

# **AGENDA**

## **GENERAL MEETING OF THE BOARD OF DIRECTORS OF THE ALAMO REGIONAL MOBILITY AUTHORITY**

**TransGuide  
3500 N.W. Loop 410  
1<sup>st</sup> Floor Meeting Room  
San Antonio, Texas**

**Tuesday, October 10, 2007  
12:00 PM**

- 1) Call meeting to order.
- 2) Approval of the Minutes of the Alamo RMA September 18, 2007 Board of Directors Meeting.
- 3) Discussion and appropriate action regarding a resolution requesting the Texas Transportation Commission transfer US 281 to the Alamo RMA. (Terry Brechtel)
- 4) Discussion and appropriate action regarding a resolution approving Policies and Procedures for Toll collection Operations on the Alamo RMA Toll Lane System. (Terry Brechtel)
- 5) Discussion and appropriate action regarding a resolution approving a stipend payable to unsuccessful short listed Request for Proposal.
- 6) Discussion and appropriate action regarding a resolution approving Milo Nitschke, Chief Financial Officer, as an added signature to the Frost Bank accounts. (Terry Brechtel)
- 7) Discussion and appropriate action regarding a resolution approving the Alamo RMA's intent to reimburse itself for expenditures made from operating sources during fiscal year 2008 from bond proceeds to be issued in the future to finance capital improvements. (Terry Brechtel/Milo Nitschke)
- 8) Discussion and appropriate action regarding a resolution approving the ICMA Deferred Compensation Plan Administrative Document and removal of Nationwide Retirement Solutions Deferred Compensation Plan. (Terry Brechtel/Carrie Conner)
- 9) Discussion and appropriate action on the financial statements for the period ending August 31, 2007. (Carrie Conner)
- 10) Citizens' Communications (citizens must sign the register to speak)

11) Presentation/briefing - Executive Director Report. (Terry Brechtel)

12) Executive Session - Pursuant to Chapter 551, Subchapter D, Texas Government Code:

- A. Subsection 551.071(1). Consultation with Attorney – Consultation with, and advice from legal counsel concerning pending/contemplated litigation, settlement offers and negotiations, and other legal issues.
- B. Section 551.074. Personnel Matters – Deliberation concerning the appointment, employment, reassignment, evaluation, duties, discipline, and/or dismissal of Executive Director and other personnel.
- C. Section 551.072. Deliberation Regarding Real Property - Discussion of real property purchase, exchange, lease, gift, donation, and/or negotiated settlement, including property to be acquired for right-of-way.

Adjournment

## **NOTES**

Agenda item numbers are assigned for ease of reference only, and do not necessarily reflect the order of their consideration by the Alamo RMA Board of Directors.

### **ALAMO REGIONAL MOBILITY AUTHORITY ACCESSIBILITY STATEMENT FOR DISABLED PERSONS**

This meeting site is accessible to disabled persons as follows: Entrance to TransGuide is accessible through the main entrance at 3500 N.W. Loop 410. Parking spaces reserved for the disabled are located at the main entrance. Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services, such as interpreters for persons who are deaf or hearing impaired, and readers of large print or Braille, are requested to contact Joelle Sierra at (210) 495-5256 at least two working days prior to the meeting so that appropriate arrangements can be made.

Presenters with audiovisual needs are requested to contact Joelle Sierra at (210) 495-5256, at least two working days prior to the meeting. Public comment on agenda items – interested persons may speak on any of the agenda items provided they have signed the register available at the entrance of the meeting prior to consideration of that item by the board. The Chairman may limit the amount of time allowed for each speaker. Public comment that does not relate to a specific agenda item must be made during the Citizens' Communications period provided that speakers have signed the register available at the entrance of the meeting prior to speaking.

Posted: September 14, 12:00 p.m.

**AGENDA**  
**GENERAL MEETING OF THE BOARD OF DIRECTORS**  
**OF THE**  
**ALAMO REGIONAL MOBILITY AUTHORITY**  
**Supplemental Posting**

**TransGuide**  
**3500 N.W. Loop 410**  
**1<sup>st</sup> Floor Meeting Room**  
**San Antonio, Texas**

**Wednesday, October 10, 2007**  
**12:00 PM**

**Notice is hereby given that the Alamo Regional Mobility Authority Board of Directors meeting will be held on Wednesday, October 10, 2007.**

**This corrects an erroneous day statement on the previous posting.**

**All agenda items remain the same.**

**Originally posted at the Bexar County Courthouse on Friday, October 5, 2007 at 2:08 p.m.**

**ALAMO REGIONAL MOBILITY AUTHORITY ACCESSIBILITY STATEMENT FOR DISABLED PERSONS**

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## Alamo Regional Mobility Authority

Meeting September 18, 2007, noon, in the Transguide, 1<sup>st</sup> Floor Conference Room, at 3500 N.W. Loop 410.

### Minutes

1. **Call meeting to order.** Chairman Thornton called the meeting to order at 12:05 pm. All Board members present with the exception of H. Muñoz.
2. **Approval of the Minutes of the Alamo RMA August 8, 2007 Board of Directors meeting.** *J. Reed made the motion to approve the minutes as presented. J. Jenkins seconded. Motion carried.*
3. **Presentation to the Board on the proposed schedule for the development of the 281 N toll project.** T. Brechtel presented to the Board the proposed schedule for the development of the 281 N toll project. T. Brechtel went over who the RMA is accountable to, the environmental schedule, and some of the benefits of going through the Market Valuation Study. T. Brechtel stated that the Study establishes transparency in the process for the business terms that will be involved with the development of the project. The terms will be made public and will go before the Metropolitan Planning Organization (MPO). The terms will include the initial toll rate, the escalation methodology, and how the toll rates will increase over the life of the Bonds. T. Brechtel went over the timeline for the Market Valuation and the roll of the MPO and TxDOT. T. Brechtel stated that following the Project schedule, the RMA is projecting to brief the Board in the October Board meeting. The RMA would then take the Market Valuation to the MPO for its 1<sup>st</sup> reading in October and then the 2<sup>nd</sup> reading and approval of the Business Terms by the MPO will be in December. T. Brechtel stated the other elements of the Project Development Agreement (PDA) between the Alamo RMA and TxDOT, and the transfer request. On August 26, the Texas Transportation Commission (TTC) approved the reallocation of the Alamo RMA existing loan funds, through financial assistance agreement 3. T. Brechtel stated that this month the RMA will be working closely with TxDOT to develop the project development agreement, to finalize a draft of the Project Development Agreement document, and to finalize the terms and conditions under which the RMA will be requesting transfer or use of the right of way to develop the project. T. Brechtel went over the bond financing process in the bond financing portion of the Design/Build project development schedule.

