

Alamo Regional Mobility Authority

*Meeting June 11, 2009, 1:00p.m.,
in the Al J. Notzon III Conference Room
of the Alamo Area Council Of Governments,
at 8700 Tesoro Drive.*

Minutes

1. **Call meeting to order.** Chairman Thornton called the meeting to order at 1:00 p.m. All Board members present with the exception of C. Villarreal and M.C. Rodriguez.
2. **Approval of the minutes from the Board of Directors Meeting of May 14, 2009.** *R. Thompson made the motion to approve the minutes as presented to the Board. R. Diaz seconded. Motion carried by a 4-0 vote.*
3. **Discussion and appropriate action on a resolution authorizing the issuance of a Request for Detailed Proposals for the U.S. 281 North/Loop 1604 Interchange Project.**

Chairman Thornton introduced Terry Brechtel, Executive Director of the Alamo Regional Mobility Authority to lead the discussion on item 3. Ms. Brechtel stated that item 3 was a resolution authorizing the issuance of a Request for Detailed Proposals (RFDP) for the U.S. 281 North/Loop 1604 Interchange project. Ms. Brechtel stated that she and Mr. Pat Irwin, Director of Engineering and Operations would be presenting the item jointly. Ms. Brechtel made a power point presentation that went over the schedule for the project. Ms. Brechtel also stated that as a requirement from TxDOT, a Project Development Agreement (PDA) must be signed prior to the release of the RFDP. There have been discussions with TxDOT and FHWA to change the re-evaluation of the 2005 Categorical Exclusion (CE) to a new CE for Operational Improvements. Ms. Brechtel also stated that the Alamo RMA and TxDOT have been in negotiations regarding the PDA, the Scope of Work, the timing on publication of the 139(l) notice. Ms. Brechtel then turned the presentation over to Mr. Irwin who went over the description of the revised schematic and project scope. Mr. Irwin noted that pursuant to discussions with TxDOT the scope now includes improvements on US 281 (from Bitters to 1604) and on Loop 1604 (from Red Land Road to Bulverde Road) and includes 4 bridge widenings. 281 improvements from Brook Hollow to Bitters, 2 pedestrian walkways in the Interchange, continuous safety lighting on 1604. Mr. Irwin also stated that there is now available a revised schematic and the RMA has increased the time for bidders to review & provide their proposals. Ms. Brechtel stated that the projected total cost of the project is in excess of \$140 million but the evaluations of the proposals will be based on the entire scope for the total price and then decrease sections to fit within the total budget. The Alamo RMA is working with TxDOT to allow a stipend, but the amount is undetermined at this time.

J. Reed made the motion to accept resolution 09-22 as presented. R. Thompson seconded. Mr. Reed stated that this project fits in with the Super Street project, the flow of traffic being considered, and it is recommended by the Planning Committee. Chairman Thornton asked if rapid transit was being precluded with this option. Mr. Thompson stated that the design fixes the rest of 1604, but we don't want to build what may have to be re-done later. Mr. Irwin stated that the proposed improvements on 1604 do not prohibit future use of rapid transit in the median.

Mr. Irwin stated that the median on 1604 could accommodate rapid transit, but 281 is paved so we would have to look at ROW purchase, and alternative design. R. Thompson stated that the proposed improvements don't affect the median on 1604 but could have a more complex design and it's TxDOT's desire to accommodate interchange improvements and traffic movement. Ms. Brechtel stated that the RMA, RTG and TxDOT looked at speeds and we want the proposers to be creative, and want them to bid to build as much as possible. Mr. Diaz stated that TxDOT did a good job with the schematic and lanes proposal.

Motion passed by a 4-0 vote. A copy of the power point from this presentation is attached to the official copy of these minutes.

4. Discussion and appropriate action on a resolution approving a restated and amended agreement with HNTB for general engineering consultant services.

Chairman Thornton called upon Ms. Brechtel to introduce and present Item 4. Ms. Brechtel stated that item 4 is related to the amended agreement with HNTB for General Engineering Consultant Services (GEC). Ms. Brechtel then called upon Ms. Lisa Adelman, In-house Counsel for the Alamo Regional Mobility Authority to make a presentation. Ms. Adelman stated that the amended agreement clarified multiplier language, provided an explanation of the multiplier, stated that the Alamo RMA gets the lowest multiplier offered by HNTB to other RMA's or tolling entities in Texas, and extends the contract for an additional 3 years.

R. Thompson made the motion to accept resolution 09-23 as presented. R. Diaz seconded.

Citizen Jack M. Finger, a member of the San Antonio Toll Party, stated that he is opposed to Tolls which is what the RMA is about and opposed to extending the contract for toll projects. Mr. Finger stated that he watches campaign contributions to elected officials and at the City recently there were 14 companies listed and at least half give campaign finance contributions to City and now some are applying for RMA contracts, including HNTB. He suggested to saying no to extending the HNTC contract until we understand where TxDOT is going to & know what we are going to do moving forward for those project versus toll projects. Mr. Thompson stated that he had some questions for Mr. Finger, and that he understands Mr. Finger has concerns with fund expenditures. Mr. Finger stated that he doesn't want toll roads. Mr. Thompson stated that as a taxpayer, we can make choices. Mr. Finger stated that the gas taxes are paying for improvements and Mr. Thompson stated that city improvements are property tax funded. Mr. Finger replied that it depends on the project, it could be funded by taxes, or by CPS revenues. Mr. Thompson stated that to say no to a project with available ARRA funds to help mobility is irresponsible. Mr. Finger stated that the process needs to be looked at, and that the Alamo Regional Mobility Authority needs to get a lobbyist & get them to go to Austin. Mr. Finger also stated that it's the process that's the issue. Mr. Thompson stated that he wants our contracts to be updated & to our benefit and with an open process and at the end of this new term to discuss whether to solicit new proposals.

