

Alamo Regional Mobility Authority

*Meeting February 11, 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 1:00 p.m. All Board members present.
2. **Swearing-in of Arthur J. Downey, Jr. to the Board of Directors of the Alamo Regional Mobility Authority for a term of office to expire on February 1, 2012.** Chairman Thornton stated that Art Downey was appointed by Kevin Wolff. T. Brechtel stated that there was a citizen signed up to speak – Nikki Kuhns. Ms. Kuhns stated that she questions the appointment, made without interviewing names offered by TURF, she saw him at an RMA press conference and she wonders how objective he will be. T. Brechtel welcomed him and commented that he is known for all of his work in the community, including District 9. Margaret Montemayor, District Clerk for Bexar County, conducted the swearing in. A. Downey stated he spent time serving the country in the US Army and wanted to provide services to the community in an unbiased way. Chairman Thornton stated that with two vacancies filled now, the Board has the ability to fill committee appointments to discuss and review projects and policy issues requiring Board approval. He stated that Jim Reed is the Chair of Planning, previously Henry Munoz was Chair of Finance and he is now proposing that Rey Diaz will Chair the Finance Committee with Robert Rodriguez and Christel Villarreal on that committee. Chairman Thornton stated that he has asked Bob Thompson to be Vice Chair of the Board. Chairman Thornton stated that Reed, Thompson and Downey would be on the Planning Committee.
3. **Approval of minutes from the Regular Board of Directors Meeting of January 14, 2010.** R. Thompson stated that he has reviewed the minutes. *R. Thompson made the motion to approve the minutes as presented to the Board. J. Reed seconded.* R. Thompson stated that the reference in Item 3 of the minutes referenced under the prior agreement the North Toll project and it should be clear that this was for a project that was never started and any reference to either as toll is premature for either 281 or 1604 EIS. C. Villarreal stated that she would like to add the resolution number to Item 4. *Motion passed by a unanimous vote.*
4. **Discussion and appropriate action on a resolution to elect a Vice-Chair and Secretary/Treasurer, in accordance with the Alamo RMA By-laws.** Chairman Thornton stated that the resolution would approve Rey Diaz as Secretary/Treasurer and Bob Thompson as Vice Chair. *R. Rodriguez made the motion to approve the resolution as presented to the Board, J. Reed seconded, all voted in favor.*
5. **Discussion and appropriate action on a resolution accepting the Fiscal Year 2008-2009 Audited Financial Statements and the State of Texas Single Audit of the Alamo Regional Mobility Authority.** Audit presentation by Rene Gonzales, senior auditor, and Jason Hyde, who performed the audit. Rene Gonzales stated that they met with the Finance Committee and as the independent auditors were giving a clean, unqualified opinion and that the numbers, operations, grants, are all in compliance with rules and regulations for grants/loans. Rene Gonzales also stated that the Management Discussion and Analysis report provided by the Alamo RMA management is not audited but is added and is helpful to review as it highlights different areas of

the report. Rene Gonzales also stated that RMA is in good financial position with its loans and grants and all liabilities and assets are listed. *R. Thompson made the motion to approve the resolution as presented to the Board, R. Diaz made the second.* R. Diaz stated that this item went to the Finance Committee for review and discussion and he had one question that on page 2 it references audit adjustments and the last paragraph in report of conduct of audit states that there was a proposed change and management accepted and whether this was an error and Rene Gonzales stated that expenses were recorded to grants but revenues were not reported to match in same time period and this was the correction. Rene Gonzales stated that revision had to be recognized and he received full cooperation from staff and access was not restricted in any way. Robert Rodriguez recommended approval. *All voted in favor.*