L. Schietinger, Project Manager for the RMA's GEC, HNTB, went over the benefits of doing a Design/Build RFQ for both the Alamo RMA and the potential proposers. She explained to the Board some aspects of what the RMA will be looking for when choosing a proposer. L. Schietinger explained the project development timeline and process after the RFQ has been approved. L. Schietinger also explained the process that will be taken for choosing a final proposer and initiating a final contract.

Chairman Thornton wanted to know if the technical committee will know who the proposers are when they are reviewing the proposals for value, knowledge and quality of work. L. Schietinger informed him that yes the technical committee will know who the proposers are, but they will not know the pricing. Pricing will be seen by a Pricing Committee. That committee will be a blind committee so they will see the price; however, they will not know who the proposers are. The Senior Advisory Committee will be the only Committee that see's both the price and the proposer.

Chairman Thornton wanted to know why from last month to this month di

<http://www.myfoxaustin.com/myfox/d> the project schedule get pushed back from a January start date to an April start date. T. Brechtel informed the Chairman that last month the RMA was looking at a project development schedule that would have been a Bid Build procurement. The RMA saw an economic opportunity to take the project from Stone Oak Parkway to Marshall Road, and to also have a chance to make some small design changes. By going with the Design/Build procurement, it enables the RMA to go farther, and fix the small design issues.

J. Reed, Planning Committee Chair, stated that he feels good about the planning work that has been done. The Planning committee has worked with staff on developing the schedule and while the schedule may be very aggressive he believes that it is doable.

*A copy of the presentation is on file with this item.*

4. **Discussion and appropriate action regarding a resolution amending the Policies and Procedures Governing Procurement of Goods and Services by the Alamo RMA.** B. Cassidy, General Counsel for the Alamo RMA, stated that with the new 2007 law changes taking effect, the Good and Services Polices and Procedures document had to be modified and cleaned up. Most of the changes made to the document were language cleanup, and clarification. Section 9 of the document was the section most heavily cleaned up. Originally the RMA had to pay unsuccessful proposers a stipend, with the clean up the RMA no longer has to pay unsuccessful proposers the stipend. The document hadn't been amended since it was first created by the RMA. The document was reviewed by the Planning Committee and recommended for full Board approval. *R. Diaz made the motion to approve the documents as presented. B. Thompson seconded. Motion carried.*
5. **Discussion and appropriate action regarding a resolution approving the release of the Request for Qualifications for a Design/Build Comprehensive Development Agreement for the 281 N toll project.** T. Brechtel presented the Request for Qualifications for a Design/Build Comprehensive Development Agreement for the 281 N toll project to the Board for approval. As soon as the document is approved it can then be released for potential proposer's to review. The document was reviewed by the Planning Committee and recommended for full Board approval. *J. Reed made the motion to approve the document as presented. B. Thompson seconded. Motion carried. There were 5 yeas and 1 nay. J. Jenkins voted no stating that he was opposed to toll roads.*

One citizen signed up to speak on this item. Terri Hall of Comal County requested clarification on the Design/Build comprehensive development agreement, and other related items on this process.

6. **Discussion and appropriate action on the financial statements for the period ending September 30, 2007.** C. Conner presented the financial statements for period ending September 30, 2007. She reviewed the balance sheet, described the assets, liabilities, and fund equity; the statement of revenue, expenses, and changes in fund deficit, explained the monies allocated for each column, and the statement of cash flow. B. Thompson stated that he was happy with the Legal Services, and with the way the balance is between the out of town firm and the local firm. *M. C. Rodriguez made the motion to approve the financial statements as presented. J. Jenkins seconded. Motion carried.*
7. **Citizens to speak.** Citizen Mike Whitman, resident of the Woods of Shavano, stated that he was not happy with the idea of tolls, and is opposed to them. He also stated that he believes that people moving here to San Antonio from out of state should have to pay for the right to move and live here.

8. **Presentation/briefing - Executive Director Report.** T. Brechtel went over the Board calendar for the period of September through November. T. Brechtel also went over the GEC monthly report.

Board discussion occurred.

9. **Executive Session.**

\* \* \* \*

**The Board did not meet in Executive Session.**

\* \* \* \*

There being no further business to come before the board, Chairman Thornton adjourned the meeting at 2:15 p.m.

