA board and suggested that names of individuals be sent to his office for consideration.

Chairman Thornton thanked Commissioner Adkisson for his time and his comments. Other board members expressed their appreciation to the commissioner for his efforts in working with the AlamoRMA in this initial period of developing toll lanes in Bexar County.

Chairman Thornton asked for the record to reflect the survey was presented and received.

J. Reed made the motion to authorize the Executive Director to proceed with Phase 1 – A of the Public Information Initiative. R. Diaz seconded. Motion passed.

4. Discussion and appropriate action on the AlamoRMA’s input on issues to be addressed in a possible CDA – Concession Agreement for the development, design, construction, finance, maintenance and operation of tolled, managed lanes on Loop 1604 from SH 151 to I – 10 and on US 281 from Loop 1604 to north of Borgfeld Road. J. Reed, Planning Committee chairman, called the board’s attention to a handout in the board packets, “Alamo Regional Mobility Authority: Issues Identified as being Appropriate for Inclusion in any CDA Concession Agreement”. The handout is the result of at least four (4) months work of the Planning Committee. The development of these issues began when the RMA was informed of a CDA proposal was received by TxDOT. Listed are issues the AlamoRMA has identified as being appropriate for inclusion in any CDA concession agreement. J. Reed reviewed and elaborated on issues that ranged from construction delays and design criteria to financial considerations and audit requirements. Participants included in the development process included: COSA, Bexar County, MPO, and TxDOT. He said at least 40 issues have been identified and they can be placed in to four (4) major categories. J. Reed recommended this handout be formalized and accepted by the board as guidelines for working through future CDA concessionaire agreements.

Citizen speaker, M. Gravett, spoke of the information that is unavailable to the general public. He understands how information is constantly changing and how unofficial draft documents may even contribute to misunderstandings by the public. M.Gravett would like to have current information placed on websites so it can be accessed.

H. Munoz made the motion to accept the report by J. Reed and the issues presented to be included in any CDA concession agreement. W. McBride seconded. Motion passed.

Chairman Thornton asked the executive director to formally transmit the AlamoRMA's listing of CDA issues to TxDOT and copy the City of San Antonio and Bexar County.

5. Discussion and appropriate action on the AlamoRMA's participation and obligations in providing local input in the CDA review and selection process. T. Griebel began by saying he had requested this item be placed on the agenda for public discussion as it pertains to the commitment board members and staff will make when signing the Confidentiality Agreement. He explained the process to be followed. An all-day training session is required.

B. Cassidy, legal counsel, prefaced his remarks by clarifying his understanding of TxDOT procedures dealing with a CDA proposal and under what circumstances TxDOT will have to notify the RMA in writing with an explanation.

B. Cassidy continued by asking board members to review the handout in their packets. The handout is titled, "Transportation Code Chapter 370 – CDA Confidentiality Provisions" describing the requirements of the process for the signing and adherence to the Confidentiality Agreement. He mentioned the subchapters of the agreement which clarify which aspects of the CDA proposal are confidential and remain confidential until a formal contract is signed.

Chairman Thornton asked about the amount of the CDA review process would occur in San Antonio versus what has to be reviewed in Austin. F. Holtzmann, TxDOT Engineer, responded by describing the make-up and duties of the subcommittees. He also explained how the proposal moves through the various committees as well as any recommendations made by the committees.

Chairman Thornton invited H. Munoz, RMA Finance Committee chairman, to be a part of the Finance Review Committee for CDA proposals.

A question from W. McBride on how to handle confidential information was addressed by B. Cassidy. He provided guidance on discussing confidential with only those who have signed a Confidentiality Agreement. He said telephone conversations are permitted. With regard to e-mail and cell phone conversations, B. Cassidy said additional information will be forthcoming.

6. Discussion and appropriate action on the financial statements for the period ending September 30, 2005. J. Lopez, Comptroller, presented and reviewed the Balance Sheet; Statement of Revenue, Expenses and Changes in Fund Deficit; and the Statement of Cash Flow for the period ending September 30, 2005. *J. Reed made the motion to accept the financial statements for the period ending September 30, 2005, as presented. M.C. Rodriguez seconded. Motion passed.*

H. Munoz asked about the repayment plan to the City of San Antonio and Bexar County for the AlamoRMA start-up loans. T. Griebel said repayment plans are outlined in the Interlocal Agreements with COSA and Bexar County. Repayment would occur at the time the AlamoRMA issues bonds or at the time an agreement is signed with a CDA concessionaire.

W. McBride inquired about the status of the State Comptroller's Report on the RMA. T. Griebel said the report is complete and awaiting release by the State Comptroller. He is confident the report, when released, will be favorable.

7. Discussion and appropriate action on executive director position announcement. This item was discussed in Executive Session.

8. Citizens' Communications. M. Gravett requested copies of the draft documents presented at today's meeting so that he could share this information with his homeowner's association. It was indicated that the material would be posted on the Authority's web site.

9. Presentation/briefing – Executive Director Report. T. Griebel advised the board of the November 8th voting on Constitutional Amendments and in particular Proposition 9, which would authorize the legislature to provide for a six-year term for a board member of a regional mobility authority.

10. Executive Session.

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The AlamoRMA Board of Directors met in Executive Session at 2:15 p.m.

Pursuant to Chapter 551, Subchapter D, Texas Government Code: B. Section 551.072. Personnel Matters – Deliberation concerning the appointment, employment, reassignment, evaluation, duties discipline, and/or dismissal of personnel.

The Executive Session concluded at 3:05 p.m. *No action was taken.*

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Chairman Thornton called the regular monthly meeting back to order.

7. Discussion and appropriate action on the executive director position announcement. Chairman Thornton said the executive director position was discussed in executive session. He asked board members for any comments or motions on this item. *H. Munoz made the motion to extend the deadline for receiving applications for the position of executive director of the AlamoRMA until October 31, 2005. R. Thompson seconded. Motion passed.*

There being no further business to come before the AlamoRMA board, Chairman Thornton adjourned the meeting at 3:12 p.m.

APPROVED:

**BILL THORNTON, CHAIRMAN
ALAMO REGIONAL MOBILITY AUTHORITY**

DATE ADOPTED: _____

I hereby certify that the above foregoing pages constitute the full, true and correct minutes of all the proceedings and official records of the Alamo Regional Mobility Authority at its board meeting on October 12, 2005.

ATTEST: _____
**M. CRISTINA RODRIGUEZ
SECRETARY/TREASURER**