6. **Discussion and appropriate action on a resolution approving the Alamo RMA 2009 Annual Report.** T. Brechtel stated it is a state law requirement to provide the annual report to the County by March 31, 2010. Leroy Alloway stated it was done completely in-house by himself and Michelle Martinez and they just need to add today's Board photo and the audit accepted today and they will file with the County. Citizen Jack Finger signed up to speak and he questioned the expenditure by the for the annual report. *J. Reed made the motion to approve the resolution as presented to the Board, R. Diaz made the second.* Chairman Thornton thanked the staff for doing it in house and saving money. R. Thompson stated that it was a back handed compliment to staff for doing it themselves, and doing the environmental studies which includes looking extensively at how to protect the environment and we may want to add more future goals to the draft of the annual report. T. Brechtel stated that adding future goals is in the Strategic Planning process which is every other year. [R. Diaz stepped out]. [R. Diaz stepped in]. R. Thompson stated that he wants the RMA to be diligent about environmental reviews and preservation of the environment and coordination with community and we have had directions in 2009 to do the environmental studies and it is a credit to staff for getting it done and being careful and watchful with environmental issues and environmental protection and enhancement is a major role for the RMA. J. Reed stated that the environmental process is important and we are looking at the westside 1604 Super Street with a meeting that had in attendance the City, County, TxDot, SAMCo, NSISD and Representative Menendez and it is an open process and everyone stepped up to participate. R. Diaz stated that the environmental clearance is important to moving forward. C. Villarreal questioned whether we are involving EAA and their request for new impervious cover. R. Thompson stated that the EAA is asking for more restricted impervious cover but not sure about the requirements, the EIS teams are working with EAA. C. Villarreal stated that she wants to make sure they are involved. R. Thompson stated that both EIS teams are discussing issues with them. L. Alloway stated that the EAA is a Participating Agency for both EIS and all CAG members are listed in the annual report. *All voted in favor.*
7. **Discussion and appropriate action on a resolution approving an amendment to the environmental consulting services contract with Michael Baker Jr., Inc. for the preparation of an Environmental Impact Statement for the Loop 1604 project.** T. Brechtel stated that this EIS contract is an amendment with Baker to add the project limits from SH 151 to US 90 and additional environmental services with 6.5 miles added which will help meet the needs of the community and it has been done with the approval of the County commissioners. *R. Thompson made the motion to approve the resolution as presented to the Board, J. Reed made the second.* R.

Thompson stated that the original project limits stopped at SH 151 for no great pressure to extend it but people asked for it and there is a need and it is the wise thing to do. J. Reed stated that since we started it has shown there is a need. R. Rodriguez questioned the traffic count and asked if someone could repeat those numbers. T. Brechtel stated that we have a report from Pape Dawson but not with us and that growth in that area is about 9%. T. Brechtel also stated that the main point is this is an area of high travel with projected growth. R. Rodriguez stated that previously nobody was focused on that area and now we can see the density of that area. T. Brechtel stated that the numbers are higher for 151 than 281. A. Downey asked about the possible 1604 Super Street and how far it could extend. T. Brechtel stated she will give a briefing during the Executive Director's report, but the environmental clearance is key for the 1604 Super Street. R. Thompson stated that we are looking at CE's on 1604 Super Street and not adding capacity but moving traffic. C. Villarreal asked whether this amendment would automatically extend toll road designation to that part of the highway. T. Brechtel stated that the EIS will analyze how to pay for those options and in order to extend the study/project limits we have to discuss how to pay for it over time and because the MPO 25 year plan is fiscally constrained, we have to identify payment source and at this time only toll is viable but looking at all options. C. Villarreal asked who will determine how it is paid. T. Brechtel stated that it will be this Board. Chairman Thornton asked about the timing and number of legislative sessions available to provide local options or change in law. T. Brechtel stated that there will be one more in 2011 and any proposed improvements to Loop 1604 may be phased so it could cover 2 Legislative sessions. *All voted in favor except C. Villareal who voted nay.* R. Thompson stated that he doesn't want tolls either but wants it studied. R. Diaz stated that they won't let a project on the list unless a funding mechanism is identified. Chairman Thornton stated that if the Board sided with C. Villarreal nothing would be studied and no capacity added if it isn't included because of the references to tolls. Chairman Thornton stated that the contractor was ready on the original 281 project and we were sued on the environmental and now we are required to obtain a new environmental study to do new additional capacity and that tolling is a place holder for this study but it would be short sighted to take it off. R. Rodriguez stated that he is not voting in favor of the resolution because he wants a toll road and Commissioner Chico Rodriguez never said he supports a toll road and tolling may not be feasible on some parts of the highways. T. Brechtel stated this is new and we have looked at 281 and the rest of 1604 and as to its financially feasible, the RMA has looked at Texas Mobility Fund but have never stated that the projects on their own are financially feasible with just tolls and we have targeted 3 projects with certain assumptions. C. Villarreal stated that a feasibility study is a good idea and if we keep adding and if we keep on going we could toll the whole of 1604 and we don't include existing roads in the possibility of tolling. R. Rodriguez stated that people in that area have been ignored, growth is in that area, and there is gridlock.

