



**CENTRAL TEXAS
Regional Mobility Authority**

July 27, 2016
AGENDA ITEM #3

Approve the minutes for the June 15, 2016
Regular Board Meeting and the July 11, 2016
Special Board Meeting.

Strategic Plan Relevance: Regional Mobility
Department: Legal
Contact: Geoffrey Petrov, General Counsel
Associated Costs: N/A
Funding Source: N/A
Action Requested: Consider and act on motion to approve minutes

Summary:

Approve the attached draft minutes for the June 15, 2016 Regular Board Meeting and the July 11, 2016 Special Board Meeting.

Backup provided: Draft Minutes, June 15, 2016 Regular Board Meeting and the July 11, 2016 Special Board Meeting.

MINUTES
Special Called Meeting of the Board of Directors
of the
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
Monday, July 11, 2016
10:00 A.M.

This was a telephone conference call meeting. Notice of the meeting was posted July 7, 2016, 2016, 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. Board Members on the called were Jim Mills, Bob Bennett, Nikelle Meade, Charles Heimsath, and David Singleton.

An archived copy of the live-streamed audio 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 10:01 a.m.

2. Opportunity for Public Comment.

No members of the public presented comments to the Board.

Regular Board Items

3. Authorize an administrative change order approval process for use on the 183 South Project.

Speaking on: Mike Heiligenstein, Executive Director.

MOTION: Authorize an administrative change order approval process for use on the 183 South Project by adopting resolution provided as backup for Agenda Item 3.

RESULT: Approved (Unanimous)

MOTION BY: Jim Mills

SECONDED BY: Nikelle Meade

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-041

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session at 10:04 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

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

4. Discuss acquisition of one or more parcels or interests in real property needed for the Bergstrom Expressway (183 South) Project and related legal issues, including consideration of the use of eminent domain to condemn property, pursuant to §551.072 (Deliberation Regarding Real Property; Closed Meeting) and §551.071 (Consultation With Attorney; Closed Meeting).
5. 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).
6. Discuss legal issues relating to procurement and financing of Mobility Authority transportation projects, as authorized by §551.071 (Consultation with Attorney).
7. Discuss personnel matters as authorized by §551.074 (Personnel Matters).

After completing the executive session, the Board reconvened in open meeting at 10:18 a.m. via telephone conference call. No action was taken during Executive Session.

Regular Board Items

8. **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) acquisition through negotiation or by the use of eminent domain to condemn the parcel or interest therein; (ii) execution of a contract to purchase, and (ii) execution of a possession and use agreement:
 - a. Parcel E04 of the 183 South (Bergstrom Expressway) Project, a 0.205 acre parcel of real estate, **owned by Hassan Rahimi**, and located at 7009 Ed Bluestein Blvd. in Austin, TX 78723.

MOTION: Authorize the use of the power of eminent domain to acquire an easement interest in Parcel E04, a 0.205 acre parcel, located at 7009 Ed Bluestein

Boulevard, Austin, Travis County, for public use to install City of Austin water utilities related to the expansion, construction, operation, and maintenance of Highway 183 South, a state highway project, by adopting the resolution provided as backup for Agenda Item 8-A.

RESULT: Approved (Unanimous)
MOTION BY: Nikelle Meade
SECONDED BY: Jim Mills
AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Mr. Heimsath, Ms. Meade, Mr. Singleton.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-042

- b. Parcel E05 of the 183 South (Bergstrom Expressway) Project, a 0.149 acre parcel of real estate, **owned by Gold Star Realty**, and located at 6450 Ed Bluestein Blvd. in Austin, TX 78723.

MOTION: Authorize the use of the power of eminent domain to acquire an easement interest in Parcel E05, a 0.149 acre parcel, located at 6450 Ed Bluestein Boulevard, Austin, Travis County, for public use to install City of Austin water utilities related to the expansion, construction, operation, and maintenance of Highway 183 South, a state highway project, by adopting the resolution provided as backup for Agenda Item 8-B.

RESULT: Approved (Unanimous)
MOTION BY: Nikelle Meade
SECONDED BY: Charles Heimsath
AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Mr. Heimsath, Ms. Meade, Mr. Singleton.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-043

- c. Parcel E06B of the 183 South (Bergstrom Expressway) Project, a 0.347 acre parcel of real estate, **owned by Medanjo Partners, LTD**, and located on the west side of Ed Bluestein Blvd., south of Loyola Lane in Austin, TX 78723.