**APPROVED:**

\_\_\_\_\_  
**BILL THORNTON, CHAIRMAN**

**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 meeting on September 18, 2007.**

**ATTEST:** \_\_\_\_\_  
**REYNALDO DIAZ**  
**SECRETARY/TREASURER**

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
ALAMO REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 07-20**

WHEREAS, the Alamo Regional Mobility Authority (“Alamo RMA”) was created pursuant to the request of Bexar County and in accordance with provisions of the Transportation Code and the petition and approval process established in 46 Tex. Admin. Code § 26.01, *et. seq.* (the “RMA Rules”); and

WHEREAS, the Alamo RMA is charged with funding and developing transportation improvements throughout the region to help solve the current mobility crisis and to improve the quality of life for residents of Bexar County; and

WHEREAS, the Alamo RMA anticipates developing one or more tolled facilities in the region as one form of transportation system improvement; and

WHEREAS, it is necessary to have policies and procedures in place regarding the tolling of facilities operated by the Alamo RMA; and

WHEREAS, Alamo RMA staff have developed Policies and Procedures for Toll Collection Operations on the Alamo RMA Turnpike System, a copy of which is attached hereto as Attachment “A”; and they recommend that such polices be approved by the Board of Directors;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Alamo RMA hereby approves the Policies and Procedures for Toll Collection Operations on the Alamo RMA Turnpike System attached hereto as Attachment “A”; and

BE IT FURTHER RESOLVED, that such policies may be amended from time to time by the Alamo RMA Board of Directors.

Adopted by the Board of Directors of the Alamo Regional Mobility Authority on the 10<sup>th</sup> day of October, 2007.

Submitted and reviewed by:

Approved:

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Terry M. Brechtel  
Executive Director for the Alamo  
Regional Mobility Authority

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William E. Thornton  
Chairman, Board of Directors  
Resolution Number 07-20  
Date Passed 10/10/07

**POLICIES AND PROCEDURES**  
**FOR TOLL COLLECTION OPERATIONS**  
**ON THE ALAMO RMA TURNPIKE SYSTEM**

**SECTION 1. PURPOSE**

These Policies and Procedures for Toll Collection Operations (“Policies and Procedures”) are established pursuant to ALAMO RMA Resolution No. (Insert), adopted on (Date). Under provisions of Chapter 370 of the Texas Transportation Code, ALAMO RMA possesses the authority to designate a turnpike project or a portion of a turnpike project as a controlled-access toll road (Sec. 370.179). These Policies and Procedures establish ALAMO RMA practices and operations for toll collection systems on designated controlled-access toll roads operating within the ALAMO RMA turnpike system, and incorporate provisions of Texas Transportation Code Sec. 370.177 regarding failure or refusal to pay turnpike project tolls and related penalties and offenses.

**SECTION 2. DEFINITIONS**

ACH	Automated Clearing House Network.
CSC	The Customer Service Center or its successor(s).
Electronic Toll Tag or Toll Tag	A device that records the usage of a vehicle using a toll road; usually adhered to the windshield of the vehicle, allowing motorists to drive non-stop through designated electronic toll collection lanes. (Electronic Toll Tags are a type of “transponder” pursuant to Texas Transportation Code Sec. 370.178.)
ETC	Electronic Toll Collection.
IVR	Interactive Voice Response.
Non-payment Transaction	A transaction where the customer does not pay the toll in the lane at the time of travel through the toll lane.
Non-Tagged Non-payment	Vehicles not equipped with toll tags and that do not pay the toll at the time of travel through the toll lane.
Tag Class	The ALAMO RMA class that is determined using the vehicle information that is programmed in the toll tag.
Tagged Non-payment	A vehicle equipped with a toll tag that is not valid and does not stop to pay toll.
U/O	Unusual Occurrence.
VES	Violation Enforcement System.
VPC	Violation Processing Center.

### SECTION 3. EXEMPTION FROM TOLL PAYMENT

Users of ALAMO RMA Toll Facilities shall be required to pay a toll unless they are determined to be exempt under Texas State Statutes or as authorized by the ALAMO RMA Board under the provisions of the Texas State Statutes.

- (a) Emergency and Military Vehicles: In accordance with the provisions of Sec. 370.177, 362.901 and 541.201 of the Texas Transportation Code, ALAMO RMA will create technical procedures to ensure that authorized emergency vehicles, as well as state and federal military vehicles, are exempt from paying tolls on the ALAMO RMA toll road system.
- (b) Public Transportation Vehicles: In accordance with the provisions of Sec. 370.177 of the Texas Transportation Code and to facilitate a multi-modal transportation system that ensures safe and efficient travel for all individuals in the San Antonio Metropolitan Statistical Area, VIA Metropolitan Transit vehicles shall be exempt from paying tolls on ALAMO RMA toll roads up to an annual maximum amount. Thereafter, VIA Metropolitan Transit shall pay the applicable standard toll fee.

This maximum amount shall be determined on a corridor-by-corridor basis as the ALAMO RMA system is developed, and will be established as per this policy, and adjusted from time to time.

*(1) 281 North Toll Corridor Public Transportation Exemption-* For the 281 North Toll corridor, the initial maximum exemption for the calendar year commencing on January 1, 2012 shall be \$42,000.

Additional adjustments to the maximum annual exemption may be made upon written approval by the Alamo RMA and VIA Metropolitan Transit.

### SECTION 4. TOLL INCENTIVES AND DISCOUNTS

To promote the use of ALAMO RMA toll roads and to maximize the use of toll tags on ALAMO RMA facilities, the ALAMO RMA will offer customers incentives and discounts.

- (a) Incentive Offers: From time to time the ALAMO RMA may conduct promotions or marketing activities that encourage drivers to use ALAMO RMA toll roads and/or TxTag and/or reward customers for such use.
- (b) 281 North Toll Introductory Period: ALAMO RMA shall offer a three month introductory period after the 281 North Toll project is constructed and open to traffic. The initial two months of such introductory period will allow free usage for all customers. Toll tag customers shall additionally be provided a fifty percent (50%) discount in the amount of the applicable toll charged during the third month of the introductory period.