8. **Discussion and appropriate action on a resolution approving an amendment to the Financial Assistance Agreement with the Texas Department of Transportation for the Loop 1604 project.** T. Brechtel made a brief presentation and stated that the Texas Transportation Commission has approved it and this reflects the increase of the project limits for the 1604 EIS. Citizen Jack Finger has signed up to speak but he stated he would wait. *R. Thompson made the motion to approve the resolution as presented to the Board, R. Rodriguez made the second.* R. Rodriguez stated that this is the same discussion as prior item. *All voted in favor except C. Villareal who voted nay.*

9. **Discussion and appropriate action on the financial statements for the period ending January 31, 2010.** C. Conner made a brief presentation on the balance sheet, statement of capitalized costs, statement of cash flow, and statement of revenues, expenses and changes in fund deficit. R. Rodriguez noted that the statements still referenced 2009 and C. Conner stated that those will be corrected. R. Thompson made the motion to accept the Financial Statements as presented to the Board. R. Diaz seconded. *All voted in favor.* R. Thompson stated that the audit description proved the capability of staff and finance committee.

10. **Executive Director's Report.** T. Brechtel referenced the RMA calendar and we are working on Finance Committee change to regular meeting dates and times and she discussed items on calendar, the design/build proposals are due tomorrow, Planning Committee meeting dates will change. T. Brechtel also noted the scheduled EIS meetings and reminded the Board members they are always welcome to attend. T. Brechtel stated that the 281 Superstreet will be mid-March to begin construction and they are buying equipment now. T. Brechtel stated that for the 1604 Superstreet the FHWA has to give approval for CE's and Bexar County has to approve additional funding. T. Brechtel stated that for both EIS they can see meetings on the calendar. There was a legislative update from Brian Cassidy and a discussion on funding sources and no viable ones at this time, after 2012 projected that TxDOT will have no revenue other than for maintenance and the increase in gas tax is not likely as the Legislature will be looking at redistricting and TxDot sunset bill with budget deficit. B. Cassidy also stated he was in D.C. with TxDOT and discussed the priorities for funding – TIFIAA, environmental streamlining and litigation challenge time. R. Thompson stated that he spoke with Victor Mendez of FHWA about limiting litigation time and the process to resolve challenges. J. Reed discussed the role of SAMCo and current financial discussions with legislators. A. Downey stated that local representatives were in support of local option funding. J. Reed stated that local option funds could replace a percentage of funds to be paid with tolls. B. Cassidy stated that there are no new dollars and TxDOT has Proposition 12 and 14 bond funds but that is borrowed money. Chairman Thornton stated that the RMA is a public agency with public interests and trying to pool resources.

11. **Citizens' Communications.** Citizen Jack Finger spoke and stated he wanted to correct Robert Rodriguez in that Chico never said he supported or opposed tolls and the RMA Board states that the EIS are necessary and if there were overpasses the RMA has no need for the EIS. T. Brechtel corrected Mr. Finger and stated that the RMA never had an overpass plan. Mr. Finger stated that the diversions amount to billions for non-transportation issues and it would be okay to go to the ballot.

APPROVED:

DR. WILLIAM E. THORNTON, CHAIRMAN

DATE ADOPTED: 3/11/2010

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 February 11, 2010.

ATTEST: _____

**REYNALDO L. DIAZ, JR
SECRETARY/TREASURER**