



**CENTRAL TEXAS
Regional Mobility Authority**

Meeting Date: September 30, 2015
AGENDA ITEM # 16

Approve the minutes for the July 21, 2015, Special Meeting, the minutes for the July 29, 2015, Regular Board Meeting, and the minutes for the August 24, 2015, Special Meeting

Strategic Plan Relevance: Regional Mobility
Department: Law
Contact: Andrew Martin, General Counsel
Associated Costs: Not Applicable
Funding Source: Not Applicable
Action Requested: Consider and act on motion to approve minutes

Summary:

Approve the Minutes for the July 21, 2015, Special Meeting, the minutes for the July 29, 2015, Regular Board Meeting, and the minutes for the August 24, 2015, Special Meeting.

Backup provided: Draft Minutes, July 21, 2015, Special Meeting,
Draft Minutes, July 29, 2015, Regular Board Meeting, and
Draft Minutes, August 24, 2015 Special Meeting

MINUTES

Special Called Meeting of the Board of Directors

of the

CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Tuesday, July 21, 2015

9:00 A.M.

This meeting was held in the Mobility Authority's Williamson Conference Room at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849. Notice of the meeting was posted July 17, 2015 at the respective County Courthouses of Williamson and Travis Counties; online on the website of the Secretary of State; online on the website of the Mobility Authority; and in the Mobility Authority's office lobby at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849.

An audio recording of this meeting is available at:

<http://www.mobilityauthority.com/about/vod.php>

1. Welcome and Opening Remarks by Chairman Ray Wilkerson.

After noting that a quorum of the Board was present in person and by participating through the telephone conference call, Chairman Wilkerson called the meeting to order at 9:02 a.m.

Ray A. Wilkerson, Chairman	Present at the meeting place
James H. Mills, Vice Chairman	Present at the meeting place
Robert L. Bennett, Jr., Treasurer	Present by telephone
Nikelle Meade, Secretary	Present by telephone
David B. Armbrust	Present by telephone
David Singleton	Present by telephone
Charles Heimsath	Present at the meeting place

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 9:04 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

2. Discuss legal issues related to claims by or against the Mobility Authority, pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation With Attorney).

3. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation With Attorney).
4. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After the board completed and recessed from its executive session, Chairman Wilkerson reconvened the Board's open session in the Lowell H. Lebermann, Jr., Board Room at 10:05 a.m.

Chairman Wilkerson asked if there were any comments or questions from a Board member under Agenda Item 5. There were none.

Chairman Wilkerson declared the meeting adjourned at 10:06 a.m. with unanimous consent.

MINUTES
Regular Meeting of the Board of Directors
of the
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
Wednesday, July 29, 2015

9:00 A.M.

The meeting was held in the Mobility Authority’s Lowell H. Lebermann, Jr. Board Room at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849. Notice of the meeting was posted July 24, 2015 at the respective County Courthouses of Williamson and Travis Counties; online on the website of the Secretary of State; online on the website of the Mobility Authority; and in the Mobility Authority’s office lobby at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849.

**An archived copy of the live-streamed video of this meeting
is available at: <http://www.mobilityauthority.com/about/vod.php>**

1. Welcome and Opening Remarks by Chairman Ray Wilkerson.

After noting that a quorum of the Board was present, Chairman Ray Wilkerson called the meeting to order at 9:05 a.m.

Ray A. Wilkerson, Chairman	Present
James H. Mills, Vice Chairman	Present
Robert L. Bennett, Jr.	Absent
Nikelle Meade, Secretary	Present
David B. Armbrust	Present
David Singleton	Present
Charles Heimsath	Absent
Mike Heiligenstein	Present

2. Opportunity for Public Comment.

The Board heard public comment from Jeff Austin III.

Consent Board Items

Chairman Ray Wilkerson presented Items 3 through 7 for Board consideration as the consent agenda:

MOTION: Approval of consent agenda items 3-7.