## SECTION 5. CUSTOMER SERVICE AND VIOLATION POLICIES

Upon implementation of the ALAMO RMA toll collection system, ALAMO RMA expects that there may be a high percentage of customers using a toll road who will not have a toll tag. The objective of the toll operations procedures and policies created by the ALAMO RMA is to increase the percentage of toll road customers who establish toll tag accounts with the CSC. Additionally, because tolling is a new concept for customers in the South Texas region, it will take some time for customers to adjust to the toll road operations, rules and regulations. During the few months after the start of ALAMO RMA toll collection operations, a tolerant and customer-friendly approach will be employed towards customers who use the road without paying toll charges. While it is understood that the objective of the ALAMO RMA is to collect revenue and minimize toll violation abuse, ALAMO RMA believes that a moderate approach towards customers who do not pay the toll ultimately will allow for a period of adjustment as customers begin using the new toll roads, and will create new toll customers for the ALAMO RMA.

The CSC provides customer service to ALAMO RMA customers and supports all operations related to customer toll tag account setup, account maintenance and customer service. The efficient operation of the CSC is critical to the success of the ALAMO RMA toll collections. The CSC will adhere to the following provisions with respect to customer service, toll violations, and toll tag use:

(a) Customers That Use Toll Tag Lanes Without Corresponding Toll Tags:

If a customer who believes they caused a Non-payment Transaction contacts the CSC and establishes (or re-establishes, if the customer has an invalid toll tag account) a valid, funded toll tag account within seven (7) days, or such period of time that is dictated by the terms of any agreement with the CSC concerning the VPC, after the Non-payment Transaction was committed, the administrative fee that CSC is allowed to charge will be waived, and the unpaid toll amount will be deducted from the customer's account balance. In the event that the violating customer does not either open and adequately fund a new toll tag account, or adequately fund their existing toll tag account, within the specified time frame, that customer will then receive a "Notice of Nonpayment" via regular mail for the unpaid toll amount plus an administrative fee, set in accordance with state law. If the violating customer contacts the CSC within thirty (30) days after such notice is mailed, and either opens and adequately funds a new toll tag account, or adequately funds their existing toll tag account, all of the administrative fee will be waived, and any remainder of the fee not waived, plus the unpaid toll amount, will be deducted from the customer's account balance.

(b) Violation Enforcement Strategies:

If a customer who receives a "Notice of Nonpayment" does not take any of the actions described in subsection (a) above within thirty (30) days after such notice is mailed, the Non-payment Transaction becomes an offense under Sec. 370.177 of the Texas Transportation Code, and a collection process will be implemented to attempt collection

of the unpaid toll amount plus the additional administrative fee (which may include the collection agency's fees). If the collection process does not succeed in obtaining the toll amount and corresponding fees owed, the violating customer may be referred for prosecution. An offense for failure or refusal to pay a toll under Sec. 370.177 of the Texas Transportation Code is a misdemeanor subject to a fine of up to \$250.00 for each offense. If convicted of the offense, a violating customer will be liable for the unpaid toll amount, plus a \$100 administrative fee, plus court costs and a fine of up to \$250.00. In the prosecution of an offense under Sec. 370.177, proof that the vehicle passed through a toll collection facility without payment of the proper toll, together with proof that the defendant was the registered owner or the customer of the vehicle when the failure to pay occurred, establishes the nonpayment of the registered owner. The proof may be by testimony of a peace officer or ALAMO RMA employee or representative, video surveillance, or any other reasonable evidence. Under provisions of Sec. 370.177, there are certain exceptions to violation for failure to pay toll regarding rental cars and vehicles sold but for which title has not been officially transferred by TxDOT. In addition, it is a defense to prosecution if the vehicle is stolen prior to the failure to pay a toll, but only if the theft is reported to the appropriate law enforcement agency within the required time period.

(c) Procedures for Disputing Toll Violations:

Customers may dispute an alleged failure to pay toll violation by contacting the CSC by walk-in, telephone, regular mail, e-mail, or facsimile.

(d) Appealing a Toll Violation to ALAMO RMA

A customer who has contacted the CSC and has been unable to satisfactorily resolve a dispute regarding a toll violation may submit a written appeal to the ALAMO RMA. Such appeal shall be for the purposes of the customer providing the ALAMO RMA with the information upon which they base their appeal. The ALAMO RMA may or may not determine that there is any merit to such appeal and is not required to undertake any formal proceedings to make such determination.

SECTION 6. TOLLING POLICY FOR PHASES OF ALAMO RMA TURNPIKE PROJECT  
"UNDER CONSTRUCTION"

- (a) For any toll project to be developed in phases, the authority may defer the commencement of toll collection operations on that phase until additional phases of the project are constructed so as to provide continuous uninterrupted travel for a distance, or to a destination, to be designated by the Board of Directors on a project specific basis. The deferral of toll collection operations shall end once the component phases of the project or the designated travel corridor as identified by the Board of Directors are "substantially complete."

- (b) The phrase “substantially complete” shall mean that the toll project is open to traffic for its entire length as designated by the Board of Directors on a project specific basis. Temporary closures due to emergencies or short-term construction or maintenance operations shall not preclude a toll project from being deemed substantially complete.
- (c) The authority may install signage and toll collection equipment on or along a project (or any phase thereof) indicating that toll collection operations are being deferred and that tolls will be collected on the entirety (or any portion) of the project in the future.
- (d) The designation of a project as a toll project or candidate toll project in SABCMPO’s then governing transportation plan or transportation improvement program prior to the time it is open to traffic shall preclude the project from being deemed a “conversion” under provisions of the Texas Transportation Code when toll collection operations begin.
- (e) Notwithstanding the foregoing, the Board of Directors may, upon receipt of a written request from SABCMPO or from the Commissioners Court, waive this policy and toll a phase of project that is under construction prior to completion of the entirety of the project.

