

## Alamo Regional Mobility Authority

*Meeting May 26, 2011, 1:00p.m.,  
Port San Antonio, 907 Billy Mitchell Blvd  
San Antonio, Texas 78226*

### Minutes

1. **Call meeting to order.** Chairman Thornton called the meeting to order at 1:00 p.m. All Board members present except Robert Rodriguez and Rey Diaz.
2. **Approval of minutes from the Regular Board of Directors Meeting of March 10, 2011.** R. Thompson made the motion to approve the minutes as presented to the Board. J. Reed seconded. All voted in favor.
3. **Discussion and appropriate action on the financial statements for the periods ending February 28, 2011 and March 31, 2011 (Terry Brechtel / Carrie Conner).** Carrie Conner stated that the Finance Committee had reviewed these statements prior to the Board meeting. C. Conner reviewed the balance sheet statements the statement of capitalized costs, the statement of revenue, expenses and changes in fund deficit, and stated that any variances are for straight lining purposes only and there are no issues of concern. Chairman Thornton asked how the new reporting format is working and noted that we can now look at project costs and asked how the Interchange project is progressing. T. Brechtel referred to the capitalized cost report and by project shows how much money has been spent and that it is a reimbursement from TxDOT. A. Downey stated that this was reviewed in Finance Committee and he had no comments. A. Downey made the motion to accept the Financial Statements as presented to the Board. T. Calvert seconded. All voted in favor. T. Calvert asked if there could be information on the design/builders cost and schedule and T. Brechtel noted that it is included in her Executive Director's Report.
4. **Executive Director's Report.** T. Brechtel reviewed the calendar. T. Brechtel stated that on the Interchange project the design/build team is working 20 hours a day with 2 shifts and summarized the discussion on the change order for increased time for segment 1 due to approval issues for design. Chairman Thornton asked about the process with the design/builder and T. Brechtel stated that it is a first for the RMA as well as Williams Brothers and working with TxDOT so at the beginning there were relationships and oversight requirements to work through but going well. T. Calvert asked about the report from the GEC and what is the work for ongoing public involvement listed and T. Brechtel stated that although most work is done in house there are videos that will be shown that the GEC has been handling. T. Calvert stated that we should be improving outreach on transportation options, van rides etc much like conservation efforts. T. Brechtel references the 281 EIS report and noted that we are working on refinements to Alternative 1 to finish the DEIS to get back on schedule. T. Brechtel introduced Tim Smith and Matt Barkley to give a power point presentation (see attached) on the 1604 EIS. A. Downey asked if there would be Board approval before the release of the DEIS or back to the CAG/public meeting. T. Smith stated that there will likely be another CAG with a summary of the items/issues and T. Brechtel stated that there will be no formal action by the Board but they will be briefed on the major issues/components such as alignment, payment methodology, mitigation, environmental issues. R. Thompson thanked the Baker team for the use of interns and thought it was very productive and asked if it was something Baker would support in the future. Tim Smith said yes. J. Reed thanked Bob for the idea for the interns. Chairman Thornton stated that all EIS major issues should be discussed in Planning Committee. T. Calvert questioned the use of bicycles