RESULT: APPROVED (Unanimous)
MOTION BY: David Singleton
SECONDED BY: Nikelle Meade
AYE: Wilkerson, Mills, Meade, Armbrust, and Singleton
NAY: None

3. Approve a supplement to the work authorization with Atkins North America, Inc., for oversight of the design-build contract for the 183 South (Bergstrom Expressway) Project.

ADOPTED AS: RESOLUTION NO. 15-041

4. Approve a supplement to the work authorization with Atkins North America, Inc., for oversight of the design-build contract for the Manor Expressway (290E) Project.

ADOPTED AS: RESOLUTION NO. 15-042

5. Approve a supplement to the work authorization with Jacobs Engineering Group Inc. for preliminary engineering and environmental services for the MoPac South Project.

ADOPTED AS: RESOLUTION NO. 15-043

6. Approve a work authorization with Schneider Electric Mobility NA Inc. for toll systems integration services for the 183 South (Bergstrom Expressway) Project.

ADOPTED AS: RESOLUTION NO. 15-044

7. Authorize a procurement for communications and marketing consulting services.

ADOPTED AS: RESOLUTION NO. 15-045

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 9:11 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

14. Discuss legal issues related to claims by or against the Mobility Authority; pending or contemplated litigation and any related settlement offers; or other matters as authorized by §551.071 (Consultation With Attorney).
15. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation With Attorney).
16. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

The Board then recessed into an executive session in the Travis Conference Room.

After completing the executive session, the Board reconvened in open meeting in Lebermann Board Room.

Regular Board Items

8. Chairman Ray Wilkerson presented the minutes for the July 1, 2015, regular meeting for the Board's consideration.

Speaking on: None

MOTION: Approve July 1, 2015 Regular Board Meeting Minutes as drafted.

RESULT: APPROVED (Unanimous)

MOTION BY: James H. Mills

SECONDED BY: Nikelle Meade

AYE: Wilkerson, Mills, Meade, Armbrust, and Singleton

NAY: None

9. Accept the financial statements for June 2015.

Speaking on: Bill Chapman

MOTION: Accept the financial statements for June 2015.

RESULT: APPROVED (Unanimous)

MOTION BY: Nikelle Meade

SECONDED BY: David B. Armbrust

AYE: Wilkerson, Mills, Meade, Armbrust, and Singleton

NAY: None

ADOPTED AS: RESOLUTION NO. 15-046

10. Authorize the borrowing of funds for the 183 South (Bergstrom Expressway) Project, and the execution and delivery of a secured loan agreement in connection therewith; and enacting other provisions related thereto.

Speaking on: Bill Chapman

MOTION: Authorize execution of secured loan agreement for 183 South Project.

RESULT: APPROVED (Unanimous)

MOTION BY: David S. Singleton

SECONDED BY: James H. Mills

AYE: Wilkerson, Mills, Meade, Armbrust, and Singleton

NAY: None

ADOPTED AS: RESOLUTION NO. 15-047

11. Designate an underwriting team for the proposed issuance, sale, and delivery of revenue bonds for the 183 South (Bergstrom Expressway) Project.

Speaking on: Bill Chapman

MOTION: Approve underwriting team for 183 South Project.

RESULT: APPROVED (Unanimous)

MOTION BY: David B. Armbrust

SECONDED BY: David S. Singleton

AYE: Wilkerson, Mills, Meade, Armbrust, and Singleton

NAY: None

ADOPTED AS: RESOLUTION NO. 15-048

12. Approve and authorize execution of a design-build contract with Colorado River Constructors for the 183 South (Bergstrom Expressway) Project.

Speaking on: Susan Wilcox, Justin Word

MOTION: Authorize execution of design-build contract with Colorado River Constructors for 183 South Project.

RESULT: APPROVED (Unanimous)

MOTION BY: James H. Mills

SECONDED BY: Nikelle Meade

AYE: Wilkerson, Mills, Meade, Armbrust, and Singleton

NAY: None

ADOPTED AS: RESOLUTION NO. 15-049

Briefing and Discussion on the Following:

13. Executive Director's Report –

Mike Heiligenstein spoke on:

- 183 North
- MoPac South
- University of Texas Center for Transportation Research
- SH 45 SW
- 183 South

- MoPac Improvement Project/CH2M
- MoPac Improvement Project - Express Lanes
- Kellen Road project

Heather Reavey and Steve Pustelnyk spoke on Mopac Improvement Project

17. After confirming that no member of the public wished to address the Board, Chairman Wilkerson declared the meeting adjourned.