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
ALAMO REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 07-21**

WHEREAS, the Alamo Regional Mobility Authority (“Alamo RMA”) was created pursuant to the request of Bexar County and in accordance with provisions of the Transportation Code and the petition and approval process established in 46 Tex. Admin. Code § 26.01, *et. seq.* (the “RMA Rules”); and

WHEREAS, Chapter 370 of the Texas Transportation Code authorizes regional mobility authorities to develop projects through use of comprehensive development agreements (CDAs); and

WHEREAS, the Alamo RMA has adopted procurement policies which conform to Chapter 370 and which provide for the procurement of a design/build CDA contractor through a process which involves issuing a request for qualifications (“RFQ”) to teams interested in developing a project followed by the issuance of a request for detailed proposals (“RFDP”) to those teams responding to the RFQ and deemed best qualified to the develop the project; and

WHEREAS, on September 18, 2007, the Alamo RMA Board of Directors authorized the issuance of a RFQ for the 281 North Toll Project; and

WHEREAS, as permitted under statute and the Alamo RMA’s procurement policies, and in order to obtain ownership of the work product contained in any unsuccessful detailed proposals, an RFDP may provide that the Alamo RMA will pay an unsuccessful proposer submitting a detailed proposal in response to an RFDP a stipulated amount of the final contract price; and

WHEREAS, Alamo RMA staff has recommended that the board of directors authorize that a stipulated amount be identified in the RFDP for the 281 North Toll Project as an amount be paid to unsuccessful proposers which respond to the RFDP;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Alamo RMA, upon the recommendation of staff, hereby authorizes that payment equal to the lesser of \$200,000 or 0.1% of the final design/build CDA contract price shall be made to each of the unsuccessful proposers submitting qualified detailed proposals in response to the RFDP for the 281 North Toll Project; and

BE IT FURTHER RESOLVED, that the Board of Directors authorizes staff to incorporate provisions for such payment within the RFDP documents to be issued to the short-listed proposers for the 281 North Toll Project.

Adopted by the Board of Directors of the Alamo Regional Mobility Authority on the 10th day of October, 2007.

Submitted and reviewed by:

Approved:

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Terry M. Brechtel  
Executive Director for the Alamo  
Regional Mobility Authority

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William E. Thornton  
Chairman, Board of Directors  
Resolution Number 07-21  
Date Passed 10/10/07

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
ALAMO REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 07-22**

WHEREAS, the Alamo Regional Mobility Authority (“Alamo RMA”) was created pursuant to the request of Bexar County and in accordance with provisions of the Transportation Code and the petition and approval process of 46 Tex. Admin. Code § 26.01 *et. seq.* (the “RMA Rules”); and

WHEREAS, the Alamo RMA requires that bank accounts be maintained for the receipt, maintenance and disbursement of funds to be administered by the Alamo RMA; and

WHEREAS, the Board of Directors has previously authorized the establishment of banking arrangements for the receipt, maintenance, and disbursement of Alamo RMA funds; and

WHEREAS, in the interest of efficient operations of the authority it would be beneficial to add the Alamo RMA’s Chief Financial Officer, Milo Nitschke, as an authorized signatory on Alamo RMA bank accounts;

NOW THEREFORE, BE IT RESOLVED, that the Board of Directors of the Alamo RMA hereby authorizes Chief Financial Officer Milo Nitschke to act as a signatory on all Alamo RMA accounts; and

BE IT FURTHER RESOLVED, that the Chairman and Executive Director are authorized to take such actions as are necessary to add Mr. Nitschke as a signatory to Alamo RMA accounts.

Adopted by the Board of Directors of the Alamo Regional Mobility Authority on the 10th day of October, 2007.

Submitted and reviewed by:

Approved:

\_\_\_\_\_  
Terry M. Brechtel  
Executive Director for the Alamo  
Regional Mobility Authority

\_\_\_\_\_  
William E. Thornton  
Chairman, Board of Directors  
Resolution Number 07-22  
Date Passed 10/10/07

**GENERAL MEETING OF THE BOARD OF DIRECTORS  
OF THE  
ALAMO REGIONAL MOBILITY AUTHORITY**

**RESOLUTION NO. 07-23**

WHEREAS, the Alamo Regional Mobility Authority (“Alamo RMA”) was created pursuant to the request of Bexar County and in accordance with provisions of the Transportation Code and the petition and approval process established in 46 Tex. Admin. Code § 26.01, *et. seq.* (the “RMA Rules”); and

WHEREAS, the Alamo RMA is a political subdivision of the State of Texas authorized to finance its activities by issuing obligations the interest on which is excludable from gross income for federal income tax purposes (“tax-exempt obligations”) pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the “Code”); and

WHEREAS, the Alamo RMA will incur costs associated with development of a network of toll projects; and

WHEREAS, the Alamo RMA desires to reimburse itself for the costs associated with the development of a network of toll projects from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and

WHEREAS, the Alamo RMA reasonably expects to issue tax-exempt obligations to reimburse itself for the costs associated with the development of a network of toll projects;

NOW THEREFORE, BE IT RESOLVED, that the Alamo RMA reasonably expects to reimburse itself for all costs that have been or will be incurred from the development of a network of toll projects to include the acquisition, construction and equipment of toll road facilities, and the acquisition of land and rights-of-way in connection therewith from the proceeds of tax-exempt obligations to be issued subsequent to the date hereof; and

BE IT FURTHER RESOLVED, that the Alamo RMA reasonably expects that the maximum principal amount of tax-exempt obligations issued to reimburse the AlamoRMA for the costs associated with the property listed on Exhibit “A” attached hereto will not exceed \$250,000,000.

Adopted by the Board of Directors of the Alamo Regional Mobility Authority on the 10<sup>th</sup> day of October 2007.

