

Alamo Regional Mobility Authority

*Meeting February 11, 2009, 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 12:10 p.m. All Board members present with the exception of R. Diaz.
2. **Approval of the January 14, 2009 Minutes.** *R. Thompson made the motion to approve the minutes as presented to the Board. C. Villarreal seconded. Motion carried by a 4-0 vote.*

M.C. Rodriguez stepped out of the room at the time of voting.

3. **Discussion on recent report and recommendations by the San Antonio Bexar County Transportation Task Force.** Chairman Thornton introduced Leilah Powell and stated that on February 5, 2009 a joint meeting was held between VIA and the Alamo RMA to hear the full presentation of the recommendations of the Transportation Taskforce. Chairman Thornton stated that most of the Board members were present at that meeting and as such suggested that L. Powell bring the Board up to date on where the Taskforce stands today.

L. Powell gave a brief review of how the Transportation Taskforce was formed. She stated that in July of 2008, the County Judge and the City of San Antonio Mayor invited 12 citizens to develop recommendations to give to the city and county regarding the Transportation Infrastructure in San Antonio by the end of 2008. After meeting extensively in open meetings and doing a great deal of research, the Taskforce decided that system-wide issues must be addressed as a whole needed to be reevaluated prior to any real infrastructure improvement recommendations could be made and the report has the initial recommendations and the committee will deliver an additional report later in the year which will focus on efficiency as a whole with planning and with providing services. L. Powell stated that the main question that the Taskforce was charged with answering was, what kind of job does this community do in planning? The Taskforce concluded that the job is not a very well done job. They found that there are not enough resources, there is a lack of coordinated planning - multiple agencies doing the same job but not working in conjunction with each other and . The Taskforce strongly recommended that some of those agencies be condensed or merged together. The current recommendations have been presented to the County Commissioner's Court, VIA, and the Alamo RMA. L. Powell stated that there was a close nexus between the findings of the group and what the recommendations of the group were. The group spent a lot of time looking at the overall systems and coming back and saying this is what we see that needs improvement.

Citizen Jack M. Finger, resident of San Antonio then spoke regarding the proposed merger.

J. Reed stated that he is with the Planning Committee of the Transportation Taskforce and their committee focused on corridor protection, currently there is no corridor protection for future projects, and they focused on coordinated planning.

B. Thompson stated that the merger is a reasonable idea to pursue, but it wasn't something that was born in this agency, the RMA did not ask to be merged with VIA, that suggestion came from a little higher than the organization. Based upon peoples expertise and judgment as they exercise that and looking at all the information that they had and the needs of our community recommended the blending the two agencies. With the Alamo RMA's budget and the projects to work with, the Alamo RMA has been tagged involuntarily as a toll agency. The reason for that is because we don't have any money to build it any other way and we're trying to build a road that would alleviate the traffic issue on 281. In merging two agencies such as VIA and the RMA, who is much younger, by several years, smaller in just about every respect, so a smaller stream going into a larger stream, subsumed by the larger stream. I'm very concerned about that. You'll have some mixed goals coming from this organization going into that, and sharing those with a board that will be primarily past VIA representatives. So the RMA's identity will be consumed by VIA. So it's not with some sense of concern of that issue that I consider some of the things that we're doing. The merger will be bringing a higher freedom of mobility. B. Thompson asked Chairman Thornton what the make up of the new Board would be.

Chairman Thornton then addressed the make up of the proposed merged board.

R. Thompson stated that the overarching goal must be to provide a better, more efficient, least expensive way to provide transportation to and from work in our city. It's not an easy path that the RMA has ahead of it. R. Thompson stated that he is not completely in love with the idea of the merger, he thinks that it's a step in the right direction, but he believes that success can be achieved with some extra hard work.

C. Villarreal stated that she thinks that mass transit should be addressed before any toll roads, because you can't wait for money to come in from toll roads to address mass transit. We need to alleviate the congestion now, not wait until money is available.

C. Thornton noted that the report does not say that one cannot be done until the other is and C. Villarreal responded that it doesn't say that, but that it also isn't clear how all of the recommendations will be funded. C. Thornton stated that these are parallel paths. What many of us see and what Bob has been saying for the last five years is not to build the toll road, his desire is to have light rail which is a form of transit in these right of ways, but you can't put rail where there's not a right of way already existing. Chairman Thornton stated that the Taskforce document in draft form, is available on the Alamo RMA's website, the MPO's website, the County's website, and he also believes on the City of San Antonio website.

4. **Discussion and appropriate action on a resolution in support of legislation relating to the Alamo Regional Mobility Authority, VIA Metropolitan Transit and the Advanced Transportation District.** Chairman Thornton called upon Tim Tuggey and Blakely Fernandez of the Law Firm Tuggey Rosenthal Powerstein Sandolski Agather, who represent VIA's interests in the recommended merger. Chairman Thornton then stated that there was a citizen signed up to speak, and asked said citizen if he wished to address the Board now or after the presentation.

