

Alamo Regional Mobility Authority

*Meeting January 14, 2010, 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 1:02 p.m. All Board members present.
2. **Approval of minutes from the Regular Board of Directors Meeting of November 10, 2009.**
R. Thompson made the motion to approve the minutes as presented to the Board. J. Reed seconded. Motion passed by a 6-0 vote.
3. **Discussion and appropriate action on a resolution approving an Interlocal Agreement with the Texas Department of Transportation for the materials inspection and testing services relating to the US 281/1604 Interchange Project.** Pat Irwin made a presentation discussing the use of TxDOT services for materials inspection and testing for the proposed Interchange project noting that it is the same agreement/format that was authorized for the prior 281 North Toll project that was never started. We will use TxDOT's existing system and will have an inspector assigned to major plants and we get a report at that point instead of sampling and this is a much more efficient way to do the testing. *R. Thompson made the motion to approve the resolution as presented to the Board. J. Reed seconded.* Chairman Thornton asked Julie Brown of TxDOT if she had anything to add and she stated they are ready to go to work. *Motion passed by a 6-0 vote.*
4. **Discussion and appropriate action on a resolution requesting the extension of the study limits for the 1604 Environmental Impact Statement and approving a request for additional financial assistance from the Texas Department of Transportation for related engineering and environmental activities.** T. Brechtel explained the current project and study limits and the proposed additional limits. T. Brechtel stated that the resolution requests additional financial assistance but she has been told that we can get approval now for the extension but that additional funding will be considered at a later date. Pat Irwin made a power point presentation and stated that comments received from the public during the first scoping meeting requested this extension for the study and it is consistent with the 2035 MPO Plan. P. Irwin showed the map of the existing and proposed study limits and discussed the proposed increase in costs of \$564,891.50. *R. Thompson made the motion to approve the resolution as presented to the Board. J. Reed seconded.* T. Brechtel stated that it will be helpful to add this extension and that she has spoken with Commissioner Rodriguez who was supportive. R. Rodriguez stated that this area is growing and the improvements are needed. T. Brechtel stated that staff has spoken with the City. R. Thompson stated that this area feeds into Potranco Road which is being handled by the County and it must be done but there are concerns with spending money that we do not have. T. Brechtel stated that the TTC allocated \$12.3 million for the EIS and existing estimate are at a total of \$11.1M to \$11.2M plus RMA overhead of \$1Million and we will try and manage it to come within budget. J. Reed stated that the Planning Committee reviewed the amounts. C. Villareal stated that she is concerned about when construction will get started and it may be too far in the future and may need additional study. *Motion passed by a 6-0 vote.*

5. **Discussion and appropriate action on a resolution approving a Records Retention Policy.** *R. Thompson made the motion to approve the resolution as presented to the Board. R. Diaz seconded.* R. Thompson stated that it is a difficult task but it is essential that we can locate documents and it requires a lot of work. L. Adelman stated that the policy was being adopted pursuant to TxDOT requirements and consistent with State law requirements. T. Brechtel stated that Gayle McDaniel has been assisting Lisa Adelman and she has extensive experience with this process and will file the documents with the State. *Motion passed by a 6-0 vote.*
6. **Discussion and appropriate action on a resolution approving amendments to the Alamo RMA's investment policy.** Milo Nitschke made a presentation regarding the goals and policies set forth in the proposed Investment Policy and the proposed changes since the prior approval in 2009, the various committees and investment of cash in money market accounts. M. Nitschke stated that changes were made for collateral but we won't be utilizing at this point in time and that the proposed policy was reviewed by the Finance Committee. *R. Rodriguez made the motion to approve the resolution as presented to the Board. C. Villareal seconded.* R. Rodriguez stated that Milo Nitschke and Carrie Conner were very helpful with the Finance Committee and they spent a lot of time on it and that next year we can look at more than using a sweep account. *Motion passed by a 6-0 vote.*
7. **Discussion and appropriate action on a resolution approving an Indirect Cost Plan for the Alamo Regional Mobility Authority.** M. Nitschke made a presentation discussing the proposed plan and estimates used to allocate the costs of the projects and the plan will be forwarded to TxDOT for their auditor's approval and this is all part of the reimbursement process for our projects. T. Brechtel stated that the indirect cost rate allows the RMA to charge an overhead rate for federal funds. *R. Diaz made the motion to approve the resolution as presented to the Board. R. Thompson seconded.* R. Thompson asked whether the information was just in hours and M. Nitschke stated that it is in hours and dollars and the RMA has been tracking time allocated to each project as of April, 2009. *Motion passed by a 6-0 vote.*
8. **Discussion and appropriate action on a resolution approving the extension of contractual services between the Alamo RMA and James W. Griffin, P.E., RPL.** T. Brechtel stated that the RMA has used Jim Griffin as a resource for tolling issues and although there was minimal activity last year, she discussed the prior years' expenses and the proposed amendment would authorize a one year extension of the contract term and no other terms of the contract are amended. *R. Diaz made the motion to approve the resolution as presented to the Board. R. Thompson seconded. Motion passed by a 6-0 vote.*
9. **Discussion and appropriate action on a resolution approving the release of a Request for Proposals to Provide Bank Depository Services.** M. Nitschke provided a summary of the request for proposal contents and timetable and stated that it had been reviewed by the Finance Committee. [Chairman Thornton stepped away]. *R. Diaz made the motion to approve the resolution as presented to the Board. R. Thompson seconded. Motion passed by a 5-0 vote.*
10. **Discussion and appropriate action on a resolution approving the release of a Request for Proposals to Provide Accounting Software.** M. Nitschke made the presentation and stated that the RMA

