

Alamo Regional Mobility Authority

*Meeting July 09, 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 R. Diaz 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. J. Reed seconded. Motion carried by a 4-0 vote.*
3. **Presentation and discussion on long range comprehensive transportation plan.** T. Brechtel stated that this item was pulled from the Agenda. Ms. Brechtel stated that Keith Parker, CEO of VIA Metropolitan Transit, was unavailable and would like to participate in the presentation. She further stated that there is no rush, so the presentation will be delayed until Mr. Parker is available.

Board member R. Thompson asked what the scope is, and how will the RMA be involved. Ms. Brechtel replied that the scope is extensive, and that the RMA has been invited to be part of the Technical Advisory Committee, and that VIA will be putting together a Steering Committee. Leroy Alloway will be participating on the Technical Advisory Committee. Ms. Brechtel stated that the idea is to put together a long range 50 year comprehensive transportation plan without financial constraints. The RMA will participate in the planning process. Bus Rapid Transit (BRT), Light Rail, Street Cars, High Occupancy Vehicle (HOT) lanes, and managed lanes will be considered. Ms. Brechtel also noted a letter was sent to the Chairman of VIA, Henry Muñoz III, which suggested a joint planning effort by VIA and the RMA. Mr. Thompson asked who pays for this study. Ms. Brechtel stated that she believes that VIA requested a Federal Grant. She then asked Mr. Isidro Martinez, Executive Director for the Metropolitan Planning Organization (MPO), if he knew. Mr. Martinez stated that he believed that VIA was paying for this study out of its own funds, but was unsure. Ms. Brechtel stated that the RMA will need to get clarification regarding the funding matter. Mr. Thompson asked how the County/Transportation Task Force recommendations fit in with this study. Ms. Brechtel stated that the Transportation Task Force is still working to get it tied together. Board member J. Reed stated that the MPO 25 year study, the Transportation Task Force recommendations, and the VIA study are all geared to transit friendly development. Mr. Thompson stated that we as a community have been devoid of these planning efforts in the past, but that we are now getting into sync, and that is a good thing to do. That sacrifices are going to have to be made. The process of corridor protection needs to start, and better coordination needs to be done. Chairman Thornton stated that the Legislature was a time to pause while efforts to have some of the recommendations from the Transportation Task Force included in the Legislature were placed into action. Now that the Legislature is over, the Transportation Task Force may once again restart. Chairman Thornton stated that the RMA has both primacy and Right of first refusal, and VIA does not. Therefore, there needs to be coordination between the two agencies for corridors to be used for full potential.

4. **Discussion and appropriate action on a resolution authorizing the payment of a stipend to unsuccessful short-listed respondents to the Request for Detailed Proposals for the U.S. 281 North/Loop 1604 Interchange Project.** Chairman Thornton asked Ms. Brechtel to introduce item 4. Ms. Brechtel stated that the Stipend is part of the Design/Build process. Approximately \$70,000 will

be paid to the three unsuccessful proposing teams if the contract is executed, similar to the US 281 North Toll project. The Stipend amount is approximately .5% of the estimated project cost. The practice of paying a stipend to unsuccessful proposing teams is conducted by other RMA's with their projects. Average payout amount is 1% of the estimated project cost. This payment is only .5% of the estimated cost. The reason that this practice is done is because with the payment of a stipend the paying entity purchases the technical concepts, or value added concepts that were proposed by the unsuccessful proposing teams, which could result in cost savings for the project if those concepts were used. Citizen, Jack M. Finger, member of the San Antonio Toll Party, stated that the Alamo RMA is stating that the US 281 / Loop 1604 Interchange project is not a toll project, but the Toll Party says that it has future toll road potential, therefore, the San Antonio Toll Party urges that compensation not be given to the unsuccessful proposers. Chairman Thornton stated that competition is good and since the stipend attracts more bidders, encourages different ideas, and adds value, he supports it. Mr. Thompson stated that the review process has judgment in how we asked for proposals. Ms. Brechtel went over the process of how the teams are chosen. She stated that the Request for Qualifications (RFQ) was issued and that six teams responded. Four were short listed. The four short-listed teams were chosen by a combination of scoring, and qualifications. The teams who respond to the Request for Detailed Proposals will then be reviewed and scored on over 100 different items. The final decision will be based on a combination of scoring, qualifications, and cost. A draft RFDP was issued and comments were solicited. During the One on One workshops with the shortlisted teams, the teams will advance what could be technical concepts for the Alamo RMA to approve. At least 5-7 technical concepts are expected from each team. Those 5-7 concepts, from each team, are the technical concepts that the stipend would be purchasing. Ms. Brechtel stated that as a reminder the Alamo RMA issued the RFQ and 6 teams responded, reviewed & reduced to 4; staff then issued draft RFDP & asked for comments & included scoring mechanism and the review will use over 100 or more points to score and then score cost and qualifications and then make the recommendation to the Board, and that as part of the review process the RMA will include one on one workshops with the teams and we hope to get 5-7 technical concepts from each proposing team.