Citizen Mel Borel, San Antonio resident, read a portion of TURF's statement on proposed creation of Consolidated Transportation Authority. *[A copy of this statement is attached.]*

T. Tuggey stated that if enacted, this legislation would implement one of the taskforces key recommendations, the integrated planning and consolidation of three agencies, the ATD, VIA, & the RMA. A working group was formed around the time the first draft of the taskforce reports were under discussion. The working group includes representatives from the RMA, its management counsel, VIA, its management counsel, the City of San Antonio, and also Bexar County. The document is a collaborative effort of many people and the give and take continues. T. Tuggey stated that the form of legislation in front of the Board has been approved by the ATD as of Monday, and as of this morning it was briefed to approximately half of the legislative delegation. Tuggey stated that he and B. Fernandez were in front of the Board to brief them on the contents and have the resolution on the floor. The Bill creates a new subchapter section within the Transportation Code. Currently there are three separate sections for VIA, the RMA, & the ATD. If this law is passed it does not self execute. Other parties have to agree to allow it. It also means that there will be an open action item in a meeting setting with allowance of public comment. C. Villarreal asked T. Tuggey whether the video monitoring means that pictures will be taken of people's license plates. It has been pointed out to her that a lot of people object to that.

T. Tuggey then discussed the process for consolidation - VIA and ATD Board would vote and petition the Alamo RMA to join them. The RMA would then vote on that. Assuming those two agencies along with the RMA Board vote yes then to complete the merger approval has to be received from the City Council, the County, and TxDOT. Once the merger is approved, the three agencies will be combined. C. Villarreal questioned the transfer of debts and salaries, and if there is an assurance that TxDOT will continue to keep paying. T. Tuggey stated that TxDOT will need to also need to approve the merger. T. Brechtel stated that the FAA's will stay in place. Section 370 gave the Alamo RMA certain rights and even after the merger the RMA will retain those rights.

R. Thompson stated that there seems to be a misconception that we are funded by TxDOT. We have contracted with TxDOT on several projects to do things that either they defaulted on or we were given first choice. To accomplish that, those funds come through TxDOT to us as a contracting agency. The Alamo RMA has assumed tasks for which they are paying us to do, but we have also received money from the County and the City. The funds we have received have come from projects by law we have the right of first refusal on, or for some reason they defaulted and we took it over, like the EIS. I don't want us to have a posture of working for TxDOT. He stated that the RMA is doing a job for TxDOT, and the job is in a contractual state.

T. Tuggey stated that historically this concept mirrors the concept of what other have called the urban mobility authority. Should the merger happen, it would be the first of its kind in the state of Texas. It would bring together under one umbrella all of the transportation functions that many have talked about doing. The governance will be changed, and new alignment will

be made to add two additional board members. There will be a two year term limit, with a max of 8 years servitude. The Chairman will be voted on by the Board. Section 9-11 is regarding the issuance of debt. Section 9-13 is important to VIA because VIA collects two pots of money from sales taxes. The money must go to buses or to the original provision. If they wish to change where the money goes it needs to be taken back to the voters. 9-14 is regarding Fare Revenue. 15% of revenue comes from fares, and all money collected from fare revenue stays with the buses. T. Tuggey state that the document is scheduled for briefings with City Council and also with the County. Chairman Thornton asked if resolution 09-07 was the same as the VIA resolution. T. Brechtel stated that this resolution is just accepting the concept of the Bill.

Chairman Thornton asked L. Powell when the committee formed and L. Powell stated that they were formed in July of 2008. He then stated that the recommendations may seem to be moving faster now, but that it is because of the legislature. The legislature is in session now and if actions are not taken now, then everything is put on hold for another two years.

T. Tuggey stated that all the proposed law does, is set a framework that allows a deal, but it is *not* a merger in and of itself. C. Villarreal stated that she is bringing the perspective of the people. She further stated that she wants to be the go between the people in her area and the Alamo RMA Board.

C. Villarreal asked that her questions that were sent by email regarding agenda item 4 be included in the record. [A copy of those questions is attached.]

R. Diaz stated that the RMA staff and Board have been to countless meetings.. He has gone on the radio and done interviews, and if he's with a client he will still take the time to talk about the RMA. The RMA sent out questionnaires, to the people along the 281 Corridor, to about 3000 households and received maybe 7 responses. R. Diaz stated to C. Villarreal that she will realize in three months that people don't know not because we haven't tried to inform them, but because of other reasons. If the consolidation deal does not work the way it was supposed to, can the RMA be reformed? It gives us another option, another opportunity.