Submitted and reviewed by:

Approved:

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Terry M. Brechtel  
Executive Director for the Alamo  
Regional Mobility Authority

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William E. Thornton  
Chairman, Board of Directors  
Resolution Number 07-23  
Date Passed 10/10/07

# **ALAMO REGIONAL MOBILITY AUTHORITY**

**FINANCIAL STATEMENTS**

**September 30, 2007**

**Board of Directors Reports**

**ALAMO**  
**REGIONAL MOBILITY AUTHORITY**

**Balance Sheet**  
September 30, 2007

**ASSETS**

Current Assets:

Cash and cash investments	130,659
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Total Current Assets	130,659
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Other Assets:

Prepaid Insurance	971
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Security Deposit	5,514
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Total Other Assets	6,485
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Total Assets	137,144
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**LIABILITIES AND FUND EQUITY**

Current Liabilities:

Accounts Payable	-
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Accrued Expense	767,139
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Accrued Vacation Time	12,849
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Total Current Liabilities	779,988
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Other Liabilities:

Bexar County Loan #1 Payable	250,000
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Bexar County Loan #2 Payable	500,000
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City of San Antonio Loan #1 Payable	500,000
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TxDOT Financial Assistance Agreement #1	713,231
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TxDOT Financial Assistance Agreement #2	4,008,472
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Accrued Interest	100,438
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Total Other Liabilities	6,072,141
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Total Liabilities	6,852,129
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Fund Deficit:

Retained Deficit	(2,836,994)
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Unreserved - Net loss	(3,877,991)
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	(6,714,985)
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Total Liabilities and Fund Deficit	137,144
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These financial statements are unaudited and for management's use only.

**ALAMO**  
**REGIONAL MOBILITY AUTHORITY**  
**Statement of Revenue, Expenses and Changes in Fund Deficit**  
For the period ending September 30, 2007

	ACTUAL MONTH	ACTUAL FISCAL Y-T-D	BUDGET FISCAL Y-T-D	ACTUAL VS. BUDGET VARIANCE FISCAL Y-T-D
<b>Non-Operating Income:</b>				
Interest Income	606	8,928	8,519	409
Total Non-Operating Income	606	8,928	8,519	409
<b>Operating Expenses:</b>				
Salary, Benefits and Retirement Expense	66,911	566,227	561,363	(4,864)
Payroll Tax Expense	3,138	32,900	33,718	818
Travel & Conference	1,896	20,019	18,863	(1,156)
Insurance Expense	612	8,198	8,627	429
Website Maintenance	-	125	187	62
Telephone	1,237	10,834	10,607	(227)
Supplies	887	6,045	7,200	1,155
Printing	204	9,288	13,225	3,937
Postage	104	1,018	1,135	117
Equipment	1,310	10,831	10,639	(192)
Subscriptions	-	272	96	(176)
Office Space	5,985	69,462	69,464	2
Meeting Expense	363	3,870	4,088	218
Memberships	-	2,375	2,375	-
Professional Services	96,262	3,099,576	3,846,147	746,571
Advertising	-	453	680	227
Miscellaneous Expense	131	1,909	1,938	29
Total Operating Expenses	179,039	3,843,401	4,590,352	746,951
Loss From Operations	(178,433)	(3,834,474)	(4,581,833)	(747,359)
<b>Nonoperating Expenses:</b>				
Interest Expense	3,169	38,050	38,052	2
Total Non-Operating Expenses	3,169	38,050	38,052	2
Equipment Purchases	(65)	5,468	7,364	1,896
<b>Net Loss</b>	<b>(181,537)</b>	<b>(3,877,991)</b>	<b>(4,627,249)</b>	<b>(749,258)</b>
Retained deficit at October 1, 2006		(2,836,994)		
Retained deficit at September 30, 2007		(6,714,985)		

**Note 1:** Professional Services for the month and year-to-date also include accruals for services provided, but not paid, and are as follows:

	September		Y-T-D
HNTB	133,991	HNTB	2,701,025
Garza Gonzalez	-	Garza Gonzalez	9,800
Locke Liddell/Loeffler	11,976 (*)	Locke Liddell/Loeffler	164,258 (*)
Jim Griffin	1,545	Jim Griffin	55,727
Carrie Conner	-	Carrie Conner	28,765
Estrada Hinojosa	(30,000)	Estrada Hinojosa	105,000
Innovative Strategies	(21,250)	Innovative Strategies	20,000
COSA Disparity Study	-	COSA Disparity Study	15,000
	96,262		3,099,576

(\*)Locke Liddell/Loeffler FY07 cash expenditure ratio 88/12%; FY06 ratio 78/22%

# ALAMO REGIONAL MOBILITY AUTHORITY

## Statement of Cash Flow

For the period ending September 30, 2007

### OPERATING ACTIVITIES:

Loss from operations	(\$3,877,991)
Adjustments to reconcile loss from operations to net cash used by operating activities:	
(Increase) Decrease in prepaid insurance	(212)
(Increase) Decrease in other prepaid expense	93
Increase (Decrease) in accrued paid leave	4,298
Increase (Decrease) in accounts payable	(103,316)
Increase (Decrease) in accrued expense	(278,020)
Net cash provided by Operating Activities	<u>(\$4,255,148)</u>

### FINANCING ACTIVITIES:

Increase (Decrease) in interest payable	38,050
Increase (Decrease) in Loans Payable - TxDOT FAA #1	505,830
Increase (Decrease) in Loans Payable - TxDOT FAA #2	3,587,299
Net cash provided by Capital and Related Financing Activities	<u>4,131,179</u>

Net cash increase (decrease) for period (\$123,970)

Net increase (decrease) in cash and cash investments	
Cash and Cash Investments, October 1, 2006	254,628
Cash and Cash Investments, September 30, 2007	130,659
	<u>(\$123,970)</u>

# GEC ACTIVITIES REPORT

## September, 2007

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On September 11 the GEC shifted its technical efforts toward the 281 North Toll Project with the goal of achieving a bond sale and construction ground breaking by mid next year.