MINUTES

Special Called Meeting of the Board of Directors of the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Monday, August 24, 2015

9:00 A.M.

This meeting was held in the Mobility Authority's Lowell H. Lebermann, Jr. Board Room at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849. Notice of the meeting was posted August 20, 2015, at the Williamson County Courthouse and the Travis County Courthouse; online on the website of the Mobility Authority; and in the Mobility Authority's office lobby at 3300 N. Interstate 35, #300, Austin, Texas 78705-1849.

**An audio recording of this meeting is available
at: <https://soundcloud.com/mobilityauthority>**

1. Welcome and Opening Remarks by Chairman Ray Wilkerson.

After noting that a quorum of the Board was present, Chairman Ray Wilkerson called the meeting to order at 9:10 a.m.

Ray A. Wilkerson, Chairman	Present by telephone
James H. Mills, Vice Chairman	Present at the meeting place
Robert L. Bennett, Jr.	Present by telephone
Nikelle Meade, Secretary	Present by telephone
David B. Armbrust	Present by telephone
David Singleton	Not present
Charles Heimsath	Present by telephone

2. Opportunity for Public Comment.

No members of the public presented comments to the Board.

Regular Board Items

3. Approve the financial assistance agreement with the Texas Department of Transportation for funding to develop and construct the 183 South (Bergstrom Expressway) Project.

Speaking on: Mike Heiligenstein, Bill Chapman, Andy Martin

MOTION: Adopt the resolution provided as backup for Agenda Item 3.

RESULT: Approved (Unanimous)

MOTION BY: Ms. Meade

SECONDED BY: Mr. Bennett

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

ADOPTED AS: RESOLUTION NO. 15-050

- 4. Consideration of the use of eminent domain to condemn property:** Declare a public necessity to acquire the following described parcels of land, or interests therein, for the 183 South (Bergstrom Expressway) Project; and with respect to each such parcel or interest therein authorize any of the following actions: (i) execution of a contract to purchase, (ii) execution of a possession and use agreement, or (iii) acquisition through negotiation or by the use of eminent domain to condemn the parcel or interest therein:

Speaking on Items A-F: Andy Martin

- A. Parcel 117 of the 183 South (Bergstrom Expressway) Project, a 0.461 acre parcel of real estate, and Parcel 117E of the 183 South (Bergstrom Expressway) Project, a 0.404 acre parcel of real estate, owned by Randall W. Ferneau, Roberta A. Ferneau, and Robin M. Ferneau as the sole successors-in-interest to Ferneau Investments, Inc., a dissolved California corporation, located in the 2800 block of Ed Bluestein, Austin, Travis County, Texas.

MOTION: Authorize the use of the power of eminent domain to acquire a fee simple interest in Parcel 117, a 0.461 acre parcel, and a drainage easement in Parcel 117E, a 0.404 acre parcel, located in the 2800 block of Ed Bluestein, at the northwest corner of Ed Bluestein and Shelton Road, Austin, Travis County, for public use to expand, construct, operate, and maintain the 183 South transportation project, by adopting the resolution provided as backup for Agenda Item 4-A.

MOTION BY: Ms. Meade

SECONDED BY: Mr. Bennett

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

RESULT: Approved (Unanimous)

ADOPTED AS: RESOLUTION NO. 15-051

B. Parcel 131 of the 183 South (Bergstrom Expressway) Project, a 0.217 acre parcel of real estate owned by Ben Fuentes, Daniel C. Castro, Esther Nanez Ledesma, Edward Ledesma, Abel Ledesma, Tina Villareal, and Alfred Ledesma, located at 6501 Regiene Road, in the 3000 block of Ed Bluestein, Austin, Travis County, Texas.

