

Alamo Regional Mobility Authority

*Meeting September 3, 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 M.C. Rodriguez.
2. **Approval of the minutes from the Board of Directors Meeting of July 9, 2009.** *R. Thompson made the motion to approve the minutes as presented to the Board. J. Reed seconded. Motion carried by a 5-0 vote.*
3. **Discussion and appropriate action on a resolution adopting a revised Fiscal Year 2008-2009 Annual Operating and Capital Budget and adopting the Fiscal Year 2009-2010 Annual Operating and Capital Budget.** Chairman Thornton stated that he and Ms. Villarreal reviewed the Budget with staff as part of the Finance Committee. Chairman Thornton called on Ms. Brechtel to introduce the item. Ms. Brechtel made a presentation to the Board on the Budget (see powerpoint attached to the minutes). Ms. Brechtel provided a summary of the 2008-2009 budget and revisions and activities during 2009. Ms. Brechtel also presented the operating and capital budget for 2009-2010 along with 4 year projections, identified funding sources and projected expenses. J. Reed asked about the Interchange that shows 3 years for completion and if it is completed sooner, how will the Alamo RMA be reimbursed and whether it will be timely. Ms. Brechtel stated that yes it will be timely and when we receive the proposals from the design/builders we will have a better idea on the timing and that the federal government would like the money to be spent as fast as possible. Chairman Thornton asked about slide 10 and whether it should include funds from the County and Ms. Brechtel stated that it should and it is money used for contingency. Chairman Thornton asked if these Bexar County funds were on hand or reimbursed from TxDOT and Ms. Brechtel stated that they are on hand. Chairman Thornton stated that for public involvement, which is required, the format last week was excellent. Chairman Thornton asked with respect to slide 14 whether the funds for the Interchange are on hand. Ms. Brechtel stated that the project is funded by the Texas Transportation Commission from ARRA funds and Proposition 14 funds as well as ARRA funds approved by the MPO and it is a funded project. Chairman Thornton asked whether the ARRA funds are at risk in the timeline and Ms. Brechtel responded that they must be obligated by March 2, 2010 which requires the FHWA approval of the release of the Request for Detailed Proposals and environmental clearance. Chairman Thornton asked if we have the capacity to meet the requirement obligations and Ms. Brechtel stated that we do. Chairman Thornton stated that in reference to slide 17 it should be important to note that we want economic development and the proposed projects will bring salaries, the projects are important to congestion relief but also provide for funds to be spent on jobs in this community. Chairman Thornton stated that the proposed budget includes no new hires for next year, the compensation package proposal from staff includes no cost of living adjustment or merit increases. Ms. Brechtel stated that the proposed purchase of financial software will provide access to numbers more easily and efficiently. R. Thompson stated that the budget response to prior projects has already been committed to and accepted and the adoption of no merit increase for staff is not a reflection of their work but of the current economic times. He also stated that he has proposed the use of interns, university students to participate. Chairman Thornton discussed the cost of living adjustment and merit increases for other local entities and Ms. Brechtel provided examples. C. Villarreal stated that the presentation was the same as in the Finance Committee meeting and the RMA has done well with loans and grants and she will vote the way she feels when the vote comes up.

R. Thompson made the motion to accept Resolution 09-28 as presented to the Board. R. Diaz seconded. Motion passed by a 4-1 vote. C. Villarreal voted nay on the issue.

4. **Discussion and appropriate action on a resolution approving amendments to the environmental consulting services contracts for the Loop 1604 Environmental Impact Statement and the US 281 Environmental Impact Statement.** This item was pulled from the Agenda.
5. **Discussion and appropriate action on a resolution approving an advance funding agreement with the Texas Department of Transportation for the US 281 Super Street Project.** This item was pulled from the Agenda.
6. **Discussion and appropriate action on a resolution authorizing maintaining the current Texas County & District Retirement System plan provisions with no change for members in plan year 2010.** Ms. Brechtel asked Ms. Conner to present this item to the Board. Ms. Conner stated that there are no changes recommended to the current TCDRS plan. C. Conner also stated that the percentage for employer monthly contribution has dropped from 2005's amount of 10.78% to 2010's amount of 10.65%.