MOTION: Authorize the use of the power of eminent domain to acquire an easement interest in Parcel E06B, a 0.347 acre parcel, located at on the west side of Ed Bluestein Boulevard, approximately 750’ south of Loyola Lane, Austin, Travis County, for public use to install City of Austin water utilities related to the

expansion, construction, operation, and maintenance of Highway 183 South, a state highway project, by adopting the resolution provided as backup for Agenda Item 8-C.

RESULT: Approved (Unanimous)
MOTION BY: Nikelle Meade
SECONDED BY: Charles Heimsath
AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Mr. Heimsath, Ms. Meade, Mr. Singleton.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-044

- d. Parcel E08 of the 183 South (Bergstrom Expressway) Project, a 0.084 acre parcel of real estate, owned by Medanho Partners, LTD, and located 5513 Rangoon Rd. in Austin, TX 78723.

MOTION: Authorize the use of the power of eminent domain to acquire an easement interest in Parcel E08, a 0.084 acre parcel, located at 5513 Rangoon Rd, adjacent to and on the west side of Ed Bluestein Boulevard, Austin, Travis County, for public use to install City of Austin water utilities related to the expansion, construction, operation, and maintenance of Highway 183 South, a state highway project, by adopting the resolution provided as backup for Agenda Item 8-D.

RESULT: Approved (Unanimous)
MOTION BY: Nikelle Meade
SECONDED BY: Bob Bennett
AYE: Chairman Wilkerson, Mr. Mills, Mr. Bennett, Mr. Heimsath, Ms. Meade, Mr. Singleton.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-045

After confirming that no member of the public wished to address the Board, Chairman Wilkerson declared the meeting adjourned at 10:25 a.m.

MINUTES
Regular Meeting of the Board of
Directors of the
CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY
Wednesday, June 15, 2016
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 June 9, 2016 at the respective County Courthouses of Williamson and Travis Counties; 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 9:06 a.m. with the following Board members present: James H. Mills, David B. Armbrust, David Singleton, Nikelle Meade, and Charles Heimsath.

Note: Chairman Wilkerson announced that items 9, 10, and 20 would be considered after Executive Session.

2. Opportunity for Public Comment.

Public comment by Mike Rollins, President of the Greater Austin Chamber of Commerce.
Public comment by Patrick Rose, member of the Real Estate Council of Austin.
Public comment by Bob Moore, on behalf of Travis County Commissioner Daugherty.
Public comment by Lauren Charnow, southwest Austin resident.
Public comment by Pamela Baggett, member of South Brodie Neighborhood Alliance.
Public comment by Vikki Goodwin, Shady Hollow resident.
Public comment by Bill (William) Moore, 5 year resident of Knollwood Community.
Public comment by Rosemary Moore, 5 year resident of Knollwood Community.

Mike Heiligenstein presented Chairman Wilkerson with emails of support for SH 45 SW Project.

Consent Board Items

Chairman Ray Wilkerson presented Items 3 through 6 for Board consideration as the consent agenda:

3. Approve Amendment No. 1 to the Consulting Services Agreement with Sigma Information Group, Inc.

ADOPTED AS: RESOLUTION 16-029

4. Approve Amendment No. 1 to the Personal Services Agreement with Neal Spelce for communications support services.

ADOPTED AS: RESOLUTION 16-030

5. Approve an agreement with eBuilder for program management system services.

ADOPTED AS: RESOLUTION 16-031

6. Approve Amendment No. 3 to CP & Y's Work Authorization No. 1 for a time extension for the development of the 183 North Project.

ADOPTED AS: RESOLUTION 16-032

MOTION: Approval of consent agenda items 3-6.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Nikelle Meade

SECOND BY: Charles Heimsath

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

NAY: None

Regular Board Items

7. Approve the minutes for the May 3, 2016, Regular Board Meeting.

MOTION: Approval for May 3, 2016, Board Meeting minutes.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Nikelle Meade

SECONDED BY: Charles Heimsath

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

NAY: None

8. Accept the financial statements for April 2016.

Speaking on: Mary Temple, Controller.

MOTION: Accept the financial statements for April 2016.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Charles Heimsath

SECONDED BY: Nikelle Meade
AYE: Wilkerson, Armbrust, Heimsath, Mills, Singleton, and Meade.
NAY: None

ADOPTED AS: RESOLUTION NO. 16-033

11. Approve an agreement with Parsons Brinkerhoff for general engineering consulting services.

Speaking on: Justin Word, Director of Engineering.