Mr. Thompson stated that the design effort for the RMA is time consuming, and that the time and cost would be way more than paying the \$70,000 stipend. The RMA could do a Design/Build or a Design/Bid/Build in house, but it does not have the in house expertise to design. It is more efficient to outsource the Design Build since the proposing team comes up with the design and expertise. The compensation is minor for the value of what is received. Mr. Thompson further stated that a pre-designed package is costly and not as good of a value. Mr. Thompson is supportive of the stipend. Ms. Brechtel stated that the design teams take the design to at least a 30% schematic to get technical concepts, and develop the cost. Mr. Reed referenced prior projects, and stated that utility companies use it to get intellectual property and was told by several people that the last stipend offered by the RMA was low. He further stated that stipends are not unique to highways, most utility companies follow the practice of paying a stipend to unsuccessful proposing teams. Board member C. Villarreal stated that she reviewed prior deals that were used by public and private entities, and that her objection is that it's public money that is being paid out to the losing companies. Mrs. Villarreal stated that the RMA may benefit from paying the stipend, and that she hopes that it's worth \$210,000. Mr. Thompson stated that when the proposals are received, the other concepts will be looked at and then it will be clear whether there will be a value out of paying the stipend.

R. Thompson made the motion to accept resolution 09-25 as presented. J. Reed seconded. 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 the creation of two community advisory groups as a part of the overall community involvement program for the Loop 1604 Environmental Impact Statement and the US 281 Environmental Impact Statement projects,**

and providing for initial membership categories for said groups. Chairman Thornton asked Ms. Brechtel to introduce item 5. Ms. Brechtel stated that the item for consideration is for two Community Advisory Groups for the two EIS projects, US 281 North, and Loop 1604. Ms. Brechtel asked L. Alloway, Director of Community Relations for the Alamo RMA to present the item.

Mr. Alloway gave a power point presentation which discussed the National Environmental Protection Act (NEPA) and its requirements for Community Involvement. The presentation noted the difference between the lead agencies, the Texas Department of Transportation, and the Alamo RMA. The presentation also went over the cooperating agencies that will participate, those being the Corps of Engineers, and United States Fish and Wildlife. Additionally agencies from Federal, State, Tribal, Regional, and Local government levels will also be participating. Some agencies are being sought for their expertise. Mr. Alloway went over the purpose of the groups, and the commitment required from each. Draft charters have been created for each group. The creation of the community advisory groups is similar to what was created on Bandera Road prior to its study becoming an Environmental Impact Statement (EIS). Mr. Alloway stated that the RMA is not trying to just check the box, but instead is making a strong effort to bring in community involvement and input. Mr. Alloway stated that the Charters have been enhanced, and that the RMA and its Consultant teams will be covered by the Charters.