T. Tuggey stated that technically by statute the RMA should be able to be reformed. C. Villarreal stated that VIA is getting federal money for buses and the RMA cannot use federal dollars to build toll lanes. T. Brechtel stated that the RMA does have access to federal dollars by a program called Transportation Infrastructure Finance and Innovation Act (TIFIA). C. Villarreal stated that she just wanted to make sure that VIA won't lose their bus dollars.

M.C. Rodriguez welcomed C. Villarreal to the Board. She strongly encouraged C. Villarreal to meet with Staff members again to get better educated on the issues so that she has a better understanding of what the RMA is trying to do for the community. C. Villarreal stated that she still thinks that things are still unclear, and she doesn't understand all of it and therefore can't vote for something that she does not understand.

R. Diaz made the motion to approve resolution 09-07 as presented. R. Thompson seconded.

Motion carried by a 5-1 vote. C. Villarreal voted against the resolution.

5. **Discussion and appropriate action on a resolution adopting the 2009-2013 Strategic Plan for the Alamo Regional Mobility Authority in accordance with the direction given by Bexar County Commissioners Court, as required by Chapter 370 of the Texas Transportation Code.** T. Brechtel introduced L. Alloway to present the Board with the version of the Strategic Plan for acceptance by the Board. L. Alloway stated that in December of 2008 a facilitated workshop was held. Representatives from the various Transportation organizations including the City of San Antonio and Bexar County were in attendance and participated. The Strategic Plan has gone to the MPO, the Transportation Taskforce, VIA, the Austin/ San Antonio Inter-municipal Rail District. A different writing style was used for this version compared to past versions. The focus was on where are we, and where do we want to be. L. Alloway also stated that for governmental entities the State Correctional Facility does printing for a fraction of the cost then most printing companies.

J. Reed made the motion to accept resolution 09-08 as presented. R. Diaz seconded. The motion carried by a 6-0 vote.

6. **Discussion and appropriate action on a resolution accepting the Fiscal Year 2007-2008 Financial Statements and the single audit of the Alamo Regional Mobility Authority.** T. Brechtel introduced Rene Gonzalez with Garza Gonzalez, the auditor. R. Gonzalez stated that the draft version of the audit is the same as the final version, nothing has changed. Included with the audit is the report of conduct. The report is a clean opinion, an unqualified, which is the cleanest report you can get. Staff has met all requirements of the agreements. The audit is a picture of the entity as of September 30, 2008. R. Gonzalez stated that it is an unqualified report and the best that can be received. The grants require compliance with procedures and the Alamo RMA have done so. There are no deficiencies in questions asked or data requested. Staff was very cooperative.

M.C. Rodriguez made the motion to accept resolution 09-09 as presented. R. Thompson seconded. The motion carried by a 6-0 vote.

7. **Discussion and appropriate action on a resolution adopting a revised operating budget for the Alamo Regional Mobility Authority for Fiscal year 2008.** T. Brechtel introduced C. Conner, Comptroller for the Alamo RMA. C. Conner stated that last year when the Budget was brought before the Board for approval it was with the understanding that there would need to be a revision. The RMA staff has taken a close look at the budget and revised it by half a million dollars. Revised capital budget to follow in possibly April. Changes made were due to the FHWA pulling the environmental clearance. The RMA is now doing the EIS so it needed to hire an environmental attorney. There was a \$591,903 decrease. A position was removed and that is now the environmental counsel position. Professional services fees were removed. There was an increase of \$53,028 that had to be added back due to the City of San Antonio and Bexar County accrued loans.

M.C. Rodriguez made the motion to accept resolution 09-10 as presented. R. Thompson seconded. The motion carried by a 6-0 vote.

8. **Discussion and appropriate action on the financial statement for the periods ending January**

31, 2009. C. Conner presented the financial statements for period ending January 31, 2009. Carrie reviewed the balance sheet stating that cash and cash equivalents totaled \$5.4 million, 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.

M.C. Rodriguez made the motion to accept the financials as presented to the Board. R. Thompson seconded. The motion carried on a 6-0 vote.

9. **Presentation/briefing - Executive Director Report.** T. Brechtel reviewed the Board calendar highlighting the due dates for the RFQP for EIS Consultants and the RFP for Bird Surveys. She stated that in March a recommendation will be given to the Board and the authorization to execute a contract for the RFQP and RFP, and she discussed the GEC monthly report.
10. **Citizens to be heard.** There was one citizen who signed up to speak. Citizen Jack M. Finger spoke

There being no further actions for the Board Chairman Thornton called the meeting to adjournment at 2:15 p.m.

APPROVED:



DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 3/12/2009

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 February 11, 2009.

ATTEST:



REYNALDO L. DIAZ, JR
SECRETARY/TREASURER