has been using QuickBooks but something more complex is needed and since we may have a fiduciary responsibility at some point in the future, we need to be able to report projects expenses at a more detailed level and provide financial management decisions and be able to extract information to prepare reports. *R. Rodriguez made the motion to approve the resolution as presented to the Board. R. Diaz seconded.* R. Rodriguez stated that we want it to be able to answer questions like the one he previously had on Wurzbach Parkway regarding the cost incurred for a project that we are returning to TxDOT for future development. M. Nitschke stated that the proposed software will be able to produce reports to answer these questions. C. Villareal asked if other RMA's were asked about how they do it and M. Nitschke stated that he spoke with CTRMA and their system is too complex for our projects and needs and he also spoke with SARA and based upon his prior experience with the City, we want maximum accounting for a much less expensive cost. C. Villareal asked what is the expected cost and T. Brechtel stated that the budget includes \$125,000 for software and hardware. *Motion passed by a 5-0 vote.*

11. **Swearing-in of Robert S. Thompson to the Board of Directors of the Alamo Regional Mobility Authority for a term of office to expire on February 1, 2011.** [Chairman Thornton returned]. Chairman Thornton introduced Bexar County Judge Nelson Wolff and stated that he has had a major impact on this city and the region and he is here to swear in Bob Thompson. A citizen asked to speak, Nikki Kuhns, who stated that on November 8, 2005 the voters of the State voted against Proposition 5 for 6 year terms and she is concerned that this appointment defies the will of the voters and the RMA should put in the limit for two 2-year terms and that board members are not eligible for re-appointment after that time. Judge Wolff thanked Bob Thompson for all of the hard work and the agenda to help build a good transportation system and stated that he is an effective voice with extensive experience. Judge Wolff then swore in Bob Thompson and gave him the oath of office. Chairman Thornton thanked Nikki Kuhns for her comments but also stated that it is not helpful to an agency to have frequent turnovers.

12. **Discussion and appropriate action on a resolution accepting and approving the low bid received for the construction of the U.S. 281 Super Street Project.** Chairman Thornton stated that there is a high amount of congestion at 281 and it is unsafe as well and it took a lot of leadership to bring this project forward. P. Irwin made a power point presentation that reviewed the publication information of the bids. The RMA received 6 sealed bids on January 8, 2010 which were opened at 1pm that day, listed the bid results by company and price, TxDOT concurrence was received, the list of sub-contractors and estimated DBE percentage, and the estimated schedule. T. Brechtel stated that she recommended the Board award the contract to the lowest responsible bidder, Ballenger Construction Company and that it took a lot of work to get to this point. *J. Reed made the motion to approve the resolution as presented to the Board. R. Thompson seconded.* Chairman Thornton stated that the RMA received great bids and we need to accelerate the Interchange project as well with the available funds to take advantage of current construction costs and partnering to do these projects and the partnership with TxDOT has worked. Judge Wolff emphasized that this project is a temporary short-term solution, we don't have the long term answer but that it will help and we also need the Interchange project. Craig Patterson with Ballenger spoke and thanked the RMA and the citizens for providing the opportunity to build it and that they are a Harlingen based company but are a part of the San Antonio community with a local office and 10 other projects here. J. Reed stated that Kevin Wolff and Louis Rowe assisted the RMA with this project at the front end and took it to the neighborhoods and got the buy in to