Chairman Thornton noted that both Texans Uniting for Reform and Freedom (TURF), and the San Antonio Toll Party were included. Chairman Thornton asked B. Juen, member of the San Antonio Toll Party, if the organizations were the same, or if they were separate. Mr. Juen stated that both organizations are separate entities. The San Antonio Toll Party is a regional, while TURF is statewide. Chairman Thornton asked Mr. Juen which organization should be included in the advisory group. Mr. Juen responded by thanking the RMA for including them in the group, and stating that the San Antonio Toll Party is the preferred group to include. Mr. Juen stated that TURF needs some time off after the legislative session. Ms. Brechtel asked Mr. Juen if he was still serving for them. Mr. Juen replied that he is no longer on the Board. Chairman Thornton directed Mr. Alloway to add both organizations to each group. Ms. Brechtel stated that if both groups are willing to serve, having a statewide perspective would be beneficial to the groups. Mr. Juen stated that he would appreciate both groups being involved, but that at the end of the day, it's all the same. Mr. Thompson stated that we want to have their voice, but that the problem is that this is a community committee for the purpose of presenting ideas, if both organizations offer a diverse interest, then invite both, however if the organizations are the same then only one should be invited. He further stated that he didn't want to exclude anyone, but instead wants fair representation for all of the other groups. Mr. Thompson then asked Mr. Juen which entity should be included. Mr. Juen stated that since the projects pertain to both US 281 and Loop 1604 both organizations should be included. Mr. Thompson asked Mr. Juen why he believed that both organizations should be included. Mr. Juen replied because they deserve it. Mr. Thompson then asked Mr. Juen if he was stating that both organizations have diverse interests. Mr. Juen stated that both groups do have diverse interests. Mr. Juen further stated that they are succeeding on addressing the congestion on US 281 by keeping the RMA and everyone like the RMA at bay. Mr. Thompson stated that he is trying to do what is right for the community. He then asked Mr. Juen to name a decision that he has made while serving on the Alamo RMA Board that Mr. Juen did not agree with. Mr. Juen stated that he didn't agree with the Stipend. Mr. Thompson stated that he has read through the back up documents for the Stipend and he knows why he voted the way that he did for it.

Mr. Juen stated that Mr. Thompson has stated that he is for moving congestion, but that at the same time Mr. Thompson has said that he doesn't want to build Wurzbach Parkway because it would compete with his pet project of Commuter Rail, or light rail. He further stated that Texans want roads, and that Mr. Thompson's agenda is Light Rail or Mass Transit. The Agenda of the RMA is to build roads. He stated that he just sees Mr. Thompson as having a conflict of interest as pertains to serving on the Board and the citizens of Texas.

Ms. Brechtel stated as a point of clarification as a toll project that the Alamo RMA supported a non-tolled alternative to Wurzbach Parkway. The RMA was asked by TxDOT to evaluate the interchange at Wurzbach and 281. The RMA looked at that and stated unequivocally that we would not be tolling the interchange. Second, the RMA worked on a pass through financing application to try to get a non-tolled alternative in front of the Transportation Commission for Wurzbach Parkway. The RMA has done everything they can to advance Wurzbach Parkway as a non-tolled project.

Chairman Thornton stated that he wanted to clarify the motion that was made. His suggestion was to amend the motion with both diverse organizations included in both advisory groups. Chairman Thornton also asked Mr. Thompson to serve on the advisory groups as the Alamo RMA Board member representative. Ms. Villarreal asked for the cost for the two advisory groups. She inquired about the cost of the meetings, man power etc. Her concern is that the money is coming out of tax payer monies and the Alamo RMA hasn't paid back the money that is owed to the City and the County. Mr. Thompson stated that the public input is required as part of the EIS. He also stated that that information could be found on the CEQ website and public input from meetings is required by the Feds, but that the RMA has some discretion in identifying stakeholders and how to fund it. He further stated that he wants to do whatever it takes to get the community involved and that he is aware that it costs more to let people know what we are doing. Ms. Villarreal stated that she wants to ensure that it is spent wisely. Ms. Brechtel stated that the Baker team cost estimates is \$180,000, and as soon as the Jacobs team costs are in, she will get that to the Board as well.