R. Thompson made the motion to accept resolution 09-29 as presented. J. Reed seconded. Motion passed by a 5-0 vote.

7. **Discussion and appropriate action on a resolution authorizing negotiation and execution of an amendment to the project development agreement with the Texas Department of Transportation for certain preliminary costs for the US 281/Loop 1604 Interchange Project and redirection of funding from previously executed Financial Assistance Agreements.**

Ms. Brechtel stated that for the Interchange project, the RMA has a project development agreement signed with TxDOT and the staff sought to use funds for pre-development costs which are not eligible under ARRA and the RMA got approval from the Transportation Commission for the re-direction of funds from the 1604 loan and 281 grant for such costs. C. Villarreal asked if the \$825,000 would be out of the budget and Ms. Brechtel stated that this amount is already included in the project budget and will now be paid with resources available from the 281 grant and 1604 loan so it is a re-direction of funds within available resources.

J. Reed made the motion to accept resolution 09-30 as presented. R. Thompson seconded. Motion passed by a 4-1 vote. C. Villarreal voted nay on the issue.

8. **Discussion and appropriate action on the financial statements for the period ending July 31, 2009.** Chairman Thornton asked Ms. Brechtel to introduce Item 8 for Board consideration. Ms. Brechtel introduced Carrie Conner, Comptroller, of the Alamo RMA who presented the financial statements for period ending July 31, 2009. Ms. Conner reviewed the balance sheet. She stated that 2009 was the first year with the Capital Budget and that it has a favorable balance. Ms. Conner then reviewed the income statement and stated that the Board in February approved the revised budget. Ms. Conner then reviewed the statement of cash flows and asked for questions.

R. Thompson made the motion to accept the Financial Statements as presented to the Board. J. Reed seconded. Motion carried by a 5-0 vote.

9. Presentation/briefing - Executive Director Report.

Ms. Brechtel reviewed the quarterly calendar of upcoming events for the Board and reviewed the GEC report. Ms. Brechtel also went over the monthly updates for the Alamo RMA projects. Ms. Brechtel asked Leroy Alloway to make a presentation regarding the 2 public meetings for the Interchange project and the 281 EIS. Mr. Alloway addressed the stations format and the media coverage. He also stated that future 281 EIS public meetings will be moved along the corridor. Ms. Brechtel thanked Jacobs for the public involvement work in the meetings. Ms. Brechtel discussed the current timelines for each anticipated final EIS for 281 and 1604. Mr. Alloway then discussed various responses/comments to the open house questions and statements made during the August 24, 2009 MPO meeting (see power point). Mr. Alloway stated that the RMA is pursuing environmental impact statements for both 281 and 1604 and separate categorical exclusions are under way for the Super Street project and the Interchange project. Mr. Alloway reviewed the history of the environmental review studies on 281, discussed the application for ARRA funds and the timing and assumptions used (non-tolled projects). Mr. Alloway also discussed why the Interchange project is 4 not 8 direct connectors being constructed and the MPO approved projects. Ms. Brechtel stated that it is important to note that any savings from projects or unused funds may not necessarily stay in the district. Chairman Thornton stated that it only costs \$100 to file a lawsuit and put these funds at risk. Mr. Alloway stated that while the EIS process is being pursued on 281, there is no environmental clearance for added capacity projects since FHWA withdrew all clearances and that the EIS will look at karst, air quality, endangered species, historic properties and will consider all alternatives. There was a presentation by Robb Fishmann and Jim Robertson, the project managers for the 1604 EIS and the 281 EIS restating that all alternatives will be discussed as a part of this process. J. Reed stated that the MPO plan interacts with the EIS process. The project managers stated that FHWA requires that the selected alternative match the TIP and MTP and the EIS process will look at needs and use public outreach to refine the need and purpose for the projects, the alternatives and the current TIP/MTP has a placeholder so that the project description can change and we can adjust/change the MTP/TIP to match the alternative that is selected and that is part of the financially constrained plan. Mr. Alloway stated that the RMA is not approaching with a specific plan/alternative in mind and we have been and will continue to be open and transparent. Mr. Alloway stated that the 281 Super Street categorical exclusion is being prepared since the proposed project does not add capacity to the system. Ms. Brechtel stated that the RMA feels it is very important to listen to comments and respond. R. Thompson stated that we are in the process of gathering information now and the time is now to speak up and get involved and that is why we are spending money on public involvement. He also stated that for a potential lawsuit, the federal judge will hear the complaint and getting input now is part of the required process and we are using the public meetings to get that information and input which will become part of the record provided to the judge if a lawsuit is filed. R. Thompson also recommended incorporating into the public meetings a component for brief announcements by the RMA for an orientation statement.

Ms. Brechtel stated that on Tuesday, the Bexar County Commissioners Court appointed Robert Rodriguez.

10. Citizens to be heard. There were no citizens signed up to speak on this item.

11. **Executive Session.** There was no Executive Session.
12. **Adjournment.** There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 2:30 p.m.

APPROVED:

DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 10/08/2009

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 September 3, 2009.

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