on 1604 as it might be dangerous but wants to think about partnerships with the improvements for HOV and incentives for carpooling and using parking lots. T. Brechtel presented the summary of the status of legislation regarding the legislative priorities that the Alamo RMA adopted prior to the commencement of the Legislative Session: 1. Primacy: SB 19 (Sen. Nichols), which would eliminate the “market valuation” process provided for in SB 792 and give local toll project entities (LTPEs) the first option to develop toll projects within their regions, has been passed by both the Senate and the House without amendment. It will be sent to the Governor for signature. 2. Design/Build/Finance CDA Authority: Legislation extending design/build/finance CDA authority for RMAs was filed by Rep. Phillips (HB 2574) and Sen. Watson (SB 1138). Several outside groups weighed in on this legislation and a consensus developed in favor of adding a new subchapter to the RMA Act that would give RMAs design/build/finance authority independent of the CDA process. This legislation was included in the House version of the TxDOT Sunset bill (SB 1420) as an amendment by Rep. Phillips. Because the Senate did not concur in the House amendments to SB 1420, a conference committee was appointed to work out the differences. Conferees appointed by both the Senate and the House have met and have tentatively agreed to include the RMA design/build/finance provisions in the final version of the bill. Discussions are ongoing concerning the overall bill, and it is unclear whether the House and Senate will be able to reach a consensus on all issues. If an agreement can be reached, it is anticipated that the conferees will sign the conference committee report on May 26; it will then need to be adopted by both chambers. If the conference committee report is adopted by the House and the Senate, the bill will be sent to the Governor for signature. Because it was included in the TxDOT sunset bill, the stand-alone design/build/finance legislation is no longer moving. 3. RMA Clean Up: Rep. Phillips filed the RMA clarification (or “clean up”) bill, HB 1112, in the House. Sen. Nichols filed the Senate companion, SB 581. This is the same legislation that was filed last session. It improves language in several sections of Chapter 370 related to project financing, adds parking structures and TRZ projects to the list of authorized RMA projects, and gives RMAs the same toll collection and enforcement tools as TxDOT, NTTA and HCTRA. HB 1112 has been passed by both the House and the Senate. The version passed by the House contained provisions related to the Board of Directors of the Camino Real RMA that were removed on the Senate floor. Because the House did not concur in the Senate amendments, the House and Senate appointed a conference committee, and the conferees subsequently signed a conference committee report that includes compromise language related to the Camino Real RMA Board of Directors. We anticipate that the Senate and House will adopt the conference committee report this week. If the report is adopted, the bill will be sent to the Governor for signature. 4. Transportation Reinvestment Zones (TRZs): HB 563 (Rep. Pickett), which addresses several deficiencies in the TRZ statute and removes the requirement that a TRZ be tied to a pass-through project, has been passed by both the House and the Senate. The House concurred in Senate amendments to the bill related to use of sales tax and a public hearing requirement, and the legislation has been sent to the Governor for signature. Rep. Pickett also filed a resolution (HJR 63) that would amend the constitution to clarify the authority of a county to pledge tax revenue from a TRZ. HJR 63 has been passed by the House and the Senate and will be sent to the Governor for signature. Additional language related to issuance of bonds backed by TRZ revenues may also be included in the conference committee report for the TxDOT sunset bill. 5. Environmental Review Process: Two separate but substantially identical bills (HB 630 by Rep. Pickett and SB 548 by Sen. Nichols) related to the environmental review process have been

passed by both the House and the Senate. HB 630 and SB 548 would allow TxDOT and local toll authorities to enter into an agreement to provide funds to a state or federal agency to expedite the agency's performance of its duties related to the environmental review process, establish standards for environmental review, allow a local government sponsor to prepare an environmental review document for a highway project following notice to TxDOT and payment of a fee, and establish deadlines for TxDOT review and approval of an environmental review document prepared by a local government sponsor. Both bills will be sent to the Governor for signature.

L. Alloway presented the new RMA video. There was general discussion regarding the use of social media, public channels and meetings to get the message out and raise awareness about the RMA.

5. **Citizens' Communications.** Jack Finger spoke about general comments to the RMA projects and toll roads.
6. **Executive Session.** The Board convened in Executive Session at 3:15 pm to discuss pending litigation. The Board re-convened the regular meeting at 3:20 pm.
7. **Adjournment.** There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 3:20 p.m.

**APPROVED:**

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**DR. WILLIAM E. THORNTON, CHAIRMAN**  
**DATE ADOPTED: 6/9/2011**

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 May 26, 2011.

**ATTEST:** \_\_\_\_\_  
**REYNALDO L. DIAZ, JR**  
**SECRETARY/TREASURER**