Citizen, Jack M. Finger, San Antonio Toll Party member, stated that Ms. Villarreal had a point, tax payer dollars are important. He further stated that TxDOT lied when they stated in their environmental document that there is no problem with the environment. He also stated that he sees the RMA taking over the Environmental Study as a conflict of interest. He thanked the Board for the diverse groups in the studies.

J. Reed made the motion to accept resolution 09-26 as presented. R. Thompson seconded. Motion passed by a 3-1 vote. C. Villarreal voted against the resolution. A copy of the power point from this presentation is attached to the official copy of these minutes.

6. **Discussion and appropriate action on a resolution authorizing an interlocal agreement with the City of San Antonio U.S. 281 North Super Street Project.** Chairman Thornton called upon Ms. Brechtel to introduce item 5. Ms. Brechtel stated that the interlocal agreement with the City is for the Super Street project. There is \$480,000 from the City along with VIA/ATD funds and ARRA for a total of \$7.8 Million. The monies are to be used for design and construction, and after

Minutes of the Alamo Regional Mobility Board of Directors July 09, 2009 Regular Meeting
the VIA funds are used, then, the City's money can be used. There is an extensive reporting process that is done to ensure that the money is being used in accordance with the agreement with the City.

Chairman Thornton stated that this project involves not just the RMA and TxDOT, but also VIA and the City of San Antonio.

R. Thompson made the motion to accept resolution 09-27 as presented. J. Reed seconded. Motion passed by a 4-0 vote.

7. Discussion and appropriate action on the financial statements for the period ending June 30, 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 June 30, 2009. Ms. Conner presented the financial statements and reviewed the assets and liabilities and highlighted changes. She stated that there is a favorable variance for operating costs. Capital costs total \$1.7 Million. Assets total \$11.016 Million.

R. Thompson made the motion to accept the Financial Statements as presented to the Board. J. Reed seconded. Motion carried by a 4-0 vote.

8. Presentation/briefing - Executive Director Report.

Mr. Thompson noted that with regards to the Super Street Open House the staff got the equation/method right for getting folks informed quickly.

Ms. Brechtel reviewed the quarterly calendar of upcoming events for the Board and reviewed the GEC report.

Ms. Brechtel stated that she is aware that the RMA Chair will be out of town during the normal scheduled August Board meeting. She said that she will make a call closer to that date whether the meeting will be rescheduled.

Ms. Brechtel went over the Super Street timeline, and the US 281 / Loop 1604 Interchange timeline. She further stated that the RMA is in the process of getting the final Categorical Exclusion cleared so that the RMA can get to the 180 day 139(l) period.

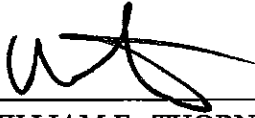
Mr. Thompson stated that the staff has been helping greatly in getting the intern program off the ground.

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

10. Executive Session. There was no Executive Session.

11. Adjournment. There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 2:28 p.m.

APPROVED:

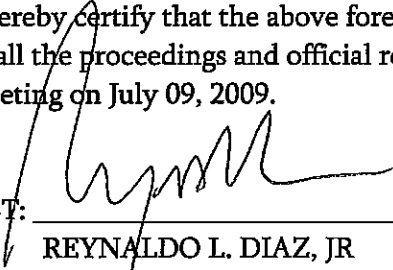


DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 8/13/2009

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 July 09, 2009.

ATTEST:



REYNALDO L. DIAZ, JR
SECRETARY/TREASURER



ALAMO RMA

Alamo Regional Mobility Authority

"Moving people faster"

Board of Directors Meeting ^{Sept. 3, 09} ~~July 09, 2009~~

Minutes

Agenda Item: _____ Resolution Number: _____ - _____

Motion by: R. Thompson Second by: J. Reed

Amendment(s): _____

Vote

Board Member	Aye	Nay	Abstain	Absent
W. Thornton, Chair	✓			
M. C. Rodriguez				✓
R. Diaz	✓			
J. Reed	✓			
R. Thompson	✓			
C. Villarreal	✓			