MOTION: Approve an agreement with Parsons Brinkerhoff for general engineering consulting services

RESULT: Approved (Unanimous); 6-0

MOTION BY: Charles Heimsath

SECONDED BY: David Armbrust

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-034

12. Discuss and consider approval of Supplement No. 3 to HNTB's Work Authorization No. 16 for the MoPac Improvement Project.

Speaking on: Jeff Dailey, Deputy Executive Director.

MOTION: Approve Supplement No. 3 to HNTB's Work Authorization No. 16 for the MoPac Improvement Project.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Jim Mills

SECONDED BY: Charles Heimsath

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-035

13. Discuss and consider adoption of the proposed 2017 Operating Budget.

Speaking on: Mary Temple, Controller

MOTION: Adopt the proposed 2017 Operating Budget.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Charles Heimsath

SECONDED BY: David Singleton

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-036

14. Presentation on the May 12, 2016 sale of Senior Lien Revenue Refunding Bonds, Series 2016.

Speaking on: Mary Temple, Controller

Note: Presentation only, no board action.

15. Authorize the issuance, sale and delivery of the Central Texas Regional Mobility Authority Subordinate Lien Revenue Refunding Bonds, Series 2016, in accordance with specified parameters.

MOTION: Authorize the issuance, sale and delivery of the Central Texas Regional Mobility Authority Subordinate Lien Revenue Refunding Bonds, Series 2016, in accordance with specified parameters.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Nikelle Meade

SECONDED BY: Charles Heimsath

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-037

16. Approve the Second Amendment to the Transportation Infrastructure Finance and Innovation (TIFIA) Agreement.

Speaking on: Mary Temple, Controller

MOTION: Approve the Second Amendment to the Transportation Infrastructure Finance and Innovation (TIFIA) Agreement.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Nikelle Meade

SECONDED BY: Charles Heimsath

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-038

17. Discuss and consider appropriate action on the proposed Interlocal Agreement with the Capital Area Metropolitan Planning Organization to fund and participate in the Near Northwest Corridor – Connections Case Study.

Speaking on: Justin Word, Director of Engineering

MOTION: Authorization to execute the ILA between the Mobility Authority and Capital Area Metropolitan Planning Organization.

RESULT: Approved (Unanimous); 6-0

MOTION BY: Charles Heimsath

SECONDED BY: Jim Mills

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-039

18. Presentation and discussion on the proposed Memorandum of Agreement with Capital Metro and Capital Area Metropolitan Planning Organization to implement the Park and Ride Initiative.

Speaking on: Justin Word, Director of Engineering

Presentation only, no board action.

Briefing and Discussion on the Following:

19. Monthly update on transportation projects.

A. MoPac North.

Speaking on: Steve Pustelnyk, Director of Community Relations and Craig Martel, CH2M.

B. 183 South Project (Bolm Rd. /briefing on intersection configuration).

Speaking on: Justin Word, Director of Engineering and Jerel Rackley, Design Manager, Atkins

Executive Session Pursuant to Government Code, Chapter 551

Chairman Wilkerson announced in open session that the Board would recess the open meeting at 10:47 a.m. and reconvene in Executive Session to deliberate the following items:

21. 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).

22. Discuss legal issues relating to procurement and financing of Mobility Authority

transportation projects, as authorized by §551.071 (Consultation with Attorney).

23. 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 at 12:40 p.m. in the Lebermann Board Room.

9. Authorize the advertisement of bid proposals for construction services for SH 45 Southwest Project.

Speaking on: Justin Word, Director of Engineering

MOTION: Authorize the advertisement of bid proposals for construction services for SH 45 Southwest.

RESULT: Approved (Unanimous); 6-0

MOTION BY: David Armbrust

SECONDED BY: Nikelle Meade

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

NAY: None

ADOPTED AS: RESOLUTION NO. 16-040

10. Presentation and discussion on Waiver of Primacy on the SH 45 Southwest Project.

Speaking on: Brian Cassidy, Partner, Locke Lord, LLP

Note: *Presentation only, no board action.*

20. Executive Director's Report.

A. Pay by Mail Complexities.

Speaking on: Tracie Brown, Customer Care and Toll Operations Manager

B. New employee introduction.

Speaking on: Tim Reilly, Director of Operations

C. Future Budget Considerations.

Speaking on: Mike Heiligenstein, Executive Director

No action was taken was taken on this item.

After confirming that no member of the public wished to address the Board, Chairman Wilkerson declared the meeting adjourned at 1:26 p.m.