The following are specific 281 Project tasks the GEC is supporting Alamo RMA staff on:

### September GEC Procurement Efforts:

The following occurred in September:

- September 11: **Receive approval to work on 281 Project**
- September 12: Attended a **team meeting** which included the AlamoRMA staff, legal advisors, financial advisors, and GEC representatives
- September 13: Kickoff meeting to initiate **revised Pavement Design** for the 281 toll lanes. Original toll lane pavement design was an asphalt pavement meeting a 20 year life. Today's high cost of asphalt and need for a longer life pavement with reduced maintenance all support the decision to change the pavement type to concrete. Pavement design should be complete by mid October.
- September 11- Sept 17: provided input into **Request for Qualifications (RFQ)** and reviewed and commented on draft versions
- September 11 – September 17: Collected **reference documents for RFQ**, Created PDFs and burned CDs
- September 18: Provided a brief **presentation** on the Procurement process to the Board
- September 18: Placed **RFQ announcements** in San Antonio, Houston, and Dallas papers
- September 20: Completed **first draft of Procurement Documents**:
  - ITP: Instructions to Proposers – lists all the requirements needed in the proposals
  - Scope of Work: Explains “what” should be designed and built
  - Technical Provisions: Explains “how to” design and build.
- September 26: Meeting with AlamoRMA and Legal advisor to review comments to the **Scope of Work**
- September 28: Prepared exhibits, presentation slides, and attended the **Pre-proposal Conference**: Approximately 40 representatives of construction and consulting firms attended the meeting.

**Proposed Procurement Schedule**

<b><u>EVENT</u></b>	<b><u>DATE</u></b>
Issue Request for Qualifications	September 18, 2007
Pre-Proposal Conference	September 28, 2007
Receive Qualification Statements	October 19, 2007
Present Shortlist of Qualified Proposers to Board	October 24, 2007
Issuance of Draft Request for Detailed Proposals (RFDP) (for industry review)	October 24, 2007
RFDP Industry Review Workshop- All Proposers to attend	November 7, 2007
Deadline for Proposers to submit Draft RFDP review comments	November 14, 2007
One-on-one meetings with Proposers to discuss Draft RFDP comments	November 15 –16, 2007
Issuance of RFDP	November 29, 2007
Workshops and one on one meetings	December 2007 – January 2008
Deadline for submittal of ATCs and Draft Value-Added Concepts	January 10, 2008
Workshops and one-on-one meetings	January 22-23, 2008
Forward recommendation and findings on ATCs and Draft Value-Added Concepts no later than.	January 31, 2008
Final One-on-one meetings	February 7, 2008
Deadline for Proposers to submit changes to the Proposer's organization	February 14, 2008
Deadline for Proposer's submittal of Request for Clarifications	February 14, 2008
Alamo RMA Response to Clarifications; addenda issued (if necessary)	February 21, 2008
Proposal Due Date and Value-Added Concept Due Date	February 28, 2008
Alamo RMA Evaluates Detailed Proposals	February 28, 2008 – March 11, 2008
Alamo RMA selects Best-Value Proposer and finalizes the Agreement for execution.	March 12, 2008
Anticipated Agreement Award and Issuance of NTP1	April 2, 2008

**September GEC Report Efforts:**

- Initiated exhibit development

**September Misc Technical Support Efforts:**

- September 20: Presented a draft report on issues related to two **toll collection options**: Open Barrier Tolling and Closed Barrier Tolling
- Initiated development of a toll integration schedule.
- September 27: Attended a meeting at the Texas Commission on Environmental Quality (**TCEQ**) to discuss the 281 N Toll Project
- Developed an exhibit showing the **northern tie to existing US 281** for RFQ purposes.
- Evans road evaluation: Developed a **new profile at Evans Road** to possibly reduce noise impacts and improve vertical alignment. Reviewed **drainage** layouts to evaluate drainage impacts due to revised vertical alignment. Determined possible **structure depths** for overpass to reduce profile impacts.
- Evaluated possible **sidewalk locations**

**September Community Relation Efforts:**

- No Significant Effort occurred in September

**Alamo Regional Mobility Authority  
 General Engineering Consultant Services  
 DBE Distribution - Through 09/28/07**

Total Contracted to Date		\$	8,509,582.41
DBE Contracted to Date	14%	\$	1,196,195.50
Costs to Date (through 09/28/07)		\$	4,123,577.80
DBE Invoiced to HNTB to Date (through 09/28/07)	22%	\$	899,253.07

**SUPPORTING INFORMATION**

	<b>Contracted</b>	<b>Invoiced</b>
Arias and Associates	\$ 17,373.00	\$ -
Muniz-Puente	\$ 2,520.00	\$ 2,520.00
Poznecki-Camarillo & Associates	\$ 189,093.00	\$ 144,419.52
RJ Rivera & Associates	\$ 704,750.25	\$ 531,018.61
Rodriguez Transportation Group	\$ 62,185.00	\$ 28,596.34
Vickrey & Associates	\$ 170,479.50	\$ 170,479.50
Miscellaneous Vendors	\$ 49,794.75	\$ 22,219.10
<b>Total</b>	<b>\$ 1,196,195.50</b>	<b>\$ 899,253.07</b>

**Local Effort Distribution - Through 09/28/07**

	<b>Local</b>	<b>Non-local</b>	<b>Total</b>	<b>% Local</b>
HNTB	\$ 2,713,579.01	\$ 245,774.82	\$ 2,959,353.83	91.69%
Subconsultants	\$ 1,125,049.98	\$ 39,173.99	\$ 1,164,223.97	96.64%
<b>Total</b>	<b>\$ 3,838,628.99</b>	<b>\$ 284,948.81</b>	<b>\$ 4,123,577.80</b>	<b>93.09%</b>

