

Alamo Regional Mobility Authority

*Meeting August 12, 2010, 1:00p.m.,  
Al J. Notzon III Conference Room  
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 except Jim Reed.
2. **Approval of minutes from the Regular Board of Directors Meeting of May 13, 2010.** R. Thompson made the motion to approve the minutes as presented to the Board. R. Diaz seconded. All voted in favor.
3. **Designation by the Chairman of the Alamo RMA of the members Executive Committee.** Chairman Thornton stated that this item did not require Board action as it was being done on his action pursuant to the bylaws. He stated that the Planning Committee and Finance Committee are working committees and there are times it is important to have meetings of the Executive Committee for coordination of those committees and not for business or deliberation. He stated that the Executive Committee will be composed of the Chairman and the two Chairs of the Finance and Planning Committees.
4. **Presentation by US 281 EIS Intern Program on Context Sensitive Solutions.** Chairman Thornton brought forward agenda item 9 for introduction by R. Thompson. R. Thompson stated that the Jacobs team employed UTSA students as interns to develop a proposal utilizing the Context Sensitive Solutions program being promoted by FHWA. The interns introduced themselves and made a presentation. A discussion followed regarding the benefits to the students for this type of internship program. R. Thompson stated that the RMA needs to bring in SAWS and CPS on these issues for the EIS process. Jimmy Robertson stated that Jacobs enjoyed the process and T. Brechtel stated that we want to have them make the same presentation to the citizen advisory committees. Chairman Thornton asked if we are working with the City, County, VIA, SAWS and CPS and J. Robertson answered yes and that we will work with R. Thompson to get access to these entities to make the CSS presentation, R. Diaz stated that they did a great job and the presentation should be put on a DVD with their voices for future presentations.
5. **Discussion and appropriate action on a resolution approving a second amendment to the Financial Assistance Agreement with the Texas Department of Transportation for the Loop 1604 project (Terry Brechtel) (Resolution No. 10-26) and a resolution approving a first amendment to the Amended and Restated Financial Assistance Agreement with the Texas Department of Transportation for the U.S. 281 North project (Terry Brechtel) (Resolution No. 10-27).** Chairman Thornton combined agenda items 4 and 5. T. Brechtel stated these resolutions approve amendments to the outstanding financial assistance agreements with TxDOT to incorporate the approved indirect cost rate of the RMA. The staff of the RMA developed in-house an indirect cost rate. *R. Thompson made the motion to approve the resolutions as presented to the Board. A. Downey made the second.* C. Villarreal asked for the attachments to have added to the "Attachment A" in the future rather than just including them behind the resolution. R. Thompson asked for confirmation that 281 is a grant and 1604 is a loan and whether the loan is reduced once the work product is returned. T. Brechtel stated that yes, like we have done with Bandera and propose to do with Wurzbach Parkway, once those are no longer being developed

by the RMA we return the work product to TxDOT and they will process it and reduce the loan accordingly. *All voted in favor.*

6. **Discussion and appropriate action on a resolution terminating development authority for the Wurzbach Parkway Project and transferring work product associated with the project to the Texas Department of Transportation (Terry Brechtel/Milo Nitschke) (Resolution No. 10-28).** T. Brechtel stated that there had been prior actions terminating the RMA's development authority for Wurzbach Parkway and we want to initiate the process to transfer it back to TxDOT. T. Brechtel stated that the value of the work product is valued at approximately \$1.5million and upon approval of the resolution, staff will forward the documents to TxDOT and initiate the process for the TxDOT auditor to begin their reviews. T. Brechtel stated that this had been reviewed by the Finance Committee. *R. Diaz made the motion to approve the resolution. R. Thompson seconded.* R. Rodriguez stated that he had spoken with Milo Nitschke about a few questions and that the financial statements show a liability that includes the value of the work product for Bandera and Wurzbach Parkway and he is concerned about making sure these liabilities get reduced and he asked about I-35 and whether the same will be pursued. T. Brechtel stated that the I-35 project is still active and it is the current intent to conduct environmental studies on this corridor and we have current work product on this but don't currently intend to return it to TxDOT. R. Rodriguez asked if the liability shown for 1604 stays since it is a loan but not 281 since it is a grant and T. Brechtel confirmed that was true. R. Rodriguez then asked about the first \$1 million loan the RMA received to assist TxDOT with the evaluation of unsolicited proposals for 281 and 1604 and whether we need to discuss with TxDOT how to handle that return. T. Brechtel said she would follow up with TxDOT on that possibility. Brian Cassidy stated that he wanted to confirm that the advantage of the loans is that it allows the RMA to pay for work product in the development of projects and that if no project is developed, the work product is returned to TxDOT and the loan forgiven but that if a project goes forward, then the loan is paid back with project revenues. R. Thompson stated that the original City and County loans have no pledged fund or activity from which to pay it back. *All voted in favor.*
  