Chairman Thornton stated that the two projects to ease congestion are the Super Street and the 281/Loop 1604 interchange and both come with a history and in amending the agreement, the

RMA can keep continuity & continue to accelerate the projects. Neither project is tolled, both are fully funded by the American Recovery and Reinvestment Act (ARRA), and both improve safety without tolling. Mr. Diaz stated that the Alamo Regional Mobility Authority cannot handle the projects without the GEC and without them means we do not do the projects. Mr. Thompson stated that HNTB is currently working on getting the CE for the 281/Loop 1604 interchange and we need to keep moving forward with the projects. Chairman Thornton stated that with construction prices coming in lower, projects are funded. TxDOT didn't raise the gas tax, the last time it was raised was in 1991, and there has been no change to the diversions, and no local options were added by the Texas Legislature. Chairman Thornton also stated that the 281/Loop 1604 Interchange has a safety issue with 250 accidents at the intersection last year. Mr. Vic Boyer, Executive Director of the San Antonio Mobility Coalition, stated that there were no sources of funding added by the Texas Legislature this session.

Motion passed by a 4-0 vote. A copy of the power point from this presentation is attached to the official copy of these minutes.

5. Discussion and appropriate action on a resolution approving proposed amendments to the personnel policy of the Alamo Regional Mobility Authority.

Chairman Thornton called upon Ms. Brechtel to introduce item 5. Ms. Brechtel stated that the amendment to the Alamo Regional Mobility Authority personnel policy added the Family Medical Leave Act (FMLA) leave as required by Federal Law.

R. Thompson made the motion to accept resolution 09-24 as presented. R. Diaz seconded. Motion passed by a 4-0 vote.

6. Discussion and appropriate action on the financial statements for the period ending May 31, 2009.

Chairman Thornton asked Ms. Brechtel to introduce Item 6 for Board consideration. Ms. Brechtel introduced Carrie Conner, Comptroller, of the Alamo RMA who presented the financial statements for period ending May 31, 2009. Mr. Thompson stated that he would like more information on capitalized costs at a later date. Ms. Conner presented the financial statements.

Mr. Diaz stepped out during the cash flow discussion. Vote was delayed until Mr. Diaz returned.

7. Presentation/briefing - Executive Director Report.

Ms. Brechtel reviewed the quarterly calendar of upcoming events for the Board and reviewed the GEC report noting that the GEC is working on the CE for the Interchange, the CDA process, and the schematic for the Interchange project. Ms. Brechtel asked Mr. Gilmer Gaston of Pape-Dawson Engineering to give the Board an update on the Super Street proposed traffic improvements. Mr. Gaston then made a power point presentation discussing the proposed improvements. R. Thompson asked Mr. Gaston to provide the travel time between each signalized intersection from Stone Oak south of 1604, and vice versa. Mr. Gaston replied that the model of that simulation is still being run and that it should be completed by the end of the day.

Mr. Thompson then stated that he wanted to ensure accuracy in the numbers.

Ms. Brechtel asked Mr. Brian Cassidy to provide a legislative update on the 81st Regular Session of the Texas Legislature. Mr. Cassidy discussed legislative issues, including SB 17, SB 407, SB 1669 and local option transportation funding.

Chairman Thornton then brought back agenda item 6 to the table for a vote. *R. Thompson made the motion to accept the financials as presented to the Board. R. Diaz seconded. The motion carried on a 4-0 vote.*

8. **Citizens to be heard.** Citizen Nikki Kuhns, resident of the City of San Antonio, stated that she has an issue with the HNTB contract, and that it may be a conflict of interest. She stated that she pays City property taxes. She was at the City of San Antonio City Council meeting and that Councilwoman Chan herself recused on an item due to a conflict of interest. Ms. Kuhns believes that she's disenfranchised from transportation issues and wants the issue talked about.
9. **Executive Session.** In accordance with Subsection 551.071(1). Consultation with Attorney – Consultation with, and advice from legal counsel concerning pending/contemplated litigation, including *Aquifer Guardians in Urban Areas and Texans Uniting for Reform and Freedom v. United States Federal Highway Administration et. al*, settlement offers and negotiations, and other legal issues, the Board adjourned for Executive Session at 2:28pm.

Chairman reconvened the meeting at 2:55 p.m. stating that no decisions had been made while in Executive Session.

10. **Adjournment.** There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 2:55 p.m.

APPROVED:

DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 7/09/2009

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 June 11, 2009.

ATTEST: _____
REYNALDO L. DIAZ, JR
SECRETARY/TREASURER