**GEC TEAM WORK AUTHORIZATION STATUS - as of September 28, 2007**

Work Auth. No.	Work Authorization - Description	BUDGET STATUS				REMARKS
		Amounts under Commitment	Costs to be billed through 09/28/07*	BALANCE	% COMPLETE	
<b>Project Management</b>		\$1,400,848	\$1,063,065	\$337,783		
1	General Engineering Services / Timeline	\$23,943	\$23,943	\$0	100%	Work Complete
3	General Engineering Services / Implementation Planning	\$24,508	\$24,508	\$0	100%	Work Complete
9.1	Project Management	\$1,327,764	\$989,981	\$337,783	77%	Ongoing Tasks - Management / Administration / Coordination
10	General Engineering Assistance	\$24,633	\$24,633	\$0	100%	Work Complete
<b>Public Involvement Program</b>		\$1,336,363	\$646,536	\$689,827		
2	Phase 1 - Public Surveys & Key Messages	\$69,982	\$69,982	\$0	100%	Work Complete
4	Phase 1A - Message Delivery & Media	\$292,160	\$292,160	\$0	100%	Work Complete
11	Phase 1B - Public Involvement & Outreach	\$261,366	\$261,366	\$0	100%	Work Complete
13	Public Involvement Services	\$712,855	\$23,028	\$689,827	4%	Ongoing Tasks - Assistance with Public Involvement and Outreach for US 281
<b>TxDOT US281/Loop 1604 Project CDA Procurement</b>		\$13,984	\$13,984	\$0		
5	Initial CDA Evaluation	\$13,984	\$13,984	\$0	100%	Work Complete
<b>IH35 Project Development</b>		\$610,842	\$610,842	\$0		
6	Development of Work Plan and Schedule for IH35 Project	\$24,611	\$24,611	\$0	100%	Work Complete
9.5	IH 35 Toll Project - Phase 1	\$586,231	\$586,231	\$0	100%	Work Complete
<b>SH16 (Bandera Road) Project Development</b>		\$2,773,539	\$1,157,565	\$1,615,974		
7/7.1	Development of Work Plan and Schedule, Data Analysis	\$43,862	\$43,862	\$0	100%	Work Complete
9.2	SH 16 Toll Project - Phase 1	\$624,350	\$624,350	\$0	100%	Work Complete
9.6	SH 16 Toll Project - Phase 2	\$1,892,760	\$340,836	\$1,551,924	19%	Work on hold until further notice
12	Bandera Road Community Working Group Process	\$212,567	\$148,517	\$64,050	72%	Work on hold until further notice
<b>US281/Wurzbach Parkway Inter. Project Development</b>		\$1,265,587	\$582,122	\$683,464		
8/8.1	Development of Work Plan and Schedule for US281/WP Project	\$36,319	\$36,319	\$0	100%	Work Complete
9.3	Wurzbach Parkway	\$95,431	\$95,431	\$0	100%	Work tasks moved to 9.3F
9.3F	Wurzbach Parkway and Interchange Project	\$1,124,270	\$440,806	\$683,464	40%	Work on hold until further notice
9.4	Wurzbach Parkway Preliminary Cost Study	\$9,567	\$9,567	\$0	100%	Work tasks moved to 9.3F
<b>281 Engineering Services</b>		\$1,108,419	\$49,464	\$1,058,955		
14	281 Toll Project: Procurement, GEC report, technical support	\$1,108,419	\$49,464	\$1,058,955	5%	NTP Sept 11, RFQ issued, Draft RFDP documents initiated
<b>Project Summary Status</b>		<b>\$8,509,582</b>	<b>\$4,123,578</b>	<b>\$4,386,004</b>		

\* Figures do not include outstanding subconsultant invoices



# October 2007 Alamo RMA Calendar

SUN

MON

TUE

WED

THU

FRI

SAT

	1	2	3 SAMCo hosting "State of the District" remarks by D. Casteel – Norris Conference Center	4	5 <b>Planning Committee Meeting</b> Greater Chamber hosting "State of Toyota" luncheon	6
7	8	9	10 T. Brechtel presentation to the SABOR Board of Directors <b>Alamo RMA Board of Directors Meeting – TransGuide</b>	11	12 L. Alloway interview with KABB on Northwest Growth issues	13
14	15	16	17	18	19 <b>Planning Committee Meeting</b> <b>RFQ for 281 Project due in Alamo RMA Offices</b>	20
21	22 <b>MPO Monthly meeting</b>	23 L. Alloway presentation to the San Antonio Chapter of the National Defense Transportation Association	24 Special Called RMA Board Meeting – TransGuide 2:00PM	25 Greater Chamber hosting "State of the County" luncheon  Team Texas meeting	26 Team Texas Meeting	27
28	29	30	31 L. Alloway presentation to the San Antonio Airport Rotary Club			



# November 2007 Alamo RMA Calendar

SUN	MON	TUE	WED	THU	FRI	SAT
				1	2	3
4	5	6	7	8	9 <b>Planning Committee Meeting</b>	10
11	12 Veterans Day (observed) Alamo RMA Offices Closed	13	14 T. Brechtel presentation to North Chamber Infrastructure Committee <b>Alamo RMA Board of Directors Meeting – Transguide</b>	15	16	17
18	19	20 T. Brechtel speaking to the AGC of Texas	21	22 <b>Thanksgiving Holiday – Alamo RMA Offices Closed</b>	23 <b>Thanksgiving Holiday – Alamo RMA Offices Closed</b>	24
25	26	27	28	29	30	



# December 2007 Alamo RMA Calendar

SUN

MON

TUE

WED

THU

FRI

SAT

						1
2	<b>3 MPO November/ December meeting</b>	4	5	6	<b>7 Planning Committee Meeting</b>	8
9	10	11	<b>12 Alamo RMA Board Meeting – TransGuide</b>	13	14	15
16	17	18	19	20	<b>21 Planning Committee Meeting</b>	22
23	<b>24 Alamo RMA Offices Closed – Christmas Holiday</b>	<b>25 Alamo RMA Offices Closed – Christmas Holiday</b>	26	27	<b>28</b>	29
30	31					