

## MINUTES

### Regular Meeting of the Board of Directors of the CENTRAL TEXAS REGIONAL MOBILITY AUTHORITY

Wednesday, December 18, 2013  
9:30 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 December 13, 2013 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.

**1. Welcome and Opening Remarks by Chairman Ray Wilkerson.**

Chairman Ray Wilkerson called the meeting to order at 9:32 a.m. and called the roll. Directors present at the time the meeting was called to order were Mr. Jim Mills, Mr. Bob Bennett, Ms. Nikelle Meade, and Mr. David Armbrust. Mr. Charles Heimsath joined the dais at 9:34 a.m. Mr. David Singleton was not present for the meeting.

**2. Open Comment Period.**

No public comments were offered during the Open Comment Period.

**3. Approve the minutes for the November 20, 2013, Regular Meeting of the Board of Directors.**

Chairman Ray Wilkerson presented for Board consideration the minutes for the November 20, 2013, Regular Board Meeting. Mr. Jim Mills moved to approve the minutes as drafted, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously 5-0, and the minutes were approved as drafted.

**4. Approve a work authorization with Atkins North America, Inc., to provide general engineering consultant services for development of the Bergstrom Expressway project.**

This item was postponed until the January 29, 2013 Board Meeting.

**5. Approve an amendment to the Policy Code relating to gateway monuments on Mobility Authority right-of-way.**

Mr. Sean Beal presented this item. The Policy Code amendment establishes financial responsibility, provides components to be included in the proposal process, and defines regulations related to the design, installation, and maintenance of gateway monuments.

Mr. Bob Bennett moved for approval, and Mr. Charles Heimsath seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

**6. Approve an amendment to the contract with Stantec Consulting Services, Inc., for traffic and revenue services.**

Mr. Bill Chapman presented this item. The proposed renewal agreement authorizes work by Stantec for traffic and revenue studies for Mobility Authority projects in an amount not to exceed \$3 million, and amends the contract to provide for its termination by either party with a thirty day written notice.

Mr. Bob Bennett moved for approval, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

**7. Authorize the borrowing of funds from Regions Bank and execution and delivery of a First Amendment to Secured Loan Agreement and other financing documents in connection therewith; and enacting other provisions related thereto.**

Mr. Bill Chapman presented this item. In 2011 the Mobility Authority entered into a \$5 million interim financing loan with Regions Bank. The Mobility Authority has been drawing down on this note to reimburse expenditures on various projects as well as paying down on the principal from proceeds received through the \$13.6 million multi-project Financial Assistance Agreement (FAA) with TxDOT. The expiration date defined in the original Region's loan agreement is December 15, 2013. The Bank and the Mobility Authority have negotiated an extension of the expiration date to November 15, 2015, a maximum principal amount of \$6.4 million and a reduction of the interest rate by 35 basis points.

Mr. Charles Heimsath moved for approval, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

**8. Approve the financial statements for November, 2013.**

Mr. Bill Chapman presented this item. There was nothing unusual to report on the financial statements.

Mr. Jim Mills moved for approval, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

**Briefing and discussion on the following:**

**9. Executive Director's report.**

Mr. Mike Heiligenstein presented this item and mentioned the 2013 Annual Reports that were provided to Board members.

Chairman Wilkerson recognized and congratulated Mr. Heiligenstein for his ten years of service provided to the Mobility Authority.

## **Executive Session Pursuant to Government Code, Chapter 551**

Chairman Wilkerson announced in open session at 10:07 a.m. that the Board would recess the open meeting and reconvene in Executive Session to deliberate the following items:

10. 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).

11. Discuss personnel matters as authorized by §551.074 (Personnel Matters), including evaluation of the performance of the Executive Director.

The Board reconvened in open meeting at 10:45 a.m., and Chairman Wilkerson announced that no action was taken in Executive Session.

### **12. Approve an amended employment agreement with the executive director, including compensation and other contract terms.**

Mr. Bob Bennett moved for approval, and Ms. Nikelle Meade seconded the motion. The motion carried unanimously, 6-0, and the resolution was approved as drafted.

### **13. Adjourn Meeting.**

Chairman Ray Wilkerson declared the meeting adjourned at 10:48 a.m. with unanimous consent.

Approved 01/29/2014