do it. J. Reed also thanked Julie Brown and TxDOT for their assistance and he is glad it will be done before school starts. R. Thompson thanked Judge Wolff for having the faith in local control of projects. R. Diaz stated that he is happy the RMA is finally at this point and once it is done, the community can see the RMA has good intentions even if it is a short-term solution. R. Rodriguez congratulated the RMA and stated that he is looking forward to more projects. C. Villareal stated that she hopes it works the way it is projected and hopes that Judge Wolff pushes for rapid transit and light rail. *Motion carried by a 6-0 vote.*

13. **Discussion and appropriate action on a resolution terminating development authority for the Bandera Road Project and transferring work product associated with the project to the Texas Department of Transportation.** [Chairman Thornton stepped out]. T. Brechtel presented this item and stated that the resolution approves the return of the Bandera project to TxDOT and pursuant to the terms of the financial assistance agreement with TxDOT, there is a clause for the transfer of the work product if the project does not move forward. T. Brechtel stated that the MPO voted on the long range plan to remove the Bandera Road project and the RMA staff had already stopped work on it so all work product will be returned to TxDOT. T. Brechtel summarized a list of activities that had been done on the project, including various public meetings and the estimated costs incurred by the RMA was approximately \$1.9 million and the loan from TxDOT will be reduced by this amount. *R. Thompson made the motion to approve the resolution as presented to the Board. R. Diaz seconded.* J. Reed stated that he feels for the people who drive the road but it is what the Mayor of Leon Valley and the MPO want. R. Thompson stated there are 17 lights on this road and the length and delays to get through it are long and that dropping this project shows a lack of coordination. *Motion carried by a 5-0 vote.*

14. **Discussion and appropriate action on the financial statements for the period ending November 30, 2009 and December 31, 2009.** J. Reed asked Ms. Brechtel to introduce Item 15 for Board consideration. Ms. Brechtel introduced Carrie Conner, Comptroller, of the Alamo RMA who presented the financial statements for period ending November 30, 2009 and December 31, 2009. Ms. Conner stated that she would review December 31, 2009 since it included November 31, 2009 statements and she then reviewed the balance sheets and highlights, the statements of capitalized costs and income statements, and the statements of cash flows and asked for questions. She also noted that there will be the approval of the audit at the February Board meeting. *R. Thompson made the motion to accept the Financial Statements as presented to the Board. R. Rodriguez seconded. Motion carried by a 5-0 vote.*

15. **Presentation/briefing - Executive Director's Report.** [Chairman Thornton returned]. T. Brechtel reviewed the calendar and thanked several Board members for attending TxDOT's Transportation Forum. Leroy Alloway then provided a briefing on the Interchange Project public meeting on January 11, 2010, stating that there were 225 attendees, referencing the announcements and publications of notice and the various stations and topics at the meeting. Brian Cassidy then provided a legislative update regarding Senate and House interim charges. R. Thompson stated that with respect to rail he would like to submit a letter to TxDOT's Rail Division. R. Thompson also stated that he would like to discuss a proposal to reduce the amount of time permitted to challenge environmental documents and possibly require binding arbitration and he will send an email to the Congressional delegates.

16. **Citizens to be heard.** Nikki Kuhns signed up to speak and stated that the public meeting for the Interchange project at Parkhills Baptist Church was well organized and allowed citizens to speak but there were several allowed to speak that weren't signed in and although that is a good practice, she would like them to identify themselves and ask speakers with a conflict of interest to identify it.
17. **Executive Session.** There was no Executive Session.
18. **Adjournment.** There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 2:45 p.m.

APPROVED:

DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 2/11/2010

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 January 14, 2010.

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