

Alamo Regional Mobility Authority

*Meeting December 3, 2008, 12:00p.m.,
in the 1st Floor Conference Room of TransGuide, at 3500 N.W. Loop 410.*

Minutes

1. Call meeting to order. Chairman Thornton called the meeting to order at 12:07 p.m. All Board members present with the exception of H. Muñoz, and J. Jenkins.
2. Approval of the October 1st and October 22nd Minutes. J. Reed made the motion to approve the minutes as presented to the Board. M.C. Rodriguez seconded. Motion carried by a 5-0 vote.
3. Discussion and appropriate action on ratification of a request by the Alamo RMA to the Texas Department of Transportation to authorize the expenditure of previously granted funds for preparation of environmental studies and related activities for the US 281 project. T. Brechtel stated since 1984 there have been 11 environmental reviews conducted on the corridor, different lengths and segments of the corridor for different purposes. There have been two prior findings of no significant impact that have been awarded and withdrawn on the corridor in the last decade.

On October 1, Federal Highway Administration (FHWA) withdrew the latest environmental clearance for the US 281 project. There were irregularities found in the TxDOT procurement process on the scientific studies which was the basis for the withdrawal of the findings from FHWA.

On October 13, Judge Wolff sent a letter to the Alamo RMA Chair requesting that the RMA take over the environmental studies for both US 281 and Loop 1604. On November 10 FHWA sent correspondence to both the RMA and TxDOT indicating, based on the request from the RMA, that the study for US 281 will be an Environmental Impact Statement (EIS) and that an EIS is in order.

In 2008, as the project was moving forward, before the withdrawal, the Texas Transportation Commission (TTC) approved a \$19.8 million grant to fund the cost of engineering; right of way acquisition, and other costs. T. Brechtel requested, after the withdrawal, that the Alamo RMA go back to the TTC because the intent of those dollars was for engineering, right of way and other related costs, and wasn't specifically for the Alamo RMA to prepare the EIS. In an effort to remain transparent to the public, with regards to the use of the dollars, the Alamo RMA made a request to the TTC that the language be amended to state specifically that the dollars be used for preparation of the EIS and any other related studies or work.

T. Brechtel stated that the reason for the resolution that is before the Board is to ensure that it

is very clear that the dollars that the Alamo RMA has, from the toll equity grant, are going towards the environmental studies, engineering, and other related costs to the Alamo RMA.

T. Brechtel further stated that the Alamo RMA is the local entity and represents the local community. They are members of the community, reside in the community and have the best interest of the community in mind. The Board has continued to espouse the importance of the environment.

At this time without environmental clearance, any project that is seen as adding new capacity to the 281 corridor can not be done. The Alamo RMA recognizes that they are in a situation where they need to develop a long term solution for the corridor. The traffic situation is not going to go away.

T. Brechtel stated that in the last month the Alamo RMA has established its own independent relationship with the FHWA. T. Brechtel stated that she and Board member J. Reed have met with FHWA on at least two separate occasions to discuss how the Alamo RMA can move forward with the 281 project specifically. Ongoing safety and operational concerns have been discussed as well as some limited, but seemingly important things the Alamo RMA can do at least as a stop gap measure to help address some of the safety concerns at some of the crossovers on the 281 corridor.

T. Brechtel went over a simplified version of an EIS process. She stated that on average they take approximately 5 years, but the Alamo RMA has committed, and is working toward a three year EIS process. In conversations with the FHWA and TxDOT Environmental Division, this project has been committed as high priority for the Environmental Division. T. Brechtel stated that she feels she has the support of the TTC and the FHWA to get the EIS done in a quick manner. It will take cooperation from all other outside agencies as well as the Alamo RMA, TxDOT, and FHWA in order to be successful.

T. Brechtel went over the timeline for the EIS process. She stated that the Alamo RMA is working on a memorandum of understanding with FHWA and TxDOT first quarter of 2009. First quarter of 2009 the Alamo RMA will be issuing an RFP to hire firms to prepare the EIS and anticipate getting a record of decision in the 2011-2012 timeline and then being able to proceed with the appropriate construction solution and the project started and back on track.

Board member R. Thompson raised questions regarding the \$19.8 million dollar grant from the Transportation Commission being changed to a loan. T. Brechtel and B. Cassidy, General Counsel for the Alamo RMA, explained that the grant was given because clearance for construction had already been given and a construction firm already chosen. Now that the Alamo RMA needs to begin at the environmental level the TTC has a policy that all environmental work must be completed on a loan basis, not a grant basis. R. Thompson engaged in discussion with the Executive Director.

J. Reed made the motion to accept Resolution 08-29 as presented to the Board. R. Thompson

seconded. Motion carried by a 5-0 vote.

