

**Alamo Regional Mobility Authority**

*Meeting September 8, 2011, 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 Rey Diaz.
2. **Approval of minutes from the Regular Board of Directors Meeting of August 11, 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 a resolution adopting a revised Fiscal Year 2010-2011 Annual Operating and Capital Budget and adopting the Fiscal Year 2011-2012 Annual Operating and Capital Budget (Terry Brechtel / Milo Nitschke) (Resolution No. 11-11).** T. Brechtel introduced the item with a power point (see attached) and stated that the action is to adopt a revised operating and capital budgets for 2010/2011 and new operating and capital budgets for 2011/2012 along with a summary of proposed projects for 2013 through 2022. T. Brechtel addressed the current projects, those in development and those with construction in progress. She then summarized the revised operating budget and proposed operating budget by major line items. M. Nitschke then made the presentation regarding the capital budget through 2022 and the amount listed was consistent with the projects approved in the MPO plan. M. Nitschke described the development projects and costs to get the projects to the bond market; he described the construction in process along with future construction projects and estimated costs. M. Nitschke stated that the staff recommends approval of this action. A. Downey made the motion to approve the resolution and R. Rodriguez made the second. R. Rodriguez stated that it was all reviewed and discussed in the Finance Committee meeting and he had only a question regarding next year's capital budget and the expenditures for professional services, specifically about the legal fees and how it is allocated and if it can be broken out by project and firm. T. Brechtel stated that the more detailed information was provided in the back up at the Finance Committee meeting and provided a description of services that in house counsel performs and what outside counsel is expected to do in the next few years and the allocation of those costs. She stated that in house counsel handles administrative, day-to-day matters, Board items, contracts, environmental matters and procurements. T. Brechtel stated that outside counsel is used as an expert for specialized questions for the design/build procurement and documents as well as litigation matters and environmental lawsuits. R. Rodriguez asked if they could get more information on legal services that are allocated for outside counsel. T. Brechtel addressed the difference between the allocation of staff costs and time to projects in the operating budget versus the capital budget and stated that we can give by project basis the amount budgeted for outside counsel and in house counsel. T. Calvert stated that he recognizes that it is proposed that we use the design/build method but asked for a briefing on the various procurement methods so an analysis can be made to ensure whatever method is used that it is cost effective. T. Brechtel stated that there have been prior discussions with the Planning Committee on this topic before he joined but she would provide this information at the next meeting. All voted in favor.
4. **Discussion and appropriate action on a resolution authorizing maintaining the current Texas County & District Retirement System plan provisions with no change for members in plan year**

**2012 (Terry Brechtel/ Milo Nitschke) (Resolution No. 11-12).** T. Brechtel introduced this item and stated that there are no proposed changes to the plan and the proposed rate of 10.89% will be used. *T. Calvert made the motion to approve the resolution and R. Rodriguez made the second.* All voted in favor.

5. **Discussion and appropriate action on a resolution approving an Interlocal Agreement with the Texas Department of Transportation for environmental planning services relating to the I-35 Project (Terry Brechtel/Leroy Alloway) (Resolution No. 11-13).** Leroy Alloway made a power point presentation on this item (see attached). He provided an explanation of what is "PEL", why it is used, the structure and role of the RMA. L. Alloway stated that TxDOT will be providing the funding for the services of the RMA. *J. Reed made the motion to approve the resolution and A. Downey made the second.* Chairman Thornton stated that the congestion on the roadway exists today and this is a good project and shows partnering with TxDOT. J. Reed stated that this was reviewed by the Planning Committee and that there are a lot of options on the corridor and this will avoid duplication of efforts. T. Calvert stated that he is in favor of the effort but that the map looks very north-centric and we need to discuss with the MPO and TxDOT and others the necessity of looking south with all of the gas exploration and development now proceeding. A. Downey asked if it will all be done in house and Leroy explained the structure of the contract and roles and responsibilities and that TxDOT will be using outside consultants as well. R. Thompson stated that he is concerned with the costs of holding so many public meetings and the RMA needs to do a good job with the project as it will be very visible and the staff needs to be judicious about costs and effectiveness. T. Brechtel stated that we have invested in training for Leroy Alloway and Michelle Martinez for public involvement. T. Calvert stated that he has complete confidence in the staff and that most outside consultants would not do as good of a job as the RMA staff will, this is a diverse territory and he is happy to help however he can. All voted in favor.
6. **Discussion and appropriate action on a resolution approving the execution of an Advance Funding Agreement with the Texas Department of Transportation for Traffic and Revenue Services (Terry Brechtel/Milo Nitschke) (Resolution No. 11-14).** T. Brechtel introduced the item and stated that the Board had previously approved an Interlocal Agreement with TxDOT for this work in July but subsequently TxDOT decided that a different format should be used so they are proposing an Advance Funding Agreement and there is no change in scope or fee to what was previously provided. *A. Downey made the motion to approve the resolution and R. Rodriguez made the second.* T. Calvert asked why the change in form and Lisa Adelman responded that they wanted to use the contract form with the federal provisions in it. R. Rodriguez asked about invoicing and L. Adelman stated that Wilbur Smith would provide invoices to the RMA, the RMA would review and approve the invoices and forward them to TxDOT for approval and payment and the payment would be applied as a credit against the outstanding toll equity grant provided by TxDOT to the RMA. All voted in favor of adopting the resolution.
7. **Discussion and appropriate action on the financial statements for the periods ending July 31, 2011 (Terry Brechtel / Milo Nitschke).** M. Nitschke made the presentation of the financial statements and pointed out that there is nothing new to report and that the financial position is consistent with the plans as presented. *R. Thompson made the motion to accept the Financial Statements as presented to the Board. R. Rodriguez seconded.* All voted in favor.

8. **Executive Director's Report.** T. Brechtel reviewed the calendar for the next three months and noted the reports included on the various projects. R. Rodriguez asked if a DBE Report could be added and T. Brechtel stated that a DBE report has been on the list of discussion items before the Finance Committee for the last several months but due to time constraints has not been done but is on the next agenda and she will add it to next month's Board agenda for discussion. Chairman Thornton asked Brian Cassidy about current events in Austin and he stated it is generally quiet but starting on interim studies.
9. **Citizens' Communications.** None.
10. **Adjournment.** There being no further actions for the Board, Chairman Thornton called the meeting to adjournment at 2:15 p.m.

**APPROVED:**

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**DR. WILLIAM E. THORNTON, CHAIRMAN**  
**DATE ADOPTED: 10/13/2011**

**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 September 8, 2011.**

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