7. **Discussion and appropriate action on a resolution authorizing the approval of change orders by the Executive Director (Terry Brechtel/Lisa Adelman) (Resolution No. 10-29).** T. Brechtel stated that the proposed resolution would apply to construction and maintenance contracts and the RMA currently has 2 active contracts to which it will apply, the 281 Super Street and the Interchange, and it authorizes the Executive Director to approve change orders for each contract in a total amount up to the lesser of \$150,000 or 30% of the total contract amount. *A. Downey made the motion to approve the resolution. R. Diaz seconded.* A. Downey stated that it was reviewed and discussed in Planning Committee meeting. C. Villarreal stated that she had looked at the State of Texas and it was 25%. R. Thompson asked if there was a need for this and T. Brechtel stated that it will expedite the process during construction and it is the more conservative approach to limit it to a total of \$150,000 instead of that limit per change order. T. Brechtel stated that it may be necessary to come back to the Board for a larger authorization if it becomes too burdensome. R. Rodriguez asked about the chance of hitting that \$150,000 limit and T. Brechtel stated that is unknown. R. Diaz stated that the Executive Director needs some latitude but this a good conservative start and we can increase as necessary as we proceed. *All voted in favor.*

8. **Discussion and appropriate action on the financial statements for the period ending July 31, 2010 (Terry Brechtel / Carrie Conner).** T. Brechtel stated that since there was no June or July Board meeting, the financial statements being provided are July 31 which include the figures from May and June and did not want to duplicate the process by including those individual statements as the numbers are included in the July 31 statements. Carrie Conner reviewed the balance sheet statements which includes income, liabilities and deferred revenue, the statement of capitalized costs, the statement of revenue, expenses and changes in fund deficit, and the statement of cash flow. *R. Diaz made the motion to accept the Financial Statements as presented to the Board. R. Rodriguez seconded.* R. Diaz stated that he and C. Villarreal reviewed it in the Finance Committee. R. Rodriguez had a question about deferred income and what is spent versus unspent and C. Conner stated that that change reflects prior reliance on loans and now utilizing grants. R. Rodriguez asked about the difference in the budgeted amounts for salary and C. Conner stated that the reason was a change from professional services to salary category. C. Conner stated that she would be back before the Board next month with a revised 2009-2010 budget for review and approval. *All voted in favor.*
9. **Executive Director's Report.** T. Brechtel reviewed the calendar items. She stated that she and Leroy Alloway had made a presentation to over 500 NEISD employees discussing the 281 Super Street and how it would work. T. Brechtel reviewed the consultants reports included in the Board packet and that the 281 Super Street is expected to be open by October 1 due to a few rain delays and that for the 1604 Super Street the design is 100% complete and in Austin for review and approval and we anticipate approval of the CE by the end of August to meet the September 30 ARRA deadline. T. Brechtel stated that there is a partnering meeting next week for the Interchange project and currently performing geotechnical work using protocols approved by USF&WS. C. Villarreal stated that she could find no definition of "shovel-ready" in the ARRA guidelines and T. Brechtel agreed that that it is really a term of art. T. Brechtel stated that on the Interchange they are working on 30% design for the schematic and construction is anticipated to begin in October and the first draw has been approved. T. Brechtel stated that there is a tentative meeting date set for the 1604 EIS CAG and staff will be meeting with the EIS consultants and TxDOT and FHWA to discuss revised environmental review processes and that the EIS timelines may be adjusted.
10. **Board workshop to discuss the Alamo RMA 2011-2015 Strategic Plan.** Leroy Alloway made a power point presentation discussing the prior strategic plan and how the goals have been met. Chairman Thornton asked that both committees meet to review and provide comments on a proposed plan.
11. **Citizens' Communications.** None.
12. **Executive Session.** There was no Executive Session.
13. **Adjournment.** There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 2:45 p.m.

APPROVED:

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DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 9/9/2010

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 August 12, 2010.

ATTEST: \_\_\_\_\_

REYNALDO L. DIAZ, JR  
SECRETARY/TREASURER