4. Briefing on preliminary action by the TTC on request for financial assistance for funding of project development and related environmental clearance costs for the Loop 1604 and IH 35 projects. T. Brechtel stated that she went before the TTC in October to request dollars for the environmental documents for Loop 1604 and IH 35. The TTC will be considering it in December. T. Brechtel stated that it is her understanding that the Loop 1604 project will move forward, and the IH 35 Environmental Study has been put on hold. There were some concerns about the financial feasibility of the IH 35 corridor. TxDOT committed to work with the Alamo RMA through their “evergreen” contract using their feasibility study consultants to look at sections of that corridor to get more concise data regarding the bond financing capability of the IH 35 corridor before the Alamo RMA moves forward with the IH 35 Environmental Study.

In the third quarter of 2009 the Alamo RMA would like to get started on the Loop 1604 project, specifically from 151 to IH 35. Originally it had been extended to IH 10 East, but the TxDOT San Antonio District Office and the Alamo RMA decided to not include from IH 35 to IH 10 East. There is a section by Randolph Air Force Base that the TxDOT San Antonio District would like to look at providing clearance under an Environmental Assessment process for a separate non-tolled capacity solution and its specifically related to concerns at Randolph Air Force Base entrances.

The desire is to get clearance on 1604 by 2012 and begin construction on pass through improvements in 2012-2013. T. Brechtel updated the Board on all of the Alamo RMA projects. She stated that for Wurzbach Parkway TxDOT and the Alamo RMA have agreed to not build a tolled interchange between 281 and Wurzbach Parkway. The plan is to do the flyover across 281 at Wurzbach Parkway. The San Antonio District will be completing the environmental study work. The project has been delayed due to rescissions at the Federal level. T. Brechtel stated that it is a high priority project and if there is Proposition 12 dollars that are actually funded in the next legislative session it’s one of the projects that will hopefully get back on track.

The FHWA has requested an EIS on Bandera Road. There are no funds allocated to the Bandera Road project, so it has been put on hold indefinitely. With regards to the IH 35 project, there are going to be feasibility studies underway in regard to toll viability in the IH 35 corridor.

Board member R. Thompson raised questions regarding Bandera Road Environmental and the ongoing environmental studies on Loop 1604, and engaged in discussion with the Executive Director.

5. Discussion and appropriate action on approval of the investment policy for the Alamo RMA. T. Brechtel introduced M. Nitschke, Chief Financial Officer, who stated that there are no changes to the Investment Policy from the previous year. M. Nitschke reiterated who the Investment Committee is comprised of and stated that the nature of the policy is to protect the principal, and to provide for the cash flow of the agency expenses.

M.C. Rodriguez made the motion to approve resolution 08-30 as presented to the Board. R. Diaz seconded. Motion carried by a 5-0 vote.

6. **Briefing on the year end investment report of the Alamo RMA.** T. Brechtel introduced M. Nitschke to present the Investment Report. M. Nitschke stated that the report covers a certain period of time and brings no remarkable news. The Alamo RMA Investment account is with Invesco AIM, a money market fund. M. Nitschke pointed out that during the period where there was a run on money market accounts the Alamo RMA's fund did not have any issues arise. It maintained a net asset value of \$1, had \$7 million dollars invested, which included the \$6.6 million draw that the Alamo RMA received in July from TxDOT. M. Nitschke went over significant market events.


Board member R. Thompson inquired on the balance of the fund. M. Nitschke stated that the balance is currently \$6.4 million. The Alamo RMA has a short term investment, a net asset value of \$1, and an average rate of maturity of 29 days. M. Nitschke stated that the particular fund the Alamo RMA uses has maintained a \$1 net value since 2004. Chairman Thornton requested that the Finance Committee be given a more detailed briefing on Investments, and the Investment Policy.

7. **Discussion and appropriate action on the financial statement for the period ending October 31, 2008.** C. Conner presented the financial statements for period ending October 31, 2008. 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.
8. **Citizens to be heard.** No citizen's signed up to speak.
9. **Presentation/briefing - Executive Director Report.** T. Brechtel reviewed the Board calendar for the period of December through February. T. Brechtel also reviewed the GEC monthly report
10. **Workshop on the 2009-2013 Strategic Plan of the Alamo Regional Mobility Authority.** Chairman Thornton recessed the meeting at 1:15 for the Strategic Plan workshop.

Chairman Thornton reconvened the meeting at 3:45 p.m.

There being no further business to come before the board, Chairman Thornton adjourned the meeting at 3:45 p.m.

APPROVED:



DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 1/14/2009

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 December 3, 2008.

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