MOTION: Authorize the use of the power of eminent domain to acquire a fee simple interest in Parcel 131, a 0.217 acre parcel, located at 6501 Regiene Road, in the 3000 block of Ed Bluestein, Austin, Travis County, for public use to expand, construct, operate, and maintain the 183 South transportation project, by adopting the resolution provided as backup for Agenda Item 4-B.

MOTION BY: Ms. Meade

SECONDED BY: Mr. Heimsath

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

RESULT: Approved (Unanimous)

ADOPTED AS: RESOLUTION NO. 15-052

C. Parcel 132 of the 183 South (Bergstrom Expressway) Project, a 0.673 acre parcel of real estate owned by Brian Evans and Yoon Sin Kim, located at 6705 Regiene Road, Austin, Travis County, Texas.

MOTION: Authorize the use of the power of eminent domain to acquire a fee simple interest in Parcel 132, a 0.673 acre parcel, located at 6705 Regiene Road, Austin, Travis County, for public use to expand, construct, operate, and maintain the 183 South transportation project, by adopting the resolution provided as backup for Agenda Item 4-C.

MOTION BY: Ms. Meade

SECONDED BY: Mr. Mills

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

RESULT: Approved (Unanimous)

ADOPTED AS: RESOLUTION NO. 15-053

D. Parcel 155 of the 183 South (Bergstrom Expressway) Project, a 0.131 acre parcel of real estate owned by Sunbelt Cleveland Properties, L.P., located in the 2700 block of Howard Road, Austin, Travis County, Texas.

MOTION: Authorize the use of the power of eminent domain to acquire a fee simple interest in Parcel 155, a 0.131 acre parcel, located in the 2700 block of Howard Road, at the northeast corner of Ed Bluestein Blvd. and Smith Road, Austin, Travis County, for public use to expand, construct, operate, and maintain the 183 South transportation project, by adopting the resolution provided as backup for Agenda Item 4-D.

MOTION BY: Ms. Meade

SECONDED BY: Mr. Mills

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

RESULT: Approved (Unanimous)

ADOPTED AS: RESOLUTION NO. 15-054

E. Parcel 157 of the 183 South (Bergstrom Expressway) Project, a 0.163 acre parcel of real estate owned by William E. Selman, located in the 400 block of Bastrop Highway, Austin, Travis County, Texas.

MOTION: Authorize the use of the power of eminent domain to acquire a fee simple interest in Parcel 157, a 0.163 acre parcel, located on the west line, in the 400 block of Bastrop Highway, between Vargas Road and Thompson Lane, Austin, Travis County, for public use to expand, construct, operate, and maintain the 183 South transportation project, by adopting the resolution provided as backup for Agenda Item 4-E.

MOTION BY: Ms. Meade

SECONDED BY: Mr. Heimsath

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

RESULT: Approved (Unanimous)

ADOPTED AS: RESOLUTION NO. 15-055

F. Parcel 158 of the 183 South (Bergstrom Expressway) Project, a 0.035 acre parcel of real estate owned by 422 Bastrop Hwy., Ltd., located at 436 Bastrop Highway, Austin, Travis County, Texas.

MOTION: Authorize the use of the power of eminent domain to acquire a fee simple interest in Parcel 158, a 0.035 acre parcel, located at 436 Bastrop Highway, Austin, Travis County, for public use to expand, construct, operate, and maintain the 183 South transportation project, by adopting the resolution provided as backup for Agenda Item 4-F.

MOTION BY: Ms. Meade

SECONDED BY: Mr. Heimsath

AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Ms. Meade, Mr. Heimsath, and Mr. Armbrust

NAY: None

RESULT: Approved (Unanimous)

ADOPTED AS: RESOLUTION NO. 15-056

Executive Director Heiligenstein advised Chairman Wilkerson and the board members that he knew of nothing that required discussion in an executive session.

Chairman Wilkerson announced that the board would not recess into executive session or discuss any executive session item listed on the agenda.

Chairman Wilkerson declared the meeting adjourned with unanimous consent at 9:26 a.m.